Meeting Date 3/08/2011

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☐ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☒ Public Hearing
☐ Other _____	☐ Other _____

Prepared By: Linda Windsor, Associate Planner LW Agenda Item No. L-1

Reviewed By: City Manager City Attorney SMF Finance Other *(Specify)*

DATE: March 1, 2011

TO: City Council

FROM: Susan L. Martin, AICP, Planning Manager
Development Services Department

SUBJECT: **Planning & Zoning Permit No. 10-630-02 (Specific Plan Amendment to RiverPark Specific Plan; regulations related to freeway oriented signs), Filed by RiverPark Collection, LLC.**

RECOMMENDATION

That City Council approve the first reading by title only and subsequent adoption of an ordinance amending Section 5.9.3.3 of the RiverPark Specific Plan to allow three freeway-oriented monument signs up to a maximum height of 20 feet tall, and to allow subsequent consideration of a special use permit to allow changeable electronic display panels on a 60-foot high freeway pylon sign, situated on the southern edge of The Collection shopping center, on the north side of the 101 Freeway, between North Oxnard Boulevard and RiverPark Boulevard.

DISCUSSION

In 2009, the City Council approved an amendment to Section 5.9.3.3 of the RiverPark Specific Plan allowing "Freeway-Oriented Pole Signs." The approved amendment allows a single 60-foot tall freeway-oriented pylon sign in Planning District D, subject to approval of a Design Development Review permit (DDR).

Subsequent to that time, the applicant determined that in the current economic market, additional freeway-oriented signs are even more important for attracting high-quality tenants and customers to the shopping center. As a result the applicant submitted an application for the current specific plan amendment, which would further modify the specific plan regulations to allow three freeway oriented monument signs and subsequent consideration of a special use permit for changeable electronic display panels on the 60-foot tall pylon sign. All of these signs would be located on the south edge of The Collection Shopping Center, bordering the US 101 Freeway. On February 17, 2011, the Planning Commission considered the request and adopted Resolution No. 2011-3, recommending the City Council approve this amendment to the RiverPark Specific Plan.

The site is within District D of the RiverPark Specific Plan Area and also within the Historic Revitalization and Enhancement of Oxnard (HERO) redevelopment area.

Planning staff prepared an Addendum to the certified EIR to evaluate the environmental impacts of the proposed specific plan amendment [see Attachment C of Attachment 2 (Planning Commission Staff Report)]. This proposed specific plan amendment allowing a freeway oriented sign does not change the use or intensity of land uses on the site, since it is an accessory structure to the commercial uses in this area that were evaluated by the EIR. The inclusion of a freeway-oriented sign does not create any additional environmental impacts not previously analyzed in the EIR. Therefore, staff has determined that there is no substantial evidence that the specific plan amendment may have a significant effect on the environment. Accordingly, neither a supplement to the EIR nor a subsequent EIR is required. Pursuant to section 15164 of the CEQA Guidelines, the City Council shall consider the Addendum with the EIR prior to making a decision on the specific plan amendment.

FINANCIAL IMPACT

None.

Attachment #1 - Ordinance Approving Planning & Zoning Permit No. 10-630-2 (Specific Plan Amendment, including Exhibit 5.HH)
#2 - Planning Commission Staff Report (including Vicinity Map, General Plan, RiverPark Land Use Plan, Addendum to EIR No. 00-03)
#3 - Planning Commission Resolution
#4 - Planning Commission PowerPoint Presentation (February 17, 2011)

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING AN AMENDMENT TO THE RIVERPARK SPECIFIC PLAN (PZ NO. 10-630-02) TO ALLOW THREE FREEWAY ORIENTED MONUMENT SIGNS, AND SUBSEQUENT CONSIDERATION OF A SPECIAL USE PERMIT TO ALLOW CHANGEABLE ELECTRONIC PANELS ON A 60-FOOT TALL PYLON SIGN, FILED BY RIVERPARK COLLECTION, LLC, 3098 N. OXNARD BL, OXNARD, CA 93036..

WHEREAS, on August 27, 2002, the City Council of the City of Oxnard (the "City") adopted by ordinance the RiverPark Specific Plan (the "Specific Plan") as the comprehensive planning program to regulate the use of land and govern the orderly development of the RiverPark community; and

WHEREAS, the City Council of the City of Oxnard has considered an amendment to the Specific Plan relating to sign standards in the specific plan area (PZ No. 10-630-02); and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), a final environmental impact report (EIR No. 00-03) was prepared to analyze potential impacts associated with the approval and the implementation of the Specific Plan and the anticipated build out of the 701-acre specific plan site; and such EIR has been certified for this project, and an addendum thereto has been prepared, and the City Council has considered the final environmental impact report and the addendum before making its decision herein; and

WHEREAS, the City Council has carefully reviewed the Planning Commission action recommending approval of the specific plan amendment, and the staff report and the addendum; and has determined that there is no substantial evidence that the specific plan amendment may have a significant effect on the environment because the proposed project is consistent with the EIR, does not change the use or intensity of land uses on the site since proposed signs are accessory structures to the commercial land uses in this area that were evaluated by the EIR, and no additional environmental impacts will be caused by the proposed specific plan amendment and its implementation; and

WHEREAS, the proposed amendment is in conformance with the *2020 General Plan* and other adopted standards of the City of Oxnard; and

WHEREAS, the City Council finds, after due study, deliberation and public hearing, that the amendment is a logical refinement of the Specific Plan; that the proposed specific plan amendment conforms with adopted City standards and constitutes good City planning; and that the amendment will not adversely affect or be materially detrimental to adjacent land uses, buildings or structures or to the public health, safety or general welfare.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain to approve an amendment to the RiverPark Specific Plan (Planning and Zoning Permit No. 10-630-02) by changing the following section to read as set forth herein:

Part 1: Section 5.9.3.3. "Freeway-Oriented Pole Signs" shall be deleted in its entirety and replaced as follows:

"***5.9.3.3 Freeway-Oriented Signs***

A. Freeway-Oriented Pylon Sign.

(i) *Number of Signs and Location*: One (1) two-sided freeway-oriented pylon sign (the "Pylon Sign") shall be permitted in Planning District D of the RiverPark Specific Plan area, as depicted on Exhibit 5.HH, or in another location within Planning District D along the freeway, subject to approval of a Design Development Review Permit or Special Use Permit, as provided in Part C herein.

(ii) *Sign Content*: The Pylon Sign may include text, graphics and/or logos identifying the shopping center located in Planning District D, and names, brands or logos of tenants operating within the shopping center located in Planning District D. Such sign may include a large format graphic panel or changeable electronic display panel on each side, subject to the requirements herein. In no event shall product prices be displayed on the sign.

(iii) *Illumination*: The Pylon Sign shall be illuminated with internal illumination. Other type(s) of illumination may be approved by the Director as part of the Development Design Review Permit or Special Use Permit, as applicable.

(iv) *Size*:

(1) The overall size of the Pylon Sign structure shall not exceed sixty (60) feet in height and forty (40) feet in width. In no event shall the area of the Pylon Sign structure exceed twenty-four hundred (2,400) square feet per side, for a total structure area of forty-eight hundred (4,800) square feet.

(2) Sign area shall not exceed thirty-six (36) feet in height and thirty-five (35) feet in width for each side, or twelve hundred sixty (1,260) square feet per side, or forty-five per cent (45%) of the overall structure size.

(3) Large format graphics or changeable electronic display panels shall not exceed more than fifty percent (50%) of the total sign area on each side of the Pylon Sign.

