



# **AGENDA**

## **SPECIAL JOINT MEETING CLAYTON CITY COUNCIL and CLAYTON PLANNING COMMISSION**

**\*\*\*\*\***

**Tuesday, September 28, 2021**

**6:30 p.m.**

### **\*\*\* NEW LOCATION\*\*\***

*This meeting is being held in accordance with the Brown Act as currently in effect under the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19 and the Governor's Executive Orders N-25-20 and N-29-20 that allow members of the City Council, City staff and the public to participate and conduct a meeting by teleconference, videoconference or both. In order to comply with public health orders, the requirement to provide a physical location for members of the public to participate in the meeting has been suspended.*

**Mayor:** Carl Wolfe  
**Vice Mayor:** Peter Cloven

**Chair:** Terri Denslow  
**Vice Chair:** Edward Miller

#### **Council Members**

Jim Diaz  
Holly Tillman  
Jeff Wan

#### **Commissioners**

Bassam Altwal  
Frank Gavidia  
Justin Cesarin

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review on the City's website at [www.ci.clayton.ca.us](http://www.ci.clayton.ca.us)
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at [www.ci.clayton.ca.us](http://www.ci.clayton.ca.us)
- Any writings or documents provided to a majority of the City Council after distribution of the Agenda Packet and regarding any public item on this Agenda is available for review on the City's website at [www.ci.clayton.ca.us](http://www.ci.clayton.ca.us)
- If you have a physical impairment that requires special accommodations to participate, please call the City Clerk's office at least 72 hours in advance of the meeting at (925) 673-7300.

## **Instructions for Virtual Clayton City Council and Clayton Planning Commission Special Joint Meeting – September 28**

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 State order that that allows the public to address the local legislative body electronically.

To follow or participate in the meeting:

1. **Videoconference:** to follow the meeting on-line, click here:

### **Link to join Webinar**

<https://us02web.zoom.us/j/82653978696>

No password required.

**E-mail Public Comments:** If preferred, please e-mail public comments to the City Clerk, Ms. Calderon at [JanetC@claytonca.gov](mailto:JanetC@claytonca.gov) by 5:00 p.m. on the day of the Clayton City Council Special meeting. All E-mail Public Comments will be forwarded to the entire Clayton City Council.

For those who choose to attend the meeting via videoconferencing or telephone shall have 3 minutes for public comments.

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### **Location:**

Videoconferencing Meeting (this meeting via teleconferencing is open to the public)

To join this virtual meeting on-line click here:

### **Link to join Webinar**

<https://us02web.zoom.us/j/82653978696>

No password required.

To join on telephone, dial (877) 853-5257 and use the *Webinar ID* shown above.

**\* CLAYTON CITY COUNCIL AND CLAYTON PLANNING  
COMMISSION SPECIAL JOINT MEETING \***

**September 28, 2021**

**6:30 P.M.**

1. **CALL TO ORDER AND ROLL CALL** – Mayor Wolfe
2. **MEETING PROTOCOL VIDEO** – City Clerk
3. **PLEDGE OF ALLEGIANCE** – led by Councilmember Diaz

4. **PUBLIC COMMENT ON NON - AGENDA ITEMS**

*Members of the public may address the City Council on items within the Council's jurisdiction, (which are not on the agenda) at this time. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Mayor's discretion. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Council may respond to statements made or questions asked, or may at its discretion request Staff to report back at a future meeting concerning the matter.*

*Public comment and input on Public Hearing, Action Items and other Agenda Items will be allowed when each item is considered by the City Council.*

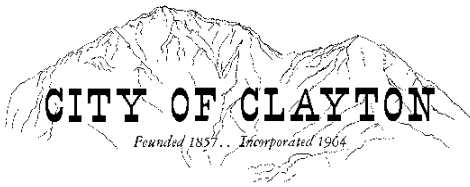
5. **WORKSHOP ITEM**

- (a) Update of Clayton's Housing Element for the Sixth RHNA (Regional Housing Needs Assessment) Cycle for 2023-2031

**RECOMMENDATION:** *Receive presentation, discuss and provide direction to staff on the Housing Element Update for the Sixth RHNA Cycle, 2023-2031 ([View Here](#))*

6. **ADJOURNMENT**

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# STAFF REPORT

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
CLAYTON PLANNING COMMISSIONERS

**FROM:** REINA SCHWARTZ, CITY MANAGER  
DANA AYERS, COMMUNITY DEVELOPMENT DIRECTOR

**DATE:** September 28, 2021

**SUBJECT:** WORKSHOP ON CITY OF CLAYTON'S HOUSING ELEMENT UPDATE FOR  
THE SIXTH RHNA (REGIONAL HOUSING NEEDS ASSESSMENT) CYCLE

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## **RECOMMENDATION**

It is recommended that the City Council and Planning Commission receive a presentation from the City's consultant MIG, Inc. regarding the Housing Element Update underway, discuss, take public comment and provide feedback to staff.

## **BACKGROUND**

Earlier this year, the City kicked off the update of its Housing Element for the Sixth RHNA cycle and selected MIG, Inc. to assist with that process.

## **DISCUSSION**

The purpose of the workshop this evening is to provide the City Council and the Planning Commission an overview of the Housing Element Update process and requirements, review the plan for updating Clayton's Housing Element, as well as hear any public comment and provide feedback to staff. This is the first of several opportunities for the public as well as the Planning Commission and City Council to participate in the Housing Element Update.

## **Attachments:**

- September 28, 2021 Workshop PowerPoint Presentation
- Sixth Cycle Housing Element Community Engagement Plan
- Clayton's Fifth Cycle Housing Element, 2015-2023

# City of Clayton Sixth Cycle Housing Element

Joint City Council / Planning Commission Work Session  
September 28, 2021



# Tonight's Meeting Objectives

- Meet the Consultant Team
- Understand Housing Element Requirements and Process
- Understand Council and Commission Roles
- Review Community Engagement Strategy and Plan
- Provide Preliminary Direction to the Project Team
- Hear Initial Public Comments





# Housing Element Overview



## Glossary of Acronyms

**ABAG:** Association of Bay Area Governments

**AB:** Assembly Bill

**AFFH:** Affirmatively Furthering Fair Housing

**CDBG:** Community Development Block Grant

**GHG:** Greenhouse Gas

**HE:** Housing Element

**HCD:** California Department of Housing and  
Community Development

**RHNA:** Regional Housing Need Allocation



# Housing Element Basics

A State-required General Plan element since 1969

Only General Plan element that requires review and “certification” by a State agency (HCD)

HCD identifies total number of units, across all income groups, for which the region must plan for the eight-year RHNA period (2023 to 2031)

ABAG collaborates with local governments and stakeholders to develop a formula to assign each community a RHNA

Each local government must update Housing Element of General Plan and zoning to show how it plans to accommodate its share of the regional need

# Why Address Housing Needs

**Increase housing supply and mix** of housing types, tenure, and affordability in all cities and counties in an equitable manner

**Promote infill development and socioeconomic equity**, protect environmental and agricultural resources, encourage efficient development patterns, and achieve GHG reduction targets

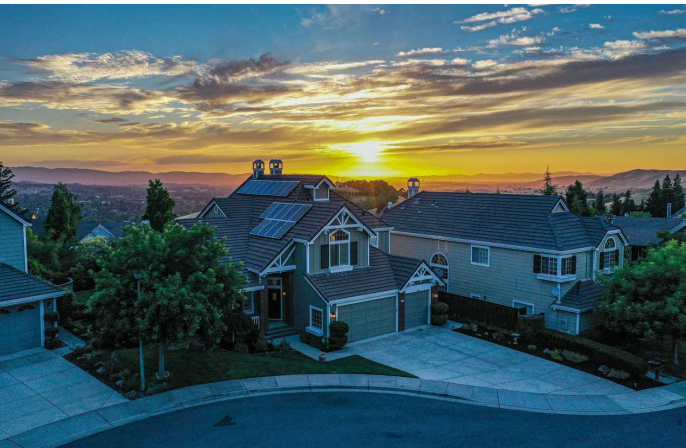
**Promote improved intraregional jobs-housing relationship**, including balance between low-wage jobs and affordable housing

**Balance disproportionate household income distributions** (more high-income RHNA to lower-income areas and vice-versa)

**Address past and present discriminatory housing policies and practices**

# Why Address Housing Needs

- Have a community conversation about how to address local housing challenges
- Reimagine how City will address changing needs for housing
- Identify strategies to preserve beloved character and accommodate modest growth



# Why Update the Housing Element?

Maintain a legally  
adequate General  
Plan

Reflect changes in  
the community  
and new  
legislation

Qualify for housing  
and other grants

Avoid legal  
challenges and  
financial penalties

Avoid penalty of  
four-year Housing  
Element cycle

Avoid loss of local  
land use controls

# What's new for this Housing Element Cycle?

Greater emphasis on social equity

Higher total regional housing need / higher RHNA

Expanded HCD oversight on methodology and allocations

More factors to consider in allocations (*overpayment, overcrowding, greenhouse gas target, jobs-housing fit*)

New state laws adding complexity

Stricter site requirements



# City of Clayton Process

# RHNA Appeals Schedule

May 25, 2021

ABAG notifies jurisdictions/HCD about RHNA Methodology and Draft Allocations.

July 9, 2021

Deadline for jurisdictions/HCD to submit appeals to ABAG

August 30, 2021

Deadline for jurisdictions/HCD to comment on appeals submitted

 September and/or October

ABAG conducts public hearing to consider appeals and comments received

October or November

ABAG ratifies written final determination on each appeal and issues Final RHNA

November or December

ABAG Executive Board conducts public hearing to adopt Final RHNA





# Upcoming Community Engagement

- ~October 1: Online Map-based Survey Launches
- October 14: Virtual Community Workshop
- TBD: Pop up surveys at outdoor events / locations
- Promotion to include
  - City email and public notice
  - Social media including Facebook and Next Door
  - Concord Clayton Pioneer



# Downtown Property Project

- The City is inviting community input on the best use of the Downtown City-owned property
- The site was an opportunity site listed in the previous HE
- Input opportunities will be combined with HE activities
- Photosourcing activity will be included in online survey





# Housing Element Content

# Components of Housing Element



# Needs Assessment

## Population and Housing Profile

- Population and employment
- Households
- Housing stock
- Special needs residents
- At-risk housing

## Affirmatively Furthering Fair Housing (AFFH)

# Affirmatively Furthering Fair Housing

AB 686 (2017)

- Summarize fair housing issues
- Assess fair housing enforcement and outreach capacity
- Analyze segregation patterns and disparities in access to opportunities
- Assess contributing factors
- Identify fair housing goals and actions

*Example actions:* enhanced mobility, development of affordable housing in opportunity areas, preserving existing affordable housing, protection from displacement

# Previous Accomplishments

Summary of progress in housing production and meeting goals since most recent HE

- Annual Progress Report (APR)
- Building permit data (2015-2021)
- CAPERs (Consolidated Annual Performance Evaluation Report for CDBG/HOME funds)

## HOUSING ELEMENT



### 7.0 REVIEW OF PREVIOUS HOUSING ELEMENT

Clayton has made significant progress toward achieving one-time and ongoing goals set in the existing Housing Element, which was adopted and certified in 2010. This section summarizes Housing Element results from 2010 through 2013. The following table provides a brief description of Clayton's effectiveness in implementing programs to achieve objectives set in the previous Housing Element.

Table 49. Review of the 2007–2014 Housing Element

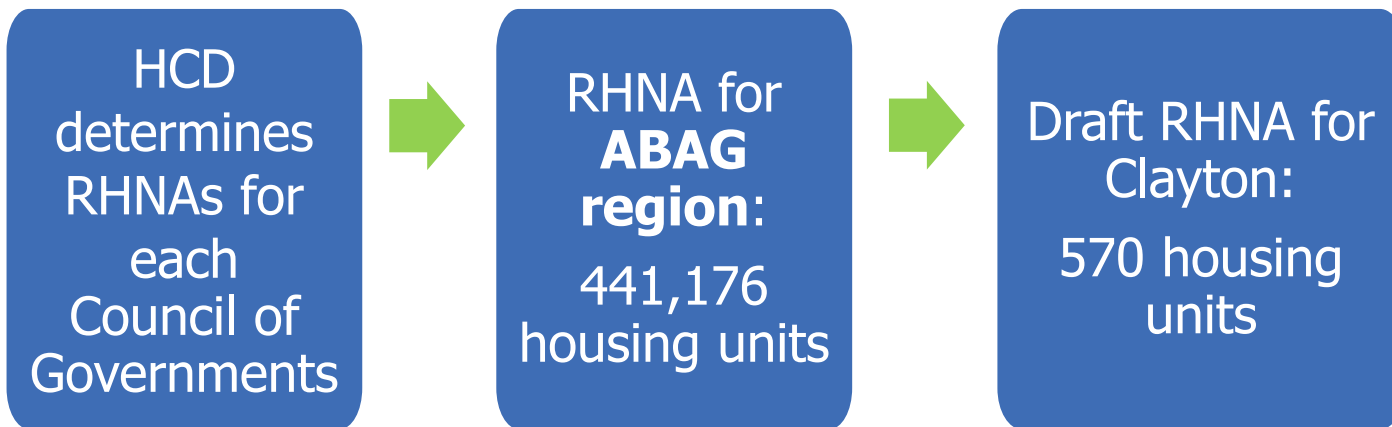
Implementation Measure	Accomplishments	Continue/ Modify/ Delete
<b>Goal I Provide for adequate sites and promote the development of new housing to accommodate Clayton's fair share housing allocation.</b>		
<p><b>Implementation Measure (I.1.1)</b> The City will promote the development of the Affordable Housing Opportunity sites identified in Table 42, Vacant Residential Land (i.e., High Street parcel (Site V-2) and Old Fire Station site (Site V-5)) by creating a General Plan Multi-family High Density designation to allow for 15.1 to 20 units per acre and create a new Zoning District Multi-Family Residential High (M-R-H) to allow up to 20 units per acre.</p> <p>Based on the Vacant and Underutilized Residential Land Tables (Table 42 and 43, 44 and 45) the City has a shortfall of land available to extremely low-, very low-, and low-income households. The City needs enough land to accommodate 50 additional units on sites that allow for 20 units per acre. To address this shortfall, the City will rezone the following site within one year of adoption of the Housing Element.</p> <ul style="list-style-type: none"> <li>• Redesignate a portion of Site U-6 (Easley Ranch, APN 119-080-009, 13.52 acres) from SF (LD) to the newly created MF (HD) and rezone to M-R-H (allows 20 units per acre) to meet the City's 50-unit RHNA shortfall. The City will rezone 3.5 acres of this site to accommodate at least 50 units without physical or environmental constraint. Single family and multifamily units will be allowed by right and would typically require a tentative map and site plan review approval.</li> <li>• The City will also consider redesignating/rezoning Site P-2 (APN 119-021-013, .87 acres) and/or Site P-3 (APN 119-021-054, 1.16 acres), and/or Site P-4 (APN 119-021-055, .95 acres) (see Table 45) to add to the City's future RHNA needs. The redesignation/ rezoning of these sites is not needed to meet the City's 50-unit RHNA shortfall.</li> </ul>	<p>In 2012, the City added the Multi-Family High Density (15.1-20 units/acre) land use designation to the General Plan, created the Multi-Family Residential High (M-R-H) zone, and redesignated seven sites to the Multi-Family High Density designation.</p> <p>The designated sites were zoned Planned Development (PD) in order to maximize flexibility and site design potential on the sites. To further facilitate multi-family development on these sites, the City amended the PD zoning district standards to allow multi-family developments with only site plan review (rather than development plan review) if applicants choose to</p>	Modify.

# Constraints to Housing Development

- Governmental Constraints including:
  - Land Use Controls: General Plan/Zoning
  - Codes and Enforcements
  - Fees and Exactions
  - Processing and Permitting Procedures
- Non-Governmental Constraints including:
  - Land and construction costs
  - Financing availability
- Sixth Cycle HE must include program actions to address non-governmental issues

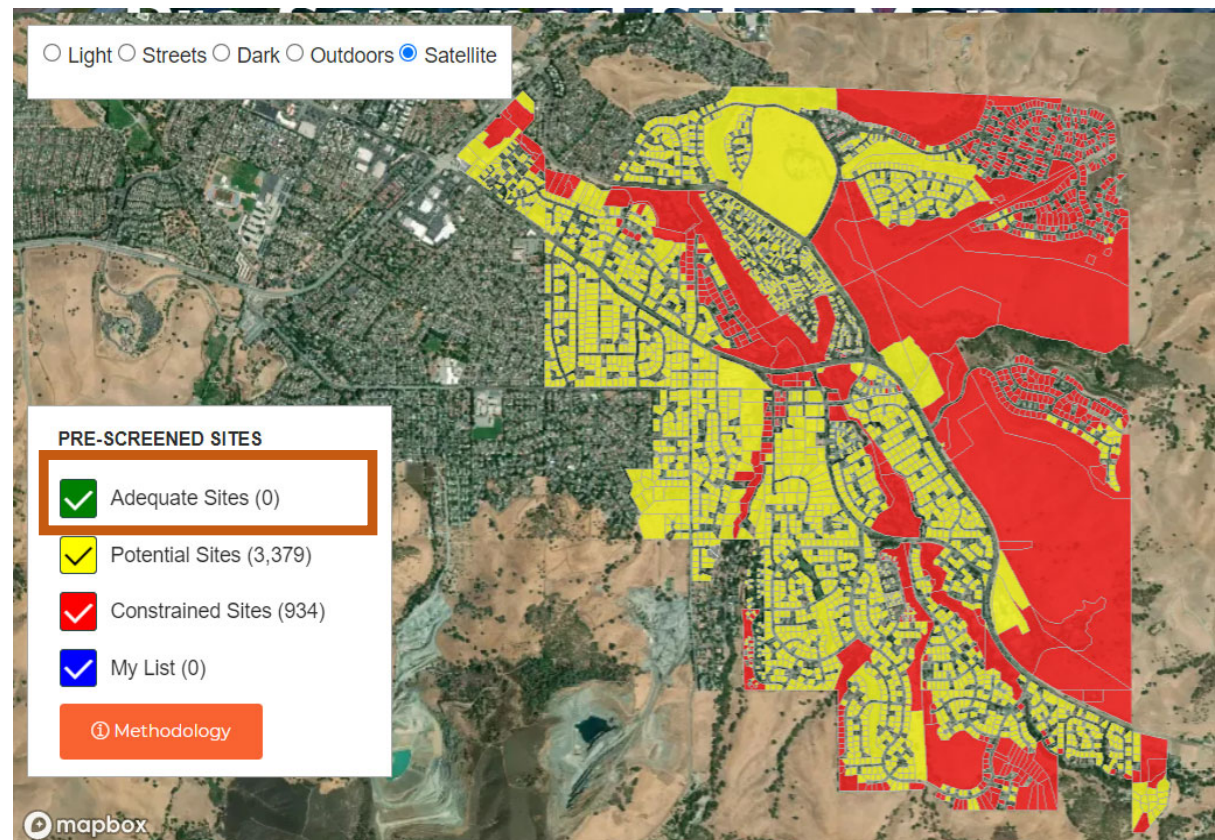


# Sites Inventory



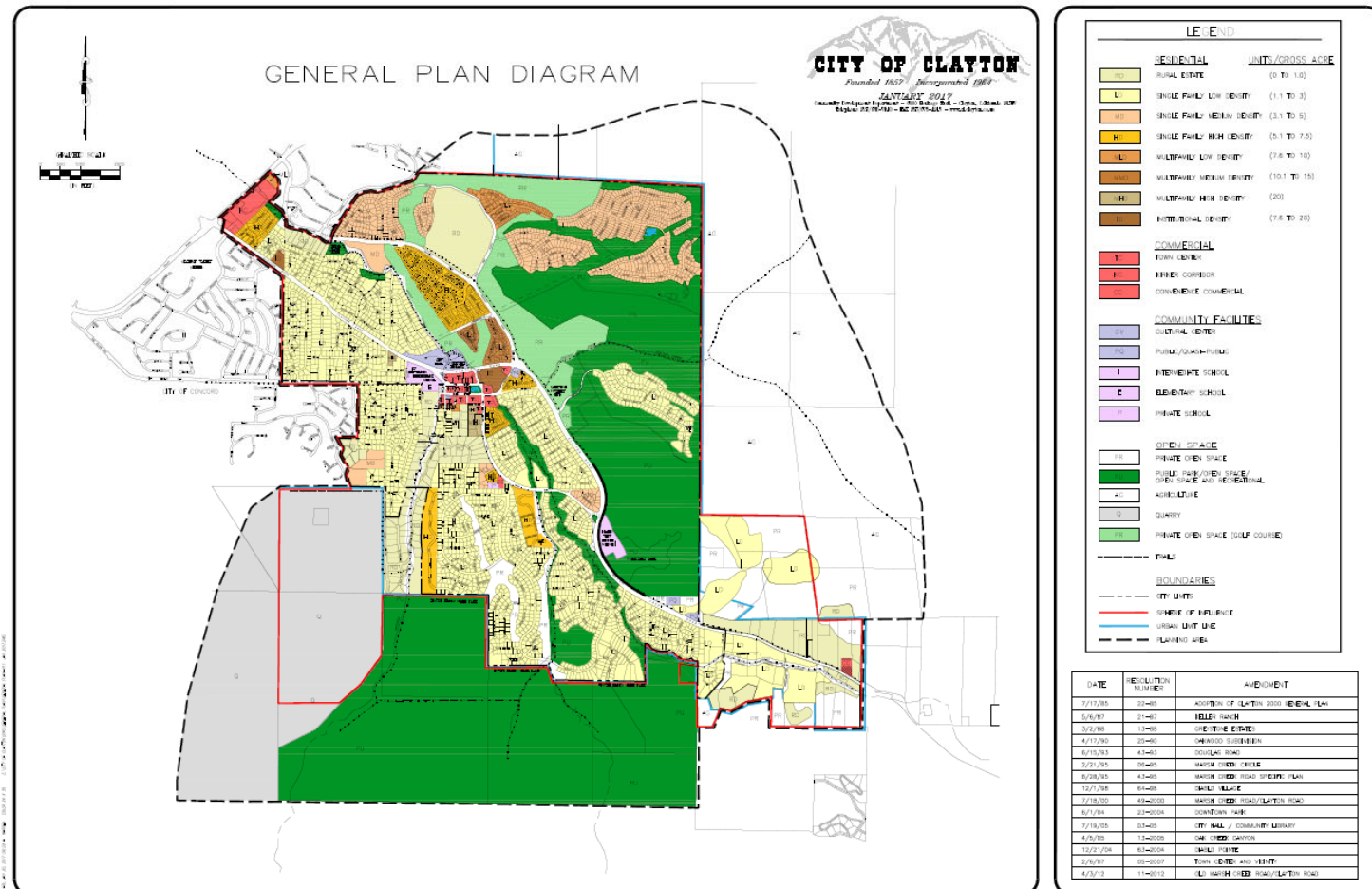
# Initial Site Assessment

- “Adequate sites” are available and suitable
- Not enough sites?
  - Must adopt program actions to “make sites available” with appropriate zoning and standards
- Promising to rezone triggers additional requirements



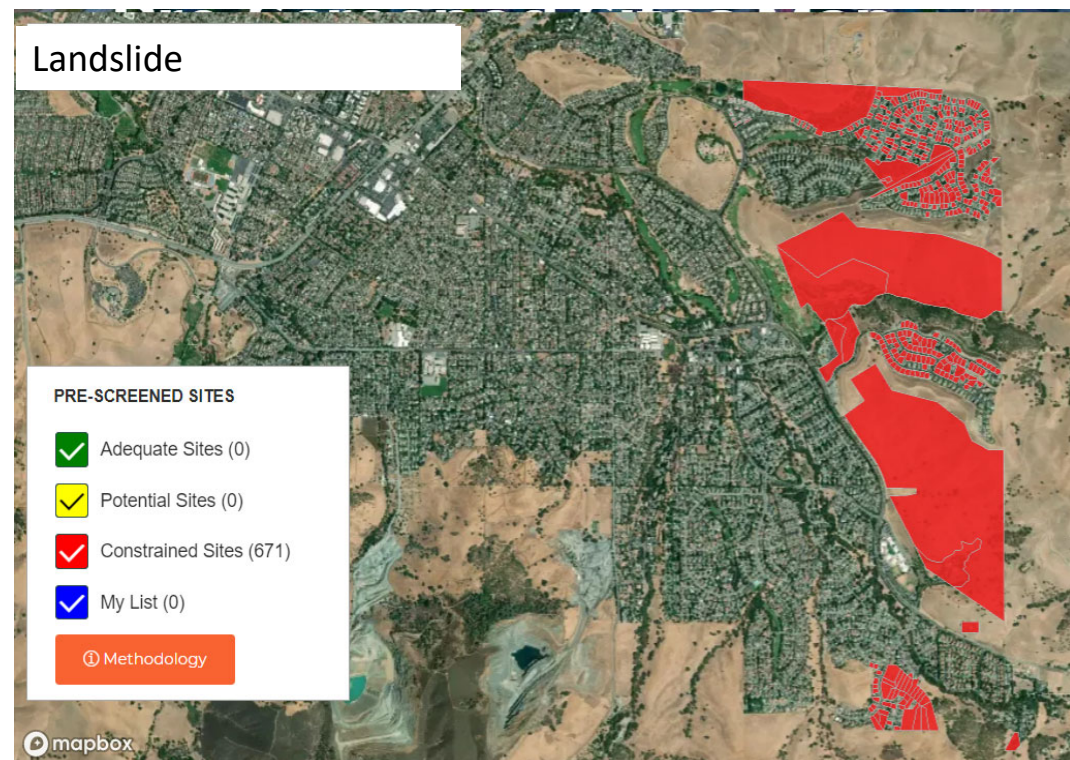
# Constraints: Local Land Use

- Low-density / single-family / large lot residential zoning
- Sensitive Land Ordinance
- Existing City limits



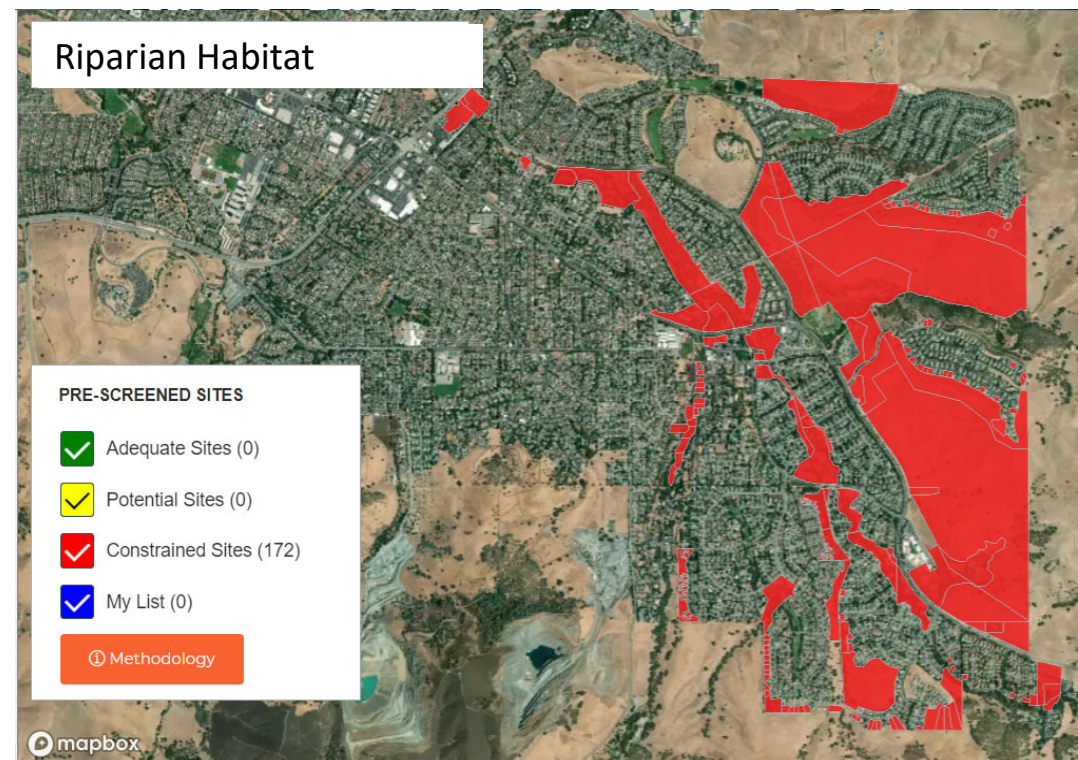
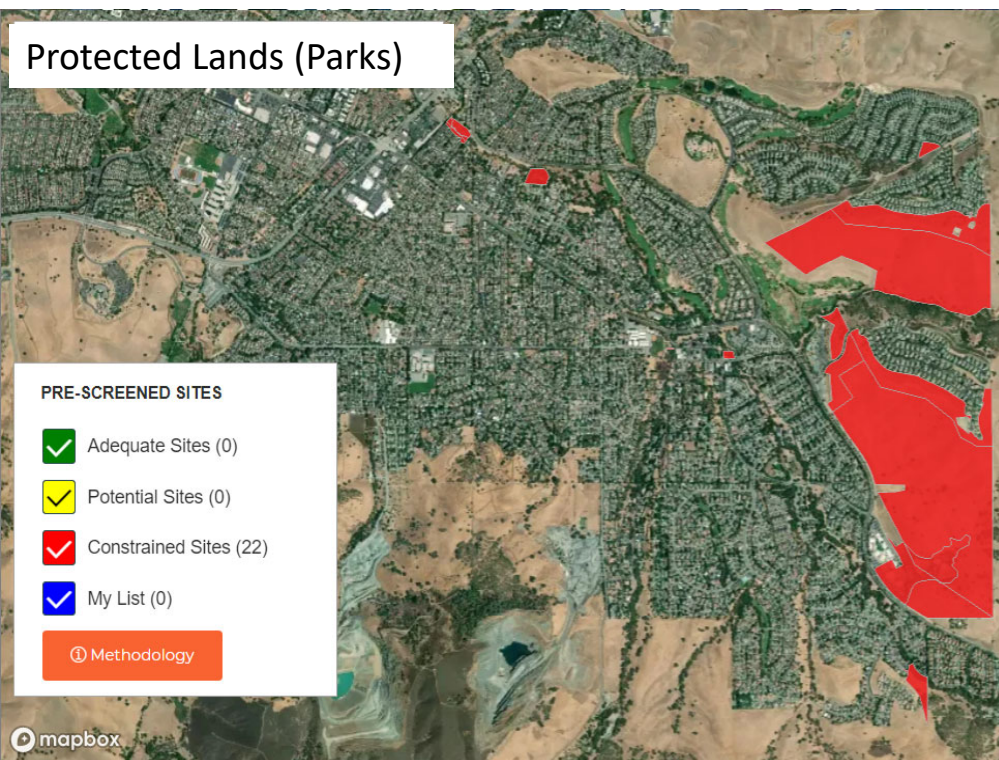


# Constraints: Environmental





# Constraints: Environmental



# Housing Plan

- Goals and Policies
- Implementing Programs
  - Responsible dept./agency
  - Timeframe
  - Funding source
- Quantified Objectives table

## HOUSING ELEMENT

CITY OF CLAYTON

### 8.0 GOALS AND POLICIES

#### Adequate Sites and New Construction

**GOAL I** Provide for adequate sites and promote the development of new housing to accommodate Clayton's fair share housing allocation.

