

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. 2855

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA, AMENDING THE RIVERPARK SPECIFIC PLAN (PZ 09-630-03). FILED BY E.D. 2, LLC / KOH 12-17 LLC, 304 SOUTH BROADWAY, SUITE 400 LOS ANGELES, CA 90013.

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, on June 16, 2011, the Planning Commission of the City of Oxnard considered a proposed amendment to the text and exhibits within the RiverPark Specific Plan relating to adjustments to commercial square footage, residential unit count maximums, development standards, parking requirements for apartment/multifamily projects, and trail modifications in the specific plan area, 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 denial of the specific plan amendment, and the staff report; and

WHEREAS, the proposed amendment is in conformance with the *2030 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 RiverPark 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 as follows:

Part 1: The amendment to the RiverPark Specific Plan (Planning and Zoning Permit No. 09-630-03) as shown in Exhibit A, is on file at the City Clerks office, is hereby approved and shall be incorporated into the Specific Plan.

Part 3. Pursuant to Government Code Section 36933(c)(1), the City Attorney was designated to prepare, and the City Clerk published, a summary of this ordinance, and a certified copy of the ordinance was posted in the office of the City Clerk a minimum of five days before the City Council's adoption of the ordinance.

Part 4. The City Clerk shall certify as to the adoption of this ordinance and shall cause the summary thereof to be published within fifteen calendar (15) days of the adoption and shall post a certified copy of this ordinance, including the vote for and against the same, in the office of the City Clerk, in accordance with Government Code Section 36933. Ordinance No. 2855 was first read on June 5, 2012 and finally adopted on _____, 2012, to become effective thirty days thereafter.

PASSED AND ADOPTED this 5th day of June, 2012, by the following vote:

AYES:

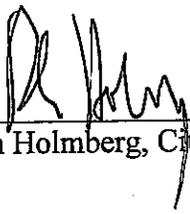
NOES:

ABSENT:

