

PLANNING COMMISSION RESOLUTION NO. 2024-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLAREMONT, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF CLAREMONT APPROVE THE LA PUERTA SCHOOL SITE SPECIFIC PLAN, APPROVE THE ASSOCIATED TENTATIVE TRACT MAP (NO. 83121) FOR A 55 SINGLE-FAMILY DETACHED HOME DEVELOPMENT, ADOPT THE MITIGATION MONITORING AND REPORTING PLAN AND ADOPT THE FINDINGS OF FACT AND CERTIFY THE ENVIRONMENTAL IMPACT REPORT (SCH #2022020137) FOR THE PROJECT, WHICH IS LOCATED AT 2475 FORBES AVENUE. APPLICANT – TRUMARK HOMES.

WHEREAS, in June 2019, the CUSD Board unanimously approved entering into an agreement with Trumark Homes (the applicant) to purchase the property for \$13,058,000; and

WHEREAS, in July 2020, the applicant submitted an initial application to the City for review. City staff reviewed the initial application and submitted comments on aspects of the project. Trumark Homes held a community meeting on Thursday, August 6, 2020, to present its project to the neighborhood. Trumark initially proposed 65 detached homes with nine affordable Accessory Dwelling Units (ADU). The initial proposal also included a portion of the La Puerta Sports Park that is leased to the City by CUSD; and

WHEREAS, on September 1, 2020, City staff provided the applicant with comments on the initial application with recommended revisions to the proposed density, intensity, accessory dwelling units, parking, grading and drainage, architecture, and subdivisions design. Staff's comments also recommended the applicant remove parts of the project in the La Puerta Sports Park.

WHEREAS, on March 4, 2021, Trumark Homes submitted a second submittal to the City. The City held a preliminary review meeting with the Planning Commission on April 6 and 20, 2021. Based on the community feedback received at the Planning Commission preliminary review meeting, Trumark Homes revised the project proposal to reduce the number of homes, increase the lot size, and remove all uses off of the La Puerta Sports Park from the currently vacant 9.58-acre project site located at 2475 Forbes Avenue, Claremont, California 91711, bordered by Thompson Creek Trail to the north, Navarro and Lamar Drives to the south, Forbes Avenue to the east, and La Puerta Sports Park to the west (the "Project"); and

WHEREAS, on July 6, 2020 the applicant submitted an application for the La Puerta School Site Specific Plan (#SP-2401). The proposed Specific Plan allows for the development of accessory dwelling units (ADU). Pursuant to state law that went into effect in 2020 and Section 16.333 of the Claremont Municipal Code ("Accessory Dwelling Units"), the owner of each single-family home would be allowed to build an ADU on their property. Based on the proposed tentative tract map, the City assumes that a maximum of six (6) ADUs will be built in the Project Area. The six ADUs were determined based on a realistic scenario of how many future homeowners could construct an ADU because of the anticipated lot sizes and configuration; and

WHEREAS, on July 6, 2020, the applicant also submitted an application for Tentative Tract Map No. 83121 (#20-TTM01) for the subdivision of 9.58-acres of land for a 65 single-family detached homes; and

WHEREAS, on November 5, 2021 the City hired a consultant to prepare an Environmental Impact Report for the project proposal (SCH #2022020137). The public comment period for the Draft Environmental Impact Report took place on February 2022 and a public scoping meeting took place on February 16, 2022.

WHEREAS, the City's professional planning staff reviewed the Project and worked with an environmental consulting firm (PlaceWorks) to prepare an Initial Study ("IS") pursuant to Section 15063 of the Guidelines to the California Environmental Quality Act ("CEQA"); and

WHEREAS, upon completion of the IS, the City's professional planning staff and its environmental consultant concluded that there could be significant impacts related to Biological Resources, Cultural Resources, and Noise; however, through the incorporation of mitigation measures, these impacts would be reduced to less than significant levels; and

WHEREAS, in compliance with CEQA Guidelines Section 15087, the City provided a Notice of Availability (NOA) of a DEIR to advise and solicit comments from Responsible and Trustee Agencies, interested organizations, and individuals regarding the content of the DEIR. The NOA was circulated for a 45-day public review and comment period from July 26 to September 8, 2023.

WHEREAS, after the public review and comment period on the Draft EIR closed, the City's professional planning staff and its environmental consultant responded to the public comments the City received and created a Final EIR which concluded that, with mitigation, the Project will not have a significant effect on the environment; and

WHEREAS, on July 11, 2023 the City Council approved the Housing Element Update Land Use Map changing the designation of subject site from General Plan Designation of Public to Specific Plan Overlay.; and

WHEREAS, on July 9, 2024 the City Council approved the change of zone changing the designation of subject site from General Plan Designation of Public to Specific Plan.

