

**Addendum No. 2 to the
RiverPark Project
Final Environmental Impact Report**

State Clearinghouse No. 2000051046

Prepared for:

City of Oxnard
Development Services Department
Planning and Environmental Services Division
305 West Third Street
Oxnard, California 93030

September 2002

0030

ATTACHMENT 3
PAGE 1 OF 7

1.0 INTRODUCTION

This document is the second Addendum (Addendum No. 2) to the Certified Final Environmental Impact Report (FEIR) for the RiverPark Project. The City of Oxnard City Council upheld the Planning Commission's decision certifying the FEIR on July 16, 2002. The first addendum was prepared in August 2002 to examine the dewatering of a second location within the project site.

Purpose of this Addendum

When a Final EIR has been certified for a project, CEQA provides for the update of the information in the certified EIR to address changes to a project or changes to the circumstances under which a project will occur. An Addendum to a previously certified EIR may be prepared if changes or additions to the EIR are needed, but none of the conditions calling for a Subsequent EIR as defined in the CEQA Guidelines have occurred. Specifically, Section 15162 of the California Environmental Quality Act (CEQA) Guidelines provides that where the Lead Agency determines that neither project changes, changed circumstances, nor new information requires the preparation and circulation of a Subsequent or Supplemental EIR, the Lead Agency may prepare an Addendum to an EIR. CEQA Guidelines Section 15164 states that the purpose of an Addendum is to provide a way of making minor changes or additions to an EIR. Circulation of an Addendum for public review is not required.

The RiverPark Project, as described and analyzed in the Certified RiverPark FEIR and Addendum No. 1 included an application for the adoption of a new specific plan. Since the completion of the FEIR and Addendum No. 1, the inclusion of regulations for temporary uses within the specific plan has been proposed. In response to the new information, the applicant is proposing a minor change to the specific plan to include regulations for temporary uses.

Addendum No. 2 to the Certified FEIR has been prepared because: (1) no substantial changes are proposed in the project which will require major revisions of the Certified FEIR due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant impacts; (2) no substantial changes in circumstances under which the project is undertaken will occur which will require major revisions of the Certified FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; and (3) no new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the Certified FEIR was certified as complete, shows any of the following: (A) the project will have one or more significant effects not discussed in the Certified FEIR; (B) significant

0031

Addendum No. 2 to the Final Certified FEIR for the
RiverPark Specific Plan
September 2002

ATTACHMENT 3
PAGE 2 OF 7

effects previously examined will be substantially more severe than shown in the Certified FEIR; (C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or, (D) mitigation measures or alternatives which are considerably different from those analyzed in the Certified FEIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Description of the Specific Plan

The RiverPark Specific Plan is proposed to provide the City of Oxnard with a comprehensive planning program to govern the orderly development of a new mixed-use community within the 701-acre Specific Plan Area. The adoption of specific plans is authorized by Section 65450 of the State Government Code, which states that specific plans may be prepared to provide for the systematic implementation of the general plan for all or part of the area covered by the general plan. The RiverPark Specific Plan supercedes and replaces the existing Oxnard Town Center Specific Plan. A Specific Plan Amendment for the RiverPark Specific Plan was originally analyzed in the FEIR certified by the City Council on July 16, 2002.

Description of the Specific Plan Amendment

Since the completion of the FEIR and Addendum No. 1, the inclusion of regulations for temporary uses within the specific plan has been proposed. In response to the new information, the City is proposing a minor change to the specific plan to include regulations for temporary uses. The proposed RiverPark Specific Plan is organized into the following eight sections addressing the requirements set by the Government Code:

1. Introduction
2. Land Use Master Plan
3. Commercial Land Use Master Plan
4. Residential Land Use Master Plan
5. Landscape Master Plan
6. Infrastructure Master Plan
7. Specific Plan Implementation
8. Glossary

0032

Addendum No. 2 to the Final Certified FEIR for the
RiverPark Specific Plan
September 2002