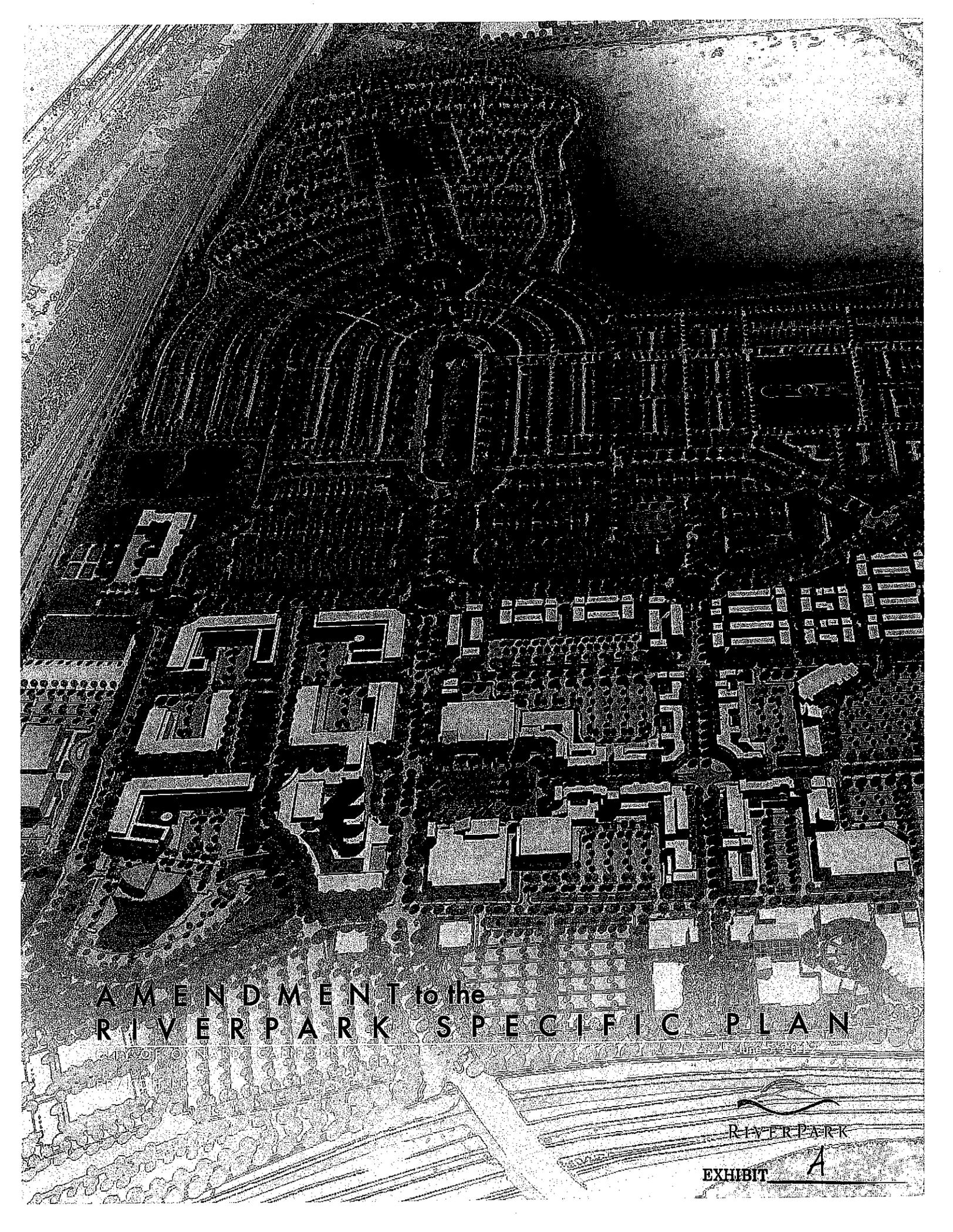
Dr. Thomas E. Holden, Mayor

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Alan Holmberg, City Attorney



AMENDMENT to the
RIVER PARK SPECIFIC PLAN

RIVER PARK

EXHIBIT

A

INTRODUCTION

1.1	PROJECT SUMMARY
1.2	PURPOSE OF THE SPECIFIC PLAN
1.3	LEGAL ASPECTS
1.4	COMMUNITY SETTING
1.5	PROPOSED LAND USE, OPEN SPACE AND UTILITIES
1.6	ORGANIZATION OF THE SPECIFIC PLAN

1.1 PROJECT SUMMARY

RiverPark is a 702-acre new community located at the northeast portion of the intersection of the Ventura Freeway and the Santa Clara River in southern Ventura County, California (Exhibits 1.A and 1.B).

RiverPark development objectives are derived from the physical, demographic and market environment of the Specific Plan Area, identified development needs and potentials, and the provisions of the City of Oxnard’s 2020 General Plan. Based on completed market studies, build-out is anticipated in ten to fifteen years.

RiverPark has been carefully planned as a master-planned, mixed-use community with a strong sense of place. It is intended to foster social cohesion, minimize energy use, and encourage pedestrian activity. All aspects of RiverPark are designed to achieve these ends.

- Each of RiverPark’s thirteen Planning Districts will have its own character and identity, yet each will contribute to creating RiverPark as a cohesive community.
- The project includes the facilities needed by a complete community: residential neighborhoods, regional and neighborhood retail centers, a hotel, elementary and secondary schools, and a complete system of parks and play fields.
- These facilities are linked by a project-wide open space, pedestrian and vehicle circulation and utility network.
- The site plan and circulation network are designed and coordinated to invite and maximize pedestrian use. This is achieved by providing mixed land uses within walkable distances and linking them with attractive pedestrian corridors and public transit.

- The core of the community, its residential neighborhoods, can incorporate up to ~~3043~~ single-family and multi-family units in a wide variety of detached and attached product types. The variety, character and quality of these neighborhoods will reflect the character and history of Oxnard and fulfill the intentions of the City of Oxnard 2020 General Plan. Affordable housing will be provided per 7.10.3 of this Specific Plan.
- Up to 2,098,000 square feet of retail, hotel/convention and office uses, supported by convenient parking as well as the local and regional commercial markets, will serve RiverPark’s neighborhoods.
- Community and publicly-oriented facilities will include three schools, a number of passive and active parks of varying sizes, and sites which can be used by public entities such as religious institutions and recreational centers.
- The landscape will be a rich and attractive open space environment. All of RiverPark’s open space areas, including its circulation corridors, are planned as embracing, inviting environments supporting pedestrian use, social interaction, recreation and play.
- The landscape plays a critical environmental role by preserving attractive viewsheds, creating vistas, providing comfortable microclimates, establishing visual identity, buffering noise and unattractive views, and creating privacy. The landscape will also preserve areas of unique visual, historic and natural value on the site.
- A new storm water control system accommodates flows from within and outside the property. The existing sand and gravel pits and related surface facilities will be reclaimed and remediated to ensure protection of surface water and ground water quality.

