



Agenda
Planning Commission Meeting
7:00 P.M. on Tuesday, March 9, 2010
Hoyer Hall, 6125 Clayton Road, Clayton

CALL TO ORDER, ROLL CALL, PLEDGE TO THE FLAG

Administrative

- 1A. Review of agenda items.
- 1B. Commissioner Catalano to report at the City Council meeting on March 16, 2010.

Public Comment

Approval of Minutes

- 2. Approval of minutes from the meeting of February 23, 2010.

Public Hearings

- 3. None.

Old Business

- 4. Review Approved Planning Commission Meeting Procedures and Protocol.

New Business

- 5. Review and provide comments for City Council on proposed street tree list.

Communications

- 6A. Staff.
- 6B. Commission.

Adjournment

- 7. The next regular meeting of the Planning Commission is scheduled for **Tuesday, March 23, 2010.**

Most Planning Commission decisions are appealable to the City Council within ten (10) calendar days of the decision. Please contact Community Development Department staff for further information immediately following the decision. If the decision is appealed, the City Council will hold a public hearing and make a final decision. If you challenge a final decision of the City in court, you may be limited to raising only those issues you or someone else raised at the public hearing(s), either in oral testimony at the hearing(s) or in written correspondence delivered to the Community Development Department at or prior to the public hearing(s). Further, any court challenge must be made within 90 days of the final decision on the noticed matter. If you have a physical impairment that requires special accommodations to participate, please contact the Community Development Department at least 72 hours in advance of the meeting at 925-673-7340. An affirmative vote of the Planning Commission is required for approval. A tie vote (e.g., 2-2) is considered a denial. Therefore, applicants may wish to request a continuance to a later Commission meeting if only four Planning Commissioners are present. Any writing or documents provided to the majority of the Planning Commission after distribution of the agenda packet regarding any item on this agenda will be made available for public inspection in the Community Development Department located at 6000 Heritage Trail during normal business hours.

Minutes
City of Clayton Planning Commission Meeting
Tuesday, February 23, 2010

Call to Order

Chair Bob Armstrong called the meeting to order at 7:00 p.m. at Hoyer Hall, 6125 Clayton Road, Clayton.

Present: Chair Bob Armstrong, Vice Chair Sandra Johnson, Commissioner Tuija Catalano, Commissioner Ted Meriam, Commissioner Dan Richardson

Absent: None

Staff: Community Development Director David Woltering
Assistant Planner Milan Sikela, Jr.

Administrative

1A. Review of agenda items.

1B. Chair Armstrong to report at the City Council meeting on March 2, 2010.

Public Comment

None.

Approval of Minutes

2. Approval of minutes from the meeting of February 9, 2010.

Commissioner Meriam moved and Vice Chair Johnson seconded the motion to approve the minutes from the meeting of January 26, 2010, as amended. The motion passed 5-0.

Public Hearings

3. None.

Old Business

4. None.

New Business

5. Study session regarding Planning Commission Meeting Procedures and Protocol.

Director Woltering presented the staff report.

Vice Chair Johnson said the information was filled with good advice.

Commissioner Richardson said the information was helpful to clarify the process for conducting the Commission meetings.

Commissioner Meriam indicated that the Commission typically waits until after its discussion to make a motion; he questioned whether that practice should be modified based on the information provided by staff.

Commissioner Catalano indicated that it makes for a better public record when all Commissioners get involved and share their individual perspectives.

Commissioner Richardson indicated that process milestones need to be clarified such as staff first presents the staff report, the Commission clarifies components of the item with staff, the Commission then receives a presentation from the applicant, the public hearing is opened, etc.

Commissioner Richardson suggested as had Commissioner Meriam that there needs to be clarification and agreement as to whether discussion should precede or follow making a motion.

Director Woltering indicated that typically discussion should occur prior to a motion being made so that the information received by the Commission from the staff, applicant, and public can be reviewed collectively.

Commissioner Richardson indicated that for an emotionally-charged audience it will be important to have a standard protocol.

Commissioner Catalano said three minutes is a standard length of the time limit imposed for public comments.

