

Minutes
Clayton Planning Commission Meeting
Tuesday, March 10, 2020

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

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

Present: Chair Peter Cloven
Vice Chair A.J. Chippero
Commissioner Bassam Altwal
Commissioner Terri Denslow
Commissioner Frank Gavidia

Absent: None

Staff: Interim Community Development Director Dana Ayers
Assistant Planner Milan Sikela, Jr.

2. ADMINISTRATIVE

- 2.a. Review of agenda items.
- 2.b. Declaration of conflict of interest.
- 2.c. Commissioner Terri Denslow to report at the City Council meeting of March 17, 2020.

3. PUBLIC COMMENT

None.

4. MINUTES

- 4.a. Approval of the minutes for the January 14, 2020 Planning Commission meeting.

Commissioner Altwal moved and Commissioner Gavidia seconded a motion to approve the minutes, as submitted. The motion passed 5-0.

5. PUBLIC HEARINGS

Chair Cloven recused himself from the meeting as a result of a potential conflict-of-interest due to proximity issues related to the 500-foot conflict-of-interest radius from the subject property location of Home Occupation Permit HOP-03-20. Since there were no other items remaining after the public hearing item, Chair Cloven indicated he would not return to the meeting chambers following the conclusion of the public hearing portion of the meeting.

- 5.a. **HOP-03-20, Home Occupation Permit, Teresa Merani, 5873 Caulfield Drive.** A request for approval of a Home Occupation Permit to allow a home-based business involving photography of babies to be conducted from a single-family residence.

Assistant Planner Sikela presented the staff report.

The Planning Commissioners had the following comments and questions:

- There appears to be adequate on-site parking to accommodate clients patronizing the home-based business.
- It may be prudent to discuss with the City Council the amending of the Clayton Municipal Code in order to allow the review and approval of a Home Occupation Permit request to occur at the administrative level in order to reduce cost and expedite facilitation. Assistant Planner Sikela noted that, from staff's perspective, it would appear that, when the Home Occupation Permit provisions were established in the Clayton Municipal Code, it was ascertained at that time that discretionary review of Home Occupation Permit requests were necessary when such requests generated client traffic to the residence due to potential impacts to the neighborhood that may be caused by clients or students visiting the residence as a result of the home-based business.
- How is the cost of staff's time compensated for the review and processing of a Home Occupation Permit request? Assistant Planner Sikela responded that the applicant submits a deposit along with the application materials and staff charges time against the deposit while performing work during the processing of the request and then the applicant gets a refund of the remaining amount of the deposit once the project is finalized.
- Is the applicant going to have a maximum of two clients per week? Assistant Planner Sikela responded that was correct.
- Will there be any signage included at the subject residence as part of the home-based business? Assistant Planner Sikela responded that installation of exterior signage on a residence for advertising of a home-based business is prohibited by the Clayton Municipal Code.
- Will the proposed photography be done digitally? The applicant, Teresa Merani, responded that was correct.
- Are proper structural safety measures in place for the existing swimming pool located in the rear yard of the subject property? Ms. Merani responded yes, there are structural safety measures in place in accordance with the swimming pool requirements mandated by the California Building Code.
- Will the photography sessions take place outdoors? Ms. Merani responded no, the photography sessions will only occur indoors.

Vice Chair Chippero opened the public hearing.

There were no public comments.

Vice Chair Chippero closed the public hearing.

Commissioner Altwal moved and Commissioner Denslow seconded a motion to approve Home Occupation Permit HOP-03-20, with the conditions of approval recommended by staff. The motion passed 5-0.

6. OLD BUSINESS

None.

7. NEW BUSINESS

None.

8. COMMUNICATIONS

8.a. Staff

None.

8.b. Commission.

None.

9. ADJOURNMENT

9.a. The meeting was adjourned at 7:21 p.m. to the next regularly-scheduled meeting of the Planning Commission on March 24, 2020.

Submitted by
Milan J. Sikela, Jr.
Assistant Planner

Approved by
Peter Cloven
Chair