

**Minutes**  
**Clayton Planning Commission Meeting**  
**Tuesday April 13, 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

Staff: Community Development Director David Woltering

**Administrative**

1A. Review of agenda items.

1B. Commissioner Richardson to report at the City Council meeting on April 20, 2010.

**Public Comment**

None.

**Approval of Minutes**

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

**Commissioner Catalano moved and Vice Chair Johnson seconded the motion to approve the minutes from the meeting of Mach 9, 2010, as amended. The motion passed 4-1, with Commissioner Meriam abstaining.**

**Public Hearings**

3. None.

**Old Business**

4. **GPA 01-09, Clayton General Plan Housing Element Update, City of Clayton.** An amendment of the Housing Element of the Clayton General Plan initiated by the City of Clayton to update the City's current Housing Element as required by State law.

Community Development Director David Woltering presented the staff report. He indicated the purpose of the presentation was to provide an informational update on the matter. He summarized the process the City had been through to date on the Housing Element Update project from the Commission's and City Council's actions in June of 2009 approving the Draft Housing Element Update to submitting that Draft to the California Department of Housing and Community Development (HCD) on July 15, 2009 for review in order to revise the document to address the comments and directives of HCD reviewers. He summarized some of the key comments of the HCD reviewers, including comments and directives that the City of Clayton must increase its maximum density for the multi-family General Plan designation and related Zoning classifications to 20 units per acre and further identify suitable sites that could be redesignated/reclassified to these higher densities to facilitate the development of 50 dwelling units within the lower-income categories, given that HCD reviewers determined that the Clayton draft Housing Element Update was deficient by that number in the lower-income categories.

The Director identified the specific properties currently designated/classified for up to 15 dwelling units per acre that would need to be increased to 20 dwelling units per acre and he

identified potential suitable sites, or portions thereof, that could be considered for redesignation and reclassification to facilitate achieving the potential 50-unit deficiency HCD had identified. He mentioned that that staff and the City's Housing Element Consultant had reviewed this information with the City Council at its meeting on January 19, 2010, and that the Council indicated its general support for including an implementation measure in the Draft Housing Element to increase the density from 15 to 20 units per acre for the multi-family residential land-use designation/classification in Clayton and for staff and the Housing Consultant to continue to work with HCD reviewers using the above-cited parcels for consideration to address the need to identify properties in Clayton that could be redesignated/reclassified to higher densities that could accommodate lower income households.

Mr. Woltering stated that, subsequently, as staff and the Housing Consultant worked with the HCD reviewers, the reviewers clarified that the City must identify specific site(s) to satisfy the 50-unit shortfall and that any individual property must be demonstrated that it could yield a minimum of 16 units to satisfy HCD requirements as a suitable site. Only the Easley Ranch property actually satisfies that yield requirement. Accordingly, Implementation I.1.1., on page 107 and 108 of the revised Draft Housing Element, was written in a manner that the City cannot count on the other three sites being considered to address the identified 50-unit shortfall. Nevertheless, he indicated the area of those properties provides an opportunity for the City to potentially secure an affordable housing project site. Consequently, those properties continue to be identified for further consideration. Director Woltering noted that Mr. Robert Easley had clarified in writing that his family is not supportive of a redesignation/reclassification of a portion of his family's property to accommodate affordable housing to lower-income households.

Mr. Woltering then indicated that staff and the City's Housing Consultant had made the changes to the Draft Housing Element Update as directed by the HCD reviewers. He reiterated that the State had mandated that specific sites be identified that could be redesignated/reclassified to satisfy mandated housing requirements. He also clarified that prior to any actual redesignation/reclassification there would be noticed public hearings and opportunities to consider possible alternative sites. The Director concluded that staff and the Housing Consultant believe that the revised Draft Housing Element, dated April 2010, based on representations from HCD reviewers, would be certified by HCD.

Vice Chair Johnson requested clarification that the City could consider a change in General Plan designation or Zoning classification even if the property owner is opposed to such a change. Community Development Director Woltering indicated that local communities do have land-use authority and can make such changes, but that there must be notice public hearings and opportunities to comment provided to the parties involved. He also indicated that a property owner must retain a viable economic use of his/her property.

Chair Armstrong indicated concerns about the extent of increasing mandates that local communities must satisfy from the State.

Commissioners Catalano and Richardson acknowledged and affirmed that the Housing Element establishes programs and measures for accommodating the assigned housing goals of the City of Clayton, but that the implementation of those programs and measures will be when difficult decisions will need to be made. Those decisions will involve noticed public hearings at which specific ordinances and properties would be considered.

Commissioners, including Commissioner Meriam, wanted to know if progress toward meeting certain housing goals occurred beyond expectations in certain areas could that progress be considered for perhaps reducing the impact elsewhere. For example, if lower income housing units were developed beyond expectations elsewhere could the amount of area being considered for redesignation/reclassification on the Easley property be reduced. Director Woltering indicated, yes, those extra units in needed categories could be considered.

**New Business**

5. None.

**Communications**

6A. Staff.

Community Development Director Woltering indicated that the Clayton General Plan Housing Element Update would be forwarded on to the City Council at its upcoming meeting on April 20, 2010 for consideration of adoption. Mr. Woltering indicated that, besides the Housing Element Update, staff was continuing work on the Creekside Terrace Town Center mixed-use project to bring that matter before the Planning Commission for consideration. The Planning Commission would not be taking final action on that project, but recommending certain actions to the City Council.

6B. Commission.

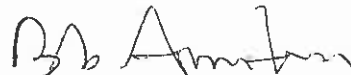
None.

**Adjournment**

7. The meeting was adjourned at 8:22 p.m. The next regular meeting of the Planning Commission is scheduled for **Tuesday, April 27, 2010.**



Submitted by  
David Woltering, AICP  
Community Development Director



Approved by  
Bob Armstrong  
Chair

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