

# CHAPTER 1. INTRODUCTION

## **BACKGROUND**

Clayton is located in central Contra Costa County, southeast of the City of Concord and north of Mt. Diablo. Clayton's population in 1988 was 6,725.

In 1987, the City approved a 1,485-unit development on the Keller Ranch, north and east of the existing community, and adjacent to Clayton's historic downtown. The new development will approximately double Clayton's acreage and population.

Two important components of the final development plan for Keller Ranch approved by the City were the extension of Clayton Road as a four-lane bypass north and east of the existing downtown, and the inclusion of approximately 15 acres of future commercial land on the downtown side of the new bypass. Grading for the development began in 1988.

### **Why a Specific Plan?**

A Specific Plan had been prepared and adopted for downtown Clayton in 1981. It was superseded by approval of the City's General Plan in 1985 which—in the Community Design Element—included detail about a new Town Center. By 1988, the City needed a new Specific Plan for the downtown that would take into account the 1985 General Plan and the approved development plan for the Keller Ranch, now known as Oakhurst.

The Specific Plan covers the same subjects as the General Plan, but in greater detail and for a smaller and specific area. It provides a clear set of policies and regulations focused on the Town Center. These include distribution of land uses, location and size of streets, walks, and other infrastructure, standards for development, and methods of financing public improvements.

The new Specific Plan covers not only the historic downtown, but the 15 acres of commercial being added on its east, as well. Issues to be analyzed, as identified in joint sessions held by the City Council and Planning Commission, with historical society and business community representatives in attendance, included—

- Circulation;
- Parking;
- Storm drainage;
- Creek maintenance;
- Retention of an historic tree grove;
- Preservation of historic downtown buildings;
- Compatibility between the historic and new sections of the downtown; and
- The long term viability of the expanded commercial area, to be known as the Town Center.

## Planning Area

The area covered by the Town Center Specific Plan is shown in Figure 1-1.

(Amended by Resolution 65-98, dated 12/1/98; Resolution 02-2007, dated January 16, 2007)

## Contents

The Specific Plan was prepared in two parts. The first part—a Market Analysis<sup>1</sup>—analyzed the potential for developing commercial uses in the Town Center. The second part, based on estimates in the market analysis of the potential commercial floor area (square footage) that could be attracted to the Town Center, focused on an arrangement of roads, buildings, and uses that would continue the character of the historic downtown.

It is the outcome of this second part of the work that is presented in this document, in six chapters:

**Chapter 1, Introduction**, includes the reasons for the Specific Plan, depicts the area it covers, outlines the overall content of the Plan, and describes the planning process employed.

