



PLANNING COMMISSION AGENDA

Regular Meeting

7:00 P.M. on Tuesday, August 27, 2019

Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, California

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

2. ADMINISTRATIVE

- 2.a. Selection of Chair and Vice Chair.
- 2.b. Appointment of selected Chair, Vice Chair, and an alternate to the City's newly-established Land Use Sub-Committee.
- 2.c. Review of agenda items.
- 2.d. Declaration of Conflict of Interest.
- 2.e. Vice Chair Peter Cloven to report at the City Council meeting of September 17, 2019 (alternate Commissioner William Gall).

3. PUBLIC COMMENT

4. MINUTES

- 4.a. Approval of the minutes for the May 28, 2019 Planning Commission meeting.

5. PUBLIC HEARINGS

- 5.a. **ZOA-01-19, Site Plan Review Permit, Jose Aceves**, 5869 Pine Hollow Road (APN: 120-014-001). A request for approval of a Site Plan Review Permit to allow the construction of a new roof on an existing detached, single-story, single-family residence.

Staff Recommendation: Staff recommends that the Planning Commission receive and consider the staff report and all information provided and submitted to date, receive and consider any public testimony and, if determined to be appropriate, conditionally approve Site Plan Review Permit SPR-01-19.

6. OLD BUSINESS

None.

7. NEW BUSINESS

None.

8. COMMUNICATIONS

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

9. ADJOURNMENT

- 9.a. The next regular meeting of the Planning Commission is scheduled for **Tuesday, September 10, 2019.**

Most Planning Commission decisions are appealable to the City Council within ten (10) calendar days of the decision. Please contact Community Development Department staff for further information immediately following the decision. If the decision is appealed, the City Council will hold a public hearing and make a final decision. If you challenge a final decision of the City in court, you may be limited to raising only those issues you or someone else raised at the public hearing(s), either in oral testimony at the hearing(s) or in written correspondence delivered to the Community Development Department at or prior to the public hearing(s). Further, any court challenge must be made within 90 days of the final decision on the noticed matter. If you have a physical impairment that requires special accommodations to participate, please contact the Community Development Department at least 72 hours in advance of the meeting at 925-673-7340. An affirmative vote of the Planning Commission is required for approval. A tie vote (e.g., 2-2) is considered a denial. Therefore, applicants may wish to request a continuance to a later Commission meeting if only four Planning Commissioners are present.

Any writing or documents provided to the majority of the Planning Commission after distribution of the agenda packet regarding any item on this agenda will be made available for public inspection in the Community Development Department located at 6000 Heritage Trail during normal business hours.



**COMMUNITY
DEVELOPMENT DEPARTMENT
MEMORANDUM**

To: Chair and Members of the Clayton Planning Commission

From: David Woltering, Interim Community Development Director *DW*

Date: August 27, 2019

RE: Appointment of Planning Commission Chair, Vice Chair, and Alternate to the newly Established Land Use Sub-Committee (CDD-04-19)

Recommendation:

Staff recommends that the Planning Commission take a formal action to accept the appointments of the Chair and Vice Chair of the Planning Commission by the City Council and appoint another member of the Planning Commission as an alternate to the newly-established Land Use Sub-Committee.

Background:

At the August 20, 2019 Clayton City Council meeting, the Council considered and approved the formation of a Land Use Sub-Committee. Attached is a copy of the staff report that was presented to the City Council on this matter. As part of its approval, the Council determined the Sub-Committee will be made up of two Council members as regular members and one Council member as an alternate. Additionally, the Council indicated the Chair and Vice Chair of the Planning Commission plus a Planning Commission member alternate will serve on this Sub-Committee.

The Land Use Sub-Committee will meet on an as-needed basis to review and provide general feedback to staff and developers on proposed development projects and policy matters. These meetings will be noticed and open to the public. The meeting format will allow for more informal discussions and the opportunity for early input on development proposals and proposed policies which will be very useful to help assure that all parties have clear and accurate understandings of what is being proposed and options for addressing potential issues and concerns before going forward to subsequent public hearings and meetings on these matters at which formal actions would be considered. No action would be taken at the Sub-Committee meetings. Staff anticipates the Land Use Sub-Committee will improve and streamline the development review process.

