

**PLANNING COMMISSION RESOLUTION NO. 2025-\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLAREMONT, CALIFORNIA RECOMMENDING THE CITY COUNCIL OF THE CITY OF CLAREMONT APPROVE TENTATIVE TRACT MAP #84564 FOR THE PROPOSED SUBDIVISION OF 2.67 ACRES OF LAND FOR A 70-UNIT TOWNHOME CONDOMINIUM DEVELOPMENT ON A PROPERTY LOCATED AT 840 SOUTH INDIAN HILL BOULEVARD. APPLICANT: CITY VENTURES (CLAREMONT 2 INV, LLC)**

**WHEREAS**, on August 31, 2023, the applicant, City Ventures as Claremont 2 Inv. LLC (“Applicant”), submitted a preliminary design review application for a proposed, a 65-unit townhome condominium development, on a 3-acre site (2.67 net acres after American Avenue is dedicated to the City) located at 840 South Indian Hill Boulevard, Claremont, California 91711 (“Project Site”) near the northeast intersection of American Avenue and Indian Hill Boulevard (the “Project”); and

**WHEREAS**, on December 13, 2023, the Architectural Commission conducted a preliminary review of the Project, heard public comment, and provided direction to the Applicant; and

**WHEREAS**, at the time the Applicant submitted its preliminary application, the General Plan land use designation and zoning designation for the Project Site were Freeway Commercial and Commercial Freeway (CF) respectively, so the Project would have required a General Plan Amendment and zone change to allow for residential development; and

**WHEREAS**, in conjunction with the approval of the City’s 2021-2029 General Plan Housing Element Update, on July 9, 2024, the City Council approved Ordinance 2024-03, which among other things, changed the Project Site’s General Plan land use designation from Freeway Commercial to Residential 22 and changed the Project Site’s zoning designation from Freeway Commercial to Residential Multi-family 2,000 (RM 2,000); and

**WHEREAS**, on August 15, 2024, the Applicant submitted an application for Tentative Tract Map No. 84564, identified on the plans as a Vesting Tentative Tract Map, for the subdivision of 2.995 gross acres of land (also identified as a net area of 2.668 acres) for a 70-unit townhome condominium development; and

**WHEREAS**, on December 5, 2024, the Applicant submitted written notice pursuant to Assembly Bill 1633 (2023-2024), now codified at Government Code Section 65589.5.1 and, with that notice, provided technical studies (collectively, the “AB 1633 Notice”) that qualify as substantial evidence that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant Section 15332 of the CEQA Guidelines as it is an urban in-fill project on less than five acres of land (Class 32) and none of the exceptions to using this Categorical Exemption listed in Section 15300.2 of the CEQA Guidelines apply to this Project. The City’s professional planning staff and the City’s subject matter expert consultants peer reviewed the Applicant’s AB 1633 Notice. On

March 5, 2025, the City's Community Development Director exercised his authority under Section 15025(a)(1) of the CEQA Guidelines and determined that the Class 32 exemption is applicable to this Project and that none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to this Project, and therefore, determined the City cannot require any further environmental review for the Project; and

**WHEREAS**, because the Project reserves 10% of its 66 base units for households with moderate income (which is a requirement of the City's Inclusionary Housing Ordinance, Chapter 16.036 to the Claremont Municipal Code ["CMC"]), the Project qualifies for a for a 5% density bonus, one concession or incentive to reduce housing costs of the Project, and an unlimited number of waivers or reductions in to accommodate the density of the Project, which the City generally must approve under the State Density Bonus Law (Gov. Code § 65915, et seq.); and

**WHEREAS**, Title 17 of the Claremont Municipal Code ("CMC") requires that the Planning Commission review all Tentative Tract Maps and make a recommendation to the City Council prior to the City Council's final decision; and

**WHEREAS**, on April 24, 2025, notice of public hearing was mailed to property owners with a 700-foot radius of the Project Site and notice of the public hearing was posted at the Project Site; and

**WHEREAS**, a legal ad providing notice of the Planning Commission's public hearing was published in the April 25, 2025 edition of the Claremont Courier; and

**WHEREAS**, the Planning Commission held a public hearing on May 6, 2025, at which time all persons wishing to testify in connection to said proposal were heard and said proposal was fully studied.

**NOW, THEREFORE, THE CLAREMONT PLANNING COMMISSION DOES HEREBY RESOLVE:**

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

**SECTION 2. CEQA.** The Applicant has submitted written notice pursuant to Assembly Bill 1633 (2023-2024), now codified at Government Code Section 65589.5.1 and, with it, submitted substantial evidence in the form of technical studies (collectively, the "AB 1633 Notice") establishing that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant Section 15332 as it is an urban in-fill project on less than five acres of land (Class 32) and none of the exceptions to using this Categorical Exemption listed in Section 15300.2 of the CEQA Guidelines apply to this Project. The Applicant's AB 1633 Notice has been peer reviewed by the City's professional planning staff and its subject matter expert consultants. On March 5, 2025, the City's Community Development Director exercised his authority under Section 15025(a)(1) of the CEQA Guidelines and determined that the Class 32 exemption is applicable to this Project and that none of the

exceptions in Section 15300.2 of the CEQA Guidelines apply to this Project, and therefore, the Director determined the City cannot require any further environmental review the Project.

