

ORDINANCE NO. CC 2025-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, APPROVING ZONE CHANGE 25-0003 TO ADD CHAPTER 18.65 (SPECIAL EVENT PERMITS) TO TITLE 18 (ZONING) AND AMEND SECTION 18.04.030 (TERMS DEFINED) OF CHAPTER 18.04 (DEFINITIONS), SECTION 18.06.040 (LAND USES) OF CHAPTER 18.06 (ZONES ESTABLISHED – ZONING MAP BOUNDARIES AND LAND USES), AND SECTION 18.23.090 (SIGN REGULATIONS – TEMPORARY SIGNS) OF CHAPTER 18.23 (SIGN STANDARDS) OF TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE FOR CONSISTENCY WITH CHAPTER 18.65 (SPECIAL EVENT PERMITS) AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTIONS 15378(b)(5) AND 15061(b)(3) OF THE CEQA GUIDELINES

THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA HEREBY FINDS AND DECLARES AS FOLLOWS:

WHEREAS, special events are an existing valued part of the community and public enjoyment; and

WHEREAS, pursuant to the current provisions of Table 18.06.040.A (Land Use Matrix) of Section 18.06.040 (Land Uses) of Chapter 18.06 (Zones Established-Zoning Map Boundaries and Land Uses) of Title 18 (Zoning) of the La Habra Municipal Code, “small events” and “large events” are permitted in the Commercial and Professional Office (C-P), Limited Commercial (C-1), Community Shopping Center (C-2S), Community Shopping Center High Density (C-2SH), Commercial (C-2), General Commercial (C-3), Planned Commercial-Industrial (PC-1), Light Manufacturing (M-1), La Habra Boulevard Specific Plan (SP-1), and Mixed Use Overlay (MX) zones with a special event permit; and

WHEREAS, the City’s special event permit regulations, including the definitions for “special event,” “small event” and “large event,” are not currently codified within Title 18 (Zoning) of the La Habra Municipal Code; and

WHEREAS, special event permit regulations are intended to ensure the general health, safety, and welfare of the community; and

WHEREAS, on March 18, 2024, the City Council directed City staff to initiate a Zone Change to codify the City’s special event permit regulations; and

WHEREAS, the City noticed a public hearing for September 8, 2025 for the Planning Commission to consider Zone Change 25-0003. On September 8, 2025, the Planning Commission continued the public hearing to September 22, 2025 at staff’s request; and

WHEREAS, on September 22, 2025, the Planning Commission held the continued public hearing to consider the proposed amendments to Title 18 of the La Habra Municipal Code under Zone Change 25-0003, at which time it considered all material and evidence presented, whether written or oral; and

WHEREAS, at the close of the public hearing, the Planning Commission adopted a resolution recommending that the City Council adopt this Ordinance; and

WHEREAS, on _____, the City Council held a duly noticed public hearing to consider the proposed amendments to Title 18 of the La Habra Municipal Code under Zone Change 25-0003, at which time it considered all material and evidence presented, whether written or oral, including the Planning Commission's recommendation; and

WHEREAS, the proposed amendments under Zone Change 25-0003 are consistent with the City's General Plan and, more specifically, support General Plan Goal CI 6 Community Events and Celebrations of having a robust program of community events that celebrate the history, economy and local businesses, arts, health and well-being, and qualities of life in La Habra; and

WHEREAS, the City Council desires to amend Title 18 (Zoning) of the La Habra Municipal Code to establish special event regulations in order to protect the general health, safety and welfare of the community; and

WHEREAS, all legal requirements prior to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The above recitals are true and correct and are incorporated herein.

SECTION 2. Consistency with General Plan. The City Council finds and determines that the proposed amendments to Title 18 (Zoning) of the La Habra Municipal Code are consistent with the goals and objectives of the La Habra General Plan.

SECTION 3. California Environmental Quality Act. The City Council finds and determines that this Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15378(b)(5) and 15061(b)(3). The Zone Change is not a project pursuant to Section 15378(b)(5) of the CEQA Guidelines because it is an administrative activity of the City that will not result in direct or indirect physical changes in the environment. Even if the Zone Change were considered a project under CEQA, it would be exempt pursuant to Section 15061(b)(3) (Common Sense Exemption)

of the CEQA Guidelines because the proposed amendments to the La Habra Municipal Code have no possibility of having a significant effect on the environment

SECTION 4. Amendment to Section 18.04.030. Section 18.04.030 (Terms Defined) of Chapter 18.04 (Definitions) of Title 18 (Zoning) of the La Habra Municipal Code is hereby amended as follows:

a. The term “Approving body” is amended to read as follows:

“Approving body” or “approval authority” means the designated official or body with authority to approve, conditionally approve, or deny an application pursuant to this title.

b. The terms “Seasonal commercial sales,” “Special event,” “Special event, large” and “Special event, small” are added to read as follows:

“Seasonal commercial sales” shall have the same meaning as in Section 5.04.610 of this code.