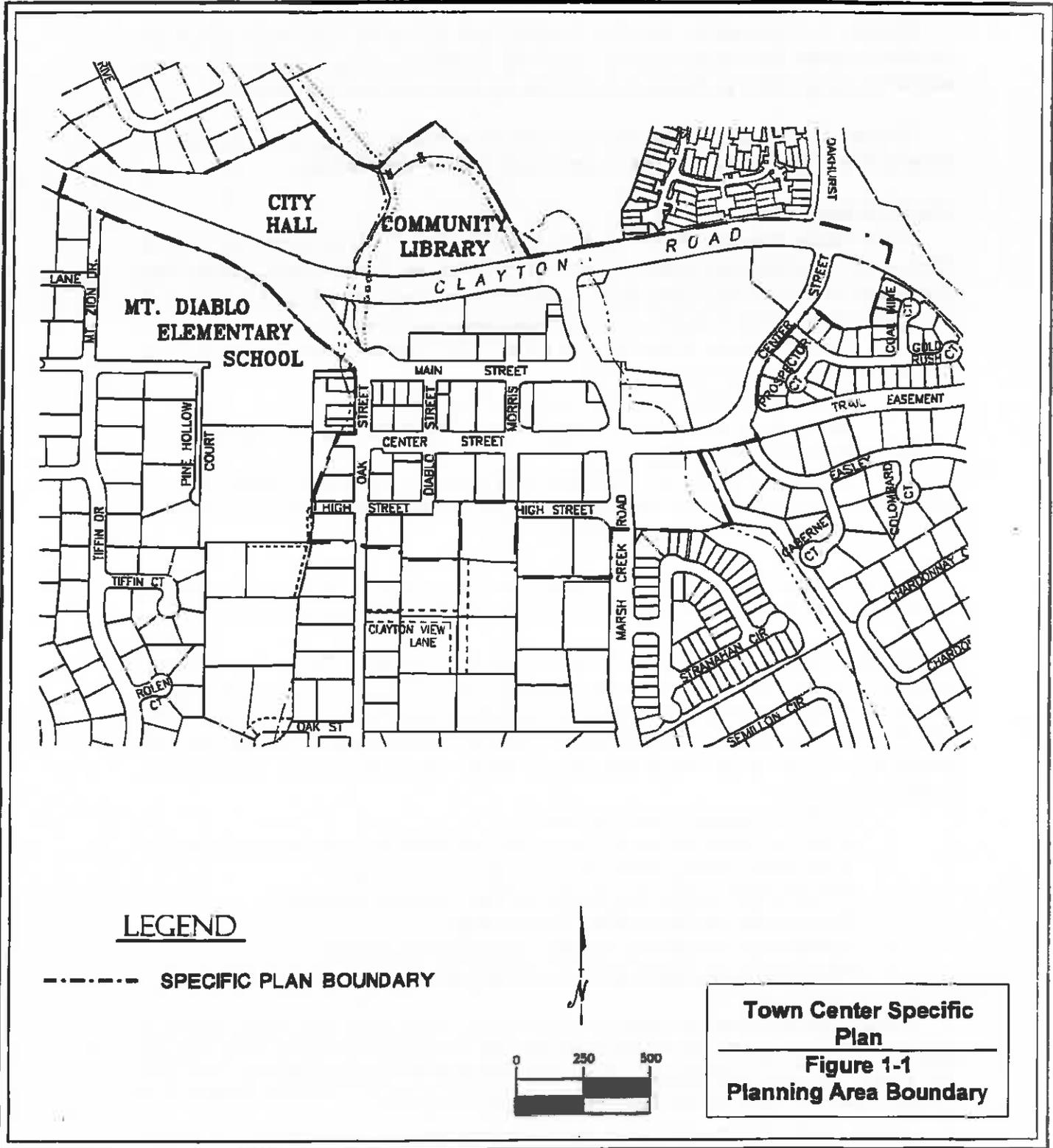
**Chapter 2, Land Use**, includes the Land Use Plan map, a description of the land use categories and what uses are allowed in them, a quantification of space by land use category, and a comparison of the Market Analysis with the commercial space provided by the plan. Of primary importance is a list of revisions to goals, objectives, and policies in the Community Design Element of the Clayton General Plan to be made by amending the General Plan.

**Chapter 3, Municipal Services**, covers storm drainage in the town center, the effect of new development on storm flows, water quality, supply, and distribution, sewer service, and fire and police protection. Proposed policies related to these subjects are set forth.

**Chapter 4, Urban Design**, describes the existing town center in design terms, sets forth urban design goals, objectives, and policies, and contains an illustrative (conceptual) plan of how the downtown might look after the Specific Plan goals, objectives, and policies are carried out. The chapter also contains a comprehensive exposition of design guidelines, streetscape design standards, guidelines for special areas and sites, and design review submittal requirements to be adopted as part of this Specific Plan. Related appendixes provide guidelines for preserving mature trees (Appendix A) and a list of acceptable plant materials (Appendix B).

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<sup>1</sup> *Market Analysis for the Clayton Town Center Specific Plan*, Mundie & Associates, December 1988.