RIVERPARK SPECIFIC PLAN

April 12, 2005
 update through 3/2012
 Modified in
 SPA 2012



prepared for RiverPark Development, LLC by AC Martin Partners with

RTKL / EDSA / CRAIN AND ASSOCIATES / WILLIAM HEZMALHALCH ARCHITECTS / HUITT-ZOLLARS

2.1 INTRODUCTION
 2.2 LAND USE CONCEPT
 2.3 PROJECT BOUNDARIES AND PLANNING DISTRICTS
 2.4 LAND USES
 2.5 DEVELOPMENT CONTROLS

2.1 INTRODUCTION

The Land Use Master Plan is the basic coordinating master plan of this document and establishes some of the key development requirements.

This Section defines RiverPark’s land use concept and Specific Plan Area boundaries. It then defines the boundaries of the thirteen Planning Districts which together comprise the Specific Plan Area. For each of these Planning Districts, Section 2 then defines allowable development in terms of parameters including: Permitted and Specially Permitted land uses, location of land uses, maximum allowable commercial square footage, the maximum number of dwelling units for the Project as a whole, and the allowable range of dwelling units and allowable uses within each Planning District.

2.2 LAND USE CONCEPT

2.2.1 Summary

The RiverPark Project provides a complete and balanced mix of residential, commercial, entertainment and open space uses serving a broad range of local and regional users. Exhibit 2.A, the Illustrative Site Plan, shows a plan view of RiverPark in accordance with the standards of the Specific Plan.

2.2.2 Land Use Concept

2.2.2.1 The Residential Community

Number of Units: Up to ~~3,043~~ residential units will be permitted by the Specific Plan. These units will serve the City of Oxnard and the region as a significant new housing resource for people with a broad range of incomes and lifestyles.

Permitted Residential Land Uses: Three categories of permitted residential land uses are defined in the Land Use Plan, Permitted Uses, Exhibit 2.B:

- Residential: Low-Medium (densities between 8 and 12 dwelling units per gross acre).

- Residential: Medium (densities between 12 and 18 dwelling units per gross acre).
- Residential: High (densities between 18 and 30 dwelling units per gross acre).

The term “gross acre” is defined in Section 8.

Location of Residential Densities: Single-family detached homes in the northern portion of RiverPark (RiverPark “B”) transition to multi-unit housing with the greatest density adjacent to the Regional Commercial uses in the southern portion of the Project, RiverPark “A.”

Residential Product Types: Within each residential land use category, six product types ranging from single-family detached to multi-family will be allowed, in order to provide a full range of housing opportunities within RiverPark.

Residential Live/Work Units: Optional live/work units are allowed in certain residential product types, permitting small ground floor retail uses or optional live/work units. See Section 4, the Residential Master Plan, for specific requirements. Also refer to the vertical mixed-use Product Type 5-R described in Section 4, which permits residential uses above the ground levels of certain commercial structures.

Residential Neighborhoods: The residential neighborhoods are designed to be walkable, interconnected, mixed-use and transit-supportive.

2.2.2.2 Commercial Uses

Permitted Commercial Land Uses: The Project will incorporate almost 2.1 million square feet of regional and neighborhood-oriented commercial facilities. The four Specific Plan commercial land uses are defined by the Land Use Plan, Permitted Uses, Exhibit 2.B:

- Commercial: Regional
- Commercial: Office
- Commercial: Hotel

RIVERPARK SPECIFIC PLAN



2.5.2.4 PLANNING DISTRICT **D**: Town Square Commercial District

Location: The 88.4-acre Planning District D is bordered by Forest Park Boulevard to the north, the Ventura Freeway to the south, Myrtle Street to the east and Oxnard Boulevard to the west. The adjacent Planning Districts are: Planning District A (Mixed-Use/Office District), Planning District C (West Corridor Commercial District), Planning District F (Vineyards Neighborhood District) and Planning District G (Village Square Neighborhood District). For the boundaries and location of the Planning District, refer to Exhibit 2.I.