Based on substantial evidence in the record, including without limitation, the Applicant's AB 1633 Notice, the Planning Commission concurs with the determination of the City's Community Development Director and recommends that the Claremont City Council also concur that the Project qualifies for a Class 32 CEQA Exemption and is not subject to any of the exceptions outlined in Section 15300.2 of the CEQA Guidelines.

**SECTION 3. General Plan Consistency Findings.** Based on substantial evidence in the record, the Planning Commission finds that the Project furthers a number of General Plan goals and policies including the following:

***A. Policy 2-2.1; Provide opportunities for a variety of housing types that respond to the needs of residents of all age ranges and incomes and located in all areas of the city.***

The Project provides much-needed residential units (townhomes) constructed at a density that permits the units to be affordable to newer homebuyers. Additionally, the Project provides 11 below market-rate units affordable to both moderate and low income households, helping meet an urgent need for affordable housing units.

***B. Policy 2-5.1: Insist on excellence in architectural design of new construction in the City and Policy 2-11.1: Encourage a variety of architectural styles for new and renovated structures that reflect local architectural characteristics.***

The Project includes 10 separate buildings across the approximately 3-acre site. The ten two- and three-story residential buildings feature a Spanish Colonial Revival-influenced architectural design with some of the style's hallmark architectural elements such as deeply inset windows, exposed faux-wood rafter tails and headers, balconies with (faux) wood and wrought iron, (faux) wood shutters, and terra cotta-colored concrete "S-tile" roofing. The buildings have a well-considered design that takes into account the City's architectural heritage taking cues from the City's many Spanish-colonial style buildings, including nearby homes, as well as college and institutional buildings found in the Village and on the college campuses.

***C. Policy 2-11.3: Require that new construction, additions, renovations, and infill developments be sensitive to neighborhood context and building forms and scale.***

While the Project relies on setback reductions and a height waiver to allow three-story buildings on the Project Site to be closer than 75 feet from the east property line in order achieve the maximum allowable density, the Project is designed in a manner that is sensitive to the single-story, single-family

residences to the south and east of the property. Buildings are set in between 10 to 15 feet from the rear and side yard property lines to allow for landscaping to provide a privacy buffer and visual screen for the development. The Project also retains a dense row of ficus nitida trees to provide screening between the development's eastern boundary and the adjacent single-family residential properties.

- D. Policy 5-7.1: Require that private open spaces be integrated with new development by providing “spaces in between” such as green spaces or landscapes plazas between buildings to provide relief from density and confinement of the built environment and Policy 5-7.2: Enhance the street corridor and existing spaces between buildings by incorporating small green areas, extensive landscaping and street trees.**

The Project provides a modest amount of landscaped open space for the benefit of the community's residents and visitors. All units have private patios, forecourts, or yard spaces. Central common open space area build on these private spaces to provides adequately large open spaces for relief from the busy Indian Hill Boulevard and Interstate 10 corridor context as well as safe spaces for families and children to enjoy being outdoors. These shaded spaces provide space for landscaping on the interior spaces, around the Project perimeter and along American Avenue, relating well to the street's landscaped parkways. Outside of the Project's drive aisles, spaces between the buildings are programmed and landscaped to encourage their regular use and to provide pedestrian connections between the various parts of the site.

- E. Policy 8-2.1: Require all new development to complement and respond to the established character of the neighborhood in which it is located.**

The Project's site planning and architecture provide an appropriate transition between the freeway-oriented commercial uses located to the north and west and the single-family detached homes to the east and south by orienting its larger buildings towards the north and west and siting the smaller, two-story residential units to the east. The Project also utilizes landscaping to mitigate potential impacts relating to privacy and the adjacency of taller buildings to the existing single-family neighborhoods responding appropriately to neighborhood context through building siting and landscape design.

- F. Policy 8-3.1: Provide for sites that can facilitate and encourage the development of a variety of housing consistent with the new City's identified local needs and its regional housing responsibilities.**

The proposed Project directly facilitates the creation of new housing units on a vacant, underutilized site to help meet the City and State's targets for new housing production. The Project achieves a moderately high density, given Claremont's suburban context, to provide diversity to the City's for-sale housing stock. Additionally, the Project provides units affordable to low- and moderate-

income households. The Project clearly meets the City's regional housing responsibilities by building the units in the same density that is contemplated in the City's General Plan Housing Element for this property, with is also identified as a Housing Opportunity Site in the recently-adopted 2021-2029 Housing Element Update.

**G. *Policy 8-3.2: Allow mixed-use development as a means of providing housing near commercial services; and Policy 8-4.2: Encourage development of new housing in proximity to public services, transportation routes, and other community facilities.***

The Project provides housing in close proximity to a wide variety of commercial services and develops a conspicuously vacant property directly adjacent to one of the City's primary commercial areas. The new housing is relatively dense and provides 70 new housing units within easy walking distance of commercial services. While further than these local services, a number of schools, parks and bus transit lines are located within a one-half mile radius of the Project.

