



Agenda
Planning Commission Meeting
7:00 P.M. on Tuesday, February 22, 2011
Hoyer Hall, Clayton Community Library, 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 1, 2011.

Public Comment

Approval of Minutes

- 2. Approval of minutes from the meeting of January 11, 2011.

Public Hearings

- 3. None.

Old Business

- 4. None.

New Business

- 5A. **ZOA 02-11, City of Clayton.** A study session to review Section 17.70.040 of the Clayton Municipal Code, Temporary Use Permits (TUPs), to determine the possible need to update or modify this Code Section. Areas for review and discussion will include whether the following should be considered for modification through a formal, subsequent Code amendment process:
 - a) the maximum number of administratively-approved TUPs be increased from the current three (3) in a calendar year, and
 - b) the maximum total number of days for the combined, allowed TUPs to a single applicant/property owner be reduced from 45 days in a calendar year.

Proposed Action: Review and discuss the Code Section and provide feedback to staff regarding whether a formal amendment process should be initiated and what the scope of that amendment process should be, if that process is recommended.

- 5B. **GPA 01-09, City of Clayton.** A study session to review and discuss the City's status and progress in implementing its Housing Element. The purpose of this study session is to provide the Commission information as well as to assist staff with the preparation of the required Housing Element Annual Progress Report (APR) for calendar year 2010 which must be submitted to the State Department of Housing and Community Development by April 1, 2011, to satisfy requirements of Government Code Section 65400.

Proposed Action: Receive information from staff.

Communications

- 6A. Staff.
6B. Commission.

Adjournment

7. The next meeting of the Planning Commission is scheduled for **Tuesday, March 8, 2011.**

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
Clayton Planning Commission Meeting
Tuesday, January 11, 2011

Call to Order

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

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

Absent: Commissioner Tuija Catalano

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

Administrative

1A. Review of agenda items.

1B. Commissioner Armstrong to report at the City Council meeting on January 18, 2011.

Public Comment

None.

Approval of Minutes

2. Approval of minutes from the meeting of December 14, 2010.

Vice Chair Richardson moved and Commissioner Armstrong seconded the motion to approve the minutes from the meeting of December 14, 2011, as amended. The motion passed 4-0.

Chair Johnson reviewed the protocol involved with holding a public hearing before the Planning Commission. She indicated that she would be following that protocol as she presides over and guides the Planning Commission meetings.

Public Hearings

3. **ENV 05-10, Environmental Review, City of Clayton**, Clayton Community Park (APN 118-520-013). Recommendation of City Council approval of the Community Park Parking Lot Expansion project and related Community Park Parking Lot Expansion Initial Environmental Study/Mitigated Negative Declaration (IES/MND) that analyzes the expansion of the existing Community Park parking which will add a total of one-hundred (100) new parking spaces along a paved driveway parallel with Marsh Creek Road. Improvements would include construction of the new driveway, new asphalt and concrete paths, stairs, a patio extension, stormwater filtration planters and appurtenances, and new lighting.

Director Woltering presented the staff report and indicated the following:

- Comment period for the project IES/MND ended on December 22, 2010.
- Staff received comments on the IES/MND from the Planning Commission at its December 14, 2010 meeting as well as comments from the East Contra Costa County Conservancy, Contra Costa Water District, Contra Costa Transportation Authority, and State Clearinghouse.

- East Contra Costa County Conservancy commented that the site was exempt from Habitat Conservation Plan mitigation measures since the site was designated as urban.
- The Contra Costa Water District comments entailed requirements for standard conditions of approval.
- The Contra Costa Transportation Authority had comments regarding clarifying the proximity of the project to the nearest County Connection bus stop.
- One of the environmental objectives will be to preserve the existing stand of oak trees at the project site.
- Recent refinements to the project include the removal of the steps from the parking area to Marsh Creek Road, the deletion of landscaping in the Marsh Creek Road median (since median landscaping is not part of the project), and inclusion of L.E.D. lighting for the light standards, and directory signage at the Gym Lane entry.

The public hearing was opened. There were no public comments. The public hearing was closed.

Commission questions and comments included:

- The reference to the County Connection bus line as “110” should be changed to “10” in the Erratum.
- The sign in the median identifies the gym as “Clayton Community Gym” whereas the proposed directory sign at Gym Lane identifies the gym as “Diablo View Gymnasium”. There should be consistent branding. Director Woltering indicated that the Entry Sign Detail could be modified to add a second panel that would contain the words “Gymnasium” which would be separate from the panel with the words “Clayton Community Park”. Staff will work with the City Engineer on the requested changes to the sign.
- Do we have sign design standards for our parks? Director Woltering indicated that, yes, we do have sign design standards. The idea with this proposed sign is to be consistent with, i.e., complement, the existing sign at the entrance of the Community Park.

Commissioner Armstrong moved and Vice Chair Richardson seconded a motion to recommend City Council approval of:

- **The Community Park Parking Lot Expansion Project Initial Environmental Study and Negative Declaration Public Review Draft, dated November 2010, as amended with the addition of Chapter VIII. Comments and Responses and the attached Errata sheet and the attached details of project modifications;**
- **The associated project Mitigation Monitoring Program; and**
- **The associated Community Park Parking Lot Expansion Project.**

The motion passed 4-0.

Old Business

4. None.

New Business

5. None.

Communications

6A. Staff.

Director Woltering indicated the following:

- The Commission had received the 2011 Planner's Institute brochure for the upcoming conference in the Los Angeles area.
- The City Council would be receiving an update from the City Manager on the proposed State budget at the City Council meeting on January 18, 2011.
- The award of contract for the Clayton Community Church Fiscal/Development Review Analyses, which was continued at the applicant's request at the December 21, 2010 City Council meeting, will be considered at the City Council meeting of January 18, 2011.
- It is anticipated there will be a 90-day delay for the public review draft of the Clayton Community Church environmental document for the purpose of including information from the Fiscal/Development Review analyses.

6B. Commission.

Commissioner Armstrong indicated that the recent TRANSPAC meeting was cancelled so there were no meetings to report about.

Commissioner Meriam indicated that the sign at the intersection of Oakhurst Drive and Clayton Road has the word Oakhurst misspelled and, as a result, needs to be changed.

Adjournment

7. The meeting was adjourned at 7:40 p.m. to the following regularly-scheduled meeting of **January 25, 2011.**

Submitted by
David Woltering, AICP
Community Development Director

Approved by
Sandra Johnson
Chair

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Memorandum

To: Chair Johnson and Planning Commissioners

From: Milan J. Sikela, Jr. *MB*
Assistant Planner

Subject: February 22, 2011 Planning Commission Agenda Item 5A - Study Session for Consideration of Modifying the Temporary Use Permit Regulations in the Clayton Municipal Code

DISCUSSION

On January 27, 2011, staff received a letter from Steve Barton, representing the Clayton Club Saloon, requesting that the maximum number of Temporary Use Permits (TUPs) allowed per year be increased from three to four (see **Attachment 1**). According to the letter, this request was made in order to be consistent with Department of Alcohol Beverage Control regulations which allow four event permits to be issued per year.