Permitted Land Use: The Permitted Land Uses are: Commercial: Regional, Vertical Mixed-Use Overlay, Residential: High, Open Space: Green Space, Open Space: Miscellaneous: Dry Swales/Detention Basins, and Open Space: Landscaped Buffer. This Planning District has two major components: the Retail Center and a Residential: High district.

Retail Center: The Retail Center is planned around a Town Square, whose boundaries are defined by two major anchor retail centers and smaller retail and food establishments. Uses will include lifestyle retail, service retail, entertainment and restaurant facilities. The Retail Center extends northward to Forest Park Boulevard through ground floor retail in the residential area of this Planning District.

The central open space in District D, the "Town Square", is similar in scale and character to that of traditional town plazas. On the east side of Oxnard Boulevard will be a dedicated drop-off area for local and tour buses, queuing, tourist information and a newsstand. Pedestrian and vehicular connections will lead directly to the retail and entertainment area beyond.

A public library storefront, police substation and post office are permitted uses within the Commercial District, as are up to 400 optional live/work dwelling units located above the commercial structures.

Residential: High Area: A 15.0 acre residential community of between 220 and 512 high-density units is located on the south side of Forest Park Boulevard. These units serve as a transition between the medium density residential units to the north and the commercial facilities to the south.

Specially Permitted Land Use: Yes

Vertical Mixed-Use Overlay: Yes. See Exhibit 2.C

Optional Live/Work Units: Yes. See Exhibit 2.C

Other Specific Plan Development Controls: Refer to the following sections for additional development controls and implementation information applicable to Planning District D:

- Section 3: Commercial District Master Plan
- Section 4: Residential District Master Plan
- Section 5: Landscape Master Plan
- Section 6: Infrastructure Master Plan
- Section 7: Implementation

RIVERPARK SPECIFIC PLAN

April 12, 2005
update through 3/2012
Modified in
SPA 2012



prepared for RiverPark Development, LLC by AC Martin Partners with

RTKL / EDSA / CRAIN AND ASSOCIATES / WILLIAM HEZMALHALCH ARCHITECTS / HUITT-ZOLLARS

PLANNING DISTRICT **D**: Town Square Commercial District

LAND USE SUMMARY*

<i>Permitted Land Use</i>	<i>Gross Acreage</i>	<i>Max KSF Allowable</i>	<i>Allowed DU Range</i>
COMMERCIAL: REGIONAL	68.2	904.0	na
VERTICAL MIXED-USE OVERLAY			100-150
RESIDENTIAL: HIGH	15.0	0	220-512
OPEN SPACE: GREEN SPACE	3.5	na	na
OPEN SPACE: MISCELLANEOUS	0.8	na	na
Dry Swales/Detention Basins			
OPEN SPACE: LANDSCAPED BUFFER	0.9	na	na
Planning District D Totals		904 KSF	320-662 units

Note:

* See following 'Allowed Uses' table for Specially Permitted uses.

RIVERPARK SPECIFIC PLAN

April 12, 2005
 update through 3/2012
 Modified in
 SPA 2012



RIVERPARK

prepared for RiverPark Development, LLC by AC Martin Partners with

RTKL / EDSA / CRAIN AND ASSOCIATES / WILLIAM HEZMALHALCH ARCHITECTS / HUITT-ZOLLARS

Developer: **RiverPark Legacy LLC**
 SPA: TALAMANTE / IMPACT SCIENCES / CRAIN &
 Consultants: ASSOCIATES / DI CECCO ARCHITECTURE

RiverPark SPECIFIC PLAN EXHIBIT 2.J
LAND USE SUMMARY BY PLANNING DISTRICT

Revised per Errata to include development adjustments through 3/12/2012 and Minor Mod dated 3/13/12 / See notes at bottom of this page