**H. *Policy 8-3.4: Promote economically diverse neighborhoods by encouraging mixed-income housing developments.***

The Project is subject to the City's Inclusionary Housing Ordinance and includes 4 for-sale units affordable to low-income households and 7 for-sale units affordable to moderate-income households that are distributed throughout the Project site. The remaining 59 units will be market rate, but compared to much of the City's other housing stock, it will be more affordable for newer home-buyers due to the density of the Project.

**I. *Policy 8-3.9: Use financial incentives and regulatory concessions to encourage the development of lower- and moderate-income housing and Policy 8-3.11: Encourage affordable housing to be distributed throughout the City to create economically diverse neighborhoods and to minimize concentrated impacts on the schools in areas of the City with existing affordable housing.***

As noted above the Project is subject to the City's Inclusionary Housing Ordinance which requires that 15% (10% Moderate + 5% low) of the base units be below market-rate units that are distributed in market rate housing projects developed in all parts of the City.

**SECTION 4. Tentative Tract Map Approval Findings.** Based on substantial evidence in the record, the Planning Commission finds that the findings of Section 17.050.070 of the Claremont Municipal Code can be made for the proposed Tentative Tract Map as follows:

**A. *The proposed map, or the design, or improvement of the subdivision, is consistent with the General Plan and applicable Specific Plan and Municipal Code provisions of this Code.*** The proposed division of property,

and its design and improvements, are consistent with the General Plan's Residential 22 land use designation for the property and a number of related General Plan policies, including those described in Section 3 above. In addition, the Project is consistent with applicable development standards as follows:

**Area** – The 3-acre (130,680 sq.ft.) site exceeds the 12,000 square foot minimum lot size requirement for the RM 2,000 zone.

**Land Use** – The intent of the RM 2,000 District, to provide for multi-family development, is being met by the proposed townhome Project.

**Access** – The subject property provides vehicular access from American Avenue, an improved public street. At the interior of the site, the Project connects all drive aisles to the main access point to the site and also includes pedestrian connection from the American Avenue public sidewalk, to a series of interior private sidewalks that circulate throughout the development. In addition, the Los Angeles County Fire Department has reviewed the map for emergency access (fire lanes and hydrant access) and approved the circulation plan indicated in the proposed map.

**Public Improvements** - The map will facilitate required on-site improvements that will go toward revitalizing the currently vacant site including new residential buildings, on parking, sidewalks, lighting, street trees, and public art. A condition of approval requires the Applicant to work with the City to construct or pay a portion of the improvement costs associated with adding a right hand turn lane at the north east corner of the intersection of American Avenue and Indian Hill Boulevard. The Applicant will also be required to provide additional striping, painted curbs and signage to manage on-street parking and turning movements near the entrance to the Project.

**Open Space** - The Project's open space is well below the minimum open space requirements for the RM 2,000 District; however, the Project qualifies for and the Applicant has claimed a waiver for this standard. With this waiver the Project design complies with the code. The Project includes ample private outdoor space for the various units. It also includes a series of smaller public outdoor spaces that combine with the private patios and forecourts to create adequately sized outdoor spaces for residents to enjoy. The Project also provides landscaped walkways facilitating pedestrian connections between different portions of the site. The Project also relates appropriately to the American Avenue public right-of-way by implementing pedestrian-scaled patio areas and landscaping close to the sidewalk encouraging pedestrian activity.

**B. *The site is physically suitable for the type and density of the development.*** The Project generally complies with or exceeds the minimum requirements of the RM 2,000 district, except where the provisions of State

Density Bonus Law allow for additional density and reduced setbacks and open space. As designed, the Project is granted a 5% increase in density from 22 dwelling units per acre (DUA) to 23.3 DUA. In order to achieve this density, state law allows the Project to include one concession (which the Project is using to avoid the costs of undergrounding off-site utility lines), unlimited waivers of development standards (for which the Project proposed waiver of three development standards that cannot be met at the contemplated density), and reduced parking requirements that are allowed in State Density Bonus Law. Given the allowances under of State Density Bonus Law, the Project has been designed in a way that meets the intent of the RM 2,000 zone and the proposed development appears to be physically suitable for the approximately 3-acre site. The Project provides for relatively dense, much-needed housing, adequate common and private open space areas, and easy vehicular circulation from American Avenue. The Project also provides for a buffer between the Project's buildings and single-family residences to the east. If completed, the Project will make a significant contribution to the local housing stock, as the City continues to work towards meeting its State-mandated and locally approved housing targets.