Attachment: August 20, 2019 City Council Staff Report re. Consideration of the Formation of a Land Use Sub-Committee

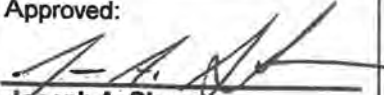


Agenda Date: 8-20-2019

Agenda Item: 8c

STAFF REPORT

Approved:


Joseph A. Sbranti
Interim City Manager

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: City Manager
DATE: August 20, 2019
SUBJECT: Consideration of the Formation of a Land Use Sub-Committee

RECOMMENDATION

Following a staff report and opportunity for public comment, it is recommended that the City Council approve the formation of a Land Use Sub-Committee, and authorize the Mayor to appoint two (2) members of Council participate on this subcommittee along with the Chair and Vice Chair of the Planning Commission.

BACKGROUND

There are currently four (4) housing developments in various stages of the development process in Clayton. In addition, Council Members have recently discussed the potential of a new Accessory Dwelling Unit Ordinance. All of these items relate to land use. Although the Planning Commission is Clayton's primary decision making body as it relates to land use, it is understood that in many cases Council Members also have a desire to provide input on projects and policies.

In an effort to provide both staff and developers more comprehensive and timely feedback on potential developments and land use policies, staff is proposing the formation of a Land Use Sub-Committee. A description of the structure, function and application of a Land Use Sub-Committee is detailed below:

Structure and Function

The Land Use Sub Committee would be made up of Two (2) Council Members and Two (2) Planning Commissioners. The Council representatives on the committee could be as appointed by the Mayor. It would be recommended that one (1) additional Council Member be named as an alternate to the Committee. Initially, the Planning Commissioner members appointed to the Committee could be the Chair and Vice Chair. It would be recommended that one (1) additional Planning Commission Member be named as an alternate to the Committee at a later date and as determined by the Planning Commission. It should be noted that these members would not be making decisions on any items that come before

them. They would instead be providing non-binding feedback to developers and staff in an effort to more efficiently guide projects and policy through the existing process.

Application

Land Use Sub-Committees meetings would be held on an as – needed basis. Meetings would be noticed and open to the public. However, Land use sub-committee meetings would be much less formal than City Council or Planning Commission meetings. The reduced level of formality of the meetings would offer more of a collaborative discussion of the issues and concerns of each project or policy.

Potential Benefit

For Staff, the opportunity to gain feedback from a sampling of decision makers can help to guide staff toward a more efficient development of policies that are shaped to meet the preferences of the City leadership. Considering the extremely limited staffing available to Clayton, improving staff efficiency is critically important.

For developers, the opportunity to gain feedback on their projects at the earliest possible stage is a welcomed improvement in customer service.

For the Planning Commission and City Council, the formation of a Land Use Subcommittee can result in a streamlined process which also creates a set of policies and development that more thoroughly reflects values of the City leaders.

FISCAL IMPACT

None anticipated.

Attachment

Minutes
Clayton Planning Commission Meeting
Tuesday, May 28, 2019

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

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

Present: Chair Bassam Altwal
Vice Chair Peter Cloven
Commissioner A.J. Chippero
Commissioner William Gall
Commissioner Frank Gavidia

Absent: None

Staff: Interim Community Development Director David Woltering
Assistant Planner Milan Sikela, Jr.

2. ADMINISTRATIVE

- 2.a. Review of agenda items.
- 2.b. Declaration of Conflict of Interest.
- 2.c. Commissioner Frank Gavidia to report at the City Council meeting of June 4, 2019.

3. PUBLIC COMMENT

Ann Stanaway, 1553 Haviland Place, indicated that Contra Costa County had a Geographic Information System (GIS) service that is a great tool for the public to use.

4. MINUTES

- 4.a. Approval of the minutes for the May 14, 2019 Planning Commission meeting.

