



PLANNING COMMISSION AGENDA

Special Meeting at 7:00 P.M. on Wednesday, May 27, 2020

To protect our residents, officials, and staff, and aligned with the Governor's executive order to Shelter-at-Home, this meeting is being conducted utilizing teleconferencing means consistent with the State order that allows the public to address the local legislative body electronically. To register in advance to participate in this webinar, please use this link and password:

<https://us02web.zoom.us/j/81651025961?pwd=VWdRMndESmUxdDZDUU5YZUIlbEhFdz09>

Password: 286427

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

2. ADMINISTRATIVE

- 2.a. Review of agenda items.
- 2.b. Declaration of Conflict of Interest.
- 2.c. Vice Chair A.J. Chippero to report at the City Council meeting of June 2, 2020 (alternate Commissioner Bassam Altwal).

3. PUBLIC COMMENT

4. MINUTES

- 4.a. Approval of the minutes for the April 28, 2020 Planning Commission meeting.

5. PUBLIC HEARINGS

None.

6. OLD BUSINESS

None.

7. NEW BUSINESS

- 7.a. **GPA-01-20, City of Clayton.** Review of the Fiscal Year 2020-2021 Capital Improvement Program Projects for Conformity with the Clayton General Plan.

Staff Recommendation: Staff recommends that the Planning Commission find the City's Capital Improvement Program Projects for the Fiscal Year 2020-2021 are in conformity with the Clayton General Plan. And, pursuant to the California Environmental Quality Act (CEQA), Section 15061(b)(3), it can be seen with certainty that there is no possibility that finding the Capital Improvement Program in conformance with the General Plan may have a significant effect on the environment; it is, therefore, not subject to CEQA, and, additionally, since this is a consistency finding, the previous environmental documentation for the General Plan is adequate CEQA documentation.

8. COMMUNICATIONS

- 8.a. Staff
- 8.b. Commission.

9. ADJOURNMENT

- 9.a. The next regular meeting of the Planning Commission is scheduled for **June 9, 2020**.

Minutes
Clayton Planning Commission Meeting
Tuesday, April 28, 2020

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

Chair Peter Cloven called the meeting to order at 7:00 p.m. using the web conferencing platform Zoom in accordance with the Governor's executive order to shelter-in-place and teleconferencing means to protect residents, officials, and staff during the pandemic.

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

Absent: None

Staff: Community Development Director Matthew Feske
Assistant Planner Milan Sikela, Jr.

2. ADMINISTRATIVE

- 2.a. Review of agenda items.
- 2.b. Declaration of conflict of interest.

3. PUBLIC COMMENT

None.

4. MINUTES

- 4.a. Approval of the minutes for the March 10, 2020 Planning Commission meeting.

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

5. PUBLIC HEARINGS

None.

6. OLD BUSINESS

None.

7. NEW BUSINESS

None.

8. COMMUNICATIONS

8.a. Staff

New Community Development Director Matthew Feske introduced himself and greeted the Planning Commissioners.

8.b. Commission.

None.

9. ADJOURNMENT

9.a. The meeting was adjourned at 7:20 p.m. to the regularly-scheduled meeting of the Planning Commission on May 12, 2020.

Submitted by
Milan J. Sikela, Jr.
Assistant Planner

Approved by
Peter Cloven
Chair

PLANNING COMMISSION STAFF REPORT

Special Meeting Date: May 27, 2020

Item Number: 7.a

From: Scott Alman, P.E., City Engineer
Matthew Feske, Community Development Director

Subject: Review of the Fiscal Year 2020/2021 Capital Improvement Program Projects for Conformity with the Clayton General Plan (GPA-01-20)

Applicant: City of Clayton

DISCUSSION

Section 65401 of the California Government Code requires the Clayton Planning Commission to determine if projects proposed in the City's Capital Improvement Program for the upcoming Fiscal Year are in conformity with the Clayton General Plan. Projects in the City's 2020/2021-2022/2023 Capital Improvement Program that may be undertaken during the Fiscal Year 2020-2021 are listed below. Additionally, citations from the Clayton General Plan are provided related to the particular project's conformity with the General Plan.