WHEREAS, the subject site has a General Plan Designation of Specific Plan Overlay and a corresponding zoning designation of Specific Plan; and

WHEREAS, on September 19, 2024, notice of public hearing was mailed to property owners with a 1,000-foot radius of the Project site and along Forbes Ave and all persons placed on the interest list over the last approximately five years; and

WHEREAS, a legal ad providing notice of the public hearing was published in the September 20, 2023 edition of the Claremont Courier; and

WHEREAS, the Planning Commission held a public hearing on October 1, 2024, at which time all persons wishing to testify in connection to said proposal were heard and said proposal was fully studied.

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

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

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

SECTION 2. In accordance with Section 15063 of the State CEQA Guidelines, the City’s professional planning staff, with assistance from the City’s environmental consulting firm (PlaceWorks), completed an Initial Study for the Project. An Initial Study is an informational document that evaluates a proposed project’s potential to significantly impact the environment, while also identifying ways to reduce or avoid environmental impacts through mitigation measures. Upon completion of the Initial Study, City staff concluded that there could be significant impacts related to Biological Resources, Cultural Resources, and Noise; however, through the incorporation of mitigation measures, these impacts would be reduced to less than significant levels. Impacts to all other study areas were found to be less than significant. A Final Environmental Impact Report (FEIR) and Mitigation Monitoring Reporting Program (MMRP) have therefore been prepared.

The 45-day public review period for the Initial Study and Draft EIR commenced on July 26, 2023, and concluded on September 8, 2023. Following the public review period, City staff responded to the 16 comment letters that the City received on Draft EIR and finalized the MMRP. This response and the final MMRP have been incorporated into the Draft EIR to create the Final EIR, dated October 2023, which is Attachment B to the Planning Commission’s October 1, 2024 agenda report for the Project and incorporated herein as if set forth in full. The revisions made in the Final EIR, are limited to minor modifications to Section 5.3, Biological Resources mitigation measures (BIO-1 and BIO-2) that were revised in response to comments from the California Department of Fish and Wildlife. No revisions were made to any of the environmental topics discussed in the Initial Study, and no additional mitigation measures were needed. The revisions made to the mitigation measures did not change the conclusion that with mitigation, the Project will not have a significant effect on the environment. The revisions are not “substantial revisions” as that term is defined in Section 15073.5 of the CEQA Guidelines.

The Final EIR finds that there is no substantial evidence in the administrative record supporting a fair argument that the Project may result in any significant environmental impacts after implementation of the mitigation measures. The FEIR and the responses to comments contain a complete, objective, and accurate reporting of the environmental

impacts associated with the Project and reflect the independent judgement and analysis by the City. Therefore, no further analysis is necessary.

The Planning Commission recommends that the Claremont City Council certify the Final EIR (SCH #2022020137).

SECTION 3. Subject to removal of all references in the specific plan to gas utility connections, the Planning Commission recommends the City Council find that the content of the La Puerta School Site Specific Plan is in compliance with Government Code Section 65451 and that the Project furthers a number of General Plan goals and policies including the following:

A. *Goal 2-1: Make Claremont a model for the application of sustainable development practices.*

The Specific Plan incorporates sustainable green building design guidelines applicable to development of the Specific Plan area, which is an integral part of sustainable development.

B. *Policy 2-1.4: Avoid development of isolated residential areas.*

The Specific Plan would accommodate the development of residential uses on a vacant and undeveloped site that was formerly a school campus and is within an established residential neighborhood. Residential uses are present to the north, south and west of the Project area. The Project Area is not in a hillside area; the Project Area and its surroundings are generally flat with gently sloping topography.

C. *Policy 2-2.1: Provide opportunities for a variety of housing types that respond to the needs of residents.*

The Specific Plan would accommodate the construction of single-family homes and would increase the housing supply in the City. The single-family homes would support the housing needs of residents of all age ranges and include six Accessory Dwelling Units.

D. *Promote neighborhood identity and conservation of individual neighborhood character.*

The Specific Plan would facilitate the construction of two-story single-family homes, which would be comparable to the two-story single-family homes located on the western side of the Project Area, along Forbes Avenue. The Specific Plan permits the development of homes that would be designed in four architectural styles: American Cottage, California Bungalow, California Craftsman, and Spanish. The architectural styles were inspired by architecture found in the Claremont Historic Village and would be compatible with the existing homes in the community.

E. *Policy 2-2.4: Protect neighborhoods from impacts from non-residential development.*

Implementation of the Specific Plan would introduce residential uses within an established residential community. It would convert a large vacant land into a

new residential community that would be compatible with and complementary to the surrounding residential uses.

F. *Policy 2-5.1: Insist on excellence in architectural design of new construction in City.*

The Specific Plan contains a detailed set of standards and guidelines that provide the design framework for streetscape, landscape, and buildings to create a unified community character. As buildings are constructed, the City will use the design review process of the Architectural and Preservation Commission to ensure the community is built out to the vision outlined in the Specific Plan.