Commissioner Gall moved and Commissioner Gavidia seconded a motion to approve the May 14, 2019 Planning Commission minutes, as submitted. The motion passed 5-0.

5. PUBLIC HEARINGS

None.

6. OLD BUSINESS

None.

7. NEW BUSINESS

- 7.a. **GPA-01-19, City of Clayton.** Review of Fiscal Year 2019-2020 Capital Improvement Program Projects for Conformity with the Clayton General Plan.

Staff Recommendation: Staff recommends that the Planning Commission find the City's Capital Improvement Program Projects for the Fiscal Year 2019-2020 are in conformity with the Clayton General Plan. And, pursuant to the California Environmental Quality Act (CEQA), Section 15061(b)(3), it can be seen with certainty that there is no possibility that finding the Capital Improvement Program in conformance with the General Plan may have a significant effect on the environment; it is, therefore, not subject to CEQA, and, additionally, since this is a consistency finding, the previous environmental documentation for the General Plan is adequate CEQA documentation.

Interim Director Woltering presented the staff report.

Ann Stanaway, 1553 Haviland Place, inquired about where she could obtain a copy of the Clayton General Plan.

Interim Director Woltering indicated that an electronic version of the Clayton General Plan is publicly available on the City's website and a hard copy could be printed out from the electronic version on the City's website. He added that he would be happy to go over any section of the Clayton General Plan that Ms. Stananway had questions about.

Commissioner Chippero had the following comment and question:

- It appears that some Capital Improvement Program (CIP) projects have been completed and some CIP projects continue on, such as the front door of City Hall project. Interim Director Woltering indicated that was correct.
- What is a table top lighted intersection? Interim Director Woltering indicated it is a lighted raised intersection that is slightly elevated to create a platform and serves as a traffic calming feature.

Vice Chair Cloven asked, regarding the School Intersection Enhancement CIP project, is that project a result of accidents that have happened at Mt. Diablo Elementary School? Interim Director Woltering indicated that he did not have the current history on the project and so was not aware if the accidents were the impetus for the project.

Chair Altwal had the following comments:

- It is good that we are improving safety for intersections near our schools.
- It might be good to consider having traffic cameras installed at our intersections in order to more effectively catch drivers who violate traffic laws.
- He wished that there would be coordination between the contractors repaving the streets and the contractors digging up the streets. He mentioned that the street he lives on was repaved but then contractors doing utility work have dug up the street which has impacted the quality of the street pavement.

Commissioner Gavidia indicated that it would benefit availability of fields for use to have artificial turf since this would encourage people to use our fields instead of going to Concord or Pittsburg to use their fields.

Vice Chair Cloven indicated that he felt the \$50,000 estimated cost for the Green Infrastructure CIP project was a financial burden to the City, when considering that this project is a mandate by the San Francisco Regional Water Quality Control Board.

Commissioner Gavidia moved and Commissioner Chippero seconded a motion for the Planning Commission to find the specified City's Capital Improvement Program projects for the Fiscal Year 2019-2020 are in conformity with the Clayton General Plan and there is no possibility that this finding may have a significant impact on the environment. The motion passed 5-0.

8. COMMUNICATIONS

8.a. Staff.

Interim Director Woltering indicated that the Town Center Parking Waiver Extension will go before the City Council for first reading and introduction at the June 4, 2019 City Council meeting.

8.b. Commission.

None.

9. ADJOURNMENT

9.a. The meeting was adjourned at 7:30 p.m. to the next regularly-scheduled Planning Commission meeting on June 11, 2019.


Submitted by
David Woltering, AICP
Interim Community Development Director

Approved by
Bassam Altwal
Chair

PLANNING COMMISSION STAFF REPORT

Meeting Date: August 27, 2019

Item Number: 5.a.

From: Milan J. Sikela, Jr. 
Assistant Planner

Subject: Public Hearing to consider a Site Plan Review Permit to allow the construction of a new roof on an existing single-family residence (SPR-01-19)

Applicant: Jose Aceves

REQUEST

Jose Aceves is requesting a public hearing for the consideration of a Site Plan Review Permit to allow the construction of a new roof on an existing single-family residence.

