

RESOLUTION NO. 16-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA APPROVING SPECIAL EVENT PERMIT 16-03 FOR A PUMPKIN PATCH AT 777 SOUTH BEACH BOULEVARD, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS.

The Planning Commission of the City of La Habra does hereby resolve as follows:

Section 1. The Planning Commission does hereby find and determine that:

- a. Vermeulen Properties #4 LLC, filed an application requesting Special Event Permit 16-03 for a pumpkin patch at 777 South Beach Boulevard.
- b. This project was reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be Categorically Exempt pursuant to Section 15304(e), Class 4: "Minor Alterations to Land" subsection (e) "Minor temporary use of land having negligible or no permanent effects on the environment." This specific section includes carnivals, sales of Christmas trees etc." The project consists of the operation of a temporary event on a vacant property. No permanent structures are proposed.
- c. The proposal has been reviewed pursuant to the requirements of the City's National Pollutant Discharge Elimination System (NPDES) Municipal Permit, the Local Implementation Plan (LIP), and the Model Water Quality Management Plan (WQMP), Section 7.2. Since no disturbance of soil will occur, this project is exempted by the Water Quality Ordinance from preparation of a Non-Priority Plan.
- d. The Planning Commission held a duly noticed hearing on September 12, 2016 to consider the Applicant's request of Special Event Permit 16-03. The Planning Commission, after considering all the written and oral evidence offered including the staff report, approves the request.

Section 2. The Planning Commission further finds and determines that the Applicant has succeeded in meeting the submittal requirements for a Large Special Event as established within the Special Events Policy Guidelines.

Section 3. This action is subject to the following conditions:

General conditions:

Standard Condition 1.1 CODE COMPLIANCE

The property owner/business operator shall comply with all applicable City of La Habra Municipal Codes and Ordinances.

Standard Condition 1.2 BUILDING PERMITS

The applicant/developer shall comply with all the applicable California/La Habra Building Code requirements and obtain all required permits from the Chief Building Official. Construction shall comply with the California/La Habra Building Code (or Residential Code), California/La Habra Plumbing Code, California/La Habra Mechanical Code, California/La Habra Electrical Code, California/La Habra Energy Code, and California/La Habra Green Building Standards Code, as applicable. All plans submitted for building permits must comply with California/La Habra Codes to the satisfaction of the Chief Building Official.

Standard Condition 1.3 GRAFFITI ABATEMENT

The property owner/business operator shall maintain the property in a clean and orderly condition at all times and remove any graffiti from the site within forty-eight (48) hours of its discovery in matching colors to the existing improvements.

Standard Condition 1.4 LA COUNTY FIRE DEPARTMENT

The property owner/business operator shall comply with the Los Angeles County/La Habra Fire Code and Fire Department requirements, as applicable.

Standard Condition 1.6 PLANS

This approval is for those plans date stamped July 13, 2015 and which are those plans reviewed and approved by the City of La Habra Planning Commission at its meeting of September 12, 2016. A copy of said plans shall be maintained in the files of the City of La Habra Planning Division. The project shall be developed and maintained in substantial conformance with said plans, except as otherwise specified in these conditions of approval.

Standard Condition 1.7 COMPLIANCE

The failure to comply with any of these conditions of approval by the property owner/business operator shall be grounds for rehearing and consideration by the Planning Commission for possible revocation of the Special Event Permit.

Standard Condition 1.8 VIOLATION

In the event that the property owner/business operator violates or fails to comply with any of the conditions of approval of this permit, the City may take measures to cure such violations, including but not limited to, administrative citation and full reimbursement of the City for its costs and expenses, including but not limited to, attorney's fees, in undertaking such corrective action. Reimbursement of enforcement costs shall constitute a

civil debt and may be collected by any means permitted by law. In the event that violations of this permit occur, the City shall refrain from issuing further permits, licenses or other approvals until such violations have been fully remedied.

Standard Condition 1.9 LANDSCAPE MAINTENANCE

The property owner/business operator shall maintain landscaping in a healthy and well-kept manner at all times. Dead or damaged landscape material/vegetation shall be replaced immediately per the approved landscape plan. The irrigation system shall be maintained at all times. Trees shall be permitted to grow to their maximum height.

Standard Condition 1.14 RESOLUTION ON HAND

The property owner/business operator shall at all times maintain a copy of the approved resolution containing all the conditions of approval on site. Said resolution shall be provided for review upon request by any law enforcement officer or community preservation inspector.