**Chapter 5, Circulation**, describes existing road and traffic conditions and major circulation issues demanding attention, sets forth circulation goals, policies, and design standards, and provides an overall cost estimate for traffic and road improvements.

**Chapter 6, Implementation**, lists and explains a number of financial mechanisms, some of which the City may be able to use to carry out the Specific Plan.

### **The Planning Process**

**Town Center Specific Plan Committee Meeting No. 1.** Work started on July 19, 1988, when the consulting team met with members of the Town Center Specific Plan Committee<sup>2</sup> to discuss the City's goals and establish a project schedule. In addition to the general issues listed on page 1, the consultants were instructed to—

- Consider access from the downtown to the archaeological site and historic barn and winery north of Clayton Road;<sup>3</sup>
- Consider alternative locations for a new City Hall;
- Set aside an area for the Black Diamond Trail Head at the intersection of Center Street and Clayton Road;
- Strive for a cohesive downtown—not a suburban shopping center—with as little distinction as possible between the old and new sections of the Town Center; and
- Establish one or more focal points.

The consultants then met with the Committee in a series of meetings and workshops, all well-attended by the public and members of the downtown business community.

**Meeting No. 2.** On September 20, urban design consultants Gerald Gast and Dan Hillmer showed slides of downtown Clayton and shopping areas in other small communities and discussed the Town Center's assets, problems, and opportunities. They identified the elements that give the Town Center its spatial character and identity, and presented a list of design issues that became design objectives for the Specific Plan. Among them were—

- Preserve important "view corridors";
- Keep Oak Street hill open; remove the City buildings on the west side of Oak;
- Keep the hill above (south of) Center Street in open space;
- Preserve both creeks, their banks, and their riparian vegetation;
- Preserve the knoll west of Mt. Diablo Creek;
- Preserve the western and northern "greenbelt" boundaries;
- Preserve the eucalyptus grove on the west side of Marsh Creek Road;

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<sup>2</sup> Committee members included (in alphabetical order) Vira Bates, Carolyn Bovat, George Durbala, Glen Engie, Aggie Freeman, David Garrison, Julie Gilchrist, Mayor Ann Hall, Dave Havard, Roy Hawes, Deanna Jakel, Ken Johnson, Robert Kendall, Pete Laurence, John Lemke, Greg Manning, James C. Parsons, Julie Pierce, Connie Rehr, John Rubiales, Bob Statton, Dick Striegel (representing Presley Homes of Northern California, developers of the Oakhurst Project), Nan Wallace, and Planning Commission Chairman George Webb.

<sup>3</sup> Architects Storek and Storek, San Francisco, were engaged separately by the City to study the Cultural Center site, the DeMartini Winery, and the Keller Ranch house.

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- Use and extend the existing grid street pattern to promote a “cohesive village ambience”—to make the entire Town Center feel like one district;
  - Slow the vehicular traffic and improve pedestrian activity on Main Street;
  - Permit architectural variety within a clearly defined framework; and
  - Keep the small scale of the existing downtown (one- and two-story buildings with narrow frontages).

**Meeting No. 3.** On October 4 and 10, Mundie & Associates gave a progress report and presented their preliminary findings with respect to the market the Town Center could expect to capture. A further summary was presented to the Committee and public on November 1. Figure 2-7 on page 19 summarizes the Market Analysis.

**Meeting No. 4.** A “workshop” was held on November 1 primarily to discuss two items: traffic and parking, and land use and urban design. With respect to both subject areas, problems were identified, and objectives, alternatives, and opportunities were discussed. Goals and objectives contained in the Community Design Element of the City’s General Plan, and which related to the Town Center, were presented and discussed. Two alternative sketch plans were shown, both of which extended the existing street grid into the new section of the Town Center. Among the more critical land use and circulation issues were—

- Whether western access to the Town Center would be via the existing Oak/Main Street route or a northward extension of Diablo Street in lieu of an extension of Marsh Creek Road;
- Whether limited development should be allowed in the eucalyptus grove; and
- Locations for City Hall, a new library, a new fire station, and a service station.