**POLICY I.1** The City shall designate and zone sufficient land to accommodate Clayton's projected fair share housing allocation as determined by the Association of Bay Area Governments.

**Implementation Measure I.1.1.** To ensure that adequate sites are available through the planning

## HOUSING ELEMENT

CITY OF CLAYTON

### Quantified Objectives

Table 50 summarizes quantified objectives for the implementation measures outlined above. These measures are expected to contribute to the construction, rehabilitation, or conservation of units during the Housing Element planning period (2015-2023). Quantified objectives are listed by income category.

**Table 50. Summary of Quantified Objectives**

Objective Category/Program	Extremely Low Income	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
Construction	25	26	25	31	34	141
Rehabilitation <sup>1</sup>	--	8	8	--	--	16
Conservation <sup>2</sup>	20	66	14	26	--	126

<sup>1</sup> Estimate based on Owner-Occupied Housing Rehabilitation Program operated through Contra Costa County.

<sup>2</sup> The City expects to preserve all existing affordable housing units for the duration of the planning period.



# Council and Commission Questions



# Public Comment





# Council and Commission Discussion and Direction to Project Team

# City of Clayton Sixth Cycle Housing Element

Joint City Council / Planning Commission Work Session  
September 28, 2021





# Community Engagement Plan

## Housing Element Update

### Sixth RHNA Cycle

June 2021

## Introduction

The Community Engagement Plan (CEP) outlines the approach for engaging the Clayton community to inform the Housing Element Update for the sixth Regional Housing Needs Allocation (RHNA) Cycle. The Housing Element (a mandatory element of the General Plan) is a set of goals and policies adopted by jurisdictions that guide long-term decision-making around housing. At its core, a housing element is an opportunity to have a community conversation about how to address local housing challenges, develop policies and find solutions. The Housing Element is the blueprint for how the city will grow and address changing needs for housing.

This CEP describes the outreach and engagement strategies, tools, and methods that will be used to inform, educate, and engage community stakeholders throughout the Housing Element Update process. The CEP:

- Describes the community outreach and engagement activities that will continue throughout the planning process, from visioning through adoption.
- Identifies key audiences using available data to tailor engagement activities based on the detailed characteristics of key audiences.
- Emphasizes people-centered strategies with public education activities focused on helping participants understand how the Housing Element can impact their community.

Outreach and engagement activities will be scheduled early in the process to ensure that input informs key decision points throughout the development of the Housing Element Update. Early activities will facilitate conducting broad community engagement. The CEP is structured to use people's time efficiently, so that certain outreach activities can inform both the Housing Element Update and engagement regarding the City's Downtown Site. MIG recognizes that "public engagement fatigue" is a reality and that care must be taken to efficiently engage the public, especially participants who do not often participate in public processes.



Following COVID-19 guidance from local, state, and federal public health agencies, engagement activities will be held online. In-person events may be scheduled once public health officials indicate groups can congregate safely.

The CEP corresponds to the Scope of Work's Task 2.1: Community Engagement Plan.

The CEP is organized around the following topics:

- Public engagement objectives and goals
- Key audiences and engagement methods
- Engagement activity descriptions

## Public Engagement Objectives and Goals

The City's overall goal is to inform and engage stakeholders throughout the Clayton Housing Element process. This program aims to ensure participation by a broad range of stakeholders to solicit input that will inform key elements and decisions, such as identifying housing sites and determining specific needs of disadvantaged neighborhoods and residents.

- **Educate and inform** community members about the Housing Element and the State's requirement regarding the Regional Housing Needs Assessment allocation.
- **Provide varied and frequent opportunities** for participation by a wide cross section of community members—both residents and the business community—to accurately capture the diverse perspectives and interests that represent Clayton and do so in the languages people feel most comfortable expressing their ideas.
- **Solicit input** from residents who have a deep understanding of their community and who can articulate aspirations for short- to long-term changes.
- **Demonstrate transparency** through open, consistent interactions with the community throughout the process and communicating how public comments and input are incorporated into recommendation and decisions.

## Key Audiences and Engagement Methods

The project team has identified key audiences and engagement methods to encourage participation from a broad cross-section of the Clayton community that represents the City's cultural groups, income levels, ages, interests, etc. In particular, the program will seek out and consider the viewpoints of hard-to-reach groups such as communities of color, low- and moderate-income residents, seniors, youth, limited-English proficient individuals, people with disabilities, and individuals and groups not typically engaged in City planning processes.



These lists are not intended to be exhaustive and will be refined and updated in consultation with City staff. See Table 1 for Clayton’s community profile. Table 2 identifies key audiences and priority groups.

## Key Audiences

Table 1: Community Profile

Category (2019)	Clayton	Contra Costa County
<b>Total Population</b>	<b>12,083</b>	<b>1,142,251</b>
Median Age	45.9	39.7
Seniors % (65 years and over)	17.4%	15.4%
Children % (under 18 years)	22.9%	22.9%
<b>Race and Ethnicity (Non-White) %</b>		
American Indian and Alaska Native	0.1%	0.2%
Asian %	7.6%	16.5%
Black or African American	2.3%	8.4%
Hispanic/Latino %	10.3%	25.6%
Native Hawaiian and Other Pacific Islander	0.0%	0.5%
Some other race	0.0%	0.3%
Two or more races	5.0%	4.7%
White Non-Hispanic %	74.6%	43.8%
<b>Income and Poverty</b>		
Mean (Average) Income	\$191,059	\$135,742
Below Poverty %	1.4%	8.7%
<b>Household Language</b>		
Language other than English spoken at home	12.8%	37.0%
Limited English-Speaking Households %	0.4%	5.3%
<b>Internet Subscription Access in Household</b>		
With an Internet Subscription	96.9%	94.6%
Internet Access without a Subscription	0.4%	1.1%
No Internet Access	2.7%	4.3%

Source: U.S. Census Bureau, American Community Survey, 2019.



Table 2: Key Audiences and Priority Groups

Key Audiences	Priority Groups
<ul style="list-style-type: none"> <li>Residents</li> </ul>	<ul style="list-style-type: none"> <li>Youth and teens</li> <li>Seniors</li> <li>People with disabilities</li> <li>People without housing</li> <li>Limited-English speakers</li> <li>Neighborhood and homeowner associations</li> <li>Residents with language barriers</li> <li>Residents with special needs (e.g., people with disabilities, people without housing, female-headed households, etc.)</li> </ul>
<ul style="list-style-type: none"> <li>Businesses and business groups</li> </ul>	<ul style="list-style-type: none"> <li>Business associations</li> <li>Business owners</li> <li>Realtor groups</li> </ul>
<ul style="list-style-type: none"> <li>Community-based organizations and nonprofits</li> </ul>	<ul style="list-style-type: none"> <li>Youth organizations</li> <li>Senior organizations</li> <li>Faith-based institutions</li> <li>Organizations serving low-income individuals and households</li> <li>Organizations serving non-English speakers</li> <li>Homelessness organizations</li> <li>Special needs organizations</li> <li>Food banks</li> <li>Mental health organizations</li> <li>Substance abuse organizations</li> <li>Social services organizations</li> <li>Civic participation organizations</li> </ul>
<ul style="list-style-type: none"> <li>Elected Officials</li> </ul>	<ul style="list-style-type: none"> <li>City Council</li> <li>City Commissioners</li> </ul>
<ul style="list-style-type: none"> <li>Housing advocates and providers</li> </ul>	<ul style="list-style-type: none"> <li>Housing developers (for profit and nonprofit)</li> <li>Housing advocates (e.g., fair housing, legal and mediation services, rental assistance)</li> <li>Special needs housing providers</li> <li>Group homes</li> </ul>
<ul style="list-style-type: none"> <li>Public Agencies</li> </ul>	<ul style="list-style-type: none"> <li>City agencies</li> <li>County agencies</li> <li>School districts</li> </ul>



Key Audiences	Priority Groups
<ul style="list-style-type: none"> <li>Service Providers</li> </ul>	<ul style="list-style-type: none"> <li>Educational institutions</li> <li>Housing and homeless services</li> <li>Medical service providers</li> <li>Childcare providers</li> <li>After-school programs</li> </ul>

## Engagement Tools and Methods

The community engagement program will use a project webpage, stakeholder focus groups or interviews, Planning Commission and City Council briefings, community workshops, a map-based online survey and Planning Commission and City Council hearings between July 2021 and December 2022. Tools will be tailored to key audiences, including elected/public officials, residents and community members, businesses and visitors, and community-based organizations and non-profits. Cohesive and clear messaging will be used for all public materials and to clearly link the Housing Element with the Downtown Site project. Table 3 aligns key audiences with the planned engagement methods.

Table 3: Key Audiences and Associated Engagement Methods

Key Audiences	Engagement Method
Residents	<ul style="list-style-type: none"> <li>Project webpage</li> <li>Community workshops</li> <li>Online survey</li> </ul>
Businesses and business groups	<ul style="list-style-type: none"> <li>Project webpage</li> <li>Focus group or interviews</li> <li>Community workshops</li> <li>Online survey</li> </ul>
Community-based organizations and nonprofits	<ul style="list-style-type: none"> <li>Project webpage</li> <li>Focus group or interviews</li> <li>Community workshops</li> <li>Online survey</li> </ul>
Elected officials	<ul style="list-style-type: none"> <li>City Council briefing</li> <li>Focus group or interviews</li> <li>Council and Commission hearings</li> </ul>
Housing advocates and providers	<ul style="list-style-type: none"> <li>Project webpage</li> <li>Focus group or interviews</li> <li>Community workshops</li> <li>Online survey</li> </ul>
Public agencies	<ul style="list-style-type: none"> <li>Focus group or interviews</li> <li>Council and Commission hearings</li> </ul>



Key Audiences	Engagement Method
Service providers	<ul style="list-style-type: none"> <li>Project webpage</li> <li>Focus group or interviews</li> <li>Community workshops</li> <li>Online survey</li> </ul>

## Disadvantaged Communities

Disadvantaged communities (DACs) refer to the areas throughout California that most suffer from a combination of economic, health, and environmental burdens. These burdens include poverty, high unemployment, air and water pollution, the presence of hazardous wastes, and high incidence of asthma and heart disease. State agency definitions for DACs include:

- The top 25% scoring areas from CalEnviroScreen
- Low-income households (households with incomes 80 percent of the area median income)
- Low-income census tracts (census tracts where aggregated household incomes are less than 80 percent of area or state median income)

To inform the engagement strategy, and identify the need for targeted outreach to DACs, this CEP uses Draft CalEnviroScreen 4.0, released by the Office of Environmental Health Hazard Assessment (OEHHA) on behalf of the CalEPA on February 22, 2021, and the California Healthy Places Index (HPI) developed by the Public Health Alliance of Southern California in partnership with the Virginia Commonwealth University's Center on Society and Health. Table 4 below provides the results of the Draft CalEnviroScreen 4.0, HPI, and aggregated household incomes analysis for Clayton census tracts.

Table 4: Disadvantaged Communities Analysis

Clayton Census Tracts	Draft CalEnviroScreen 4.0	Healthy Places Index	Mean (Average) Household Income
3553.01	5	85.2	\$170,141 or 150% of statewide household average
3553.04	4	91	\$193,154 or 170% of statewide household average
3553.06	2	97.4	\$152,385 or 134% of statewide household average

Source: Draft CalEnviroScreen 4.0 (<https://oehha.ca.gov/calenviroscreen/report/draft-calenviroscreen-40>) 2021. Healthy Places Index (<https://map.healthypacesindex.org/>) 2021. U.S. Census Bureau, American Community Survey, 2019.

Clayton census tracts are not categorized as DACs according to the state definitions based on CalEnviroScreen 4.0, HPI or average household income. CalEnviroScreen results provide





rankings from 0 to 100 and represent percentile rankings relative to other census tracts. Clayton's census tracts' low scores indicate that Clayton has a lower pollution burden than 95% of California census tracts. HPI scores indicate the sum of eight weighted topic areas, with ranks closer to 100 indicated healthier community conditions. Clayton census tracts have healthier community conditions than 85% of other California census tracts and higher average household income levels compared to the statewide average.

These findings do not identify specific DACs for targeted engagement, but initial outreach activities will seek to uncover under-represented groups or others requiring focused outreach (such as disabled residents or seniors).

## Engagement Activity Descriptions

This section describes the planned outreach and engagement activities. Community outreach will begin early in the planning process to ensure community input is incorporated during the technical stages of the planning process.

The project team will develop a consistent look and feel for project materials, including a suite of templates that can be used to promote community events such as flyers. The project team will also develop a set of key messages that clearly describe the Housing Element process and objectives to the Clayton community.

The flow of outreach and engagement activities is provided below in Table 5. Items marked with an asterisk will be held jointly or otherwise combined with community activities related to the Downtown Site project. The specific scope of each activity will be confirmed with City staff, considering project budget and evolving project needs.

Table 5: Schedule of Engagement Activities

Estimated Time Frame	Engagement Method
September 2021	<ul style="list-style-type: none"> <li>Project webpage launch*</li> </ul>
September 2021	<ul style="list-style-type: none"> <li>Stakeholder interviews*</li> </ul>
September 2021	<ul style="list-style-type: none"> <li>City Council / Planning Commission work session (tentative 9/28/21)</li> <li>Pop-up events*</li> </ul>
October 2021	<ul style="list-style-type: none"> <li>Online survey #1</li> <li>Community workshop #1 (tentative 10/14/21)</li> </ul>



Estimated Time Frame	Engagement Method
January 2022	▪ NOP / EIR Scoping Meeting
February 2022	▪ Community Workshop #2 ▪ Online survey #2 (tentative)
March 2022	▪ Council and Commission Hearings
October 2022	▪ Council and Commission Hearings (Adoption)

## Project Webpage

The project team will provide content and periodic updates for a city-hosted project webpage to post key messaging and documents for public review and announce community engagement opportunities. The webpage will be linked to the Downtown Site project and promote combined outreach and engagement activities to reach more residents. MIG recommends launching the Downtown Site project webpage and the Housing Element webpage at the same time to avoid confusion and to garner attention.

## Stakeholder Interviews

The project team will conduct up to ten stakeholder interviews, including one-on-one meetings with each City Council member. Interviews will be used to identify key housing needs and priorities, potential locations or sites for new housing, and tools and opportunities for effective community engagement. When discussing locations for new housing, the project team will include input on the Downtown Site.

The project team will prepare invitations and a draft list of questions. The City will contact participants and confirm their participation. Due to COVID-19 constraints, the focus group or interviews will be conducted via phone or Zoom.

## Planning Commission and City Council Work Session

The project team will brief the City Council and Planning Commission to introduce the Housing Element goals, objectives, scope, and timeline, and present preliminary findings from stakeholder interviews and initial project tasks.

## Pop-up Event(s)

The project team will leverage the Downtown Site pop-up to collect input on housing strategies. The project team will develop activity boards for dot-voting and collecting additional comments and ideas. The Housing Element and Downtown Site project teams will



collaborate to staff the pop-up activity. Additional events may be held at popular community destinations (e.g., library) or in conjunction with community events such as the Skip Ipsen Memorial Bocce Tournament in September 2021 and/or Clayton Tree Lighting Ceremony in Winter 2021.

## **Community Workshop #1**

The project team will conduct two interactive community workshops at key project milestones. Workshop #1 will introduce the planning process, solicit input on community values and issues of highest concerns, identify development opportunities, and collect input for preferred strategies and locations for new housing.

The first workshop will also collect input on the community's vision for the Downtown Site including potential housing. The workshop will be held virtually using online video conferencing. Digital tools such as live polling and digital white boards will be integrated to keep participants engaged.

## **Online Survey #1**

The project team will develop and conduct an online map-based survey on current housing conditions, needs and goals, using the Maptionnaire survey tool which allows users to view and navigate a map of the City and capture geographically-specific data. Participants will also be asked to identify potential housing opportunity sites. The first survey will be combined with the Downtown Site Digital Photo Contest to enhance outreach efforts and expand the reach of both projects.

The project team and City will promote the survey with project webpage updates and social media posts. The online survey will allow interested residents who are unable to attend the community workshop to share their opinions and ideas with the project team.

## **Environmental Scoping Meeting**

The California Environmental Quality Act (CEQA) requires public agencies and local governments to measure the environmental impacts of development projects or other major land use decisions and to limit or avoid those impacts if possible. The project team and City will notify responsible agencies that the City as lead agency plans hold a public Environmental Scoping Meeting to inform the public that Clayton is evaluating a project under CEQA and to solicit public comments regarding the scope of environmental analyses to be conducted.



MIG will work with City staff to determine whether there is a need for a full EIR, which will impact timing of the Environmental Scoping Meeting. If possible, this meeting will be held in conjunction with Community Meeting #2 for efficiency.

## **Community Workshop and Online Survey #2**

Workshop #2 will present the Draft Housing Element for community feedback. This will include proposals for rezoning and other potential General Plan amendments. As budget allows, a second online survey will be used to collect additional feedback on the draft.

## **Planning Commission and City Council Hearings**

The project team will present at a City Council and Planning Commission hearing to present the Draft Housing Element and community input from the second workshop. A second set of Commission and Council Hearings will be held to adopt the final Housing Element and certify the Final EIR.

This document and the engagement approach will continue to be refined and adjusted as needed over the course of the project.

# CITY OF CLAYTON

## 2015-2023

### Housing Element

Adopted by City Council Resolution No. 42-2014  
November 18, 2014



City of Clayton  
6000 Heritage Trail  
Clayton, CA 94517-1250



Technical Assistance By:



2729 Prospect Park Drive, Suite 220  
Rancho Cordova, CA 95670

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## Appendices

Appendix A – Housing Conditions Results Map

Appendix B – Residential Land Inventory

## 1.0 INTRODUCTION

### 1.1 Overview of State Requirements

State law recognizes the vital role local governments play in facilitating the supply and affordability of housing. Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the city or county. The Housing Element is one of the seven mandated elements of the local General Plan. State law requires that local governments identify and plan for the existing and projected housing needs of all economic segments of the community in their Housing Elements. The law acknowledges that, in order for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development. Housing policy in the state rests largely upon the effective implementation of local general plans and, in particular, local Housing Elements.

### 1.2 Housing Element Organization

This Housing Element addresses the planning period from January 31, 2015 to January 31, 2023. This Housing Element consists of the following sections:

- Section 2.0 provides a description and analysis of Clayton’s population and household characteristics, employment and economic trends, housing stock, and existing and future housing needs.
- Section 3.0 examines opportunities and resources for residential energy conservation.
- Section 4.0 describes potential governmental and non-governmental constraints to the production of affordable housing.
- Section 5.0 provides an overview of existing financial and programmatic resources available to assist in housing production and improve affordability, as well as an inventory of existing affordable housing developments and properties.
- Section 6.0 analyzes land available for residential development and demonstrates the City’s capacity to meet its Regional Housing Needs Allocation (RHNA).
- Section 7.0 reviews the implementation status, effectiveness, and continued appropriateness of implementation measures from the City’s 2009–2014 Housing Element.
- Section 8.0 establishes goals, policies, implementation measures, and quantified objectives for the 2015–2023 Housing Element planning period. Housing goals and policies are organized in six categories: the provision of housing for households at all income levels; regulatory relief and incentives; rental and homeownership assistance; equal access to housing; energy conservation; and regional planning. Following the housing goals, policies, and implementation measures section is a table that outlines quantified objectives for the 2015–2023 planning period.

## 1.3 Public Participation

State law requires that local governments “make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element” (Government Code Section 65583). To satisfy this requirement, the City conducted a series of community meetings and public hearings to receive community input regarding housing needs and policy direction in the City of Clayton. City staff posted notices at public buildings, published notices in the regional newspaper *Contra Costa Times*, mailed letters, and sent e-mails to housing advocacy groups, property owners, and community contacts to publicize meeting dates and input opportunities. The joint Planning Commission/City Council workshop on November 5, 2013, was televised on the local cable channel. In addition, the draft Housing Element was made available to the public on the City’s website in April 2014.

The outreach list included groups serving lower-income and special needs populations including EAH Housing, a nonprofit affordable housing developer; Contra Costa for Every Generation, a special needs housing group serving seniors and low-income families; the Clayton Community Church; and local realty interests, including Focus Realty and Lynn French Realty.

In addition, City staff met twice and communicated via phone and email with representatives of Saint John’s Parish in the summer and fall of 2013 to discuss development opportunities for their underutilized site at 5555 Clayton Road. Opportunities include new housing on the two single-family lots on the Southbrook Drive frontage to complement existing homes on that street and the potential for senior housing and/or a senior center on the portion of the property fronting on Clayton Road.

### Workshops and Hearings

Public Workshop (November 5, 2013)—City staff and the Housing Element consultant made a presentation to the City Council, Planning Commission, and members of the public regarding the Housing Element update. The presentation included an overview of the update process and schedule, a description of the required components, and initial findings from the needs assessment. The comments received at the meeting included general questions and comments regarding the Housing Element process, which were addressed at the meeting. There were no comments from the public.

Planning Commission Hearing (May 13, 2014)— City staff and the Housing Element consultant presented the draft Housing Element to the Planning Commission and members of the public for review and comment. There were no public comments.

City Council Hearing (June 3, 2014)—City staff and the Housing Element consultant presented the draft Housing Element to the City Council and members of the public for review and comment, and approval to submit the draft to the California Housing and Community Development (HCD). There were no public comments.

Following receipt of a letter of conditional compliance from HCD, the City held public hearings to present the final draft, as well as recommended revisions to the Planning Commission and City

Council for review and adoption. The final draft document was made available to the public on September 12, 2014, at City Hall and the City’s website.

Planning Commission Hearing (October 14, 2014)—City staff presented the final draft Housing Element to the Planning Commission and public. After hearing and considering the information, the Planning Commission recommended City Council adoption of the final draft Housing Element with minor technical revisions as presented.

City Council Hearing (November 18, 2014)—City staff and Housing Element consultant presented the final draft Housing Element to the City Council for adoption. City Council adopted Resolution 42–2014 adopting the 2015–2023 Housing Element.

## **1.4 Relationship to Other General Plan Elements**

State law requires that the Housing Element be consistent with the community’s General Plan. The Clayton General Plan comprises eight elements: Land Use, Circulation, Housing, Community Design, Open Space/Conservation, Safety, Noise, Community Facilities and Growth Management. All of the goals, policies, and programs contained in these elements are consistent with this Housing Element. The City will continue to review the General Plan for internal consistency as amendments are proposed and adopted.

The City is aware of the requirements of Assembly Bill (AB) 162 (2007). AB 162 requires every city and county to amend the safety and conservation elements of its general plan to include analysis and policies regarding flood hazards and management.



## HOUSING ELEMENT

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## 2.0 HOUSING NEEDS ASSESSMENT

According to state law, the Housing Element must analyze demographic trends, housing characteristics and market trends, economic and income data, and the special housing needs of certain segments of the population. The analysis in this section primarily utilizes data compiled by the Association of Bay Area Governments (ABAG) in the Data Profiles for Housing Elements, released in January 2014. The profiles include population, housing stock, and economics data from the 2000 and 2010 US Census, the California Department of Finance (DOF), 2013 ABAG projections, the US Department of Housing and Urban Development's (HUD) Comprehensive Housing Affordability Strategy (CHAS) database, and the US Census American Community Survey (ACS). ACS figures are estimates based on samples; for a small city like Clayton, reported figures may be subject to large margins of error. Data that was not included in the ABAG Data Profiles for Housing Elements packet was obtained from direct contact with public agencies, city staff, or other publically available data sources.

### 2.1 Population Characteristics

#### Historic Population Growth

According to the DOF, the population in Clayton was estimated at 11,093 as of 2013, up from 10,897 in 2010 (US Census). As shown in **Table 1**, Clayton experienced significant growth from 1970 to 2000, when the population increased over 675 percent. Since 2000, the population has grown at a slower pace, increasing only 1 percent from 2000 to 2010.

**Table 1. Historic Population Growth, 1970 to 2010**

Year	Population	Percentage Change
1970	1,385	--
1980	4,325	212%
1990	7,317	69%
2000	10,762	47%
2010	10,897	1%

*Sources: 2000 and 2010 US Census (ABAG Data Profiles for Housing Elements 2013)*

Clayton is the smallest city in Contra Costa County. **Table 2** shows that although Clayton's steady population levels between 2000 and 2010 are consistent with growth that has occurred in the nearby communities of Concord and Walnut Creek, other Contra Costa cities such as Brentwood and San Ramon have continued to grow at a significant rate. Clayton's voter-approved Urban Limit Line virtually parallels the City's municipal limits and the City is essentially built-out.

**Table 2. Population Change Comparison, 2000 and 2010**

Jurisdiction	2000 Population	2010 Population	Percentage Change
Antioch	90,532	102,372	13%
Brentwood	23,302	51,481	121%
<b>Clayton</b>	<b>10,762</b>	<b>10,897</b>	<b>1%</b>
Concord	121,780	122,067	<1%
Danville	41,715	42,039	1%
San Ramon	44,722	72,148	61%
Walnut Creek	64,296	64,173	<1%
Uninc. Contra Costa County	151,690	159,785	5%

Source: 2000 and 2010 US Census (ABAG Data Profiles for Housing Elements 2013)

## Projected Population Growth

According to ABAG projections, the Clayton population will increase approximately 6 percent from 2010 to 2040, to a population of 11,600. For the same period, the countywide Contra Costa population is expected to increase by over 27 percent to 1,338,400 persons (see **Table 3**).

**Table 3. Population Projections, 2010 to 2040**

Year	Clayton		Contra Costa County	
	Population	% Change	Population	% Change
2010	10,897	--	1,049,025	--
2015	10,900	<1%	1,085,700	3%
2020	11,100	2%	1,123,500	3%
2025	11,400	3%	1,172,600	4%
2030	11,400	<1%	1,224,400	4%
2035	11,500	1%	1,280,300	5%
2040	11,600	1%	1,338,400	5%

Source: ABAG Projections, 2013

## Household Size and Composition

The average size of Clayton households was 2.72 persons as of 2010. This is comparable to the average household size of Contra Costa County as a whole, which had an average of 2.77 households as of 2010. According to ABAG projections, the average household size for the City of Clayton and Contra Costa County as a whole will increase in size to 2.85 persons by 2040.

According to the 2007–2011 ACS, over 80 percent of Clayton households were family and just under 40 percent were families with children. Approximately 16 percent of households were single persons and 2 percent were multiple-person, non-family households.

## Population Age

Current and future housing needs are determined in part by the age characteristics of a community's residents. Age can contribute to lifestyle choice, housing preferences, earning capability, and need for services and amenities.

The median age in Clayton increased from 40.2 in 2000 to 45.0 years in 2010 (US Census). This slight shift is reflected in **Table 4**, which shows a decrease in the percentage of residents that are under age 5, aged 20 to 34, and aged 33 to 44, and an increase in the percentage of residents that are age 45 or older.

**Table 4. Population Age Distribution, 2000 and 2010**

Age	2000		2010	
	Number	Percentage	Number	Percentage
Under 5	749	7%	468	4%
5 to 19	2,315	22%	2,439	22%
20 to 34	1,277	12%	1,063	10%
33 to 44	2,062	19%	1,479	14%
45 to 59	2,874	27%	3,020	28%
60 to 74	1,157	11%	1,775	16%
75 and older	328	3%	653	6%
<b>Total</b>	<b>10,762</b>	<b>100%</b>	<b>10,897</b>	<b>100%</b>

*Source: 2000 and 2010 US Census (ABAG Data Profiles for Housing Elements 2013)*

## Race and Ethnicity

According to the US Census, the majority of the Clayton population was white (79 percent) as of 2010. The population has grown slightly more diverse since 2000, when 84 percent of the population was white. **Table 5** compares the racial and ethnic composition of Clayton in 2000 and



2010. The Hispanic population was the largest minority, representing 9 percent of the community, followed by the Asian population, which represented 6 percent of the community as of 2010.

**Table 5. Race and Ethnicity, 2000 and 2010**

Race/Ethnicity	2000		2010	
	Number	Percentage	Number	Percentage
One Race				
White	9,000	84%	8,640	79%
Hispanic	681	6%	982	9%
Black or African American	113	1%	144	1%
American Indian or Alaska Native	16	<1%	30	<1%
Asian	577	5%	707	6%
Native Hawaiian or Pacific Islander	9	<1%	14	<1%
Other	30	<1%	32	<1%
Two or more races	336	6%	348	3%
<b>Total</b>	<b>10,762</b>	<b>100%</b>	<b>10,897</b>	<b>100%</b>

*Source: 2000 and 2010 US Census (ABAG Housing Element Data Profiles 2013)*

## 2.2 Housing Stock Characteristics

This section provides an overview of the number and type of housing units in Clayton, as well as analysis of tenure and occupancy, the age and condition of existing housing, and overcrowding. Note that the number of housing units and households in Clayton varies in tables in this Housing Element as data was pulled from different data sources including Summary Files 1 and 3 from the US Census and ACS counts.