PROJECT INFORMATION

Location: 5869 Pine Hollow Road (**Attachment A**)
APN: 120-014-001

General Plan Designation: Low Density – Single Family Residential (1.1 to 3.0 units per acre).

Zoning: Single Family Residential R-15 District (15,000 square-foot minimum lot area).

Environmental Review: Pursuant to California Environmental Quality Act (CEQA) Guideline 15303(e) – New Construction or Conversion of Small Structures, the project is categorically exempt from CEQA.

Public Notice: On August 16, 2019, a public hearing notice was posted at the notice boards and mailed to property owners within 300 feet of the project site.

Authority: Section 17.44.020 of the Clayton Municipal Code (CMC) authorizes the Planning Commission to approve a Site Plan Review Permit in accordance with the standards of review in CMC Section 17.44.040.

DISCUSSION

The applicant is requesting Planning Commission consideration of a Site Plan Review Permit to allow the construction of a new roof on an existing detached, single-story, single-family residence. Per Section 17.44.020.C of the CMC, residential construction (enclosed or unenclosed) proposed on a front and/or exterior side elevation of a measuring over 12 feet in height or encompassing an area of 500 square feet or greater requires Planning Commission review and approval of a Site Plan Review Permit. Since the proposal entails the reconstruction of the entire roof of the subject residence, which will increase the height of the roof by four feet, the project would trigger Planning Commission review in accordance with Section 17.44.020.C of the CMC.

The applicant is proposing to install a high-profile roof with 30-year composition shingle roof material and a 6:12 roof pitch. Once installed, the new roof will increase the height of the residence from the current height of 12 feet to the proposed height of approximately 16 feet. The footprint of the subject residence will not be altered by this project. The elevations, roof plan, and roof cross-section are provided as **Attachment B**; a Google Earth street view excerpt of the existing roof is provided as **Attachment C**; a color sample of the roof is provided as **Attachment D**; and a hard copy example of the roof material will be brought by staff to the August 27, 2019 Planning Commission meeting and is provided as **Attachment E**.

The new high-profile roof will enhance the residence by providing greater articulation and vertical relief for the subject residence. This will improve the appearance of the structure by fostering a more dynamic design, giving the residence more curb appeal and presence as well as architecturally complementing other residences in the neighborhood.

Setback Analysis

As mentioned above, the roof project will not alter the footprint of the subject residence and, therefore, the existing setbacks will not be changed. Currently, the setbacks for the subject residence comply with the R-15 District standards as shown below.

R-15 Setbacks	Existing Setbacks		Proposed Setbacks		Project Compliance
Front Setback 20'	South	32'	South	No Change	Yes
Side Setback					
10' interior	West	15'	West	No Change	Yes
20' exterior	East	27'	East	No Change	Yes
25' aggregate	Aggregate	42'	Aggregate	No Change	Yes
Rear Setback 15'	North	60'	West	No Change	Yes

Residential Floor Area Analysis

Section 17.78.030.D.3 of the CMC excludes, in part, decks (or other structures) where at least one of the longest dimensions is unenclosed. Since both the roof is unenclosed, the roof would qualify for exclusion from the City's residential floor area requirements.

CONCLUSION

Staff has reviewed the design aspects of the proposed plans relative to the standards for Site Plan Review Permits and development standards for the zoning district and has determined that the project, as conditioned, is in conformance with the Clayton Municipal Code. The proposed findings of approval listed below specifically address those standards.

RECOMMENDATION

Staff recommends that the Planning Commission receive and consider the staff report and all information provided and submitted to date, receive and consider any public testimony and, if determined to be appropriate, conditionally approve the Site Plan Review Permit (SPR-01-19) to allow the construction of a new roof on an existing detached, single-story, single-family residence (APN: 120-014-001).