G. *Policy 2-9.1: Provide crosswalks and sidewalks along streets that are accessible for people with disabilities and people who are physically challenged.*

Future project residents will access the Project Area via Forbes Avenue and new private streets that will have sidewalks that will be ADA-compliant and have street trees to provide shade. On Forbes Avenue, improvements will be made on the west side of the right-of-way to accommodate the homes, driveways, sidewalks, and curb cuts. Additionally, connectivity from Forbes Avenue to the La Puerta Sports Park will continue via the existing Thompson Creek Trail, which abuts the northern boundary of the Project Area. A pocket park designed in the southwest corner of the project site will also provide public accessibility from Forbes Avenue and the internal streets to the adjacent existing sports fields at La Puerte Sports Park.

H. *Policy 2-9.2: Provide lighting for walking and nighttime activities, where appropriate.*

The Specific Plan includes standards for lighting. These include standards for streetscape design which calls for functional lighting fixtures that shine the least amount of light but be bright enough for people to perform activities; providing lighting that illuminates building address numbers, landscape, and structures at night; and lighting fixtures that are consistent with the architectural style of the new residences.

I. *Policy 2- 12.3: Encourage new developments to incorporate drought tolerant and native landscaping.*

The Specific Plan contains a landscape concept that provides guidance on landscaping for residential development that would occur in the Project Area. The landscape concept contains a planting palette that includes a variety of trees and shrubs that are historically found in the area, are native and adapted to the local environment, and are drought tolerant.

J. *Policy 2- 12.10: Enhance the City's streetscapes by pursuing initiatives that will facilitate the undergrounding of utilities.*

The Specific Plan stipulates that all utilities will be underground. This design strategy will enhance the City's streetscape. All on-site dry utilities are provided

through underground infrastructure except the above ground transformers and pedestals.

K. *Policy 2- 13.2: Strive to ensure that street design appropriately pairs the aesthetic quality of a street with its functional aspects.*

The new residential community accommodated by the Specific Plan will be accessed from Forbes Avenue. For the segment of Forbes Avenue where homes would be oriented toward the street, improvements would occur on the west side of the right-of-way to accommodate the homes, driveways, sidewalks, and curb cuts. Forbes Avenue will have curb adjacent sidewalks with landscape opportunities between the sidewalks and the homes, with shade trees planted along the street. The internal streets will be 36 feet wide, and they will be compliant with the Local Street designation in the Claremont General Plan. They will also include street trees and sidewalks for pedestrian accessibility.

SECTION 4. The Planning Commission recommends the City Council approve the La Puerta School Site Specific Plan.

SECTION 5. Subject to City Council approval of the requested Specific Plan, the Planning Commission recommends the City Council determine 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 6 designation for the property, including those described in Section 3 above. In addition, the map is consistent with the Specific Plan in the following ways:

Site Design – The 55 homes will be two stories (up to a maximum of 35 feet in height) and include a two-car garage, driveway, and private yard, and will be built at a density of approximately 6.0 dwelling units per acre. Six (6) homes will include integral attached accessory dwelling units (ADUs). The 55 residential lots range in size from 4,260 sq-ft to 8,457 sq-ft (5,445 sq-ft average) and will support four types of single-family homes.

Vehicular Access – Vehicular access to the Project Area would be provided via a stop-controlled entry drive along Forbes Avenue, which would feed into a looped interior private street. The private street would provide direct access to the driveways of each single-family home, except for any homes fronting onto and taking direct access off of Forbes Avenue, which is an existing public street. All vehicular access and circulation improvements would be designed and constructed to City standards. The private street would be maintained by the established homeowner's association (HOA). The existing La Puerta Sports Park, west of and abutting the Project Area, is accessed via Indian Hill

Boulevard. No vehicle access to the Project Area via Indian Hill Boulevard is available or planned.

Parking – Parking for residents and visitors would be provided in accordance with the parking requirements of the Specific Plan. For example, all homes would include attached two-car garages that would be accessed via private driveways; project residents would also be able to park on their private driveways. Guest parking will be provided along the internal private street. Public parking along Forbes Avenue, a public street, is also permitted during daytime hours. Overnight parking is restricted on Claremont public streets to three nights per month per vehicle with a secured permit through the Claremont Police Department.

Pedestrian Access – The existing public sidewalk along the Forbes Avenue project frontage, which forms the eastern project site boundary, will remain or be reconstructed. The public sidewalk will connect to sidewalks along the internal private street and to the existing Thompson Creek Trail, which abuts the northern boundary of the Project Area.

Open Space and Parkland – New trees will be planted throughout the Specific Plan area providing shade, and other plantings will be provided in accordance with the City’s regulations and plant palette. The Thompson Creek Trail (outside of the Specific Plan boundary, but adjacent) is a pathway and linkage to La Puerta Sports Park from Forbes Avenue.

- B. *The site is physically suitable for the type and density of the development.*** The proposed General Plan and zoning designations, as well as the proposed Specific Plan, would allow residential development at up to 6.0 dwelling units per acre (du/ac). With a permitted density of 6.0 du/ac, development on the 9.58-acre Project Area could result in a development potential of 58 single-family homes (6.0 multiplied by 9.58 equals 58).

