

RESOLUTION NO. 2026-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA AFFIRMING, WITH MODIFICATIONS, THE PLANNING COMMISSION'S APPROVAL OF CONDITIONAL USE PERMIT AMENDMENT #22-C04AMD, A REQUEST FOR MUSIC ENTERTAINMENT IN CONJUNCTION WITH AN EXISTING BONA-FIDE EATING ESTABLISHMENT, LOCATED IN THE CLAREMONT VILLAGE AT 235 NORTH YALE AVENUE. APPLICANT – LA POPULAR RESTAURANT

WHEREAS, on June 24th, 2025, the applicant submitted an application for Conditional Use Permit Amendment File #07-C09AMD to allow various forms of music entertainment in conjunction with an existing restaurant in the Claremont Village at 235 North Yale Avenue (the "Amended CUP"); and

WHEREAS, the restaurant is located within the General Plan designation of Claremont Village and zoning designation of Village Expansion Specific Plan (VESP) – Specific Plan 8 in the Commercial Mixed Use (CMX) sub-area, where music entertainment outside of the scope of Claremont Municipal Code (CMC) Chapter 5.45 is subject to the approval of a Conditional Use Permit (CUP); and

WHEREAS, following a duly-noticed public hearing on December 16, 2025, the Planning Commission adopted Resolution No. 2025-15 approving the Amended CUP; and

WHEREAS, pursuant to Section 16.321.030 of the Claremont Municipal Code ("CMC"), one or more members of the City Council timely requested City Council review of the Amended CUP; and

WHEREAS, notice of a public hearing for the City Council's review of the Amended CUP was duly given, and the above-mentioned site was posted; and

WHEREAS, the City Council held a public hearing to review the Planning Commission's approval of the Amended CUP on January 13 and 27, 2026, at which time all persons wishing to testify in connection with said proposal were heard and said proposal was fully studied.

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

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

SECTION 2. The City Council affirms the Planning Commission's determination that the Amended CUP is categorically exempt from the provisions of the California Environmental Quality Act pursuant to Section 15301 (Class 1) for existing facilities, in that the Amended CUP consists of allowing limited indoor music entertainment within an existing restaurant tenant space and does not involve any physical expansion of the structure or intensification of use beyond established commercial activity. Therefore, no further environmental review is necessary.

SECTION 3. The City Council affirms the Planning Commission's findings in regard to the Amended CUP, which are set forth in Section 2 of Planning Commission Resolution No. 2025-15 and are incorporated herein as if set forth in full.

SECTION 4. The City Council affirms the Planning Commission's approval of CUP #22-C04AMD, based on the findings of Section 16.303.040 of the Claremont Municipal Code (CMC) outlined in Section 2 of Planning Commission Resolution No. 2025-15, and subject to all of the conditions set forth in Section 3 of Planning Commission Resolution No. 2025-15, subject to the following additional condition:

P. This CUP is subject to the City Council Policy Regarding Enforcement of Conditions of Approval for Conditional Use Permits, adopted January 27, 2026 through the adoption of City Council Resolution No. 2026-__, as amended from time to time. If a violation of one or more conditions of approval of this CUP interferes with, disturbs, or creates a nuisance for one or more surrounding uses and/or businesses and results in two (2) or more uncontested or upheld citations within a thirty (30) day period, the City's Community Development Director shall schedule a public hearing before the City's Planning Commission to consider the potential revocation or modification of this CUP. If this condition is inconsistent with or less protective of surrounding uses and businesses than the City Council Policy Regarding Enforcement of Conditions of Approval for Conditional Use Permits or any other City Council policy, then the City Council Policy shall prevail. Nothing in this condition precludes the Community Development Director from scheduling a public hearing before the City's Planning Commission to consider the potential revocation or modification of this CUP for a violation of one or more conditions of approval of a CUP, even if the violation has not resulted in any uncontested or upheld citations within a thirty (30) day period. Nothing in this condition shall prevent the City from using any other enforcement mechanisms to ensure compliance with conditions of approval, including without limitation, courtesy notices, criminal citations, administrative citations, and initiating administrative, civil, criminal, or other legal or equitable proceedings in addition to or as an alternative to any of the proceedings set forth in this condition and the City Council Policy.

SECTION 5. The Mayor shall sign this Resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

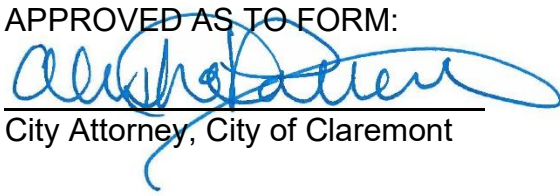
PASSED, APPROVED, AND ADOPTED this 27th day of January, 2026.

Mayor, City of Claremont

ATTEST:

City Clerk, City of Claremont

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read "Alvin D. ...", is written over a horizontal line.

City Attorney, City of Claremont