Director Woltering added, if you have a large number of speakers, a consistently-applied time limit would be useful.

Commissioner Catalano indicated that the Commission may have to ask clarifying questions of the applicant or public members.

Director Woltering answered that the Commission needs to be judicious about re-opening the public hearing as those representing other viewpoints may want the opportunity to add comments or clarifications.

Chair Armstrong indicated that the project sponsor probably should not have time limit for speaking.

Director Woltering indicated that a time limit for the project sponsor's representatives of perhaps a maximum of 30 minutes may be useful, particularly at larger meetings to assure that there is time for all public comments.

Commissioner Catalano and Commissioner Richardson suggested that a shorter speaking time limit for the applicant's representatives would make them more efficient and focused in their presentations.

Chair Armstrong inquired if we have speakers from other cities, should we let speakers from Clayton speak first?

Director Woltering indicated that it would not be appropriate, suggesting that the order of speakers be impartial.

Commissioner Richardson inquired whether the Commission motion should be in response to staff's recommendation on a matter.

Director Woltering indicated, yes. However, he clarified that does not suggest the Commission necessarily accept the staff recommendation. The Commission could refer to the staff recommendation as a base and modify from there, giving its rationale for its motion. The motion could be a denial with rationale.

Commissioner Richardson indicated that providing findings is important.

Director Woltering indicated that, in the course of the Commission's discussion, the Commission should be quite specific about its findings, even directing staff to return at the next meeting for a resolution listing findings for the motion. If the Commission follows the staff report and supports staff's recommendation, staff will have provided the findings for that action with the staff report. But if there is a component of the Commission's action that adds to or amends the staff recommendation, the Commission should clarify its rationale for the action with its findings.

Commissioner Catalano indicated that it is important to also get "pro" and "con" perspectives when the Commission has a split vote.

Commissioner Meriam inquired if he is able to abstain from a vote.

Director Woltering answered yes, and that he explain the reason for the abstension.

Commissioner Meriam asked if someone votes "no", should they give an explanation?

Director Woltering answered, yes, stating that it is important for the parties involved to understand the rationale for the vote.

The Commission agreed to use "The Basic Format for an Agenda Item Discussion" described in the handout titled "Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century" as the standard guide for conducting its future meetings. The Commission indicated, though, that for its purposes it would want to have opportunity for Commission discussion prior to a motion being made for an agenda item.

Vice Chair Johnson moved and Commissioner Meriam seconded a motion to approve the Planning Commission Procedures and Protocol in accordance with Rosenberg's Rules of Order, with the caveat that the Planning Commission have a discussion prior to the motion being made. The motion passed 5-0.

Communications

6A. Staff.

Director Woltering provided an update on the Hurd Ranch demo permit, Water Efficient Landscape Ordinance, Creekside Terrace, and the Clayton Community Church project.

6B. Commission.

Commissioner Meriam indicated he would not be attending both meetings in March.

Adjournment

7. The meeting was adjourned at 9:10 p.m.

Submitted by
David Woltering, AICP
Community Development Director

Approved by
Bob Armstrong
Chair

Plng Comm\2010\Minutes\0223

Memorandum

To: Chair Armstrong and Planning Commissioners

From: David Woltering, Community Development Director 

Date: March 9, 2010

Subject: Review of Approved Planning Commission Meeting Procedures and Protocol

BACKGROUND

At its regularly scheduled meeting on February 23, 2010, the Planning Commission reviewed and discussed various handouts and materials pertaining to parliamentary procedures and protocol for conducting meetings. The Commission unanimously approved as a basis for guiding the conduct of its meetings "The Basic Format for an Agenda Item Discussion" described in a handout it reviewed titled "Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century", except that the Commission wanted to assure that it could have discussion of an agenda item prior to a motion being made for action on that item. The modified version of the excerpt from the "Rosenberg Rules" is attached for the Commission's review and comment.

RECOMMENDATION

Review attached write up of "City of Clayton Planning Commission Meeting Procedures and Protocol" to assure accuracy, given direction to staff.