- C. *The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.*** The Project Site is a mix of vacant land and paved tennis courts with a small amount of ornamental landscaping. No wetlands or other potential wildlife habitat is present on the site. Nearly the entire volume of biomass (shrubs and trees) for the site is located on the perimeter (ficus hedgerow and American Avenue street trees) and will not be significantly impacted by the development of the Project. A biological study of the Project Site was completed for the Project Site and surroundings. The Project Biologist determined that "no habitat is present that would support special-status plant and wildlife species, nor were any observed". The biologist did note that "there is a potential for construction activities to affect breeding or reproduction of bird and/or raptor species on or adjacent to the site. However, compliance with Migratory Bird Treaty Act and California Fish and Game Code, which are regulatory requirements, would ensure that no significant impact results from construction." Accordingly, a condition of approval requiring compliance with these laws is included for the Project.
- D. *The design of the subdivision or the type of improvements is not likely to cause serious public health or safety problems.*** The design of the proposed subdivision and other related improvements will not cause any serious health or safety problems, in that all construction and public improvements will be performed per the requirements of all applicable codes, including the zoning and building codes and in accordance with the requirements of other applicable local, state and federal codes including those for building safety, air quality, and roadway safety. Additional, Conditions of Approval require that the site be fully

analyzed for pollutants and cleaned to levels that meet all applicable environmental standards prior to construction.

- E. *The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.*** The design of the subdivision will not conflict with easements acquired by the public at large. The proposed map will instead improve the legal status of the public street by providing for the dedication of the American Avenue right of way, which is currently held only as an easement. This type of use conflict with normal City standards for streets and gives the City a much stronger claim to the land upon which the Street, parkway and public sidewalk are located.
- F. *Solar access and passive heating and cooling design requirements have been satisfied in accordance with Chapter 17.03.*** The design of the subdivision, with its east/west street orientation and south facing roof plains, allows excellent solar access to meet passive heating and cooling design requirements. In addition, all units will be furnished with photovoltaic solar panels and be pre-wired for electric vehicle charging.
- G. *The subdivision balances the housing needs of the region against the public service needs of the City's residents and available fiscal and environmental resources.*** The Project helps the City meet its regional housing needs by providing for new market rate, moderate, and low-income housing on underutilized property that has been designated as a housing opportunity site in the General Plan Housing Element and rezoned to allow the density being proposed. The Project is located in an existing urbanize site that is well-served by public utilities, transportation, and commercial services and amenities. It takes a prominently located vacant, underutilized site and introduces much-needed housing on a site that has been identified specifically for a Project that will assist the City in meeting its regional housing needs requirement.
- H. *The discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements of the Los Angeles Regional Water Quality Control Board.*** The discharge of waste from the Project will not result in the violation of the existing requirements of the Regional Water Quality Control Board, as the Project will be required to annex to the Los Angeles County Sanitation District and hook up to the local sanitary sewer system. Similarly, the Project will be required to meet the strict City and State requirements for the catchment and percolation of stormwater on site to limit discharge to the surrounding stormwater system.

**SECTION 5.** The Planning Commission recommends that the Claremont City Council approve Tentative Tract Map No. 84564, subject to the following conditions.

**PLANNING/BUILDING DIVISION CONDITIONS**



The above referenced Tentative Tract Map shall expire two years following the City Council approval date, if the final map has not been recorded. The expiration date may be extended upon written request by the Applicant on a City application form. The request must be received at least 30 days prior to expiration of the application. The expiration of the Tentative Tract Map shall be tolled during any period in which a legal challenge is pending on the City's approval of the Tentative Tract Map or the associated CEQA determination.

Failure to comply with any conditions of approval shall be deemed just cause for reconsideration of Project approvals by the City.

A. Prior to issuance of building permits, the Applicant shall:

1. Gain approval for the final Site Plan, architectural design, exterior lighting, landscaping, materials and colors from the Architectural and Preservation Commission.
2. Ascertain and comply with all requirements of the City's Building and Engineering Divisions, including the submittal of complete Planning, electrical, mechanical, and structural plans duly wet stamped and signed by a licensed architect or engineer. The construction documents submitted for plan check shall be in substantial conformance with the Planning Commission approval as well as show compliance with all applicable ADA related items. ADA improvements will need to show compliance with access to normal paths of travel, and where necessary to provide access, shall incorporate pedestrian ramps, curbs, etc. Access shall be provided within the boundary of the site from public transportation stops, accessible parking spaces, passenger loading zones, and public streets and sidewalks.
3. Ascertain and comply with the requirements of the Los Angeles County Fire Department.
4. Secure approval of the design and location for any new green waste/organics waste enclosures from the Community Services Director. Construction plans for the proposed enclosures must be submitted prior to issuance of a building permit for the Project.
5. Submit applicable materials to show compliance with the state Water Efficient Landscape Ordinance (WELO).
6. Submit a compaction report.
7. Pay all applicable permit and development fees including, but not limited to, fire facility, school, and plan check fees, as established by City ordinances and resolutions.