“Special event” means any organized activity of limited duration on private property or in the public right-of-way which may not meet the normal development or use standards of the applicable zoning district, but may otherwise be acceptable because of the temporary nature of the activity, or which exceeds the scope of the business licensed and approved for the premises on which the event is to be held. Special events may be one-time or recurring, subject to the limitations set forth in Chapter 18.65 of this code. Examples of a special event include, but are not limited to: block parties; sidewalk sales; carnivals, circuses, fairs, festivals and other similar activities; parades; grand openings; and farmers’ markets and other seasonal commercial sales.

“Special Event, Large” means a special event that includes any of the following:

1. anticipated to have two hundred fifty or more attendees;
2. a duration of five or more days;
3. temporary removal of more than twenty-five percent of the available on-site parking;
4. closure of one or more public street(s); or
5. use of an inflatable structure, including, but not limited to, a bounce house, larger than two hundred square feet in size.

“Special Event, Small” means a special event that does not qualify as a large special event.

SECTION 5. Amendment to Section 18.06.040. In Table 18.04.040.A (Land Use Matrix) of Section 18.06.040 (Land Uses) of Chapter 18.06 (Zones Established – Zoning Map Boundaries and Land Uses) of Title 18 (Zoning) of the La Habra Municipal Code, the Commercial – Retail category is hereby amended to revise the language relating to seasonal sales lots and reflect that seasonal commercial sales lots are permitted in the C-P (Commercial and Professional Office) Zone, and the Specialty Uses category is hereby amended to establish the zones in which small and large events can be held with a special event permit. All other provisions remain the same.

Table 18.06.040.A—Land Use Matrix															
Permitted = P	R-1a	R-2	R-5	MHP	C-R	C-P	C-1	C-2 _s	C-2	C-3	OS	PC-1	M-1(5)	SP-1	MX Overlay
Conditional Use Permit = CUP	R-1b	R-3	R-6					C-2 _s							
Not Permitted = -	R-1c	R-4	R-7					H							
Special Event Permit = S															
Home Occupation Permit = H															
COMMERCIAL—RETAIL															
Temporary commercial enterprises and seasonal commercial sales lots	—	—	—	—	—	S	S	S	S	S	—	S	S	S	S
SPECIALTY USES															
Special Event—Small and Large	—	—	—	—	—	S	S	S	S	S	—	S	S	S	S

SECTION 6. Amendment to Section 18.23.090. In Section 18.23.090 (Sign Regulations – Temporary Signs) of Chapter 18.23 (Sign Standards) of Title 18 (Zoning) of the La Habra Municipal Code, the provisions relating to temporary signs for Seasonal Commercial Sales Lots are hereby amended to reflect that the regulations also apply to special events generally. All other provisions remain the same.

Special Events / Seasonal Commercial Sales Lots	
Standards	Time Limitations
<ul style="list-style-type: none"> • Signs related to a special event and/or a seasonal commercial sales lot may be displayed upon the approval of the special event permit. • Signs shall not exceed a collective total of 100 square feet of area. • No sign shall exceed a height of 8 feet. • Only one sign shall be allowed per commercial street frontage. 	<ul style="list-style-type: none"> • All signs related to a special event and/or a seasonal commercial sales lot shall be removed upon the expiration of the special event permit.

SECTION 7. Chapter 18.65. Title 18 (Zoning) of the La Habra Municipal Code is hereby amended to add a new Chapter 18.65 (Special Event Permits) to read as follows:

Chapter 18.65 - SPECIAL EVENT PERMITS

18.65.010 Generally.

The purpose of this chapter is to establish clear and consistent procedures for the application, review, and approval of special events within the City of La Habra. It is the intent of this chapter to protect the health, safety, and welfare of participants and the general public, minimize disruptions to pedestrian and vehicular traffic, public services, and residential and business activities, and ensure adequate provision for public safety, sanitation, and emergency services.