**Meeting No. 5.** The Committee met again on November 15 to review the issues and the effects of the various alternatives, and to decide on the alternatives to be used in the final plan. A large checklist of issues was displayed in the front of the meeting hall. Alternatives were listed in the left-hand column of the chart. In the five succeeding columns, these questions were asked about each alternative:

- *Community Value:* Does this represent a widely-held desire or overall community need?
- *Who Benefits:* Entire community? Clayton residents? Specific neighborhoods? Downtown property owners? Downtown merchants?
- *Is it Feasible*—as to engineering, cost, and codes?
- *Implementation:* Is this a necessary part of a larger project that can not proceed until this step is completed? Will this require a change order to work underway?
- *Other Concerns:* Aesthetics? Environmental impacts? Is there a risk (to persons or property) involved with this alternative that is not incurred in others?

Comments from the Committee and the public were recorded on the chart. At a mid-point in the meeting, Committee members were invited to come up to the chart and apply colored adhesive dots as a way of “voting” their preferences. Following the vote, the

consultants reviewed the outcome and clarified the direction being given by the Committee.

**Meeting No. 6.** Based on the Committee's direction given November 15, the consultants presented a "Town Center Conceptual Plan." (The final, approved Illustrative Site Plan is shown on Figure 4-3, following page 38.)

An important finding was that the engineering design of the Marsh Creek Road extension put it too close to Mt. Diablo Creek for the creek to be able to retain a natural appearance. As a result, the roadway pavement was narrowed from 48 feet to 38 feet and relocated westward approximately 46 feet further from the creek. A large retaining wall was replaced with an engineered slope for the west bank of the Mt. Diablo Creek adjacent to Marsh Creek Road.

**Meeting No. 7.** A draft Urban Design Element, containing design guidelines, was presented and discussed at a Committee meeting on February 21.

**Meeting No. 8.** A final draft of the Urban Design Element (Chapter 4 of this Specific Plan) was presented to and approved by the Committee at its meeting of March 29, 1989.

**Planning Commission and City Council Meetings and Hearings.** The Draft Specific Plan was published on June 7, 1989, and was widely distributed. The Planning Commission and City Council held study sessions and/or public hearings on the Draft Specific Plan on the following dates: July 19, 1989, September 12, September 24, November 7, November 16, and December 12, 1989; January 10, 1990, February 6, and February 20, 1990. Hearings on the Draft Environmental Impact Report were held on September 12 and 26, 1989.

### **Adoption**

A Specific Plan is adopted in the same manner as a general plan, except that it may be adopted by resolution or ordinance (Government Code §65453). It was never intended that every word and map in this Plan be adopted. Chapter 1 (Introduction), Chapter 6 (Implementation), the Illustrative (Conceptual) Site Plan (Figure 4-3 in Chapter 4), the Landscape Plan (Figure 4-9), and Appendixes A, B, D, and E are expressly not adopted. Chapters 2 through 5 and Appendix C are adopted as official City policy, with the exception of the Illustrative (Conceptual) Site Plan (Figure 4-3) and any language relating to it, and the Landscape Plan (Figure 4-9). Those elements of the Plan in Chapters 2 through 5 and Appendix C, as noted above, were adopted by the Clayton City Council on March 6, 1990.

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## Amendments

Specific Plans are amended in the same manner as general plans, except that such amendments are not limited to four per year (Government Code §65453). The procedure outlined below is intended for the general guidance of the City, and persons or agencies who may wish to apply to the City to amend the Specific Plan. (More detailed information on processing and timing is available from the Planning Director.)

1. Prior to filing an official application for a Specific Plan amendment, the prospective applicant or his or her agent should discuss the proposed amendment with the City's Planning Director. This will give the applicant a first-hand opportunity to learn the details of the amendment process as well as any concerns the City may have about the proposed changes.