Although the development of up to 58 single-family homes is analyzed in the Draft EIR, the project applicant is seeking approval of a tentative tract map to subdivide the Project Area into 55 residential lots for individual ownership. The tentative tract map also includes the creation of five lettered lots, which would be set aside for common area landscaping and access improvements, and four lettered lots for internal streets. The tentative tract map also includes creation of a separate legal parcel for the adjacent La Puerta Sports Park.

- 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.*** As explained in the Final EIR, the design of the proposed subdivision of the site and improvements will not cause substantial environmental impacts, nor substantially injure fish and wildlife.

- 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 and mitigation measures contained in the Final EIR. Mitigation measures require that the site be fully analyzed for pollutants and cleaned to levels that meet all applicable environmental standards prior to and during 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 community is accessed from Forbes Avenue. Roads within the Specific Plan will be privately maintained by a Homeowners Association (HOA), but shall be ungated and accessible to the public, similar to the surrounding neighborhoods. Public parking shall be available through a public easement, ensuring community wide access. The proposed sanitary sewer system will be located within the internal road system throughout the site. Homes along Forbes Avenue will connect into the existing sewer lines in Forbes Avenue, while the homes within the tract will connect to the Indian Hill sewer lines (via an easement). All service providers are granted an easement to access and maintain utility infrastructure within the community. All easements are non-exclusive; this opens up the opportunity for other service providers to serve the site in the future.
- F. *Solar access and passive heating and cooling design requirements have been satisfied in accordance with Chapter 17.03.*** The design of the subdivision allows adequate solar access to meet passive heating and cooling design requirements.
- 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 housing and accessory dwelling units in a Specific Plan setting that includes a variety of housing types with private outdoor living space, and provides pedestrian connectivity through the neighborhood.
- 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 prove it is already located within the LA County Sanitation District or annex to the Los Angeles County Sanitation District and connect to the local sanitary sewer system.

SECTION 6. Subject to City Council approval of the proposed Specific Plan, the Planning Commission recommends that the Claremont City Council approve Tentative Tract Map No. 83121, subject to the following conditions. The CC&Rs shall identify any requirements that the City required to be included in the CC&Rs in connection with the City's approval of the proposed Specific Plan and/or the City's approval of the Tentative Tract Map No. 83121 (the "City-Imposed CC&R Requirements"). The CC&Rs shall include language specifying that City-Imposed CC&R Requirements shall not be amended or removed without advance approval of the City Council.

PLANNING/BUILDING DIVISION CONDITIONS

- A. The applicant shall submit, within five days of City Council approval, the following items necessary to file a Notice of Determination, as required by CEQA:
 - 1) A check in the amount of \$75, payable to the Los Angeles County Clerk.
 - 2) A check in the amount of \$2,156.25, also payable to the Los Angeles County Clerk for the Department of Fish and Wildlife fees.

- B. The applicant or future project successor shall comply with all requirements of the MMRP.

- C. Submit and receive City approval of the proposed Articles of Incorporation and By-Laws for a Homeowners Association ("HOA") for the project and the Declaration of Covenants, Conditions, and Restrictions ("CC&R's"). These documents shall be reviewed and subject to the approval of the City Attorney, at the expense of the applicant.
 - 1) These documents shall require the association and homeowners to comply with and maintain the design standards approved by the City; identify the size and permitted locations of patio covers and storage sheds of 120 square feet or less; provide for regulation of on-site parking; regulate storage of recreational vehicles and boats; and, regulate the use of all common spaces.
 - 2) These documents shall also provide for the continuing maintenance upkeep and liability associated with the private drive, common landscaping (including trees) and irrigation, common area facilities, all perimeter walls and fences, and any traffic control signs (i.e. stop sign(s), parking signs, speed limit signs, etc.).
 - 3) These documents shall contain provisions permitting the City to enforce the maintenance obligations of the HOA in the event it fails to carry them out, including the power, after proper notice, to lien both association and individual properties for costs of maintenance and enforcement. A separate contract between the HOA and the City may be required for this purpose.
 - 4) The HOA shall be established and the CC&R's recorded prior to or simultaneously with the recordation of the final tract map. The City may require review of the maintenance budget proposals submitted to the

Department of Real Estate prior to their submittal to that department. The CC&R's document shall be reviewed and approved by the City Attorney at the applicant's expense.

