



**COMMUNITY  
DEVELOPMENT DEPARTMENT  
MEMORANDUM**

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**To:** Honorable Chair and Members of the Planning Commission

**From:** Mindy Gentry, Community Development Director *MG*

**Date:** October 25, 2016

**RE:** Agenda Item #5.b

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Please find attached an email from Mr. Donald Gerken that was sent following the finalization of the staff report regarding item 5.b. on the Planning Commission's agenda for October 25, 2016.

Thank you.

## Mindy Gentry

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**From:** Gerken, Donald <degerken@bechtel.com>  
**Sent:** Friday, October 21, 2016 12:28 PM  
**To:** Mindy Gentry  
**Subject:** Planning Commission - Public Hearing Notice - October 25, 2016

Ms. Gentry –

I received the mailed notice for the hearing next Tuesday (October 25) regarding the proposed amendment to the General Plan related to allowing parcels with onsite physical constraints to use net acreage rather than gross acreage for development density calculations.

As a citizen, I would tend to agree that net acreage versus gross acreage is more appropriate for determining the allowable number of units at a proposed development. Using gross acreage, where a portion of the particular site cannot be developed due to one or more physical constraints, does not seem appropriate.

Physical constraints that the Planning Commission might be consider could include, but not be limited to:

- Streams course areas (top of bank to top of bank – however “top of bank” is defined from an hydrologic standpoint).
- Flood plain areas adjoining stream courses from top of bank to 100 year flood level (i.e., the 100 year flood plain) – although there may be other regulations that already apply to development in these areas, that should be researched.
- Steeply sloping areas – it might be appropriate here to review/ consider any set-backs and/ or related conditions called-out in the current California Building Code (2016 CBC to govern effective January 1, 2017).
- Any small sub-areas of a particular site that have been cut off from the bulk of the site by another physical constraint, and that are not of sufficient size, in their own right, to found at least one unit at the allowed development density.

Regards,

Donald Gerken  
401 Diablo Creek Place  
Clayton, CA.