### Housing Stock Growth and Composition

In 1970, Clayton was a small town with only 354 housing units, all of which were single-family homes. During the 1970s, the town underwent dramatic change. In the mid-1970s, Seeno Construction Company initiated a surge of new development in Clayton with the Regency Woods project, Clayton's first large subdivision development. As a result of this and other development in the mid- and late-1970s, Clayton's housing stock nearly quadrupled to 1,377 units by 1980. In 1987, the City annexed a large area to the north and the Presley Company began developing the Oakhurst Country Club area. Also in 1987, Clayton annexed several existing unincorporated neighborhoods (Clayton Woods, Regency Meadows, Dana Hills, and Dana Ridge), which together added approximately 700 housing units to the city. In 1995, Clayton adopted a specific plan for a 475-acre area to the east along Marsh Creek Road. The Marsh Creek Road Specific Plan envisioned a part of this area to be annexed to the city. Annexation and development of this area would add approximately 310 new units and 20 existing units to the city's housing stock. The 1990s saw the approval/development of over 1,700 residential units. This included the completion of the Oakhurst

development which added 1,474 units to the city over a seven-year period (1992 to 1999), Diablo Village which added 33 units, Stranahan which added 54 units, and Diamond Terrace which added 86 units.

According to the US Census, Clayton's housing stock consisted of 4,086 units in 2010, an increase of 110 units from 2000. Approximately 82 percent of Clayton housing units are detached single-family homes. **Table 6** compares the number and type of homes in Clayton in 2000 and 2010.

**Table 6. Housing Units by Type, 2000 and 2010**

Building Type	2000*		2010	
	Units	Percentage	Units	Percentage
<b>Single-Family</b>				
Detached	3,235	81%	3,341	82%
Attached	690	17%	538	13%
<b>Multi-Family</b>				
2-4 units	19	0%	108	3%
5 or more	27	1%	99	2%
Mobile Homes	5	<1%	0	--
<b>Total</b>	<b>3,976</b>	<b>100%</b>	<b>4,086</b>	<b>100%</b>

Sources: 2000 US Census; 2010 California Department of Finance (ABAG Data Profiles for Housing Elements 2013)

\* Note that the total number of housing units in Clayton varies in tables in this Housing Element as data was pulled from different data sources. For the 2000 US Census, the count of housing units was 3,976 in Summary File 3 (sample data) and 3,924 in Summary File 1 (complete data). Unfortunately, detailed estimates by unit type are not available in Summary File 1.

## Housing Tenure and Occupancy

Housing tenure refers to the occupancy of a housing unit—whether the unit is owner-occupied or renter-occupied. Housing tenure is influenced by demographic factors (e.g., household composition, income, and age of the householder) as well as the cost of housing. Most homes in Clayton are owner-occupied. There are few multi-family units in the city and this contributes to a very low proportion of renter-occupied households. As shown in **Table 7**, the share of owner-occupied units as a percentage of all occupied units decreased from 94 percent in 2000 to 90 percent in 2010. The proportion of owner- versus renter-occupied households in the city differs from that of Contra Costa County as a whole, which has a much higher proportion of renter-occupied units (67 percent owner and 33 percent renter).

**Table 7. Housing Tenure, 2000 and 2010**

Tenure	2000		2010	
	Number of Households	Percentage	Number of Households	Percentage
Owner-occupied	3,667	94%	3,621	90%
Renter-occupied	216	6%	385	10%
<b>Total</b>	<b>3,883</b>	<b>100%</b>	<b>4,006</b>	<b>100%</b>

Source: 2000 and 2010 US Census (ABAG Data Profiles for Housing Elements 2013)

Vacancy rates are an indicator of housing supply and demand. Low vacancy rates influence greater upward price pressures and higher vacancy rates indicate downward price pressure. Optimal vacancy rates differ between rental housing and ownership housing. In its 2008 Bay Area Housing Needs Plan, ABAG cites optimal vacancy rates of 5 percent for rental housing and 2 percent for ownership housing. These rates are set at levels that will allow for mobility but not drive up prices.

The US Census reports that Clayton's housing stock contained 4,086 housing units in 2010 and that of these, 80 were classified as vacant (an overall vacancy rate of 2 percent). In 2010, the homeowner and rental vacancy rates for Clayton were both less than 1 percent. Both of these rates fall below ABAG's threshold.

High demand and short supply may result in continued use of units which are overcrowded, unsafe, unsanitary, or otherwise unsuitable for residential use. It also generally results in high prices and rents which most severely affect lower-income households, people on fixed incomes, families with children, and other special needs groups. Overcrowding and discrimination are also more likely to occur when the rental vacancy rate is low. **Table 8** shows 2000 and 2010 housing occupancy and vacancy in Clayton.

**Table 8. Housing Occupancy and Vacancy, 2000 and 2010**

Occupancy	2000		2010	
	Units	Percentage	Units	Percentage
Total occupied housing units	3,883	99%	4,006	98%
Total vacant housing units	41	1%	80	2%
For rent	2	<1%	15	<1%
For sale	13	<1%	25	1%
Rented or sold, not occupied	11	<1%	4	<1%
For seasonal, recreational, or occasional use	4	<1%	15	<1%
Other	11	<1%	21	1%
<b>Total Housing Units</b>	<b>3,924</b>	<b>100%</b>	<b>4,086</b>	<b>100%</b>

Source: 2000 and 2010 US Census (ABAG Data Profiles for Housing Elements 2013)

## Age and Condition of Housing

According to the ACS, 88 percent of housing units in Clayton are less than 40 years old (**Table 9**). As a result, most of Clayton's housing stock is in good condition. There are, however, numerous older structures, some of which may need rehabilitation.

**Table 9. Age of Housing Units**

Year Built	Housing Units	Percentage
1939 or earlier	12	<1%
1940 to 1949	62	2%
1950 to 1959	129	3%
1960 to 1969	291	7%
1970 to 1979	1,440	37%
1980 to 1989	417	11%
1990 to 1999	1,336	34%
2000 or later	229	6%
<b>Total</b>	<b>3,916</b>	<b>100%</b>

*Source: 2007-2011 ACS 5-year estimates (ABAG Data Profiles for Housing Elements 2013)*

## Housing Conditions Survey

In May 2009, the City conducted a windshield survey of housing conditions throughout the city. The survey consisted of 300 randomly selected residential parcels in specific neighborhoods. A map displaying the areas surveyed is included as Appendix A. As housing conditions did not change substantially since 2009, this housing survey is considered current for the purpose of this Housing Element.

As shown in **Table 10**, approximately 87 percent of the homes surveyed were in sound condition and 12 percent were in need of minor repairs. A house in sound condition is well maintained and structurally intact. This includes no obvious foundation issues, straight roof lines, good exterior paint condition and siding, and windows and doors that are in good repair. Homes in sound condition may have minor maintenance needs or require some paint or siding repair. Homes deemed to be in need of minor repairs require general maintenance or one major repair such as a new roof.

The remaining 1 percent of homes surveyed were found to be in need of moderate repair. There were not any homes found in the survey that were in dilapidated condition.

**Table 10. Housing Conditions Survey Results**

Condition	Single-Family		Duplex		Multi-Family		Total	
	Units	%	Units	%	Units	%	Units	%
Sound	195	84%	9	100%	52	98%	256	87%
Minor	33	14%	0	--	1	2%	34	12%
Moderate	4	2%	0	--	0	--	4	1%
<b>Total</b>	<b>232</b>	<b>100%</b>	<b>9</b>	<b>100%</b>	<b>53</b>	<b>100%</b>	<b>294</b>	<b>100%</b>

*Source: PMC Housing Conditions Survey, May 2009*

The survey of the city's housing stock found that the overall condition of homes in the city is sound. Less than one-sixth of the homes surveyed were found to be in need of minor or moderate repairs, which is likely the result of the high rate of homeownership in the city as well as the large proportion of new housing units added to the housing stock in the past two decades.

## Overcrowding

The US Census defines overcrowding as more than 1.01 persons per room. Severe overcrowding occurs when there are more than 1.5 persons per room. The 2005–2010 ACS-based CHAS data provided in the ABAG Data Profiles for Housing Elements indicate that there are zero overcrowded or severely overcrowded housing units in Clayton. The current ACS estimates are consistent with 2000 US Census data, which identified 25 (0.6 percent) overcrowded households.

## 2.3 Employment and Income Trends

### Employment

Clayton is a residential community with primarily two smaller convenience-shopping business sectors and therefore relatively few jobs. ABAG reported that in 2010, there were 1,540 jobs in Clayton. As shown in **Table 11**, ABAG projects that the number of jobs in the city will increase approximately 27 percent from 2010 to 2040 to 1,950 jobs.

**Table 11. Existing and Projected Jobs in Clayton, 2010 to 2040**

Year	Number	Percentage Change
2010	1,540	--
2015*	1,630	6%
2020*	1,750	7%
2025*	1,800	3%
2030*	1,840	2%
2035*	1,890	3%
2040*	1,950	3%

*Source: ABAG 2013*

*\* ABAG projection*

According to the ACS, Clayton has approximately 5,248 employed residents. As shown in **Table 12**, nearly half of the city's residents are employed in relatively high-earning industries. Approximately 20 percent of employed residents work in educational, health, and social services; 16 percent work in finance, insurance, real estate, and rental and leasing; and 13 percent work in professional, scientific, management, administrative, and waste management services. **Table 12** also reports an overall decline in employment between 2000 and 2010, which likely is the result of the economic downturn in 2008. The decrease in employment figures may also be partially accounted for by the fact that 2010 numbers are sampled estimates from the ACS, which has a large margin of error for small cities.

**Table 12. Resident Employment and Median Income by Industry, 2000 and 2011**

Industry	2000		2011		
	Number	%	Number	%	Median Income
Agriculture, forestry, fishing and hunting, and mining	12	<1%	37	1%	--
Construction	384	7%	233	4%	\$45,000
Manufacturing	553	10%	377	7%	\$76,600
Wholesale trade	245	4%	156	3%	\$67,900
Retail trade	619	11%	570	11%	\$48,300
Transportation and warehousing, and utilities	183	3%	134	3%	\$39,300
Information	252	4%	88	2%	\$104,800
Finance, insurance, real estate, and rental and leasing	870	15%	854	16%	\$92,900
Professional, scientific, management, administrative, and waste management services	749	13%	681	13%	\$69,500
Educational, health, and social services	1,090	19%	1,052	20%	\$62,600
Arts, entertainment, recreation, accommodation, and food services	330	6%	365	7%	\$35,900
Other services (except public administration)	262	5%	214	4%	\$25,900
Public administration	266	5%	487	9%	--
<b>Employed civilian population 16 years and over</b>	<b>5,815</b>	<b>100%</b>	<b>5,248</b>	<b>100%</b>	<b>--</b>

Sources: 2000 US Census; 2007–2011 ACS 5-year estimates (ABAG Housing Element Data Profiles 2013)

Note: Median incomes are not reported for industries with exceptionally large margins of error.

**Table 13** lists the region's ten fastest-growing occupations. This information is available only for the Oakland-Fremont-Hayward Metropolitan Statistical Area, which includes Alameda and Contra Costa Counties but is applicable because Clayton residents work both inside and outside of the city. Of the ten fastest-growing occupations, only three occupations would allow a family of four with a single breadwinner to surpass HCD's median county income level of \$93,500.

**Table 13. Fastest-Growing Occupations (Oakland-Fremont-Hayward MSA), 2010 to 2020**

Occupation	Median Annual Wage	Estimated Employment		Percentage Change
		2010	2020	
Software Developers, Applications	\$102,242	7,180	9,560	33%
Environmental Engineers	\$102,341	640	830	30%
Plasterers and Stucco Masons	\$60,423	520	670	29%
Urban and Regional Planners	\$84,813	1,000	1,280	28%
Software Developers, Systems Software	\$108,211	3,940	5,040	28%
Environmental Science and Protection Technicians, Including Health	\$53,700	400	510	28%
Merchandise Displayers and Window Trimmers	\$26,604	1,300	1,650	27%
Food Service Managers	\$51,087	3,370	4,270	27%
Environmental Scientists and Specialists, Including Health	\$77,782	1,130	1,430	27%
Dental Laboratory Technicians	\$39,433	490	620	27%

*Source: State of California Employment Development Department 2014*

### Jobs/Housing Balance

The analysis of jobs/housing balance is used to measure the degree to which communities and subregions are inducing commuter travel as growth occurs. A community with a balance of jobs and housing has as many jobs as residents that are able to work. For example, a city with 5,000 employed residents requires 5,000 jobs to be in balance. A community is out of balance if it either has more jobs than employed residents or has more employable residents than jobs.

In 2010, Clayton had a jobs-to-employed residents ratio of 0.31 (1,540 jobs/4,960 employed residents), up from 0.26 in 2005 (1,440 jobs/5,620 employed residents). As shown in **Table 14**, ABAG projects that this ratio will steadily increase through 2040 up to 0.35.

Clayton is considered a “bedroom” community, meaning that it is part of a larger community in which employed residents of Clayton support neighboring communities by providing a supply of workers in the workforce. Clayton is surrounded by much larger communities with available employment and is situated along transportation corridors connected to those communities, making



it an important contributor to the overall Bay Area workforce. The low ratio of jobs to employed residents is an important factor driving the character of the Clayton community, which is an important characteristic to Clayton residents.

**Table 14. Jobs/Housing Balance, 2005 to 2040**

Year	Number of Jobs	Number of Employed Residents	Ratio of Jobs to Employed Residents
2005	1,440	5,620	0.26
2010	1,540	4,960	0.31
2015*	1,630	5,170	0.32
2020*	1,750	5,470	0.32
2025*	1,800	5,490	0.33
2030*	1,840	5,420	0.34
2035*	1,890	5,410	0.35
2040*	1,950	5,400	0.35

Sources: ABAG 2013

\* ABAG projection

When a community has more employed residents than jobs, it is a sign that a number of residents are commuting out of the community for work, which can have a number of negative impacts including traffic congestion and loss of revenue for local businesses. As shown in **Table 15**, more than half of Clayton's employed residents commute 30 minutes or more to work.

**Table 15. Commute Time to Work**

Travel Time to Work	Number	Percentage
Less than 30 minutes	2,282	48%
30 to 59 minutes	1,785	37%
60 or more minutes	694	15%
<b>Total</b>	<b>4,761</b>	<b>100%</b>

Source: CHAS 2009

## Household Income

Each year, HCD publishes median income amounts and State Income Limits for five categories of household income for each county in the state. The 2014 State Income Limits were released on February 28, 2014, and provide income limits based on income category and household size. **Table 16** shows the income range (based on a percentage of the area median income) and annual income amount for a four-person household.

**Table 16. Income Categories, 2014**

Income Category	Percentage of Median Income	Annual Household Income*
Extremely Low	≤30%	\$28,050 or less
Very Low	31%–50%	\$28,051–\$46,750
Low	51%–80%	\$46,751–\$67,600
Moderate	81%–120%	\$67,601–\$112,200
Above Moderate	>120%	More than \$112,200

Source: HCD State Income Limits, 2014

\* Based on a four-person household

Clayton is an affluent community that had a median household income of \$131,991 (2007–2011 ACS). **Table 17** shows the distributions of income by tenure for Clayton in 2010. The table organizes income ranges estimated by the ACS into income categories as defined by HCD. Approximately 71 percent of Clayton households had annual incomes that would place them in the above moderate category, 13 percent earned moderate incomes, and approximately 16 percent had low or very low household incomes.

**Table 17. Household Income by Tenure, 2010**

Income Category	Number	Percentage
<b>Owner Occupied</b>		
Very Low Income	225	6%
Low Income	245	6%
Moderate	450	12%
Above Moderate	2,630	68%
<b>Total Owner Occupied</b>	<b>3,550</b>	<b>92%</b>
<b>Renter Occupied</b>		
Very Low Income	105	3%
Low Income	55	1%
Moderate	25	1%
Above Moderate	115	3%
<b>Total Renter Occupied</b>	<b>300</b>	<b>8%</b>
<b>Total Occupied Units<sup>1</sup></b>	<b>3,850</b>	<b>100%</b>

Source: CHAS, based on 2006–2010 ACS (5-year estimates) (ABAG Data Profiles for Housing Elements 2013)

Note: ABAG Data Profiles for Housing Elements does not include extremely low income as a category for this topic.

<sup>1</sup> The total number of occupied units varies between tables due to the different sources of data. This table relies on figures from the ACS, which has a larger margin of error than the US Census.

## Extremely Low Income Households

In 2006, Government Code Section 65583(a) was amended and requires jurisdictions to quantify the existing number of extremely low-income households. An extremely low-income household is defined as a household earning less than 30 percent of median household income. In 2014, this was \$28,050 for Clayton households. **Table 18** shows household income by ACS category quintiles. The ACS does not provide a quantification of households for those earning less than \$28,050, but it does show households earning less than \$24,999. This range has been used to estimate the number of existing extremely low-income households. According to the ACS data, there were approximately 289 extremely low-income households in the city in 2011.

Extremely low-income households generally have a higher incidence of housing problems and tend to overpay for housing (paying greater than 30 percent of their income toward housing costs). To facilitate opportunities for housing that may assist extremely low-income households, the City amended its Zoning Ordinance in 2012 to add single-room occupancy units as a residential use type and allow these units with a use permit in the Limited Commercial zoning district.

The City will continue to encourage the development of housing for extremely low-income households by offering priority application processing, fee reductions or deferrals, and flexibility in the application of development standards (Implementation Measure II.2.1) for projects that provide units affordable to extremely low-income households.

**Table 18. Household Income, 2000 and 2011**

Annual Household Income	2000		2011	
	Number	Percentage	Number	Percentage
Less than \$24,999	266	7%	289	8%
\$25,000 to \$49,999	400	10%	330	9%
\$50,000 to \$74,999	606	15%	396	10%
\$75,000 to \$99,999	639	16%	364	10%
\$100,000 or more	2,015	51%	2,410	64%
<b>Total</b>	<b>3,926</b>	<b>100%</b>	<b>3,789</b>	<b>100%</b>

*Note: 2000 income estimates are in 1999 dollars; 2007–2011 five year estimates are in 2011 dollars*

*Source: US Census, 2000; 2007–2011 ACS 5-year estimates (ABAG Housing Element Data Profiles)*

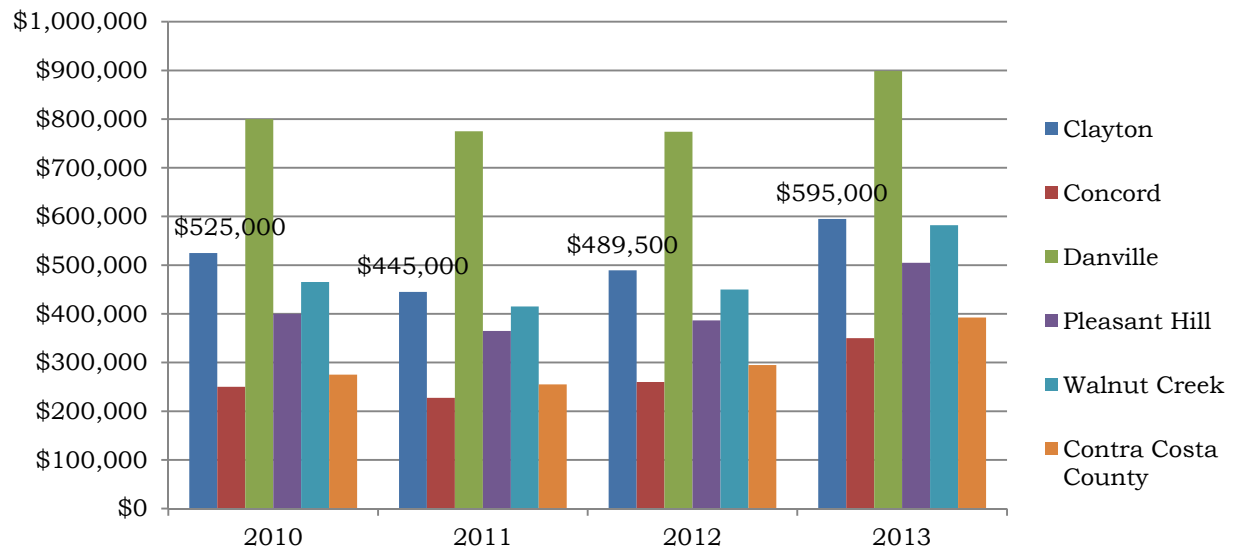
## 2.4 Housing Costs and Affordability

### Home Sales Prices

According to DataQuick, the median home sale price in Clayton was \$595,000 in 2013, an increase of approximately 22 percent from the 2012 median of \$489,500. Median prices in Clayton tend to be in the middle to high range when compared to other Contra Costa County cities, and are consistently higher than Contra Costa County as a whole.

**Figure 1** shows median home sales prices in Clayton and nearby jurisdictions from 2010 to 2013. The median price was relatively stable from 2010 to 2013 and increased sharply in 2013. This trend is similar to that of the Bay Area and metropolitan areas throughout California and can be attributed to low interest rates, job growth, and greater economic stability following the recession.

**Figure 1. Annual Median Sales Prices, 2010 to 2013**



Source: DataQuick, [www.DQNews.com](http://www.DQNews.com)

## Rental Prices

**Table 19** displays the results of a survey of rental property listings in and around Clayton in February 2014. With high owner occupancy and a low vacancy rate, there are currently very few rental opportunities available in the city.

The rental survey included listings posted on online services such as Craigslist, as well as average rate ranges provided in phone conversations by representatives from local real estate and property management companies. As of February 2014, only seven units were available for rent, all of which were in single-family attached or detached units.

**Table 19. Market Rental Rates by Unit Size, 2014**

Number of Bedrooms	Single- and Multi-Family Attached	Single-Family Detached
1 bedroom	--	--
2 bedroom	\$1,800–\$1,900	\$1,900–\$2,000
3 bedroom	\$1,900–\$2,200	\$2,495–\$2,600
4 bedroom	--	\$2,500–\$3,300
5+ bedroom	--	\$3,000–\$3,700

Sources: Craigslist.org 2014; personal communication with Howard Geller, AAA Property Management Services, Perchak Property Management, Lynn French Realty, Better Homes Realty, and Mazzei Realty, February 2014

Note: The ACS-derived ABAG Housing Element Data Profiles information for the topic is not used in this report due to an unacceptably large margin of error.

### Housing Affordability

A home is considered affordable if households do not spend more than 30 percent of income on rent (including a monthly allowance for water, gas, and electricity) or monthly mortgage, according to a standard set by HUD.

**Table 20** displays the monthly income limits by household size for each income group (based on HCD's annual income limits). The monthly income limits are used to calculate maximum affordable monthly rents as well as the maximum affordable purchase prices for homes. For example, a two-person household earning a combined monthly income of no more than \$1,871 per month is considered an extremely low-income household that can afford a maximum monthly rent of \$561 or purchase a home for \$66,805. The rental and sales price figures represent an affordable housing amount (30 percent of monthly income).

**Table 20. Housing Affordability by Household Size, 2014**

<b>Income Category</b>	<b>1-Person</b>	<b>2-Person</b>	<b>3-Person</b>	<b>4-Person</b>
<b>Extremely Low</b>				
Annual income limit	\$19,650	\$22,450	\$25,250	\$28,050
Monthly income	\$1,638	\$1,871	\$2,104	\$2,338
Max. monthly rent	\$491	\$561	\$631	\$701
Max. sales price	\$57,247	\$66,805	\$76,363	\$85,962
<b>Very Low</b>				
Annual income limit	\$32,750	\$37,400	\$42,100	\$46,750
Monthly income	\$2,729	\$3,117	\$3,508	\$3,896
Max. monthly rent	\$819	\$935	\$1,053	\$1,169
Max. sales price	\$102,002	\$117,918	\$133,957	\$149,874
<b>Low</b>				
Annual income limit	\$47,350	\$54,100	\$60,850	\$67,600
Monthly income	\$3,946	\$4,508	\$5,070	\$5,633
Max. monthly rent	\$1,184	\$1,352	\$1,521	\$1,690
Max. sales price	\$126,715	\$151,925	\$193,033	\$221,128
<b>Moderate</b>				
Annual income limit	\$78,550	\$89,750	\$101,000	\$112,200
Monthly income	\$6,546	\$7,479	\$8,417	\$9,350
Monthly rent	\$1,964	\$2,244	\$2,525	\$2,805
Max. sales price	\$258,581	\$296,854	\$335,333	\$373,606
<b>Above Moderate</b>				
Annual income limit	>\$78,550	>\$89,750	>\$101,000	>\$112,200
Monthly income	>\$6,546	>\$7,479	>\$8,417	>\$9,350
Max. monthly rent	>\$1,964	>\$2,244	>\$2,525	>\$2,805
Max. sales price	>\$258,581	>\$296,854	>\$335,333	>\$373,606

Source: HCD Income Limits 2014; Monthly mortgage calculation: [http://www.realtytrac.com/vcapps/calculator\\_popup.asp?calc=AF](http://www.realtytrac.com/vcapps/calculator_popup.asp?calc=AF)

Notes: Affordable monthly rent assumes 30% of gross household income, not including utility cost. Affordable housing sales prices are based on the following assumed variables: 10% down payment, 30-year fixed rate mortgage at 5.25% annual interest rate.

As noted in the Homes Sales Prices analysis, the median price in Clayton was \$595,000 in 2013. Only households earning above moderate incomes could afford a home priced at or around the median. A moderate-income household of four could afford a home priced at a maximum of \$373,606. While homes may be available at this price point, they may require additional investments for maintenance or improvement. Homeownership is out of reach in Clayton for most lower-income households.

Households considered extremely low or very low income would find it difficult to secure housing that is affordable and would likely have little option but to overpay for housing. For example, a three-person very low-income household earning a monthly income of \$3,508 would be able to afford \$1,053 per month for rent. According to the results of the rent survey, the least expensive two-bedroom (minimum size to avoid overcrowding) home rents for \$1,800. Without rental assistance, the three-person household would pay in excess of what is affordable for them.

The City will encourage assistance for lower-income renters and prospective home buyers by promoting programs such as the Contra Costa County Mortgage Credit Certificate Program and Lower-Income Rental Assistance Program (Implementation Measure III.1.1) and will pursue funding from CalHome or other available sources to establish a down payment assistance program (Implementation Measure III.1.2).

## Overpayment

Definitions of housing affordability can vary; however, as previously noted, a household should spend no more than 30 percent of its monthly income on housing costs (according to HUD standards). Households that pay more than this are considered to be overpaying for housing and households that pay more than 50 percent are considered severely overpaying. HUD's CHAS database reports information on overpayment by tenure, as illustrated in **Table 21**. As of 2010, approximately 34 percent of households (1,320 households) paid 30 percent or more of their income toward housing. Overpayment is a significant issue in Contra Costa County and in jurisdictions throughout the Bay Area.

Among owner-occupied households, the "above moderate" income category reports 595 burdened households, which is the highest of all income categories. This unexpected finding is likely the outcomes of a high barrier to entry for homeownership in the city. For renters, the "very low income" category has the largest number of overpaying households (95). This is particularly concerning since people with very low income are less able to pay for other necessities such as food, fuel, and clothing when burdened with excessive housing costs.



**Table 21. Households Overpaying for Housing, 2010**

<b>Tenure/Income Category</b>	<b>30% to 50% Cost Burden</b>	<b>50%+ Cost Burden</b>	<b>30%+ Cost Burden (Total Overpaying)</b>
<b>Total Owner Occupied</b>	<b>660</b>	<b>520</b>	<b>1,180</b>
Very low	0	170	170
Low	45	50	95
Moderate	120	200	320
Above moderate	495	100	595
<b>Total Renter Occupied</b>	<b>30</b>	<b>110</b>	<b>140</b>
Very low	10	85	95
Low	10	15	25
Moderate	10	0	10
Above moderate	0	10	10
<b>Total Overpaying Occupied Units</b>	<b>690</b>	<b>630</b>	<b>1,320</b>
<b>Total Occupied Units<sup>1</sup></b>	<b>3,850</b>		

Source: CHAS, based on 2006-2010 ACS 5-year estimates (ABAG Data Profiles for Housing Element Data 2013)

<sup>1</sup> The total number of occupied units varies between tables due to the different sources of data. This table relies on figures from the ACS, which has a larger margin of error than the US Census.

## 2.5 Special Housing Needs

Certain segments of the population encounter more difficulty in finding decent, affordable housing due to special circumstance. Special needs may be related to one's employment type and income, family or household characteristics, or medical condition or disability. The following subsections discuss the special housing needs of groups identified in state housing element law (Government Code, Section 65583(a)(6)). Specifically, these include senior households, persons with disabilities, persons with developmental disabilities, large households, female-headed households, homeless persons, and farmworkers.

### Seniors

As of 2010, seniors, those aged 65 and over, made up approximately 15 percent of the Clayton population. This is an increase from 2000 when approximately 9 percent of the population was seniors. As shown in **Table 22**, the senior population grew by 628 persons, an increase of approximately 64 percent.

**Table 22. Senior Population, 2000 and 2010**

Age	2000		2010	
	Number	% of Total Population	Number	% of Total Population
65 to 69	376	3%	568	5%
70 to 74	270	3%	381	3%
75 to 79	180	2%	296	3%
80 to 84	82	1%	193	2%
85 to 89	47	<1%	112	1%
90 and older	19	<1%	52	<1%
<b>Total Population 65+</b>	<b>974</b>	<b>9%</b>	<b>1,602</b>	<b>15%</b>
<b>Total Population</b>	<b>10,762</b>	<b>100%</b>	<b>10,897</b>	<b>100%</b>

Source: 2000 and 2010 US Census (ABAG Data Profiles for Housing Elements 2013)

Senior households are defined as households in which one or more persons is over 65 years of age. As shown in **Table 23**, nearly 25 percent of all households in Clayton included one or more senior.

The vast majority (nearly 90 percent) of senior households own their homes. While homeownership is beneficial in that costs are generally stable, which is important because many seniors live on fixed incomes, it can become difficult for seniors to maintain their homes and yards due to financial and physical constraints.

**Table 23. Senior Households by Age and Tenure, 2000 and 2010**

	2000		2010	
	Number	Percentage	Number	Percentage
<b>Renter-Occupied Households</b>				
65 to 74 years	10	2%	21	2%
75 to 84 years	3	1%	32	3%
85+ years	2	0%	55	5%
<b>Total Renter</b>	<b>15</b>	<b>3%</b>	<b>108</b>	<b>11%</b>
<b>Owner-Occupied Households</b>				
65 to 74 years	395	68%	547	54%
75 to 84 years	149	26%	300	30%
85+ years	25	4%	61	6%
<b>Total Owner</b>	<b>569</b>	<b>97%</b>	<b>908</b>	<b>89%</b>
<b>Total Householders</b>	<b>584</b>	<b>100%</b>	<b>1,016</b>	<b>100%</b>

Source: 2000 and 2010 US Census (ABAG Data Profiles for Housing Elements 2013)

In general, seniors have lower earning capacity than middle-aged persons. However, the 2007–2011 ACS reports that the majority of elderly residents earned at least \$50,000 per year as shown in **Table 24**. Senior income estimates may be misleading, as many elderly persons have access to capital outside the earned income measured by the Census. This is underscored by ABAG’s estimate that the senior poverty rate (just under 4 percent of the senior population) is relatively low in Clayton.