Planning District	Land Use	Gross Acreage ¹	Max Commercial KSF Allowable for Each Planning District	Allowable Dwelling Unit Range For Each Planning District ²
A	Mixed Use/Office District			
	MIKED USE RESIDENTIAL: HIGH ³	21.1	20	317-440
	COMMERCIAL: OFFICE Parcels with existing offices Remaining parcels designated Commercial: Office	15.4 9.3	22 ⁴ 20 ⁵	
	COMMERCIAL: OFFICE/opt. OPEN SPACE: PARK SPACE	1.3	15	
	OPEN SPACE: MISCELLANEOUS: DRY SWALES / DETENTION BASINS	0.4	NA	
	Subtotals Planning District A ⁶	47.5	456	317-440
B	West Peripheral Commercial District			
	COMMERCIAL: REGIONAL	5.5	104	NA
	Subtotals Planning District B	5.5	104	NA
C	West Corridor Commercial District			
	COMMERCIAL: REGIONAL	24	206	
	COMMERCIAL: CONVENTION/HOTEL ⁷		272	
	OPEN SPACE: PARK SPACE	0.6	NA	
	Subtotals Planning District C	24.6	478	NA
D	Town Square Commercial District			
	COMMERCIAL: REGIONAL (Retail/Entertainment)	68.2	904	100-150
	VERTICAL MIXED USE OVERLAY			220-312
	RESIDENTIAL: HIGH ³	15.0	0	
	OPEN SPACE: PARK SPACE	3.5	NA	
	OPEN SPACE: MISCELLANEOUS: DRY SWALES/ DETENTION BASINS	0.8	NA	
	OPEN SPACE: LANDSCAPE BUFFER	0.9	NA	
	Subtotals Planning District D	88.4	904	320-642
E	East Peripheral Commercial District			
	COMMERCIAL: REGIONAL	7.5	111	
	PUBLIC FACILITIES	1.4		
	Subtotals Planning District E	8.9	111	NA
F	Vineyards Neighborhood District			
	RESIDENTIAL: HIGH ³	12.3	NA	140-310
	RESIDENTIAL: MEDIUM ⁴	15.5	5 ⁸	150-172
	OPEN SPACE: PARK SPACE	2.1	NA	
	OPEN SPACE: NEIGHBORHOOD PARK	7.4		
	OPEN SPACE: LANDSCAPE BUFFER	0.6		
	Subtotals Planning District F	37.9	5	290-482
G	Village Square Neighborhood District			
	RESIDENTIAL: MEDIUM ⁴	37.6	15 ⁸	325-426
	OPEN SPACE: PARK SPACE	2.8	NA	
	OPEN SPACE: MISCELLANEOUS: DRY SWALES/ DETENTION BASINS	1.2		
	SCHOOLS / COMMUNITY PARK ^{9,10}	11.4	NA	
	Subtotals Planning District G	53.0	15	325-426
H	RiverPark Crescent Neighborhood District			
	RESIDENTIAL: LOW/MEDIUM	60.6	NA	450-492
	OPEN SPACE: NEIGHBORHOOD PARKS	3.3		
	Subtotals Planning District H	63.9	0	450-492
I	RiverPark Loop Neighborhood District			
	RESIDENTIAL: MEDIUM ⁴	43.0	10 ⁸	375-510
	OPEN SPACE: PARK SPACE	6.6	NA	
	OPEN SPACE: NEIGHBORHOOD PARKS	5.8		
	OPEN SPACE: MISCELLANEOUS: WATER FEATURE	1.4		
	Subtotals Planning District I	56.8	10	375-510
J	RiverPark Mews Neighborhood District			
	RESIDENTIAL: MEDIUM ⁴	21.0	10 ⁸	220-310
	OPEN SPACE: PARK SPACE	1.4	NA	
	OPEN SPACE: NEIGHBORHOOD PARKS	6.1		
	OPEN SPACE: LANDSCAPE BUFFER	2.5		
	SCHOOLS / COMMUNITY PARK ^{9,10}	30.4	NA	
	Subtotals Planning District J	61.4	10	220-310
K	Lakeside Neighborhood District			
	RESIDENTIAL: MEDIUM ⁴	10.5	5 ⁸	70-98
	OPEN SPACE: MISCELLANEOUS: DRY SWALES/ DETENTION BASINS	8.0	NA	
	Subtotals Planning District K	18.5	5	70-98
L	Public Facility District			
	PUBLIC FACILITIES	2.5	NA	
	OPEN SPACE: MISCELLANEOUS: DRY SWALES/ DETENTION BASINS	11.1	NA	
	Subtotals Planning District L	13.6	0	NA
M	Water Storage / Recharge Basins and Storm Water Control District			
	OPEN SPACE: MISCELLANEOUS: WATER STORAGE / RECHARGE BASINS	168.6	NA	
	OPEN SPACE: MISCELLANEOUS: DRY SWALES/ DETENTION BASINS	19.3		
	OPEN SPACE: LANDSCAPE BUFFER	14.0	NA	
	Subtotals Planning District M	201.9	0	NA
TOTALS FOR SPECIFIC PLAN AREA		701.9		