- 5) Cause the CC&R's to be recorded against each unit/parcel. The developer shall prepare said CC&R's and pay related costs for the final review and approval by the Director of Community Development and the City Attorney.
- 6) Clearly identify the HOA's responsibility to maintain all common area landscaping (including a requirement that dead or dying trees be replaced with an identical specimen tree), private open space and park areas, private streets, private streetlights, private sewer lines, etc.
- 7) Outline the permitted uses of the residential units in accordance with the Claremont Municipal Code.
- 8) Clearly identify building and site maintenance responsibility, including repainting and a timetable for such maintenance to occur.
- 9) Specify that the parking and/or storage of recreational vehicles, boats, trailers (recreational or business-related) equipment, and similar such vehicles, is prohibited overnight everywhere onsite except for inside private residential garages.
- 10) Require that residents and property owners are required to use the provided garages and private driveway assigned to their unit to park their vehicles and not for long-term storage, unless the residential unit does not have more than two vehicles. If the unit only has one or no vehicles, then the resident could use half or all of a garage for their private storage.
- 11) Require residents and property owners to screen all refuse containers (trash, recycling, green waste) from visibility of common areas, except on scheduled collection days.
- 12) Include provisions for collection methods and locations associated with refuse containers (trash, recycling, green waste) for the individual units.
- 13) Any trees which could grow taller than eight feet in height must receive HOA approval prior to planting within a private yard area, to ensure that the plant type and its location is appropriate for the residential development.
- 14) Require that any future rear yard patio covers receive HOA approval and that it be attached to the house and designed so that it is consistent with the architecture of the home.
- 15) The HOA shall allow open, ungated, public access and use of the pocket park at the southwest corner of the development, including allowing public ingress and egress through the pocket park to the Sports Park, in perpetuity. This requirement shall be included in the CC&Rs and shall not be amended or removed without approval of the City Council.
- 16) The HOA shall prohibit parking of vehicles on private streets in the development between the hours of 2 AM and 6 AM. This requirement shall be included in the CC&Rs and shall not be amended or removed without approval of the City Council.

A copy of the final documents shall be submitted to the Community Development Department after recordation.

- D. Prior to the issuance of building permits for any residential unit, the developer shall:
- 1) Comply with the applicable mitigation measures in accordance with the project's EIR.
 - 2) Receive approval from the Architectural and Preservation Commission for all aspects of the proposed project's visual and design character, in accordance with existing design criteria set forth in the Claremont Municipal Code. The charge of the Architectural and Preservation Commission will be to review the proposed architectural design, exterior colors, materials and details, landscaping, signage and other design features for compatibility and consistency with the City's design review criteria.
- E. The landscape and irrigation plans submitted to the Architectural and Preservation Commission must include the parkway area within the right-of-way abutting the subdivision.
- 1) Submit landscape plans and required water calculations and documentation to show the project is in compliance with the City's Water Efficient Landscape Ordinance.
 - 2) Provide proof of a recorded map in conformance with the approved tentative map. The subdivision map shall comply with the State of California's Subdivision Map Act and all applicable City ordinances and resolutions.
 - 3) Submit a letter from a geotechnical engineer approving the building pads and a pad certification letter from the registered civil engineer of record. Obtain inspection and approval by the Public Works Inspector and submit compaction tests and pad certification to the Engineering Division.
 - 4) Submit and receive approval for construction plans, structural calculations, and Title 24 Energy calculations as required by the Building Division. When submitting plans at the time of plan check, if any substantial changes have been made from the approved design review application, the plans may require further Architectural and Preservation Commission review and re-notification of the surrounding property owners, which may delay the project and entail additional fees.
 - 5) Pay all applicable fees established by City ordinances and resolutions including, but not limited to:
 - i. Building Plan Check and Permit fees
 - ii. Public Art fees
 - iii. Fire facility
 - iv. School Impact fees to Claremont Unified School District
 - v. City Inclusionary Housing fees for the remainder unit percentage (.1 of the required 8.1 units)
 - 6) Ascertain and comply with all LACOFD requirements and provide documentation of their approval of the subdivision/project.

- 7) Secure approval of a trash disposal plan from the Community Development and Community and Human Services Departments, which addresses individual trash containers and specific pick-up locations.
- F. The project applicant shall submit a final acoustical report to the City of Claremont for review and approval. The final acoustical report shall be prepared to the satisfaction of the Director of Community Development, or his/her designee, and shall demonstrate that all homes meet the City's exterior and interior noise standards, as outlined below.

Exterior - The final acoustical report shall describe and quantify the noise sources impacting the private yards and specify the wall heights and locations that will ensure that the exterior noise levels for the private yards will remain below the City's 65 dBA CNEL exterior noise standard.

Interior – The final acoustical report shall describe and quantify the noise sources impacting the residential buildings, the amount of outdoor to indoor noise reduction provided in the architectural plans, and any upgrades required to meet the City's interior noise standard of 45 dBA CNEL for residences. The required noise reduction may be accomplished by providing construction elements, such as, but not limited to: (1) weather-stripping solid core exterior doors; (2) upgraded dual glazed windows and wall assemblies; (3) mechanical ventilation and air conditioning; and, (4) exterior wall and roof assemblies free of cut outs or openings. The measures described in the final acoustical report shall be incorporated in to the final construction plans and shall be the responsibility of and constructed by the applicant.