**Table 24. Senior Household Income, 2011**

Annual Household Income	Number	Percentage
Less than \$30,000	196	20%
\$30,000 to \$49,999	179	18%
\$50,000 to \$74,999	236	24%
\$75,000 to \$99,999	78	8%
\$100,000 or more	293	30%
<b>Total</b>	<b>982</b>	<b>100%</b>

*Source: 2007-2011 ACS 5-year estimates (ABAG Data Profiles for Housing Elements 2013)*

Diamond Terrace is the only senior housing development in Clayton. Diamond Terrace has a total of 86 units, one of which is reserved for an on-site manager. Diamond Terrace offers affordable housing with an array of support services (including meals). There are 65 units reserved for very low-income residents, 10 units reserved for low-income residents, 10 units reserved for moderate-income residents. The City, through its now defunct Redevelopment Agency, financially assisted in the development of this senior living facility.

The Concord Housing and Community Services Department responds to elderly needs in Clayton by publishing a list of housing facilities for the elderly, providing low-interest loans for household repairs, and paying an emergency rebate for home repairs. The department also provides referrals to nonprofit organizations such as Meals-on-Wheels.

In 2013, the City of Clayton adopted a universal design ordinance (Chapter 15.92 of the Municipal Code). Universal design standards are intended to ensure that development is accessible for persons at all stages of life and implementation of these standards will facilitate new homes that are appropriate for seniors and those with disabilities. The City will continue to implement this ordinance and distribute a brochure describing universal design standards (Implementation Measure IV.3.2).

In addition, the City will work with housing providers to identify and pursue housing opportunities for senior households (Implementation Measure II.1.1).

## Persons with Disabilities

A disability is defined broadly by the US Census as a physical, mental, or emotional condition that lasts over a long period of time and makes it difficult to live independently. Special needs for access and affordability can make it difficult for persons with disabilities to find appropriate housing. As

shown in **Table 25**, approximately 13 percent of the Clayton population age 16 or older had a mobility or self-help limitation as of 2000. As the population ages, the incidence of disability increases. Among the population aged 65 and older, 31 percent experienced either a self-care or mobility limitation or both.

Disability status was not counted in the 2010 US Census and the ACS does not provide estimates for very small cities such as Clayton. As such, the 2000 data is the best available data and is retained in this analysis as a proxy for current disability figures.

**Table 25. Mobility/Self-Care Limitation – Persons 16 Years and Older, 2000**

Disability Status	16–64 Years		Age 65 and Over		Total Population Age 16 and Older	
	Number	%	Number	%	Number	%
Mobility/self-help limitation	726	9%	153	31%	1,059	13%
No limitation	7,300	91%	334	69%	7,218	87%
<b>Total persons</b>	<b>8,026</b>	<b>100%</b>	<b>487</b>	<b>100%</b>	<b>8,277</b>	<b>100%</b>

*Sources: 2000 US Census*

The City adopted a universal design ordinance in 2013 to better facilitate housing appropriate for those with disabilities, and enacted a reasonable accommodation ordinance in 2012 to allow for variations in the application of zoning standards and development policies to ensure that housing can be developed in a way that is suitable for persons with disabilities. The City will continue to implement the reasonable accommodations ordinance (Implementation Measure IV.3.1) and distribute a brochure describing universal design standards (Implementation Measure IV.3.2).

## Developmental Disabilities

Senate Bill (SB) 812 requires that the City include an analysis of the special housing needs of individuals with a developmental disability within the community. According to Section 4512 of the Welfare and Institutions Code, a “developmental disability” means a disability that originates before an individual attains age 18 years, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual, which includes mental retardation, cerebral palsy, epilepsy, and autism. This term also includes disabling conditions found to be closely related to mental retardation or to require treatment similar to that required for individuals with mental retardation, but does not include other handicapping conditions that are solely physical in nature.

Many developmentally disabled persons can live and work independently in a conventional housing environment. More severely disabled individuals require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for the developmentally disabled is the transition from the person’s living situation as a child to an appropriate level of independence as an adult.

The California Department of Developmental Services currently provides community-based services to approximately 243,000 persons with developmental disabilities and their families through a statewide system of 21 regional centers, four developmental centers, and two community-based facilities. The Regional Center of the East Bay is one of 21 regional centers in California that provides point of entry to services for people with developmental disabilities. The center is a private, nonprofit community agency that contracts with local businesses to offer a wide range of services to individuals with developmental disabilities and their families.

According to the Regional Center of the East Bay, the Center serves approximately 46 developmentally disabled persons who reside in and around Clayton (those residing within the 94517 zip code). As shown in **Table 26**, approximately 63 percent of these residents are age 21 or younger and thus are likely to live at home with family and receive services through public schools.

**Table 26. Developmentally Disabled Residents by Age**

Zip Code	0–13 Years	14–21 Years	22–51 Years	52–61 Years	62+ Years	Total
94517	13	16	14	2	1	46

*Source: Regional Center of the East Bay 2014*

A number of housing types are appropriate for people living with a development disability: rent-subsidized homes, licensed and unlicensed single-family homes, Section 8 vouchers, special programs for home purchase, HUD housing, and SB 962 homes. The design of housing-accessibility modifications, the proximity to services and transit, and the availability of group living opportunities represent some of the types of considerations that are important in serving this need group. Incorporating “barrier-free” design in all new multi-family housing (as required by California and federal fair housing laws) is especially important to provide the widest range of choices for disabled residents. Special consideration should also be given to the affordability of housing, as people with disabilities may be living on a fixed income.

The City adopted a universal design ordinance in 2013 to better facilitate housing appropriate for those with developmental disabilities and enacted a reasonable accommodation ordinance in 2012 to allow for variations in the application of zoning standards and development policies to ensure that housing can be developed in a way that is suitable for persons with disabilities, including those with developmental disabilities. The City will continue to implement these ordinances and publicize their availability (Implementation Measures IV.3.1 and IV.3.2).

## Large Households

HUD defines a large household or family as one with five or more members. Large households need larger homes with more bedrooms to avoid overcrowded conditions. In general, homes for these households should provide safe outdoor play areas for children and should be located to provide convenient access to schools and childcare facilities. These types of needs can pose problems, particularly for large families that cannot afford to buy or rent single-family houses, as apartment and condominium units are often developed with smaller households in mind.

According to the 2010 US Census, 379 households, or approximately 9 percent of the total households in Clayton, had five or more members (**Table 27**). The percentage of total occupied units by household size remained approximately the same between 2000 and 2010.

**Table 27. Household Size, 2000 and 2010**

Household Size/Tenure	2000		2010	
	Households	% of Total Occupied	Households	% of Total Occupied
<b>Owner Occupied</b>				
1-person	463	12%	513	13%
2-person	1453	37%	1,430	36%
3-person	681	18%	624	16%
4-person	755	19%	711	18%
5 or more persons	315	9%	343	9%
<b>Total Owner Occupied</b>	<b>3,667</b>	<b>94%</b>	<b>3,621</b>	<b>90%</b>
<b>Renter Occupied</b>				
1-person	43	1%	134	3%
2-person	66	2%	86	2%
3-person	43	1%	72	2%
4-person	40	1%	57	1%
5 or more persons	24	<1%	36	1%
<b>Total Renter Occupied</b>	<b>216</b>	<b>6%</b>	<b>385</b>	<b>10%</b>
<b>Total Occupied</b>	<b>3,883</b>	<b>100%</b>	<b>4,006</b>	<b>100%</b>

*Source: 2000 and 2010 US Census (ABAG Data Profiles for Housing Elements 2013)*

## Female-Headed Households

Female-headed single-parent households may experience a variety housing problems, including affordability, overcrowding, insufficient housing choices, and discrimination. Often with only one source of income, female-headed households have more difficulties finding adequate, affordable housing than families with two income-earning adults. Also, female-headed family households with small children may need to pay for child care, which further reduces disposable income. This special needs group would benefit generally from expanded affordable housing opportunities. More specifically, the need for dependent care also makes it important that housing for female-headed families be located near child care facilities, schools, youth services, medical facilities, or senior services.

As of 2010, approximately 20 percent of Clayton households were headed by a female. As shown in **Table 28**, approximately 80 percent of female-headed households owned their homes. About 37

percent of female-headed households were families, over half of which had children under the age of 18. **Table 29** illustrates the number of family households that are headed by a female with no husband present. In 2010, female-headed households with no husband present accounted for 9 percent of all families in the city. Female-headed households with children make up approximately 5 percent of all households in the city and 55 percent of all female-headed households. According to the ABAG Housing Element Data Profiles, approximately 406 female residents live alone in Clayton.

**Table 28. Female-Headed Households by Tenure, 2010**

	Family Households		Non-Family Households		Total Female-Headed Households	
	Number	%	Number	%	Number	%
Owner Occupied	242	80%	399	79%	641	80%
Renter Occupied	59	20%	103	21%	162	20%
<b>Total</b>	<b>301</b>	<b>100%</b>	<b>502</b>	<b>100%</b>	<b>803</b>	<b>100%</b>

Source: 2010 US Census

**Table 29. Female-Headed Families (No Husband Present), 2000 and 2010**

	2000		2010	
	Number	% of Total Families	Number	% of Total Families
<b>Total Female-Headed Families</b>	<b>214</b>	<b>7%</b>	<b>301</b>	<b>9%</b>
With children under 18	133	4%	167	5%
No children under 18	81	3%	134	4%
<b>Total Families</b>	<b>3,208</b>	<b>100%</b>	<b>3,208</b>	<b>100%</b>

Source: 2000 and 2010 US Census (ABAG Data Profiles for Housing Elements 2013)

The City of Clayton recognizes these problems and has included policies and programs in this document to address affordability and discrimination for all segments of the population (Implementation Measure II.1.1 and Policy IV.1).

## Homeless

The housing needs of the homeless are more difficult to measure and assess than those of any other population subgroup. The very nature of homelessness makes it difficult to quantify the number and typical residency of homeless persons. The best available data is from a biennial point-in-time homeless count completed by the Contra Costa County Homeless Program. The most recent count, completed in January 2013, identified 3,798 homeless persons. No homeless persons were identified as residents of Clayton.



According to City staff, one or two homeless persons occasionally appear in Clayton, but they soon move to areas where there are needed services. The point-in-time homeless count informs the County regarding its progress in accomplishing goals related to ending homelessness. The most notable findings of the homeless count for the county as a whole are:

- An 11 percent decrease in homeless persons, from 4,274 in 2011 to 3,798 in 2013. The decrease could be due to the differences in the number of sheltered homeless persons reported by supportive services-only programs, a decrease in the number of sheltered homeless children reported by the school districts, the decrease in unsheltered persons living in encampments, and the variability inherent in point-in-time surveys.
- Fifty-five (55) percent of unsheltered homeless persons were encountered in encampments, compared to 69 percent in 2011.

The County's data is supplemented with HUD data, which identified a total homeless population of 2,386 persons (see **Table 30**). The difference in total homelessness figures between the two data sets underscores the challenges of collecting homelessness data and the variability in estimates that occur from a "point-in-time" survey.

**Table 30. Contra Costa County Homeless Population and Sub-Populations, 2012**

Type	Number
Sheltered	896
Unsheltered	1,490
<b>Total</b>	<b>2,386</b>
Chronic Homeless	721
Veterans	82
Persons in Families with Children	431

*Source: HUD 2013 (ABAG Housing Element Data Profiles 2013)*

Homelessness is often the end result of multiple factors that converge in a person's life. The combination of loss of employment, inability to find a job because of the need for retraining, and the high housing costs in Contra Costa County lead to some individuals and families losing their housing. For others, the loss of housing is due to chronic health problems, physical disabilities, mental health disabilities, or drug and alcohol addictions along with an inability to access the services and long-term support needed to address these conditions. According to the Contra Costa Homeless Continuum of Care Plan 2001–2006, the three primary causes of homelessness are the lack of affordable housing, lack of access to support services, and low incomes.

Although there are no emergency shelters or homeless services in the City of Clayton, a number of resources exist in adjacent Concord and throughout Contra Costa County. **Table 31** shows services available near Clayton.

**Table 31. Local Homelessness Services**

<b>Provider</b>	<b>Program/Service</b>
Contra Costa County Public Health Division (925) 646-9420 Cchealth.org/homeless	Shelter Plus Care Program*
	Project HOPE
	Project Coming Home
	Health, housing, and integrated services network
	Emergency shelters for adults, and runaway and homeless youth
Anka Behavioral Health (925) 825-4700 www.ankabhi.org	Homelessness continuum of care, transitional housing
Bay Area Rescue Mission (510) 215-4860 www.bayarearescue.org	Meals, homeless shelter
Greater Richmond Interfaith Program (GRIP) (510) 233-2141 www.gripcommunity.org	Meals, transitional housing
Shelter for Homeless Concord, CA (925) 363-4374	Homeless shelter
Shepherd's Gate Woman's Shelter (925) 308-7507	Homeless shelter for women and children
SHELTER, Inc. (925) 335-0698 Shelterincofccc.org	Temporary and affordable housing
Winter Nights (925) 933-6030 www.cccwinternights.org	Homeless shelter (seasonal)

Source: City of Clayton Community Development Department 2014

\* As of March 2014, the Shelter Plus Care wait list is closed and applications are not being accepted.

In 2013, Clayton amended its Zoning Ordinance to allow emergency shelters as a permitted use in the Public Facilities zoning district, subject to some development criteria and management standards. In addition, the City updated the Zoning Ordinance to define transitional housing and allow it as a permitted use in a residential zoning district. The City will continue to work with housing and service providers to identify opportunities to assist homeless persons and families (Implementation Measure II.1.1).

## **Farmworkers**

The 2007–2011 ACS five-year estimates indicate that 37 residents are employed in the “agriculture, forestry, fishing and hunting, and mining” sector. This number is up by 25 from the 2000 Census count of 12. This increase is likely due to the large margins of error associated with this type of data in the ACS. It is unlikely that Clayton residents are employed in farming, forestry, or fishing industries. While there are many active farms in Contra Costa County, agricultural areas are relatively distant from Clayton and it is unlikely there are any farmworkers living in Clayton.

Most farmworkers seek and find housing situations that are not specifically designated for farmworkers. Permanent rental housing is the most likely housing option for farmworkers. Should farmworkers seek housing in Clayton, existing multi-family housing and sites identified for multi-family residential would provide opportunities for this group.

In addition, Implementation Measure II.1.2 commits the City to amending its Zoning Ordinance to allow agricultural employee housing for six or fewer residents as a permitted use in residential zoning districts, in compliance with Health and Safety Code Section 17021.6. The City will also work with housing providers to address the housing needs of farmworkers (Implementation Measure II.1.1).

## **Disadvantaged Unincorporated Communities**

SB 244 (2012) requires that jurisdictions identify and analyze the housing and infrastructure needs of disadvantaged unincorporated communities (DUC), which are inhabited areas of 10 or more dwellings located adjacent to or in close proximity to one another in which the median household income is 80 percent or less than the statewide median income (\$49,306 according to the 2010 ACS). DUCs may be classified as “island,” “fringe,” or “legacy,” defined as follows (per the State of California Office of Planning and Research and Government Code Section 65302.10):

- “Island community” means any inhabited and unincorporated territory that is surrounded by or substantially surrounded by one or more cities.
- “Fringe community” means any inhabited and unincorporated territory that is within a city’s sphere of influence.
- “Legacy community” means a geographically isolated community that is inhabited and has existed for at least 50 years.

Without the benefit of political representation in a local jurisdiction, DUCs often suffer from poor access to services and resources, limited or no infrastructure improvements, environmental hazards, and generally unsafe and unsanitary living conditions.

In 2012, the Contra Costa County Local Agency Formation Commission (LAFCO) identified one unincorporated “island” community within the Clayton sphere of influence. However, income levels within this area are higher than 80 percent of the statewide median. Thus, there are no DUCs within or adjacent to the Clayton sphere of influence.



## HOUSING ELEMENT

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## 3.0 ENERGY CONSERVATION OPPORTUNITIES

Parts 6 and 11 of Title 24 in the California Uniform Building Code require the implementation of construction standards and other energy-efficiency techniques that will result in reduced energy use in newly built residences. Clayton residents are eligible to participate in a number of energy efficiency and conservation programs, including:

- The Contra Costa County Weatherization Program provides no-cost weatherization upgrades to income-qualifying residents (<http://ca-contracostacounty.civicplus.com/index.aspx?nid=282>).
- Energy Upgrade California offers rebates for whole house retrofits in Contra Costa County. Income-qualifying residents are eligible for additional rebates. The Energy Upgrade California website ([https://tools.energyupgradeca.org/county/contra\\_costa/incentives](https://tools.energyupgradeca.org/county/contra_costa/incentives)) also provides links to rebates for numerous energy conservation, energy efficiency, and renewable energy projects.
- Multi-family buildings of five or more units in Contra Costa may be eligible for property-assessed financing for energy efficiency through California FIRST.
- Pacific Gas and Electric (PG&E) offers rebates for solar water heaters, pool pumps, and appliances including water heaters and washing machines.
- Income-qualifying households are eligible for Single-family Affordable Solar Homes (SASH), which provides upfront rebates to help low-income homeowners access the benefits of solar power.

A complete list of residential energy efficiency rebates is available at: <http://ca-contracostacounty2.civicplus.com/4344/Home-Energy-Efficiency>. Residents may also employ simple measures in an effort to reduce energy consumption and, hence, overall demand. The measures include:

- Change incandescent lighting to fluorescent or compact fluorescent lighting.
- Installation of whole house cooling fans to rapidly cool warm houses in the summer.
- Installation of rooftop solar power-generating panels to supply hot water and electricity for daily needs (see Solar and Energy Efficiency District discussion below).
- Replacement of household appliances that do not meet state seasonal energy efficiency ratio (SEER) guidelines with more efficient ones.
- Implementation of more traditional methods of conservation and increasing energy efficiency such as:
  - Modification of thermostat levels.

- Weatherization.
- Shifting demand to non-peak consumption periods.
- Installation of shade screens and planting of shade trees.

The City will encourage and maintain energy efficiency in new and existing housing through the performance of Implementation Measures V.1.1 and V.1.2 to provide energy conservation brochures at City Hall and the Community Library and to develop standards to allow energy self-sufficiency and generation projects.

In addition, the City will investigate opting in to a Property Assessed Clean Energy (PACE) program to provide a low-cost financing option for energy efficiency, water efficiency, and renewable energy home improvements for Clayton home owners. Such programs include Home Energy Renovation Opportunity (HERO) program and Figtree PACE. Implementation Measure V.1.3 commits the City to exploring these programs and participating, if appropriate.

## 4.0 POTENTIAL CONSTRAINTS

### 4.1 Governmental Constraints

While local governments have little influence on market factors such as interest rates, their policies and regulations can affect the type, amount, and affordability of residential development. Since governmental actions can constrain development and affordability of housing, state law requires that the Housing Element “address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing” (Government Code Section 65583(c)(3)).

City regulations that affect residential development and housing affordability include policies, standards, and procedures set forth in the Land Use Element of the General Plan, Specific Plans, and the Zoning Ordinance.

#### Land Use Controls

##### General Plan

The General Plan is the City’s principal land use policy document. The City adopted its first General Plan in July 1971. The General Plan was updated in 1985 with periodic amendments, most recently in April 2012. **Table 32** shows the General Plan land use categories that allow for residential uses, along with density ranges and the types of residential uses allowed. The General Plan provides for single- and multi-family housing in a range of densities from 1.0 to 20 units per gross acre.

**Table 32. General Plan Residential Land Use Categories**

Land Use Category	Density Range (units/gross acre)	Allowed Residential Uses
Rural Estate	Up to 1.0	Single-family detached estates
Single-Family Low Density	1.1 to 3.0	Single-family detached houses
Single-Family Medium Density	3.1 to 5.0	Planned unit developments and single-family subdivisions
Single-Family High Density	5.1 to 7.5	Patio homes, zero lot line homes, and cluster homes in a planned unit development (PUD)
Multi-Family Low Density	7.6 to 10.0	Cluster units such as townhouses, garden units, and other types of PUDs, including single-family detached dwellings
Multi-Family Medium Density	10.1 to 15.0	Multi-family units
Multi-Family High Density	15.1 to 20.0	Two-story (or higher) apartments or condominiums. Development within this density is encouraged to utilize the PUD concept and standards.
Institutional	7.6 to 20 units	Various forms of elderly housing

*Source: City of Clayton General Plan Land Use Element*



### ***Town Center Specific Plan***

The City adopted the Town Center Specific Plan in 1990 and amended it in 1998, 2001, 2004, 2007, 2008, and 2012. The Town Center has served as the City's historic commercial center since Clayton's inception. The Town Center Specific Plan aims to preserve the unique characteristics of this small center, while facilitating new development and reuse of underutilized private properties.

The Specific Plan calls for a combination of commercial and residential land uses in the Clayton Town Center. Residential designations include: Multi-Family Low Density (7.6 to 10 dwelling units per acre [du/acre]), Multi-Family Medium Density (10.1 to 15 du/acre), Multi-Family High Density (15.1 to 20 du/acre), and Institutional Residential (7.6 to 20 du/acre).

In addition to the sites designated for residential uses, the Specific Plan permits residential uses to be constructed on all floors, except ground level, in mixed-use developments. In areas designated Town Center (TC) Commercial, residential uses are allowed on upper stories, subject to the development review standards set forth in the Town Center Specific Plan.

Development standards for the TC Commercial area do not specifically regulate residential densities of commercial sites; rather applicants submit development proposals that must satisfy various requirements, including those pertaining to open space, stormwater compliance, and parking. The remaining available space is available for development.

The City will continue promote mixed-use and affordable housing development in the Town Center Specific Plan area through Policy I.4 and Implementation Measure I.4.1.

### **Zoning**

The provisions of the Clayton Zoning Ordinance implement the policies and standards set forth in the General Plan. The Zoning Ordinance permits residential development in the following districts:

- Single-family residential district – The following designations are included in the single-family zones: R-10, R-12, R-15, R-20, R-40, and R-40-H.
- Multi-family residential district – The following designations are included in the multi-family zones: M-R, M-R-M, and M-R-H. Although there are no parcels currently designated M-R-H, the City maintains the designation for future use.
- Planned development district – The following designation is used to denote planned development districts: PD.

The Zoning Ordinance establishes the types of allowed residential uses as well as residential development standards for each zoning district. Development standards are intended to protect the safety and welfare of the City's residents and preserve community character.

## Development Standards

**Table 33** summarizes the development standards for residential zoning districts. The maximum residential density allowed is one unit per 2,000 square feet of lot area in the M-R-H district, which is equivalent to approximately 20 dwelling units per gross acre. The Zoning Ordinance provides for small lot and zero lot line development in the PD district.

**Table 33. Residential Development Standards**

District	Min. Lot Area per Dwelling	Setback			Height (max.)	Open Space (min.)
		Front Yard (min.)	Rear Yard (min.)	Side Yard <sup>1</sup> (min./aggregate)		
R-10	10,000 sf	20 ft	15 ft	10/20 ft	35 ft	n/a
R-12	12,600 sf	20 ft	15 ft	10/25 ft	35 ft	n/a
R-15	15,000 sf	20 ft	15 ft	10/25 ft	35 ft	n/a
R-20	20,000 sf	25 ft	15 ft	15/35 ft	35 ft	n/a
R-40	40,000 sf	40 ft	15 ft	20/40 ft	35 ft	n/a
R-40-H	40,000 sf	40 ft	15 ft	20/40 ft	35 ft	n/a
M-R	6,000 sf (3,000 sf/unit)	20 ft	15 ft	15 ft	35 ft, 20 ft <sup>2</sup>	25%
M-R-M	6,000 sf (1,800 sf/unit)	20 ft	15 ft	15 ft	35 ft	20%
M-R-H	9,000 sf (1,000 sf/unit)	20 ft	15 ft	15 ft	40 ft, 35 ft <sup>2</sup>	20%
PD	Underlying GP designation	n/a	n/a	n/a	n/a	20% <sup>3</sup>

Source: City of Clayton Zoning Ordinance 2014

<sup>1</sup> Standards shown are for interior lots. Refer to the Zoning Ordinance for side yard standards for corner lots.

<sup>2</sup> Twenty feet when District abuts (within 50 feet) any single-family residential district.

<sup>3</sup> Affordable housing projects may be allowed to provide less than 20 percent of the project site as open space subject to approval by the Planning Commission.

## Parking

New residential development is required to provide parking as shown in **Table 34**.

**Table 34. Residential Parking Requirements**

Requirement	Description
Single-family	4 per unit (2 must be fully enclosed and 2 may be tandem)
Small lot single-family (<4,000 sf net lot area, Multifamily General Plan Designation)	2 per unit (1 must be covered and 1 may be tandem), 0.5 guest spaces per unit
Duplex	2 per unit (1 must be covered and 1 may be tandem), 0.5 guest spaces per unit
Multiple-family Studio 1-bedroom 2+ bedroom Guest parking	1 per unit (covered) 1.5 per unit (1 must be covered) 2 per unit (1 must be covered) 0.5 per unit
Group residential	1 per sleeping room plus 1 per 100 sf of assembly or common sleeping areas

*Source: City of Clayton Zoning Ordinance 2014*

These parking requirements may be reduced for projects zoned PD (e.g., Oakhurst provides only 1.5 parking spaces for its zero lot line units) with a supporting parking analysis and may be reduced for Affordable Housing Opportunity sites with a supporting parking analysis. As stated in Implementation Measure II.2.1, the City will provide flexibility in the application of parking standards for development projects that include affordable units.

### ***Permitted Residential Uses***

**Table 35** provides a summary of the residential use types that are permitted or permitted subject to the approval of a use permit, and uses that are not allowed in residential zoning districts.

**Table 35. Residential Use Permit Requirements**

Residential Use Type	R-10	R-12	R-15	R-20	R-40	R-40-H	M-R	M-R-M	M-R-H	LC	TC
Single-family dwelling	P	P	P	P	P	P	UP	UP	UP	--	--
Second dwelling unit	P	P	P	P	P	P	P	P	P	--	--
Duplex residential	--	--	--	--	--	--	P	P	P	--	--
Multi-family residential (triplex, condominiums, apartments, etc.)	--	--	--	--	--	--	P	P	P	--	--
Residential above commercial	--	--	--	--	--	--	--	--	--	--	P
Residential care home (≤6 persons)	P	P	P	P	P	P	--	--	--	--	--
Residential care homes (>6 persons)	UP	UP	UP	UP	UP	UP	--	--	--	--	--
Manufactured dwelling unit	P	P	P	P	P	P	--	--	--	--	--
Transitional and supportive housing	P	P	P	P	P	P	P	P	P	--	--
Single-room occupancy (SRO)	--	--	--	--	--	--	--	--	--	UP	--

*P = permitted (by right)*

*UP = Use Permit*

*-- = not permitted*

*Source: City of Clayton Zoning Ordinance 2014*

## Second Dwelling Units

A second dwelling unit is an additional self-contained living unit, either attached to or detached from the primary residential unit on a single lot. It has cooking, eating, sleeping, and full sanitation facilities. To encourage establishment of second dwelling units on existing developed lots, state law requires cities and counties to either adopt an ordinance based on standards set out in the state law or allow second units ministerially per state requirements.

In April 2004, the City adopted a second dwelling unit ordinance that follows the requirements of state law (Government Code Section 65852.1) in allowing second dwelling units on any single-family residential lot subject to ministerial review (and on multi-family lots subject to Planning Commission approval). Second units are subject to specific development requirements, as described in **Table 36**.

**Table 36. Second Unit Development Standards**

Requirement	Description
Zoning Districts	Per Zoning Code Chapter 17.47 second dwelling units are allowed in all residential districts that allow single-family dwellings.
Setbacks	Same as the principal structure unless located in a PD zone.
Height	Attached units shall not exceed the principal structure height; detached units shall not exceed one story or 15 feet, whichever is less.
Parking	1 uncovered space per bedroom
Unit size	Units between 250 and 750 square feet (one bedroom) require ministerial review Units between 751 and 1,000 square feet maximum (up to two bedrooms) requires Planning Commission review
Architectural compatibility	Must incorporate similar or complementary architectural features as the principal and surrounding structures

*Source: City of Clayton Zoning Ordinance 2014*

Second dwelling unit applicants must pay a processing fee of \$269 for staff level administrative review applications. For second dwelling unit applications that require Planning Commission review, a minimum processing fee deposit of \$1,000 is required. Second unit development is not constrained by the City's land use controls. However, the Contra Costa Water District (a special district public agency) charges a fee of approximately \$24,125 for second unit 5/8" water hookup (fees vary based on unit size). This connection fee may be a constraint to the development of second units, as there have been few second unit permits processed since the 2004 amendment of the Municipal Code. The City will continue to support efforts to construct second dwelling units on new and existing single family-zoned lots (Policy I.3). Implementation Measure I.3.1 commits the City to publicizing information about second unit development in the City's general application packet as well as on the City's website.

## **Residential Care Facilities**

Residential care facilities or group homes for persons with disabilities are allowed in the city. Facilities for six or fewer persons are allowed by right in all residential districts pursuant to the state Health and Safety Code Section 1566.3. Facilities for seven or more persons are allowed with a use permit in accordance with Chapter 17.46 of the Zoning Ordinance and must meet the following standards:

- The applicant must maintain an operating license from the applicable state and county agencies.
- The residential care home shall be located within a detached single-family dwelling.
- Sufficient off-street parking spaces shall be provided in addition to the required off-street parking to serve the dwelling.
- Signs are not allowed.

- Each residential care facility shall be located at least 1,000 feet from another such facility.
- The dwelling must comply with the Uniform Building Code and State standards for accessibility by disabled persons.

## ***Manufactured Homes***

In 2009, the City amended the Zoning Ordinance to allow manufactured housing on any residential lot subject to the standards applicable to site-built housing in accordance with state law. The Zoning Ordinance now treats manufactured housing as a single-family use type, includes a definition for manufactured housing, and allows manufactured housing on a permanent foundation in all residential zones that allow for single-family homes, subject to site plan and design review

## ***Emergency Shelters***

In compliance with SB 2 (2007), the City amended its Zoning Ordinance in 2013 to define emergency shelters and allow them by right (without discretionary approval) in at least one zoning district. Emergency shelters are now an allowed use in the Public Facilities district, subject to specific development and management standards, including but not limited to:

- Emergency shelters must be located a minimum of 300 feet from residential buildings and schools, and at least 300 feet from other shelters.
- The maximum number of beds in a single shelter is 10.
- Individuals may stay no longer than 180 consecutive days in a consecutive 12-month period.
- Off-street parking must be provided in the ratio of one space for every three beds plus one parking space per staff member per shift.
- The shelter must provide an operational plan to the Community Development Director.