ATTACHMENT 3
PAGE 3 OF 7

The RiverPark Specific Plan is proposed to guide the development and use of the land within the Specific Plan Area. The RiverPark Specific Plan would permit the development of an integrated mixed-use community consisting of open space, residential, commercial, and public facilities uses. The community design of RiverPark follows the design principles of the 'New Urbanism' and 'Smart Growth' movements, which emphasize the importance of mixed land uses, communities scaled for pedestrian movement, limiting automobile usage and the importance of physical design in creating communities that people want to live, work, and shop in. Accordingly, the RiverPark community is designed as a diverse, environmentally-conscious mixed-use and pedestrian-oriented community with a complete range of facilities for living, learning, working, entertainment, and recreation. It is intended to create a strong sense of community and place. The proposed amendment to the specific plan would be included in Section 7, Implementation. The new temporary use regulations would include the following:

- Defines a temporary use.
- Provides permitted uses within the various land use districts (residential, commercial, office, open space, schools and public facilities) within the RiverPark Specific Plan area. The following uses would be allowed within residential districts:
 - (1) Construction signs, defined as a sign stating the names of those individuals or firms directly connected with the construction project. Said sign may include the name of the city in which their business is located and emergency phone numbers.
 - (2) Sales or rental offices (used only for the sale or rental of residential properties which are part of a project containing five (5) or more contiguous lots or units, said offices to be located on or immediately adjacent to the site of the project and as further regulated by section 7.11.8).
 - (3) Subdivision model homes and related facilities.
 - (4) Subdivision signs, as defined in the City Code.
 - (5) Temporary construction yards and offices (used only in conjunction with development of uses permitted by the applicable zone, said offices and yards to be located on or immediately adjacent to the site of the development. One adult caretaker may be present during nonconstruction hours).
 - (6) Youth, charitable or nonprofit organization projects.
 - (7) Other temporary uses, which the development services director has determined to be compatible with the zone and surrounding land uses.

The following uses would be allowed in commercial and office land use districts:

- (1) Those temporary uses listed in the residential land use districts.
- (2) Christmas tree lots.

0033

Addendum No. 2 to the Final Certified FEIR for the
RiverPark Specific Plan
September 2002

ATTACHMENT 3
PAGE 4 OF 7

- (3) Grand opening signs, banners and other similar temporary signage excluding balloons and other inflatables.
- (4) Auctions (as defined and regulated in section 7-1 et seq.).
- (5) Outdoor carnivals, circuses and rodeos (as defined in the City Code).
- (6) Outdoor concerts.
- (7) Other outdoor shows.
- (8) Outdoor religious revival meetings.
- (9) Outdoor sales, when the sale occurs adjacent to the permanent retail facility in which the same type of goods are sold by the same seller.
- (10) Temporary office structure may be used where a permanent building has been severely damaged by fire or other catastrophe.
- (11) Other temporary uses, which the development services director has determined to be compatible with the zone and surrounding land uses.

The following uses would be permitted in the open space, school and public facilities land use designations:

- (1) Subdivision signs.
 - (2) Temporary construction yards and offices (used only in conjunction with development permitted in this zone, said offices and yards to be located on or immediately adjacent to the site of said development. One adult caretaker may be present during nonconstruction hours).
 - (3) Youth, charitable or nonprofit organization projects.
 - (4) Other temporary uses, which the development services director has determined to be compatible with the zone and surrounding land uses.
- Establishes time limits for various temporary uses.
 - Provides a listing of prohibited temporary uses.

0034

Addendum No. 2 to the Final Certified FEIR for the
RiverPark Specific Plan
September 2002

ATTACHMENT 3
PAGE 5 OF 7

2.0 ENVIRONMENTAL ANALYSIS

Summary of Environmental Analysis in FEIR/ Updated Environmental Determination from the Proposed Specific Plan Amendment

The original specific plan amendment was analyzed in the FEIR certified for the project. The addition of regulations for temporary uses to the specific plan document will not create any new significant impacts. No new significant impacts have been identified from the various temporary uses that could be sited within the specific plan area in Section 1.0.