Currently, Section 17.70.040 of the Municipal Code states the following:

“The maximum time period for any of these temporary uses shall not exceed forty-five days or more than three individual events per year, or a use permit application before the Planning Commission shall be required. The permit shall be applied for at least forty-eight hours prior to the actual event.”

Staff researched all Temporary Use Permit (TUP) applications for the past ten years and observed that only one applicant exceeded the total number of TUPs allowed per year. This occurred in 2008 when the Clayton Community Church sponsored five events. Since it is uncommon for applicants to propose more than three temporary events per year, it would appear, from past history, that there is not a pressing need to increase the TUP threshold from three to four per calendar year. In the circumstance that a particular applicant/property owner desires to exceed three events, there is the opportunity to do that with Planning Commission approval.

The TUP regulations also allow for an event to be forty-five days in length. Although it may be appropriate to allow forty-five-day temporary events such as Christmas tree lots and other seasonal uses, staff has concerns that the same applicant applying for additional TUPs above and beyond the initial forty-five-day event would be excessive. As a result, the Planning Commission may wish to consider amending Section 17.70.040 to be more specific with regards to applicants applying for temporary events that last for forty-five days. Staff notes that the regulatory wording may benefit from clarification that applicants obtaining approval of a TUP for a forty-five-day event cannot apply for additional TUPs during the same calendar year.

Lastly, staff is concerned that Section 17.70.040 allowing applicants to apply for a TUP only forty-eight hours prior to event is counterproductive to the TUP approval process. When an applicant submits a TUP, staff must review the application for completeness, ensuring that all the necessary materials have been submitted, and distribute the application to various departments throughout the City, with final approval provided by the City Manager. Based on the complexity of certain temporary events (Art and Wine Festival, Fourth of July parade, Oktoberfest, etc.), this approval process takes several weeks, thereby making submittal of a TUP application only forty-eight hours prior to an event infeasible. As a result, staff suggests that the Commission consider amending Section 17.70.040 to require that applicants submit a TUP application a minimum of forty-five days prior to the event.

RECOMMENDATION

Commissioners are requested to review and discuss Section 17.70.040 of the Clayton Municipal Code and provide feedback to staff regarding whether a formal amendment process should be initiated and what the scope of that amendment process should be, if that process is recommended.

ATTACHMENTS

- 1 Letter from Steve Barton, date stamped January 27, 2011
- 2 Section 17.70.040 of the Clayton Municipal Code

CLAYTON CLUB
1873
SALOON

6096 Main Street, Clayton, CA 94517
(925) 673-0440

TO: Clayton City Council

January 19th, 2011

Re: Number of allowable Temporary Use Permits per year

This letter is to request an increase to the number of Temporary Use Permits local business may obtain per year from three to four.

The Clayton Club has used the TUP process to enable us to use a portion of our parking lot as licensed premises for events which were expected to receive more attendees than could comfortably be accommodated in our outdoor patio area. We obtained 3 such permits last year to accommodate events such as engagement parties, the CBCA Rib Cook-off, etc. Each of these events also requires us to obtain an event permit from the Department of Alcoholic Beverage Control.

ABC regulations currently allow us to obtain four event permits per year for serving alcohol on adjacent property. Current TUP guidelines allow for up to three events each year, after which a variance must be approved to apply for additional permits.

This letter is to request that the city's TUP guidelines be increased to four events to coincide with the ABC permitting process enabling us to plan the maximum number of events allowed by our ABC event license without seeking a variance from city policy.

Your consideration of this request is appreciated. I look forward to your reply.



Steve Barton
Steve@claytonclubsaloon.com
(925)998-0549

RECEIVED

JAN 27 2011

**CLAYTON COMMUNITY
DEVELOPMENT DEPT**

Chapter 17.70

TEMPORARY USE PERMITS

Sections:

- 17.70.010 Statement of purpose.
- 17.70.020 Conditionally permitted uses.
- 17.70.030 Conditions of approval.
- 17.70.040 Period of time.
- 17.70.050 Approval process.
- 17.70.060 Appeal process.

17.70.010 Statement of purpose. There are a number of land uses that are of such a temporary nature that their potential impact on adjoining properties and the community is either minimal or can be offset by administrative conditions of approval. Because of the short term nature of the uses, it is seldom necessary to process such applications as conventional use permits via the Planning Commission and it is often time consuming to do the same. The purpose of this chapter then is to permit certain temporary, or short term uses, subject to adequate bonding and other conditions of approval on an administrative basis. (Ord. 204 Sec. 1(part), 1980).

17.70.020 Conditionally permitted uses. The following list depicts the types of temporary uses that are intended to be considered through this administrative process. Each such application must be specific as to intended use:

- A. Arts and crafts shows;
- B. Parades;
- C. Carnivals and fairs;
- D. Christmas tree lots;
- E. Musical concerts;
- F. Block parties (street closures);
- G. Other similar temporary uses. (Ord. 204 Sec. 1 (part), 1980).

17.70.030 Conditions of approval. In order to assure that the general health, safety and welfare of the community will be preserved with such temporary uses, conditions relating to each individual event may be imposed upon the applicant, including but not limited to:

- A. Bonding for police and maintenance services;
- B. Temporary parking and signing controls;
- C. Temporary fencing or barricades as necessary;
- D. Noise, dust and odor control;
- E. Limits on hours and days of operation;
- F. Others as needed. (Ord. 204 Sec. 1 (part), 1980).

17.70.040 Period of time. The maximum time period for any of these temporary uses shall not exceed forty-five days or more than three individual events per year, or a use permit application before the Planning Commission shall be required.

The permit shall be applied for at least forty-eight hours prior to the actual event. (Ord. 204 Sec. 1(part), 1980).

17.70.050 Approval process. The applicant shall submit his application on the prescribed city form and will be accompanied by a fee in such amount as may be fixed from time to time by resolution of the City Council. The matter shall be reviewed by the City Manager upon review and recommendation from both the Chief of Police and the Planning Director, or Secretary to the Planning Commission. If the use is deemed to be safe and an appropriate

Memorandum

To: Chair Johnson and Planning Commissioners

From: David Woltering, Community Development Director 

Subject: February 22, 2011 Planning Commission Agenda Item 5B. - Study Session Regarding 2010 Housing Element Annual Progress Report

California Government Code Section 65400 requires each governing body (City Council or Board of Supervisors) to prepare an annual report on the status and progress in implementing the jurisdiction's housing element. The Housing Element Annual Progress Report (APR) for calendar year 2010 is to be submitted to State Housing and Community Development Department (HCD) by April 1, 2011. The City of Clayton adopted its current Housing Element, *City of Clayton 2009-2014 Housing Element*, on April 20, 2010, and it was conditionally certified by HCD on July 15, 2010. Staff anticipates submitting a formal APR to the Clayton City Council at its meeting of March 15, 2011.