Attachment: City of Clayton Planning Commission Meeting Procedures and Protocol, adopted February 23, 2010

comdev/planningcommission/memos/memorandum to pc re. planning commission meeting procedures and protocol

**CITY OF CLAYTON
PLANNING COMMISSION**

MEETING PROCEDURES AND PROTOCOL

Date Adopted: February 23, 2010

In accordance with Clayton Municipal Code Section 2.12.030 Election of Officers – Adoption of Rules of Business – Public Record, the City of Clayton Planning Commission adopted at its February 23, 2010 meeting the following procedures and protocol as a basis for guiding the conduct of its meetings:

The Procedures and Protocol for an Agenda Item Discussion at Clayton Planning Commission Meetings should be as follows:

1. The Chair should clearly announce the agenda item number and what the subject is. The Chair should then announce the format that should be followed.
2. The Chair should invite the appropriate people (e.g., staff, committee members, etc.) to report on the item, including any recommendation they might have.
3. The Chair should ask members of the Planning Commission if they have any technical questions of clarification regarding the report. The Chair should provide time for these questions and for appropriate responses.
4. The Chair should invite public comments at this point, and if this is a formal public hearing item, the Chair should formally open the public hearing before receiving the public's comments. If there are a larger number of persons wanting to provide comments, the Chair may establish a time limit for individuals commenting or use other measures to help assure that all persons are heard.* At the conclusion of the public comments, the Chair should announce that the public comment period has concluded or, in the case of a public hearing, that the public hearing is closed.
5. The Chair should invite general discussion of the Commissioners of the information received to this point on the agenda item. The Chair should encourage the participation of all the Commissioners in this discussion. After general discussion of the information received, the Chair should invite a motion from the Commissioners. The Chair should defer from making the motion unless the other Commissioners are reluctant to make the motion. The Chair should announce the name of the Commissioner who made the motion.
6. The Chair should determine if any member of the body wishes to second the motion. The Chair should defer from making the second unless other Commissioners are reluctant to make the second. A second is not an absolute requirement for a vote on a matter, so the Chair may proceed forward with a vote even though a second had not been made.

7. The Chair should make sure that everyone understands the motion. This can be accomplished in one of three ways:
 - a. The Chair can ask the maker of the motion to repeat it;
 - b. The Chair can repeat the motion; or
 - c. The Chair can ask the Secretary of the body to repeat the motion.
8. The Chair should invite discussion of the motion by the Commissioners. When the discussion has ended, the Chair should announce that the Commission will vote on the matter. At this point, the Chair may repeat the motion to make sure all are clear on the matter before the vote.
9. The Chair should then call for the vote. The Chair may ask simply for the “ayes” and the “nays”. If members of the body do not vote, then they should “abstain”. A simple majority determines whether the motion passes or is defeated.
10. The Chair should announce the result of the vote and what action (if any) the Commission has taken.

* Other measures include having staff meet with applicants in advance of meetings to establish time limits on the length of presentations, use speaker cards to better determine the number of speakers that will need to be accommodated, use of a timer to enforce the established time limits, asking for a show of hands to determine those in support of a particular position without individual speakers repeating the same position are all measures to better assure receiving input from larger gatherings of individuals within a constrained amount of time.

comdev/plngcomm/standard rules/meeting conduct procedures and protocol

PLANNING COMMISSION STAFF REPORT

Meeting Date: March 9, 2010

From: David Woltering, AICP
Community Development Director 

Subject: Proposed Tree List For Public Properties and Rights-of-Way
(CDD 01-10)

BACKGROUND

At its February 8, 2010 meeting, the Clayton Trails and Landscaping (TLC) Committee reviewed and recommended City Council approval of a proposed list of trees for public properties and rights-of-way assembled by Maintenance Department Supervisors Mark Janney and John Johnston. This list would be used to guide initial tree installation and tree replacement on the City's properties and rights-of-way. Additionally, private developers and City reviewers would use this tree list for private development projects that involve the installation of "public" landscaping. Examples would include trees installed in planting strips along streets and trees installed in median strips that are part of private development projects.

The Maintenance Department staff used its many years of experience in the community when developing this list of trees. Consideration was given to offering a good variety of trees for the community, local climate and soils, drought tolerance, maintenance issues, and which trees have generally been successful here in Clayton over time.

