

Minutes
City of Clayton Planning Commission
Regular Meeting
Tuesday, August 22, 2023

1. CALL TO ORDER

Chair Daniel Richardson called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

Chair Richardson led the Pledge of Allegiance.

3. ROLL CALL

Present: Chair Daniel Richardson
 Vice Chair Richard Enea
 Commissioner Maria Shulman
 Commissioner Joseph Banchemo
 Commissioner Bretten Casagrande

Planning Commission Secretary/Community Development Director Dana Ayers and Assistant Planner Milan Sikela were present from City staff.

4. ELECTION OF CHAIR AND VICE CHAIR

Commissioner Shulman moved to elect Vice Chair Enea as Chair of the Planning Commission for the year starting July 1, 2023, through June 30, 2024. Chair Richardson seconded the motion. The motion passed by vote of 5 to 0.

Chair Enea took over as Chair of the meeting at this time. He invited a motion for election of the Planning Commission Vice Chair for the year starting July 1, 2023, through June 30, 2024. Commissioner Casagrande moved to elect Commissioner Shulman as Vice Chair. Commissioner Banchemo seconded the motion. The motion passed by vote of 5 to 0.

5. ACCEPTANCE OF THE AGENDA

There were no changes to the agenda as submitted.

6. PUBLIC COMMENT

City Manager Bret Prebula welcomed the two new Planning Commissioners to the Planning Commission and expressed gratitude for their commitment of service to the community.

A speaker from the audience congratulated Vice Chair Shulman and Chair Enea on being elected to the Vice Chair and Chair roles on the Planning Commission, and he thanked Commissioner Richardson for his time. He stated that he had previously been on the Commission for three and a half years, and in his opinion, this was the first orderly Chair/Vice Chair selection he had seen in three years. He said that on September 8, 2020, the next in line for Vice Chair had been passed over because he was running for an elected office. The speaker said that last year, the next in line declined a nomination because he was running for an elected office. The speaker stated that, if he had stayed on the Commission, he would have liked to have updated the Planning Commission procedures to require the Commission to meet in the first two weeks of July following City Council appointment of Planning Commissioners for the new term, regardless of availability of attendees, to reorganize the Commission. The speaker said he wanted politics to be taken out of the Planning Commission and felt that the Commission had become politicized. The speaker re-iterated that he wanted to see the Commission make it mandatory for a meeting to occur in the first two weeks of July.

Ann Stanaway said that she was not aware of any evidence that Planning Commissioners were studying or had studied the City's obligations under California accessible rights-of-way statutes and the California Unruh Civil Rights Act. She stated that a violation would threaten to bankrupt the City and affect its ability to obtain business liability insurance. She encouraged the Commission to review Government Code sections 830, 835 and 835.4.

7. CONSENT CALENDAR

A. Minutes of Planning Commission Meeting of June 13, 2023.

Commissioner Richardson moved to adopt the Consent Calendar with Meeting Minutes of the June 13, 2023, meeting, as submitted. Vice Chair Shulman seconded the motion. The motion passed by vote of 3 to 0. Commissioner Banchemo and Casagrande abstained from the vote.

8. STUDY SESSION

A. Overview of Planning, Environmental and Land Use Legislation and Practice and Planning Commission Procedures

This is an informational presentation on planning, environmental and land use concepts, practices and laws. Topics presented will include State statutes and the bases for local agency planning authority; pertinent land use documents such as the General Plan and Zoning Code; the California Environmental Quality Act; and the process of Planning Commission decision-making. Commissioners and members of the public are invited to ask questions at the study session. No decision of the Commission is otherwise requested at this meeting.

Director Ayers presented the item and shared a slide deck summarizing various regulations and best practices pertaining to land use, planning,

environmental impact analysis and the process of Planning Commission decision-making. Commissioners asked questions of staff. There were no questions or comments from the public. Following the presentation, Director Ayers advised that she was available at City Hall, by email or by phone to answer any other questions that might come up after tonight's meeting.


9. COMMUNICATIONS

Vice Chair Shulman advised that the California County Planning Commissioners training conference was coming up on October 6 and 7 in Tulare County.

10. ADJOURNMENT


The meeting was adjourned at 7:53 p.m. to the next regular meeting of the Planning Commission on September 12, 2023.

Respectfully submitted:



Dana Ayers, AICP, Secretary

Approved by the Clayton Planning Commission:



Richard Enea, Chair