At this study session, staff will use the attached materials to review the progress made to date to address implementation of the goals and policies described in the City's current Housing Element. An important aspect of the City's commitment to move forward with implementation of the described goals and policies is the recent authorization by the Clayton Redevelopment Agency for staff to hire Raney Planning & Management, Inc. to assist with implementation of many of the goals and policies stated within the current Housing Element.

Staff has attached a *Goals and Policies* excerpt from the Housing Element as well as a copy of the approved proposal from Raney Planning & Management, Inc. to assist the City with Housing Element implementation. Additionally, staff has attached a copy of the quantified housing production objectives from the Housing Element for the period of 2007-2014 and a copy of the City's Housing Production Survey for 2010. The City produced one additional housing unit in the above-moderate income category during 2010; consequently, there is a need for an additional 129 housing units to achieve the assigned Association of Bay Area Governments (ABAG) production goal for Clayton through 2014. In addition, during 2010, the City's Redevelopment Agency was able to re-purchase and then resell three affordable housing units in the Stranahan subdivision to retain those units as affordable with 45-year deed restrictions to low-income households.

Attachments:

1. *Goals and Policies* excerpt from the adopted/certified *City of Clayton 2009-2014 Housing Element*.
2. Raney Planning & Management, Inc. proposal, titled *Housing Element Implementation Scope of Work*, dated February 9, 2011.
3. City of Clayton Housing Production Survey for 2010.
4. *Quantified Objectives* excerpt from the adopted/certified *City of Clayton 2009-2014 Housing Element*.

HOUSING ELEMENT UPDATE

CITY OF CLAYTON

GOALS AND POLICIES

ADEQUATE SITES AND NEW CONSTRUCTION

Goal I Provide for adequate sites and promote the development of new housing to accommodate Clayton's fair share housing allocation.

Policy I.1. The City shall designate and zone sufficient land to accommodate Clayton's projected fair share housing allocation as determined by the Association of Bay Area Governments.

Implementation Measure (I.1.1) The City will promote the development of the Affordable Housing Opportunity sites identified in Table 42, Vacant Residential Land (i.e., High Street parcel (Site V-2) and Old Fire Station site (Site V-5)) by creating a General Plan Multi-family High Density designation to allow for 15.1 to 20 units per acre and create a new Zoning District Multi-Family Residential High (M-R-H) to allow up to 20 units per acre.

Based on the Vacant and Underutilized Residential Land Tables (Table 42 and 43, 44 and 45) the City has a shortfall of land available to extremely low-, very low-, and low-income households. The City needs enough land to accommodate 50 additional units on sites that allow for 20 units per acre. To address this shortfall, the City will rezone the following site within one year of adoption of the Housing Element.

- Redesignate a portion of Site U-6 (Easley Ranch, APN 119-080-009, 13.92 acres) from SF (LD) to the newly created MF (HD) and rezone to M-R-H (allows 20 units per acre) to meet the City's 50-unit RHNA shortfall. The City will rezone 3.5 acres of this site to accommodate at least 50 units without physical or environmental constraint. Single family and multifamily units will be allowed by right and would typically require a tentative map and site plan review approval.
- The City will also consider redesignating/rezoning Site P-2 (APN 119-021-013, .87 acres) and/or Site P-3 (APN 119-021-054, 1.16 acres), and/or Site P-4 (APN 119-021-055, .95 acres) (see Table 45) to add to the City's future RHNA needs. The redesignation/

rezoning of these sites is not needed to meet the City's 50-unit RHNA shortfall.

- If it is determined that rezoning any of the identified sites is not feasible, the City will identify another site or group of sites that will accommodate the City's 50-unit RHNA shortfall. The site(s) will accommodate at least 16 units per state law requirements and not have any physical or environmental constraints. This rezone will occur within one year of adoption of this Housing Element. Single family and multifamily units will be allowed by right and would typically require a tentative map and site plan review approval.

Responsibility: City Council, Planning Commission, Community Development Department

Time Frame: Rezone sites to meet the RHNA shortfall by March 2011.

Funding: General Fund, RDA funds

Policy I.2 The City shall actively support and participate in the development of extremely low-, very low-, low-, and moderate-income housing to meet Clayton's fair share housing allocation and Redevelopment Agency housing requirements. To this end, the City shall help facilitate the provision of affordable housing through the granting of regulatory concessions and available financial assistance.

Implementation Measure (I.2.1) For residential projects of two or more units, developers will be required to develop an Affordable Housing Plan that requires a certain percentage of units be built as affordable housing units to very low- and low-income households. The City has established the following guidelines to provide direction for the review of Affordable Housing Plans associated with individual development projects and to provide direction for the preparation of an Affordable Housing Plan.

The Plan shall be approved in conjunction with the earliest stage of project entitlement, typically with the City Council approval of the Development Agreement or other primary land use entitlement.

The Affordable Housing Plan shall specify and include the following:

- The number of dwelling units that will be developed as affordable to very low-, low-, moderate-, and above moderate-income households (the City's desire would be that at least 5 percent of all project units be built as very low-income housing units and at least 5 percent of all project units be built as low-income housing units).
- The number of affordable ownership and rental units to be produced. Such split shall be approved by the City Council based on housing needs, market conditions, and other relevant factors. The split of ownership and rental units shall be addressed within the Plan for each individual project.
- Program options within project-specific Affordable Housing Plans may include, but are not limited to, the following:
 - Actual production (on-site or off-site) of affordable units (including ownership and rental opportunities in the form of corner units, halfplexes, duplexes, cottages, creative alternative housing products, etc.).
 - Land dedication (on-site and off-site).
 - Payment of in-lieu fees.
- The timing for completion of affordable housing obligations. For projects proposing to construct affordable housing units, the City generally supports construction of affordable dwellings concurrent with the construction of market-rate housing when feasible. For projects providing alternative contributions (land dedication, funds, etc.), timing of such contributions shall be identified in the Plan, with the expectation that the City will pursue construction of affordable units generally concurrent with construction of project market-rate housing.
- At the City Council's discretion, land or other contributions provided by developers as specified within project Affordable Housing Plans may be utilized to augment City efforts and the efforts of its nonprofit partners to provide affordable housing opportunities to all income levels throughout the community. The City

will pursue supplemental funding to allow affordability to households earning less than 50 percent of area median income.

- In order to ensure the production and preservation of housing affordable to the City's workforce, no productive, reasonable program or incentive option will be excluded from consideration within project-specific Affordable Housing Plans. Possible incentives may include, but are not limited to:
 - Density bonuses
 - Fee waivers or deferrals (as reasonably available)
 - Expedited processing/priority processing
 - Reduced parking standards
 - Technical assistance with accessing funding
 - Modifications to development standards (on a case-by-case basis)

Responsibility: City Council, Planning Commission, Community Development Department

Time Frame: This program will be implemented as projects of two or more units are processed through the Planning Department. The City will monitor the implementation of this program to ensure that it does not cause a constraint to the development of housing in the City of Clayton and will make necessary revisions to the program if necessary to avoid such a constraint.