Staff has attached both the staff report and the proposed Tree List submitted to the TLC at its February 8th meeting.

RECOMMENDATION

Review and provide comments for City Council consideration regarding the City of Clayton *Proposed Tree List For Public Properties And Rights-Of-Way*.

Attachments:

1. February 8, 2010 Staff Report Regarding Proposed Street Tree List from Maintenance Supervisor Mark Janney to the Clayton Trails and Landscaping Committee.
2. City of Clayton *Proposed Tree List For Public Properties and Rights-of Way*.

CDD/2010/01-10-pc.sr1.street tree list

Memo

To: Trails and Landscaping Committee

From: Mark Janney, Maintenance Supervisor

Meeting Date: February 8, 2010

Re: Proposed Street Tree List

Recommendation: After discussion making any additions or deletions make a recommendation to the City Council to accept the master list.

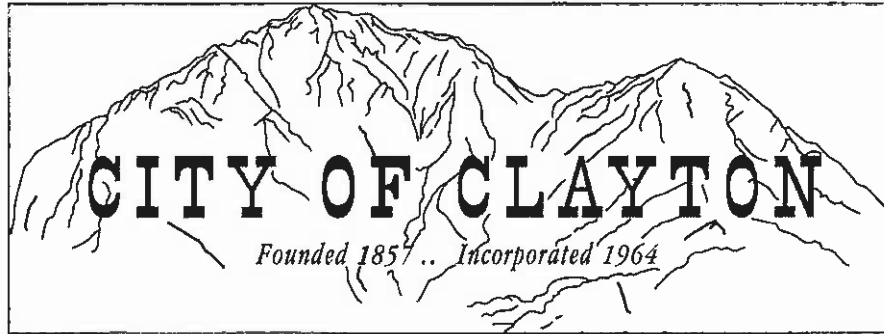
Background:

The City has been interested in creating a master street tree list to be able provide guidance for new developments as well as for maintenance staff reference in replanting of trees in the Landscape Maintenance District. After many years of experience the City's maintenance supervisors have reviewed the type of trees that exist in the city maintain street areas and their overall ability to do well in this area. In preparing the list consideration was also given to other maintenance issues and drought tolerance.

There is not a desire to create a street theme listing as the City of Clayton unique characteristics is that there are a variety of tree types throughout the streetscape. Bit to create an overall list of trees that have already been established in this area and are doing well. Having a variety of trees on the streetscape is also a good strategy so that if a particular tree type develops or a disease occurs it may be more prevalent in a particular tree type, thus if plants do get a disease impacts would be limited. Other trees can always be suggested and will be considered on its merits to the project/location maintenance issues etc.

The following is the list of trees that are recommended to be used on public properties and rights-of-way of the city. The attached pages include color pictures.

Lagerstroemia Indica Crape Myrtle	Prunus Krauter Vesuvius Flowering Plum
Pistacia Chinensis Chinese Pistache	Liquidambar Styraciflua American Sweet Gum
Pyrus Calleryana 'Bradford' Ornamental Pear	Sequoia sempervirens 'Aptos Blue' Costal Redwood
Quercas Agrifolia California Live Oak	Cedrus 'Cedar' Deadar Cedar
Quercas Lobata California Valley Oak	Schinus 'Molle' California Pepper Tree
Quercas Dougasii Blue Oak	Ulmus Parvifolia 'Athena' Chinese Evergreen Elm
Platanus x acerifolia 'Columbia' London Plane Tree	Cereis Canadensis 'Alba' Eastern Redbud



**CITY OF CLAYTON
PROPOSED
TREE LIST
FOR
PUBLIC PROPERTIES
AND
RIGHTS-OF-WAY**

**Prepared By City of Clayton
Maintenance Services Staff**

**Mark Janney, Supervisor
John Johnston, Supervisor**

February 2010

Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Examples Existing Tree Locations
Lagerstroemia Indica Crape Myrtle	Deciduous	Up to 25'ht Up to 25'w	Summer color, drought tolerant good for small planting areas	10'-12'	Citywide Clayton Road