1. Pine Hollow Road Upgrades (Capital Improvement Program No.10379)

Included as an unfunded project in many of the past Capital Improvement Program cycles, this project's original scope of widening the north side of Pine Hollow Road with the addition of new curb, gutter, and sidewalk between Pine Hollow Estates and the westerly city limit was funded in Fiscal Year 2018/2019 with available savings from a Measure J grant. Prior City leadership then expanded the initial scope of the project to include the entire length of Pine Hollow Road from the westerly city limit line to Mitchell Canyon Road as an alternate entry into the City. The City of Clayton and the City of Concord entered into a joint application for a complete streets study grant through Caltrans to study Pine Hollow Road in both jurisdictions to create a coordinated complete street improvement project. Project work will include new curb, gutter, and sidewalk as well as complete streets design for bicycle traffic and green storm water infrastructure and the installation of a city entryway sign on the southern city limit of Pine Hollow Road. The total estimated cost for this project is currently at \$1,091,819 but may be revised due to the complete streets facilities to be incorporated.

If the City of Clayton and the City of Concord are successful in garnering the Caltrans study grant, it is anticipated this project will complete the study and planning phase in Fiscal Year 2020-2021 with a complete set of bid specifications by the close of the next fiscal year (Fiscal Year 2021-2022). The project is not expected to enter into the construction phase until Fiscal Year 2021-2022, when additional funding is expected to become available.

"The maintenance of Clayton streets conforms to the General Plan by supporting Policy 9c of the Circulation Element to 'Provide systematic upgrades of streets and roads to applicable standards.'"

2. Americans With Disabilities Act Compliance Program (Capital Improvement Program No. 10394A)

Each fiscal year the City sets aside \$6,000 of its annual Gas Tax revenues to build up sufficient funds to perform handicap ramp corner curb cuts on public sidewalks. In addition to installing these Americans With Disabilities Act ramps where none exist, federal standards as to ramp specifications were modified in July 2008 requiring revamping of existing ramps when street or sidewalk projects are installed in the adjacent area. These monies may also be used to repaint and remark existing Americans With Disabilities Act public parking spaces to current standards. This particular project fund is utilized by the City to annually accumulate income and to build reserves for projected future costs. It is not anticipated that Fiscal Year 2018-2019 funds or prior years' unspent funds will be allocated to a specific project or projects during Fiscal Year 2018-2019; therefore, it is projected that the project account will have a balance of approximately \$21,000 on June 30, 2020.

"The maintenance of Clayton streets conforms to the General Plan by supporting Policy 9c of the Circulation Element to 'Provide systematic upgrades of streets and roads to applicable standards.' "

3. Utility Undergrounding (Capital Improvement Program No. 10397)

Each year, Pacific Gas and Electric is required by the CA Public Utilities Commission to set aside fund credits for the undergrounding of overhead utility lines. The money Pacific Gas and Electric sets aside is distributed to local agencies on a proportional basis in the form of credits. Since the cost of undergrounding is so high (minimum of \$1,000,000 for approximately 300 feet), this project was created to accept and accumulate these funds until enough is available to undertake a project. In Fiscal Year 2020-2021, the City expects to receive approximately \$21,000 in Rule 20A credits. In addition to the annual allocation, the City can borrow a 5-year credit advance, currently estimated at approximately \$103,660. Including the Fiscal Year 2019-2020 annual Rule 20A credit allocation, estimated reserves available for a utility undergrounding project will be approximately \$487,000 as of June 30, 2020.