Funding: General Fund, RDA funds

Implementation Measure (I.2.2) The Redevelopment Agency shall use its Low and Moderate Income Housing Fund to subsidize the construction of housing for very low-, low-, and moderate-income households on designated Affordable Housing Opportunity (AHO) sites in the Redevelopment project area (Table 42, Vacant Residential Land) to meet the City's fair share allocation within the current planning period of the Housing

Element. In the event the accumulated cash balance of the Redevelopment Agency housing set-aside fund is insufficient to adequately subsidize such projects, the City and the Redevelopment Agency shall, in consultation with project proponents, do one of the following as a means of providing adequate subsidy for the projects: (1) obtain conventional financing from area lenders; (2) participate in a bond issue with neighboring jurisdictions; or (3) issue bonds.

As part of this program the City will develop a marketing plan and research possible incentives aimed at promoting Redevelopment funds.

Responsibility: Redevelopment Agency; City Council; Community Development Department

Time Frame: Ongoing, 2009–2014

Funding: RDA funds

Policy I.3 The City shall promote, wherever feasible, homeownership for low- and moderate-income households in Clayton.

Implementation Measure (I.3.1) The City will continue to allow manufactured houses, consistent with the requirements of state law.

Responsibility: City Council, Planning Commission, Community Development Department

Time Frame: The Zoning Code was amended in December 2009 to meet state law requirements.

Funding: General Fund, RDA funds

Policy I.4 The City shall encourage the development of second dwelling units on new and existing single-family-zoned lots.

Implementation Measure (I.4.1) The City shall continue to promote the development of second dwelling units by publicizing information in the general application packet and posting information on the City's website.

Responsibility: Community Development Department

Time Frame: Ongoing, 2009–2014

Funding: General Fund, RDA funds

Implementation Measure (I.4.2) The City shall develop a program using Redevelopment Agency set-aside funds to encourage the development of second dwelling units, including a review and possible reduction of development fees that might deter the development of such units.

Responsibility: City Council, Planning Commission, Community Development Department.

Time Frame: December 2012

Funding: RDA funds

Policy I.5 The City shall aggressively promote mixed-use or second-story residential units above commercial uses in the Town Center.

Implementation Measure (I.5.1) To encourage development of mixed-use projects in the Town Center, the City has adopted the Clayton Town Center Specific Plan which provides detailed policy direction, standards, and guidelines that encourage mixed-use development. In addition the City will continue to offer incentives such as density bonuses, actively recruit developers to undertake such projects, and where feasible provide subsidies using Redevelopment Agency set-aside funds.

Responsibility: City Council, Planning Commission, Community Development Department

Time Frame: Annually and upon receiving development inquiries for mixed-use development.

Funding: General Fund, RDA funds

Implementation Measure (I.5.2) The City will continue to promote the use of the Town Center Commercial District and the Town Center Specific Plan standards to promote mixed-use or second-story residential units. These standards allow for more flexibility in the development of mixed-use or second-story units. In addition, the City is finalizing a Development Handbook guide to facilitate the permitting process of mixed-use projects.

Responsibility: City Council, Planning Commission, Community Development Department

Time Frame: Ongoing, 2009–2014

Funding: General Fund, RDA funds

Regulatory Relief and Incentives

Goal II To the extent feasible, remove governmental constraints for affordable and special needs housing.

Policy II.1 The City shall ensure that locations are available within the City to accommodate any future need for facilities to serve City residents in need of emergency shelter.

Implementation Measure (II.1.1) California Health and Safety Code (Section 50801) defines an emergency shelter as “housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or households may be denied emergency shelter because of an inability to pay.”

Pursuant to Senate Bill 2, the City will amend the Zoning Ordinance to allow emergency shelters by right and only subject to the same development standards allowed in this Zone. This area is currently designated Kirker Corridor in the City’s General Plan and classified as Planned Development (PD) in the City’s Zoning Ordinance. This corridor is close to services and public transportation. The City will create an overlay zone with specific development standards for emergency shelters in this 5-acre area. In addition, the City will evaluate adopting development and managerial standards that will be consistent with Government Code Section 65583(a)(4). These standards may include such items as:

- Lighting
- On-site management
- Maximum number of beds or persons to be served nightly by the facility
- Off-street parking based on demonstrated need
- Security during hours that the emergency shelter is in operation

Responsibility: City Council, Planning Commission, Community Development Department.

Time Frame: March 2011. The City will create an overlay zone that will provide development standards for emergency shelters in the Kirker Corridor.

Funding: General Fund

Implementation Measure (II.1.2) Transitional and supportive housing provides temporary housing, often with supportive services, to formerly homeless persons for a period that is typically between six months and two years. The supportive services, such as job training, rehabilitation, and counseling, help individuals gain life skills necessary for independent living.

Pursuant to Senate Bill 2, the City must explicitly allow both supportive and transitional housing types in all residential zones. The City shall update its Zoning Code to include separate definitions of transitional and supportive housing as defined in Health and Safety Code Sections 50675.2 and 50675.14. Both transitional and supportive housing types will be allowed as a permitted use subject to only the same restrictions on residential uses contained in the same type of structure.

Responsibility: City Council, Planning Commission, Community Development Department

Time Frame: March 2011

Funding: General Fund

Implementation Measure (II.1.3) Assembly Bill 2634 requires the quantification and analysis of existing and projected housing needs of extremely low-income households and requires Housing Elements to identify zoning to encourage and facilitate supportive housing and single-room occupancy units (SROs).

The City shall update its Zoning Code to allow for the development of single-room occupancy units (a type of residential hotel offering one-room units for long-term occupancy by one or two people; SROs may have a kitchen or bath facilities (but not both) in the room) with a conditional use permit in the L-C (Limited Commercial) District and in the area that is currently designated Kirker Corridor. The Kirker Corridor is classified as PD (Planned Development) in the

City's Zoning Ordinance. This corridor is close to services and public transportation. The City will create an overlay zone with specific development standards to focus on this approximately 5-acre area. The conditions for these units will continue to be minimal and will only require review by the Planning Commission.

Responsibility: City Council, Planning Commission, Community Development Department

Time Frame: April 2011. The City will allow for SROs in the L-C District or create an overlay zone that will provide development standards for SROs in the Kirker Corridor.

Funding: General Fund

Implementation Measure (II.1.4) To assist extremely low-income households, the City will prioritize funding and/or offer regulatory incentives for the development of housing types such as SROs which addresses the needs of the extremely low-income group.

Responsibility: City Council, Planning Commission, Community Development Department

Time Frame: Offer regulatory incentives for the development of housing for extremely low-income households as projects are submitted and the City will prioritize funding for extremely low-income households annually and as funds become available. The City will conduct an annual outreach to developers specializing in extremely low-income housing.

Funding: General Fund, RDA funds

Policy II.2 The City shall permit owner-occupied and rental multi-family residential use by right.

Implementation Measure (II.2.1) Most recent housing developments in Clayton have not been constructed to the maximum densities allowed by zoning. Market conditions, bank financing, and insurance requirements have favored the construction of single-family detached houses. Currently, the City's Zoning Code allows for the development of single-family homes in the Multiple Family Residential (M-R) District. To increase

housing supply and obtain densities closer to those envisioned by zoning policies, the City will consider amending the Zoning Code to allow single-family homes in the Multiple Family Residential (M-R) District only with a conditional use permit so that these remaining sites can be used to accommodate multi-family housing.