B. Freeway-Oriented Monument Signs.

(i) *Number of Signs*: Up to three (3) two-sided, freeway-oriented Monument Signs are allowed in Planning District D. The final design and location of the Monument Signs shall be subject to approval of a Design Development Review Permit, as provided in Part C of this Section.

(ii) *Sign Locations*: The Monument Signs shall be located within Planning District D in the approximate locations shown on Exhibit 5.HH or in other locations along the freeway within Planning District D, subject to approval of a Design Development Review Permit. The Monument Signs shall be approximately evenly spaced.

(iii) *Sign Content*: Monument Signs may include text, graphics and/or logos identifying the shopping center located in Planning District D, and names, brands, and/or logos of tenants operating within the shopping center located in Planning District D. In no event shall product prices be displayed on the Monument Signs.

(iii) *Illumination*: The Monument Signs shall be illuminated with internal illumination. Other type(s) of illumination may be approved as part of a Design Development Review Permit.

(iv) *Size*:

(1) Height: Overall height not to exceed twenty (20) feet.

(2) Size of Sign Structure: The dimensions of each Monument Sign structure (overall height multiplied by width) shall not exceed three hundred twenty (320) square feet per side, for a total structural area of six hundred forty (640) square feet.

(3) Sign Area: In no event shall the total area devoted to tenant and shopping center identification sign area on each side of each Monument Sign exceed sixty-five percent (65%) of the structural area of the Monument Sign.

C. Freeway-Oriented Sign Design and Permit Procedure.

(i) Approval of a Development Design Review Permit by the Director is required for any freeway-oriented sign listed in this Section, except that approval of a Special Use Permit by the Planning Commission is required for a Pylon Sign with changeable electronic display panel(s).

(ii) In reviewing and approving any freeway-oriented sign, the Director or Planning Commission, as applicable, shall find that the size, design of, and materials used for the fabrication, installation and illumination of such freeway-oriented sign are compatible with the criteria in this section, and compatible with the design, exterior building materials, finishes, scale and illumination of the buildings and site within the regional commercial development in Planning District D. Intensity, brightness, and light spillover shall be evaluated as part of the permit review. In addition, such sign shall not adversely affect or be materially detrimental to (a) the public health, safety or general welfare, or (b) adjacent uses, buildings or structures in the vicinity of the sign.

(iii) Owner shall permit the City of Oxnard and its designated partner entities (such as, but not limited to, Performing Arts and Convention Center, Oxnard Convention and Visitors Bureau, Economic Development Corporation of Oxnard) to provide non-commercial civic promotion messages and public service announcements on the changeable electronic display panel(s). The amount of time for civic promotion messages and public service announcements, and placement of such messages shall be detailed in the special use permit approval and conditions of approval for the sign."

Part 2: Exhibit 5.HH (Exhibit "A" of this ordinance) shall be revised and incorporated into the Specific Plan to show the locations of the freeway-oriented signs described in Part 1 of this ordinance.

Part 3: Within fifteen days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation within the City. Ordinance No. ____ was first read on March 8, 2011, and finally adopted on _____, 2011, to become effective thirty days thereafter.

AYES:

NOES:

ABSENT:

_____
Dr. Thomas E. Holden, Mayor

_____
Daniel Martinez, City Clerk

APPROVED AS TO FORM:

_____
Alan Holmberg, City Attorney

G:\PLNG\Linda_RiverPark\RP Commercial\The Collection 06-200-15\SignSPA2nd\City Council\CC Ord- FwySign SPA 2.DOC

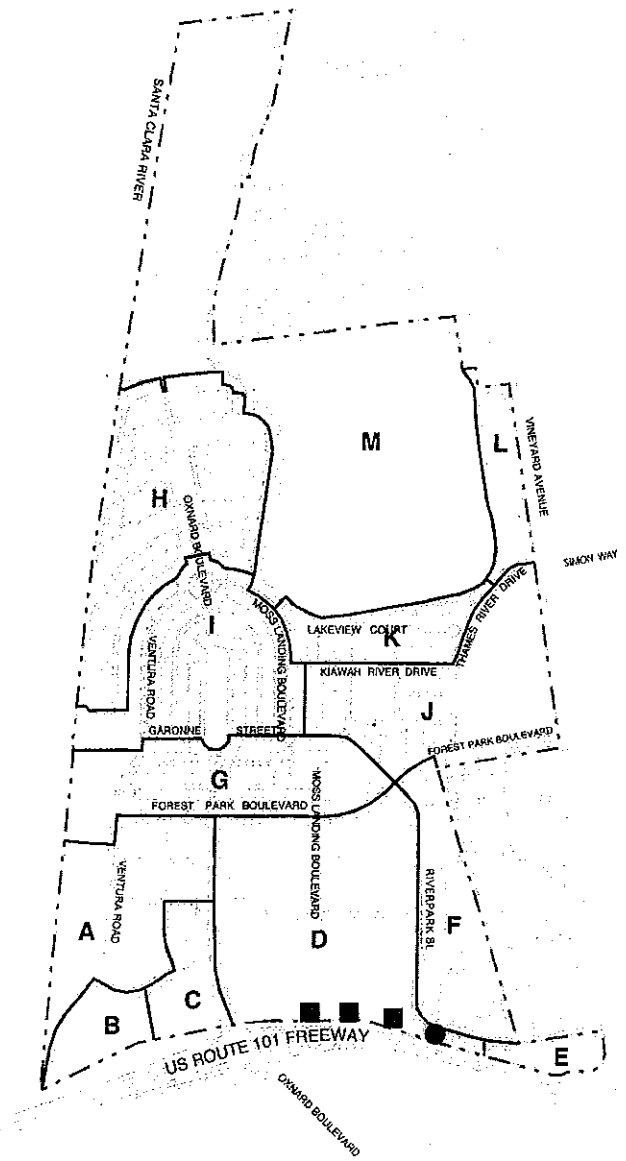
Exhibit A

FREEWAY-ORIENTED SIGN LOCATIONS

Legend

- Potential Monument Sign Locations
- Potential Pylon Sign Location

Notes:
Actual sign configurations subject to city sign permit.
See text for size and spacing requirements.



RIVERPARK
exhibit
5.HH

October 15, 2010
Land Use Plan Date:
November 21, 2008

FREEWAY-ORIENTED SIGN LOCATIONS

prepared for RiverPark Development, LLC by AC Martin Partners with
RTKL / EDSA / CRAIN AND ASSOCIATES / WILLIAM HEZMALHALCH ARCHITECTS / HUITT-ZOLLARS

ATTACHMENT
PAGE 5 OF 5

Planning Division

PLANNING COMMISSION STAFF REPORT

TO: Planning Commission

FROM: Linda Windsor, Associate Planner

DATE: February 17, 2011

SUBJECT: Planning and Zoning Permit No. 10-630-02, (Specific Plan Amendment to the *RiverPark Specific Plan* regarding freeway-oriented signs). Located on the north side of the 101 Freeway between RiverPark Boulevard and North Oxnard Boulevard.

1) **Recommendation:** That the Planning Commission adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 10-630-02, an amendment to the RiverPark Specific Plan, subject to certain findings and conditions.

