

Minutes
Clayton Planning Commission Meeting
Tuesday, March 13, 2012

Call to Order

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

Present: Chair Dan Richardson, Commissioner Bob Armstrong, Commissioner Sandra Johnson, and Commissioner Gregg Manning

Absent: Vice Chair Keith Haydon

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

Administrative

1A. Review of agenda items.

1B. Commissioner Johnson to report at the City Council meeting on March 20, 2012.

Public Comment

None.

Approval of Minutes

2. Approval of minutes from the meeting of February 28, 2012.

Commissioner Armstrong moved and Commissioner Manning seconded a motion to approve the minutes, as submitted. The motion passed 4-0.

Public Hearing

3. **ENV 01-12, GPA 03-11, SPA 01-12, ZOA 06-11, Housing Element Implementation Project, City of Clayton.** The Clayton Community Development Department has scheduled a public hearing regarding the proposed Housing Element Implementation Project which includes consideration of the following *(This item was continued from the meeting of February 28, 2012)*:

- Adoption of an Initial Environmental Study/Mitigated Negative Declaration, prepared in accordance with the California Environmental Quality Act, which analyzes the potential impacts caused by the Housing Element Implementation Project and identifies various measures to mitigate these impacts;
- General Plan Amendment to create a Multi-Family High Density designation allowing 15.1 – 20 dwelling units per acre;
- Town Center Specific Plan Amendment to create a Multi-Family High Density designation allowing 15.1 – 20 dwelling units per acre;
- Zoning Ordinance Amendment to create a Multi-Family Residential High (M-R-H) classification allowing 15.1 – 20 dwelling units per acre;
- General Plan Amendments and Zoning Ordinance Amendments to redesignate/reclassify specified properties to a Multi-Family High Density allowing 15.1 – 20 dwelling units per acre (APNs 119-021-013, 119-021-019, 119-021-020, 119-021-054, 119-021-055, 119-021-063, and 120-015-011);

- Zoning Ordinance Amendment to add separate definitions for supportive and transitional housing and allowing supportive and transitional housing as a permitted use subject to the residential standards of the district;
- Zoning Ordinance Amendment to allow SRO's (single room occupancy residential units) in the Limited Commercial zone subject to a Conditional Use Permit;
- Zoning Ordinance Amendment to only allow single-family homes in the Multi-Family residential zoning districts with a Conditional Use permit; and
- Zoning Ordinance Amendment to remove the number of persons per household limit.

The Initial Environmental Study/Mitigated Negative Declaration may be reviewed starting Tuesday, February 21, 2012, commencing the 30-day review period on the document, on the City of Clayton website at www.ci.clayton.ca.us or at the City of Clayton Community Development Department located at 6000 Heritage Trail, Clayton, California. You may also contact David Woltering, Community Development Director, at 925-673-7343. Written comments on the environmental aspects of the project must be submitted to the City of Clayton Community Development Department, Attention: David Woltering, 6000 Heritage Trail, Clayton, California, 94517, no later than 5:00 p.m. on Wednesday, March 21, 2012.

Director Woltering presented the staff report. During his presentation he reviewed the following:

- Since the February 28, 2012 Planning Commission meeting on this item, staff and Raney Planning and Management (RPM) staff have analyzed the request from Mr. and Mrs. Byrd (presented at the February 28th meeting) regarding changing the land use designation and zoning classification of their property at 1212 Mitchell Canyon Road to allow for higher density residential development. Based on this analysis, staff is recommending that the Byrd property be included in those properties proposed for redesignation to Multiple-Family High Density Residential and reclassified to Planned Development Zoning District. The inclusion of the Byrd property is based on the following:
 - The Byrd property is subject to the same mitigation measures applicable to the other properties analyzed in the Housing Element Implementation;
 - Addition of the Byrd property would create minimal impact;
 - None of the findings or conclusions listed in the Initial Environmental Study/Mitigated Negative Declaration (IES/MND) would change with the addition of the Byrd property;
 - Five additional units were assumed with the Byrd property;
 - Particular attention was given to greenhouse gas emissions in the analysis; and
 - An Errata Sheet, dated March 13, 2012, to the project IES/MND was prepared to address the inclusion of the Byrd property as part of the proposed project and to recommend appropriate mitigation measures to assure that the inclusion of this property would not result in any significant adverse impacts.
- The maximum height allowed for a primary structure in a Multiple-Family High Density Residential District will be 40 feet unless the structure were located within 50 feet of a single-family residential district, then the maximum height would be 35 feet.
- A numbering error in the IES/MND Table of Contents was corrected in the Errata Sheet.
- The submitted Resolution No. 01-12 with attachments.

Commissioner Manning commented that the number indicated under Action 6 on the first page of Resolution No. 01-12 should be changed from “four” to “five”.

Commissioner Armstrong inquired about and indicated the following:

- If the Byrds sell to Seeno (the property owner of the adjoining old fire station property), how could the old fire station property be joined with the Byrd property? *Director Woltering indicated that the mechanisms used to join the two properties would either be the lot line adjustment process or lot merger process in order to remove the interior lot line.*
- What if lots located adjacent to the old fire station and/or Byrd properties would want to join with the old fire station/Byrd properties to allow for higher density residential development? *Director Woltering indicated that, hypothetically, the large lot located east of and adjacent to the old fire station/Byrd properties could be a candidate for that action, but it would require a General Plan Amendment and a Rezone along with a lot merger for that to occur and to allow for a high density multi-family development of the overall property.*
- Does the Multiple-Family land use designation/zoning classification preclude four-plexes? *Director Woltering responded that four-plexes, triplexes, and other multi-unit higher-density residential developments would be allowed under this land use designation/zoning classification.*
- How does foster care fit into the “supportive” housing category? *Director Woltering indicated that foster care is a State-mandated land use, generally considered separately from “supportive” housing.*

The public hearing was opened.

There was no public comment.

The public hearing was closed.

There was a consensus by the Planning Commission that the term “elderly” should be changed to “senior” under the Institutional Density category on Page 1 of Attachment B in Planning Commission Resolution No. 01-12.

Commissioner Manning moved and Commissioner Armstrong seconded a motion to adopt Resolution No. 01-12, with amendments, which recommends City Council approval of the Housing Element Implementation Project Initial Environmental Study/Negative Declaration (ENV 01-12); and approve the text and map amendments to the City’s General Plan, Town Center Specific Plan, and Zoning Ordinance (GPA 03-11, SPA 01-12, ZOA 06-11) related to the Housing Element Implementation Project, subject to conditions and mitigation measures.

The motion passed 4-0.

Communications

6A. Staff.

Director Woltering indicated the following:

- Staff is preparing a draft of the Reasonable Accommodation Ordinance for Planning Commission review.

6B. Commission – None.

Adjournment

7. The meeting was adjourned at 7:41 p.m. to the following regularly-scheduled meeting of March 27, 2012.



Submitted by
David Woltering, AICP
Community Development Director



Approved by
Dan Richardson
Chair

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