- G. Comply with the City's Community Art Program ordinance, pursuant to Municipal Code Chapter 16.148. The applicant shall either:
- 1) Pay an in-lieu public art fee equal to the building valuation of the project in accordance with the Building Division valuation schedule; or
 - 2) Provide a public art installation on or off site, subject to approval of the Architectural and Preservation Commission, of the building valuation in accordance with the Building Division valuation schedule. This condition may be postponed by City staff if it is determined that ongoing construction is likely to result in damage to the art piece; however, under no circumstances shall the final certificate of occupancy for the project be issued before all requirements of the Community Art Program have been completely satisfied by the applicant.
- H. During all construction-related activities for the project the applicant shall ensure the following:

- 1) The hours of construction operation are limited to 7:00 a.m. to 8:00 p.m., Monday to Saturday, as in effect in the Claremont Municipal Code. No construction activity is allowed on Sundays and federal holidays.
 - 2) All construction equipment shall use properly operating mufflers.
- I. Prior to the issuance of the first certificate of occupancy for any dwelling unit, at a minimum, the following improvements shall be installed by the developer to the satisfaction of the City Engineer:
- 1) A sewer system in accordance with approved sewer plans.
 - 2) All public utilities to service the site, including gas, electricity, water, and telephone. The developer shall contact the individual utility companies to coordinate the installation of said utilities.
 - 3) Street and public right-of-way improvements and any other necessary improvement to provide adequate vehicular and emergency access and as determined by the City Engineer. This includes the repair and/or replacement of all existing sidewalk, curb and gutter.
 - 4) Traffic and parking items (i.e., stop sign, striping) as determined necessary by the City Engineer and the Building and Safety Official.
 - 5) Streetlights within the project area approved by the Architectural and Preservation Commission.
 - 6) Bus stop improvements as determined appropriate by the Director of Community Development.
 - 7) Underground all utilities serving the site in accordance with the requirements of the Municipal Code.
 - 8) The project applicant shall ensure that the HVAC systems of all residential units shall be fitted with air filters with a MERV of eleven or better in the intake of residential ventilations systems.
- J. All street trees for the Forbes Avenue frontage and private interior streets shall be a minimum 36-inch box size and doubled-staked. The exact tree type, number and appropriate spacing shall be reviewed and approved by the Community and Human Services Department.
- K. All existing trees north of the project boundary between the project boundary and the Thompson Creek Trail shall be preserved in place.
- L. Street trees and landscaping within the public right-of-way shall be installed within one year of execution of the Subdivision Improvement Agreement for the project or prior to issuance of the first certificate of occupancy, whichever occurs first. The Director of Community Services shall determine the placement and the health of the street trees.
- M. The applicant shall maintain the new street trees for a period of one year after installation to ensure that the trees are fully established, and as a guarantee of their continued health and condition. Thereafter, upon a final inspection by the Community Services Department, ongoing maintenance (e.g., pruning,

fertilizing, but not including regular watering) will be the responsibility of the City of Claremont.

- N. The project shall not encroach into any areas of the existing La Puerta Sports Park or recreation fields.
- O. The grading activities shall not impact the existing La Puerta Sports Park or the Thompson Creek Trail.
- P. After installation of all lighting equipment, the project shall be subject to the City's 30-day lighting level review process outlined in the Claremont Municipal Code.
- Q. Prior to the release of the applicable subdivision improvement bonds, the improvements authorized by either a grading permit or public works permit shall be done to the satisfaction of the City Engineer. Prior to construction, the applicant shall obtain both a public works permit and grading and on-site improvement permit from the Engineering Division.

ENGINEERING DIVISION CONDITIONS

A. Prior to issuance of Demolition Permits

- i. Provide to City Staff and receive approval from the City Engineer of detailed plans/documents that includes construction fencing, contractor parking, construction truck routing, materials staging, and street, sidewalk and bike route closures for the construction of the project.
- ii. Show the park to the west to be protected in place.
- iii. Show limits of existing concrete v-gutter to be demolished and note procedures for ensuring storm drain run-off from site during construction.
- iv. Show the Thompson Creek Trail to be protected in place.
- v. Demonstrate how the stormwater that is currently being routed to the existing concrete channel will be managed.

B. Prior to issuance of Grading Permits, the applicant shall comply with the following Standard Conditions:

- i. Submit all required plans and technical studies, which shall be prepared by a registered professional engineer and submitted to the City Engineer for review and approval. All drawings must be submitted on 24"x36" and 11"x17" sheets.
 - a. A geotechnical report prepared according to Los Angeles County Department of Public Works Manual for Preparation of Geotechnical

Reports. This report shall also include fault investigation and reference the latest California Building Code (CBC).

- b. A 25-year hydrology study prepared in conformance with the standards and requirements of the Los Angeles County Flood Control District Hydrology Manual.
- c. 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 report.
- d. Submit a Storm Water Pollution Prevention Plan (SWPPP) and Low Impact Development (LID) document prepared by a registered civil engineer, in compliance with the City's MS4 Ordinance and NPDES permit requirements, subject to review and approval by the City Engineer and City consultant.
- e. The LID and SWPPP approvals shall be required prior to the issuance of grading and/or public works permits.
- f. The LID shall be prepared to comply with all applicable city and state requirements and shall address all preliminary comments provided by the city's environmental consultant.
- g. Infiltration testing shall be required for the design of each proposed infiltration device/BMP. Infiltration testing shall be conducted in conformance with Los Angeles County Public Works Guidelines for Geotechnical Investigations and Reporting Low Impact Development Stormwater Infiltration. These tests shall be performed at the proposed BMP location(s) and infiltration depth(s).
- h. The applicant may, as a result of the findings of the hydrology study, be required to install additional storm drain infrastructure prior to the issuance of the Certificate of Occupancy.
- i. Utility plans shall show all applicable utilities (existing and proposed). Utilities shall be placed underground including both facilities and wires for the supply and distribution of electrical energy, telephone, data and cable in accordance with the requirements of the Claremont Municipal Code. The existing and proposed underground utilities must be shown on the Building Plans and Engineering plans.
- j. ALTA survey to support the preparation of the grading plan.