2) **Project Description and Applicant:** Request to amend the *RiverPark Specific Plan* to allow three freeway-oriented monument signs along the southern edge of the Collection Shopping Center, located on the north side of US Highway 101, between RiverPark Boulevard and Oxnard Boulevard. The freeway-oriented monument signs would be no more than 20 feet in height. The amendment would also allow subsequent consideration of a Special Use Permit to allow changeable electronic display panels on a 60-foot high freeway pylon sign, allowed under a previous specific plan amendment. The site is within District D of the *RiverPark Specific Plan* Area and also within the Historic Revitalization and Enhancement of Oxnard (HERO) redevelopment area. Filed by RiverPark Collection, LLC (Shea Properties LLC), 3098 N. Oxnard Bl., Oxnard, CA 93036.

3) **Existing & Surrounding Land Uses:** The subject site consists of the southerly portion of Planning District D of the *RiverPark Specific Plan* area (APN: 132-0-110-115, 132-0-110-125, 132-0-110-215, 132-0-110-225, 132-0-110-235), and is bounded by: the balance of District D to the north; the 101 freeway to the south; residential District F to the east; and commercial Districts C and A to the west. The regional commercial retail center known as "The Collection" is under construction on this site.

4) **General Plan Policies, Specific Plan and Land Use Designation Conformance:** The *2020 General Plan* land use map designates the subject project area for Commercial Regional and Open Space Park. The *RiverPark Specific Plan* Land Use Map (attached) designates District D of the subject property for Commercial: Regional and Open Space: Park Space. In adopting the *RiverPark Specific Plan,* the Planning Commission and City Council determined that the Specific Plan is consistent with the *2020 General Plan.* In approving a

Design Development Review permit for The Collection shopping center, the Development Services Director determined that the shopping center is in conformance with the policies, land use designations and development standards of the RiverPark Specific Plan.

5) **Environmental Determination:** In accordance with the California Environmental Quality Act (CEQA), an environmental impact report (EIR No. 00-03) was prepared to analyze potential environmental impacts associated with the approval and the implementation of the *RiverPark Specific Plan* and the anticipated build out of the 701-acre Specific Plan site. On July 16, 2002, the City Council adopted Resolution No. 12,209 upholding the Planning Commission's decision certifying the environmental impact report (State Clearinghouse No. 2000051046) and adopting findings of fact, statement of overriding considerations and mitigation monitoring and reporting program.

Planning staff has prepared an Addendum to the certified EIR to evaluate the environmental impacts of the proposed specific plan amendment (see Attachment B). This proposed specific plan amendment allowing three freeway-oriented "monument" signs and consideration of changeable electronic display panels for the freeway-oriented pylon sign, does not change the use or intensity of land uses on the site, since the signs are accessory structures to the commercial uses in this area that were evaluated by the EIR. The inclusion of these freeway-oriented signs does not create any additional environmental impacts not previously analyzed in the EIR. Therefore, staff has determined that there is no substantial evidence that the specific plan amendment may have a significant effect on the environment. Accordingly, neither a supplement to the EIR nor a subsequent EIR is required. Pursuant to section 15164 of the State CEQA Guidelines, the Commission shall consider the Addendum with the EIR prior to making a decision on the specific plan amendment.

6) **Analysis:**

a) ***General Discussion:*** In 2009, the City Council approved an amendment to Section 5.9.3.3 of the *RiverPark Specific Plan* allowing "Freeway-Oriented Pole Signs." That amendment allows a single 60-foot tall freeway-oriented pylon sign in Planning District D, subject to approval of a Design Development Review permit (DDR). The applicant has indicated that providing additional freeway-oriented signs is important for attracting high-quality tenants and customers to the shopping center, particularly in the current economic market. For this reason, the developer has requested a further revision to this section to allow three freeway-oriented "monument" signs, in addition to the larger pylon (pole) sign approved under the previous specific plan amendment. With approval of this amendment, a total of four freeway-oriented signs could be constructed along the freeway.) Further, the amendment requests the option to include large format graphics or changeable electronic display panels on the pylon sign.

b) Proposed Amendment: In summary, the amended section of the specific plan includes provisions for the following:

1. Three freeway-oriented monument signs up to 20 feet tall (none with changeable electronic display).
2. Option to allow consideration of a changeable electronic display on either or both sides of the 60-foot tall freeway-oriented pylon sign. (Approval of the previous specific plan amendment provision allows the pylon sign; the current amendment request allows the option for the changeable electronic display panel(s) on this sign.)
3. Content: Signs may include the names and logos of the retail shopping center and tenants in District D, but not product prices.
4. Location: Exhibit 5HH (Attachment A to the resolution) identifies the general locations of the signs along the freeway.
5. Illumination: Internally illuminated, or illuminated in some other manner (to allow for technological advances in sign lighting), as approved by the Development Services Director, or Planning Commission, depending upon type of sign. Intensity, brightness and light spillover to be evaluated as part of the permits.
6. Design: design, size and materials to be complimentary to the adjacent commercial development (The Collection).
7. Permit procedures: Design Development Review Permit for all signs, except Special Use Permit for sign with changeable electronic display panels.
8. Public service requirement for changeable electronic display panels.

As listed above, final design, sign area, materials, type and level of illumination, and location of the signs will require review and approval of a separate design development review permit (DDR), to be approved by the Development Services Director, or a special use permit (SUP) by the Planning Commission for sign with one or more changeable electronic display panels. The design elements, materials, and the area of the signs will be addressed as part of the DDR or SUP review process, as applicable. The pylon sign allowed by the previous amendment is not changed from the previous approval, with the exception of the option for the changeable electronic copy.

During the permit review process, staff will carefully evaluate the location, orientation, illumination, and design of the proposed signs to ensure that the applicable decision-maker (Planning Commission or Development Services Director) is able to make the required findings.

b) Changeable Electronic Display: As noted above, the proposed specific plan amendment allows the pylon sign to be approved with changeable electronic display panels, subject to approval of a special use permit.

"Changeable electronic display" is a generic term that encompasses several types of illuminated signs displaying various images that can be changed remotely by a computer.

These displays are made up of many very small light bulbs that can change color and intensity at various rates, similar in appearance to a very large computer monitor. These images can take the form of video (motion pictures), still pictures and text (or a combination of these), and virtually infinite color variations and intensities are possible. An example of an older version of this technology within the City of Oxnard is the Auto Center sign, which includes low-resolution text and graphics on the top portion and higher resolution pictures below it. Newer technology allows much higher resolution images, and static images that essentially appear to be a printed sign. As with the lower resolution images, a static image can be changed to another static image via computer. The applicant has submitted a special use permit for a very high resolution static image using the newer technology, contingent upon approval of this specific plan amendment.

Changeable image signs have the potential to create traffic hazards, spill light onto adjacent property, and change the character of the area surrounding the sign. In order ensure these adverse effects will be avoided, staff has conducted preliminary research about these types of signs. Staff will use the results of this research to evaluate the discretionary applications for the electronic sign panels, provided the current specific plan amendment is approved. Staff has expressed to the applicant that these changeable electronic display panels must be understated, subdued, and consistent with the architecture of the shopping center.

No other changes to the *RiverPark Specific Plan* are proposed with this amendment. All other regulations for the specific plan area's directional signs, entry monument signs, and on-building signs remain unchanged.