8. Pay any/all outstanding development review fees related to Planning and Site Plan Review Files #23-A10 and TTM 84564.
9. Provide detailed acoustical noise analysis/study to the Planning and Building Divisions prior to issuance of building permits for new buildings once design approval for the Project has been secured. The noise analysis/study shall outline how noise insulation requirements of the State Building Code, Title 24, and noise requirements of the Claremont Municipal Code for the Institutional Educational zoning district will be met or exceeded. The analysis/study shall include specific measures that would achieve the required levels, including required window glazing, construction techniques, added insulation, etc.
10. Secure approval of a disposal plan for the construction/demolition (C&D) waste from the Claremont Community Services Department. The plan shall demonstrate diversion of materials from the landfill, which will meet or exceed the City's construction and demolition debris recycling rate of 90%. The plan shall include:
  - a. Estimated tons of material to be disposed of in landfills;
  - b. Estimated tons of material to be diverted from landfills by material type;
  - c. The hauler to be used;
  - d. The name, address, and phone number of the disposal and recycling facilities to be used; and
  - e. Copies of the facility permits from the California Department of Resources, Recycling, and Recovery.
  - f. The contractor may dispose of C&D waste in one of the two following ways:
    - i. Contractor may haul material to a recycling facility using vehicles owned and operated by the contractor. In no circumstances shall the contractor haul any waste to a landfill; or
    - ii. Contractor may utilize the City's solid waste collection service. Under no circumstances shall a private hauler be used to transport material to any facility in violation of the Claremont Municipal Code.

Should the contractor C&D waste plan not be able to achieve a 90% or higher diversion rate, the City's solid waste collection service shall be used.

- B. Prior to the issuance of Certificate of Occupancy, the Applicant shall:
1. Install all approved exterior lights (soffit, step lights, streetlights, pathway bollards, etc.) associated with the building, driveways, pathways, and landscape plan.
  2. Install landscape materials in accordance with an approved landscaping plan on file with the Planning Division. All new plant materials shall be disease-free and shall be in vigorous condition at the time of installation.

3. Install all bike racks and transportation demand management (TDM) measures per applicable code requirements.
  4. Place underground all existing on-site overhead wires and existing utility poles serving the improvement. Undergrounding of utility lines shall extend to an existing power pole or other off-site point of connection in accordance with the requirements of Chapter 16.151 and Section 17.016.060 of the Claremont Municipal Code. This condition does not apply to the existing overhead utility lines located along the American Avenue frontage as the requirement for undergrounding those utilities has been claimed as the Project's one concession that is allowed by State Density Bonus Law.
  5. Obtain City approval of the Project's Covenants, Conditions, and Restrictions (CC&R's), which shall include requirements for the use of on-site resident and guest parking spaces (including a requirement that garages be used for parking of vehicles), the use of the outdoor spaces, private patios and decks, maintenance of the public art and public parkway landscaping in front of the Project, and continuous maintenance of a dense landscape barrier along the eastern boundary of the Project (currently a dense row of young ficus nitida trees).
  6. Gain City approval of any related disclosure documents that will be distributed to all buyers of units in the Project. These documents shall include disclosures that each residential unit is limited to two cars to be parked in the private garage associated with the unit, that the on-site uncovered parking spaces are intended for guests and not for additional cars for individual units. Disclosures must also include a description of the City's restriction on overnight parking on City Streets.
  7. Provide a plan for approval by the Director of Community Development for the safe transition between the property line and any remnant of the existing tennis court that is currently located on both the Project site and 860 South Indian Hill Boulevard, which is currently occupied by the Chevron/McDonald's development. Finished condition should be safe for passersby and not create drainage, vector nuisances, or other safety concerns.
  8. Gain approval from the City's Public Art Committee for the proposed public art piece to be located near the American Avenue frontage of the Project.
- C. Prior to the release of any public works bonds, the improvements authorized by either the grading permit and/or public works permit(s) shall be completed to the satisfaction of the City Engineer.
- D. The Applicant shall ensure that the following measures are honored during all construction related activities for the Project:

1. The hours of construction operation are limited to 7:00 a.m. to 8:00 p.m., Monday-Saturday, as in effect in the Claremont Municipal Code. No construction activities are allowed on Sundays and National holidays.
  2. Staging areas shall be located away from existing residential structures.
  3. All construction equipment shall use properly operating and maintained mufflers.
  4. During the course of all on-site grading and construction activity, the Applicant shall employ adequate dust control measures in accordance with the Uniform Building Code, SCAQMD, and City requirements to minimize fugitive dust.
  5. Compliance with the requirements of the Migratory Bird Treaty Act and California Fish and Game Code, to protect against construction activities to affect breeding or reproduction of bird and/or raptor species on or adjacent to the site. These may include, but are not limited to, completing wildlife surveys prior to the start of construction, establishing buffer zones around bird nesting sites, and discontinuing construction in areas that impact protected species.
- E. To ensure compliance with the provisions of this Planning Commission approval, a final inspection is required from the Planning Division when work has been completed. The Applicant shall inform the Planning Division and schedule an appointment for such an inspection.
- F. Upon final inspection, the City will commence a 30-day lighting level review of all exterior lights including building lights, streetlights, driveway lights, pathway lights, and landscape lights. If illumination levels, glare, or other applicable issues are found to be excessive, the Applicant will be directed to modify the lighting as necessary to achieve acceptable lighting levels.
- G. Noncompliance with any condition of this approval shall constitute a violation of the City's Municipal Code. Violations may be enforced in accordance with the provisions of the administrative fines program of Chapter 1.14 of the Claremont Municipal Code.
- H. The Applicant/owner by utilizing the benefits of this approval shall thereby agree to defend at its sole expense, any action against the City, its agents, officers, and employees because of the issues of such approval. In addition, the Applicant/owner shall reimburse the City et al for any court costs and attorney fees that the City et al may be required to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the Applicant/owner of its obligation hereunder.
- I. Failure to comply with any of the conditions, including design issues as shown on plans reviewed and approved by the City of Claremont, may result in failure to

obtain a building final and/or a certificate of occupancy until full compliance is reached. The City's requirement for full compliance may require minor corrections and/or complete demolition of a non-compliant improvement, regardless of costs incurred, where the Project does not comply with design requirements and approvals that the Applicant agreed to when permits were pulled to construct the Project.