"These program improvements conform to the General Plan by supporting the primary Goal of the Community Facilities Element 'To provide for an efficient infrastructure and facility plan and program for improvement of existing infrastructure.' and Policy 1d 'Identify private utility plans including program for undergrounding.' "

4. 2020 Neighborhood Pavement Preservation Project (Capital Improvement Program No. 10448)

The objective of the 2020 Neighborhood Pavement Preservation Project is to elevate all of the neighborhood streets to a Pavement Condition Index (PCI) of 80 or greater, with a PCI score of 100 being equivalent to a brand new street. This project has been designed to accomplish said street maintenance and rehabilitation on streets where State or Federal transportation funds are not currently available. This project is funded by various sources with proposed funding being derived from gas tax monies, Measure J local streets maintenance "return to source" funds, Measure J Co-op funds, and a Cal Recycle grant for utilizing rubberized paving materials.

The proposed budget assumes a total fully funded project cost of \$872,360 for engineering (planning, design, etc.), construction, inspections, and project acceptance reporting. This project is expected to transition to the construction phase and be completed by the close of next fiscal year (Fiscal Year 2020-2021).

"The maintenance of Clayton streets conforms to the General Plan by supporting Policy 9c of the Circulation Element to 'Provide systematic upgrades of streets and roads to applicable standards.' "

5. Clayton Community Park – Field 1 Rehabilitation Project (Capital Improvement Program No. 10440)

In response to feedback from local soccer and baseball groups and following an on-site assessment of the premises, rehabilitation of the lower baseball/softball field (Field #1) at Clayton Community Park was identified in Fiscal Year 2016-2017 Capital Improvement Program budget. Work to stabilize the subgrade was completed in Fiscal Year 2016-2017 and it is expected the remaining work will be completed in Fiscal Year 2020-2021 if funding is available. The City Engineer estimates the cost to finish the rehabilitation project will be approximately \$100,000, of which \$50,000 is funded by the Garbage Franchise Community Enhancement Fee and the remaining \$50,000 currently remains unfunded but will be determined by the Council in Fiscal Year 2020-2021.

“The maintenance of Clayton’s parks conforms to the General Plan by supporting Policy 2c of the Open Space/Conservation Element to ‘Review each park/greenbelt area for maintenance needs.’”

6. North Valley Park Playground Rehabilitation Project (Capital Improvement Program No. 10442)

In response to feedback from residents in the community and following an on-site assessment of the premises, rehabilitation of the North Valley Park tot lot and surrounding premises is planned in Fiscal Year 2020-2021. The project consists of the replacement of the resilient play surface, installation of a new playground structure and equipment, and the installation of shade structures. The estimated total cost of the rehabilitation project is \$167,300. The North Valley Playground Rehabilitation project is funded from two sources; the Open Space In-Lieu fee designated for “active areas” will provide \$142,000, with an additional \$1,500 in accumulated interest earnings, and the remaining \$23,800 from unallocated Capital Improvement Program interest earnings. The City anticipates this project to be constructed and completed during Fiscal Year 2020-2021.

“The maintenance of Clayton’s parks conforms to the General Plan by supporting Policy 2c of the Open Space/Conservation Element to ‘Review each park/greenbelt area for maintenance needs.’”

The above proposed Capital Improvement Program projects represent a total projected Capital Related Expenditure in Fiscal Year 2020-2021 of \$1,039,660. in public monies to maintain and improve the infrastructure of this community. As a result of the above projects and related General Plan review and analysis, staff concludes that the Capital Improvement Program projects that may proceed in Fiscal Year 2020-2021 are consistent and in conformity with the Clayton General Plan.

CEQA

Pursuant to the California Environmental Quality Act (CEQA), Section 15061(b)(3) it can be seen with certainty that there is no possibility that finding the Capital Improvement Program in conformance with the General Plan may have a significant effect on the environment, it is therefore not subject to CEQA, and, additionally, since this is a consistency finding, the previous environmental documentation for the General Plan is adequate CEQA documentation.

RECOMMENDATION

Staff recommends that the Planning Commission find the City’s Capital Improvement Program projects for the Fiscal Year 2020-2021 are in conformity with the Clayton General Plan and there is no possibility this finding may have a significant effect on the environment.