18.65.020 Applicability and exemptions.

- A. The regulations set forth in this chapter shall apply to the granting of special event permits. No person shall conduct, operate, organize, or promote any special event within the City of La Habra without first obtaining a special event permit in accordance with the provisions of this chapter, unless exempt as set forth herein.
- B. Seasonal commercial sales are subject to the requirements of this chapter and the requirements set forth in Section 5.04.610 of this code. In the event of any conflict between this chapter and the requirements of Section 5.04.610, the requirements of Section 5.04.610 shall prevail.
- C. Exemptions: The following activities are exempt from the requirements of this chapter, provided they do not involve the closure of public streets and comply with all other applicable city, state, and federal laws and regulations:

1. Events conducted entirely within an enclosed building or facility, which are part of the normal and customary operations of the property.
2. Gatherings on private property that do not involve amplified sound audible beyond the property line, temporary structures, or the sale of goods/services to the public, and are not visible from the public right-of-way.
3. Garage sales or yard sales conducted in accordance with all applicable provisions of this code.
4. Activities or events sponsored, held, or conducted by or on behalf of, or in coordination with, the city.
5. Funeral processions conducted by a licensed mortuary or funeral home.
6. Free speech activities protected by the First Amendment.
7. Activities or events held or conducted by a public or private elementary or secondary school that is legally operated in the city, provided that the activity or event is conducted on property owned, used, or leased by the entity or its sponsor and is for the benefit of the entity that owns the property on which the activity takes place.

18.65.030 Number of special events allowed.

- A. Except as set forth below, no property may have more than twelve total special events per calendar year with a minimum of thirty days between each event, unless otherwise approved by the planning commission through the approval of a conditional use permit.
- B. Special events involving outdoor sales of goods or services shall be limited to a maximum of four special events per calendar year with a minimum of thirty days between each event, unless otherwise approved by the planning commission through the approval of a conditional use permit.
- C. Seasonal commercial sales shall be governed by Section 5.04.610 of this code and shall not be subject to the limitations set forth in this section.

18.65.040 Approval authority.

- A. Small Special Event Permits. The director is the approval authority for small special event permits.
- B. Large Special Event Permits. The planning commission is the approval authority for large special event permits.

18.65.050 Application.

An application for a special event permit shall be made on the forms furnished by the city and be filed by the owner, lessee or other person having the right to the possession of the land for which the permit is sought. An application for a special event permit shall be accompanied by the following:

- A. Name, address, and contact information of the applicant and event organizer.
- B. Name, address, and contact information of the property owner(s), along with written consent from the owner(s).
- C. A detailed description of the special event, including its purpose, estimated number of attendees, hours of operation (including set-up and tear-down), and proposed dates.
- D. A site plan or route map, drawn to scale, showing:
 - 1. Location of all existing structures.
 - 2. Location of all proposed temporary structures, including, but not limited to, tents, stages, booths, fences, portable restrooms, and generators.
 - 3. Entrances and exits.
 - 4. Parking areas and access routes.
 - 5. Emergency vehicle access.
 - 6. Location of food/beverage service areas, including cooking areas.
 - 7. Location of waste receptacles and recycling bins.
 - 8. For parades or races, the proposed route, including start/end points, assembly/dispersal areas, and road closures.
- E. A security plan, including arrangements for crowd control, emergency medical services, and private security personnel, if the organizer anticipates using private security for the special event.
- F. If the proposed event involves any street closures, detours, and/or parking restrictions, a traffic control plan must be prepared and submitted by a California Licensed Traffic Engineer (T.E.) or Professional Engineer (P.E.). The traffic control plan must include the T.E. or P.E. stamp as well as signatures on all pages of the plan.

- G. If the proposed event involves food service, requires the closure of one or more streets, or anticipates more than two hundred fifty attendees, a sanitation plan, including provisions for restrooms, waste disposal, and cleanup.
- H. If the proposed event will include any business activity or sales, proof of valid business license.
- I. Copies of any required permits or releases from other agencies, including but not limited to, Orange County Health Care Agency for food service and Department of Alcoholic Beverage Control for alcohol sales.
- J. A description of any amplified sound, including proposed hours and decibel levels. All amplified noise shall comply with the requirements of Chapter 9.32 of this code.
- K. A list of any proposed temporary signs or banners. Temporary signs are subject to the requirements set forth in Chapter 18.23 (Sign Standards) of this code.
- L. A copy of the Certificate of Fire Retardation for all canopies/tents and a diagram of their layout, if applicable.
- M. A plan for compliance with Americans with Disabilities Act (ADA) requirements.
- N. An indemnification agreement in a form approved by the city attorney signed by the applicant and property owner.
- O. Proof of the applicant's ability to meet the insurance requirements set forth in this chapter.
- P. Any other information deemed necessary by the city to evaluate the application.
- Q. For a large special event, a verified list of the name and address of each property owner within three hundred feet of the exterior boundaries of the property involved, utilizing at a minimum the last-known name and address of such owners as shown upon the last assessment roll of the city or county.