### **ENGINEERING DIVISION CONDITIONS**

- A. In order to permit review pursuant to Government Code §66456.2, at least 60 days before filing the original signed final map, the Applicant shall submit to the City the following documents and receive approval from the City Engineer:
1. A final map for review and approval by the City Engineer and Acting Land Surveyor. The final map shall be in conformance with the approved tentative map, the State of California's Subdivision Map Act, and all applicable City Ordinances and Resolutions. The map shall show all dedications including the granting of the 30 feet of American Avenue fronting the property to the City of Claremont in fee title.
  2. A preliminary soils report that addresses the geology, the stability of the site, the grading requirements, and all necessary erosion control measures and soil stabilization methods.
  3. A preliminary 25-year hydrology study prepared in conformance with the standards and requirements of the Los Angeles County Flood Control District. The study shall address how potential grading, in conjunction with the drainage conveyance systems, will allow building pads and adjacent properties to be safe from inundation from rainfall runoff and will protect downstream properties from drainage caused by the alteration of drainage patterns. All drainage shall be designed to contain a ten-year event within curb-to-curb area, and a 50-year event within the public right-of-way. All drainage structures shall be per City of Claremont or Los Angeles County standards. The developer may, as a result of the findings of the hydrology study, be required to install additional storm drain facilities prior to the issuance of the first certificate of occupancy for dwelling purposes.
  4. Comprehensive precise grading and drainage plans. Plans shall be prepared and duly wet-stamped by a licensed civil engineer and be in conformance with the California Building Code and the City's standard grading requirements and shall demonstrate compliance with the recommendations of the geotechnical engineer. The plans shall be subject to the review and approval of the City Engineer.
  5. Sewer plans designed by a registered civil engineer. Studies involving the sewer capacity shall be provided. Sewer monitoring shall be conducted at manhole locations as determined appropriate by the City Engineer.
  6. Utility plans for a water system, designed to the satisfaction of Golden State Water Company, the City Engineer, and the Los Angeles County Fire Department.

7. Street improvement plans designed by a registered civil engineer for the American Avenue right-of-way, and all private streets, drives and alleys. These plans shall include curb and gutter, ADA compliant sidewalks, parkways (where possible), parkway landscaping and irrigation, street lighting and street trees, access ramps and modified driveway approaches (as required for ADA/Title 24 purposes) and bus stop improvements (if applicable); all necessary traffic control signs and striping, and street reconstruction as necessary, as determined by the City Engineer. Typical reconstruction involves 2" grind and cap within the limits of the Project. All private streets, alleys, and drives shall conform with the geotechnical engineer's recommendations and/or be constructed with a minimum four-inches of asphalt over four-inches of compacted native materials, whichever is greater.
8. Include one original, signed map that includes offers for dedication of all necessary easements when required for roadway purposes, public sidewalks, drainage facilities, sanitary sewer, landscaping, utilities, ingress and egress, etc. The map shall show additional dedications for street right-of-way, and any existing and new easements, landscape, pedestrian access, sewer lines, storm drain lines or overland flow as applicable.
9. Comply with the requirements outlined in the Planning Commission Resolution and City Council Resolution approving the Tentative Tract Map.
10. Title report and backup documents shall include, but are not limited to, all previous deeds, easements, maps and records of survey associated with the final map.
11. Closure calculations for the final map.
12. Letters of non-interference from any utility company that may have rights of easement within the property boundaries, as well as a description of the types and locations of all underground utilities.
13. "Will-serve" letters from utilities including gas, water, electric, cable TV/broadband, and telephone. Further, the developer shall contact the individual utility companies to coordinate the installation of said utilities.
14. Final Map tax clearance from the Los Angeles County Land Development Office pursuant to Government Code Section §66492.
15. Annex or verification that the property has been annexed into the Los Angeles County Sanitation District Number 21, if applicable.
16. Obtain approval and satisfy the requirements from the Los Angeles County Fire Department (LACFD) for the proposed map.
17. Applicant must hire a licensed land surveyor to identify and field mark surveying monuments located on the property. The licensed land surveyor shall prepare a certification letter addressing monument preservation within the boundaries of the Project. All work related to these monuments to be in accordance with the California Business and Professions Code Section 8771 (b) & (c). The monument preservation certification addressing boundaries of the Project shall be provided to the Engineering Division prior to issuing any permits to start the work.