Attachments:

A. Project Maps (vicinity, general plan, specific plan)
B. Addendum to EIR No. 00-03
C. Resolution (including Exhibit 5HH)

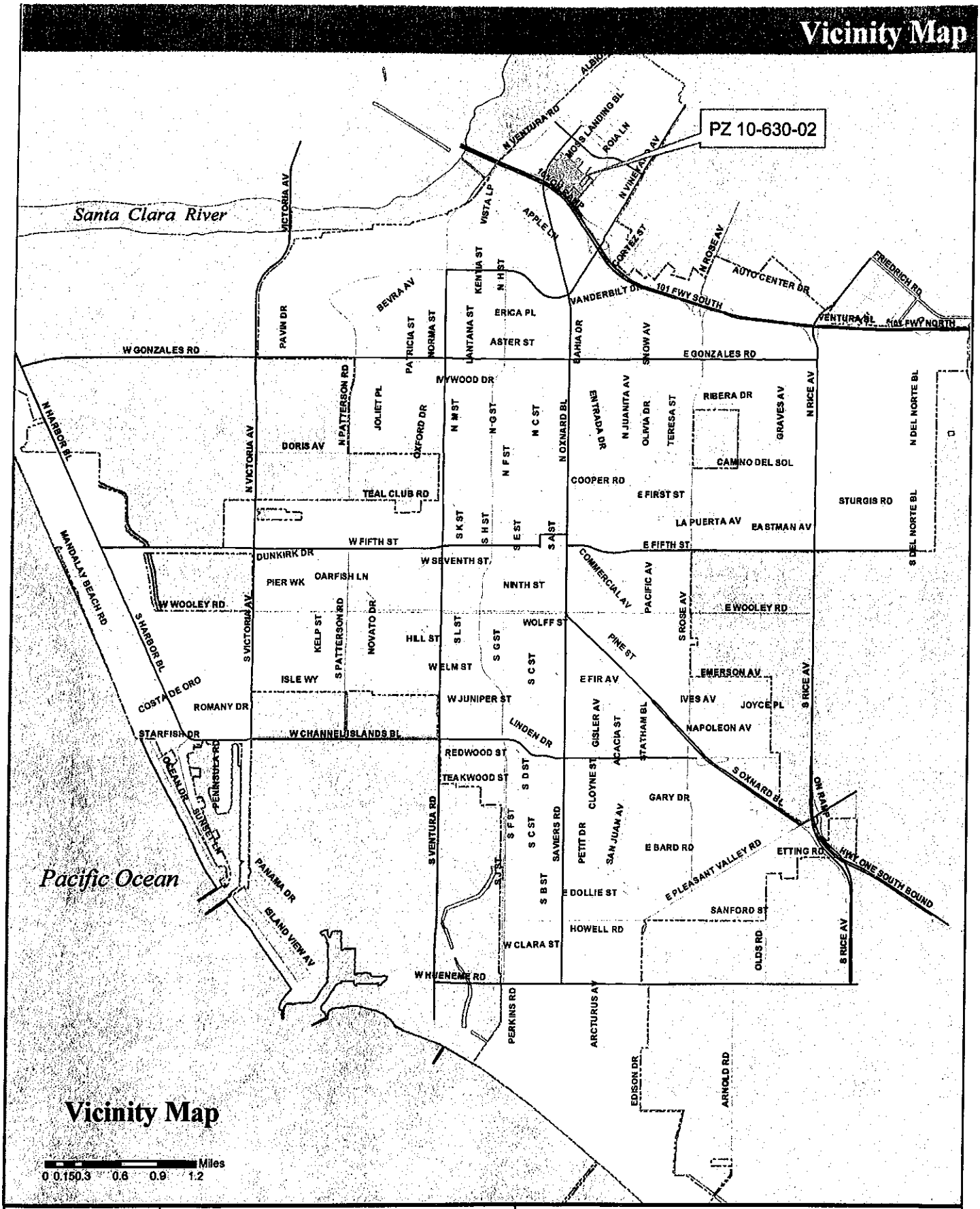
G:\PLNG\Linda_RiverPark\RP Commercial\The Collection 06-200-15\SignSPA2nd\Plng Comm\RPfwySigns2spaPCsr020811.doc

Prepared by: LJW
LJW

Approved by: SM
SM

ATTACHMENT 2
PAGE 4 OF 13

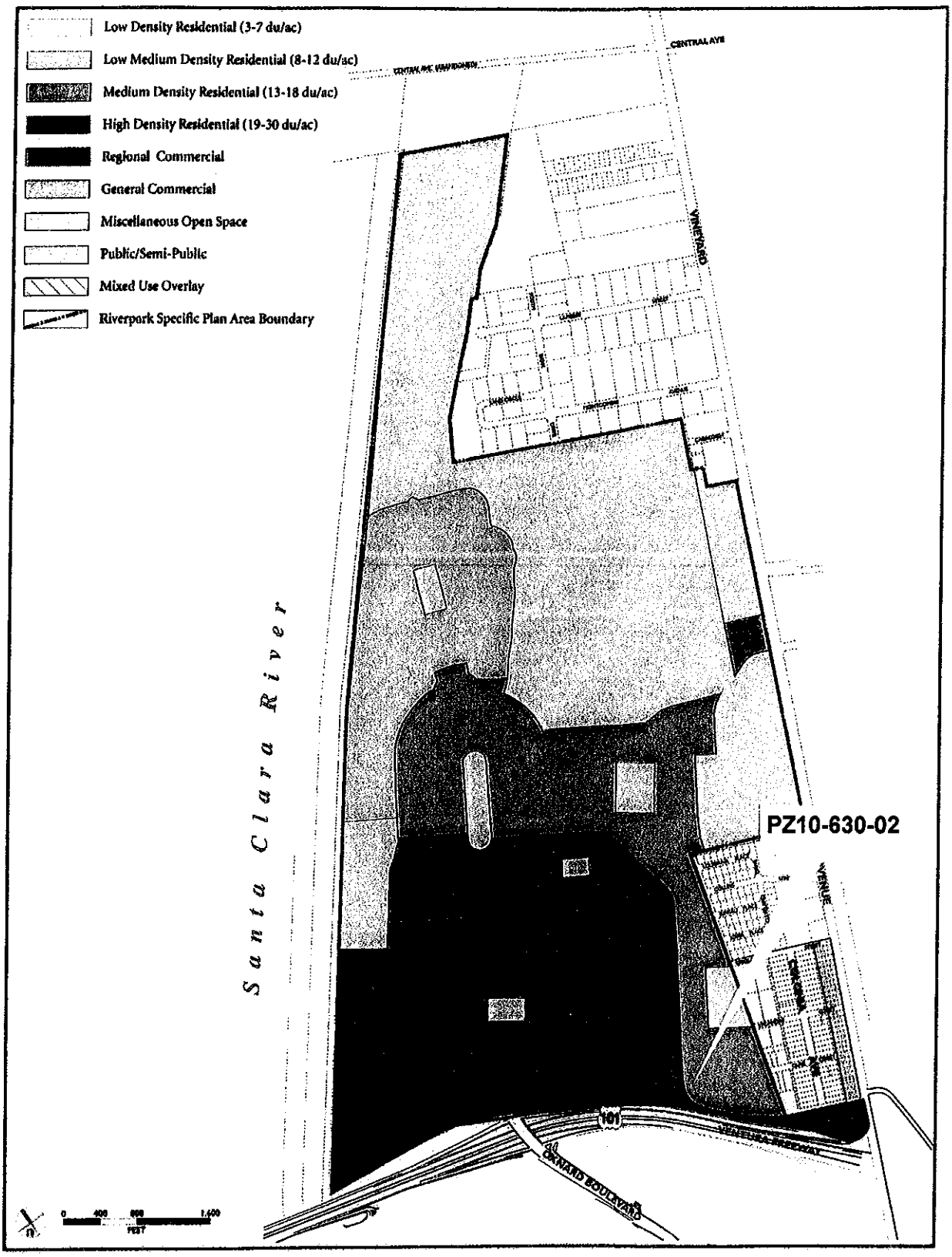
Vicinity Map



Oxnard Planning
January 27, 2011

PZ 10-630-02
Location: Riverpark Bl Vicinity
APN: 132031005, 132031031, 132031018
Shea Properties