2. Should the applicant decide to proceed with an amendment, the next step is to file an official application with the Planning Director and pay the required processing fee.

All applications requesting a change in the Specific Plan must be accompanied by a development plan of sufficient detail to ascertain the potential impacts of the proposed project on the site and the surrounding area. What constitutes sufficient detail will be determined by the Planning Director on a case-by-case basis. Also, the Planning Director may determine, in the case of an application which deals solely with a change in the adopted text of the Plan, whether a detailed development plan will be required.

Environmental review in accordance with the provisions of the California Environmental Quality Act (CEQA) will be required of every Specific Plan amendment.

3. Once an application is submitted, it will be placed on an agenda for public hearing before the City's Planning Commission. Prior to the Planning Commission hearing, the City, in accordance with the Government Code, will provide notice to the public of the hearing date and the item to be discussed. Typically this will involve a legal notice in the *Contra Costa Times* and a notice mailed to all property owners within 300 feet of the subject property. (Public notice with respect to major amendments affecting the entire community, such as a complete update of the Plan, may be handled under alternative provisions of State law that do not require notice to be mailed to individual property owners.)

4. The Planning Director will prepare a report to the Planning Commission for the public hearing, describing in detail the proposed amendment, any environmental or other impacts that may result, and comments from other City departments or affected governmental agencies. The Planning Director's report also will state whether the Commission should recommend the amendment to the City Council for approval or denial. The staff report will be delivered to the Commission and mailed to the applicant.

### Clayton Town Center Specific Plan

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The staff report, comments from the applicant, and other public testimony will become factors in the Commission's action.

State law requires that any decision on a General Plan amendment must be supported by findings of fact, and the same law applies to decisions on Specific Plan amendments or revisions. Such findings will constitute the rationale for making a decision either to approve or deny the amendment. At least the following standard findings should be made for each Specific Plan amendment:

1. The proposed amendment is deemed to be in the public interest.
2. The proposed Specific Plan amendment is consistent and compatible with the City's General Plan, including any implementation programs in the General Plan that may be affected.
3. The potential impacts of the proposed amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare.
4. The proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA).

City-initiated amendments, and amendments requested by other public agencies, will be subject to the same basic process and requirements described above. This includes appropriate environmental review, public notice, and public hearings leading to an official action by Council resolution.

## CHAPTER 2. LAND USE

### **2.1 INTRODUCTION**

The land uses of the Town Center define the character and intensity of private and public activities. This chapter provides goals and policies to direct the nature of desired land uses in the Town Center as well as the protection of the district's historic resources. In addition the Town Center is prioritized as the community's focus for economic development activities and independent businesses. This chapter also lists the land uses allowed in the Town Center and provides a land use plan.

### **2.2 GOALS AND POLICIES**

**Goal I Establish an attractive and vibrant pedestrian-friendly Town Center with a mixture of commercial, civic, recreational, and residential uses.**

*Policy I.1 Support and enhance the Town Center as a vital mixed use area containing retail, restaurant, office, entertainment, civic, recreational, and residential uses. Recognize the importance of an appropriate retail mix including small local businesses, to the continued vitality of the Town Center.*

*Policy I.2 Prioritize and stimulate the development of multi-story buildings with ground floor uses which enhance pedestrian activity in the Town Center. Channel office and service uses to locations on upper floors.*

*Policy I.3 Encourage future development on Main Street and Center Street to provide a continuous row of retail shops and restaurants with as few breaks as possible in the shopping frontage.*

*Policy I.4 Encourage development of well-designed multi-story commercial buildings in order to enhance the prominence of the Town Center to motorists on Clayton Road.*

*Policy I.5 Encourage developers to seize incentives provided in the General Plan for increased structural coverage of smaller parcels in the Town Center.*

*Policy I.6 Encourage the provision of small residential units on the upper floors of commercially-designated parcels.*

