

RESOLUTION NO. 25-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, MAKING THE REQUIRED FINDINGS AND APPROVING CONDITIONAL USE PERMIT 25-0013 (CUP25-0013) TO IMPLEMENT A SIGN PROGRAM FOR AN AUTOMOBILE SERVICE STATION AND CONVENIENCE STORE LOCATED AT 750 NORTH HARBOR BOULEVARD, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS, AND MAKING THE DETERMINATION THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15311, CLASS 11: "ACCESSORY STRUCTURES" OF THE CEQA GUIDELINES

THE PLANNING COMMISSION OF THE CITY OF LA HABRA DOES HEREBY RESOLVE AS FOLLOWS:

- A. The Applicant, Fred Cohen of CJC Design Inc., on behalf of the property owner, David Berri of Imperial Stations, Inc., filed an application requesting approval of a Conditional Use Permit (CUP25-0013) to establish a Sign Program for a previously approved automobile service station and convenience store at 750 North Harbor Boulevard (the "Project").
- B. On September 22, 2025, the Planning Commission held a duly noticed public hearing to consider the Applicant's request for approval of Conditional Use Permit 25-0013 (CUP25-0013).
- C. In making the various findings set forth in this Resolution, the Planning Commission has considered all of the evidence presented by staff, the Applicant, and the public, whether written or oral, and has considered the procedures and standards required by the La Habra Municipal Code.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA HEREBY RESOLVES AS FOLLOWS:

SECTION 1. CALIFORNIA ENVIRONMENTAL QUALITY ACT. The Planning Commission finds and determines that the Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15311, Class 11: "Accessory Structures" of the CEQA Guidelines. The Class 11 exemption consists of construction or placement of minor structures accessory to existing commercial, industrial, or institutional facilities, including on-premise signs. The proposed Project involves only the construction of wall signs and the replacement of one freestanding sign. No modifications are being proposed to the existing building and/or site, and all signage proposed will be located on the Project site.

This Project is not subject to any of the exceptions for exemption under Section 15300.2 of the CEQA Guidelines. The location of the Project is predominantly urban and not considered a sensitive environment; therefore, the Project will not result in any

significant environmental impact. The cumulative impact of this Project, and the approval of other projects like it in the vicinity, is not expected to have any significant environmental impact. The Project is not located along any state-designated scenic highway nor within any designated hazardous waste site. The Project will not cause a substantial adverse change in the significance of any historical resource. Staff do not expect any significant impacts or unusual circumstances related to the approval and construction of the Project. Therefore, the Project is categorically exempt from CEQA.

SECTION 2. CONDITIONAL USE PERMIT 25-0013. The Planning Commission finds and determines that the Applicant has succeeded in meeting its burden of providing evidence to support the approval of Conditional Use Permit 25-0013 (CUP25-0013) to implement a Sign Program at 750 North Harbor Boulevard and approves Conditional Use Permit 25-0013 (CUP25-0013) based on the following findings required by Section 18.66.070 of the La Habra Municipal Code, subject to the conditions attached hereto as **Exhibit A.**

- A. The granting of such Conditional Use Permit will not be detrimental to the public welfare and will not unreasonably interfere with the use, possession and enjoyment of surrounding and adjacent properties and will not impair the character of the zone in which it is to be located.**

The proposed Sign Program provides design specifications that will provide uniformity and orderly placement of multiple signs on a site that was approved for the construction and operation of a gas station and convenience store. The proposed Sign Program request under CUP25-0013 takes into careful consideration the property's location and sign sizes to provide visual upgrades to existing signs and to fit the approved structures. The proposed Sign Program will provide visitors with clear identification of gasoline prices and site services while, at the same time, being seen as an enhancement to the commercially zoned area where the previously existing gas station was located. Therefore, the granting of CUP25-0013 will not be detrimental to the public welfare or unreasonably interfere with the use, possession and enjoyment of surrounding and adjacent properties and will not impair the character of the C-2 (Commercial) Zone.

- B. The subject site is physically suitable for the type of land use being proposed.**

Appropriate signage is expected to help identify businesses and provide clear signage identifying gasoline prices. CUP25-0013 includes a Sign Program that meets the needs of the approved automobile service station and convenience store. Visitors will be able to clearly identify gas prices and businesses and the new sign design will complement the surrounding buildings as it considered the identification needs from both Harbor

Boulevard and Whittier Avenue. Therefore, the subject site is physically suitable for the proposed Sign Program.

C. The use is conditionally permitted within the subject zone and complies with the intent of applicable provisions of this title.

Pursuant to LHMC Section 18.23.050.D.2 (Conditional Use Permit), processing of a Conditional Use Permit for a Sign Program provides greater design flexibility than what is permitted under LHMC Section 18.23.080 (Sign Regulations – Nonresidential). Conditional Use Permit 25-0013 (CUP25-0013) will allow for two building-mounted wall signs that will be up to 30.54 square feet on the north side of the building and 20.56 square feet on the west side of the building. The Sign Program will also allow for the signage to exceed the sign height maximum of 15% of the total wall height as established under LHMC Chapter 18.23. The Sign Program allows for wall signs up to 17% of the wall height. In addition to the wall signage, the Sign Program will allow for a 97.33 square foot pylon sign on the corner of North Harbor Blvd and East Whittier Ave. This pylon sign will be allowed at a maximum height of 22'-6". Two canopy signs along the north and south facia of the gas station canopy will be allowed at a maximum square footage of 7.07 square feet. Therefore, the proposed Sign Program is conditionally permitted within the C-2 (Commercial) Zone and complies with the intent of applicable provisions of the Zoning Ordinance.

