

RESOLUTION NO. 10-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA FINDING THE PROPOSED LEASE AGREEMENT FOR THE ORANGE COUNTY FAIR AND EVENT CENTER TO BE CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, Final Program Environmental Impact Report (EIR) No. 1049 (State Clearinghouse Number 200031120) was prepared by the City of Costa Mesa for the 2000 General Plan and certified by City Council in January 2002;

WHEREAS, Final Program EIR for the 2000 General Plan addresses a full range of environmental issues associated with the 20-year planning horizon of the 2000 General Plan (2020). All impacts resulting from implementation of the 2000 General Plan were minimized to a level of significance with the exception of impacts related to transportation/circulation, air quality, and noise;

WHEREAS, the City Council of the City of Costa Mesa adopted the 2000 General Plan on January 22, 2002. The General Plan is a long-range, comprehensive document that serves as a guide for the orderly development of Costa Mesa;

WHEREAS, the Fair Board of Directors of the 32nd District Agricultural Association (DAA) adopted a 10-year strategic Master Plan and Final EIR in 2003. In conjunction with the City's General Plan EIR, this document served as environmental documentation for General Plan Amendment GP-09-01, which was adopted by City Council on February 16, 2010;

WHEREAS, the City of Costa Mesa 2000 General Plan designates the project site at 88 Fair Drive as Fairgrounds, a General Plan designation that recognizes the unique land uses associated with the 150-acre Orange County Fair and Event Center property (OCFEC);

WHEREAS, on June 22, 2010 the City Council and the Orange County Fairgrounds Joint Powers Authority (JPA) approved a Purchase and Sales Agreement with the State of California for the OCFEC;

WHEREAS, all of the documents referenced above are hereby incorporated by reference and are on file and available for public review in the City of Costa Mesa Development Services Department located at 77 Fair Drive, Costa Mesa;

WHEREAS, the JPA is proposing to enter into a ground lease agreement of the OCFEC with OC Fair and Event Center, L.P. (OC Fair);

WHEREAS, the proposed lease agreement with OC Fair would help achieve the City of Costa Mesa's goal of preserving the Fairgrounds in Costa Mesa;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), CEQA Guidelines, and City's environmental processing procedures, the proposed activity qualifies for the following five categorical exemptions:

1. CEQA Guidelines Section 15301, Class 1, Existing Facilities because activity involves the leasing of existing facilities with no expansion of the use beyond that existing at the time of the issuance of the exemption.
2. CEQA Guidelines Section 15323, Class 23, Normal Operations of Facilities for Public Gatherings because the activity involves the continuation of the normal operations of the existing facility for public gatherings for which the facility was designed, and that there is a past history of approximately 60 years of the facility being used for fair and event purposes.
3. CEQA Guidelines Section 15325, Class 25, Transfers of Ownership of Interest in Land To Preserve Existing Natural Conditions because the activity involves a ground lease agreement in order to preserve the existing fair and event center operations which are a significant recreational resource in the City of Costa Mesa and County of Orange; furthermore the activity facilitates preservation of the open space at the Fairgrounds, obligates the operator to continue the existing agricultural uses at Centennial Farms; and requires compliance with the Costa Mesa Municipal Code before any "Cultural Resources" can be modified.
4. CEQA Guidelines Section 15302, Class 2, Replacement or Reconstruction because this activity identifies that some of the existing facilities have suffered from deferred maintenance and repair work may need to be undertaken, and that these repairs should not change the purpose of the facilities being replaced, or should not expand the capacity of these structures. The ground lease also provides that no such repairs can be undertaken until all Applicable Laws have been complied with, including CEQA.
5. CEQA Guidelines section 15061(b)(3) because the activity does not authorize any physical change in the environment.

BE IT RESOLVED that, based on the evidence in the record, the City Council of the City of Costa Mesa does hereby find the proposed lease agreement between the Orange County Fairgrounds Joint Powers Authority and OC Fair for the use of the OCFEC property for fair and event uses to be categorically exempt from the California Environmental Quality Act.

PASSED AND ADOPTED this 24th day of August, 2010.

ALLAN MANSOOR
Mayor, City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

CITY CLERK OF THE
CITY OF COSTA MESA

CITY ATTORNEY