Responsibility: City Council

Time Frame: Consider amending Zoning Code by December 2011.

Funding: General Fund

Policy II.3 The City shall encourage affordable housing by granting incentives (e.g., density bonus) to projects that provide affordable units.

Implementation Measure (II.3.1) The City will continue to allow density bonuses in accordance with the requirements of state density bonus law (SB 1818).

Responsibility: City Council, Planning Commission, Community Development Department

Time Frame: Code was amended in December 2009 to meet state law requirements.

Funding: General Fund

Policy II.4 The City shall work to decrease the review and approval time for projects that provide affordable units and otherwise simplify the development review process for residential development.

Implementation Measure (II.4.1) The City shall continue to prioritize development applications to decrease the review and approval time for all development projects that include residential units affordable to extremely low-, very low-, and low-income households.

Responsibility: City Council, Planning Commission, Community Development Department

Time Frame: Ongoing

Funding: General Fund

Policy II.5 The City may reduce development and planning fees for projects that provide affordable units.

Implementation Measure (II.5.1) The City will consider reducing or waiving certain development fees for development projects that include residential units affordable to extremely low-, very low-, low-, and moderate-income households on a case-by-case basis.

Responsibility: City Council, Planning Commission, Community Development Department

Time Frame: Ongoing, 2009–2014

Funding: RDA funds, or as other funding sources become available

Policy II.6 The City shall provide flexible development standards for projects that provide affordable units.

Implementation Measure (II.6.1) The City shall provide flexible development standards (e.g., parking, landscaping, setbacks) and authorize regulatory concessions for development that includes residential units affordable to extremely low-, very low-, and low-income households.

Responsibility: City Council, Planning Commission, Community Development Department

Time Frame: Ongoing, 2009–2014

Funding: RDA funds, as funding becomes available.

Rental and Homeownership Assistance

Goal III Increase housing opportunities for lower-income renters and first-time homebuyers.

Policy III.1 The City shall promote assistance to lower-income renters and first-time homebuyers by promoting programs available through Contra Costa County and the Contra Costa County Housing Authority.

Implementation Measure (III.1.1) The City refers interested persons to information regarding Contra Costa County's Mortgage Credit Certificate Program, the Mortgage Revenue Bond Program, and the Owner-Occupied Housing Rehabilitation Program. The

City also disseminates information regarding Contra Costa Housing Authority's Lower-Income Rental Assistance Program and Aftercare Certificates as information becomes available.

Responsibility: Community Development Department

Time Frame: Ongoing, 2009–2014

Funding: General Funds will be used to post information.

Implementation Measure (III.1.2) The City shall develop and implement a down payment assistance program using Redevelopment Agency set-aside funds or California Housing Finance Agency funds for first-time homebuyers by working with the County or by developing its own program that can be used with the Mortgage Credit Certificate program, new inclusionary units, or alone.

Responsibility: City Council, Planning Commission, Community Development Department

Time Frame: Consider developing a down payment assistance program by 2011.

Funding: RDA funds

Implementation Measure (III.1.3) The City shall review potential funding opportunities through the County HOME program and apply for funding for applicable projects when development opportunities arise.

Responsibility: City Council, Planning Commission, Community Development Department

Time Frame: The City will apply annually upon notice of funding availabilities.

Funding: HOME funds

Implementation Measure (III.1.4) The City will continue to provide Redevelopment Agency set-aside funds for the continued affordability of the subsidized units at Diamond Terrace (\$200,000 annually) through expiration in 2013.

Responsibility: Redevelopment Agency, Community Development Department

Time Frame: Ongoing, for the length of the affordability term of the project

Funding: RDA funds

Policy III.2 Preserve units “at risk” of losing affordability covenants.

Implementation Measure (III.2.1) The City will continue or undertake the following programs and activities during the five-year period of the Housing Element. The Community Development Department will implement these efforts. The efforts listed below represent a varied strategy to mitigate potential loss of “at-risk” units due to conversion to market-rate units. These local efforts utilize existing City and local resources. They include efforts to secure additional resources from the public and private sector should they become available.

Monitor owners of at-risk projects on an ongoing basis, at least every six months, in coordination with other public and private entities to determine their interest in selling, prepaying, terminating, or continuing participation in a subsidy program.

Maintain and annually update the inventory of at-risk projects through the use of existing databases (e.g., HUD, State HCD, and California Tax Credit Allocation Committee).

Take all necessary steps to ensure that a project remains in or is transferred to an organization capable of maintaining affordability restrictions for the life of the project, including proactively ensuring notices to qualified entities, coordinating an action plan with qualified entities upon notice, and assisting with financial resources or supporting funding applications.

Annually coordinate with HUD to monitor projects approved to convert to ensure that any required assistance (or assistance that the owner has agreed to provide) to displaced tenants is carried out in a timely manner. Ensure projects are monitored to see if they are subject to other state or local requirements regarding the provision of assistance to displaced tenants.

Annually monitor local investment in projects that have been acquired by nonprofit or for-profit entities to ensure that properties are well managed and maintained and are being operated in accordance with the City’s property rehabilitation standards.

Work with owners, tenants, and nonprofit organizations to assist in the nonprofit acquisition of at-risk projects to ensure long-term affordability of the development. Annually contact property owners, gauge interest, and identify nonprofit partners and pursue funding and preservation strategy on a project-by-project basis.

Annually meet with stakeholders and housing interests to participate and support, through letters and meetings and technical assistance, with local legislators in federal, state, or local initiatives that address affordable housing preservation (e.g., support state or national legislation that addresses at-risk projects, support full funding of programs that provide resources for preservation activities).

Use available financial resources to restructure federally assisted preservation projects, where feasible, in order to preserve and/or extend affordability.

Annually identify funding sources for at-risk preservation and acquisition rehabilitation and pursue these funding sources at the federal, state, or local level to preserve at-risk units on a project-by-project basis.

Responsibility: Community Development Department

Time Frame: Annually

Funding: General Fund

Equal Access

Goal IV Ensure equal housing opportunities for all persons in Clayton regardless of age, race, religion, sex, marital status, national origin, color, disability, or other barriers that prevent choice in housing.

Policy IV.1 The City shall promote housing opportunities for all persons regardless of age, race, religion, sex, marital status, national origin, color, disability, or other barriers that prevent choice in housing.

Implementation Measure (IV.1.1) The City shall review its Zoning Ordinance, policies, and practices to ensure compliance with fair housing laws.

Responsibility: Community Development Department

Time Frame: Biannually and ongoing, 2009–2014

Funding: General Fund

Implementation Measure (IV.1.2) The City shall amend the Zoning Ordinance to remove the maximum number of persons defined as part of a family. The current definition of family limits the number of unrelated individuals to 6 or fewer persons. Upon amending the definition in the Zoning Ordinance, the City will not restrict the number of unrelated individuals in a family.

