

RESOLUTION NO. 26-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, MAKING THE REQUIRED FINDINGS AND APPROVING SPECIAL EVENT PERMIT (LARGE) 26-0001 (SEP2L26-0001) TO CONDUCT A LARGE SPECIAL EVENT THAT INCLUDES A CIRCUS (A.K.A. CIRCUS CABALLERO) AND ANCILLARY ACTIVITIES AT 115 NORTH HARBOR BOULEVARD (ASSESSOR'S PARCEL NUMBER 303-114-23) AND 1002, 1010, AND 1026 STEARNS AVENUE (ASSESSOR'S PARCEL NUMBERS 303-113-01, -02, -03), 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 SECTIONS 15304, CLASS 4 (MINOR ALTERATIONS TO LAND) AND 15061(b)(3)(COMMON SENSE EXEMPTION) OF THE CEQA GUIDELINES

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

- A. The Applicant, Mark Landon of Trapeze Entertainment, LLC, filed an application requesting approval of Large Special Event Permit 26-0001 (SEP2L26-0001) to operate a traveling circus (A.K.A Circus Caballero) on vacant properties owned by 555 Star Development, LLC (115 North Harbor Boulevard) and GSJ Stearns, LLC (1002-1026 East Stearns Avenue) (the "Project").
- B. On May 11, 2026, the Planning Commission held a duly noticed public hearing to consider the Applicant's request for approval of SEP2L26-0001.
- 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 15304(e), Class 4 (Minor Alterations to Land) of the CEQA Guidelines. Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Class 4 includes minor temporary uses of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees,

etc. The site identified for the project are vacant lots with no permanent structures. The project involves the erection of temporary structures only. No removal of vegetation is proposed, and the sites will return to their existing conditions after the event has concluded. The project is also exempt pursuant to Section 15061(b)(3), (Common Sense Exemption) of the CEQA Guidelines in that there is no possibility that the special event may have a significant effect on the environment.

The 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 impacts that may otherwise occur in a sensitive environmental area. The cumulative impact of this Project, and the approval of similar projects 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 as the project site consists of vacant lots with no permanent structures. Staff does not anticipate any significant impacts or unusual circumstances related to the approval and construction of this Project. Therefore, the Project is categorically exempt from CEQA.

SECTION 2. LARGE SPECIAL EVENT PERMIT 26-0001 (SEP2L26-0001). The Planning Commission finds and determines that the Applicant has succeeded in meeting its burden of providing evidence to support the granting of SEP2L26-0001 and approves SEP2L26-0001 based on the following findings required by Section 18.65.080 (Applications – Investigation and Findings) of the La Habra Municipal Code (LHMC) and subject to the conditions attached hereto as **Exhibit A**.

A. 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

The proposed main event area is located on a 78,927 square-foot (1.81 acre) vacant lot with independent vehicle access from both Harbor and La Habra Boulevards. The entire circus area is proposed to cover approximately 32,400 square feet. This area includes the circus tent, RVs, a concession stand, bathrooms, and a ticket booth. In addition, the main event area plus the parking area can accommodate more than the required number of parking spaces required for the event. The proposed event will have minimal impact on the surrounding uses, as the main event area is primarily surrounded by commercial uses, parking lots, and adjacent vacant lots. The Engineering Department has reviewed the Project proposal and has determined that the event will not create an impact on traffic and that no additional traffic impact study or mitigation plan will be needed. Temporary fencing will be set up to ensure that attendees are not utilizing neighboring property for access from the parking area to the main event space. The Applicant has provided noise studies conducted by the

Applicant for other circus shows which demonstrate the circus shows will have little to no noise impact on neighboring residential properties. Shows will also end relatively early, with the latest shows on weekends ending around 9:30 PM. Additionally, due to the proximity of the event space to Harbor Blvd., sound levels area expect to be comparable to the existing conditions, with no expected significant noise impact on the surrounding residences and businesses.

Therefore, 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 within the vicinity of the site.