PROPOSED FINDINGS OF APPROVAL

Based upon the evidence set forth in the staff report, which includes relevant information from the project application, as well as testimony at the public hearing, the Planning Commission makes the following findings that Site Plan Review Permit (SPR-01-19), as conditioned:

1. Is consistent with the General Plan designation and policies.

The project is consistent with the General Plan designation and policies since the project consists of construction of a new roof which is an allowed use within the Single Family Low Density designation.

2. Meets the standards and requirements of the Zoning Ordinance.

The project meets the standards and requirements of the Zoning Ordinance and will be constructed in compliance with Site Plan Review Permit requirements, findings, and conditions of approval.

3. Preserves the general safety of the community regarding seismic, landslide, flooding, fire, and traffic hazards.

The project preserves the general safety of the community regarding seismic, landslide, flooding, fire, and traffic hazards since the project will be constructed in compliance with the Clayton Municipal Code, California Building Standards Code, and other agency regulations where applicable.

4. Maintains solar rights of adjacent properties.

The project will not block adjacent properties from direct sunlight from any angle of the ecliptic.

5. Reasonably maintains the privacy of adjacent property owners and/or occupants.

The project reasonably maintains the privacy of adjacent property owners and/or occupants since the project complies with the setback requirements of the Clayton Municipal Code and maintains a single-story design.

6. Reasonably maintains the existing views of adjacent property owners and/or occupants.

The project reasonably maintains the existing views of adjacent property owners and/or occupants since the project complies with the setback requirements of the Clayton Municipal Code and maintains a single-story design that will not block views from adjacent properties.

7. Is complementary, although not identical, with adjacent existing structures in terms of materials, colors, size, and bulk.

The project is complementary, although not identical, with adjacent existing structures in terms of materials, colors, size, and bulk since the project has been designed with 30-year composition shingle roof material and a 6:12 roof pitch that architecturally complements the surrounding residences while the massing of the project complies with all applicable zoning regulations and development standards for setback, building footprint, and residential floor area requirements.

8. Is in accordance with the design standards for manufactured homes per Section 17.36.078.

The project consists of a new roof on an existing detached, single-story, single-family residence and is not considered a manufactured home; therefore, this finding is not applicable.

The above-stated findings assume acceptance and approval of the proposed conditions of approval listed below.

PROPOSED CONDITIONS OF APPROVAL

These conditions of approval apply to the Aceves Elevations, Roof Plan, and Cross-Section, date stamped August 15, 2019.

1. The applicant shall indemnify, protect, defend, and hold harmless the City and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes, proceedings, suits, damages, judgments, liens, levies, costs, and expenses of whatever nature, including, but not limited to, attorney's fees, costs, and disbursements arising out of or in any way relating to the issuance of this entitlement, any actions taken by the City relating to this entitlement, and any environmental review conducted under the California Environmental Quality Act for this entitlement and related actions.

2. The project shall be constructed in accordance with the plans submitted by the applicant, date stamped August 15, 2019, and as conditionally approved by the Clayton Planning Commission on August 27, 2019.
3. Any major changes to the project shall require Planning Commission review and approval. Any minor changes to the project shall be subject to City staff review and approval.
4. No permits or approvals, whether discretionary or mandatory, shall be considered if the applicant is not current on fees, reimbursement payments, and any other payments that are due.
5. An encroachment permit shall be required for all work in the public right-of-way.

ADVISORY NOTES

Advisory notes are provided to inform the applicant of: (a) Clayton Municipal Code requirements; and (b) requirements imposed by other agencies. The advisory notes state requirements that may be in addition to the conditions of approval.