**Goal II Maintain and enhance retail and restaurant uses in the Town Center in order to sustain similar uses in the Town Center and to support the City's financial ability to provide adequate services to local residents and businesses.**

*Policy II.1 Prioritize the development and expansion of retail and restaurant uses in the Town Center.*

*Policy II.2 Encourage retail and restaurant owners to utilize the flexibility provided in the City's Off-Street Parking and Loading Regulations to develop and expand their businesses.*

**Goal III Establish the Town Center as the City's focus for economic development in the community.**

*Policy III.1 Nurture and support established, expanded, and new businesses which are permitted uses (including uses permitted with a use permit) in the Town Center.*

*Policy III.2 Assist existing businesses which are non-conforming uses in the Town Center to re-locate to new locations in the City.*

*Policy III.3 Encourage and support the operation of small, independent businesses and growing businesses.*

*Policy III.4 Encourage the renovation and re-use of long-term vacant or under-utilized buildings as well as the development of vacant or under-utilized parcels.*

**Goal IV Protect historical resources in the Town Center.**

*Policy IV.1 Ensure historic buildings which retain their historic character are incorporated into commercially-viable uses, re-uses, or adaptations.*

*Policy IV.2 Ensure renovations of historic buildings and structures retain the building or structure's historic character.*

*Policy IV.3 Strive to incorporate existing healthy large oaks and historically-significant trees into the open space areas of development plans.*

**2.3 LAND USE DESIGNATIONS**

The Land Use Plan is provided in Figure 2-1 and the land use designations are defined below.