Responsibility: Community Development Department

Time Frame: October 2010

Funding: General Fund

Policy IV.2 The City shall strive to increase public awareness and acceptance of affordable housing in the community.

Implementation Measure (IV.2.1) As affordable housing projects are processed through the Planning Department, the City will provide information on the project to the public through the City's public hearing process in the form of study sessions, public hearings, and public meetings.

Responsibility: City Council, Community Development Department

Time Frame: Ongoing, as projects are processed through the Planning Department

Funding: General Fund

Policy IV.3 The City shall provide disabled persons with reasonable accommodation with respect to zoning, permit processing, and building codes and shall support programs to modify existing units to better serve the needs of disabled persons.

Implementation Measure (IV.3.1) The City will adopt a written reasonable accommodation ordinance to provide exception in zoning and land use for housing for persons with disabilities. This procedure will be a ministerial process, with minimal or no processing fee, subject to approval by the Community Development Director applying the following decision-making criteria:

- The request for reasonable accommodation will be used by an individual with a disability protected under fair housing laws.
- The requested accommodation is necessary to make housing available to an individual with a disability protected under fair housing laws.
- The requested accommodation would not impose an undue financial or administrative burden on the City.
- The requested accommodation would not require a fundamental alteration in the nature of the City's land-use and zoning program.

Additionally, the City will provide information to individuals with disabilities regarding reasonable accommodation policies, practices, and procedures based on the guidelines from the California Department of Housing and Community Development (HCD). This information will be available through postings and pamphlets at the City and on the City's website.

Responsibility: City Council, Planning Commission, Community Development Department

Time Frame: October 2010

Funding: General Fund

Implementation Measure (IV.3.2) The City shall distribute public information brochures on reasonable accommodations for disabled persons and enforcement programs of the State Fair Employment and Housing Commission.

Responsibility: Community Development Department

Time Frame: Ongoing, 2009–2014

Funding: General Fund

Implementation Measure (IV.3.3) The City will evaluate the feasibility of a universal design ordinance that provides greater adaptability and accessibility of housing for persons with disabilities. If a universal design ordinance is determined to be feasible, the City will prepare an ordinance and produce a brochure on universal

design, resources for design, and compliance with City requirements. The City will distribute the brochure to developers and to community organizations serving individuals with disabilities.

Responsibility: Community Development Department

Time Frame: May 2011

Funding: General Fund

Energy Conservation

Goal V Encourage and maintain energy efficiency in new and existing housing.

Policy V.1 The City shall continue to promote energy conservation in the design of all new residential structures and shall promote incorporation of energy conservation and weatherization features in existing homes.

Implementation Measure (V.1.1) The City shall continue to provide energy conservation brochures at City Hall and the Clayton Community Library.

Responsibility: Community Development Department

Time Frame: Ongoing, 2009–2014

Funding: General Fund

Implementation Measure (V.1.2) The City should develop design standards, concepts, or templates to provide to developers who are interested in creating energy self-sufficiency and generation projects.

Responsibility: Community Development Department

Time Frame: Create standards, concepts, or templates for energy efficiency and solar design by January 2012.

Funding: General Fund, RDA funds

Implementation Measure (V.1.3) The City will review and amend as appropriate the General Plan, Zoning Ordinance, and related policy and regulatory documents to improve energy conservation beyond Title 24. The City will consider

establishing an incentivized Green Building Program, encourage energy-efficient retrofitting, and encourage the use of renewable energy in residential applications. Some of the incentives the City will consider when drafting this program will be:

- Providing eligible projects with building and plan check fee rebates (when financially feasible)
- Achieving third-party green building certification
- Exceeding 20 percent of Title 24 requirements
- Renewable energy systems
- Green roofs

Responsibility: Community Development Department

Time Frame: Review and amend regulatory controls by January 2012.

Funding: General Fund, RDA funds

Regional Planning

Goal VI Promote and participate in the resolution of housing, employment, and transportation issues on a regional basis in cooperation with all Contra Costa County jurisdictions.

Policy VI.1 The City shall actively support regional-based solutions to the housing, employment, and transportation issues initially within Contra Costa County and ultimately within the Bay Area.

Implementation Measure (VI.1.1) The City shall support responsible state legislation which allows municipalities to enter into equitable agreements with other entities to transfer and financially participate in the provision of fair-share housing units closer to transportation centers and work centers outside the city limits, while retaining full credit for the transferred units.

Responsibility: City Council

Time Frame: Ongoing, 2009–2014

Funding: General Fund

Implementation Measure (VI.1.2) The City shall continue to participate in programs in Contra Costa County (e.g., “Shaping Our Future” project and Contra Costa Affordable Housing Trust Fund) TRANSPAC (Transportation Partnership and Cooperation) is the Regional Transportation Planning Committee (RTPC) for Central Contra Costa and other regional planning efforts addressing housing, employment, and transportation issues.

Responsibility: City Council

Time Frame: Ongoing, 2009–2014

Funding: General Fund

Implementation Measure (VI.1.3) The City shall continue cooperation with the regional/countywide housing task force. The City shall use this task force as a means of gaining new policy and technical perspectives.

Responsibility: Community Development Department

Time Frame: Ongoing, 2009–2014

Funding: General Fund

Implementation Measure (VI.1.4) The City shall continue to work with the Association of Bay Area Governments (ABAG) on their FOCUS program implementation. FOCUS is a regional development and conservation strategy that promotes a more compact land use pattern for the Bay Area. Some of the strategies that FOCUS is promoting are listed below:

- Encourage infill and the efficient use of land capacity within existing communities;
- Provide for compact, complete, resource-efficient communities near existing or planned transit and other infrastructure;
- Provide opportunities for people to live near their jobs and work near their homes; and

- Encourage a mix of land uses with jobs, housing, retail, schools, parks, recreation, and services in proximity.

Responsibility: Community Development Department

Time Frame: Ongoing, 2009--2014

Funding: General Fund

QUANTIFIED OBJECTIVES

Table 47 summarizes the quantified objectives for each implementation measure expected to contribute to the construction, rehabilitation, or conservation of units during the time frame of the Housing Element (2009–2014). These quantified objectives represent a reasonable expectation for the new housing units that will be developed and the households that will be assisted based on the policies and implementation measures outlined in this Housing Element and general market conditions. Table 48 also indicates ABAG's net new construction need for Clayton by income group.

**TABLE 48
SUMMARY OF QUANTIFIED OBJECTIVES**

Objective Category/Program	Extremely Low Income	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
Clayton's ABAG Allocation for 2007–2014	24	25	35	33	34	151
Permit Development Activity (1/07 – 5/09)	0	0	0	1	20	21
Remaining Need	24	25	35	32	14	130
REHABILITATION		5 ¹	5 ¹			10 ¹
CONSERVATION	20 ²					20 ²

¹ Estimate based on Owner-Occupied Housing Rehabilitation Program operated through Contra Costa County.

² The Kinker Court Apartments were made affordable through a combination of HUD funding programs 202 and 162, CDBG funding, and RDA funding sources. The units are renter-occupied and serve persons with disabilities. The complex consists of 20 units that are rented to extremely low-income households at a rental rate that is based on 30 percent of their monthly income.