18.65.060 Filing fees.

The applicant for a special event permit shall pay a filing fee in the amount established by resolution of the city council.

18.65.070 Timing of application.

- A. An application for a small special event permit shall be submitted at least sixty calendar days prior to the desired event date, unless the director approves the submission of an application less than forty-five days prior to the desired event date.

- B. An application for a large special event permit shall be submitted at least one hundred and twenty calendar days prior to the desired event date, unless the director approves the submission of an application less than ninety days prior to the desired event date.

18.65.080 Application—investigation and findings.

- A. The approval authority shall cause to be made by its own members, or members of its staff, such investigation of facts bearing upon such application as will serve to provide all necessary information to ensure that the action on such application is consistent with the intent and purpose of this title.
- B. In order to approve a special event permit, the following findings must be made by the approval authority:
 - 1. The proposed site is adequate in size and shape to accommodate such special event without material detriment to the use or enjoyment of the property of other persons located in the vicinity of the site;
 - 2. Sufficient off-street parking spaces, which may include off-site locations, shuttles, or valet parking, are provided;
 - 3. The proposed site is adequately served by streets or highways having sufficient width and improvements to accommodate the kind and quantity of traffic that such special event will or could reasonably generate;
 - 4. The proposed activity will not interfere with any other special event for which a permit has already been approved or with the provision of city services in support of other scheduled activities;
 - 5. The use or event will comply with all applicable provisions of local, state and federal laws and regulations;
 - 6. The proposed activity will not be detrimental to the public peace, health, safety or welfare; and
 - 7. None of the grounds set forth in Section 18.65.090 exist.

18.65.090 Grounds for Denial.

An application for a special event permit shall be denied if any of the following grounds exist:

- A. The information contained in the application or supplemental information requested from the applicant is found to be materially false, or such information is incomplete;
- B. The applicant or the person or entity on whose behalf the application for the permit was made has failed to conduct a previously authorized activity in accordance with the law or the terms of the permit, or both;
- C. The applicant or the person or entity on whose behalf the application for the permit was made has outstanding and unpaid debts to the city;
- D. The applicant fails to complete the indemnification and hold harmless requirements prescribed by this chapter;
- E. Where conditions of a previous special event permit issued to the applicant were violated, or where any city ordinance, rule or regulation was violated within the past twenty-four months; or
- F. If any of the findings set forth in Section 18.65.080 cannot be made.

18.65.100 Conditions.

In approving a special event permit, the approval authority may establish such conditions as it may determine to be reasonably necessary to safeguard and protect the public health and safety, promote the general welfare, and mitigate any potential adverse effects from the special event.

18.65.110 Insurance.

A permittee for a special event on public property shall obtain, furnish proof of, and maintain, at their sole cost and expense, a policy of insurance issued by an insurance company authorized to do business in the State of California. The insurance policy shall be endorsed to name the City of La Habra and its elected and appointed boards, officers, agents, and employees as an additional insured, and shall provide that any other insurance maintained by the City of La Habra shall be in excess and not contributing with the insurance coverage provided to the City of La Habra under the permittee's policy. The minimum limits of liability shall conform to requirements established by the city's risk management division; provided, however, that in no case shall the minimum limits of liability be lower than two million dollars (\$2,000,000.00) per occurrence for bodily injury, personal injury and property damage.

18.65.120 Public hearing on a large special event permit-scheduling.

Following the receipt in proper form of an application for a large special event permit, the secretary of the planning commission shall fix a time and place of public hearing thereon. Not less than ten calendar days before the date of such public hearing, notice of the date,

time, place of hearing and location of the property and the nature of the request shall be given in the following manner:

- A. By publishing once in a newspaper of general circulation in the city;
- B. By mailing a notice, postage prepaid, to the applicant and to the owners of all property within three hundred feet of the exterior boundaries of the property involved, using for this purpose the last-known name and the address of such owners as shown on the latest equalized assessment roll.

18.65.130. Public hearing—conduct.

Public hearings as provided for in this chapter shall be held before the planning commission at the time and place for which public notice has been given as required in Section 18.65.120 of this chapter. The planning commission may establish its own rules for the conduct of such hearings. A summary of all pertinent testimony offered at a public hearing, together with the names and addresses of all persons testifying, shall be recorded and made a part of the permanent files of the case. The planning commission may continue any such hearing.