ATTACHMENT 2
PAGE 5 OF 13



Proposed General Plan Land Use
April 22, 2002

ATTACHMENT 2
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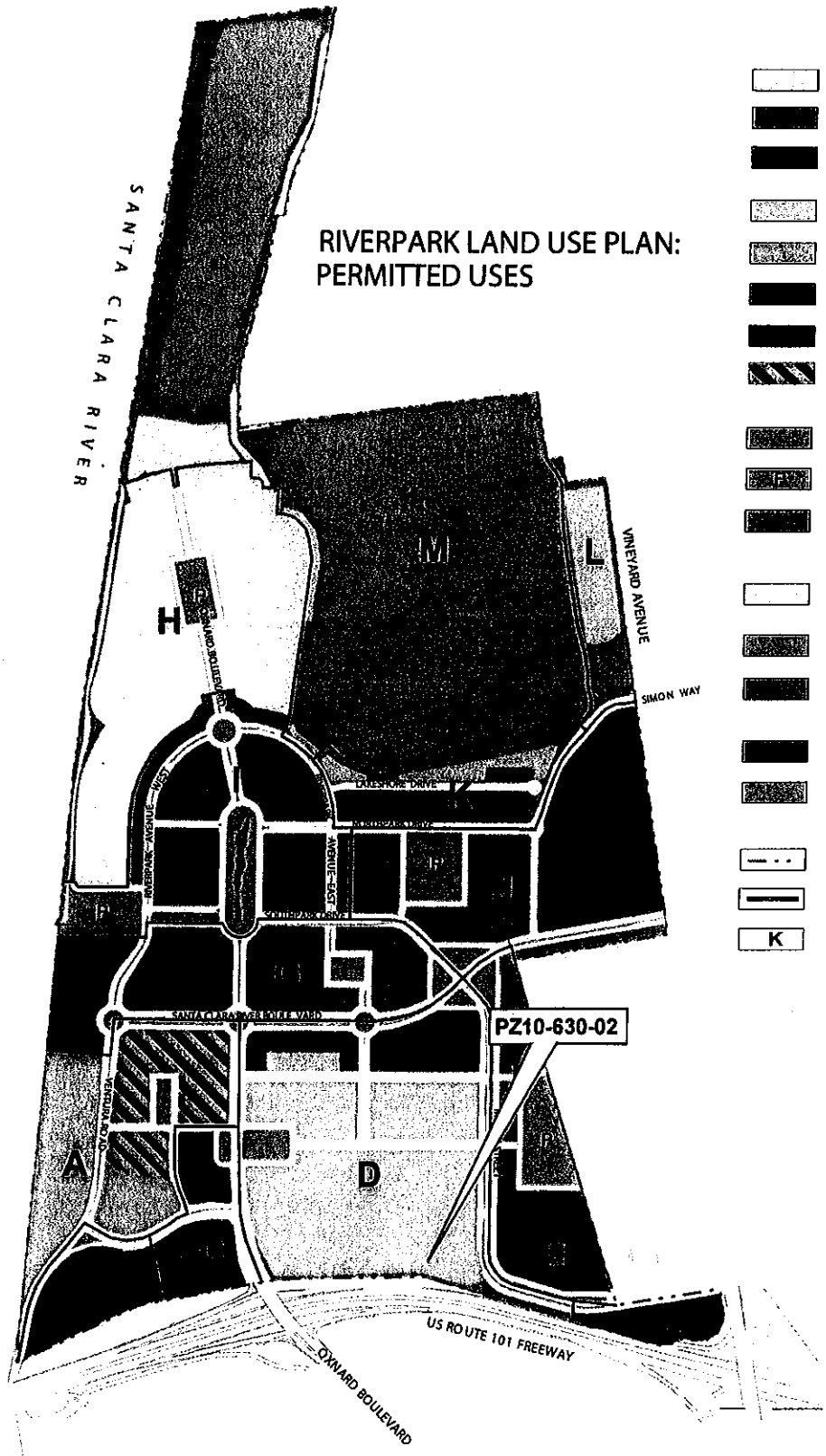

Land Use Legend

- Residential: Low Medium (6-9 D.U./ Ac.)
- Residential: Medium (9-15 D.U./ Ac.)
- Residential: High (15-20 D.U./ Ac.)
- Commercial: Regional
- Commercial: Office
- Commercial: Convention/ Hotel
- Commercial: Retail/ Office
- Mixed Use: Residential: High/ Commercial: Office
- Open Space: Park Space
- Open Space: Neighborhood Parks
- Open Space: Landscaped Buffer
- Open Space: Miscellaneous: Dry Swales/ Detention Basins
- Open Space: Miscellaneous: Water Storage/ Recharge Basins
- Open Space: Miscellaneous: Water Feature
- Schools/ Community Park
- Public Facilities
- Specific Plan Area
- Planning District Boundary
- K — Planning District Designation

Planning Districts

- **A** Mixed Use/Office District
- **B** West Peripheral Commercial District
- **C** Convention/ Hotel District
- **D** Town Square Commercial District
- **E** East Peripheral Commercial District
- **F** Vineyards Neighborhood District
- **G** Village Square Neighborhood District
- **H** RiverPark Crescent Neighborhood District
- **I** RiverPark Loop Neighborhood District
- **J** RiverPark Mews Neighborhood District
- **K** Lakeside Neighborhood District
- **L** Public Facility District
- **M** Water Storage/Recharge Basins & Storm Water Control District

ATTACHMENT 2
PAGE 7 OF 13

Addendum No. 11 to Final Environmental Impact Report No. 00-03 RiverPark Specific Plan EIR (SCH 2000051046)

Specific Plan Amendment for
Freeway-Oriented Signs
PZ 10-630-02

prepared by:
Linda Windsor, Associate Planner
City of Oxnard, Planning Division
214 South C Street
Oxnard, California 93030

SUMMARY

This document is Addendum No. 11 to the RiverPark Specific Plan Final EIR, certified July 16, 2002. The addendum concludes that there are no additional possible significant adverse environmental effects associated with the Amendment to the RiverPark Specific Plan (PZ No. 10-630-02), which would allow approval of three freeway-oriented monument signs and a change in a pylon sign allowed by a previously-approved amendment, including provisions for the pylon sign to contain changeable electronic display panels. The specific plan amendment would allow these freeway-oriented signs adjacent to The Collection Shopping Center in District D of the RiverPark Specific Plan area. The specific plan amendment provides definitions, standards, locations and permit procedures for these freeway-oriented signs.

Background

The Oxnard City Council certified the Final Environmental Impact Report (EIR) and approved the RiverPark Specific Plan and the related agreements on August 27, 2002. Development of RiverPark began in May 2004 and continues to this date.