The City's noise ordinance regulates noise impacts by land use activity (i.e., residential, commercial and industrial) which minimizes noise impacts. The City's sign ordinance governs any proposal for new signs. The uniform building code (UBC) and other building-related codes govern certain construction activities including temporary trailers and other similar construction related uses. Therefore, no new significant impacts would result from the proposed specific plan amendment as all uses would be temporary in nature and are subject to existing city code requirements as they relate to signs, construction activities and other outdoor activities.

The City also imposes standard conditions on temporary use permits depending on the nature of the temporary use requested to minimize any operational impacts. Sample conditions are as follows:

1. No alcoholic beverages will be permitted. Sections 25662 B&P-1 20-03 Oxnard City Code)
2. Sound will be kept at a reasonable level as determined by the ranking law enforcement officer at the scene.
3. Applicant will be on the premise at all times during the event and available to law enforcement.
4. Applicant / Business owner will afford full cooperation with law enforcement. If problems arise the Applicant / Business owner will assist law enforcement personnel. If necessary, the event may be terminated by the ranking law enforcement officer at the scene. (Sections 12.1.7 Oxnard City Code)
5. Applicant / Business owner hereby agrees that all conditions are met and or adhered to. Applicant / Business owner will advise Security of the conditions and have the conditions available for inspection. (Section 12-1.4 Oxnard City Code)
6. All event staff will wear distinctive clothing or badges to identify themselves. Event organizer will provide a number for a communication device for emergency contact. Full cooperation will be provided to members of the Oxnard Police Department, and Oxnard Code Enforcement Department. Such cooperation will include access to any location on the site, including locations restricted to public access. All event staff will wear distinctive clothing or badges to identify themselves. Event organizer will provide a number for a communication device for emergency contact.
7. Provide a minimum of _____ licensed and bonded security guards. Guards must be readily identifiable as security guards.
8. * Security Company Name: _____ Phone #: _____
9. Contact Name: _____ Title: _____
10. Parking area shall be monitored by event staff to facilitate traffic movement and parking.

0035

Addendum No. 2 to the Final Certified FEIR for the
RiverPark Specific Plan
September 2002

ATTACHMENT 3
PAGE 6 OF 7

11. No loitering will be allowed at the conclusion of the event. Spectators shall be ushered out by staff.
12. Based on the factors of this event:
13. Store restrooms should be accessible and available to event participants.
14. Provide a minimum of _____ portable restrooms and _____ handwash container.
15. Note that at least ____ portable restrooms must be handicap accessible.
16. Failure to comply with these conditions may result in your inability to conduct another event.
17. Tables, booths, canopies or any other equipment must be removed upon completion of event.
18. Any banners or other sign posting is limited to the lot in which this event is permitted to take place.
19. There shall be continuous and ongoing parking lot, street, curb, gutter and sidewalk clean-up while the event is taking place. Area should be clear of any debris such as papers, flyers, soda cans, thrash and any other item(s) that may have been left behind by any event participant.
20. An adequate number of trash cans/containers should be placed throughout the event site to relieve the spillage of trash.
21. Streets may not be closed during the occurrence of this event.
22. The event must be confined to the area indicated on the approved site-plan.
23. Prior to event applicant must provide the Risk Management Program a Certificate of Insurance including an insurance endorsement from an insurance carrier rated A-7 or better. The insurance certificate must name the "City of Oxnard, its City Council, officers, agents, employees, and volunteers" as additional insured. The insurance coverage per occurrence should be in the amount as required by the Risk Management Program. Certificate must be mailed to the attention of Sabrina Rodriguez at City of Oxnard, Risk Management, 300 West Third Street, Oxnard, CA 93030.
24. General liability in the amount of \$ _____ is required.

In addition, the City has the ability to impose special conditions on temporary use permits to minimize the impact on the community.

0036

Addendum No. 2 to the Final Certified FEIR for the
RiverPark Specific Plan
September 2002

ATTACHMENT 3
PAGE 7 OF 7