Refer to Section 17.36.082 for a comprehensive list of emergency shelter requirements. There are six sites zoned Public Facilities. The site identified as most viable for an emergency shelter is the north portion of the City's 4.73 acre property located at 6125 Clayton Road which houses its community library and several idle historical buildings. The site is directly served by public transit (a regional bus that connects to Bay Area Rapid Transit) as well as services and public amenities. Approximately 1.5 acres of the site are available for development of an emergency shelter.

## ***Transitional and Supportive Housing***

SB 2 also requires that all jurisdictions define and allow transitional and supportive housing. Transitional facilities offer short-term housing (at least six months' stay); supportive housing types are those that offer permanent housing situations that are occupied by a target population (persons with AIDS, persons with mental or development disabilities, persons with chemical dependency, etc.) and may have on- or off-site services linked to the housing.

The City amended its Zoning Ordinance in 2012 to define supportive housing and transitional housing and allow both as permitted uses in all residential zoning districts, subject only to the permit processing requirements as other similar use types in the same zone (site plan review, design review, etc.).

To achieve full compliance with the provisions of SB 2, which requires that transitional and supportive housing be allowed as a residential use in all districts that allow residential, the City is committed to amending the Zoning Ordinance to allow transitional and supportive housing in the Limited Commercial zoning district, subject only to the same regulations that apply to other residential uses of the same type in that zone (Implementation Measure II.1.3).

### ***Single-Room Occupancy Units (SRO)***

Assembly Bill (AB) 2634 (2006) requires the quantification and analysis of existing and projected housing needs of extremely low-income households. Housing Elements must also identify zoning to encourage and facilitate housing for extremely low-income persons, of which two common types are supportive housing and single-room occupancy units (SRO).

Extremely low-income households typically include persons with special housing needs, including but not limited to persons experiencing homelessness or near-homelessness, persons with substance abuse problems, and persons with mental illness or developmental disabilities.

In 2012, the City amended its Municipal Code to explicitly define SRO housing as a type of residential hotel offering one-room units for long-term occupancy by one or two people. SROs may have kitchen or bath facilities (but not both) in the room. The City allows development of SROs in the Limited Commercial (LC) zoning district with a use permit.

### ***Accommodation of Persons with Disabilities***

The City has taken significant steps to improve housing accessibility for persons with disabilities. In 2013, the City adopted a universal design ordinance to ensure that new housing is adaptable and accessible for persons with disabilities. In 2012, the City adopted a reasonable accommodations ordinance (Chapter 15.90 of the Municipal Code) to allow for variations in the application of zoning codes and policies to accommodate persons with disabilities; amended the Zoning Ordinance to define and allow supportive housing facilities as described above; and amended the definition of “family” to remove restrictions on the number of unrelated persons that may be considered a family.

In 2008, the City Council approved its Americans with Disabilities Act (ADA) Transition Plan. The plan included an evaluation of barriers for persons with disabilities and included steps to remove such barriers. The plan mandates that the City Community Development and Engineering departments periodically evaluate their procedures for land use permit processing and public participation to ensure that reasonable accommodations are made for individuals with disabilities and all are in compliance with fair housing laws. As a result of plan implementation, all City facilities, offices, and meeting rooms have been upgraded to be accessible and compliant with ADA requirements, and the City has a program for installation of wheelchair-accessible ramps at street intersections.



The City has two special needs facilities that cater to persons with disabilities. In 1992, the City approved the Kirker Court development, which provides 20 units for persons with mental disabilities. In 1999, the City approved the Diamond Terrace project, which created 86 units for seniors, many of whom have disabilities and require special accommodations in their housing units and other project facilities. The City, through its now defunct Redevelopment Agency, financially participated to support the establishment of both facilities.

The City also offers reduced parking requirements for residential developments that serve seniors and persons with disabilities. The residential parking requirement for seniors or persons with disabilities is one parking space per dwelling unit, while standard single-family residential units require four parking spaces per unit.

As stated in Policy II.1 and Implementation Measure II.1.1, the City will work to provide housing opportunities for persons and households with disabilities through coordination with housing providers and assistance with funding application. The City will also continue to offer reasonable accommodations to ensure that City standards and policies do not impede housing opportunities for disabled households (Policy IV.3 and Implementation Measure IV.3.1) and continue to implement the universal design ordinance (Policy IV.3.2).

## ***Density Bonus***

The City amended its Zoning Ordinance in 2009 to add specific density provisions in keeping with state law. As detailed in Chapter 17.90 of the Municipal Code, the City offers a density bonus of up to 35 percent and a variety of incentives/concessions to promote affordable housing. Implementation Measure II.2.1 confirms the City's ongoing commitment to the density bonus program.

## ***Affordable Housing Plan***

As described in Implementation Measure I.2.1, developments of 10 or more units are subject to an Affordable Housing Plan requirement. The City has established the specific guidelines for the review and preparation of Affordable Housing Plans. These criteria do not present a constraint to the development of housing but help to ensure that housing affordable to households at a wide range of income levels is built in the city. As described below, the City offers a variety of incentives to developers and will consider incentives not specifically listed.

The Affordable Housing Plan must be submitted and approved in conjunction with the earliest stage of project entitlement, typically with the City Council approval of the primary land use entitlement and/or a development agreement.

The Affordable Housing Plan must include the following:

- The number of dwelling units that will be developed as affordable to very low-, low-, moderate-, and above moderate-income households (the City desires that at least 5 percent of all project units be affordable to very low-income households and at least 5 percent of all project units be affordable to low-income households).



- The number of affordable ownership and rental units to be produced. Such split shall be approved by the City Council based on housing needs, market conditions, and other relevant factors.
- Program options within Affordable Housing Plans may include, but are not limited to:
  - Actual production (on-site or off-site) of affordable units (including ownership and rental opportunities in the form of corner units, halfplexes, duplexes, cottages, creative alternative housing products, etc.)
  - Land dedication (on-site and off-site).
  - Payment of in-lieu fees.
- The timing for completion of affordable housing obligations.
- At the City Council's discretion, land or other contributions provided by developers as specified within Affordable Housing Plans may be utilized to augment City efforts and the efforts of its nonprofit partners to provide affordable housing opportunities to all income levels throughout the community. The City will pursue supplemental funding to allow affordability to households earning less than 50 percent of area median income.
- In order to ensure the production and preservation of housing affordable to the City's workforce, no productive, reasonable program or incentive option will be excluded from consideration within project-specific Affordable Housing Plans. Incentives may include, but are not limited to:
  - Density bonuses
  - Fee waivers or deferrals (as reasonably available)
  - Expedited processing/priority processing
  - Reduced parking standards
  - Technical assistance with accessing funding
  - Modifications to development standards (on a case-by-case basis)

The size of property, the surrounding land uses, the purchase price of the real property, and the current market conditions (i.e., competition) are all factors that may be considered in the preparation of proposed Affordable Housing Plans. Each development project is unique, as are the incentives and specific affordable housing requirements applied. The flexibility of this menu approach allows the City and developer to agree to terms that meet the intent of providing affordable housing while ensuring that the proposed development remains feasible.

## ***Growth Management Program (Measure C)***

In 1988, Contra Costa County voters approved a half-cent sales tax to fund a transportation improvement and growth management program (Measure C). This program addresses congestion problems by funding transportation improvement projects and establishing a process involving all of the cities in Contra Costa County, including Clayton, to cooperatively manage the impacts of growth.

The overall goals of the program are to relieve congestion created by past development through road and transit improvements funded by the sales tax increase and to prevent future development decisions from resulting in the deterioration of services. To be eligible for sales tax funds, the Growth Management Program requires that each participating city and town and the County take several actions including:

- Adopting a Growth Management Element of the General Plan to address the impacts of growth.
- Committing to managing congestion by adopting and applying traffic service standards to ensure that new development will not significantly worsen traffic on streets, roads, and regional routes.
- Reducing dependency on the single-occupancy automobile through use of transportation systems management for each jurisdiction's large employers or an alternative mitigation program for areas that are primarily residential in character.
- Ensuring that new development pays its own way through mitigation and fee programs.
- Reducing the number and length of automobile commute trips by addressing housing options and job opportunities at the local, regional, and countywide level.
- Adopting a Housing Element certified by the California Department of Housing and Community Development.

The Contra Costa Transportation Authority is responsible for ensuring that these objectives and requirements are met. Periodically, it evaluates whether each city, town, and the County is participating fully, based on a compliance checklist. Each year that a locality is found in compliance with the Growth Management Program, it receives a share of the local sales tax increase that will be used for local street improvements and related activities.

In 1992, the City adopted the Growth Management Element of the General Plan pursuant to the requirements of Measure C. This element establishes goals, policies, and standards for traffic service and other public facilities and services. Specifically, the element requires the preparation of traffic studies for large developments and prohibits the City from approving projects that will cause levels of service at any designated intersection to fall below the standards set in the element (i.e., level of service D). The element also sets standards for police emergency response time, parks, fire emergency response time, sanitary sewers, water services, and flood control. In effect, the standards

contained in the Growth Management Element formalize mitigation measures that are typically required under the California Environmental Quality Act (CEQA) on a project-by-project basis. None of these standards are expected to constrain housing development in Clayton beyond the level currently imposed by state environmental regulation.

In November 2004, Contra Costa County voters approved Measure J by over a two-thirds majority. Measure J extended the half-cent sales tax for transportation improvements until 2034. Measure J requires jurisdictions to demonstrate progress on providing housing opportunities by comparing the number of units approved within the previous five years with the number of units needed to meet the objectives established in the jurisdiction's Housing Element. It further requires each city to periodically certify it has not violated its Urban Limit Line (ULL) boundary and accompanying regulations for orderly growth in order to be eligible for Measure J funds.

The adopted Growth Management Element does not restrict the number of new homes that are permitted to be built. The element intends to use the increased tax revenue for transportation improvements to ensure that development and growth are orderly and not restricted. Measure J requires that the City monitor progress toward meeting Clayton's housing objectives. The City has determined that its Growth Management Element does not constrain the maintenance, improvement, or development of housing for all income levels.

## **Development Processing Procedures, Standards, and Fees**

### ***Permit Processing Procedures***

Housing development projects proposed in Clayton are subject to one or more of the following review processes or permits: environmental review, zoning, subdivision review, planned unit development, site plan review, use permits, and building permits.

The City does not have an in-house building department and instead contracts with the Contra Costa County Building Inspection Division to administer its building permit process. To proceed with a residential development, the developer first obtains the required project specific development entitlement approvals from the City. The developer then submits construction plans for zoning compliance review. The developer then applies for sewer and water service. The City of Concord provides sewer service in Clayton under contract with Clayton. The Contra Costa Water District, an independent special district public entity, provides water service. Once the developer has obtained these approvals, the developer submits plans to the County Building Inspection Division for plan check and a building permit. The County also provides building inspection services and grants certificates of occupancy for the project.

The City created and offers a development handbook that provides applicants with an overview of its development approval process. The guide is intended to minimize uncertainty in the process and reduce the time applicants spend seeking development approval. The Clayton Community Development Department also encourages no-cost pre-application meetings so that the City can provide assistance and direction to applicants prior to application review. The City has found that the pre-application meetings reduce the time spent approving development applications and create opportunities for public/private development ventures.

## Permit Processing Time Frames

**Table 37** shows typical permit processing times in Clayton. Typical processing times include both discretionary and non-discretionary permit processing times and take into account the time required to obtain permits from both Contra Costa County and the City. For example, a “typical” development project that requires a use permit and site plan review from the City and a building permit from Contra Costa County would take approximately eight weeks to process (i.e., six weeks for the use permit and site plan which would be processed concurrently, and two weeks for a building permit).

The City’s permit processing procedures include an assessment of the potential environmental impacts of the proposed project. If a project requires environmental review, additional processing and time is required. State law under CEQA mandates these review procedures. Many of the environmental regulations have protected the public from significant environmental degradation and from development of certain projects on inappropriate sites, and have given the public an opportunity to comment on project impacts. This process does, however, increase the time needed for approval of a project.

A single-family residential subdivision requires approval of a Tentative Subdivision Map and a multi-family project requires the approval of a Development Plan Permit. Both proposals require actions by the Planning Commission and the City Council. If the level of environmental review is a negative declaration (ND) or a mitigated negative declaration (MND) for these proposals, then the typical processing time for these planning entitlements is four to six months from the time an application is deemed complete. If the level of environmental review is an environmental impact report (EIR), then the typical processing time, from the time the application is deemed complete, is approximately 12 months.

**Table 37. Typical Permit Processing Times**

Type of Application	Estimated Processing Time* (following formal acceptance)
General Plan Amendment	20 - 26 weeks
Rezoning	20 - 26 weeks
Use Permit	6 - 10 weeks
Variance	6 - 10 weeks
Planned Development	20 - 26 weeks
Subdivision (Tentative Map)	20 -26 weeks
Subdivision (Final Map)	Varies
Site Plan Review	6 -10 weeks
Zoning Review (City staff)	1 - 2 weeks
Building Permit (County Building Inspection Div.)	2 - 3 weeks

Sources: City of Clayton; Contra Costa County

\*These times assume environmental review is not required and that the application is deemed complete.

## ***Planned Development Districts***

A Planned Development (PD) district requires a subsequent development plan permit. The permit request must meet the requirements set forth in Section 17.28 of the Clayton Municipal Code and be approved by the City Council. An approved PD district provides applicants with flexibility in land use controls, including residential land use controls.

To facilitate multi-family development on PD sites, in 2014 the City amended the PD zoning district standards to allow multi-family developments with a General Plan land use designation of Multi-Family High Density (MHD) to be processed with only site plan review (rather than development plan review as was previously required) if applicants choose to adhere to M-R-H zoning district development standards. This change was intended to create a predictable path for development on sites designated MHD.

## ***Development Plan Review***

The PD district provides developers and the City with the flexibility to accommodate projects on sites which are constrained by various physical factors such as flooding, slopes, restricted access, or cultural resources. The development plan process allows creativity in the application of various standard development requirements including setbacks, height limitations, lot coverage, vehicular access, parking, and architectural design. Since development plans may involve the relaxation of various standards, Planning Commission and City Council review is required. The standards of review are listed in the Zoning Ordinance and focus upon ensuring that a better development will result than would occur with a non-flexible zone and ensuring protection of usable and natural open areas.

## ***Site Plan Review***

Site plan review is required for new single-family dwellings, multi-family dwellings, and certain types of residential additions. Typically, the process is initiated by staff meeting with the applicant to review the project. The applicant submits an application and the processing fee/deposit. Neighboring property owners are notified and a staff report is prepared. The Planning Commission reviews the project at a public hearing to examine compatibility with surrounding residences, solar rights, privacy, safety, and views. The site plan review process takes approximately six to ten weeks. Following site plan approval, the applicant submits construction drawings for an initial conformance review by the City's Community Development Department staff and then to the County Building Inspection Division.

Since specific criteria listed in the Zoning Ordinance are used in the evaluation and approval of projects, the site plan review process is generally predictable and does not add great time or expense to residential development.

## ***Design Review***

Residential development projects in Clayton are subject to a basic design review process that is a component of the site plan review process. This process ensures that new residential development is compatible with surrounding residences and protects the solar rights, privacy, safety, and views of existing development. The requirements for design review are described in the Town Center Specific Plan, the Marsh Creek Road Specific Plan, the Zoning Ordinance, and the General Plan. These documents are described as follows:

- **Marsh Creek Road Specific Plan:** The Marsh Creek Road Specific Plan contains design and development standards that require designers and builders to retain and enhance the character of the planning area as it develops. The guidelines address site planning, creek corridors, ridgeline and hillside protection, streetscape and landscape architecture, residential architecture, energy and resource conservation, and commercial development.
- **Town Center Specific Plan:** The Town Center Specific Plan contains design guidelines that provide guiding principles rather than strict requirements to ensure flexibility in meeting the intent of the guidelines. The guidelines address several topics such as site design, architectural character, landscape character, preservation of historic buildings, relationship of new to existing development, parking, and signage.
- **General Plan:** The General Plan contains a Community Design Element with objectives, policies, and implementation measures that address overall community design, scenic highways, and design standards for the Town Center.
- **Zoning Ordinance:** The Zoning Ordinance protects solar rights, privacy, safety, and views of existing development through height and setback restrictions.

The design review process ensures that new residential development preserves basic aesthetic principles and does not affect entitlements by allowing additional conditions to be placed on the project. The design review process adds proportionately insignificant costs to residential development and therefore is not a constraint to affordable housing.

## ***On- and Off-Site Improvement Requirements***

The City requires the installation of certain on- and off-site improvements to ensure the safety and livability of its residential neighborhoods. On-site improvements typically include streets, curbs, gutters, sidewalks, and utilities, and amenities such as landscaping, fencing, street lighting, open space, and park facilities. Off-site improvements typically include:

- Road improvements, including construction of sections of roadway, medians, sidewalks, bicycle lanes, and street lighting.
- Drainage improvements, including improvement to sections of channel, culverts, swales, and pond areas (Contra Costa County Flood Control District requirements).



- Sewage collection and treatment (Contra Costa Sanitary District requirements).
- Water system improvements, including lines, storage tanks, and treatment plant (Contra Costa Water District requirements).
- Public facilities for fire, school, and recreation.
- Geological hazard repair and maintenance where appropriate.

The type of improvements required depend upon the improvements that exist prior to development. If, for example, a vacant lot is improved with curb, gutters, and sidewalks, then the developer is not required to reinstall these. All typical improvements discussed above are required for residential development if they are absent prior to development.

Typically, on- and off-site improvement costs are passed on to the homebuyer as part of the final cost of the home. Clayton does not require on- and off-site improvements beyond what is typically required in other jurisdictions and therefore does not consider these improvements to be a constraint to the development of housing for all income levels.

## Construction and Housing Codes

### *Building Code and Code Enforcement*

The City has a small Code Enforcement team. Code Enforcement receives and follows up on complaints from citizens about matters ranging from poorly maintained properties, including foreclosed properties, to boats, recreational vehicles, and trailers illegally parked on private properties. Enforcement tactics include verbal contacts, written courtesy notices, and formal notices of violation. These efforts are essential in maintaining the quality and appearance of the built environment in Clayton. Code Enforcement coordinates as needed with other local agencies, including representatives from the Contra Costa County Building Department, the Clayton Police Department, the Housing Authority of Contra Costa County, the Contra Costa County Mosquito and Vector Control District, and the Environmental Health Department of Contra Costa County.

Additionally, the City contracts with the Contra Costa County Building Inspection Division to provide building plan check, inspection, and occasional code enforcement services related directly to construction projects. **Table 38** shows the construction and housing codes adopted and administered by Contra Costa County for Clayton.

**Table 38. Construction and Housing Codes**

Code Section	Title	Remarks
15.01	Construction Regulations	No major impacts on the cost of housing
15.02	Uniform Building Code with Amendments, 2013	No major impacts on the cost of housing
15.03	California Electric Code with Amendments, 2013	No major impacts on the cost of housing
15.04	California Plumbing Code with Amendments, 2013	No major impacts on the cost of housing
15.05	California Mechanical Code with Amendments, 2013	No major impacts on the cost of housing
15.06	Uniform Housing Code with Amendments, 1997	No major impacts on the cost of housing
15.07	Building Security Construction Codes	No major impacts on the cost of housing
15.08	Sign Provisions	No major impacts on the cost of housing
15.09	California Fire Code with Amendments, 2013	No major impacts on the cost of housing
15.56	Moving Buildings regulations	No major impacts on the cost of housing
15.58	Flood Damage Prevention practices	No major impacts on the cost of housing
15.60	Grading Rules	No major impacts on the cost of housing
15.70	Tree Protection regulations	No major impacts on the cost of housing
15.80	Project Construction & Demolition Debris Recycling regulations	No major impacts on the cost of housing, although cost savings from recycling material may provide a cost savings for construction which would be passed along to tenants
15.90	Reasonable Accommodation	Provides greater flexibility in providing housing for persons with a disability
15.92	Universal Design	No major impacts on the cost of housing and will provide a housing stock that is accessible to disabled persons
Part 11, Title 24	CalGreen Green Building Code, 2013	Will reduce the demand for household energy and therefore decrease the cost of maintaining a household

*Sources: City of Clayton, County Building Inspection Division, and County Fire Protection District*



## Development Fees

The City collects development fees to help cover the costs of permit processing and environmental review. As shown in **Table 39**, Community Development Department fees are billed at the cost per hour per employee. Fees collected by the City in the review and development process cannot and do not exceed the City's costs for providing these services. Applicants must submit a deposit in the specified amount upon submittal of an application.

**Table 39. Community Development Department Fees**

Item	Fee
Annexation	Time, \$5,000 min. deposit
General Plan amendment	Time, \$5,000 min. deposit
Prezoning	Time, \$5,000 min. deposit
Rezoning	Time, \$5,000 min. deposit
Zoning Ordinance amendment	Time, \$5,000 min. deposit
Site Plan Review Permit (initial permit or amendment)	Time, \$1,000 min. deposit
Development Plan	Time, \$5,000 min. deposit
Environmental Impact Report (EIR)	Time, \$5,000 min. deposit
Mitigated Negative Declaration (MND)	Time, \$2,500 min. deposit
Negative Declaration (ND)	Time, \$1,500 min. deposit
Use Permit - Residential – Planning Commission review	Time, \$1,000 min. deposit
Second Dwelling Unit Permit – administrative review	\$269
Tree Removal Permit – admin. review w/out notice	\$10/tree (min. \$33)
Tree Removal Permit – admin. review with notice	\$50/tree (min. \$108)
Tree Removal Permit – Planning Commission review	Time, \$500 min. deposit
Variance (residential)	Time, \$1,000 min. deposit
Appeal – administrative decisions	\$53
Appeal – residential Planning Commission decisions	\$269
Tentative Subdivision Map application	Time, \$5,000 min. deposit
Parcel Map application	Time, \$2,000 min. deposit
Lot line adjustment	Time, \$1,000 min. deposit
Lot merger	Time, \$2,000 min. deposit
Habitat Conservation Plan	Time, \$1,000 min. deposit

*Source: City of Clayton Community Development Department Fee Schedule 2013-14, per CC Reso. No. 31-2013*

*Note: Fees may be adjusted (some are linked to increases based on the Consumer Price Index). Contact the Community Development Department for the most recent fee schedule.*

The City and applicable districts collect development impact fees for the provision of services such as water, sewers, storm drains, schools, and parks and recreation facilities. These fees are generally assessed based on the number of units in a residential development with the exception of the school district fee collected by the Mount Diablo Unified School District (MDUSD), which determines permit fees based on square footage. Fees charged for building permits are based on the construction values as prescribed by the Uniform Building Code. **Table 40** shows development fees for the City.

**Table 40. Development Impact Fees**

Item	Responsible Agency	Fee Per Unit	
		Single-Family	Multi-Family
Building Permit, plan check and building inspection <sup>1</sup>	County Building Inspection Dept.	\$6,153	\$2,128
School fees (\$2.97/sf)	Mt. Diablo Unified School District	\$5,940 <sup>2</sup>	\$3,564 <sup>2</sup>
Fire fees	County Fire Protection District	\$571	\$284
Community facilities development	City of Clayton	\$450	\$125
Parkland dedication	City of Clayton	\$2,569	\$1,666 <sup>4</sup>
Off-site arterial street improvement	City of Clayton	\$1,456	\$1,019
Child care <sup>3</sup>	City of Clayton	\$205	\$205
Sewer connection	City of Concord	\$5,043	\$3,731 <sup>5</sup>
Water connection <sup>6</sup>	Contra Costa Water District	\$24,262	\$24,262
<b>Total</b>		<b>\$46,649</b>	<b>\$37,109</b>

Sources: City of Clayton Development Impact and Related Fees Schedule 2013-14; Contra Costa County; Contra Costa Water District; City of Concord; Mount Diablo Unified School District

<sup>1</sup> Fees are based upon building valuation and square footage. Assumes a 2,000-square-foot single-family house and a 1,200-square-foot multi-family unit.

<sup>2</sup> Assumes the construction of a 2,000-square-foot single-family home and a 1,200-square-foot multi-family unit.

<sup>3</sup> Senior housing, second-dwelling units, affordable housing units, and churches are exempt.

<sup>4</sup> \$2,180.00 per unit in a duplex.

<sup>5</sup> Fee is \$3,731 per unit for a two-bedroom multi-family unit and \$2,774 for a one-bedroom multi-family unit.

<sup>6</sup> Fee listed is for a 5/8" connection (20 gpm); the fee is \$32,053 for a 3/4" connection (30 gpm).

As presented in **Table 40**, a developer can expect to pay roughly \$46,649 in impact fees for the construction of a 2,000-square-foot single-family home and \$37,109 for each 1,200-square-foot multi-family dwelling unit. The cost of fees for a single-family home is roughly 15 percent of the cost of construction. Note that totals do not include planning fees, which vary based on the level of review needed and actual time needed to process an application.

Development fees in Clayton are typical for fees associated with residential development in the Bay Area. A large portion (\$24,262) of the total fees associated with residential development in the city is for water connections, which are provided by the Contra Costa Water District (special district) for jurisdictions located in Contra Costa County. The City also relies on the County's Department Conservation and Development – Building Inspection Division for building permit, plan review and inspection services. The City's pre-application meetings and application referral process assist with expediting the permit review period at the County level.

## **4.2 Non-Governmental Constraints**

The availability and cost of housing is strongly influenced by market factors in the desirable Bay Area over which local government has little or no control. State law requires that the Housing Element provide a general assessment of these constraints. This assessment can serve as the basis for actions which local governments might take to offset the effects of such constraints. The primary market constraints to the development of new housing are the costs of constructing and purchasing new housing. These costs can be broken down into three categories: land, construction, and financing. For the most part, housing cost components in Clayton are comparable to those in other parts of the Bay Area.

### **Land Costs**

Costs associated with the acquisition of land include the market price of raw land and the cost of holding land throughout the development process. These costs can account for as much as half of the final sales prices of new homes in very small developments or in areas where land is scarce. Among the variables affecting the cost of land are its location, its amenities, the availability of public services, and the financing arrangement made between the buyer and seller.

Land costs vary significantly in accordance with a variety of factors, including proximity of urban services. Due to low inventories of vacant lands and land for sale in Clayton, it is difficult to estimate the cost per acre of land in the city. The inventory of vacant land parcels in the neighboring City of Concord includes properties that are near the Clayton boundary line. Undeveloped land zoned for residential development on these properties is listed from \$600,000 per acre to as high as \$4 million per acre. It is recognized that the high cost of land constrains developers' ability to develop affordable housing. Unfortunately, there is little the City can do to lower the cost of land in the private market.

### **Construction Costs**

Factors that affect the cost of building a house include the type of construction, materials, site conditions, finishing details, amenities, and structural configuration. An Internet source of construction cost data ([www.building-cost.net](http://www.building-cost.net)), provided by the Craftsman Book Company, estimated the cost of a single-story home in Clayton to be approximately \$136 per square foot in January 2014. This cost estimate is based on a 2,000-square-foot house of good standard-quality construction including a two-car garage and central heating and air conditioning. The total construction costs

excluding land costs are estimated at approximately \$273,560. In April 2014, a local developer suggested that costs are currently closer to \$100 per square foot for large single family homes.

According to local developers, the cost to develop multi-family housing (excluding land cost) in the city is typically about \$72 per square foot. The cost to develop a 1,200 square foot multi-family apartment unit would be approximately \$86,400, making multi-family housing the more affordable housing development option on a construction cost per square foot basis.

If labor or material costs increased substantially, the cost of construction in Clayton could rise to a level that impacts the price of new construction and rehabilitation. Therefore, increased construction costs have the potential to constrain new housing construction and rehabilitation of existing housing.

## **Availability of Financing**

Financing new residential development can be a significant cost; however, residential financing for both single family and multiple family housing is generally available. Developers of single-family projects often secure loans for land acquisition, installation of improvements, and construction. Land acquisition and development loan rates are typically the prime rate plus .5 to 2 percent, which was 3.6 to 4.5 percent in late 2013. Apartment loan rates are generally a bit lower.

Developers of affordable housing face significant challenges in securing financing. Due to the limited possible return from rents or sales prices of affordable units, many private lenders are unable to finance affordable projects due to the rate of return. Thus affordable developers must rely on community lending divisions, nonprofit institutions, grants and special loans, and local assistance.



## HOUSING ELEMENT

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## 5.0 HOUSING RESOURCES

The City utilizes local, state, and federal funds to implement its housing strategy. Because of the high cost of new construction, more than one source of public funds is required to construct an affordable housing development. The City does not act as a developer in the production of affordable units, but relies upon the private sector to develop new units with the assistance of these various funding sources.

Clayton residents may also benefit from programs that are administered by the Contra Costa County Community Development Department. For example, the Mortgage Credit Certificate Program (authorized via Section 25 of the IRS code) is targeted to households whose incomes do not exceed 115 percent of area median income. This program permits public jurisdictions to issue tax credit certificates for a portion of the mortgage interest paid by first-time homebuyers. In this program, the buyer and the lender cover most of the direct expenses.

As stated in Implementation Measures II.1.1, III.1.1, and III.1.3), the City will continue to promote the availability of existing assistance programs, assist housing providers in pursuing available funding sources, and pursue sources locally whenever available.

### 5.1 Housing Programs and Funding Sources

#### Section 8 Voucher Program

Rental assistance is available from the Housing Authority of the County of Contra Costa, which administers the Section 8 voucher program. As of 2013, only one Clayton household was receiving rental assistance from this program, which is funded by HUD. The limited number of rental housing units and the high cost of rental housing in the city make it unlikely that Section 8 participants will find units to rent in Clayton.

#### Funding Programs

Local, state, and federal funding programs can be used to assist first-time homebuyers, build affordable housing, and help special needs groups, such as seniors, persons with disabilities, and the homeless. Funds provided may be low-interest loans that need to be repaid, or in some instances, grants are provided that do not require repayment.