PUBLIC PARTICIPATION

State law requires that “the local government shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element . . .” (Government Code Section 65583). In order to satisfy this requirement, the City conducted a series of community meetings and public hearings to receive community input



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NORTHERN CALIFORNIA

1501 SPORTS DRIVE

SACRAMENTO, CA 95834

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SOUTHERN CALIFORNIA

2280 MARKET STREET, SUITE 220

RIVERSIDE, CA 92501

TEL: 951.328.0300 • FAX: 951.328.0401

February 9, 2011

Mr. David Woltering
Community Development Director
City of Clayton
6000 Heritage Trail
Clayton, CA 94517

Re: Housing Element Implementation Scope of Work

Dear Mr. Woltering:

On behalf of Raney Planning & Management, Inc. (Raney), I am pleased to submit the following proposal for various implementation measures outlined in the City of Clayton 2009-2014 Housing Element.

Project Understanding

The implementation of the Housing Element includes three components: an amendment to the General Plan, several amendments to the Zoning Ordinance, and a Rezone to High Density Residential in order to accommodate 50 additional units. These various implementation actions will be grouped into two segments and are detailed below.

- I. Creation of a High Density designation, Zoning Ordinance Amendments clarifying definitions and permitted uses, and creating the Kirker Corridor Overlay Zone.
 - A. General Plan Amendment to create a Multi-Family High Density designation allowing 15.1-20 dwelling units per acre.
 - B. Zoning Ordinance Amendment to create a Multi-Family Residential High (M-R-H) designation allowing up to 20 dwelling units per acre.
 - C. Zoning Ordinance Amendment to allow emergency shelter by right in a zoning designation (to be determined).
 - D. Zoning Ordinance Amendment to add separate definitions for supporting and transitional housing and allowing supportive and transitional housing as a permitted use subject to the residential standards of the zoning district.
 - E. Zoning Ordinance Amendment to allow SRO's in the Limited Commercial zone subject to a Conditional Use Permit.
 - F. Zoning Ordinance Amendment to only allow single family homes in the Multi-Family residential zoning districts with a Conditional Use Permit.
 - G. Zoning Ordinance Amendment to remove the number of persons per household limit.



- H. Zoning Ordinance Amendment to create an overlay zone for the 5 acres identified as Kirker Corridor to allow SRO's with specific development standards.
 - I. Zoning Ordinance Amendment to create an overlay zone for the 5 acres identified as Kirker Corridor to allow emergency shelters with specific development standards.
- II. Rezone(s) to accommodate an additional 50 residential units.
- A. Rezone a site to M-R-H in order to accommodate an additional 50 residential units. This involves revisiting opportunity sites, but could likely include rezoning 3.5 acres of the Easley Ranch.

Approach

The following outlines Raney's proposed approach to each of the three components of the implementation of the Housing Element.

- I. Creation of High Density Residential Designations, Zoning Ordinance Text Amendments, and Kirker Corridor Overlay Zone
- Raney will prepare the General Plan Text Amendment and Zoning Ordinance Text Amendment which provides the necessary language to create the High Density Residential designation. The City currently has a Residential Medium Density General Plan designation which allows up to 15 units per acre. The proposed designation will be Residential High Density which will allow up to 20 units per acre in accordance with requirements of HCD. The City currently does not have a Multi-Family designation in the Zoning Ordinance. Raney will create a Multi-Family High designation and all the associated development standards that need to be included. In addition, Raney will prepare the language for the Zoning Ordinance Amendments clarifying definitions and permitted uses as described above, as well as the Kirker Corridor Overlay Zone and the associated development standards for SROs and emergency shelters.

Raney will review the approved Housing Element, existing General Plan, and existing Zoning Ordinance in order to identify the best approach to implementation of the Housing Element policies. Raney will research other cities' approaches to similar issues to identify options for the City of Clayton. Raney will coordinate with staff on the approach and prepare the appropriate text for the General Plan and Zoning Ordinance to implement the policies.

Raney will prepare an Initial Environmental Study (see tasks below) to address the amendments prior to the public hearings. In addition, Raney will prepare the staff reports for use by City staff in holding the hearings for Planning Commission and City Council. Based on discussions with staff, Raney assumes that staff will present the amendments and attendance at public hearings will not be necessary. However, should staff determine that attendance would be helpful, Raney will be available to attend and charge on a time and materials basis.

Products:

- Review of the project information.
- Coordination with Staff.

- General Plan and Zoning Ordinance Text.
- Staff Reports to Planning Commission and City Council.

Preparation of the Initial Environmental Study

Raney will prepare the Initial Environmental Study (IES) for the proposed General Plan and Zoning Ordinance Amendments. Raney assumes that the amendments will be at a policy level that will not have direct physical impacts of the environment. The IES will note that any future projects consistent with the amended General Plan and Zoning Ordinance will require separate environmental review.

The preparation of the IES will include the following tasks:

- Prepare an administrative draft version of the IES for review by City of Clayton staff.
- Revise the Administrative Draft IES, based on comments provided by staff.
- Prepare a Mitigation Monitoring Program (MMP).
- Provide a written response to any comments received during the public review period of the IES.

Products:

- One electronic copy of the Administrative Draft IES to the City of Clayton.
- Twenty copies of the final version of the IES and one electronic file in PDF format to the City of Clayton.
- Delivery of Notice of Completion and fifteen copies of the IES to the State Clearinghouse.
- One electronic copy of the Administrative Draft MMP to the City of Clayton.
- One copy of the MMP and one electronic file in PDF format to the City of Clayton.
- Preparation of the Notice of Intent to Adopt a Negative Declaration.
- Responses to comments received from public review of the Initial Study, if any.
- Errata sheet detailing any changes to the Initial Study text based on the public comments received, as necessary.
- Preparation of Notice of Determination.

II. Rezone to Accommodate 50 additional Units

The Housing Element outlines the need for 50 additional units within the City of Clayton. Implementing this policy requires a General Plan Amendment and Rezone of a site or sites to the new High Density Residential designation created as part of the first task described above. Raney will revisit the opportunity sites identified as part of the Housing Element preparation; however, it is likely that the site identified in the Housing Element at Easley Ranch will be the appropriate location.

Rezoning a 3.5 acre portion of the Easley Ranch will be a highly controversial process. Raney will facilitate community outreach meetings that revisit the other opportunity sites as well as the Easley Ranch site. Raney will coordinate with City staff on the number and content of each community meeting, but assumes approximately four meetings. Unlike

the two other tasks described above, on this rezone, Raney will take the lead and play an active role in the process. Raney will, however, coordinate extensively with staff to ensure the outcome meets the needs of the City.

Preliminarily, Raney has the following suggestions for the format of the meetings. The first meetings will be with stakeholders. The stakeholders include property owners and others who may have a stake in the outcome. Raney anticipates two meetings with the stakeholders. The second type of meeting will be with a committee of decision-makers. This could include members of the Planning Commission and City Council with members of the public invited to attend. These workshops would include a discussion of the Housing Element laws as well as the purpose and outcome of the stakeholder meetings. The first such workshop could even include a discussion of the creation of the High Density Residential zone and some of the Ordinance Amendments to help set the stage for the need for the rezone. Raney anticipates two meetings of this committee.