18. Pay all outstanding development review fees related to the Project. Payment shall be collected prior to filing the Final Map with the City Engineer.
  19. Obtain approval from the Los Angeles County assessor's office and provide the revised APNs on the Final Map. If any comments are issued by the Los Angeles County Assessor's office / Los Angeles County Land Surveyor they shall be provided to the City of Claremont for record.
  20. Enter into a Subdivision Improvement Agreement with the City of Claremont for the completion of applicable public improvements fronting the map boundaries and for the installation of a right-turn pocket at the intersection of Indian Hill Boulevard and American Avenue. The City of Claremont shall provide the design for the proposed intersection improvements.
    - The dedicated right turn pocket improvements are required as part of this Tract Map approval. The City is working to obtain the necessary right of way for said improvements. The City will also provide plans and specifications for the developer to construct necessary signal modifications to provide roadway improvements to address the Project impacts associated with the need for a right turn only lane for west bound American Avenue at Indian Hill Boulevard.
- B. Prior to issuance of demolition, grading/on-site improvement or building permits, the Applicant shall:
1. Submit stamped and signed Civil Plans, prepared by a licensed Civil Engineer, that include the following plans: Title Sheet, Erosion Control, Demolition, Grading, Paving, Utilities, Drainage, Low Impact Development and Details. The plans shall include, but are not limited to the following where applicable:
    - a. All proposed improvements, including but not limited to, flat work, new structure, accessory structures, doors, walls, landscaping, etc.
    - b. Proposed grading topography.
    - c. All existing and proposed easements.
    - d. Summary of earthwork volumes.
    - e. All property lines.
    - f. Offers of dedication (if applicable) of all necessary easements when required for roadways, sidewalks, streetlights, drainage facilities, sanitary sewer, storm drain, landscaping utilities, ingress and egress, etc. All dedications shall be recorded as directed by the City Engineer at the Applicant's expense.
    - g. Building pads and finished floor elevations. Grading and drainage shall comply with the latest California Building Code, California Residential Code, and California Green Building Standards.

- h. All existing utilities found on the property including but not limited to; underground utilities, drains, utility boxes and power poles. If relocation of any utility is required, the Applicant shall coordinate with utility purveyor. All utilities shall be placed underground in accordance with Chapter 16.151 of the Claremont Municipal Code.
  - i. Proposed sewer connection. Show installation of backflow prevention device if upstream manhole is not lower than finished floors of all buildings.
  - j. Applicable Best Management Practices (BMPs) for construction of site improvements; demonstrating compliance with applicable NPDES permit requirements and other protective measures to be installed prior to grading activities. Said protective measures shall be in place during construction activities associated with the Project.
  - k. Proposed Municipal Separate Storm Sewer System (MS4) devices (drywell, bioretention planter, etc.) in conformance with MS4 permit requirements.
  - l. Location of all existing City and private trees, and all proposed trees. Existing City trees shall be protected in place in accordance with tree protective mitigation measures.
- 2. Prepare a final geotechnical report, which addresses the geology, stability of the site, and grading requirements. Following rough-grade completion, compaction tests shall be conducted within the pad areas and compaction test reports shall be submitted to the City.
- 3. Provide a final 25-year hydrology study for the proposed Project Site prepared in conformance with the standards and requirements of the Los Angeles County Flood Control District. The study shall address how potential grading, in conjunction with the drainage conveyance systems, will allow the building pad and adjacent properties to be safe from inundation from rainfall runoff and will protect downstream properties from drainage caused by the alteration of drainage patterns. All drainage structures shall be per City of Claremont on Los Angeles County standards.
- 4. Obtain approval and satisfy the requirements from the Los Angeles County Fire Department ("LACOFD") for the proposed subdivision demonstrating compliance with LACOFD requirements.
- 5. Be in compliance with City's Stormwater Ordinance (MS4 Permit), as well as all other state, county, and city water, wastewater, and hydrological requirements. This includes, but is not limited to:
  - a. Conserve natural area.
  - b. Provide storm drain system stenciling and signage.
  - c. Divert roof and surface runoff to vegetated areas before discharge unless the diversion would result in slope instability.



- d. No untreated site drainage discharge through underground pipes or any other conveyance to the City's MS4.
  - e. Maximize the percentage of pervious surfaces to allow percolation of storm water into the ground.
  - f. Minimize the quantity of storm water directed to impervious surfaces and the City's Municipal Separate Storm Sewer System (MS4).
  - g. Control runoff from impervious surfaces through infiltration, bioretention, and/or rainfall harvest and use.
  - h. Protect downstream properties from damages caused by alteration of the drainage patterns, i.e., concentration or diversion of flow.
6. Submit street improvement plans designed by a registered Civil Engineer for public right-of-way. Applicable City standards and latest edition of the Standard Specifications for Public Works Construction (Greenbook) for the public right of way shall be noted on plans. The street improvement plans shall include, but are not limited to the following:
- a. Driveway approaches (as required for ADA/Title 24 purposes);
  - b. Location or relocation of street tree(s) - (Contact Community Services Department at 909-399-5431);
  - c. ADA-compliant sidewalks;
  - e. Parkway landscaping and irrigation;
  - f. Undergrounding of utilities;
  - g. Sewer location;
  - h. Storm drain overflow location;
  - i. Approximate location for streetlight(s); and
  - j. All necessary traffic control signs and striping, and street reconstruction, as required by City Engineer.
7. Provide a detailed construction management plan that includes but not limited to; construction fencing, contractor parking, construction truck routing, materials staging, and street, sidewalk, and bike route closures for the construction of the Project. The construction management plan, and construction schedule must be submitted and approved by the City Engineer.
8. Letters of non-interference from any utility company that may have rights of easement within the property boundaries, as well as a description of the types and locations of all underground utilities.

