

**Minutes**  
**Clayton Planning Commission Meeting**  
**Tuesday, February 24, 2015**

**1. CALL TO ORDER, ROLL CALL, PLEDGE TO THE FLAG**

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

Present:       Chair Dan Richardson  
                  Vice Chair David Bruzzone  
                  Commissioner Peter Hellmann  
                  Commissioner Sandra Johnson  
                  Commissioner Gregg Manning

Absent:         None

Staff:           Community Development Director Charlie Mullen  
                  Assistant Planner Milan Sikela, Jr.

**2. ADMINISTRATIVE**

2.a.   Introduction and welcoming of newly appointed Commissioner Peter Hellmann.

Chair Richardson introduced newly appointed Commissioner Peter Hellmann and indicated that, with his planning and building experience, he brings a wealth of knowledge with him and will be a welcome addition to the Planning Commission.

2.b.   Review of agenda items.

2.c.   Declaration of Conflict of Interest.

None.

2.d.   Vice Chair Bruzzone to report at the City Council meeting of March 3, 2015.

**3. PUBLIC COMMENT**

None.

**4. MINUTES**

4.a.   Approval of the minutes for the January 27, 2015 regular meeting.

**Commissioner Manning moved and Vice Chair Bruzzone seconded a motion to approve the minutes, as amended. The motion passed 4-0-1 (Commissioner Hellmann abstained as he was not appointed to the Planning Commission yet as of the January 27, 2015 Planning Commission meeting).**

**5. PUBLIC HEARINGS**

None.

**6. OLD BUSINESS**

None.

**7. NEW BUSINESS**

**7.a. CDD-04-15, City of Clayton 2014 Housing Element Annual Progress Report.**

Director Mullen presented the staff report.

Chair Manning asked are there any projects on the back burner that may generate more living units?

Director Mullen indicated yes, but he would provide a staff update on upcoming projects that may generate additional living units under Agenda Item 8.a.

Chair Richardson asked did we have some affordable housing units generated by the development of the Diablo Pointe (also known as Diablo Estates at Clayton) project?

Director Mullen responded that the original developer of the Diablo Pointe project provided one affordable housing unit and then the subsequent developer, Toll Brothers, provided two more affordable housing units when they took over the Diablo Pointe project, changing the name of the development to Diablo Estates at Clayton, for a total of three new units provided by the developer.

Commission Hellmann asked if the State Department of Housing and Community Development (HCD) responded with any comments regarding the City's Housing Element?

Director Mullen responded that yes, and explained that we initially thought we had complied with prior HCD comments; however, it turned out that the City had to add additional policy implementations and meet the Regional Housing Needs Allocation (RHNA) numbers from the prior Housing Element.

Commissioner Hellmann asked does HCD care if we count our density per acre in gross or net totals?

Director Mullen responded that the City calculates our density per acre using gross area, not net, in accordance with our General Plan.

For clarification purposes, Director Mullen added that the City's role is to create opportunity sites and identify land available for development of new living units, including affordable housing units.

Chair Richardson concurred with Director Mullen's clarification and added that the opportunities created by the City include removing impediments to development by rezoning certain sites throughout the City to help facilitate such development.

Director Mullen indicated that HCD monitors the actions the City takes related to development. For example, if the City takes a property that allows 20 to 30 units per acre and rezones the property to allow only five units per acre, then the City has to provide the additional units somewhere else in the City. He acknowledged that, at times, it can be a struggle for a City to meet the HCD housing stock numbers if a City is almost built-out like Clayton.

Commissioner Manning indicated that, with the elimination of redevelopment monies by the State, it has made it harder for cities meet the housing numbers mandated by HCD.

Director Mullen concurred and added that the City has been fighting to obtain reimbursements and other lost funding from the State. Some jurisdictions have filed lawsuits against the State regarding this issue.

**Commissioner Johnson moved and Commissioner Manning seconded a motion to approve the City of Clayton 2014 Housing Element Annual Progress Report (CDD-04-15). The motion passed 5-0.**

## 8. COMMUNICATIONS

### 8.a. Staff.

Director Mullen provided updates on the following:

- He is working on a resale of an affordable housing unit in the Stranahan subdivision.
- He is consulting with the City Attorney regarding CEQA comments for the Silver Oak Estates project.
- He recently met with the developer of the Oak Creek Canyon project and is awaiting a CEQA scope of work to be submitted.
- He is working on bringing forward to the Planning Commission one of the Housing Element implementations regarding PACE energy programs.

Assistant Planner Sikela indicated the following:

- He is working with the applicant for the Verna Way Parcel Map to make the applications complete and is also been assessing the environmental determination for the project.
- He is working on a companion Site Plan Review Permit and Variance for a residential property on Clayton View Lane.

Commissioner Hellmann said he would have to recuse himself from the public hearings related to the Verna Way Parcel Map since he had looked into purchasing the property.

8.b. Commission.

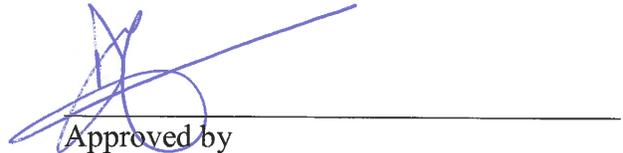
None.

**9. ADJOURNMENT**

9.a. The meeting was adjourned at 7:33 p.m. to the regularly-scheduled meeting of the Planning Commission on March 10, 2015.



Submitted by  
Charlie Mullen  
Community Development Director



Approved by  
Dan Richardson  
Chair

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