

[PROPOSED] ORDINANCE NO. _____

AN ORDINANCE OF THE PEOPLE OF THE CITY OF COSTA MESA AFFIRMING THE FAIRGROUND LAND USE DESIGNATION IN THE LAND USE ELEMENT OF THE 2000 GENERAL PLAN RELATING TO DESIGNATION OF THE ORANGE COUNTY FAIR AND EVENT CENTER PROPERTY LOCATED AT 88 FAIR DRIVE, COSTA MESA, CALIFORNIA AND MAKING IT SUBJECT TO CHANGE ONLY BY A VOTE OF THE PEOPLE

WHEREAS, the Orange County Fair and Event Center is a large parcel of property consisting of over 150 acres located in the City of Costa Mesa and has served an important public purpose for over sixty years; and

WHEREAS, the Orange County Fair and Event Center property is currently owned by the State of California and thus not subject to the City's zoning code; and

WHEREAS, the State of California has placed the Orange County Fair and Event Center property up for sale, and the property could become privately owned and thus subject to the City's zoning code; and

WHEREAS, the City Council approved Resolution 10-8 on February 2, 2010 adopting a General Plan Amendment for the Orange County Fair and Event Center property to more completely describe the existing and approved uses for the property; and

WHEREAS, the City Council approved Resolution 10-12 on February 16, 2010 adopting a General Plan Amendment for the Orange County Fair and Event Center property to more completely describe the existing and approved uses for the property following a duly noticed public hearing; and

WHEREAS, the electors of the City of Costa Mesa wish to confirm and approve the land use designation for the Orange County Fair and Event Center property located at 88 Fair Drive, Costa Mesa, California, in the City's General Plan adopted by the City Council by Resolution 10-12 on February 16, 2010; and

WHEREAS, the electors of the City of Costa Mesa further wish to require that any future general plan amendments relating to the Orange County Fair and Event Center property be accomplished only with a vote of the electorate of Costa Mesa and that no such change to the General Plan designation for the Orange County Fair and Event Center property shall be effective unless confirmed and approved by a majority

vote of the electorate at a properly noticed and called election; and

WHEREAS, confirmation of the City's General Plan designation for the Orange County Fair and Event Center will not result in any impact to the environment as it will not increase or decrease the types of uses or buildable space for the property from what currently exists, and is therefore determined to have no potential environmental impact. In addition, The General Plan Final Program Environmental Impact Report (Final EIR) was certified by City Council in January 2002. The OCFEC Master Plan Final EIR was certified by the 32nd District Agricultural Association in September 2003. These two environmental documents constitute the required environmental documentation for the proposed General Plan amendment. Confirmation by the Voters of the General Plan designation for the Fair and Event Center property and requiring voter approval of any future general plan amendment for this property is determined to be within the original scope of the General Plan Final EIR and OCFEC Master Plan EIR, and no additional environmental documentation is required.

NOW, THEREFORE, the people of the City of Costa Mesa do ORDAIN AS FOLLOWS:

SECTION 1. Article 17 of Chapter IX of Title 13 of the Costa Mesa Municipal Code is hereby added:

Article 17. ORANGE COUNTY FAIR AND EVENT CENTER

Section 13-200.75 General Plan Designation.

The general plan designation for the Orange County Fair and Event Center property located at 88 Fair Drive, Costa Mesa, California shall be as set forth in General Plan Amendment GP-09-01 adopted by the City Council pursuant to Resolution 10-12 on February 16, 2010.

Section 13-200.76 Amendment of General Plan Designation.

The general plan designation for the Orange County Fair and Event Center property located at 88 Fair Drive, Costa Mesa, California shall not be further amended except by ordinance approved by a majority vote of the electorate of the City of Costa Mesa.

SECTION 2. Should any section, subsection, clause or provision of this ordinance for any reason be held to be invalid, then the remainder of the ordinance shall be deemed valid, it being hereby expressly declared that this ordinance, and each and every section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, approved, adopted and/or ratified even if any other section, subsection, sentence, clause or phrase of this ordinance were declared invalid.

SECTION 3. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published in the manner required by law. This ordinance shall become effective thirty days from and after its passage.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2010.

ALLAN MANSOOR, Mayor

ATTEST:

City Clerk of the City of Costa Mesa

APPROVED AS TO FORM:

City Attorney