The Specific Plan has been the subject of several minor administrative amendments since its original adoption. Errata documents have been prepared for the Specific Plan to document these approved specific plan amendments and correct minor inconsistencies in the text and graphic exhibits within the Specific Plan as they have been identified during implementation of the project. In addition, there have been minor amendments to the RiverPark Owner Participation Agreement, and other agreements related to the implementation of the RiverPark Project. For each of these modifications of the RiverPark Project, an Addendum to the Final EIR was prepared by the City of Oxnard to comply with CEQA. Addenda to the Final EIR were also prepared to address minor changes to the construction of the project during the land development phase and minor revisions to the mitigation measures for the air quality impacts of the project to reflect changes in the planning of the main commercial area. A summary of each of the previous Addenda is provided below:

Addendum 1 – August 2002 - The RiverPark Project, as described and analyzed in the RiverPark Final EIR, included a proposal for temporary dewatering of limited areas during grading activities. This Addendum addressed a minor change to the dewatering plan to include a second location for a dewatering well.

Addendum 2 – November 2005 – The RiverPark Specific Plan, as described and analyzed in the RiverPark Final EIR, included a conceptual grading plan for the entire Specific Plan Area. This conceptual grading plan identified a total of 10 million cubic yards of cut and fill of earth materials on the project site. It was anticipated that the grading operations would be a balanced operation, requiring no import or export of earth materials, based on the soil characteristics identified in the geotechnical report prepared for the project site. During the initial mass grading of the site, it was determined that soil compression was higher than anticipated. In addition, implementation of the mitigation measures identified in the Final EIR required removal and recompaction of soil at depths greater than the conceptual grading plan. As a result, soil needed to be imported to balance grading on the site. This Addendum assessed the environmental effects of importing of up to 600,000 cubic yards of soil.

Addendum 3 – June 2007 – This Addendum addressed an amendment to the Owner Participation Agreement to permit the hotel allowed in District C to be developed in District D on a 5-acre site on the southeast corner of Oxnard Boulevard and Danvers River Street and allow up to 100,000 square feet of retail commercial development on the 12-acre site in Planning District C where the hotel was originally allowed in the Specific Plan.

Addendum 4 – June 2007 – This Addendum addressed minor changes to the mitigation measures for air quality impacts included in the Final EIR to reflect the planning of the retail commercial project, The Collection at RiverPark, planned in Planning Districts B, C, and D as identified in the RiverPark Specific Plan.

Addendum 5 – November 2007 –This Addendum addressed an amendment to the Owner Participation Agreement and an amendment to the Memorandum of Understanding (MOU) between the Oxnard Community Development Commission (CDC) and the applicants related to financing of public infrastructure, parking facilities, and improvements in support of commercial development in RiverPark, including a 500-space parking structure within the primary commercial district, Planning District D, of the RiverPark Specific Plan.

Addendum 6 – December 2007 – This Addendum addressed an amendment to the RiverPark Specific Plan to allow changing the amount of residential development allowed on the remaining land in Planning Area A, the Mixed Use/Office District and Planning Area F, the Vineyards Neighborhood District.

Addendum 7 – February 2009 – This Addendum addressed a minor amendment to the RiverPark Specific Plan to allow a single freeway oriented sign, up to 60 feet in height, in one of three designated locations in the main commercial district, Planning District D.

Addendum 8 – July 2009 – This Addendum evaluated the addition of an administrative office and maintenance facility for the City of Oxnard General Services Department in Planning District E of the RiverPark Specific Plan Area.

Addendum 9 – January 2010 – This Addendum evaluated the impacts of the Ventura Road Utilities Project for the City of Oxnard Public Works Department, which proposed infrastructure improvements under Ventura Road between Gonzales Road and Vineyard Avenue.

Addendum 10 – In progress: A separate proposed Amendment to the RiverPark Specific Plan would decrease the amount of commercial development allowed by the Specific Plan and allow the development of additional multifamily residential units in the center of the community. The RiverPark developers submitted this amendment request in order to respond to changes in the demand for commercial and residential development, as compared to when the RiverPark Specific Plan was adopted.

Project Background and Description

In 2009, the City Council approved an amendment to the RiverPark Specific Plan allowing a freeway-oriented pylon sign up to a maximum height of 60 feet along the US 101 Freeway. The current amendment would change the same section of the specific plan to also allow three freeway-oriented monument signs up to 20 feet tall, in designated locations within District D of the Specific Plan area. In addition, the specific plan amendment would allow changeable electronic display panels on the pylon sign, subject to approval of a Special Use Permit. The locations of these four signs are shown on revised Exhibit 5HH, which will be incorporated into

the specific plan. The proposed signs would be visible from the US 101 Freeway, Oxnard Boulevard as it crosses the freeway, and RiverPark Boulevard, as well as from the parking area south of the buildings in The Collection shopping center and adjacent properties to the east/northeast of the shopping center.

Precise locations and design of the individual signs would be subject to review by the RiverPark Town Planner/Architect and the City of Oxnard, as part of a Development Design Review permit (DDR) or Special Use Permit (SUP), as required by the specific plan amendment. Current applicable development and environmental standards such as traffic safety, landscaping and lighting control would be applied to the project. In particular, illumination and orientation of the signs would be carefully evaluated during review of the DDR or SUP permit process to prevent light from spilling onto the freeway, adjacent roads, and adjacent land uses, particularly neighboring residences. The electronic display panels will be evaluated as part of the Special Use Permit process to prevent creation of a significant change in character to the project area and vicinity, as well as quantitative and qualitative traffic hazards

The revised specific plan text is attached and the exhibit showing the four sign locations is shown as Attachment A to the amended text.

Project Environmental Review

Section 15164 of the State California Environmental Quality Act (CEQA) Guidelines states that an addendum to a previously adopted EIR is the appropriate environmental document in instances when no conditions exist that would trigger a subsequent EIR. Three tests determine if a subsequent EIR is required (Section 15162(a)). They are:

1. Substantial changes to the project lead to new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes have occurred with respect to the circumstances under which the project is undertaken;
3. New information of substantial importance that was not known or could not have been known at the time of the EIR certification shows any of the following:
    a. The project will have significant effects not previously discussed,
    b. Significant effects previously examined will be substantially more severe than previously estimated,
    c. Mitigation measures previously found infeasible would now be feasible and would substantially reduce significant effects of the project, and/or
    d. Different mitigation measures or alternatives from those analyzed in the EIR would substantially reduce significant effects.

In the first test, the signs are accessory structures to a commercial area which was examined by the EIR as part of the project description. The signs do not change the land use type or intensity on this site from the uses and intensity described in the specific plan and therefore will not result in effects not previously discussed.

The only potential environmental effect related to this project would be aesthetics. The Aesthetics section in the RiverPark Specific Plan Final EIR determined that no unavoidable significant impacts to the visual character would result from the RiverPark project, since the

development of RiverPark would not obstruct long range views of the mountains and hills in the Los Padres National Forest to the north from the Ventura Freeway and Vineyard Avenue. In addition, the height and character of the commercial development was determined to be consistent with existing development in the area.

The proposed signs do not represent a change or increase in land use type or intensity. In addition, the proposed signs would also not block long range views identified above, and the signs will be subject to design review and a Design Development Review permit, except for the changeable electronic signs, which require review of a special use permit. The proposed freeway-oriented monument signs are shorter and smaller than other signs along the freeway corridor in this area. In addition, the text amended by the specific plan amendment requires the decision-makers to make the finding that the proposed signs will not be detrimental to (a) the public health, safety or general welfare; or (b) adjacent uses, buildings or structures in the vicinity of the sign(s). Therefore, the proposed amendment would not create additional environmental impacts.