1. The applicant shall comply with all applicable State, County, and City codes, regulations and adopted standards as well as pay all associated fees and charges.
2. This Site Plan Review Permit shall be used, exercised, or established within twelve months after the granting of the Permit, or a time extension must be obtained from the Planning Commission, otherwise the Permit shall be null and void (Clayton Municipal Code Sections 17.64.010-17.64.030).
3. All construction and other work shall occur only between 7:00 a.m. and 5:00 p.m. Monday through Friday. Any such work beyond these hours and days is strictly prohibited unless specifically authorized in writing by the City Engineer (Clayton Municipal Code Section 15.01.101).
4. The applicant shall obtain the necessary building permits from the Contra Costa County Building Inspection Department. All construction shall conform to the California Building Standards Code.
5. Additional requirements may be imposed by the Contra Costa County Fire Protection District. Before proceeding with the project, it is advisable to check with the Fire District located at 4005 Port Chicago Highway, Suite 250, Concord, 925-941-3300.
6. If the project site is located within an area subject to covenants, conditions, and restrictions (CC&Rs) administered by a homeowners' association (HOA), additional requirements and/or approvals may be required by the HOA. Before proceeding with the project, it is advisable to check with the HOA to ensure any applicable requirements are met.

ATTACHMENTS

- A. Vicinity Map
- B. Google Earth Street View Excerpt
- C. Aceves Elevations, Roof Plan, and Cross-Section, date stamped August 15, 2019
- D. Roof Color Sample
- E. Hard Copy Example of Roof Material (to be provided at the August 27, 2019 Planning Commission meeting)

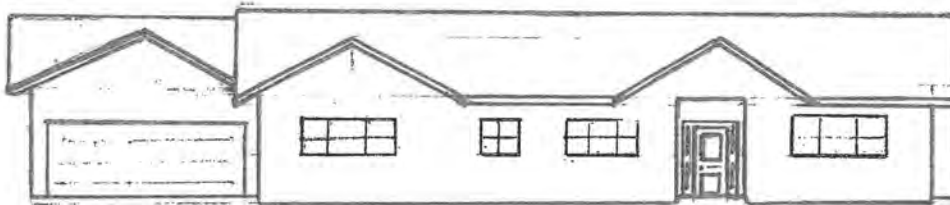


VICINITY MAP

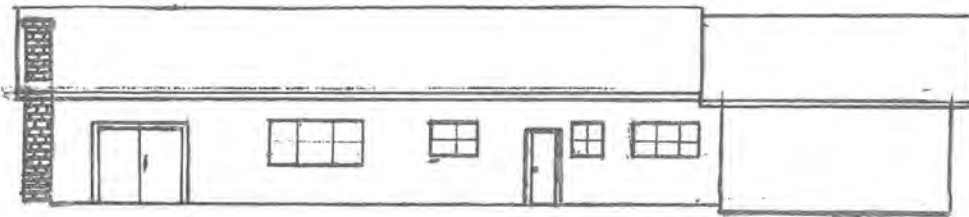
	<p>Aceves Residence Site Plan Review Permit SPR-01-19 5869 Pine Hollow Road APN: 120-014-001</p>	<p>N</p>  <p>(Not to Scale)</p>
---	---	--

