



## CLAYTON CITY COUNCIL NOTICE OF PUBLIC HEARING

Notice is hereby given that the Clayton City Council will hold a public hearing on December 19, 2023, at 7:00 p.m. at Hoyer Hall in the Clayton Community Library, 6125 Clayton Road, Clayton, California, concerning the following matter:

### **Introduce and Waive First Reading of an Ordinance Amending Clayton Municipal Code Title 17 to Implement Adopted General Plan Housing Element Policy, Rezone Properties in Conformance with the Housing and Land Use Elements, Clarify Administrative Procedures, and Align with State Law**

The purpose of the public hearing is to consider amendments to various chapters of Clayton Municipal Code (CMC) Title 17 (Zoning) to: 1) implement adopted Housing Element policies and amended Land Use Element policies and land use designations; 2) revise certain administrative procedures; and 3) align with provisions of certain California statutes governing land use. Amended text is proposed in the following chapters of CMC:

- Chapter 17.04 – Definitions;
- Chapter 17.08 – Zoning Map – Districts Established;
- Chapter 17.16 – Single Family Residential (R-10, R-12, R-15, R-2, R-40 and R-40-H) Districts;
- Chapter 17.20 – Multiple Family Residential (M-R, M-R-M, and M-R-H) Districts;
- Chapter 17.22 – Residential Density Calculations for Residential Parcels with Sensitive Lands;
- Chapter 17.24 – Limited Commercial (LC) District
- Chapter 17.28 – Planned Development (PD) District
- Chapter 17.30 – Institutional Density (ID) District (proposed new chapter);
- Chapter 17.36 – General Regulations;
- Chapter 17.37 – Off-street Parking and Loading Regulations;
- Chapter 17.44 – Site Plan Review;
- Chapter 17.45 – Family Day Care Homes (proposed to be deleted in entirety); and
- Chapter 17.90 – Affordable Housing Density Bonus Requirements.

In addition to amendments to text of the Zoning Ordinance, the following amendments are proposed to the Zoning Map referenced in CMC Chapter 17.08:

- 1578 Kirker Pass Road, Assessor's Parcel No. (APN) 118-031-054, amendment from PD to ID District
- 5555 Clayton Road, APN 118-101-025, amendment from PD to ID District
- Diablo Creek Place, APN 118-230-002, amendment from PD to Single-family Residential (R-15) District
- 6530 Marsh Creek Road, APNs 119-021-020 and 119-021-019, amendment from PD to Multiple Family Residential High (M-R-H) District
- 6955 Marsh Creek Road, APN 119-080-009, amendment from Agricultural (A) to Multiple Family Residential Low (M-R) District
- Clayton Road at Peacock Creek Drive, APN 118-370-073, amendment from PD to Multiple Family Residential Medium (M-R-M) District
- Oakhurst Golf Course Driving Range, portions of APNs 118-370-017, 118-370-086, 118-370-087 and 118-370-088, amendment from PD to M-R-H District
- 1970 Eagle Peak Avenue, APN 118-370-040 (portion), amendment from A to M-R-M District

At the public hearing, the City Council will consider written and spoken testimony from the public, as well as the November 28, 2023, Planning Commission recommendation to approve the amendments (Resolution No. 7-2023). If approved by the City Council, the amendments would apply to properties throughout the City.

**Environmental Determination:** On January 17, 2023, in accordance with the California Environmental Quality Act (CEQA, Public Resources Code section 21000 *et seq.*) and the State CEQA Guidelines (California Code of Regulations, section 15000 *et seq.*), the Clayton City Council certified a Final Environmental Impact Report (EIR; State Clearinghouse No. 2022030086) that analyzed the potential impacts on the environment that could occur with adoption of the Housing Element update and related amendments to land use regulations. The housing-related Zoning amendments as summarized above are within the scope of the project analyzed in the certified EIR. Regulations governing family day care homes are exempt pursuant to CEQA Guidelines section 15274.

**Comment on this Project:** Interested parties are invited to attend and participate in the public hearing and present written and/or spoken testimony concerning the matter. The agenda for the meeting will be posted to the City website no fewer than 72 hours before the start of the meeting at the following address: <https://claytonca.gov/city-clerk-department/city-council/city-council-agendas/>. If you cannot attend the public hearing, you may send written comments on this matter by email to [cityclerk@claytonca.gov](mailto:cityclerk@claytonca.gov) or by first class mail to the Clayton Community Development Department, 6000 Heritage Trail, Clayton, CA 94517. Written comments are requested to be submitted so as to be received no later than 5:00 p.m. on the day of the hearing, to facilitate their distribution to the City Council at or prior to the start of the public hearing.

Questions about this project can be directed to Community Development Director Dana Ayers at [danaa@claytonca.gov](mailto:danaa@claytonca.gov) or phone number 925-673-7300 between the hours of 9:00 a.m. and 5:00 p.m., Monday through Thursday. Any challenge of this matter in court may be limited to only those issues raised at the public hearing described in this notice or in written correspondence delivered to the City Council at or prior to the public hearing (Government Code section 65009).