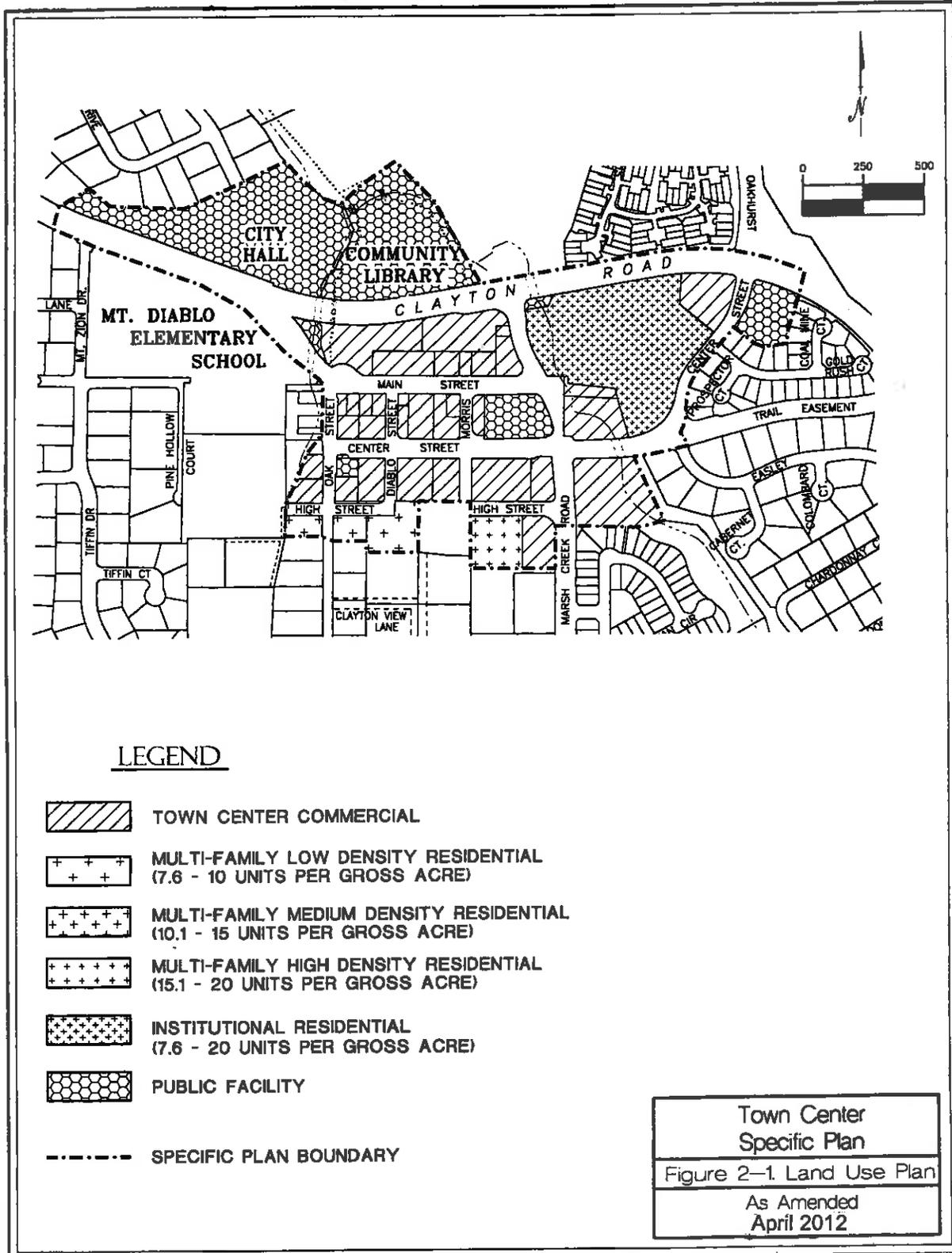
**TOWN CENTER COMMERCIAL**

**PERMITTED USES**

Retail sales, commercial services, and offices, as well as limited residential and visitor accommodation uses, as listed below. Uses marked by an asterisk (\*) are limited to upper floor locations, unless a use permit is granted for a ground floor location as noted in the following section.

- Antique shops
- Art galleries and frame shops
- Art and photography studios\*
- Audio/video equipment, including home theater systems
- Bakery goods stores and bakeries
- Banking
- Barber shops, beauty shops, and personal care salons\*
- Books, news stands, and magazines

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Business, editorial, and professional offices\*  
Camera and photographic equipment  
Candy and ice cream  
Clothing and shoes  
Computer, office, and electronic equipment sales  
Computer, office, and electronic equipment service\*  
Copying and printing  
Dance, music, exercise, and martial arts studios\*  
Drapery and yardage  
Drugstores  
Electric appliances (small appliances only)  
Financial services\*  
Floor coverings  
Flowers and house plants  
Food and groceries  
Hardware and garden supply  
Interior decorating stores  
Jewelry, watches, and clocks  
Lamps and lighting  
Laundry and dry cleaning pick-up stores, excluding any dry-cleaning on-site  
Liquor, wine, and beer (off-sale)  
Locksmiths  
Luggage and leather goods  
Medical and dental offices\*  
Museums (upper floors preferred)  
Music, including recordings, instruments, and sheet music  
Opticians  
Parking spaces and loading areas  
Pets and animal grooming (excluding kennels)  
Private mail and packaging services  
Real estate offices and title companies\*  
Residential uses (upper floors only)  
Restaurants (including outdoor dining, on-site service, and take-out service) and associated bars  
Saddles and equestrian equipment  
Sporting goods and bicycles  
Stationery supplies  
Tailors and dressmakers\*  
Tobacco shops  
Toys, hobbies, and crafts  
Travel agencies\*  
Variety stores  
Video rentals  
Accessory buildings, structures, and uses clearly incidental and appurtenant to a permitted use

Temporary and seasonal outdoor uses, subject to the Temporary Use Permit provisions (Chapter 17.70) of the Zoning Ordinance

Other retail, commercial service, or office uses which are determined by the Planning Commission (or the City Council on appeal) to be of the same general character and will not impair the present or potential use of adjacent properties.