These funding programs are summarized in **Table 41**. In most cases, for-profit and nonprofit developers apply for these funds or program benefits directly. For example, nonprofit organizations apply directly to HUD for Section 202 and Section 811 loans, and developers apply to the California Tax Credit Allocation Committee for low-income tax credits. The City does not act as a developer in the production of affordable units, but relies upon the private sector to develop new units with the assistance of various funding sources. The City can help sponsor grant and loan applications, provide matching funds, or furnish land at below-market cost. However, there are also programs, such as CDBG and HOME, for which the City can apply directly to the County Community Development Department for funding. Finally, there are a few programs, such as the Mortgage Credit Certificate Program or the Lease Purchase Program, to which individual households apply directly once local or county programs have been established.

***Community Development Block Grant Funds (CDBG)***

The County Community Development Department also administers the CDBG and HOME programs. The County receives approximately \$3.5 million in CDBG funds annually for the 14 cities and unincorporated areas that make up the urban county. Forty-seven (47) percent of the funds are reserved for projects and programs within the urban county that address the following priorities:

- Increase the supply of multi-family rental housing affordable to and occupied by very low- and low-income households.
- Maintain the existing affordable housing stock through the rehabilitation of owner-occupied and rental housing.
- Increase the supply of appropriate and supportive housing for special needs populations.
- Assist the homeless and those at risk of becoming homeless by providing emergency and transitional housing.
- Alleviate problems of housing discrimination.

CDBG funds are used for site acquisition, rehabilitation, first-time homebuyer assistance, development of emergency and transitional shelters, and fair housing/housing counseling activities. Additional activities in support of the new construction of affordable housing include site acquisition, site clearance, and the financing of related infrastructure and public facility improvements.

***HOME Investment Partnership Act Program Funds***

The urban county and the cities of Antioch, Concord, Pittsburg, Richmond, and Walnut Creek formed the Contra Costa Consortium for the purpose of applying to HUD for HOME funds. Approximately \$2.9 million in HOME funds are allocated to the consortium annually. All projects funded with HOME funds must be targeted to very low- and low-income households and must have permanent matching funds from non-federal resources equal to 25 percent of the requested funds. In addition, the County Board of Supervisors has established a priority for the allocation of HOME and CDBG funds to projects that include a portion of the units affordable to extremely low-income households (incomes at or below 30 percent of the area median income).

Consortium HOME program priorities include the following:

- Acquisition, rehabilitation, and new construction of affordable multi-family rental housing.
- Owner-occupied housing rehabilitation programs for low-income households.
- First-time homebuyers assistance for low-income households.



**Table 41. Affordable Housing Funding Sources**

Program	Description
<b>First-Time Homebuyers</b>	
Mortgage Credit Certificate Program	Homebuyers can apply a portion of mortgage interest paid as a credit against their income tax obligations. The program primarily targets first-time homebuyers. The Contra Costa County Community Development Department administers this program.
Housing Enabled by Local Partnerships (HELP) Program	HELP is sponsored by the California Housing Finance Agency (CalHFA). The program provides low-cost loans to cities for an array of housing activities, including down payment assistance.
School Facility Fee Down Payment Assistance Program	CalHFA program that provides full or partial rebate of the school facility fee paid by the builder. The buyer can use this rebate to cover part of the down payment.
Low and No Down Payment Program	California Housing Loan Insurance Fund (CAHLIF)-sponsored program that provides several loan options, including 100% loans, requiring no down payment.
Lease-Purchase Program (operated by an existing agency or the creation of a new one with other cities in the area)	The program assists potential homebuyers who lack down payment savings or an acceptable credit history to become homeowners. Lease-purchasers lease homes for a three-year period, while they gradually save for the down payment and closing costs. The East Bay Delta Housing Finance Agency operates a program in the Bay Area.
Community Assisted Shared Appreciation (CASA) Program	This special program provides silent seconds (owed to participating lenders) and silent thirds (owed to the City). Funds are matched one-for-one by participating lenders.
<b>New Construction</b>	
HOME and Community Development Block Grant Programs	Federally funded and regulated programs designed to help households who earn up to 80% of area median income. The Contra Costa County Community Development Department administers these programs for the urban county, which includes Clayton. CDBG funds were used to assist in the development of Kirker Court.
Low-Income Housing Tax Credits	Federal and state income tax credits provide a source of equity for low-income rental projects. The California Tax Credit Allocation Committee coordinates the award of these credits. The Diamond Terrace project used tax credits.
HELP Program	CalHFA-sponsored program that provides low-cost loans to cities for an array of housing activities, as long as they support affordable housing.
State of California's Multifamily Housing Program	A new state program that provides deferred payment loans for up to 55 years. Eligible activities include new construction and rehabilitation of permanent and transitional rental housing for lower-income households.



Program	Description
Mortgage Revenue Bonds	The sale of tax-exempt bonds provides permanent financing at slightly below market interest rates for both single-family and multi-family housing. The California Debt Limit Allocation Committee is responsible for allocating authority for the Mortgage Credit Certificate and mortgage revenue bonds subject to the annual volume cap for the state.
<b>Special Needs Assistance</b>	
New Construction – Section 202 and Section 811	The HUD 202 Program provides grant funds to develop senior housing. The HUD Section 811 Program provides grant funds to develop housing for persons with disabilities. Section 811 funding was used for Kirker Court.
CDBG	Seniors with mobility problems can remain in their own homes longer, if it is possible to improve accessibility. CDBG funds can be used for this purpose.
<b>Homeless Persons</b>	
Emergency Shelter	Contra Costa County's Office of Homeless Programs coordinates programs and disperses funds for emergency shelters. Funds are available from the federal government and from the state. The County's Continuum of Care Plan Homeless Plan provides detailed information.
Transitional Shelter	Financing sources include federal programs (e.g., Housing Opportunities for Persons with AIDS, HOME, CDBG, Section 8) and the state.

*Source: City of Clayton 5-Year Implementation Plan, 2008/09-2012/13; Contra Costa County*

## 5.2 Existing Affordable Housing

As shown in **Table 42**, there are 126 affordable units at a variety of affordability levels in Clayton. There are 20 affordable housing units at Kirker Court, a project for persons with disabilities managed by Eden Housing. Diamond Terrace, an assisted living project for seniors, was completed in 2003. This project provides 65 units for very low-income seniors and 10 units for low-income seniors as well as 10 units for moderate-income seniors.

The Stranahan residential subdivision was built in 1995 and consisted of 54 single-family detached homes. Eighteen of the homes were sold at a level affordable to moderate-income households. Since the initial sale, two of the 18 homes were repurchased by the redevelopment agency (RDA) and resold to low-income households, and an additional six of these houses were repurchased by the RDA and resold to moderate-income households. One of the homes converted to market rate in 2013. Due to the dissolution of the RDA, the City did not have the resources to purchase and resell the home at an affordable rate.

In addition, four lower-income units were provided by the Bridlewood Court and Diablo Estates at Clayton projects to satisfy Affordable Housing Plan requirements. **Table 42** presents detailed information on these housing units.

**Table 42. Existing Affordable Housing, 2014**

Project Name/Location	Year Built	Sponsor	Units	Group/Income Category	Expiration Date	Type of Subsidy	Notes
<b>Redevelopment Agency LMI Program</b>							
Kirker Court 1732 Kirker Pass Road	1993	Eden Housing (originally developed by Housing for Independent People)	20	Disabled persons 20 extremely low	2034	Section 811, CDBG, and RDA LMI funds	HUD funding is up for renewal in 2034 but City and County loans require affordability until 2053.
Stranahan Stranahan Circle	1995	Lemke Construction	17	2 low 15 moderate	2048	RDA LMI funds	Affordable Housing Opportunity site in 1993 Housing Element.
Diamond Terrace 6401 Center Street	2002	PAM	85 (+1 caretaker unit)	Seniors 65 very low 10 low 10 moderate	2056	Low-income tax credits and RDA LMI funds	Congregate care with studio, one-, and two-bedroom units.
<b>Affordable Housing Plan Units</b>							
Bridlewood Bridlewood Court	2003	Delco Builders	1	1 low-income	2048		Inclusionary unit provided off-site.
Diablo Estates at Clayton Regency Drive	2006 (est.)	Toll Brothers/Lemke Construction	3	1 very low 1 low 1 moderate	2061		Inclusionary units provided off-site
<b>Total</b>			<b>126</b>				

Source: Community Development Department 2014



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## Affordable Housing at Risk of Conversion to Market Rate

State law requires that Housing Elements include an inventory and analysis of restricted affordable housing units that are eligible to convert to market rate within 10 years of the beginning of the Housing Element planning period (through December 31, 2024). As shown in **Table 41**, none of the City's 126 affordable units are eligible for conversion to market rate in the next 10 years. Should any units in the city become at risk, the City will implement Implementation Measure III.2.1 to preserve units at risk of conversion to market rate.

**Table 43** identifies nonprofit housing organizations that serve Contra Costa County listed by HCD as entities that could acquire multi-family developments or affordable units if any units were to become at risk in the future.

**Table 43. Affordable Housing Nonprofit Organizations Serving Contra Costa County**

Organization	Address	Phone Number
ACLC, Inc.	315 N. San Joaquin Street Stockton, CA 95202	(209) 466-6811
Affordable Housing Associates	1250 Addison Street, Suite G Berkeley, CA 94702	(510) 649-8500
Alameda County Allied Housing Program	224 W. Winton Avenue, Room 108 Hayward, CA 94541	(510) 670-5404
Anka Behavioral Health	1850 Gateway Boulevard, Suite 900 Concord, CA 94520	(925) 825-4700
C. Sandidge and Associates	2200 San Pablo Avenue, #202 Pinole, CA 94564-1746	(510) 964-0916
Christian Church Homes of Northern California, Inc.	303 Hegenberger Road, Suite 201 Oakland, CA 94621-1419	(510) 632-6714
City of Walnut Creek	1666 Main Street Walnut Creek, CA 94596	(925) 943-5899
Community Housing Developers, Inc.	255 N. Market Street, Suite 290 San Jose, CA 95110	(408) 279-7677
Community Housing Development Corp.	1452 Filbert St, PO Box 1625 Richmond, CA 94802	(510) 412-9290
Community Housing Opportunities Corporation	1490 Drew Ave., Suite 160 Davis, CA 95618	(530) 757-4444
Contra Costa Department of Conservation & Development	651 Pine Street, 4th Floor Martinez, CA 94553	(925) 335-1290
East Bay Asian Local Development Corporation	310 Eighth Street, Suite 200 Oakland, CA 94607	(510) 287-5353
East Bay NHS	2320 Cutting Boulevard Richmond, CA 94804	(510) 237-6459

Organization	Address	Phone Number
Eden Housing, Inc.	409 Jackson Street Hayward, CA 94544	(510) 582-1460
Eskaton Properties Inc.	5105 Manzanita Avenue Carmichael, CA 95608	(916) 331-8513
Northern California Land Trust, Inc.	3122 Shattuck Avenue Berkeley, CA 94705	(510) 548-7878
Pacific Community Services, Inc.	329 Railroad Avenue, P.O. Box 1397 Pittsburg, CA 94565	(925) 439-1056
Resources for Community Development	2131 University Avenue #224 Berkeley, CA 94704	(510) 841-4410
ROEM Development Corporation	1650 Lafayette Circle Santa Clara, CA 95050	(408) 984-5600
Rubicon Programs, Inc.	2500 Bissell Avenue Richmond, CA 90804	(510) 235-1516
Rural California Housing Corp.	3120 Freeboard Drive, Suite 201 West Sacramento, CA 95691	(916) 447-2854
Sacramento-Yolo Mutual Housing Association	8001 Fruitridge Road, Suite A Sacramento, CA 95820	(916) 453-8400
Satellite Housing Inc.	2526 Martin Luther King Junior Way Berkeley, CA 94704	(510) 647-0700
Vallejo Neighborhood Housing Services, Inc.	610 Lemon Street Vallejo, CA 94590	(707) 552-4663

Source: HCD (<http://www.hcd.ca.gov/hpd/hrc/tech/presrv/hpd00-01.xls>), 2014

## 6.0 RESIDENTIAL LAND ANALYSIS

### 6.1 Regional Housing Needs Allocation

State law (Government Code Section 65580 et seq.) requires that HCD project statewide housing needs and allocate the anticipated need to regions throughout the state. For the Bay Area, HCD provides the regional need to the Association of Bay Area Governments (ABAG), which then distributes the Regional Housing Needs Allocation (RHNA) to the cities and counties within the ABAG region. ABAG allocates housing production goals for cities and counties based on their projected share of the region's household growth, the state of the local housing market and vacancies, and the jurisdiction's housing replacement needs.

Projected housing needs in the RHNA are described by income categories as established by HCD: very low, low, moderate, and above moderate. Additionally, recent state legislation requires jurisdictions to project housing needs for extremely low-income households, which is assumed to be half of the very low-income allocation.

Clayton's share of the 2014 to 2022 RHNA is 141 units. As shown in **Table 44**, the RHNA includes 25 extremely low-income units, 26 very low-income units, 25 low-income units, 31 moderate-income units, and 34 above moderate-income units.

Clayton's RHNA represents less than 1 percent of the total Contra Costa County RHNA of 20,630 units.

**Table 44. Regional Housing Needs Allocation, 2014–2022**

Income Category	ABAG Need Determination	Percentage of Total
Extremely Low	25	18%
Very Low	26	18%
Low	25	18%
Moderate	31	22%
Above Moderate	34	24%
<b>Total</b>	<b>141</b>	<b>100%</b>

*Source: ABAG 2013*

### Capacity to Accommodate the RHNA

As detailed in Section 6.2 Adequate Sites Inventory and summarized in **Table 45**, Clayton has capacity in planned or approved projects and adequate land zoned at densities appropriate to meet the 2014–2022 RHNA for all income categories. Projects already approved or planned can accommodate 13 units, vacant residential sites can accommodate 136 units, and underutilized sites can accommodate 129 units. Identified sites have realistic capacity for a total of 278 units, 145 of which may be appropriate for lower-income households.

As stated in Implementation Measure I.1.1, the City will continue to track and monitor the inventory of available sites throughout the planning period to ensure that adequate sites remain available to accommodate the City's RHNA.

**Table 45. Capacity to Accommodate the 2014–2022 RHNA**

Income Category	RHNA	Planned/ Approved (see Table 46) <sup>1</sup>	Vacant Land (see Table 47) <sup>2</sup>	Underdeveloped Sites (see Table 48) <sup>2</sup>	Remaining Need (Surplus)
Extremely Low	25	2	57	86	(69)
Very Low	26				
Low	25				
Moderate	31	11	79	43	(68)
Above Moderate	34				
<b>Total</b>	<b>141</b>	<b>13</b>	<b>136</b>	<b>129</b>	<b>(137)</b>

Source: ABAG 2014–2022 Regional Housing Needs Allocation 2013; Clayton Community Development Department 2014

<sup>1</sup> Units estimated in the lower-income categories will be deed-restricted for affordability in the Creekside Terrace and Oak Creek Canyon Projects. <sup>2</sup> Units estimated in the lower-income categories are located in General Plan land use designations that allow up to at least 20 units per acre (Multi-family High Density and Town Center Commercial), in keeping with the “default density” for the City of Clayton as determined by HCD.

## 6.2 Adequate Sites Inventory

State law requires that the Housing Element include an “inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment” (Government Code Section 65583[a][3]). State law further requires that the Housing Element analyze zoning and infrastructure on these sites to ensure that housing development during the planning period is actually feasible. Through this process, the City must demonstrate that it has sufficient land to accommodate its fair share of the RHNA as described above.

The City must also show that the land supply is capable of supporting housing demand for all economic segments of the community, including lower-income households. The state has generally held that the best way to demonstrate capacity for “affordable” housing is to provide sufficient and suitable land zoned for higher-density multi-family housing.

All sites identified in the inventory are shown on the map in **Appendix B**.

### Approved Projects

As of March 2014, 13 housing units were approved for development in the City of Clayton. As shown in **Table 46**, these units are located in the Creekside Terrace and Oak Creek Canyon projects.



**Table 46. Approved Projects (as of March 2014)**

Site #	Project Name	APN	Very Low/Low Units	Moderate/Above Moderate Units	Total Units
A-1	Creekside Terrace (Approved)	119-050-034 119-050-008 119-050-009	1	6	7
A-2	Oak Creek Canyon (Approved)	119-070-008	1	5	6
<b>Total</b>			<b>2</b>	<b>11</b>	<b>13</b>

*Source: Clayton Community Development Department 2014*

## **Creekside Terrace**

Creekside Terrace is an approved mixed-use project in the Town Center area that is planned for seven second floor residential uses and ground floor commercial. The site is owned by the City and its now defunct RDA took the many steps necessary to ready the site for development, including completing entitlements and environmental review. The City is currently working with interested developers to move the project forward, and anticipates project completion within the first half of the planning period. Because the project was enabled by the RDA, one unit must be deed-restricted for affordability to lower-income households. An interested developer is exploring the prospect of adding an additional 7 residential units to the project.

## **Oak Creek Canyon**

Oak Creek Canyon is an approved five-unit single-family subdivision planned for a site of approximately 9 acres that has been annexed into the city. The project has been approved since 2005; however, development stalled due to the recession. It is anticipated that this project will move forward and provide units appropriate for above moderate-income households early in the planning period. As the original Site Plan Review Permit expired the City is seeking for the developer to provide 1 low-income housing unit off-site as part of the Affordable Housing Plan for the project.

## **Vacant Residential Land**

As shown in **Table 47**, Clayton has vacant, unentitled land zoned for residential and mixed-use development at densities of up to 20 units per acre with a realistic capacity for 136 units. While vacant residential sites could accommodate up to 180 units in accordance with zoning standards, it is assumed that not all sites will develop at the maximum allowed density due to various site features and constraints.

Sites V-1 and V-2 are designated Town Center Commercial, which allows residential development (with no maximum density) on upper floor units (ground floor uses must be commercial). Policy I.6 of the Town Center Specific Plan encourages “the provision of small residential units on upper floors of commercially designated parcels.” Implementation Measure I.4.1 further encourages the development of residential units on Town Center sites.

Sites V-3 and V-4 are designated as Affordable Housing Opportunity sites, allowing for increased density and potential regulatory incentives for the development of affordable housing. Site V-3, known as the Old Firehouse Site, is a 1-acre parcel located at the corner of Clayton Road and Mitchell Canyon Road. In the past, there has been some developer interest in the site for projects ranging from 16 to 22 units, thus the realistic capacity is estimated at 18. Site V-4 is a 1.1-acre lot that is likely to accommodate 18 to 20 homes.

Site V-5, Silver Oak Estates, is a 59-unit project planned for the 13.96-acre Hurd Ranch property. The project includes 7 single-family homes and 52 town homes, as well as a neighborhood swimming pool and cabana and nearly 8 acres of open space. It is anticipated that Silver Oak Estates units will be affordable to moderate- and above moderate-income households; however, the developers of Silver Oak Estates conceptually propose to provide six on-site affordable units as part of the Affordable Housing Plan for the project.

Sites V-6, V-7, and V-8 are designated for low and medium density single-family development in the City's General Plan. It is assumed that units on these sites will be affordable to moderate- and above moderate-income households.

**Table 47. Vacant Residential Sites**

Site #	APN/Street	Acres	Zoning	Max. Density (units/acre)	Max. Units	Realistic Unit Capacity <sup>1</sup>	Constraints
<b>Town Center Commercial (TC)<sup>2</sup></b>							
V-1	118-560-010 City – Main Street	1.66	PD	n/a	33	17	None
V-2	119-017-003 Center Street	0.43	PD	n/a	9	4	Slope
<b>Subtotal TC</b>		<b>2.09</b>			<b>42</b>	<b>21</b>	
<b>High Density Residential</b>							
V-3	120-015-011 and 007 Clayton Road and Mitchell Canyon	1.01	PD	20	20	18	Major PG&E Transmission line easement and overhead lines
V-4	119-021-063 High Street	1.11	PD	20	22	18	Slope
<b>Subtotal HDR</b>		<b>2.12</b>			<b>42</b>	<b>36</b>	
<b>Single-Family (Low and Medium Density)</b>							
V-5	118-020-029 Silver Oak Estates	13.96	PD	5	70	59	None
V-6	118-230-010 Caulfield Drive	0.26	PD	3	1	1	None
V-7	121-090-011 Mitchell Canyon Road	4.14	R-15	3	12	9	Slope (western part of property)
V-8	121-090-016 Mitchell Canyon Road	4.51	R-15	3	13	10	Slope (western part of property)
<b>Subtotal SF</b>		<b>22.87</b>			<b>96</b>	<b>79</b>	
<b>Total</b>		<b>27.08</b>			<b>180</b>	<b>136</b>	

Source: City of Clayton Community Development 2014

1 Refer to the Realistic Capacity subsection for a discussion of realistic capacity assumptions.

2 There is no maximum density for residential development in the Town Center Commercial designation. For analysis purposes, the “maximum units” calculation is based on a density of 20 units per acre, the density allowed in the Multi-family High Density land use designation.



# HOUSING ELEMENT

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## **Underdeveloped Residential Land**

Underdeveloped residential land could realistically provide capacity for an additional 129 units. **Table 48** provides a detailed list of viable underdeveloped sites, including a description of existing uses. Sites U-1, U-2, and U-3 were redesignated Multi-Family High Density in 2011. During this process property owners were contacted and made aware of the increased development potential for their sites.

Site U-4 is an underutilized church site. The site is currently zoned Agricultural but is within the Institutional General Plan land use designation, which allows residential development at up to 20 units per acre. The designation is intended for the development of senior housing. The site would need to be rezoned for consistency with the General Plan in order for the residential development potential to be realized.

The property owner of site U-11 is in the process of subdividing the parcel to create two additional lots for the development of two new single-family homes. No affordable units would be provided.

**Table 48. Underdeveloped Residential Sites**

Site #	APN	Acres	Zoning	Max. Density (units/acre)	Max. Units	Realistic Unit Capacity <sup>1</sup>	Constraints	Existing Use
<b>Multi-Family High Density</b>								
U-1	119-021-013	0.93	PD	20	19	15	None	House
U-2	119-021-054	1.13	PD	20	23	11	Approx. 40% of the site is affected by slope in excess of 10% (.68 acres are buildable)	House
U-3	119-021-055	0.97	PD	20	19	16	None	House, barn, and horse corral
<b>Subtotal MHD</b>		<b>3.03</b>			<b>61</b>	<b>42</b>		
<b>Institutional</b>								
U-4	118-101-022	2.77	A	20	55	44	None	Saint John's Parish
<b>Single-Family (Low and Medium Density)</b>								
U-5	078-020-006	6.24	PD	3	19	15	Flooding on part of the site	Occupied single-family residence and seasonal pumpkin farm with greenhouses and outbuildings. The property is well maintained and the structures are in good condition.
U-6	078-020-007	2.30	PD	3	7	6	Flooding on part of the site	Occupied single-family residence with detached garage and garden. The property is well maintained and the structures are in good condition.
U-7	118-230-001	2.18	R-15	3	7	5	None	Occupied single-family residence. The property is well maintained and structures are in good condition.

# HOUSING ELEMENT



Site #	APN	Acres	Zoning	Max. Density (units/acre)	Max. Units	Realistic Unit Capacity <sup>1</sup>	Constraints	Existing Use
U-8	120-015-012	1.20	R-15	3	4	3	Several large oak trees	One occupied single-family residence and outbuildings. The property is well-maintained and the structures are in good condition.
U-9	120-043-004 120-043-023	2.41	R-15	3	7	6	Numerous existing trees and an abandoned orchard	Two occupied single-family residences. The property and buildings are in fair condition. The City has approved a lot line adjustment to create separate parcels on the lot, facilitating future development.
U-10	121-090-012	2.36	R-15	3	7	5	Numerous existing oak and other trees.	One occupied single-family residence, garden, barn, stable, and corral. The residence and garden are well maintained and in good condition. The barn is in fair condition with some deferred maintenance. Other structures are in fair to good condition.
U-11	119-560-012 Douglas Rd. (Planned)	1.47	PD	3	4	3	None	One existing single-family home.
<b>Subtotal SF</b>		<b>22.66</b>			<b>55</b>	<b>43</b>		
<b>Total</b>		<b>25.68</b>			<b>171</b>	<b>129</b>		

Source: City of Clayton Community Development 2014

<sup>1</sup> Refer to the Realistic Capacity subsection for a discussion of realistic capacity assumptions.



## Environmental Constraints

The inventory of available sites identifies a variety of potential environmental constraints, such as slope, oak tree preservation, and floodplains. The City recognizes that these environmental characteristics are part of the City's character and promotes flexible design standards that allow developers to mitigate environmental constraints while preserving the City's environmental features. The realistic capacity assumptions of sites identified in **Table 46** and **47** take into account existing environmental constraints. The City recognizes the potential effect that environmental constraints are likely to have on housing development, including reducing the number of units likely to be constructed. The City will continue to work with developers to creatively coordinate development and preserve the community's natural characteristics.

## Zoning to Accommodate Lower-Income Households

Housing Element law requires that jurisdictions identify zones which accommodate the housing needs of lower-income households. The law allows jurisdictions to rely upon default densities (20 du/ac for Clayton) to demonstrate zoning that encourages lower-income housing development.

Pursuant to state law (Government Code Section 65583.2[c][3][B]), parcels zoned for a residential density of up to 20 units are assumed to be appropriate to meet the City's lower-income RHNA. It is important to note that sites within other residential zones, may also be appropriate for affordable housing development; however, they have been assumed for moderate- and above-moderate development in keeping with state default density analysis standards.

## Realistic Capacity

Realistic capacity is generally estimated at 80 percent of the maximum allowed, based on densities achieved in past housing developments. In some instances, the realistic capacity has been adjusted down to account for site-specific constraints. Recent example affordable housing projects include:

- Diamond Terrace (2002): affordable senior housing including 65 very low-, 10 low-, and 10 moderate-income units. The site was zoned PD and had a General Plan designation of Institutional, which allowed a density of up to 20 units per acre. The total site is 6.45 acres, achieving a density of 13.3 units per acre (67 percent of the maximum allowed).
- Stranahan Circle (1995): mixed-income housing including 2 low-income, 16 moderate-income, and 36 market-rate units. The site was zoned PD and the General Plan designation was SF-HD, which allowed a maximum of 7.5 units per acre. Stranahan Circle was developed on 7.5 acres, achieving a density of 7.2 units per acre (96 percent of the maximum allowed).
- Kirker Court (1993): developed with 20 units and was made affordable to extremely low-income households. The site was zoned PD and the General Plan designation was MF-LD, which allows a maximum of 10 units per acre. The project exceeded the maximum density, providing at 12.4 units per acre on the 1.61-acre site (124 percent of the maximum allowed).

Recent market-rate developments in the city—Rachel Ranch, Pine Hollow Estates, and Mitchell Creek Place—developed at 73 percent, 96 percent, and 73 percent of their respective maximum allowable densities.

For sites designated Town Center Commercial, there is no specific maximum density for residential development. Residential units are allowed only on upper floors. For these sites, the maximum density is estimated at 20 units per acre, the same density allowed in the Multi-Family High Density designation, and realistic capacity is assumed at half of that maximum, to account for the mix of uses on these sites.

### ***Affordable Housing Opportunity Sites***

The Old Firehouse Site (A-3) and former Stanley Property (Site A-6) in the inventory of vacant land are designated as Affordable Housing Opportunity sites. These sites have been determined to be particularly appropriate for affordable housing development due to their size and proximity to services and amenities. As such the City placed a 20 unit to the acre MHD (Multi-Family High Density) General Plan Land Use Designation on the properties to encourage and facilitate development at high densities and to make affordable housing more feasible. The City also amended its PD (Planned Development) district standards to allow properties with an MHD designation to use the default zoning designation of M-R-H (Multiple Family High Density). While it is not required that these sites develop only as affordable housing, affordable housing is strongly preferred and development of affordable units will be incentivized through increased density, design flexibility, priority processing, and funding application assistance.

### **Priority Development Areas (PDAs)**

Priority Development Areas (PDAs) are locally identified, infill development opportunity areas within existing communities. They are generally areas of at least 100 acres where there is local commitment to developing more housing along with amenities and services to meet the day-to-day needs of residents in a pedestrian-friendly environment served by transit. To be eligible to become a PDA, an area had to be within an existing community, near existing or planned fixed transit or served by comparable bus service, and planned for more housing. The City of Clayton does not have any identified PDAs since there are no infill opportunities of 100 acres or more within the City.

## **6.3 Availability of Services**

### **Water**

The Contra Costa Water District (CCWD or District) is a special district public agency that provides public water supply, treatment, storage, and distribution in the City of Clayton. CCWD obtains its water from Rock Slough, near Oakley, in the Delta, under the terms of a contract with the federal government. CCWD's 2011 Urban Water Management Plan (UWMP) indicates that CCWD has a near-term total planned supply of 214,900 acre-feet of water in a normal precipitation year and 166,900 acre-feet of water in a single-year drought condition year. The demand for water by CCWD customers in 2010 was 121,170 acre-feet of water, which yields an excess supply of 93,730 acre-feet.

Projections for 2020 indicate a 199,420 acre feet per year demand and 250,900 acre feet per year supply, resulting in an excess supply of 51,480 acre feet per year.

Water distributed by CCWD in the Clayton area is treated at the CCWD's Bollman plant on Highway 4. The plant's permitted capacity in 2011 was 75 million gallons per day (mgd), which is sufficient for current levels of demand within its service area. CCWD officials report that the Bollman treatment plant, in its present configuration, can be expanded to a maximum capacity of 95 mgd, which is sufficient to handle increased water demand in Clayton. If development occurs east of the city, it is likely to require additional water supply and distribution facilities, including reservoirs, pumping stations, and distribution lines.

CCWD completed the Future Water Supply Study (FWSS) in 1996 to identify alternatives to offer customers a high quality, reliable supply for the next 50 years. The FWSS was updated in 2002. The FWSS examined water demand, conservation, and existing and potential supplies for a range of service area alternatives. The CCWD's Board of Directors adopted the FWSS, including the Preferred Alternative and Implementation Plan. The Preferred Alternative provides drought reliability and operational flexibility in the short term while maintaining long-term supply targets to meet projected demands. The Preferred Alternative includes the following actions to meet future demand:

- Re-negotiation of the District's existing CVP Amendatory contract prior to the year 2005 (completed May 2005).
- Implementation of an expanded District-wide conservation program (known as CPA 1) to encompass wholesale and retail customers, which would achieve a target of at least 5 percent District-wide savings by the year 2040. These savings are in addition to conservation savings expected from non-District activities.
- The completion of two or more water transfers to: (1) strengthen the reliability of supplies and drought protection for existing customers, and (2) bridge the gap between water supplies and projected demands. Transfers would be pursued in incremental blocks tied specifically to approved growth within the District.