ATTACHMENT A

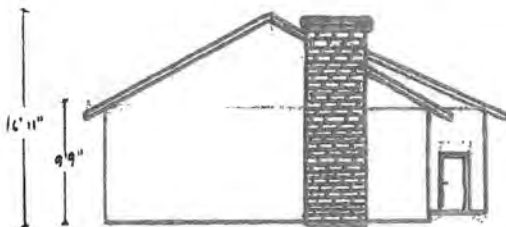
5869 PINE HOLLOW RD. CLAYTON, CA



FRONT



BACK



RIGHT



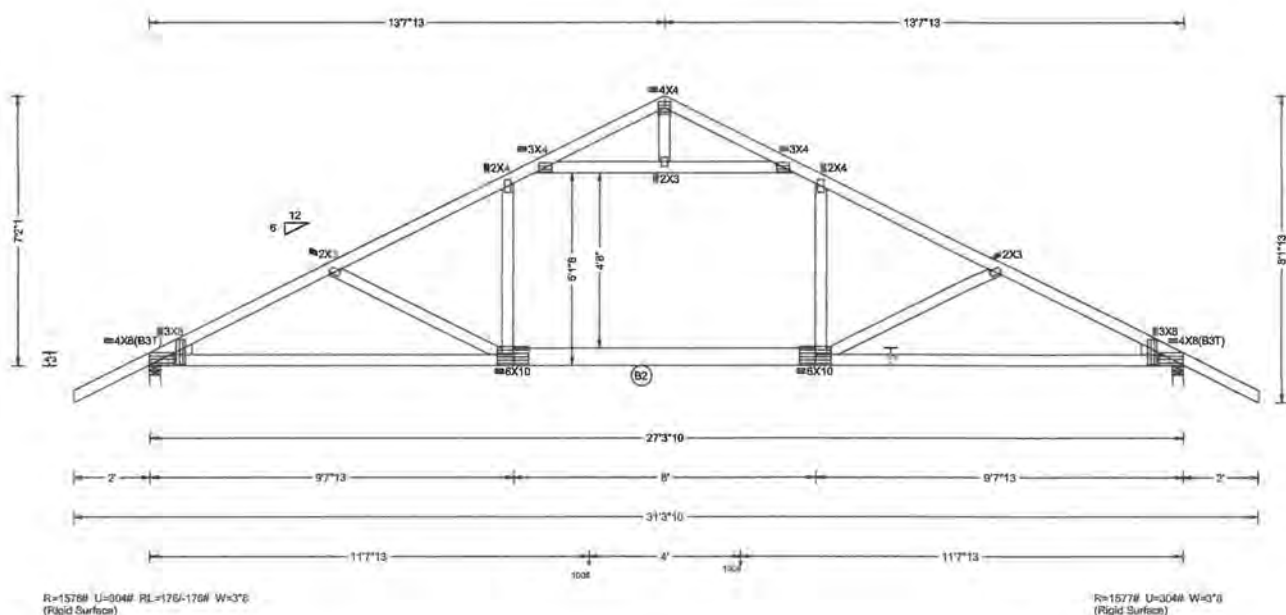
LEFT

RECEIVED
AUG 15 2019
CITY OF CLAYTON
COMMUNITY DEVELOPMENT DEPT.

ATTACHMENT B

Top chord 2x6 DF-L, #1A#B(g)
Sd chord 2x6 DF-L, #1A#B(g) 3x2 3x6 DF-L, 65(g)
Wtrb 2x6 DF-L, Standard(g)
L1 Wtrbgs 2x6 DF-L, Standard(g)-R1 Wtrbgs 2x6 DF-L, Standard(g)
Connectors in green lumber (g) designed using NDS/TPI reduction factors.
Bolts where checked for 10.00 psi net-consumed free fluid.
These supports 300# mesh envt soil (permitted at 15.7-13); supported by GC; with mesh A-D-D, supported by 2 x 10 mesh.

115 vinyl w/nd, 15.00 ft n/min hgt, ASCE 7-10, CLOSED Slab, Located anywhere in roof, ASH CAT 1, ESP G, w/nd TC DL=0.6 ft, w/nd BG DL=0.6 ft
Wind loads and reactions based on both MWFRS and CMC.
Roof overhang/cantilever supports 5.00 ft soffit load.
Truss passed check for 20 psf additional bottom chord live load in truss with 42" x 14" 24" wide clearance.
Deflection meets L/240 live and L/400 total load. Check truss/ring factor for total load is 2.00.
Two (2)x12 steel/strut(s) now be field braced.



DESIGN CRIT=CBC2015/TP-2014 FTRT=30% (ONLY Q/Q)

QTY= 6 TOTAL= 6

REV. 18.01.01A.0821.10

SEQ = 90078
SCALE = 0.2753



TRUSS ENGINEERING, INC.

Office Phones:
1ph: 209.627.6387
2ph: 209.527.4617
E-mails:
TrussEngineering@ATT.Net
Fax: 209.740.4319

[illegible]

TC LL	20.0psf	REF	
TC DL	14.0psf	DATE	
BC DL	10.0psf	DRWG	07-31-2019
BC LL	0.0psf		
TOT.LD.	44.0psf	O/A LEN.	270310
DUR.FAC.	1.25	JOB #:	ARM1949
SPACING	24.0"	TYPE	ATIC



ATTACHMENT C