It is acknowledged that several other freeway-oriented pylon (pole) signs exist in the area between the 101 Freeway bridge (adjacent to the western edge of RiverPark) and the Rose Avenue freeway off ramp, and the addition of the additional signs that are the subject of this amendment could create a cumulative adverse effect on aesthetics. The existing signs in this vicinity were constructed over a 25-year period as accessory to the developments they identify. These signs identify the major tenants in each shopping center. The consolidation of the tenant signs onto one sign for each shopping center helps to reduce the visual clutter over individual freeway-oriented signs for each business. The closest of these tall signs is the 75-foot tall sign at the Esplanade, which is over 700 feet away and on the other side of the 101 Freeway (southbound) from the closest of the RiverPark signs. The only other freeway-oriented pole sign on the same side of the freeway as RiverPark (adjacent to northbound 101) is the Oxnard Auto Center Sign, which is located almost 2 miles away, and is not visible to drivers at the same time as the signs that are the subject of this amendment. With the exception of the Esplanade sign, none of the existing signs are in the same viewshed as the subject signs. Therefore, there is no cumulative effect on aesthetics due to these new signs.

In the second test, staff determined that circumstances surrounding the project have not substantially changed with regard to issues, facts, and mitigations included in the RiverPark Specific Plan FEIR. The project buildout has not changed from that evaluated by the Final EIR, nor have the environs adjacent to the project site. The commercial area is currently under construction as foreseen in the specific plan, and the proposed signs do not change the intensity or land use of the shopping center.

In the third test, staff determined that no new information of substantial importance that was not known or could not have been known at the time of the RiverPark Specific Plan Final EIR certification shows that the project will have effects not previously discussed, that significant effects previously examined will be substantially more severe than previously estimated, that mitigation measures previously found infeasible would now be feasible and would substantially reduce effects of the project, and/or that different mitigation measures would substantially reduce effects.

The Final Environmental Impact Report with comments and responses and record of project approval may be examined at the City of Oxnard, Planning Division, 214 South C Street, Oxnard, California 93030. Please call (805) 385-7858 to arrange a file review time.

Susan L. Martin, AICP
Planning Division Manager

2/7/11
Date

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ATTACHMENT 2
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RESOLUTION NO. 2011-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT CITY COUNCIL ADOPT AN ORDINANCE APPROVING PLANNING AND ZONING PERMIT NO. 10-630-02 (SPECIFIC PLAN AMENDMENT) REVISING THE TEXT OF THE RIVERPARK SPECIFIC PLAN TO REVISE THE PROVISIONS OF SECTION 5.9.3.3 RELATED TO FREEWAY-ORIENTED SIGNS, AND REVISING EXHIBIT 5HH TO SECTION NO. 5 (LANDSCAPE MASTER PLAN), SHOWING LOCATIONS OF SUCH SIGNS, WITHIN SPECIFIC PLAN DISTRICT D, LOCATED NORTH OF THE 101 FREEWAY, EAST OF OXNARD BOULEVARD, WEST OF VINEYARD AVENUE AND GENERALLY SOUTH OF THE DISTRICT D RESIDENTIAL NEIGHBORHOODS. FILED BY SHEA PROPERTIES, LLC, DBA RIVERPARK COLLECTION LLC, 3098 N OXNARD BL., OXNARD, CA 93036.

WHEREAS, the Planning Commission of the City of Oxnard has considered the proposed amendment to Section 5 of the RiverPark Specific Plan relating to development standards for freeway-related signs in the specific plan area; and

WHEREAS, the Planning Commission has considered the certified environmental impact report for the RiverPark Specific Plan Project (EIR No. 00-03) and an Addendum to EIR No. 00-03 for the proposed RiverPark Specific Plan amendment, and has determined that there is no substantial evidence that the specific plan amendment may have a significant effect on the environment because, the proposed project is consistent with the EIR, does not change the use or intensity of land uses on the site since proposed signs are accessory structures to the commercial land uses in this area that were evaluated by the EIR and no additional environmental impacts will be caused by the proposed specific plan amendment and its implementation; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the project is a logical refinement of the RiverPark Specific Plan; that the proposed specific plan amendment conforms with adopted City standards, is in conformance with the General Plan, constitutes good City planning; and that the project will not adversely affect or be materially detrimental to adjacent land uses, buildings or structures or to the public health, safety or general welfare.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard recommends to the City Council the approval of Planning and Zoning Permit No. 09-630-02 (Specific Plan Amendment), to amend the RiverPark Specific Plan by changing the following sections, to read:

Part 1: Section 5.9.3.3. "Freeway-Oriented Pole Signs" shall be deleted in its entirety and replaced as follows:

"***5.9.3.3 Freeway-Oriented Signs***

A. Freeway-Oriented Pylon Sign.

(i) *Number of Signs and Location*: One (1) two-sided freeway-oriented pylon sign (the "Pylon Sign") shall be permitted in Planning District D of the RiverPark Specific Plan area, as depicted on Exhibit 5HH, or in another location within Planning District D along the freeway, subject to approval of a Design Development Review Permit or Special Use Permit, as provided in Part C herein.

(ii) *Sign Content*: The Pylon Sign may include text, graphics and/or logos identifying the shopping center located in Planning District D, and names, brands or logos of tenants operating within the shopping center located in Planning District D. Such sign may include a large format graphic panel or changeable electronic display panel on each side, subject to the requirements herein. In no event shall product prices be displayed on the sign.

(iii) *Illumination*: The Pylon Sign shall be illuminated with internal illumination. Other type(s) of illumination may be approved by the Director as part of the Development Design Review Permit or Special Use Permit, as applicable.

(iv) *Size*:

(1) The overall size of the Pylon Sign structure shall not exceed sixty (60) feet in height and forty (40) feet in width. In no event shall the area of the Pylon Sign structure exceed twenty-four hundred (2,400) square feet per side, for a total structure area of forty-eight hundred (4,800) square feet.

(2) Sign area shall not exceed thirty-six (36) feet in height and thirty-five (35) feet in width for each side, or twelve hundred sixty (1,260) square feet per side, or forty-five per cent (45%) of the overall structure size.

(3) Large format graphics or changeable electronic display panels shall not exceed more than fifty percent (50%) of the total sign area on each side of the Pylon Sign.

B. Freeway-Oriented Monument Signs.

(i) *Number of Signs*: Up to three (3) two-sided, freeway-oriented Monument Signs are allowed in Planning District D. The final design and location of the Monument Signs shall be subject to approval of a Design Development Review Permit, as provided in Part C of this Section.

(ii) *Sign Locations*: The Monument Signs shall be located within Planning District D in the approximate locations shown on Exhibit 5HH or in other locations along the freeway within Planning District D, subject to approval of a Design Development Review Permit. The Monument Signs shall be approximately evenly spaced.

(iii) *Sign Content*: Monument Signs may include text, graphics and/or logos identifying the shopping center located in Planning District D, and names, brands, and/or logos of tenants operating within the shopping center located in Planning District D. In no event shall product prices be displayed on the Monument Signs.

(iii) *Illumination*: The Monument Signs shall be illuminated with internal illumination. Other type(s) of illumination may be approved as part of a Design Development Review Permit.

(iv) *Size*:

(1) Height: Overall height not to exceed twenty (20) feet.

(2) Size of Sign Structure: The dimensions of each Monument Sign structure (overall height multiplied by width) shall not exceed three hundred twenty (320) square feet per side, for a total structural area of six hundred forty (640) square feet.

(3) Sign Area: In no event shall the total area devoted to tenant and shopping center identification sign area on each side of each Monument Sign exceed sixty-five percent (65%) of the structural area of the Monument Sign.

C. Freeway-Oriented Sign Design and Permit Procedure.

(i) Approval of a Development Design Review Permit by the Director is required for any freeway-oriented sign listed in this Section, except that approval of a Special Use Permit by the Planning Commission is required for a Pylon Sign with changeable electronic display panel(s).

