

RESOLUTION NO. 16-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA APPROVING SPECIAL EVENT PERMIT 16-02 FOR A PUMPKIN PATCH AT 115 NORTH HARBOR 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. 555 Star Development LLC, filed an application requesting Special Event Permit 16-02 for a pumpkin patch at 115 North Harbor Boulevard.
- b. This project was reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be Categorical Exempt pursuant to Section 15304, Class 4: "Minor Alterations to Land" subsection (e) "Minor temporary use of land having negligible or no permanent effects on the environment". This 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 Applicant's 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 WQMP.
- d. The Planning Commission on September 12, 2016 considered the Applicant's request of Special Event Permit 16-02. 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/applicant shall comply with all applicable City of La Habra Municipal Codes and Ordinances.

Standard Condition 1.2 BUILDING PERMITS

The property owner/applicant 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/applicant 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/applicant 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 August 18, 2016 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/applicant 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/applicant 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 (Modified)

The property owner/applicant shall maintain landscaping in a healthy and well-kept manner at all times and shall replace a total of eight (8) palm trees, four (4) along the Harbor Boulevard street frontage and four (4) along the La Habra Boulevard Street frontage, prior to the operation of the event to the satisfaction of the Director of Community and Economic Development. All palm trees shall be 24 inch box in size. The irrigation system shall be maintained at all times. Trees shall be permitted to grow to their maximum height. Dead or damaged landscape material/vegetation and trees shall be replaced prior to any pumpkins or bouncers being brought on site. Failure to comply and maintain the property shall be grounds for future denial of Special Event requests on the parcel.

Standard Condition 1.14 RESOLUTION ON HAND

The property owner/applicant 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/applicant 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/applicant 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/applicant 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/applicant shall not install, park, or store any vehicles, equipment, or merchandise within the public right-of-way at any time.
2. The property owner/applicant 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 (1) spill kit shall be kept near the temporary toilets.
 - c. The property owner/business operator shall utilize trash cans with lids to prevent rain water from collecting in them. The location of the trash cans shall be approved by the Planning Manager.
3. The property owner/applicant 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/applicant shall maintain accessibility to the tenant space/site i.e. van accessible parking, ramps, walkways, etc. A minimum of 4 foot wide walkways shall be maintained.
5. The property owner/applicant 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 115 North Harbor Boulevard.
6. On site advertising signage shall not exceed a collective total of one hundred square feet of area, and no sign shall exceed a height of eight feet; only one sign shall be allowed on each commercial street frontage.
7. This approval is valid from October 1, 2016 through October 31, 2016. The hours of operation shall be limited to 9:00 a.m. to 9:00 p.m. during the weekdays and 9:00 a.m. to 10:00 p.m. on Friday Saturday and Sundays during the event duration.

8. The property owner/applicant shall remove all items associated with the event within the 60 day time period for the setup and cleanup of the property.
9. The property owner/applicant shall, after the conclusion of the event, repair any damage to the parking lot and landscape areas that occurred during the operation of the event to the satisfaction of the Director of Community and Economic Development.
10. The property owner/applicant 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.
11. The property owner/applicant shall terminate the special event upon the demand of any Police, Community Preservation Inspector, or Fire Official due to just cause.
12. The property owner/applicant 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.
13. The property owner/applicant shall maintain a minimum of 51 percent of the non-parking area for the display of pumpkins.

Prior to the operation of the event:

14. The property owner/applicant shall obtain a City of La Habra business license.
15. The property owner/applicant shall provide a total of two (2) temporary toilet facilities with at least one (1) accessible temporary accessible toilet facility for the use by men and women.
16. The property owner/applicant shall obtain a permit from Los Angeles County Fire Department for the tents.
17. The property owner/applicant shall restripe the parking area to indicate all parking spaces and drive aisles to ensure project site access and circulation. A designated accessible parking space must be located near the entrance to the event area so that a person with a disability will not have to walk behind a parked car to the satisfaction of the Chief Building Official.
18. The property owner/applicant shall obtain an electrical permit from the Chief Building Official for the use of a generator. All lighting must comply with the California Electrical Code.

Section 4. Based upon the foregoing, the Planning Commission of the City of La Habra approves Special Event Permit 16-02. 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