- k. Construction easements and agreements and/or authorizations permitting the offsite construction or construction affecting third parties shall be required.
- l. Street Improvements Plan. Street improvements, including but not limited to, street trees and parkway landscaping, public and private streetlights, ADA compliant sidewalks and handicap ramps, and drive approaches shall be designed per City Standards. The improvements shall be consistent with the City's Complete Streets and Green Streets Policies.
- m. Public and private street lights shall be installed per the City of Claremont Street Light Policy. In addition, existing signage replacements and/or relocations and new sign installations within the project frontage shall be consistent with City MUTCD standards, which include new reflective requirements.
- n. Title report and backup documents. This includes any/all reference maps and any easement documents referenced in the title report.
- o. Provide 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.
- p. Provide "Will-serve" letters from utilities including gas, water, electric, cable TV, and telephone.
- q. The applicant shall contact the individual companies to coordinate the installation of said utilities and meet their requirements.
- r. Sewer plans designed by a registered civil engineer. The Plans shall identify both public and private portions. Studies involving the sewer capacity shall be required as determined by the City Engineer. The applicant shall conduct sewer flow metering at specific locations as directed by the City Engineer.
- s. The City's consultant shall review the flow metering results and will determine whether proposed connection can be accommodated and whether upgrades to the sewer system will be necessary. The applicant shall be responsible for those upgrades.
- t. A water system, designed to the satisfaction of Golden State Water Company, the City Engineer, and the Los Angeles County Fire Department (LACFD) shall be provided to meet GSW and LACFD requirements and the California Public Utilities Commission (CPUC) rules and regulations.

- u. LACFD requirements and conditions for the project to be satisfied, including but not limited to, requirements for public fire hydrants and public water to support the project during construction and build out conditions.
- v. Meet all the requirements of the Building Code.
- ii. Annex or provide verification that the property has been annexed into the Los Angeles County Sanitation District Number 21, and all applicable fees shall be paid.
- iii. Submit a construction timeline for the project.
- iv. Pay all fees and satisfy the requirements established by City ordinances and resolutions including, but not limited to, those set forth in the Claremont Municipal Code. These shall include, but not be limited to, the following:
 - a. Tentative and Final Map Check
 - b. Public Works Permit, plan check and inspection fees
 - c. Grading Permit, plan check and inspection fees
 - d. If applicable pay outstanding review fees.
 - e. Development Impact Fees, including but not limited to:
 - (i) Sewer connection fees
 - (ii) Drainage fees
 - (iii) Transportation Impact fees
 - (iv) Parkland fees
 - (v) Resurfacing fees
 - (vi) LID review
 - (vii) Hydrology Study review
 - (viii) Geotechnical Report review
 - f. Post security deposits/bonds guaranteeing:
 - (i) construction within the public right-of-way and easement areas
 - (ii) drainage and grading improvements
 - (iii) construction of all utilities serving the site (including undergrounding of any/all utilities)
 - (iv) sewer improvements
 - (v) maintenance deposits

- (vi) landscape improvements (including street trees)
 - g. File a Notice of Intent (NOI) with the Regional Water Quality Control Board.
 - h. Monument preservation shall be done in accordance with the Business Professions Code section 8771.
- C. **Prior to the release of the applicable improvement bonds**, the improvements authorized by either a grading permit or public works permit shall be done to the satisfaction of the City Engineer. Prior to construction, the applicant shall obtain both a public works permit, and grading and on-site improvement permit from the Engineering Division.
- D. **Prior to the issuance of Certificate of Occupancy:**
- i. Record the Final Map with Los Angeles County Recorders' Office
 - ii. Include an original, signed Final Map, and offers for dedication of all necessary easements when required for roadway purposes, public sidewalks, drainage facilities, sanitary sewer, landscaping, utilities, ingress and egress, etc, consistent with the Tentative Map. All dedications shall be recorded as directed by the City Engineer. No structures shall be placed on any part of the easement, except those directly related to the purposes of said easement, or otherwise approved by the City Engineer or respective easement holders. If applicable, any quitclaims by the City to be done prior to recordation of Final Map (and document number noted on Final Map).
 - iii. Submit to the City, at least 60 days before filing the original signed Final Map in order to permit review, pursuant to Government Code §66456.2, of the following documents and receive approval from the City Engineer:
 - a. A Final Map for review and approval from the City Engineer and City's Acting Land Surveyor, along with the applicable review deposit. The Final Map shall be in conformance with the approved Tentative Map. A Final Map shall comply with the State of California's Subdivision Map Act, and all applicable City ordinances and resolutions. The map shall show additional dedications for street right-of-way, landscape, pedestrian access, sewer lines, storm drain lines, or overland flow, as necessary. The Final Map shall be approved for recording by the City Council and be recorded with the County Recorder.
 - b. Closure calculations for map.
 - c. Los Angeles County Bench marks shall be used for vertical control.