Following the community meetings, Raney will prepare the necessary staff reports, including ordinances for the rezone site. Raney will also attend and present at the Planning Commission and City Council hearings on the proposed rezone.

Raney suggests the environmental document be scoped at the conclusion of the public outreach process in order to ensure the issues raised by the community are addressed. Given the controversial nature of the rezone, Raney would anticipate the preparation of an EIR as part of the rezone process. An EIR could include technical studies to address traffic, air quality, and noise, as well as other issues which might arise during the public outreach. Should the project outreach result in a non-controversial project with project impacts that can be mitigated to a less-than-significant level, consideration could be given to the preparation of a Negative Declaration.

Products:

- Review of the project information.
- Coordination with Staff.
- Facilitate up to Four Community Meetings.
- Staff Reports to Planning Commission and City Council.
- Attendance and presentations at Planning Commission and City Council.

Project Management

The preparation of the amendments to the General Plan and Zoning Ordinance, as well as the Kirker Corridor Overlay Zone will be overseen by Cindy Gnos, Raney Vice President. Ms. Gnos will be assisted by Tim Raney, President, Nick Pappani, Special Project Manager, and Associate staff as needed. Ms. Gnos will also participate in the Rezone to accommodate 50 units; however, the public outreach and facilitation will be conducted by Mr. Raney.

It should also be noted that Laurin Associates, a division of Raney, has been involved in the housing and community development field for nearly 30 years. Laurin has prepared numerous housing elements and has a relationship with HCD staff. Raney will consult with Laurin staff as

needed during the preparation of the documents in order to ensure that the goals of HCD are accommodated appropriately.

Schedule

Raney will process the creation of the High Density Residential designation, clean-up Zoning Ordinance Amendments, and the Kirker Corridor Overlay Zone first. Raney anticipates that these amendments can be complete within six to nine months, but can be adjusted to meet the needs of the City of Clayton. The Rezone of the site could also take approximately six months in order to allow the community outreach. This schedule, however, can also be adjusted to meet the needs of the City.

Cost Estimate

The cost for completion of the Housing Element implementation is \$37,350. These costs are based on the estimates of time for each task provided in the spreadsheet below.

CITY OF CLAYTON HOUSING ELEMENT IMPLEMENTATION						
COST ESTIMATE						
		Tim Raney, AICP President	Cindy Ghos, AICP Vice President	Nick Pappani Special Projects Manager	Associate	Cost Per Task
Task I	Creation of High Density Residential Designations		8	4	18	\$ 3,440
	Prepare Clean-up Zoning Ordinance Amendments		10	4	18	\$ 3,760
	Prepare Kirker Corridor Overlay Zone		12	6	20	\$ 4,530
	Prepare IES		6	14	40	\$ 6,450
	Prepare Staff Reports		6	12	10	\$ 3,480
	Subtotal					\$ 21,660
Task II	Revisit Opportunity Sites	6	6	4		\$ 2,640
	Facilitate Public Outreach	24	12		8	\$ 7,200
	Prepare Staff Reports	2	4	12	10	\$ 3,540
	Attend Hearings	12				\$ 2,280
	Subtotal					\$ 15,660
	Total Hours	44	64	56	106	
	Hourly Rate	\$ 190	\$ 160	\$ 135	\$ 90	
	Total Labor	\$ 8,360	\$ 10,240	\$ 7,560	\$ 9,540	\$ 35,700
Expenses						
	Copying/Printing/Travel/Postage/Etc.					\$ 1,500
	10% administrative fee					\$ 150
	Total Expenses					\$ 1,650
	Total Budget					\$ 37,350

Raney's company philosophy is to serve as an extension of City staff and provide those services that help our clients to the greatest degree. Raney's has extensive experience in preparing environmental documents for the City of Clayton and is familiar with the regulations, requirements, and procedures of the City. Given our familiarity with the City and its processes, we believe that our firm has the knowledge and expertise to efficiently deliver high quality products to you and the City on time and within budget. Raney provides each client with the highest level of professionalism, while structuring tailor-made services for every project. It is our commitment to provide you with the highest quality and legally defensible document, to share our experience and expertise throughout the processing of projects, and to meet the proposed budget and schedule. If you have any questions regarding this schedule and cost estimate, please feel free to contact me. We are pleased to have the opportunity to submit our proposal for your consideration and look forward to a continued successful relationship with you and the City of Clayton.

Thank you,

A handwritten signature in black ink that reads "Cindy Gnos". The signature is written in a cursive, flowing style.

Cindy Gnos, AICP
Vice President
Raney Planning & Management, Inc.

David Woltering

From: Kristine Solseng [Kristine.Solseng@dcd.cccounty.us]
Sent: Thursday, January 13, 2011 1:58 PM
To: David Woltering
Subject: Fw: Receiving Housing Survey Data

David-
 I actually did the on-line survey this morning. Here is copy of the email receipt the DOF send back for your records.

Thank you,
 Kristine

Kristine Solseng
 Senior GIS Planner
 Contra Costa County
 Department of Conservation and Development
 651 Pine St, 4th Floor - North Wing
 Martinez, CA 94553
 (925) 313-4371
 ksols@cd.cccounty.us

*** New Email address will be effective September 26th***
 new email: Kristine.Solseng@dcd.cccounty.us

"Another world is not only possible, she is on her way. On a quiet day, I can hear her breathing."
 Arundhati Roy

----- Forwarded by Kristine Solseng/CD/CCC on 01/13/2011 01:56 PM -----

<HUS.AutoResponseMail@dof.ca.gov>

To Kristine.Solseng@dcd.cccounty.us

cc

01/13/2011 01:22 PM

Subject Receiving Housing Survey Data

Hi Kristine, The following Added / Updated Housing Units data for Clayton City of Contra Costa County has been received and saved into Housing Unit Survey system: Source Type: Final Inspections

	Single Detached Units	Single Attached Units	Mobile Homes	Two to Four Structures	Five Structures	Plus Units	Total Housing Units
Newly Constructed Units	1	0	0	0	0	0	1

Thanks, HUS Administrator
 Notice: This is an automatic-sent-response mail. You don't need to respond to it.

1/14/2011

- Encourage a mix of land uses with jobs, housing, retail, schools, parks, recreation, and services in proximity.

Responsibility: Community Development Department

Time Frame: Ongoing, 2009–2014

Funding: General Fund

QUANTIFIED OBJECTIVES

Table 47 summarizes the quantified objectives for each implementation measure expected to contribute to the construction, rehabilitation, or conservation of units during the time frame of the Housing Element (2009–2014). These quantified objectives represent a reasonable expectation for the new housing units that will be developed and the households that will be assisted based on the policies and implementation measures outlined in this Housing Element and general market conditions. Table 48 also indicates ABAG's net new construction need for Clayton by income group.

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