Future treatment plant expansions and system-wide facility improvements are partially funded through the District's connection fee. The fee is based on the size of the new connection's water meter. The connection fee for a typical single-family home (or detached second dwelling unit) is \$24,262. State and local fire district regulations require all new single-family homes in Clayton to have a 1-inch meter to supply a mandatory fire sprinkler system, but CCWD charges a fee similar to the 5/8-inch rate for a one-inch meter under these circumstances. CCWD designs all water system expansions, prepares the construction plans, supplies the materials, and supervises construction, at the developer's expense. Installation is generally the responsibility of a developer. Upon completion, the new pipelines and appurtenances become CCWD property.

## ***Wastewater Treatment and Collection***

The Central Contra Costa Sanitary District (CCCSD) provides public sanitary sewer treatment for the central Contra Costa County area, including Clayton. Sewage is conveyed through gravity sewer lines and pumping stations to CCCSD's treatment plant located at the intersection of Highway 4 and Interstate 680. Treated effluent is discharged into the Carquinez Strait.

As of 2013, the CCCSD treatment plant operated at 45 mgd. Based on the current rate of growth in the CCCSD service area, CCCSD staff project the plant will reach its full capacity of 53.8 mgd in 15 to 20 years.

Under agreement, the City of Concord Public Works Department operates and maintains Clayton's sanitary sewer collection system, although the collection lines are actually owned by Clayton. Concord transports Clayton's sewage downstream through its system of trunk sewers and pumping stations to the CCCSD treatment plant. CCCSD charges the City of Concord a per-gallon fee for sewage treatment and for new service connections. Concord passes these costs along to all of its sewer customers, including those in Clayton, along with additional charges for the operation and maintenance of the collection system.

According to Concord's Sewer System Management Plan, adopted in 2012, the capacity of the district's waste system will support ABAG's projected population through 2030. Recent investments made in upgrades to the system (2004 to 2006) increased the system capacity to meet the future demands of increased population growth.

In the fall of 2004, the City advanced funds and initiated preparation of a sewer master plan for the Marsh Creek Road Specific Plan area. The Specific Plan identifies upgrades needed to rectify any existing downstream constraints in the sewers serving the Specific Plan area. The plan also identifies the routing of sewers to serve the Specific Plan area. In addition, the Specific Plan established a funding program, to be borne by developers, for the necessary improvements and extensions of the sewers. The cost of improving Clayton's main collection system will add to the cost of developing housing in the Marsh Creek Road area and could have a constraining effect on the development of low and moderate-income housing in that area. As a result infrastructure of investments in the early 2000s, sewer service is available to virtually all of Clayton, although not all residences have connected to the lines.

Pursuant to SB 1087, which requires the City to ensure a copy of the adopted Housing Element reaches its water and wastewater providers, the City will forward its adopted Housing Element to the City of Concord Public Works Department, CCCSD, and Contra Costa Water District. Government Code 65889.7 requires water and wastewater providers to establish a schedule that prioritizes services toward developments with affordable housing. The City will forward the adopted Housing Element to local water and wastewater agencies to assist those agencies with prioritizing water and wastewater allocations.



## HOUSING ELEMENT

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## 7.0 REVIEW OF PREVIOUS HOUSING ELEMENT

Clayton has made significant progress toward achieving one-time and ongoing goals set in the existing Housing Element, which was adopted and certified in 2010. This section summarizes Housing Element results from 2010 through 2013. The following table provides a brief description of Clayton’s effectiveness in implementing programs to achieve objectives set in the previous Housing Element.

**Table 49. Review of the 2007–2014 Housing Element**

Implementation Measure	Accomplishments	Continue/ Modify/ Delete
<b>Goal I Provide for adequate sites and promote the development of new housing to accommodate Clayton’s fair share housing allocation.</b>		
<p><b>Implementation Measure (I.1.1)</b> The City will promote the development of the Affordable Housing Opportunity sites identified in Table 42, Vacant Residential Land (i.e., High Street parcel (Site V-2) and Old Fire Station site (Site V-5)) by creating a General Plan Multi-family High Density designation to allow for 15.1 to 20 units per acre and create a new Zoning District Multi-Family Residential High (M-R-H) to allow up to 20 units per acre.</p> <p>Based on the Vacant and Underutilized Residential Land Tables (Table 42 and 43, 44 and 45) the City has a shortfall of land available to extremely low-, very low-, and low-income households. The City needs enough land to accommodate 50 additional units on sites that allow for 20 units per acre. To address this shortfall, the City will rezone the following site within one year of adoption of the Housing Element.</p> <ul style="list-style-type: none"> <li>• Redesignate a portion of Site U-6 (Easley Ranch, APN 119-080-009, 13.52 acres) from SF (LD) to the newly created MF (HD) and rezone to M-R-H (allows 20 units per acre) to meet the City’s 50-unit RHNA shortfall. The City will rezone 3.5 acres of this site to accommodate at least 50 units without physical or environmental constraint. Single family and multifamily units will be allowed by right and would typically require a tentative map and site plan review approval.</li> <li>• The City will also consider redesignating/rezoning Site P-2 (APN 119-021-013, .87 acres) and/or Site P-3 (APN 119-021-054, 1.16 acres), and/or Site P-4 (APN 119-021-055, .95 acres) (see Table 45) to add to the City’s future RHNA needs. The redesignation/ rezoning of these sites is not needed to meet the City’s 50-unit RHNA shortfall.</li> </ul>	<p>In 2012, the City added the Multi-Family High Density (15.1-20 units/acre) land use designation to the General Plan, created the Multi-Family Residential High (M-R-H) zone, and redesignated seven sites to the Multi-Family High Density designation.</p> <p>The designated sites were zoned Planned Development (PD) in order to maximize flexibility and site design potential on the sites. To further facilitate multi-family development on these sites, the City amended the PD zoning district standards to allow multi-family developments with only site plan review (rather than development plan review) if applicants choose to</p>	<p>Modify.</p>

Implementation Measure	Accomplishments	Continue/ Modify/ Delete
<ul style="list-style-type: none"> <li>If it is determined that rezoning any of the identified sites is not feasible, the City will identify another site or group of sites that will accommodate the City's 50-unit RHNA shortfall. The site(s) will accommodate at least 16 units per state law requirements and not have any physical or environmental constraints. This rezone will occur within one year of adoption of this Housing Element. Single family and multifamily units will be allowed by right and would typically require a tentative map and site plan review approval.</li> </ul> <p><b>Responsible Agency:</b> City Council, Planning Commission, Community Development Department</p> <p><b>Funding Source:</b> General Fund, RDA funds</p> <p><b>Time Frame:</b> Rezone sites to meet the RHNA shortfall by March 2011.</p>	<p>adhere to M-R-H development standards. This is intended to create a predictable path for development on sites designated Multi-Family High Density.</p> <p>While the City implemented this measure as written and made a good faith effort to make sites available to meet the 2007–2014 RHNA, the City was advised during the preparation of this Housing Element that sites rezoned to meet lower-income housing needs must be zoned to require a minimum density of 20 units per acre. Thus, this measure has been modified to comply with state requirements (Government Code Sections 65583.2(h) and (i)) to meet a shortfall of 84 units</p>	



Implementation Measure	Accomplishments	Continue/ Modify/ Delete
<p><b>Implementation Measure (I.2.1)</b> For residential projects of two or more units, developers will be required to develop an Affordable Housing Plan that requires a certain percentage of units be built as affordable housing units to very low- and low-income households. The City has established the following guidelines to provide direction for the review of Affordable Housing Plans associated with individual development projects and to provide direction for the preparation of an Affordable Housing Plan.</p> <p>The Plan shall be approved in conjunction with the earliest stage of project entitlement, typically with the City Council approval of the Development Agreement or other primary land use entitlement.</p> <p>The Affordable Housing Plan shall specify and include the following:</p> <ul style="list-style-type: none"> <li>• The number of dwelling units that will be developed as affordable to very low-, low-, moderate-, and above moderate-income households (the City's desire would be that at least 5 percent of all project units be built as very low-income housing units and at least 5 percent of all project units be built as low-income housing units).</li> <li>• The number of affordable ownership and rental units to be produced. Such split shall be approved by the City Council based on housing needs, market conditions, and other relevant factors. The split of ownership and rental units shall be addressed within the Plan for each individual project.</li> <li>• Program options within project-specific Affordable Housing Plans may include, but are not limited to, the following: <ul style="list-style-type: none"> <li>– Actual production (on-site or off-site) of affordable units (including ownership and rental opportunities in the form of corner units, halfplexes, duplexes, cottages, creative alternative housing products, etc.).</li> <li>– Land dedication (on-site and off-site).</li> <li>– Payment of in-lieu fees.</li> </ul> </li> <li>• The timing for completion of affordable housing obligations. For projects proposing to construct affordable housing units, the City generally supports construction of affordable dwellings concurrent with the construction of market-rate housing when feasible. For projects providing alternative contributions (land dedication, funds, etc.), timing of such</li> </ul>	<p>The City established the Affordable Housing Plan guidelines in 2010.</p> <p>The Plan requirements will be updated during this next planning period to increase from residential projects of two or more units to residential projects of 10 or more units.</p>	<p>Continue.</p>

Implementation Measure	Accomplishments	Continue/ Modify/ Delete
<p>contributions shall be identified in the Plan, with the expectation that the City will pursue construction of affordable units generally concurrent with construction of project market-rate housing.</p> <ul style="list-style-type: none"> <li>• At the City Council’s discretion, land or other contributions provided by developers as specified within project Affordable Housing Plans may be utilized to augment City efforts and the efforts of its nonprofit partners to provide affordable housing opportunities to all income levels throughout the community. The City will pursue supplemental funding to allow affordability to households earning less than 50 percent of area median income.</li> <li>• In order to ensure the production and preservation of housing affordable to the City’s workforce, no productive, reasonable program or incentive option will be excluded from consideration within project-specific Affordable Housing Plans. Possible incentives may include, but are not limited to: <ul style="list-style-type: none"> <li>– Density bonuses</li> <li>– Fee waivers or deferrals (as reasonably available)</li> <li>– Expedited processing/priority processing</li> <li>– Reduced parking standards</li> <li>– Technical assistance with accessing funding</li> <li>– Modifications to development standards (on a case-by-case basis)</li> </ul> </li> </ul> <p><b>Responsible Agency:</b> City Council, Planning Commission, Community Development Department</p> <p><b>Funding Source:</b> General Fund, RDA funds</p> <p><b>Time Frame:</b> This program will be implemented as projects of two or more units are processed through the Planning Department. The City will monitor the implementation of this program to ensure that it does not cause a constraint to the development of housing in the City of Clayton and will make necessary revisions to the program if necessary to avoid such a constraint.</p>		

Implementation Measure	Accomplishments	Continue/ Modify/ Delete
<p><b>Implementation Measure (I.2.2)</b> The Redevelopment Agency shall use its Low and Moderate Income Housing Fund to subsidize the construction of housing for very low-, low-, and moderate-income households on designated Affordable Housing Opportunity (AHO) sites in the Redevelopment project area (Table 42, Vacant Residential Land) to meet the City's fair share allocation within the current planning period of the Housing Element. In the event the accumulated cash balance of the Redevelopment Agency housing set-aside fund is insufficient to adequately subsidize such projects, the City and the Redevelopment Agency shall, in consultation with project proponents, do one of the following as a means of providing adequate subsidy for the projects: (1) obtain conventional financing from area lenders; (2) participate in a bond issue with neighboring jurisdictions; or (3) issue bonds.</p> <p>As part of this program the City will develop a marketing plan and research possible incentives aimed at promoting Redevelopment funds.</p> <p><b>Responsible Agency:</b> Redevelopment Agency; City Council; Community Development Department</p> <p><b>Funding Source:</b> RDA funds</p> <p><b>Time Frame:</b> Ongoing, 2009–2014</p>	<p>The redevelopment agency was dissolved by the state in 2012 and related funding sources were eliminated.</p>	<p>Delete.</p>
<p><b>Implementation Measure (I.3.1)</b> The City will continue to allow manufactured houses, consistent with the requirements of state law.</p> <p><b>Responsible Agency:</b> City Council, Planning Commission, Community Development Department</p> <p><b>Funding Source:</b> General Fund, RDA funds</p> <p><b>Time Frame:</b> The Zoning Code was amended in December 2009 to meet state law requirements.</p>	<p>Consistent with state law, the City continues to allow manufactured houses (codified in Ordinance 425 in December 2009).</p>	<p>Delete (no further action is required).</p>

Implementation Measure	Accomplishments	Continue/ Modify/ Delete
<p><b>Implementation Measure (I.4.1)</b> The City shall continue to promote the development of second dwelling units by publicizing information in the general application packet and posting information on the City's website.</p> <p><b>Responsible Agency:</b> Community Development Department</p> <p><b>Funding Source:</b> General Fund, RDA funds</p> <p><b>Time Frame:</b> Ongoing, 2009–2014</p>	<p>The City created promotional handouts for second units and makes them available in the Community Development Department.</p>	<p>Continue.</p>
<p><b>Implementation Measure (I.4.2)</b> The City shall develop a program using Redevelopment Agency set-aside funds to encourage the development of second dwelling units, including a review and possible reduction of development fees that might deter the development of such units.</p> <p><b>Responsible Agency:</b> City Council, Planning Commission, Community Development Department.</p> <p><b>Funding Source:</b> RDA funds</p> <p><b>Time Frame:</b> December 2012</p>	<p>The redevelopment agency was dissolved by the state in 2012 and related funding sources were eliminated.</p>	<p>Delete.</p>
<p><b>Implementation Measure (I.5.1)</b> To encourage development of mixed-use projects in the Town Center, the City has adopted the Clayton Town Center Specific Plan which provides detailed policy direction, standards, and guidelines that encourage mixed-use development. In addition, the City will continue to offer incentives such as density bonuses, actively recruit developers to undertake such projects, and where feasible provide subsidies using Redevelopment Agency set-aside funds.</p> <p><b>Responsible Agency:</b> City Council, Planning Commission, Community Development Department</p> <p><b>Funding Source:</b> General Fund, RDA funds</p> <p><b>Time Frame:</b> Annually and upon receiving development inquiries for mixed-use development.</p>	<p>The Town Center Specific Plan is available for review at the Community Development Department and on the City's website.</p> <p>Prior to the dissolution of the redevelopment agency (RDA), the City completed development approval and CEQA work to ready the Creekside Terrace project for development. In addition, the City acquired a 1.66-acre Main Street property in order to facilitate a possible mixed-use project.</p>	<p>Modify (remove potential RDA subsidies and incorporate components of I.5.2).</p>

Implementation Measure	Accomplishments	Continue/ Modify/ Delete
<p><b>Implementation Measure (I.5.2)</b> The City will continue to promote the use of the Town Center Commercial District and the Town Center Specific Plan standards to promote mixed-use or second-story residential units. These standards allow for more flexibility in the development of mixed-use or second-story units. In addition, the City is finalizing a Development Handbook guide to facilitate the permitting process of mixed-use projects.</p> <p><b>Responsible Agency:</b> City Council, Planning Commission, Community Development Department</p> <p><b>Funding Source:</b> General Fund, RDA funds</p> <p><b>Time Frame:</b> Ongoing, 2009–2014</p>	<p>The City provides the Town Center Specific Plan and the development handbook at the Community Development Department and on the City’s website.</p>	<p>Delete (merge key actions with I.5.1).</p>
<p><b>Goal II To the extent feasible, remove governmental constraints on the production of affordable housing and create incentives for the production of affordable housing.</b></p>		
<p><b>Implementation Measure (II.1.1)</b> California Health and Safety Code (Section 50801) defines an emergency shelter as “housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or households may be denied emergency shelter because of an inability to pay.”</p> <p>Pursuant to Senate Bill 2, the City will amend the Zoning Ordinance to allow emergency shelters by right and only subject to the same development standards allowed in this Zone. This area is currently designated Kirker Corridor in the City’s General Plan and classified as Planned Development (PD) in the City’s Zoning Ordinance. This corridor is close to services and public transportation. The City will create an overlay zone with specific development standards for emergency shelters in this 5-acre area. In addition, the City will evaluate adopting development and managerial standards that will be consistent with Government Code Section 65583(a)(4). These standards may include such items as:</p> <ul style="list-style-type: none"> <li>• Lighting</li> <li>• On-site management</li> <li>• Maximum number of beds or persons to be served nightly by the facility</li> <li>• Off-street parking based on demonstrated need</li> <li>• Security during hours that the emergency shelter is in operation</li> </ul>	<p>The City amended the Zoning Ordinance in 2013 to allow emergency shelters by right in the Public Facilities zoning district. In addition, the Zoning Ordinance was modified to include development and management standards for emergency shelter projects, consistent with Government Code Section 65583(a)(4).</p>	<p>Delete (completed).</p>

Implementation Measure	Accomplishments	Continue/ Modify/ Delete
<p><b>Responsible Agency:</b> City Council, Planning Commission, Community Development Department.</p> <p><b>Funding Source:</b> General Fund</p> <p><b>Time Frame:</b> March 2011. The City will create an overlay zone that will provide development standards for emergency shelters in the Kirker Corridor.</p>		
<p><b>Implementation Measure (II.1.2)</b> Transitional and supportive housing provides temporary housing, often with supportive services, to formerly homeless persons for a period that is typically between six months and two years. The supportive services, such as job training, rehabilitation, and counseling, help individuals gain life skills necessary for independent living. Pursuant to Senate Bill 2, the City must explicitly allow both supportive and transitional housing types in all residential zones. The City shall update its Zoning Code to include separate definitions of transitional and supportive housing as defined in Health and Safety Code Sections 50675.2 and 50675.14. Both transitional and supportive housing types will be allowed as a permitted use subject to only the same restrictions on residential uses contained in the same type of structure.</p> <p><b>Responsible Agency:</b> City Council, Planning Commission, Community Development Department</p> <p><b>Funding Source:</b> General Fund</p> <p><b>Time Frame:</b> March 2011</p>	<p>The City adopted Ordinance 440 in April 2012, which updated the Zoning Ordinance to include separate definitions of transitional and supportive housing as defined in Health and Safety Code Sections 50675.2 and 50675.14 and allow both as residential uses subject only to the requirements of other uses of the same type in the same district.</p>	<p>Delete (completed)</p>
<p><b>Implementation Measure (II.1.3)</b> Assembly Bill 2634 requires the quantification and analysis of existing and projected housing needs of extremely low-income households and requires Housing Elements to identify zoning to encourage and facilitate supportive housing and single-room occupancy units (SROs).</p> <p>The City shall update its Zoning Code to allow for the development of single-room occupancy units (a type of residential hotel offering one-room units for long-term occupancy by one or two people; SROs may have a kitchen or bath facilities (but not both) in the room) with a conditional use permit in the L-C (Limited Commercial) District and in the area that is currently designated Kirker Corridor. The Kirker Corridor is classified as PD (Planned Development) in the City's Zoning Ordinance. This corridor is close to services and public transportation. The City will create an overlay zone with specific development standards to</p>	<p>The City adopted Ordinance 440 in April 2012, which updated the Zoning Ordinance to allow the development of single-room occupancy units with a use permit in the Limited Commercial (LC) zoning district.</p>	<p>Delete (completed)</p>

# HOUSING ELEMENT



Implementation Measure	Accomplishments	Continue/ Modify/ Delete
<p>focus on this approximately 5-acre area. The conditions for these units will continue to be minimal and will only require review by the Planning Commission.</p> <p><b>Responsible Agency:</b> City Council, Planning Commission, Community Development Department</p> <p><b>Funding Source:</b> General Fund</p> <p><b>Time Frame:</b> April 2011. The City will allow for SROs in the L-C District or create an overlay zone that will provide development standards for SROs in the Kirker Corridor.</p>		
<p><b>Implementation Measure (II.1.4)</b> To assist extremely low- income households, the City will prioritize funding and/or offer regulatory incentives for the development of housing types such as SROs which addresses the needs of the extremely low-income group.</p> <p><b>Responsible Agency:</b> City Council, Planning Commission, Community Development Department</p> <p><b>Funding Source:</b> General Fund, RDA funds</p> <p><b>Time Frame:</b> Offer regulatory incentives for the development of housing for extremely low-income households as projects are submitted and the City will prioritize funding for extremely low-income households annually and as funds become available. The City will conduct an annual outreach to developers specializing in extremely low-income housing.</p>	No applicable projects were processed during the planning period.	Delete (retain incentives for extremely low-income households in other measures)
<p><b>Implementation Measure (II.2.1)</b> Most recent housing developments in Clayton have not been constructed to the maximum densities allowed by zoning. Market conditions, bank financing, and insurance requirements have favored the construction of single-family detached houses. Currently, the City's Zoning Code allows for the development of single-family homes in the Multiple Family Residential (M-R) District. To increase housing supply and obtain densities closer to those envisioned by zoning policies, the City will consider amending the Zoning Code to allow single-family homes in the Multiple Family Residential (M-R) District only with a conditional use permit so that these remaining sites can be used to accommodate multi-family housing.</p> <p><b>Responsible Agency:</b> City Council</p> <p><b>Funding Source:</b> General Fund</p> <p><b>Time Frame:</b> Consider amending Zoning Code by December 2011.</p>	The City adopted Ordinance 440 in April 2012, which allows single-family homes in multi-family districts only with a use permit.	Delete (completed)



Implementation Measure	Accomplishments	Continue/ Modify/ Delete
<p><b>Implementation Measure (II.3.1)</b> The City will continue to allow density bonuses in accordance with the requirements of state density bonus law (SB 1818).</p> <p><b>Responsible Agency:</b> City Council, Planning Commission, Community Development Department</p> <p><b>Funding Source:</b> General Fund</p> <p><b>Time Frame:</b> Code was amended in December 2009 to meet state law requirements.</p>	<p>The City continued to offer a density bonus ordinance in keeping with Government Code Section 65915. The City amended the Zoning Ordinance in 2009 to describe specific density bonus provisions (Chapter 17.90 of the Municipal Code).</p>	<p>Continue. Combined with II.4.1, II.5.1 and II.6.1.</p>
<p><b>Implementation Measure (II.4.1)</b> The City shall continue to prioritize development applications to decrease the review and approval time for all development projects that include residential units affordable to extremely low-, very low-, and low-income households.</p> <p><b>Responsible Agency:</b> City Council, Planning Commission, Community Development Department</p> <p><b>Funding Source:</b> General Fund</p> <p><b>Time Frame:</b> Ongoing</p>	<p>No applicable projects were processed during the planning period.</p>	<p>Continue. Combined with II.3.1, II.5.1, and II.6.1.</p>
<p><b>Implementation Measure (II.5.1)</b> The City will consider reducing or waiving certain development fees for development projects that include residential units affordable to extremely low-, very low-, low-, and moderate-income households on a case-by-case basis.</p> <p><b>Responsible Agency:</b> City Council, Planning Commission, Community Development Department</p> <p><b>Funding Source:</b> RDA funds, or as other funding sources become available</p> <p><b>Time Frame:</b> Ongoing, 2009–2014</p>	<p>No applicable projects were processed during the planning period.</p>	<p>Modify (to reflect loss of RDA funds). Combined with II.3.1, II.4.1. and II.6.1.</p>

Implementation Measure	Accomplishments	Continue/ Modify/ Delete
<p><b>Implementation Measure (II.6.1)</b> The City shall provide flexible development standards (e.g., parking, landscaping, setbacks) and authorize regulatory concessions for development that includes residential units affordable to extremely low-, very low-, and low-income households.</p> <p><b>Responsible Agency:</b> City Council, Planning Commission, Community Development Department</p> <p><b>Funding Source:</b> RDA funds, as funding becomes available.</p> <p><b>Time Frame:</b> Ongoing, 2009–2014</p>	<p>The City adopted Ordinance 426 (density bonus provisions), which provides flexible development standards and authorizes regulatory concessions for units available to lower-income households.</p>	<p>Continue Combined with II.3.1, II.4.1 and II.5.1.</p>
<b>Goal III Increase housing opportunities for lower-income renters and first-time homebuyers.</b>		
<p><b>Implementation Measure (III.1.1)</b> The City refers interested persons to information regarding Contra Costa County’s Mortgage Credit Certificate Program, the Mortgage Revenue Bond Program, and the Owner-Occupied Housing Rehabilitation Program. The City also disseminates information regarding Contra Costa Housing Authority’s Lower-Income Rental Assistance Program and Aftercare Certificates as information becomes available.</p> <p><b>Responsible Agency:</b> Community Development Department</p> <p><b>Funding Source:</b> General Funds will be used to post information.</p> <p><b>Time Frame:</b> Ongoing, 2009–2014</p>	<p>Community Development Department staff is aware of Contra Costa County housing programs and makes referrals whenever appropriate.</p>	<p>Continue.</p>
<p><b>Implementation Measure (III.1.2)</b> The City shall develop and implement a down payment assistance program using Redevelopment Agency set-aside funds or California Housing Finance Agency funds for first-time homebuyers by working with the County or by developing its own program that can be used with the Mortgage Credit Certificate program, new inclusionary units, or alone.</p> <p><b>Responsible Agency:</b> City Council, Planning Commission, Community Development Department</p> <p><b>Funding Source:</b> RDA funds</p> <p><b>Time Frame:</b> Consider developing a down payment assistance program by 2011.</p>	<p>The redevelopment agency was dissolved by the state in 2012 and set-aside funds were eliminated. The City was not able to obtain funds for this potential program through other sources during the planning period. The City will continue to pursue other funding sources for a down payment assistance program.</p>	<p>Modify (to reflect loss of RDA funds).</p>

Implementation Measure	Accomplishments	Continue/ Modify/ Delete
<p><b>Implementation Measure (III.1.3)</b> The City shall review potential funding opportunities through the County HOME program and apply for funding for applicable projects when development opportunities arise.</p> <p><b>Responsible Agency:</b> City Council, Planning Commission, Community Development Department</p> <p><b>Funding Source:</b> HOME funds</p> <p><b>Time Frame:</b> The City will apply annually upon notice of funding availabilities.</p>	<p>The City coordinates with the Contra Costa County Housing Authority to review potential funding through the County HOME program. The City did not receive any HOME funds during the planning period.</p>	<p>Continue.</p>
<p><b>Implementation Measure (III.1.4)</b> The City will continue to provide Redevelopment Agency set-aside funds for the continued affordability of the subsidized units at Diamond Terrace (\$200,000 annually) through expiration in 2013.</p> <p><b>Responsible Agency:</b> Redevelopment Agency, Community Development Department</p> <p><b>Funding Source:</b> RDA funds</p> <p><b>Time Frame:</b> Ongoing, for the length of the affordability term of the project</p>	<p>The City continued to provide subsidies through the 2013 expiration term of the valid contract.</p>	<p>Delete (no further action needed).</p>
<p><b>Implementation Measure (III.2.1)</b> The City will continue or undertake the following programs and activities during the five-year period of the Housing Element. The Community Development Department will implement these efforts. The efforts listed below represent a varied strategy to mitigate potential loss of “at-risk” units due to conversion to market-rate units. These local efforts utilize existing City and local resources. They include efforts to secure additional resources from the public and private sector should they become available.</p> <p>Monitor owners of at-risk projects on an ongoing basis, at least every six months, in coordination with other public and private entities to determine their interest in selling, prepaying, terminating, or continuing participation in a subsidy program.</p> <p>Maintain and annually update the inventory of at-risk projects through the use of existing databases (e.g., HUD, State HCD, and California Tax Credit Allocation Committee).</p> <p>Take all necessary steps to ensure that a project remains in or is transferred to an organization capable of maintaining affordability restrictions for the life of the project, including proactively ensuring notices to qualified entities, coordinating an action plan with qualified entities upon notice, and assisting with financial resources or supporting funding applications.</p>	<p>The City’s RDA protected an at-risk affordable unit in 2011 by purchasing and then reselling the unit with a 45-year deed restriction. The City continued to monitor other at-risk units throughout the planning period.</p>	<p>Continue.</p>

# HOUSING ELEMENT



Implementation Measure	Accomplishments	Continue/ Modify/ Delete
<p>Annually coordinate with HUD to monitor projects approved to convert to ensure that any required assistance (or assistance that the owner has agreed to provide) to displaced tenants is carried out in a timely manner. Ensure projects are monitored to see if they are subject to other state or local requirements regarding the provision of assistance to displaced tenants.</p> <p>Annually monitor local investment in projects that have been acquired by nonprofit or for-profit entities to ensure that properties are well managed and maintained and are being operated in accordance with the City's property rehabilitation standards.</p> <p>Work with owners, tenants, and nonprofit organizations to assist in the nonprofit acquisition of at-risk projects to ensure long-term affordability of the development. Annually contact property owners, gauge interest, and identify nonprofit partners and pursue funding and preservation strategy on a project-by-project basis.</p> <p>Annually meet with stakeholders and housing interests to participate and support, through letters and meetings and technical assistance, with local legislators in federal, state, or local initiatives that address affordable housing preservation (e.g., support state or national legislation that addresses at-risk projects, support full funding of programs that provide resources for preservation activities). Use available financial resources to restructure federally assisted preservation projects, where feasible, in order to preserve and/or extend affordability.</p> <p>Annually identify funding sources for at-risk preservation and acquisition rehabilitation and pursue these funding sources at the federal, state, or local level to preserve at-risk units on a project-by-project basis.</p> <p><b>Responsible Agency:</b> Community Development Department</p> <p><b>Funding Source:</b> General Fund</p> <p><b>Time Frame:</b> Annually</p>		