- d. Obtain final map tax clearance from the Los Angeles County Land Development Office pursuant to Government Code Section § 66492.
 - e. Add a note to the applicable map sheets that reflects that the private roads will have unimpeded access.
 - f. Certified title report and backup documents. This includes any/all reference maps and any easement documents referenced in the title report.
 - g. Provide 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.
 - h. Provide "Will-serve" letters from utilities including gas, water, electric, cable TV, and telephone.
- iv. Red curb or post no parking on all public and private streets as determined by the City Engineer and/Fire Department, per City's Curb Marking Policy.
 - v. Add street/roadway name signs (public and private). Private signs shall be clearly indicated as private as determined appropriate by the City Engineer.

E. Special Conditions:

- i. A tentative tract map shall be approved by the City Council prior to Grading Permits.
- ii. Public right of way dedications to accommodate the City's Complete Streets Policy shall be provided as necessary.
- iii. The required public improvements necessary to service any unit being occupied shall be provided prior to issuance of any Certificate of Occupancy. All public improvements shall be reviewed for final acceptance by the City Engineer and shall be in excellent condition prior to issuance of final Certificate of Occupancy for the project.
- iv. Private street, driveways, and alleys shall be constructed in accordance with the approved typical sections shown on the tentative map.
- v. Private streets, alleys, and drives shall be re-constructed as determined by a geotechnical report, with a minimum four-inch of asphalt over four-inches of compacted native materials.
- vi. During grading and construction operations, the applicant shall implement Best Available Control Measures ("BACM's") to minimize nuisance levels of

construction activity emissions such as dirt, emissions and offsite impacts. BACM's shall include, but 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 onsite stockpiles or debris, dirt, or dusty material.
 - f. Suspend all operations on any unpaved surface if winds exceed 25 mph.
 - g. Hydroseed or otherwise stabilize any cleared area which is to remain inactive for more than 96 hours after clearing is completed.
 - h. Require a 90-day, low-NOx tune-ups for off-road equipment.
 - i. Limit allowable idling to five 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 offsite.
 - n. Wash or sweep access points daily.
 - o. Encourage receipt of material during non-peak traffic hours.
 - p. Sandbag construction sites for erosion control.
- vii. Prior to grading and building operations, the applicant shall provide to City staff a signed written statement from the primary construction contractor acknowledging receipt of all related City Conditions of Approval and that the contractor understands that it is a misdemeanor under Claremont Municipal Code to violate a Condition of Approval.
- viii. Provide proof of compliance (letter of clearance) with LACFD conditions.
- ix. Provide proof of compliance (letter of clearance) with GSW requirements.

- x. Demonstrate compliance with Building Code.
- xi. Demonstrate compliance with the City's MS4 Ordinance.
- xii. Provide written confirmation that work can proceed, from easement holders of easement areas that cannot be mapped.
- xiii. Provide a truck route.
- xiv. The final map shall provide provisions to dedicate public vehicular and pedestrian access through the private streets, sidewalks, and pocket park area.
- xv. The final map shall provide easement rights for publically accessible roads and sidewalks.

F. **Prior to the release of the applicable improvement bonds**, the improvements authorized by either a grading permit or public works permit shall be done to the satisfaction of the City Engineer. Prior to construction, the applicant shall obtain both a public works permit, and grading and on-site improvement permit from the Engineering Division.

SECTION 7. The Planning Commission Chair shall sign this Resolution and the Commission Secretary shall certify to the passage and adoption thereof.

PASSED, APPROVED, AND ADOPTED this 1st day of October, 2024.



Planning Commission, Chair

ATTEST:



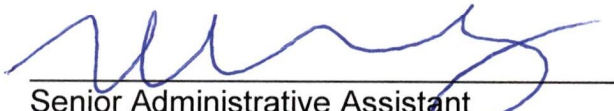
Planning Commission Secretary

Attachment: Exhibit - CEQA Findings of Fact & MMRP

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF CLAREMONT)

I, Nhi Atienza, Senior Administrative Assistant of the City of Claremont, County of Los Angeles, State of California, hereby certify that the foregoing Resolution No. 2024-08 was adopted by the Planning Commission of said City of Claremont at a regular meeting of said Commission held on October 1, 2024, by the following vote:

- | | | |
|--------------|----------------|---|
| AYES: | Commissioners: | Alvarez, Emerson, Rahmim, Rosenbluth,
Williamson |
| NOES: | Commissioners: | None |
| ABSTENSIONS: | Commissioners: | None |
| ABSENT: | Commissioners: | Davis and Wong |



Senior Administrative Assistant
City of Claremont