ATTACHMENTS

- A. Planning Commission Resolution No. 01-2020

**CITY OF CLAYTON
PLANNING COMMISSION
RESOLUTION NO. 01-2020**

**THE PLANNING COMMISSION FINDING
THAT THE FISCAL YEAR 2020-2021 CAPITAL IMPROVEMENT PROGRAM PROJECTS
CONFORM WITH THE CITY OF CLAYTON GENERAL PLAN
(GPA-01-2020)**

WHEREAS, Section 65401 of the California Government Code requires the Planning Commission to determine if projects proposed in the City's Capital Improvement Program for the upcoming fiscal year are in conformity with the City's General Plan; and

WHEREAS, Projects in the City's 2020/2021-2022/2023 Capital Improvement Program that may be undertaken during Fiscal Year 2020-2021 are listed below with citations from the Clayton General Plan related to the particular project's conformity with the General Plan:

1. Pine Hollow Road Upgrades (Capital Improvement Program No.10379) - *"The maintenance of Clayton streets conforms to the General Plan by supporting Policy 9c of the Circulation Element to 'Provide systematic upgrades of streets and roads to applicable standards.' "*
2. ADA Compliance Program (Capital Improvement Program No. 10394A) - *"The maintenance of Clayton streets conforms to the General Plan by supporting Policy 9c of the Circulation Element to 'Provide systematic upgrades of streets and roads to applicable standards.' "*
3. Utility Undergrounding (Capital Improvement Program No. 10397) - *"These program improvements conform to the General Plan by supporting the primary Goal of the Community Facilities Element 'To provide for an efficient infrastructure and facility plan and program for improvement of existing infrastructure.' and Policy 1d 'Identify private utility plans including program for undergrounding.' "*
4. 2020 Neighborhood Pavement Preservation Project (Capital Improvement Program No. 10448) - *"The maintenance of Clayton streets conforms to the General Plan by supporting Policy 9c of the Circulation Element to 'Provide systematic upgrades of streets and roads to applicable standards.' "*
5. Clayton Community Park – Field 1 Rehabilitation Project (Capital Improvement Program No. 10440) - *"The maintenance of Clayton's parks conforms to the General Plan by supporting Policy 2c of the Open Space/Conservation Element to 'Review each park/greenbelt area for maintenance needs.' "*
6. North Valley Park Playground Rehabilitation Project (Capital Improvement Program No. 10442) - *"The maintenance of Clayton's parks conforms to the General Plan by supporting Policy 2c of the Open Space/Conservation Element to 'Review each park/greenbelt area for maintenance needs.' "*; and

WHEREAS, Proposed Capital Improvement Program projects listed above represent a total projected capital related expenditure in Fiscal Year 2020-2021 of \$1,039,660 in public monies to maintain and improve the infrastructure of this community; and

WHEREAS, as a result of the above projects and related General Plan review and analysis, staff concludes that the Capital Improvement Program projects that may proceed in Fiscal Year 2020-2021 are consistent and in conformity with the Clayton General Plan; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), Section 15061(b)(3) it can be seen with certainty that there is no possibility that finding the Capital Improvement Program in conformance with the General Plan may have a significant effect on the environment, it is therefore not subject to CEQA, and, additionally, since this is a consistency finding, the previous environmental documentation for the General Plan is adequate CEQA documentation; and

WHEREAS, staff recommends that the Planning Commission find the City's Capital Improvement Program projects for the Fiscal Year 2020-2021 are in conformity with the Clayton General Plan and there is no possibility this finding may have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Clayton, based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, does hereby determine that projects proposed in the City's Capital Improvement Program for the upcoming Fiscal Year 2020-2021 are in conformity with the City's General Plan.

PASSED AND ADOPTED by the Planning Commission of the City of Clayton at a special meeting on the 27th day of May, 2020.

APPROVED:

ATTEST:

Peter Cloven
Chair

Matthew Feske
Community Development Director