D. The granting of the Conditional Use Permit is consistent with the comprehensive General Plan.

The proposed Sign Program supports the following General Plan Policies:

- Policy LU 5.6 Building Rehabilitation: Encourage the rehabilitation of existing commercial buildings and signage that are deteriorated or inconsistent with the intended character and quality of the City.
- Policy LU 11.6 Enhanced Design Character: Encourage the renovation, infill, and redevelopment of existing commercial centers and corridors to improve their architectural design and quality, reduce the visual prominence of parking lots, make centers more pedestrian friendly, reduce visual clutter associated with signage, and enhance the definition and character of the street frontage and associated streetscapes.

The proposed Sign Program involves an aesthetic update to the existing signage on the Project site, and will create a cohesive and standardized design criteria for on-site signage. Having a sign program in place will reduce visual sign clutter and enhance the definition and character of the

street frontage of the site. Therefore, the granting of Conditional Use Permit 25-0013 is consistent with the City's General Plan.

SECTION 3. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM.

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, the Project is exempted by the Water Quality Ordinance from the preparation of a WQMP.

SECTION 4. APPEAL. The approvals granted by this Resolution may be appealed within 10 working days from adoption of this Resolution. All appeals must be in writing and filed with the City Clerk within this time period with the appropriate fee. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

SECTION 5. RECORD. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. All summaries of information in the findings which precede this section are based on the entire record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 6. EFFECTIVE DATE. This Resolution shall take effect immediately.

SECTION 7. CERTIFICATION. The Secretary shall certify the passage of this Resolution.

PASSED, APPROVED, AND ADOPTED this 22nd day of September, 2025.

Maria Mahecha, Chair

I, Veronica Lopez, Secretary to the Planning Commission of the City of La Habra, do hereby certify that the foregoing Resolution No. 25 – ____ was adopted at a regular meeting of the City of La Habra Planning Commission held on September 22, 2025 by the following vote:

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

Veronica Lopez, Secretary

EXHIBIT A

CONDITIONAL USE PERMIT 25-0013 CONDITIONS OF APPROVAL

General conditions:

Standard Condition 1.1 CODE COMPLIANCE

The property owner/business operator shall comply with the City of La Habra Municipal Code and all applicable federal, state and local laws, ordinances, policies and regulations.

Standard Condition 1.2 BUILDING PERMITS

The applicant/developer shall comply with all 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 LOS ANGELES COUNTY FIRE DEPARTMENT

The property owner/business operator shall comply with the County of Los Angeles/City of La Habra Fire Code and Los Angeles County 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 or City Council is maintained.

Standard Condition 1.6 PLANS

This approval is for those plans approved by the City of La Habra Planning Commission at its meeting of September 22, 2025. 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 business operator shall be grounds for rehearing and consideration by the Planning Commission for possible revocation of Conditional Use Permit 25-0013.

Standard Condition 1.8 VIOLATION

In the event that the applicant/developer/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 1.12 SIGN MAINTENANCE

The Applicant/Developer shall maintain signs in good condition at all times and shall repaint/remodel the freestanding sign every eight (8) years at a minimum. The Director of Community and Economic Development may require more frequent painting if the improvements are not maintained in good condition.

Standard Condition 1.14 RESOLUTION ON HAND

The 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 1.41 INDEMNIFICATION

To the maximum extent permitted by law, the applicant and any successor in interest shall defend, indemnify and hold harmless the City of La Habra and its elected and appointed officials, officers, agents and employees from and against any and all actions, claims, damages, liabilities and/or proceedings (collectively referred to as "action") arising out of or in any way relating to the Applicant's project or any approvals granted by the City related to the Applicant's project, including, but not limited to, any action to attack, challenge, set aside, void, or otherwise modify or annul the approval of any entitlement or permit relating to the project or the environmental review of any entitlement relating to the project. The indemnification and hold harmless shall include, but not be limited to, any and all costs incurred by the City in defense of any action arising out of or relating to the Applicant's project or any approvals granted by the City related to the Applicant's project, including, but not limited to, payment of all court costs and attorneys' fees, costs of any judgements or awards against the City (including any award of attorneys' fees), damages, and/or settlement costs. The City shall have the right to choose its own legal counsel to

represent the City's interests, and Applicant shall indemnify City for such costs incurred by the City.

Standard Condition 4.31 ACKNOWLEDGEMENT OF SIGN CODE

The property owner/business operator shall acknowledge receipt of the Sign Code, Banner Policies/Guidelines and approved sign program for the property and sign an agreement to abide thereby. In addition, the property owner/business operator shall not utilize any human display signs.

Prior to the issuance of building permits:

Standard Condition 4.1 CONDITIONS ON CONSTRUCTION PLANS

The applicant/developer shall include the conditions of approval on the construction plans.

Project specific conditions:

1. The applicant/property owner shall maintain all signs in a good condition at all times to the satisfaction of the Director of Community and Economic Development and the Building Official.
2. The applicant/property owner shall submit final plans to the Building and Safety Division for review and approval of the signage and wall attachment details for all sign frames prior to the issuance of any building permits.
3. The applicant/property owner shall be responsible for notifying all existing and prospective tenants of the Sign Program requirements prior to the issuance of any building permits. The applicant/property owner shall provide copies of such notices to the City.