B. Sufficient off-street parking spaces, which may include off-site locations, shuttles, or valet parking, are provided.

The Applicant has provided a parking plan which complies with the minimum parking requirements for special events within the City. Section 18.14.060 (Number of Spaces Required) of the LHMC does not have a specific parking requirement for Large or Small Special Events. Therefore, staff used the parking requirement for temporary commercial enterprises and seasonal commercial sales lots as set forth in LHMC Section 18.14.060, which requires that all temporary commercial enterprises provide a minimum of four parking spaces plus four parking spaces per 1,000 square feet of display area. This calculation requires that the Applicant provide 102 parking spaces for the event. The parking plan provided by the Applicant allows for parking of 117 vehicles in an off-site vacant lot located approximately 500 feet northwest of the main event space, and has provided 10 accessible parking spaces on the same parcel as the main event space for a total of 127 parking spaces.

Therefore, the Applicant has provided sufficient off-street parking spaces.

C. 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.

The proposed site is located on the corner of two major thoroughfares within the City, Harbor Blvd. and La Habra Blvd. These streets serve two major commercial corridors within the City and are lined with commercial shopping centers and businesses which have parking lots that can accommodate large quantities of vehicles. Minor residential streets will not be required to access the main event space nor the dedicated parking area. The Engineering Department has reviewed this Project proposal and

determined that no additional traffic impact study or mitigation plan would be required.

Therefore, the proposed site is adequately served by streets or highways having sufficient width and improvements to accommodate the kind and quantity of traffic the special event will or could reasonably generate.

D. 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.

There are currently no other approved or proposed special events within the vicinity of this proposed event. There are currently no scheduled City activities at or within the vicinity of this proposed event.

Therefore, 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.

E. The use or event will comply with all applicable provisions of local state and federal laws and regulations.

The Applicant is aware of all permits needed to operate their event. The Applicant has demonstrated that the special event complies with the provisions of the La Habra Municipal Code and has obtained permit clearance from the OC Health Care Agency for the proposed food sales and permit approval from the Los Angeles County Fire Department for their proposed temporary circus tent structure. The Applicant is aware of the need to apply for a building permit for temporary generators and the need for a City business license and will obtain these before the proposed event start date. While the expected noise levels may exceed the threshold permitted by the LHMC, the proposed event would have no audible impact on the surrounding residents due to the existing ambient noise from Harbor Blvd., which is equivalent to, and at times exceeds, the expected sound levels from the proposed event. Additionally, Standard Condition of Approval No. 1.1 requires compliance with the La Habra Municipal Code and all applicable federal, state and local laws, ordinances, policies and regulations.

Therefore, the event will comply with all applicable provisions of local, state and federal laws and regulations.

F. None of the grounds for denial found in LHMC Section 18.65.090 exist

Based on the information provided by the Applicant and available to staff, none of the grounds for denial found in LHMC Section 18.65.090 exist. The

information contained within the application was found to be complete and is not found to be materially false. This entitlement is the Applicant's first special event permit application within the City; therefore, the Applicant has not failed to conduct a previously authorized activity in accordance with the law or terms of the permit. The Applicant has no outstanding or unpaid debts to the City. The applicant has completed the indemnification and hold harmless requirement prescribed by LHMC Chapter 18.65. This is the Applicant's first special event application; therefore, no previous special event permits have been issued to the Applicant for which the Applicant has violated any conditions of the permit. Finally, the Applicant has not violated any City ordinance within the past twenty-four months.

Therefore, none of the grounds for denial found in LHMC Section 18.65.090 exist.

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 11th day of May, 2026.

Roy Ramsland, Chair

I, Veronica Lopez, Secretary to the Planning Commission of the City of La Habra, do hereby certify that the foregoing Resolution No. 26-07 was adopted at a regular meeting of the City of La Habra Planning Commission held on May 11, 2026 by the following vote:

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

Veronica Lopez, Secretary

EXHIBIT A

LARGE SPECIAL EVENT PERMIT 26-0001 (SEP2L26-0001) CONDITIONS OF APPROVAL

GENERAL CONDITIONS:

Standard Condition 1.1 CODE COMPLIANCE

The applicant/property owner/event 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/property owner/event 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 1.3 GRAFFITI ABATEMENT

The applicant/property owner/event 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 LOS ANGELES COUNTY FIRE DEPARTMENT

The applicant/property owner/event operator shall comply with the County of Los Angeles Fire Code and the 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 May 11, 2026. 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 applicant/property owner/event operator shall be grounds for revocation or suspension of the permit in accordance with Section 18.65.150 of the La Habra Municipal Code.