(ii) In reviewing and approving any freeway-oriented sign, the Director or Planning Commission, as applicable, shall find that the size, design of, and materials used for the fabrication, installation and illumination of such freeway-oriented sign are compatible with the criteria in this section, and compatible with the design, exterior building materials, finishes, scale and illumination of the buildings and site within the regional commercial development in Planning District D. Intensity, brightness, and light spillover shall be evaluated as part of the permit review. In addition, such sign shall not adversely affect or be materially detrimental to (a) the public health, safety or general welfare, or (b) adjacent uses, buildings or structures in the vicinity of the sign.

(iii) Owner shall permit the City of Oxnard and its designated partner entities (such as, but not limited to, Performing Arts and Convention Center, Oxnard Convention and Visitors Bureau, Economic Development Corporation of Oxnard) to provide non-commercial civic promotion messages and public service announcements on the changeable electronic display panel(s). The amount of time for civic promotion messages and public service announcements, and placement of such messages shall be detailed in the special use permit approval and conditions of approval for the sign.

Part 2: Exhibit 5HH (Exhibit "A" of this resolution) shall be revised and incorporated into the Specific Plan to show the locations of the freeway-oriented signs described in Part 1 of this resolution.

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 17th day of February, 2011, by the following vote:

AYES: Commissioners: Murguia, Medina, Stewart, Huber, Mullin

NOES: Commissioners: Nash, Guevara

ABSENT: Commissioners: None

_____
Patrick Mullin, Chair

ATTEST: _____
Susan L. Martin, Secretary

PZ 10-630-02

Amendment to
RiverPark Specific Plan

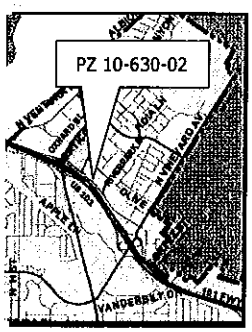
Applicant: RiverPark Collection LLC

Project Request

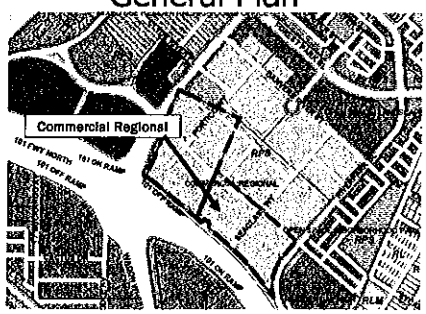
- Allow three freeway-oriented monument signs
- Allow subsequent consideration of SUP for changeable electronic display (on previously approved pylon sign)

Project Location

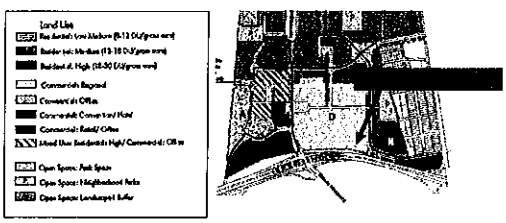
- North of US 101
- Between RiverPark Bl and Oxnard Bl
- In The Collection Shopping Center



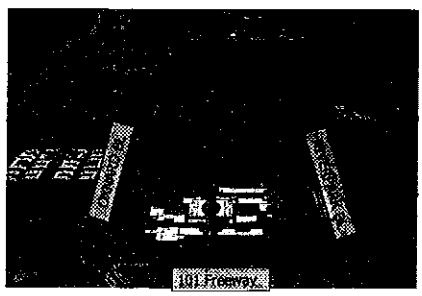
General Plan



RiverPark Land Use Plan



RiverPark Specific Plan Area



ATTACHMENT 4
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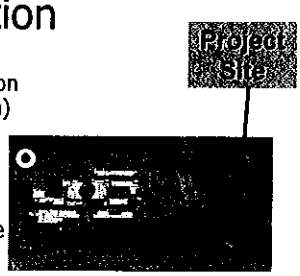
The Collection

- North: The Collection (under construction)
- East: parking area, townhomes
- South: US 101 Freeway, Esplanade beyond
- West: vacant, shopping center



Environmental Determination

- Addendum to Specific Plan EIR prepared.
- No evidence that Specific Plan Amendment would create additional or more adverse significant effects on the environment than identified by certified EIR.

Current Specific Plan Wording

Section 5.9.3.3: Freeway Oriented Pole Signs

- One freeway-oriented pole (aka pylon) sign allowed, not more than 60 feet tall.
- Design, size and materials to compliment The Collection.
- Approval of DDR required for final location, design and size.

Amendment: Part I

- Three freeway-oriented monument signs (20 feet tall maximum); require DDR approval.
- Content: names, logos of shopping center and tenants.
- Internally illuminated, or other by approval as part of DDR.
- Design, materials, size to compliment The Collection.

Amendment: Part II

- Changeable Electronic Sign panel **option** for pylon sign
- Separate SUP required
- Illumination intensity, brightness and spillover with SUP review
- Design, materials, size to compliment The Collection
- Provide public service messages for City and City partners

Permit Procedure

- All Permits in specific plan area:
  - Must comply with specific plan standards (not zoning)
  - Subject to conditions of approval (from Planning & other departments)
  - Decision includes consistency findings with specific plan and city standards
  - Public notification
  - Independent judgement by decision-maker

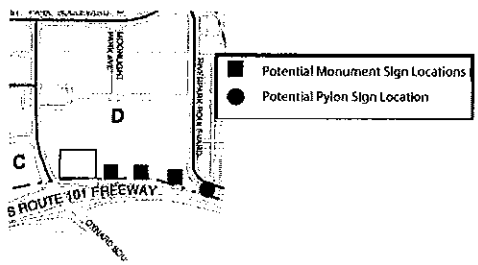
Special Required Findings

- Size, design of, and materials for fabrication, installation and illumination of sign must be compatible with the design, exterior building materials, finishes, scale and illumination of the buildings and site within the regional commercial development in Planning District D.
- Sign shall not adversely affect or be materially detrimental to (a) the public health, safety or general welfare, or (b) adjacent uses, buildings or structures in the vicinity of the sign.

Permit Decision-maker

- Design Development Review Permit (DDR) = Development Services Director
- Special Use Permit (SUP) = Planning Commission

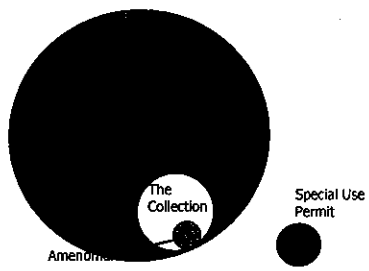
Sign Locations



Sign Illumination

- Internal illumination
- "Other lighting types" with DDR or SUP for architectural lighting & technology advances
- As part of SUP and DDR, staff will conduct in-depth study the effects of intensity, light spillover and brightness on nearby residences, streets, freeway

Specific Plan & This Amendment



Other Information

- Reduced from 5 to 4 signs total; includes 1 electronic sign (was 2)
- Sign Installation: by July 2011 (Target opening)
- Sign height controlled by specific plan (20 and 60 feet)
- Notification: property owners within 300 feet of property boundaries
- 2 sign types: monuments with static display; pylon with option for changeable electronic display

ATTACHMENT 4
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Recommendation

- Recommend City Council approval of PZ 10-630-02 (Specific Plan Amendment), subject to certain findings and conditions

ATTACHMENT 4
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