Standard Condition 1.18 LITTER

The property owner/business operator shall maintain the property in a clean and orderly condition at all times and remove all litter from the exterior areas around the premises, including adjacent public sidewalk areas and parking areas, no less frequently than once each day prior to the close of business.

Standard Condition 1.37 CONDUCT OF BUSINESS

The property owner/business operator shall, at all times, conduct business operations in a manner that does not create a public or private nuisance. Any such nuisance must be abated immediately upon notice by the City of La Habra.

Standard Condition 8.3 SMOKING REGULATIONS

The property owner/business operator shall, at all times, require all patrons to comply with the smoking regulations set forth by the State of California. Smoking onsite is prohibited. Signage shall be clearly posted at the entrance and throughout the property.

Project specific conditions:

1. The property owner/business operator shall not install, park, or store any vehicles, equipment, or merchandise within the public right-of-way at any time.

2. The property owner/business operator shall adhere to the NPDES requirements regarding Best Management Practices (BMPs). The Applicant shall at all times implement Best Management Practices (BMPs) as listed below:
 - a. The property owner/business operator shall only utilize dry sweep methods on a routine basis. Pressure washing and water hosing shall not be conducted.
 - b. The property owner/business operator shall acquire spill kits and keep them on site and readily available during the event. One spill kit shall be kept near the temporary toilets.
 - c. The property owner/business operator shall sweep any tracking of mud/dirt coming off the property to prevent it from entering the street and storm drain.
 - d. The property owner/business operator shall keep all trash dumpster lids closed at all times and shall utilize trash containers with lids to prevent rain water from collecting in them. The location of the trash containers shall be approved by the Planning Manager.
3. The property owner/business operator shall maintain all fire lanes clear of obstructions at all times during the special event. Vehicle ingress, egress and passage through the parking lot shall not be blocked.
4. The property owner/business operator shall maintain accessibility to the tenant space/site i.e. van accessible parking, ramps, walkways, etc.... A minimum of four (4)-foot wide walkways shall be maintained.
5. The property owner/business operator shall not place any advertisements off-site. This includes advertisements on any public property, utility poles and the utilization of human display signs. All activities shall be limited to the property at 777 South Beach Boulevard.
6. This approval is valid from October 1, 2016 through October 31, 2016. The hours of operation shall be limited to 8:00 a.m. to 9:00 p.m. Sunday through Thursday, and 8:00 a.m. to 10:00 p.m. Friday and Saturday.
7. The property owner/business operator shall remove all items associated with the event including temporary structures, temporary power poles, and support poles within the 60 day time period for the setup and cleanup of the property.
8. The property owner/business operator shall, after the conclusion of the event, replace the screening material on the chain link fence around the vacant lot. The property owner/business operator shall also repair any

damage to the parking lot and landscape areas that occurred during the operation of the event. The property shall be in full compliance with the Vacant Property Ordinance at all times.

9. The property owner/business operator shall not allow light to spill onto the adjacent residential properties during the operation of the event. Proper shielding shall be installed on the light poles to prevent spillover.
10. The property owner/business operator shall terminate the special event upon the demand of any Police, Code Enforcement Officer, or Fire Official due to just cause.
11. The property owner/business operator shall not use or permit any other temporary structures, vehicles (i.e. security trailers) or modular units to be placed on-site, unless approved by the Planning Commission. No structures on site shall be utilized as a residence.
12. The property owner/business operator shall maintain a minimum of 51 percent of the non-parking area for the display of pumpkins.

Prior to the operation of the event:

13. The property owner/business operator shall obtain a City of La Habra business license.
14. The property owner/business operator shall provide barricades or other protection to prevent vehicular contact with event customers as approved by the City Engineer.
15. The property owner/business operator shall provide a total of four (4) temporary toilet facilities with at least one (1) accessible temporary accessible toilet facility for the use by men and women.
16. The property owner/business operator shall obtain a permit from Los Angeles County Fire Department for the tents.
17. The property owner/business operator shall install or replenish gravel/crushed rock at the driveway entrance and parking area of the vacant lot to eliminate any tracking of mud/dirt from the event area as required by the City Engineer.

Section 4. Based upon the foregoing, the Planning Commission of the City of La Habra approves Special Event Permit 16-03. The Planning Commission Secretary shall certify to the adoption of this resolution and transmit a copy thereof to the Applicant.

Said motion CARRIED by the following roll call vote:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:
ABSENT: COMMISSIONERS:

Dated: September 12, 2016

ATTEST: _____ APPROVED: _____
 Carmen G. Henderson, Secretary Chairman, Jerry Powell