18.65.140 Action on application.

- A. The director shall render his/her decision on an application for a small special event permit within ten business days of the city's receipt of an application that complies with the requirements of this chapter.
- B. No later than the next regular meeting after the conclusion of the public hearing, the planning commission shall render its decision on an application for a large special event permit. The planning commission shall announce and record its actions by resolution, and such resolution shall recite the findings upon which the planning commission bases its decision.

18.65.150 Revocation of permits.

- A. The director may revoke or suspend, in whole or in part, a special event permit at any time if the director finds: (1) the activity constitutes a public nuisance or disturbs the peace; (2) the activity is injurious to the public peace, health, safety or welfare; (3) the activity is conducted contrary to the permit, permit conditions, any state or city law or rules and regulations adopted by the city council or the city manager, or director governing special events; (4) the permittee, or his, her, or its agent(s) or representatives, has willfully made false or misleading statements in the application or any other document required pursuant to this chapter.
- B. Revocation or suspension shall become effective immediately upon delivery of a written notice to the person in immediate charge of the activity or portion thereof affected by such act. The notice of such revocation or suspension shall specify the

reasons therefor. The director may, for good cause, cancel and make null and void any revocation or suspension action, or written notice ordering the same, but in all cases he or she shall promptly take such steps as are necessary to inform appropriate city officials of the action taken, and of the reason or reasons therefor.

- C. Upon revocation or suspension of a special event permit, the permittee and any parties under the permittee's control shall immediately cease operation of the activities subject to revocation or suspension. In the event that the permit is suspended, the permittee may resume operation once the suspension period has expired or canceled.

18.65.160 Appeals.

- A. A decision of the director regarding an application for a small special event permit may be appealed in writing to the city manager within ten calendar days of the director's decision. The appeal shall specify the decision being appealed and include the reasons for the appeal, along with any supporting evidence. The city manager shall render a written decision on the appeal within ten calendar days of the city's receipt of the appeal. The city manager's decision is final.
- B. A decision of the planning commission regarding an application for a large special event permit may be appealed in writing to the city council by presenting such appeal to the city clerk within ten calendar days of the planning commission's decision. The appeal shall specify the decision being appealed and include the reasons for the appeal, along with any supporting evidence, and shall be accompanied by the appeal fee in the amount established by the city council.
 - 1. The city clerk, after the filing of such appeal, shall set a date for a public hearing; giving of notice and conduct of the hearing shall be consistent with the provisions of this chapter for hearing by the planning commission. At the hearing, evidence and testimony may be given by the applicant, the appellant if different than the applicant, and any other member of the public interested in testifying.
 - 2. The decision of the planning commission shall be affirmed unless reversed by a vote of not less than a majority of the voting members of the city council.
- C. No special event permit shall be issued until the permit has become final by reason of the failure of any person to appeal or by reason of the action of the city manager or the city council.

18.65.170 Violations and enforcement.

- A. Any violation of this chapter is a misdemeanor and may also be enforced by an administrative citation pursuant to Chapter 1.20 of this code.
- B. Each violation of this chapter shall be considered a separate offense.

- C. The holding or conducting of any special event subject to the provisions of this chapter without a valid permit issued pursuant to the provisions of this chapter, unless expressly exempt hereunder, is hereby declared a public nuisance.
- D. The remedies provided for the enforcement of this chapter are in addition to and do not supersede or limit any and all other remedies provided by law. The remedies provided herein are cumulative and not exclusive.

SECTION 8. Inconsistencies. Any provision of the La Habra Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

SECTION 9. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of La Habra declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 10. Effective Date. This Ordinance shall take effect thirty (30) days after its final passage.

SECTION 11. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance, and shall cause the same to be published or posted in the manner required by law.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2025.

Rose Espinoza
Mayor

ATTEST:

Rhonda J. Barone, CMC
City Clerk

STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS.
CITY OF LA HABRA }

I, Rhonda J. Barone, CMC, City Clerk of the City of La Habra, do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. CC 2025-____ introduced at a regular meeting of the City Council of the City of La Habra held on the 20th day of October, 2025, and was thereafter adopted at a regular meeting held on the ____ day of _____, 2025, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Said ordinance has been published or posted pursuant to law.

Witness my hand and the official seal of the City of La Habra this ____ day of _____, 2025.

Rhonda J. Barone, CMC
City Clerk