

Minutes
City of Clayton Planning Commission Meeting
Tuesday, November 24, 2009

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 Ted Meriam,
Commissioner Dan Richardson

Absent: Commissioner Tuija Catalano

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 December 1, 2009.

Public Comment

None.

Approval of Minutes

2. Approval of minutes from the meeting of November 10, 2009.

Vice Chair Johnson moved and Chair Armstrong seconded a motion to approve the minutes from the meeting of November 10, 2009, as amended. The motion passed 4-0.

Public Hearings

3. **ZOA 04-09, Municipal Code Amendment, City of Clayton.** A public hearing regarding possible amendments to the Clayton Municipal Code for the purpose of implementing the requirements of Senate Bill 1818 related to granting density bonuses and related incentives to support the construction of affordable housing.

Commissioner Richardson moved and Vice Chair Johnson seconded a motion to continue Municipal Code Amendment ZOA 04-09 to the next regularly-scheduled Planning Commission meeting on December 8, 2009. The motion passed 4-0.

Old Business

4. **ZOA 05-09, Municipal Code Amendment, City of Clayton.** A study session to review the need for an amendment to the Clayton Municipal Code for the purpose of implementing the requirements of the Water Conservation in Landscaping Act of 2006 (Assembly Bill 1881, Laird).

Director Woltering presented the staff report.

Planning Commission questions and comments included:

- In the letter to the Department of Water Resources (DWR) in January 2010, staff could include the minutes from the Planning Commission meetings on this matter to provide background information for the State about the direction and rationale for where we are going on this matter.
- Can Clayton adopt its own version rather than using the State's model ordinance to implement the Water Conservation Act requirements? Director Woltering indicated, yes, that is correct.
- Since, as of January 1, 2010, the State's model ordinance would apply until the City is able to adopt its own ordinance, are there any projects within the City that staff would expect to be regulated by this model ordinance? Director Woltering indicated that the level of current development activity is quite low, and that he did not expect this model ordinance to have much use prior to the City adopting its own implementing ordinance.
- Are the Contra Costa Water District (CCWD) and the East Bay Municipal Utilities District (EBMUD) the local lead agencies? Director Woltering answered yes, although local cities within the CCWD and EBMUD jurisdictions are working with these local lead agencies to implement the provisions of the Water Conservation Act. The Community Development Director clarified that, while these two agencies are the lead agencies, local jurisdictions are allowed to develop and adopt their own implementing ordinances.
- As a community, I think we have done a great job in supporting water conservation efforts. And, our attending a regional meeting regarding implementing this Water Conservation Act shows we are willing to work collaboratively with other agencies on this matter.
- What agency will enforce these water conservation requirements before our ordinance is enacted? Director Woltering indicated that the State model ordinance would be enforced by both the City of Clayton and CCWD.

New Business

5. **ZOA 06-09, Municipal Code Amendment, City of Clayton.** A study session to review the need for an extension and modification of the Town Center parking waiver provisions.

Director Woltering presented staff report.

Planning Commission questions and comments included:

- I think the benefit of adopting a parking waiver extension for the Town Center area would be to continue to offer an incentive to develop this area of our community. However, with an extension, it would be important to continue to monitor the availability of parking spaces in the Town Center area to ensure we do not end up with a shortfall of parking spaces available.
- It appears that the three-year parking waiver period was not long enough. Director Woltering indicated that he concurred, given that there continues to be both undeveloped and underdeveloped properties in the Town Center area. He added that only one project, the mixed-use Flora Square development, actually used the waiver provision. The economic downturn has hindered the potential for development projects to come forward since the adoption of the waiver provision approximately three years ago.

- The waiver was initially established to stimulate development because developers see satisfying local parking requirements as a major barrier to the financial feasibility of a project. Director Woltering indicated that, although the parking waiver is an incentive to address financial feasibility, the parking waiver also attempts to nurture an urban form in the Town Center that is more traditional and pedestrian friendly, with buildings oriented toward the street and located side by side.
- Chair Armstrong stated that, indeed, the waiver would seem to support the vision for the Town Center to bring building frontages to the sidewalk and create a more pedestrian friendly environment.
- The impact of creating pedestrian-oriented paseos in the Town Center should be considered in conjunction with evaluating extension of the parking waiver in the Town Center as the creation of paseos would likely eliminate parking spaces.
- Are paseos proposed in a north-to-south or east-to-west trajectory? Director Woltering indicated that the issue was still up for discussion. Director Woltering added that, as with our parking lots and building frontages, the objective is to integrate paseos into our urban form.
- We should have some conceptual plans of paseos within the Town Center to get an overall feel for the impact of paseos.
- In the current parking waiver provisions there is mention of 200 extra parking spaces in the Town Center area; where did this number come from? Director Woltering indicated that the 200 spaces came from a Town Center parking study prepared several years ago.
- The consensus of the Commissioners was that the City needs to conduct a current review of the actual parking capacity within the Town Center before preparing an extension of the parking waiver. Moreover, the Commissioners were in general agreement that any extension offered should be based on the availability of extra parking capacity and not a specific time frame.

Communications

6A. Staff.

Director Woltering updated the Commission regarding upcoming projects and noted the following:

- Had a meeting with Mr. Jason Crapo, Deputy Director of Conservation and Development at the Contra Costa County Building Inspection Department (CCCBID), regarding improving working relations between the CCCBID and the City of Clayton.
- The City Council is exploring the following improvements to the Endeavor Hall site:
 - ▶ Expansion of the patio;
 - ▶ Changing the fencing;
 - ▶ Adding a new storage building; and
 - ▶ Adding a new tent-like structure over an expanded patio area.

Mr. Woltering indicated that the improvements being discussed would likely extend into the City parking lot area next to the Endeavor site, requiring the removal of up to five (5) existing parking spaces. Commissioners questioned if the plans would be coming to the Planning Commission for review. Mr. Woltering indicated, presently, the Council was focused on obtaining general costs estimates from the City Engineer to evaluate options and that review by the Planning Commission seemed premature.

6B. Commission.

Vice Chair Johnson indicated that she may not make the next regularly scheduled meeting of the Planning Commission on December 8, 2009 because of job commitments.

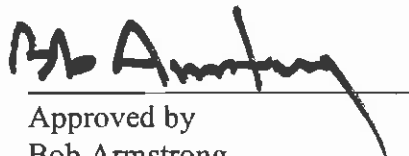
Commissioner Meriam indicated an interest is using laptops during the Planning Commission meetings, as long as using laptops during the meetings does not violate the Brown Act.

Adjournment

7. The meeting was adjourned at 8:18 p.m.



Submitted by
David Woltering, AICP
Community Development Director



Approved by
Bob Armstrong
Chair

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