9. Pay all applicable fees established by City ordinances and Claremont Municipal Code including, but not limited to, those set forth in the Citywide User Fee Schedule. These shall include, but not be limited to:
    - a. Transportation Impact;
    - b. Drainage;
    - c. Sewer Connection;
    - d. Street Resurfacing;
    - e. Public Works Permit and Plan Check Fees;
    - f. Grading/on-site Permit and Plan Check Fees;
    - g. Consultant Review Fees and
    - h. Cash Deposits/Surety/Bonds.
    - i. Public Art Fees (administrative portion as public art is proposed to be installed at the site)
- C. During grading and construction operations, the Applicant shall:
1. Submit a compaction test for grading pad(s).
  2. Implement best available control measures (BACMs) to minimize nuisance levels of construction activity emissions such as dust, emissions, and off-site impacts. BACMs shall include, but are not limited to, the following:
    - a. Water all active construction areas at least twice daily.
    - b. Cover all haul trucks or maintain at least two feet of freeboard.
    - c. Pave or apply water four times daily to all unpaved parking or staging areas.
    - d. Sweep or wash any site access points within 30 minutes of any visible dirt deposition on any public roadway.
    - e. Cover or water twice daily any on-site stockpiles of debris, dirt, or dusty material.
    - f. Suspend all operations on any unpaved surface if winds exceed 25 mph.
    - g. Hydro seed or otherwise stabilize any cleared area which is to remain inactive for more than 96 hours after clearing is completed.
    - h. Require 90-day low-NOx tune-ups for off-road equipment.
    - i. Limit allowable idling to 5 minutes for trucks and heavy equipment.

- j. Encourage carpooling for construction workers.
- k. Limit lane closures to off-peak travel periods.
- l. Park construction vehicles off traveled roadways.
- m. Wet down or cover dirt hauled off-site.
- n. Wash or sweep access points daily.
- o. Encourage receipt of material during non-peak traffic hours.
- p. Sandbag construction sites for erosion control.

3. Ensure that the following measures are honored:

- a. The hours of construction operation are limited to 7:00 a.m. to 8:00 p.m., Monday-Saturday, as in effect in the Municipal Code. No construction activities are allowed on Sundays and Federal holidays.
- b. Employ adequate dust control measures in accordance with the Uniform Building Code, SCAQMD, and City requirements to minimize fugitive dust.
- c. Staging areas shall be located away from any existing residences as determined by the Building Official.
- d. All construction equipment shall use properly operating mufflers.
- e. Noise sources associated with construction activities shall not exceed the noise levels as set forth in Section 16.154.020 of the Claremont Municipal Code.

D. Prior to Certificate of Occupancy, the Applicant/owner shall:

- 1. Construct and install all private and public improvements according to approved plans.
- 2. Schedule a final walk with the engineering division prior to desired certificate of occupancy date. Contractor/Owner shall account for time to address all punch list items prior to desired certificate of occupancy date.
- 3. Provide as-built plans.
- 4. Provide BMP inspection reports and closeout checklist.
- 5. Provide LID maintenance covenant and agreement.
- 6. Provide a grading certification from the engineer of record certifying that the grading was conducted per approved plans.

- E. Prior to the release of any grading and on-site improvements and public works bonds, the improvements authorized by either the grading permit and/or public works permit(s) shall be completed to the satisfaction of the City Engineer.
- F. Noncompliance with any condition of this approval shall constitute a violation of the City's Municipal Code. Violations may be enforced in accordance with the provisions of the administrative fines program of Chapter 1.14 of the Claremont Municipal Code.
- G. The Applicant/owner, by utilizing the benefits of this approval, shall thereby agree to defend at its sole expense any action against the City, its agents, officers, and employees because of the issues of such approval. In addition, the Applicant/owner shall reimburse the City et al. for any court costs and attorney fees that the City et al. may be required to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the Applicant/owner of its obligation hereunder.
- H. Failure to comply with any of the conditions, including design issues as shown on plans reviewed and approved by the City of Claremont, may result in failure to obtain a building final and/or a Certificate of Occupancy until full compliance is reached. The City's requirement for full compliance may require minor corrections and/or complete demolition of a non-compliant improvement, regardless of costs incurred, where the Project does not comply with design requirements and approvals that the Applicant agreed to when permits were pulled to construct the Project.

**SECTION 6.** The Planning Commission Chair shall sign this Resolution and the Commission Secretary shall attest and certify to the passage and adoption thereof.

**PASSED, APPROVED, AND ADOPTED this 6<sup>th</sup> day of May, 2025.**

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Planning Commission, Chair

ATTEST:

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Planning Commission Administrative Secretary