

RESOLUTION NO. 17-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA APPROVING SPECIAL EVENT PERMIT 17-02 TO CONDUCT A LARGE SPECIAL EVENT AT 1641-1721 WEST IMPERIAL HIGHWAY, 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. La Habra Associates, LLC, filed an application requesting Special Event Permit 17-02 for an acrobatic circus at 1641-1721 West Imperial Highway.
- b. This project was determined to be Categorically Exempt pursuant to CEQA 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 section applies to carnivals, sales of Christmas trees etc. The project consists of the operation of a temporary event. No permanent structures are proposed.
- c. Since no disturbance of soil will occur, this project is exempt from the preparation of a Water Quality Management Plan 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. All work undertaken on the site will be required to incorporate Best Management Practices (BMPs).
- d. The Planning Commission on October 9, 2017 considered the Applicant's request for Special Event Permit 17-02. The Planning Commission after considering all the written and oral evidence offered, including the staff report and all attachments, approves the request.

Section 2. The Planning Commission further finds and determines that:

- a. The Applicant has succeeded in meeting the submittal requirements for a Large Special Event as established within the Special Event 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 property owner/business operator 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.

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 1.5 MINOR MODIFICATIONS

The Director of Community and Economic Development or designee may approve minor modifications through the Administrative Adjustment process to the conditions of approval so long as the intent of the Planning Commission is maintained.

Standard Condition 1.6 PLANS (Modified)

This approval is for those plans date stamped September 12, 2017 and which are those plans reviewed and approved by the City of La Habra Planning Commission at its meeting of October 9, 2017. 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.

Project specific conditions:

1. The property owner/business operator shall at all times during the operation of the event have a total of four (4) security guards on-site to monitor the event area and direct traffic.
2. 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.

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 with the exception of the event area.
4. The property owner/business operator shall maintain accessibility to the event area 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 advertisement 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 1641-1721 West Imperial Highway.
6. This approval is valid from October 17, 2017 through October 24, 2017. All items associated with the event shall be removed by October 24, 2016.
7. The property owner/business operator 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. Should damage to a tree occur, the replacement tree shall be of the same type and size of that damaged.
8. 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.

Prior to the operation of the event:

9. The property owner/business operator shall obtain a City of La Habra Business License.
10. The property owner/business operator shall obtain a permit from the County of Los Angeles Fire Department for the use of the tent.
11. The property owner/business operator shall provide engineered stamped plans and structural calculations for the use of the platform/stage and obtain a building permit from the Chief Building Official.
12. The property owner/business operator shall obtain a permit for the use of the generator from the Chief Building Official.

13. The property owner/business operator shall provide all accessible parking spaces and accessible restroom near the tent entrance so that a person with a disability will not have to walk behind a parked car to the satisfaction of the Chief Building Official.
14. The property owner/business operator shall utilize traffic barriers to secure the event area with the type of barrier and final locations to be approved by the Director of Public Works.
15. The property owner/business operator shall assure that the staging area located behind the shopping center does not disturb the adjacent residents to the north. Should the Police Department receive noise complaints, the staging area shall be relocated to the event area.

Section 4. Based upon the foregoing, the Planning Commission of the City of La Habra approves Special Event Permit 17-02. 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: October 9, 2017

ATTEST: _____
Carmen G. Henderson, Secretary

APPROVED: _____
Chairman, Mark Handler