¹ Gross acreage is measured to centerline of bounding streets and / or to the Project Boundary
² Net school site area in Planning District J = 27.3 acres; Net school site area in Planning District G = 10.0 Acres
³ Vertical Mixed Uses and / or Live/Work units are permitted in portions of this District as defined in Specific Plan Sections 2, 3, 4 and Exhibit 2.C
⁴ Specially Permitted Uses are allowed in portions of this area as defined in Specific Plan Section 2 (Land Use)
⁵ Specially Permitted Land Uses for sites designated for Schools/Community Park land use can only be applied for after the Rio School District submits a letter indicating that it does not want to purchase or utilize the land.
⁶ Allocation of residential units among Planning Districts is subject to ongoing monitoring by the Master Developer. Total dwelling units cannot exceed 3,043 units
⁷ Density range provides flexibility in allocating residential units within and between Planning Districts. Lower range is a suggested minimum.
⁸ Upper end of range is regulated through monitoring by Master Developer per note 6 to assure that the total dwelling units within RiverPark does not exceed 3,043.
⁹ Ground Level Commercial and/or Live/Work use
¹⁰ Refer to Specific Plan Sections 2, 3, and 4 for detailed descriptions of Permitted and Specially Permitted land use and development standards. This Land Use Summary (Exhibit 2.J) and Exhibits 2.B and 2.C indicate Permitted (by right) uses only. See Section 2 and Exhibit 2.D for Specially Permitted Uses.
¹¹ Convention Hotel number of rooms is 320 with corresponding 272k sf
¹² Subtotals reflect Development Option A, chosen per page 4.5 of the Specific Plan

August 27, 2008
 Modified in
 09/2012
 prepared for RiverPark Development, LLC by AC Martin, Partners with
 RTKL / BDSA / CRAIN AND ASSOCIATES / WILLIAM BEZVALIACH ARCHITECTS / HUNT-ZOLLARS

LAND USE SUMMARY BY PLANNING DISTRICT



5b. Final Project Plan: The Builder/Developer prepares construction documents meeting City of Oxnard requirements, while incorporating comments and/or conditions established by the Planning Commission or Development Services Department Director/Planning Manager. The RDAG will review the Final Project Plan to assure that the construction documents incorporate all design comments made to date, and then submit a recommendation to the City.

Phase 6: Building Permit

- **Plan Check and Building Permit:** The Builder/ Developer prepares construction documents meeting all Specific Plan and City of Oxnard requirements and submits the plans and other required material to the Oxnard Building Department for the necessary approvals.

7.9.5 Roadway Approval

All Oxnard roadways, including those governed by the Specific Plan, must be approved by the City prior to their implementation. Discussions have been held with the appropriate agencies (e.g. fire, sanitation, traffic and police) concerning the roadway cross sections shown in this document and these roadways will each accommodate the appropriate functions. Any changes from these sections, or any relocation, other treatment or other uses tributary to these sections, will be considered by the City and additional approvals may be required.

7.9.6 Signage Approval

All submittals to the City shall be consistent with the requirements of the Specific Plan and the Signage and Lighting Guidelines document, including requirements for submission exhibits.

7.9.6.1 Preliminary Review

The Preliminary Signage Plan shall be submitted as part of the submission for Phase 4a of the Project Review and Approval Process, as described in Section 7.14.

7.9.6.2 Final Approval

Signage plans which incorporate the design review comments made at the Preliminary Review stage shall be submitted as part of Phase Five of the Project Permitting Process.

7.10 OTHER ISSUES

7.10.1 Effects of a General Plan Amendment on the Specific Plan

Adoption of amendments to the 2020 General Plan or a General Plan Update by the City will not necessarily require amendment of the Specific Plan. But any subsequent discretionary approval or amendment to the Specific Plan must be consistent with the General Plan, as amended and/or updated, except to the extent that such change in the General Plan deals with matters in which the Developer/Applicant shall possess vested rights under the terms of a Development Agreement entered into between the Developer/Applicant and the City.

