

**RESOLUTION NO. 2026-****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, ESTABLISHING A CITY COUNCIL POLICY REGARDING THE ENFORCEMENT OF CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMITS**

**WHEREAS**, Chapter 16.303 of the Claremont Municipal Code (“CMC”) allows the City of Claremont (“City”) to approve a conditional use permit (“CUP”) for uses that: (a) are necessary or desirable for the development of the community but cannot readily be classified as permitted uses in the applicable zoning district because they are unique in size, scope, or possible effect(s) on public facilities or surrounding uses; (b) are appropriate as accessories to the development of neighborhoods or the community; or (c) the applicable zoning district permits, subject to approval of a CUP; and

**WHEREAS**, under Section 16.303.030 of the CMC, the City’s Planning Commission has authority to approve CUPs and impose conditions of approval, and under Sections 16.303.050, 16.321.020, and 16.321.030 of the CMC, the Planning Commission’s decision on CUPs can be appealed to or called up for review by the City Council; and

**WHEREAS**, under Section 16.303.080 of the CMC, failure to comply with one or more conditions of approval of a CUP is a violation of the City’s Zoning Ordinance and is grounds to revoke or modify the CUP; and

**WHEREAS**, when the holder of a CUP fails to comply with one or more conditions of approval, City staff generally has broad discretion to decide when to bring the CUP back to the Planning Commission for potential revocation or modification to enforce the condition(s) of approval; and

**WHEREAS**, failure to comply with one or more conditions of approval is also grounds for citations pursuant to Section 16.303.080(C) and Chapter 16.406 of the CMC; and

**WHEREAS**, through this resolution, the City Council desires to adopt a written policy to guide staff’s use of discretion for enforcement of conditions of approval that prevent a conditional use from interfering with, disturbing, or becoming a nuisance to surrounding uses and businesses.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLAREMONT DOES HEREBY RESOLVE:**

Directs the City’s Community Development Director to schedule a public hearing before the City’s Planning Commission to consider the potential revocation or modification of a conditional use permit (“CUP”) when a violation of one or more conditions of approval of the CUP interferes with, disturbs, or creates a nuisance for one or more surrounding uses and/or businesses and results in two (2) or more uncontested or upheld citations within a thirty (30) day period.

“Citations” mean administrative or criminal citations.

“Uncontested” citations mean citations that were not timely appealed.

“Upheld” citations mean citations that were upheld after all applicable administrative and legal remedies have been exhausted to contest or challenge the citation.

Nothing in this resolution precludes the Community Development Director from scheduling a public hearing before the City’s Planning Commission to consider the potential revocation or modification of a CUP for a violation of one or more conditions of approval of a CUP, even if the violation has not resulted in any uncontested or upheld citations within a thirty (30) day period. Nothing in this section shall prevent the City from using any other enforcement mechanisms to ensure compliance with conditions of approval, including without limitation, courtesy notices, criminal citations, and initiating administrative citations, civil, criminal, or other legal or equitable proceedings in addition to or as an alternative to any of the proceedings set forth above.

**PASSED, APPROVED, AND ADOPTED** this 27th day of January, 2026.

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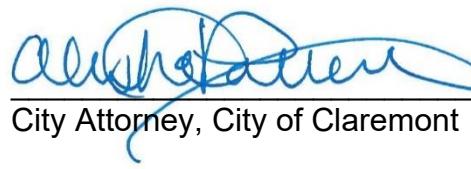
Mayor, City of Claremont

ATTEST:

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City Clerk, City of Claremont

APPROVED AS TO FORM:



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City Attorney, City of Claremont