



CITY OF POMONA

CITY COUNCIL

STAFF REPORT

May 20, 2019

To: Honorable Mayor and Members of the City Council

From: Linda Lowry, City Manager

Submitted By: Anita D. Gutierrez, AICP, Development Services Director
Christi Hogin, Interim City Attorney

SUBJECT: Letter Agreement with Fairplex Regarding Processing of Specific Plan Application and Interim Use of Property

RECOMMENDATION:

Approve letter agreement and authorize Mayor to execute on behalf of City.

EXECUTIVE SUMMARY:

The City Council will consider an agreement with the Fairplex in which the City agrees to process Fairplex's application for a specific plan, including its environmental review and the extensive public review process, in lieu of pursuing unilateral changes to the F-zone. Unless terminated by either party, the Agreement would last three years (and may be extended) and includes the following key provisions:

1. The Fairplex will not host any raves or cannabis-related events during the term of the Agreement
2. Subject to an administrative temporary use permit, the Fairplex could hold up to 6 music events with 10,000 – 40,000 attendees during the next three years. These events could be two-day events but could not go past 11pm. The Agreement imposes specific limitation on noise level of 75 dBA over 15-minute period measured from public right of way.
3. While the Agreement is in effect, Fairplex will contribute to a mitigation fund to construct public safety measures and related sidewalk and street improvements at and around the property. The City and Fairplex will create an Advisory Committee that will meet publicly and administer the fund. The source of the funds will result from an increase in parking revenue, surcharge on tickets for major music events, and surcharge on adult full-price fair tickets.

This agreement follows up the May 1, 2019, discussion at a joint meeting of the City Council and Planning Commission at which the staff discussed the concept of a specific plan to design and regulate the current F-Zone, including the Fairplex.

FISCAL IMPACT: There is no significant cost to the City to consider a specific plan application. The applicant bears the cost of preparing and processing a specific plan, including any environmental review. If approved, the Agreement creates a mitigation fund to fund certain public safety measures and infrastructure around the Fairplex venue in order to address immediately impacts from music events that will be held during the Specific Plan planning period. The estimated annual contribution of new revenue by Fairplex to the fund is between \$320,000 and \$710,000 with an estimated three year accumulated amount of \$1.5M

PREVIOUS RELATED ACTION: This proposed Agreement and course of action is the culmination of years-long efforts by neighborhood residents, the City, and the Fairplex management to develop standards for the fairgrounds' operations to be compatible with the residential neighborhood that surrounds it. Most recently, on May 1, 2019, the City Council and the Planning Commission held a joint meeting at which staff presented a summary of the process for developing a specific plan.

DISCUSSION:

The item before the City Council tonight is a proposed agreement with the Fairplex¹.

Land use activities at the Fairplex fairgrounds are currently governed by the zoning code; the Fairplex is in the F-zone. Over the past several years, the City and neighbors have had concerns that the current F-zone regulations are inadequate to create harmony between the Fairplex and its residential neighbors. The City was poised to consider amendments to the F-zone to address some of the specific noise, parking, and traffic circulation issues arising from current and recent operations. However, the Fairplex approached the City suggesting the alternative approach of developing and enacting a specific plan. The Fairplex organization has been involved in long-range planning and is interested in developing a more comprehensive and more collaborative approach of identifying regulations for the Fairplex to make it compatible with the neighbors.

The purpose of the proposed agreement is twofold. First, it memorializes an express intent to proceed with a specific plan to plan and impose regulations on the Fairplex that will enhance the venue and make it more compatible with its neighborhood. The agreement anticipates that it will take about three years to complete this process. Either the City or the Fairplex may terminate the agreement at any time.

Second, for as long as the Agreement is in effect, the Fairplex will accept certain limits on the types of events that it may host on site (no raves, no cannabis-related events) and will limit the

¹The Fairplex organization is the Los Angeles County Fair Association. LACFA is a private, non-profit mutual benefit 501(c)(5), self-funding organization that is not governed by the city, the county or the state. LACFA receives no government subsidies for daily business operations. The County owns 421 acres of the fairgrounds but LACFA has a long-term ground lease in that Fairplex fairground property. LACFA also owns an additional 66 acres in the area.

number of large music events that it holds. To mitigate the impacts of those events while the specific planning is underway, the Fairplex will create a revenue source that will be set aside for certain improvements meant to mitigate the traffic and public safety impacts of the venue. The fund will be administered by an advisory committee that will hold open and public meetings. The structure is intended to create transparent and accountable use of the mitigation funds and to include the neighbors in determining the fund's best use.

ATTACHMENTS: Proposed Letter Agreement