Standard Condition 1.8 VIOLATION

In the event that the applicant/property owner/successor in interest 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 1.14 RESOLUTION ON HAND

The applicant/property owner/event 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 applicant/property owner/successor in interest 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 applicant/property owner/event 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 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 8.3 SMOKING REGULATIONS

The applicant/property owner/event operator shall, at all times, require all patrons to comply with the smoking regulation set forth by the State of California.

PROJECT SPECIFIC CONDITIONS:

1. The applicant/event operator may operate the special event from June 18, 2026 through July 5, 2026 in accordance with the following operating schedule:

Date	Time	Date	Time
Thursday, June 18	7:30 PM	Saturday, June 27	4:30 PM, 7:30 PM
Friday, June 19	7:30 PM	Sunday, June 28	12:00 PM, 3:00 PM, 6:00 PM
Saturday, June 20	4:30 PM, 7:30 PM	Monday, June 29	7:30 PM
Sunday, June 21	12:00 PM, 3:00 PM, 6:00 PM	Tuesday, June 30	7:30 PM
Monday, June 22	7:30 PM	Wednesday, July 1	7:30 PM
Tuesday, June 23	7:30 PM	Thursday, July 2	7:30 PM
Wednesday, June 24	7:30 PM	Friday, July 3	7:30 PM
Thursday, June 25	7:30 PM	Saturday, July 4	4:30 PM, 7:30 PM
Friday, June 26	7:30 PM	Sunday, July 5	12:00 PM, 3:00 PM, 6:00 PM

2. The applicant/event operator may set up for the event commencing on June 15, 2026 between 7:00 AM and 7:00 PM. The applicant/property owner/event operator shall remove all items associated with the event, including, but not limited to, all temporary structures, temporary fencing, generators, and trailers, and ensure that the properties are cleaned up and returned to existing conditions no later than July 6, 2026.
3. The applicant/event operator shall comply with the La Habra Noise Control Ordinance (Chapter 9.32 of the La Habra Municipal Code) at all times except during the showtimes shown in Project Specific Condition #1.
4. The applicant/property owner/event operator shall not install, park, or store vehicles, equipment, or merchandise within the public right-of-way at any time.
5. The property owner/event operator shall maintain all fire lanes clear of obstructions at all times during the special event.
6. The property owner/event 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 properties located at 115 N Harbor Blvd., and 1002, 1010, 1026 Stearns Ave.
7. The applicant/property owner/event operator shall ensure that the project complies with Americans with Disabilities Act (ADA) requirements, including, but not limited to, maintaining accessibility to the event space, such as van accessible parking, ramps, walkways, etc., to the satisfaction of the Chief Building Official. A minimum of four-foot wide walkways shall be maintained.
8. The applicant/property owner/event operator shall ensure that temporary fencing is provided along the eastern property line of the parking area to ensure that event attendees do not use the property located on the corner of Stearns Ave. and North Harbor Blvd. for access to the main event space from the parking area. Such fencing shall remain in place at least from June 18, 2026 through July 5, 2026.
9. The applicant/property owner/event operator shall provide security one hour before, during, and one hour after each performance. Additional security may be required as deemed necessary by the Chief of Police or the Community and Economic Development Director.
10. The applicant/property owner/event operator shall provide security or parking attendants within the parking area to ensure that vehicles are parked in accordance with the approved parking plans.
11. The applicant/property owner/event operator shall restrict vehicles leaving the parking area to right turns only.

12. The applicant/property owner/event operator shall ensure that security is provided along the proposed access route from the parking area to the main event area to ensure attendees are safe and are following the approved access route plan without cutting through neighboring properties.
13. The applicant/property owner/event operator shall obtain the necessary permits and schedule the necessary inspections with the Building and Safety Department prior to the first show time. Inspections with the Building and Safety Department must be scheduled for a date Monday-Thursday.
14. The applicant/property owner/event operator shall ensure that all code enforcement cases including issues related to property maintenance and overgrown vegetation are addressed to the satisfaction of the Code Enforcement Division Supervisor prior to June 15, 2026.