7.10.2 Environmental Issues

The City of Oxnard has certified the Project Environmental Impact Report in association with approval of the RiverPark Specific Plan.

Mitigations for all identified impacts are defined by the adopted Mitigation Monitoring Program. All mitigations identified will be implemented as required.

7.10.3 Affordable Housing Guidelines

Within the Specific Plan Area, 140 residential units will be affordable to very low income households. Also, 140 residential units will be affordable to low income households, and 112 residential units will be affordable to moderate income households. In addition, the developer of the residential units within Planning District H shall be required to pay the applicable affordable housing in lieu fee for each residential unit constructed. The above numbers may also be increased by the application of a density bonus pursuant to City Ordinance. Any subsequent development that increases residential units above ~~3,043~~ through a Specific Plan Amendment must provide a minimum of 15% of those units as affordable.



CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. 2856

ORDINANCE OF THE CITY OF OXNARD, CALIFORNIA, APPROVING FOURTH AMENDMENT TO THE RIVERPARK DEVELOPMENT AGREEMENT NO. A-6128 (PZ 11-670-01). FILE BY E.D.2, LLC / KOH 12-17 LLC, 304 SOUTH BROADWAY, SUITE 400 LOS ANGELES, CA 90013.

WHEREAS, Government Code Section No. 65864 et seq. authorizes the City Council to adopt development agreements; and

WHEREAS, Government Code Section No. 65868 authorizes the City Council to adopt amendments to development agreements; and

WHEREAS, the City Council and E.D.2, LLC / KOH 12-17 LLC (collectively "RiverPark Developers") wish to enter into a Fourth Amendment to the RiverPark Development Agreement (No. A-6128, on file with the City Clerk's Office), dated August 27, 2002; 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's June 16, 2011, action recommending denial of the development agreement amendment, and the staff report and the addendum; and has determined that there is no substantial evidence that the development agreement amendment may have a significant effect on the environment because the proposed project is consistent with the EIR, the impacts of the changes contained in this development agreement amendment, as implementation of the specific plan amendment, that was evaluated by the EIR and the addendum, and no additional environmental impacts will be caused by the proposed development agreement amendment and its implementation; and

WHEREAS, the City Council has considered the information contained in such EIR before approving this project; and

WHEREAS, the City Council finds, after due study, deliberation and public hearing, that the project is a logical refinement of the RiverPark Development Agreement and that the proposed Fourth Amendment to the RiverPark Development Agreement is consistent with the 2030 General Plan; and

WHEREAS, the City Council provided notice of its intent to consider the Fourth Amendment to the RiverPark Development Agreement in accordance with the requirements set forth in Section 65867 of the Government Code; and

WHEREAS, on June 5, 2012, the City Council conducted a public hearing on the fourth amendment to the RiverPark Development Agreement in accordance with the requirements set forth in Section 65867 of the Government Code.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Part 1. The "Fourth Amendment to Development Agreement" between the City and RiverPark Developers, is on file at the City Clerks office as Exhibit A, is hereby adopted.

Part 2. The Mayor is authorized to execute on behalf of the City the "Fourth Amendment to the RiverPark Development Agreement" between the City and RiverPark Developers.

Part 3. Pursuant to Government Code Section 36933(c)(1), the City Attorney was designated to prepare, and the City Clerk published, a summary of this ordinance, and a certified copy of the ordinance was posted in the office of the City Clerk a minimum of five days before the City Council's adoption of the ordinance.

Part 4. The City Clerk shall certify as to the adoption of this ordinance and shall cause the summary thereof to be published within fifteen calendar (15) days of the adoption and shall post a certified copy of this ordinance, including the vote for and against the same, in the office of the City Clerk, in accordance with Government Code Section 36933. Ordinance No. 2856 was first read on June 5, 2012, and finally adopted on _____, 2012, to become effective thirty days thereafter.

PASSED AND ADOPTED this 5th day of June, 2012, by the following vote:

AYES:

NOES:

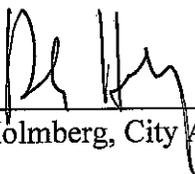
ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Alan Holmberg, City Attorney