Implementation Measure	Accomplishments	Continue/ Modify/ Delete
<b>Goal IV Ensure equal housing opportunities for all persons in Clayton regardless of age, race, religion, sex, marital status, national origin, color, disability, or other barriers that prevent choice in housing.</b>		
<b>Implementation Measure (IV.1.1)</b> The City shall review its Zoning Ordinance, policies, and practices to ensure compliance with fair housing laws. <b>Responsible Agency:</b> Community Development Department <b>Funding Source:</b> General Fund <b>Time Frame:</b> Biennial and ongoing, 2009–2014	The City continued to review its Zoning Ordinance, policies, and practices to ensure compliance with fair housing laws.	Continue.
<b>Implementation Measure (IV.1.2)</b> The City shall amend the Zoning Ordinance to remove the maximum number of persons defined as part of a family. The current definition of family limits the number of unrelated individuals to 6 or fewer persons. Upon amending the definition in the Zoning Ordinance, the City will not restrict the number of unrelated individuals in a family. <b>Responsible Agency:</b> Community Development Department <b>Funding Source:</b> General Fund <b>Time Frame:</b> October 2010	The City amended the Zoning Ordinance in 2012 (Ordinance 440) to revise the definition of family to remove the cap on the number of unrelated persons that may constitute a family.	Delete (completed)
<b>Implementation Measure (IV.2.1)</b> As affordable housing projects are processed through the Planning Department, the City will provide information on the project to the public through the City's public hearing process in the form of study sessions, public hearings, and public meetings. <b>Responsible Agency:</b> City Council, Community Development Department <b>Funding Source:</b> General Fund <b>Time Frame:</b> Ongoing, as projects are processed through the Planning Department	No applicable projects were processed during the planning period.	Continue.
<b>Implementation Measure (IV.3.1)</b> The City will adopt a written reasonable accommodation ordinance to provide exception in zoning and land use for housing for persons with disabilities. This procedure will be a ministerial process, with minimal or no processing fee, subject to approval by the Community Development Director applying the following decision-making criteria: <ul style="list-style-type: none"> <li>The request for reasonable accommodation will be used by an individual with a disability</li> </ul>	The City adopted a reasonable accommodation ordinance (Ordinance 441) in 2012.	Delete (completed)

# HOUSING ELEMENT



Implementation Measure	Accomplishments	Continue/ Modify/ Delete
<p>protected under fair housing laws.</p> <ul style="list-style-type: none"> <li>• The requested accommodation is necessary to make housing available to an individual with a disability protected under fair housing laws.</li> <li>• The requested accommodation would not impose an undue financial or administrative burden on the City.</li> <li>• The requested accommodation would not require a fundamental alteration in the nature of the City's land-use and zoning program.</li> </ul> <p>Additionally, the City will provide information to individuals with disabilities regarding reasonable accommodation policies, practices, and procedures based on the guidelines from the California Department of Housing and Community Development (HCD). This information will be available through postings and pamphlets at the City and on the City's website.</p> <p><b>Responsible Agency:</b> City Council, Planning Commission, Community Development Department</p> <p><b>Funding Source:</b> General Fund</p> <p><b>Time Frame:</b> October 2010</p>		
<p><b>Implementation Measure (IV.3.2)</b> The City shall distribute public information brochures on reasonable accommodations for disabled persons and enforcement programs of the State Fair Employment and Housing Commission.</p> <p><b>Responsible Agency:</b> Community Development Department</p> <p><b>Funding Source:</b> General Fund</p> <p><b>Time Frame:</b> Ongoing, 2009–2014</p>	<p>The City provides information regarding fair housing and reasonable accommodations in the Community Development Department.</p>	<p>Continue.</p>
<p><b>Implementation Measure (IV.3.3)</b> The City will evaluate the feasibility of a universal design ordinance that provides greater adaptability and accessibility of housing for persons with disabilities. If a universal design ordinance is determined to be feasible, the City will prepare an ordinance and produce a brochure on universal design, resources for design, and compliance with City requirements. The City will distribute the brochure to developers and to community organizations serving individuals with disabilities.</p> <p><b>Responsible Agency:</b> Community Development Department</p>	<p>The City adopted a universal design ordinance in 2013 (Municipal Code Section 15.92) and completed and distributed brochures describing universal design standards to developers and community organizations.</p>	<p>Modify (reframe as an education and outreach measure).</p>



## HOUSING ELEMENT

Implementation Measure	Accomplishments	Continue/ Modify/ Delete
<b>Funding Source:</b> General Fund <b>Time Frame:</b> May 2011		
<b>Goal V Encourage and maintain energy efficiency in new and existing housing.</b>		
<b>Implementation Measure (V.1.1)</b> The City shall continue to provide energy conservation brochures at City Hall and the Clayton Community Library. <b>Responsible Agency:</b> Community Development Department <b>Funding Source:</b> General Fund <b>Time Frame:</b> Ongoing, 2009–2014	The City continues to provide energy conservation brochures at City Hall and the Clayton Community Library.	Continue.
<b>Implementation Measure (V.1.2)</b> The City should develop design standards, concepts, or templates to provide to developers who are interested in creating energy self-sufficiency and generation projects. <b>Responsible Agency:</b> Community Development Department <b>Funding Source:</b> General Fund, RDA funds <b>Time Frame:</b> Create standards, concepts, or templates for energy efficiency and solar design by January 2012.	The City utilizes the CalGreen Building Code and does not anticipate developing additional standards.	Delete.
<b>Implementation Measure (V.1.3)</b> The City will review and amend as appropriate the General Plan, Zoning Ordinance, and related policy and regulatory documents to improve energy conservation beyond Title 24. The City will consider establishing an incentivized Green Building Program, encourage energy-efficient retrofitting, and encourage the use of renewable energy in residential applications. Some of the incentives the City will consider when drafting this program will be: <ul style="list-style-type: none"> <li>• Providing eligible projects with building and plan check fee rebates (when financially feasible)</li> <li>• Achieving third-party green building certification</li> <li>• Exceeding 20 percent of Title 24 requirements</li> <li>• Renewable energy systems</li> <li>• Green roofs</li> </ul>	The City adopted the CalGreen building code in 2011.	Continue.



# HOUSING ELEMENT



Implementation Measure	Accomplishments	Continue/ Modify/ Delete
<b>Responsible Agency:</b> Community Development Department <b>Funding Source:</b> General Fund, RDA funds <b>Time Frame:</b> Review and amend regulatory controls by January 2012.		
<b>Goal VI Promote and participate in the resolution of housing, employment, and transportation issues on a regional basis in cooperation with all Contra Costa County jurisdictions.</b>		
<b>Implementation Measure (VI.1.1)</b> The City shall support responsible state legislation which allows municipalities to enter into equitable agreements with other entities to transfer and financially participate in the provision of fair-share housing units closer to transportation centers and work centers outside the city limits, while retaining full credit for the transferred units. <b>Responsible Agency:</b> City Council <b>Funding Source:</b> General Fund <b>Time Frame:</b> Ongoing, 2009–2014	The City supports this type of legislation through its association with ABAG and the Contra Costa Transportation Authority.	Continue.
<b>Implementation Measure (VI.1.2)</b> The City shall continue to participate in programs in Contra Costa County (e.g., “Shaping Our Future” project and Contra Costa Affordable Housing Trust Fund) TRANSPAC (Transportation Partnership and Cooperation) is the Regional Transportation Planning Committee (RTPC) for Central Contra Costa and other regional planning efforts addressing housing, employment, and transportation issues. <b>Responsible Agency:</b> City Council <b>Funding Source:</b> General Fund <b>Time Frame:</b> Ongoing, 2009–2014	The City participated in and will continue to participate in TRANSPAC with staff and Council representation.	Continue.
<b>Implementation Measure (VI.1.3)</b> The City shall continue cooperation with the regional/countywide housing task force. The City shall use this task force as a means of gaining new policy and technical perspectives. <b>Responsible Agency:</b> Community Development Department <b>Funding Source:</b> General Fund <b>Time Frame:</b> Ongoing, 2009–2014	The City participated in and will continue to participate in the regional/countywide housing task force.	Continue.



Implementation Measure	Accomplishments	Continue/ Modify/ Delete
<p><b>Implementation Measure (VI.1.4)</b> The City shall continue to work with the Association of Bay Area Governments (ABAG) on their FOCUS program implementation. FOCUS is a regional development and conservation strategy that promotes a more compact land use pattern for the Bay Area. Some of the strategies that FOCUS is promoting are listed below:</p> <ul style="list-style-type: none"> <li>• Encourage infill and the efficient use of land capacity within existing communities;</li> <li>• Provide for compact, complete, resource-efficient communities near existing or planned transit and other infrastructure;</li> <li>• Provide opportunities for people to live near their jobs and work near their homes; and</li> <li>• Encourage a mix of land uses with jobs, housing, retail, schools, parks, recreation, and services in proximity.</li> </ul> <p><b>Responsible Agency:</b> Community Development Department</p> <p><b>Funding Source:</b> General Fund</p> <p><b>Time Frame:</b> Ongoing, 2009–2014</p>	<p>The City participates with and has Council representation on ABAG boards and committees.</p>	<p>Continue.</p>

## 8.0 GOALS AND POLICIES

### Adequate Sites and New Construction

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**GOAL I** Provide for adequate sites and promote the development of new housing to accommodate Clayton’s fair share housing allocation.

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**POLICY I.1** The City shall designate and zone sufficient land to accommodate Clayton’s projected fair share housing allocation as determined by the Association of Bay Area Governments.

**Implementation Measure I.1.1.** To ensure that adequate sites are available through the planning period to meet the City’s Regional Housing Needs Allocation (RHNA), the City will continue to maintain an inventory of sites available and appropriate for residential development for households at all income levels. In keeping with state “no net loss” provisions (Government Code Section 65863), if development projects are approved at densities lower than anticipated in the sites inventory, the City will evaluate the availability of sites appropriate for lower-income housing and, if necessary, shall rezone sufficient sites to accommodate the RHNA.

**Responsibility:** Community Development Department

**Time Frame:** Ongoing, as development projects are proposed.

**Funding:** General Fund

**Implementation Measure I.1.2.** The City will amend the Multi-Family High Density (MHD) General Plan land use designation or otherwise amend the General Plan and/or Zoning Ordinance as needed to meet state requirements specific to sites rezoned to accommodate the City’s lower-income RHNA from the 2007–2014 planning period, specifically to allow multi-family housing by-right on these sites at a minimum density of 20 units per acre.

The City’s 2007–2014 Housing Element identified a shortfall of land that provided for residential development at a density deemed appropriate for affordable housing to accommodate 84 units to meet the extremely low-, very low-, and low-income RHNA. State law (Government Code Section 65583.2(h) and (i)) requires that land rezoned or redesignated to meet a shortfall meet the following criteria:

- Require a minimum density of at least 20 units per acre.
- Accommodate at least 16 units per site.
- Allow multi-family housing by-right (without a use permit).

- At least 50 percent of rezoned sites must be designated for residential uses only.

In 2012, the City in good faith established the Multi-Family High Density General Plan Land Use and Zoning District designations and made specified General Plan Map and Zoning Map changes in an attempt to accommodate the City's lower-income RHNA shortfall from the 2007–2014 planning period. The City was advised by HCD that these efforts fell short of state law; therefore, the City's land use regulations will be appropriately revised to comply with the above stated criteria..

**Responsibility:** City Council, Planning Commission, Community Development Department

**Time Frame:** By January 31, 2016.

**Funding:** General Fund

**POLICY I.2** The City shall actively support and participate in the development of extremely low-, very low-, low-, and moderate-income housing to meet Clayton's fair share housing allocation. To this end, the City shall help facilitate the provision of affordable housing through the granting of regulatory concessions and available financial assistance.

**Implementation Measure I.2.1.** For residential projects of 10 or more units, developers will be required to develop an Affordable Housing Plan that requires a minimum of 10 % of the units to be built or created as affordable housing units. The City has established the following guidelines to provide direction for the review of Affordable Housing Plans associated with individual development projects and to provide direction for the preparation of an Affordable Housing Plan.

The plan shall be approved in conjunction with the earliest stage of project entitlement, typically with the City Council approval of the development agreement or other primary land use entitlement.

The Affordable Housing Plan shall specify and include the following:

- The number of dwelling units that will be developed as affordable to very low-, low-, moderate-, and above moderate-income households shall be a minimum of 10% of the total project. The number of affordable units shall be rounded up to a whole number. It is the City's desire that at least 5 percent of all project units be built as very low-income housing units and at least 5 percent of all project units be built as low-income housing units.
- The number of affordable ownership and rental units to be produced. Such split shall be approved by the City Council based on housing needs, market

conditions, and other relevant factors. The split of ownership and rental units shall be addressed within the plan for each individual project.

- Program options within project-specific Affordable Housing Plans may include, but are not limited to, the following:
  - Actual production (on-site or off-site) of affordable units (including ownership and rental opportunities in the form of corner units, halfplexes, duplexes, cottages, creative alternative housing products, etc.).
  - Land dedication (on-site and off-site).
  - Payment of in-lieu fees.
- The timing for completion of affordable housing obligations. For projects proposing to construct affordable housing units, the City generally supports construction of affordable dwellings concurrent with the construction of market-rate housing when feasible. For projects providing alternative contributions (land dedication, funds, etc.), timing of such contributions shall be identified in the plan, with the expectation that the City will pursue construction of affordable units generally concurrent with construction of project market-rate housing.
- At the City Council's discretion, land or other contributions provided by developers as specified within project Affordable Housing Plans may be utilized to augment City efforts and the efforts of its nonprofit partners to provide affordable housing opportunities to all income levels throughout the community. The City will pursue supplemental funding to allow affordability to households earning less than 50 percent of area median income.
- In order to ensure the production and preservation of housing affordable to the City's workforce, no productive, reasonable program or incentive option will be excluded from consideration within project-specific Affordable Housing Plans. Possible incentives may include, but are not limited to:
  - Density bonuses
  - Fee waivers or deferrals (as reasonably available)
  - Expedited processing/priority processing
  - Reduced parking standards
  - Technical assistance with accessing funding

- Modifications to development standards (on a case-by-case basis)

**Responsibility:** City Council, Planning Commission, Community Development Department

**Time Frame:** Ongoing, as projects of 10 or more units are processed through the Community Development Department. The City will monitor the implementation of this program to ensure that it does not cause a constraint to the development of housing in the City of Clayton and will make necessary revisions to the program if needed to avoid such a constraint.

**Funding:** General Fund

**POLICY I.3** The City shall encourage the development of second dwelling units on new and existing single-family-zoned lots.

**Implementation Measure I.3.1.** The City shall continue to promote the development of second dwelling units by publicizing information in the general application packet and posting information on the City’s website. The City will aim to approve two second dwelling units per year during the planning period.

**Responsibility:** Community Development Department

**Time Frame:** Ongoing, 2015–2023

**Funding:** General Fund

**POLICY I.4** The City shall aggressively promote mixed-use or second-story residential units above commercial uses in the Town Center.

**Implementation Measure I.4.1.** To encourage development of mixed-use projects in the Town Center, the City has adopted the Clayton Town Center Specific Plan which provides detailed policy direction, standards, and guidelines that encourage mixed-use and second-story residential development. The City will continue to promote development opportunities in the Town Center, circulate a development handbook that describes the permitting process for mixed-use projects, and offer incentives such as density bonuses to incentivize mixed-use projects. The City will aim to facilitate the development of at least one mixed-use project within the planning period.

**Responsibility:** City Council, Planning Commission, Community Development Department

**Time Frame:** Annually and upon receiving development inquiries for mixed-use development.

**Funding:** General Fund

## Regulatory Relief and Incentives

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**GOAL II** To the extent feasible, remove governmental constraints for affordable and special needs housing.

---

**POLICY II.1** The City shall seek to meet the special housing needs of individuals with disabilities and developmental disabilities, extremely low-, very low-, and low-incomes, large families, senior citizens, farmworkers and their families, female-headed and single-parent households, and others with special needs.

**Implementation Measure II.1.1.** Work with housing providers to address special housing needs for seniors, large families, female-headed households, single-parent households with children, persons with disabilities and developmental disabilities, farmworkers, and homeless individuals and families. The City may seek funding under the federal Housing Opportunities for Persons with AIDS, California Child Care Facility Financing Program, and other state and federal programs designated specifically for special needs groups such as seniors, persons with disabilities, and persons at risk for homelessness. The City will aim to work with housing providers on at least one project serving a special needs group during the planning period.

**Responsibility:** Planning Commission, Community Development Department

**Time Frame:** Ongoing, 2015–2023

**Funding:** General Fund

**Implementation Measure II.1.2.** The City shall amend the Zoning Ordinance to specifically allow employee housing for six or fewer residents as a permitted use in residential zoning districts, in compliance with Health and Safety Code Section 17021.5.

**Responsibility:** Planning Commission, City Council, Community Development Department

**Time Frame:** 2015

**Funding:** General Fund

**Implementation Measure II.1.3.** The City shall amend the Zoning Ordinance to allow transitional and supportive housing in the Limited Commercial (LC) zoning district as a residential use subject only to the requirements of other residential uses in this district in compliance with Senate Bill 2 (2007).

**Responsibility:** Community Development Department

**Time Frame:** Within one to two years of adoption of the Housing Element

**Funding:** General Fund

**POLICY II.2** The City shall encourage affordable housing by granting regulatory incentives to projects that provide affordable units.

**Implementation Measure II.2.1.** The City shall continue to authorize regulatory incentives and concessions for development projects that include residential units affordable to extremely low-, very low-, and low-income households and special needs groups including disabled and developmentally disabled persons. Incentives and concessions may include:

- Flexibility in development standards (e.g., reduced parking requirements, landscaping, setbacks)
- Reduction or deferral of certain development fees
- Priority application processing to decrease review and approval time
- Density bonus in accordance with State density bonus law (Government Code Section 65915)

The City will aim to facilitate the development of at least one affordable or special needs project during the planning period.

**Responsibility:** City Council, Planning Commission, Community Development Department

**Time Frame:** Ongoing, as residential development projects are proposed.

**Funding:** General Fund

**Implementation Measure II.2.2.** The City shall monitor the impact of development fees and consider waiving or deferring fees for affordable housing projects, if and when funding is available.

**Responsibility:** City Council, Planning Commission, Community Development Department

**Time Frame:** Ongoing, as residential development projects are proposed.

**Funding:** General Fund



## Rental and Homeownership Assistance

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**GOAL III** Increase housing opportunities for lower-income renters and first-time homebuyers.

---

**POLICY III.1** The City shall promote assistance to lower-income renters and first-time homebuyers by promoting programs available through Contra Costa County and the Contra Costa County Housing Authority.

**Implementation Measure III.1.1.** The City shall continue to refer interested persons to information regarding Contra Costa County's Mortgage Credit Certificate Program, the Mortgage Revenue Bond Program, and the Owner-Occupied Housing Rehabilitation Program. The City will continue to disseminate information regarding Contra Costa Housing Authority's Lower-Income Rental Assistance Program and Aftercare Certificates as information becomes available.

**Responsibility:** Community Development Department

**Time Frame:** Ongoing, 2015–2023

**Funding:** General Funds (used to post information)

**Implementation Measure III.1.2.** The City shall seek funding to develop and implement a down payment assistance program for first-time homebuyers by working with the County or by developing its own program that can be used with the Mortgage Credit Certificate program, new inclusionary units, or alone.

**Responsibility:** City Council, Planning Commission, Community Development Department

**Time Frame:** Examine funding sources and program opportunities by 2015.

**Funding:** CalHome, HOME, or other available sources

**Implementation Measure III.1.3.** The City shall review potential funding opportunities through the County HOME program and apply for funding for applicable projects when development opportunities arise.

**Responsibility:** City Council, Planning Commission, Community Development Department

**Time Frame:** Apply annually upon notice of funding availabilities.

**Funding:** HOME funds

**POLICY III.2** Preserve units at risk of losing affordability covenants and converting to market-rate rents or sale prices.

**Implementation Measure III.2.1.** The City will continue to maintain and annually update the inventory of affordable housing projects and identify those that may be at risk of converting to market rate in the future. Specifically the City will:

- Work to ensure that affordable projects and units remain in or are transferred to an organization capable of maintaining affordability restrictions for the life of the project, including proactively ensuring notices to qualified entities, coordinating an action plan with qualified entities upon notice, and assisting with financial resources or supporting funding applications.
- Provide assistance to any tenants that are displaced or are in danger of being displaced due to a conversion to market rate.
- Annually monitor local investment in projects that have been acquired by nonprofit or for-profit entities to ensure that properties are well managed and maintained and are being operated in accordance with the City's property rehabilitation standards.
- Work with owners, tenants, and nonprofit organizations to assist in the nonprofit acquisition of at-risk projects to ensure long-term affordability of the development.
- Meet with stakeholders and housing interests to participate and support, through letters and meetings and technical assistance, with local legislators in federal, state, or local initiatives that address affordable housing preservation (e.g., support state or national legislation that addresses at-risk projects, support full funding of programs that provide resources for preservation activities).

**Responsibility:** Community Development Department

**Time Frame:** Annually

**Funding:** General Fund

## Equal Access

---

**GOAL IV** Ensure equal housing opportunities for all persons in Clayton regardless of age, race, religion, sex, marital status, national origin, color, disability, or other barriers that prevent choice in housing.

---

**POLICY IV.1** The City shall promote housing opportunities for all persons regardless of age, race, religion, sex, marital status, national origin, color, disability, or other barriers that prevent choice in housing.

**Implementation Measure IV.1.1.** The City shall review its Zoning Ordinance, policies, and practices to ensure compliance with fair housing laws.

**Responsibility:** Community Development Department

**Time Frame:** Annually, 2015–2023

**Funding:** General Fund

**POLICY IV.2** The City shall strive to increase public awareness and acceptance of affordable housing in the community.

**Implementation Measure IV.2.1.** The City will provide information on proposed affordable housing projects to the public through the City’s public hearing process in the form of study sessions, public hearings, and public meetings.

**Responsibility:** City Council, Community Development Department

**Time Frame:** Ongoing, as projects are submitted and processed.

**Funding:** General Fund

**POLICY IV.3** The City shall offer reasonable accommodations for households with disabilities with respect to zoning, permit processing, and building codes and shall support programs to modify existing units to better serve the needs of disabled persons.

**Implementation Measure IV.3.1.** The City shall continue to distribute public information brochures on reasonable accommodations for disabled persons and enforcement programs of the California Fair Employment and Housing Council.

**Responsibility:** Community Development Department

**Time Frame:** Ongoing, 2015–2023

**Funding:** General Fund

**Implementation Measure IV.3.2.** The City will continue to implement its universal design ordinance and continue to distribute its brochure on universal design standards, resources for design, and compliance with City requirements.

**Responsibility:** Community Development Department

**Time Frame:** Implement universal design standards as development is proposed.

**Funding:** General Fund

## **Energy Conservation**

---

**GOAL V** Encourage and maintain energy efficiency in new and existing housing.

---

**POLICY V.1** The City shall continue to promote energy conservation in the design of all new residential structures and shall promote incorporation of energy conservation and weatherization features in existing homes.

**Implementation Measure V.1.1.** The City shall continue to provide energy conservation brochures at City Hall and the Clayton Community Library.

**Responsibility:** Community Development Department

**Time Frame:** Ongoing, 2015–2023

**Funding:** General Fund

**Implementation Measure V.1.2.** The City will review and consider possible amendments to the General Plan, Zoning Ordinance, and related policy and regulatory documents to improve energy conservation beyond CalGreen Tier 1 standards. The City will consider establishing an incentivized residential green building program to encourage energy-efficient retrofitting, and the use of renewable energy in residential applications. Some of the incentives the City will consider when drafting this program will be:

- Providing eligible projects with building and plan check fee rebates (when financially feasible).
- Achieving third-party green building certification.
- Renewable energy systems.
- Green roofs.

**Responsibility:** Community Development Department

**Time Frame:** Consider establishing a residential green building program by 2017.

**Funding:** General Fund

**Implementation Measure V.1.3.** The City will explore home energy and water efficiency improvement financing opportunities available through PACE programs, such as HERO or Figtree PACE. To make this financing option available to Clayton residents, the City would need to adopt a resolution opting in to a Joint Powers Authority. These programs are available at no cost to the City.

**Responsibility:** Community Development Department

**Time Frame:** Consider opting in to a PACE program by 2015.

**Funding:** General Fund

## Regional Planning

---

**GOAL VI** Promote and participate in the resolution of housing, employment, and transportation issues on a regional basis in cooperation with all Contra Costa County jurisdictions.

---

**POLICY VI.1** The City shall actively support regional-based solutions to the housing, employment, and transportation issues initially within Contra Costa County and ultimately within the Bay Area.

**Implementation Measure VI.1.1.** The City shall continue to support responsible state legislation which allows municipalities to enter into equitable agreements with other entities to transfer and financially participate in the provision of fair-share housing units closer to transportation centers and work centers outside the city limits, while retaining full credit for the transferred units.

**Responsibility:** City Council

**Time Frame:** Ongoing, 2015–2023

**Funding:** General Fund

**Implementation Measure VI.1.2.** The City shall continue to participate in programs in Contra Costa County (e.g., “Shaping Our Future” project and Contra Costa Affordable Housing Trust Fund). TRANSPAC (Transportation Partnership and Cooperation) is the regional transportation planning committee for central Contra Costa and other regional planning efforts addressing housing, employment, and transportation issues.

**Responsibility:** City Council

**Time Frame:** Ongoing, 2015–2023

**Funding:** General Fund

**Implementation Measure VI.1.3.** The City shall continue cooperation with the regional/countywide housing task force. The City shall use this task force as a means of gaining new policy and technical perspectives.

**Responsibility:** Community Development Department

**Time Frame:** Ongoing, 2015–2023

**Funding:** General Fund

**Implementation Measure VI.1.4.** The City shall continue to work with the Association of Bay Area Governments on FOCUS program implementation. FOCUS is a regional development and conservation strategy that promotes a more compact land use pattern for the Bay Area. Some of the strategies that FOCUS promotes are listed below:

- Encourage infill and the efficient use of land capacity within existing communities.
- Provide for compact, complete, resource-efficient communities near existing or planned transit and other infrastructure.
- Provide opportunities for people to live near their jobs and work near their homes.
- Encourage a mix of land uses with jobs, housing, retail, schools, parks, recreation, and services in proximity.

**Responsibility:** Community Development Department

**Time Frame:** Ongoing, 2015–2023

**Funding:** General Fund

## Quantified Objectives

**Table 50** summarizes quantified objectives for the implementation measures outlined above. These measures are expected to contribute to the construction, rehabilitation, or conservation of units during the Housing Element planning period (2015-2023). Quantified objectives are listed by income category.

**Table 50. Summary of Quantified Objectives**

Objective Category/Program	Extremely Low Income	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
Construction	25	26	25	31	34	<b>141</b>
Rehabilitation <sup>1</sup>	--	8	8	--	--	<b>16</b>
Conservation <sup>2</sup>	20	66	14	26	--	<b>126</b>

<sup>1</sup> Estimate based on Owner-Occupied Housing Rehabilitation Program operated through Contra Costa County.

<sup>2</sup> The City expects to preserve all existing affordable housing units for the duration of the planning period.



## HOUSING ELEMENT

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**APPENDIX A –  
HOUSING CONDITIONS RESULTS MAP**

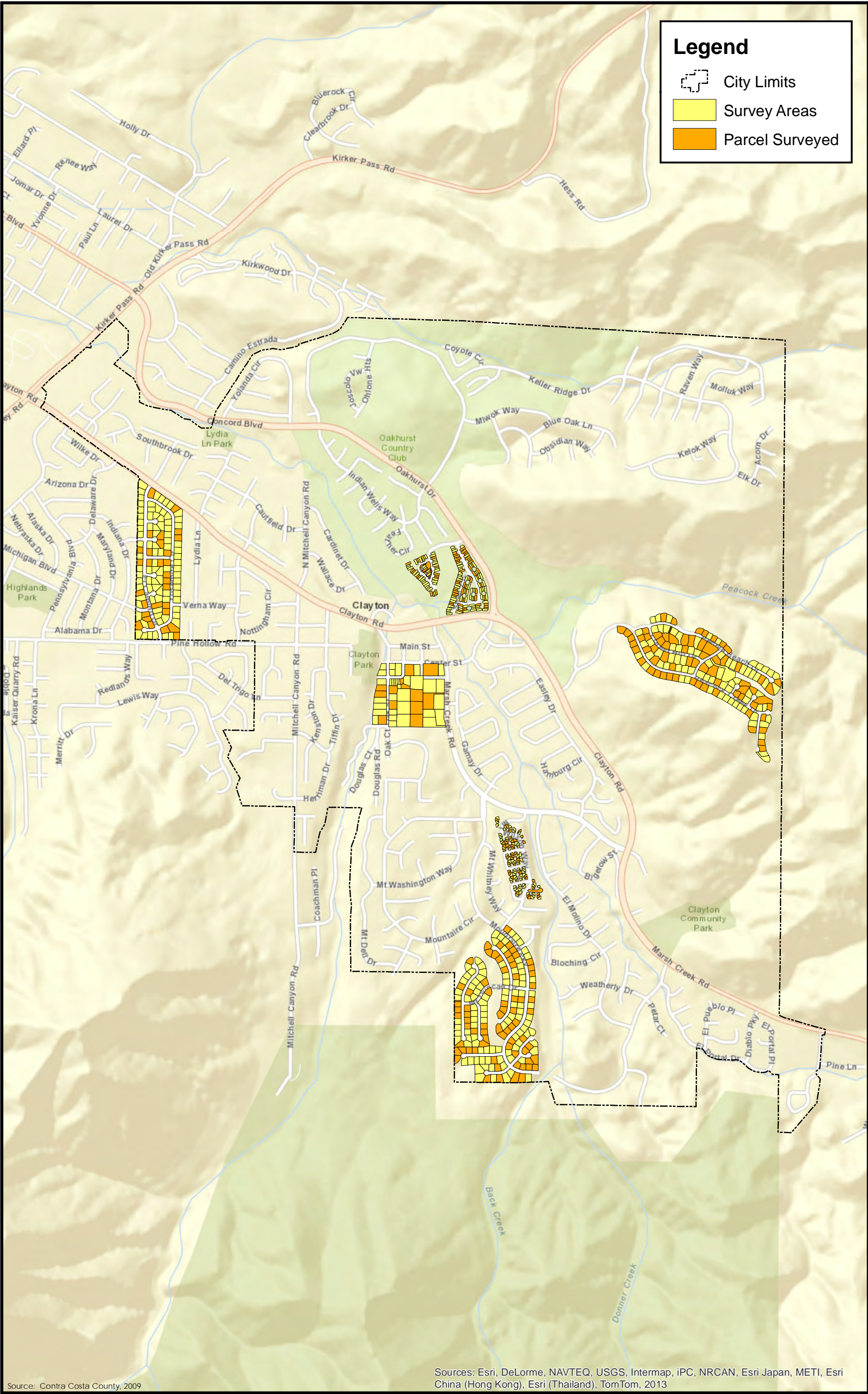


Legend

City Limits

Survey Areas

Parcel Surveyed



Source: Contra Costa County, 2009

Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013





**APPENDIX B –  
RESIDENTIAL LAND INVENTORY**