**USES SUBJECT TO USE PERMIT**

The following uses are allowed only after special review and the granting of a use permit. The primary purpose of the review is to assure an appropriate mixture and balance of uses in the Town Center—a mixture and balance that the uses listed below could jeopardize, for a variety of factors including:

- The location would interfere with the pedestrian and retail orientation of the district; or
- The use or its size, in conjunction with existing uses, would overwhelm the Town Center or interfere with the pedestrian and retail orientation of the district.

Further, some of the uses listed below might require building or storage areas that would be too large or otherwise inappropriate in the Town Center:

Bars which are not part of a full-service dining establishment

Bed and breakfast guest facilities

Commercial recreation (including billiards/pool and video arcades with more than three machines);

Establishments with dancing, live entertainment, or live audio/video entertainment

Home appliances, except small electrical appliances

Home furnishings, except lamps and lighting

Massage therapy, unless part of recognized medical office or clinic

Office, commercial service, personal service, or studio uses (listed as Permitted Uses above) in ground floor locations

**MULTI-FAMILY LOW DENSITY RESIDENTIAL**—Dwelling units at a density of 7.6 to 10 units per gross acre. This designation is intended for and allows cluster units such as townhouses, garden units, and other types of planned developments, including single-family detached dwellings on smaller lots, that provide a development with amenities to balance the increased density. This density must be adequately buffered from adjacent single-family developments. Development intensity can reach 100 percent of individual parcel coverage provided that each unit has access to private outdoor space, use of recreational amenities, and provision of useable open space. Second dwelling units are allowed.

**MULTI-FAMILY MEDIUM DENSITY RESIDENTIAL**—Dwelling units at a density of 10.1 to 15 units per gross acre. Areas so designated on the Land Use Plan are deemed to have adequate site area—and are located with respect to the Town Center road system—such that the range of density can comfortably be accommodated.

**MULTI-FAMILY HIGH DENSITY RESIDENTIAL** – Dwelling units at a density of 15.1 to 20 units per gross acre. Areas so designated on the Land Use Plan are deemed to have adequate site area – and are located with respect to the Town Center road system – such that the range of density can comfortably be accommodated. This designation is intended for and allows the two-story (or higher) apartments or

condominiums located where higher densities may be appropriate, such as near major public transportation and commercial centers. Development within this density shall be encouraged to use a PUD concept and standards with incorporation of significant design and amenity in the project. Structural coverage, excluding recreational amenities, shall not exceed 65% of the site area.

**INSTITUTIONAL RESIDENTIAL**— Senior housing at a density of 7.6 to 20 units per gross acre. This designation is intended for development of various forms of senior housing under the sponsorship of public or quasi-public agencies. Group dining, limited vehicles, medicine-dispensing services, and other characteristics and amenities make this form of housing unique. Development intensity can reach 100 percent structural coverage for individual parcels. Structural coverage shall not exceed 50 percent of the site area.

**PUBLIC FACILITY**—Publicly-owned facilities such as government offices and facilities, community centers, museums, parks and recreational areas, the Community Library, the fire station, the Clayton Corporation Yard, and ancillary structures and uses.

## **2.4 HISTORIC RESOURCES**

The Town Center contains a variety of historic buildings, sites, and features which add character and charm to the community. Some of these historic buildings have been in continual use for commercial purposes. Other buildings have been restored or converted to various commercial and civic uses. Based upon the *Clayton Heritage Preservation Task Force Report*, the following buildings and structures are recognized as historic resources in the Town Center.

Endeavor Hall  
Keller Ranch House  
De Martini Winery  
Joel Clayton Dairy Cellar  
Keller Lane Bridge  
Clayton-Pape House  
Clayton Club  
Former Pioneer Inn  
Former La Cocotte Restaurant

PAGES 15-22 DELETED BY RESOLUTION NO. 05-2008, DATED 2/5/08

(Chapter 2 amended by Resolution No. 05-2008, dated 2/5/08)