Lagerstroemia Indica
Crape Myrtle



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Examples of Existing Tree Locations
Pistacia Chinensis Chinese Pistache	Deciduous	30'-60' ht 30'-60' w	Tolerates a wide range of conditions, good street tree, tolerates various watering Regimes, brilliant fall color	20'	City Hall

**Pistacia Chinensis
Chinese Pistache**



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Examples of Existing Tree Locations
Pyrus Calleryana 'Bradford' Ornamental Pear	Deciduous	Up to 50'ht 30'w	Vertical limbs, less susceptible to fireblight, Blooms early spring, tolerates most soils, Moderate water	15'	Old Marsh Creek Road

Pyrus Calleryana 'Bradford'
Ornamental Pear - Bradford



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Quercas Agrifolia California Live Oak	Evergreen	20-70' ht 70' w	Good shade tree, drought tolerant, native to coastal central Calif., greedy root system	40'	City wide Community Park

**Quercas Agrifolia
California Live Oak**



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Quercas Lobata California Valley Oak	Deciduous	70' ht 70' w	One of largest Oak trees in North America, best in deep soils, native to central valley, can be fast grower, drought tolerant	60'	City Wide Clayton Road

**Quercas Lobata
California Valley Oak**



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Quercas Douglasii Blue Oak	Deciduous	30'-50' ht 40'-70' w	Bright fall colors, native to central valley, drought tolerant	40'	Oakhurst Drive

Quercus Douglasii
Blue Oak



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Platanus x acerifolia 'Columbia' London Plane Tree	Deciduous	40'-80' ht 30-40' w	Best in rich well drain soil, great shade tree, resistant to diseases, deep regular watering needed	30'	Clayton Road

Platanus x acerifolia 'Columbia'
London Plane Tree - Colombia



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Prunus Krauter Vesuvius Flowering Plum	Deciduous	18' ht 12' w	Spring pink flowers, darkest foliage of any flowering plum, tolerates most soil conditions,	12'	Citywide Clayton Road

**Prunus Krauter Vesuvius
Flowering Plum**



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Liquidambar Styraciflua American Sweet Gum	Deciduous	60' ht 24' w	Good street tree, moderate water, brilliant fall color, good soil	10'-12'	Clayton Road

Liquidambar Styraciflua
American Sweet Gum



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Sequoia sempervirens 'Aptos Blue' Costal Redwood	Evergreen	70'-90' ht 15'-30' w	Native to the central costal area, fast growing, Moderate to regular watering, good planting near lawns, good in groupings or alone	15'	Water Feature Clayton Road

Sequoia sempervirens 'Aptos Blue'
Costal Redwood



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Cedrus Deodara Deodar Cedar	Evergreen	80' ht 40' w	Fast growing, conifer, deep rooted, need well drain soil, drought tolerant	30'	Clayton Road Community Park

Cedrus Deodara
Deodar Cedar



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Schinus 'Molle' California Pepper Tree	Evergreen	25'-40' ht 25'-40' w	Tolerant of most soils, little to no water, can be messy, great shade tree, must be planted away from roadways and side walks	60'	Clayton Road

Schinus 'Molle'
California Pepper Tree



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Ulmus Parvifolia 'Athena' Chinese Evergreen Elm	Deciduous	40'-60' ht 50'-70' w	Good sun screen tree, regular watering, fast growing, tolerant of most soils, do have aggressive root system	40'	Grove Park

Ulmus Parvifolia 'Athena'
Chinese Evergreen Elm



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Ulmus Parvifolia 'Athena' Chinese Evergreen Elm	Deciduous	40'-60' ht 50'-70' w	Good sun screen tree, regular watering, fast growing, tolerant of most soils, do have aggressive root system	40'	Grove Park

Ulmus Parvifolia 'Athena'
Chinese Evergreen Elm



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Cercis Canadensis 'Alba' Eastern Redbud	Deciduous	Up to 35'ht Up to 35'w	Fastest growing of the Redbuds, moderate water, profuse display of flowers	10'-12'	Grove Park

Cercis Canadensis 'Alba'
Eastern Redbud

