



**NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT
AND NOTICE OF SCOPING MEETING FOR THE CITY OF CLAYTON
6th CYCLE (2023-2031) HOUSING ELEMENT UPDATE AND ASSOCIATED LAND USE
ELEMENT AND ZONING CODE AMENDMENTS**

TO: Responsible Agencies, Trustee Agencies, and Interested Parties

DATE: March 1, 2022

The City of Clayton is the Lead Agency under the California Environmental Quality Act (CEQA) and will prepare an Environmental Impact Report (EIR) for a project involving a comprehensive update of the City of Clayton General Plan Housing Element, focused updates to the Land Use Element, and parallel amendments to the Zoning Code (“project”).

The updated Housing Element will establish programs, policies and actions to further the goal of meeting existing and projected housing needs of all income levels and will identify how the City plans to accommodate the Regional Housing Needs Allocation (RHNA) of 570 units through the year 2031, as established by the Association of Bay Area Governments (ABAG). The City also proposes updates to the Land Use Element to correspond to the Housing Element’s housing plan, as well as Zoning Code amendments necessary to implement the Housing and Land Use Elements, as amended. Details on the project are provided below, and other information about the Housing Element and the Housing Element process can be found on the City’s website at <https://claytonca.gov/community-development/housing/housing-element/>.

The City is requesting identification of environmental issues, environmental impacts, and information that you or your organization believes need to be considered and analyzed in the EIR, including environmental impacts, mitigation measures, and alternatives.

NOTICE OF SCOPING MEETING

Pursuant to California Public Resources Code Section 21083.9 and California Code of Regulations, Title 14, Chapter 3 (“CEQA Guidelines”) Section 15082(c)(1), the Lead Agency will conduct a public scoping meeting for the purpose of soliciting written comments from interested parties, responsible agencies, agencies with jurisdiction by law, trustee agencies, transportation agencies, and involved federal agencies as to the appropriate scope and content of the EIR.

The public scoping meeting will be held in an online format using the Zoom application and will be an opportunity for agencies and interested parties to provide spoken comments on the scope

of the EIR. City staff will be available during this meeting to provide clarification on the project and the environmental review process. Interested parties wishing to provide comments or public testimony can speak during the meeting or provide their comments in writing, as described under “Submittal of Written Comments” below. No decisions about the project will be made at the scoping meeting. A separate public hearing for the project will be scheduled after the completion of the EIR. The date, time, and virtual location of the public scoping meeting is as follows:

Date: March 8, 2022 at 7:00 p.m.

Location: Virtual Webinar

To protect residents, officials, and staff, and in accordance with California State Assembly Bill 361 and Government Code Section 54953(e), the scoping meeting will be conducted during a regular Planning Commission meeting held using teleconferencing. A physical location from which members of the public may observe or participate in the meeting in person will not be available. The following options are provided to view, listen to, or provide comments during the meeting:

Videoconference: To join the meeting on-line via smart phone or computer, click on the link <https://us02web.zoom.us/j/87901324143>; or, through the Zoom application, enter **Webinar ID: 879 0132 4143**. No registration or meeting password is required. To indicate your request to speak, use the ‘Raise Hand’ feature when the Planning Commission Chair invites public comments on the agenda item.

Phone-in: Dial toll free 877-853-5257. When prompted, enter the Webinar ID above. If joining the meeting by phone, press *9 to ‘Raise Hand’ to indicate your request to speak, then press *6 to unmute yourself when prompted by the Planning Commission Chair or staff.

RESPONSIBLE AND TRUSTEE AGENCIES

The City requests your agency’s views on the scope and content of the environmental information relevant to your agency’s statutory responsibilities in connection with the project, in accordance with the CEQA Guidelines, Section 15082(b). Your agency will need to use the EIR prepared by the City when considering any permits or other project approvals that your agency must issue. As such, your responses to this Notice of Preparation (NOP), at a minimum should identify: (1) the significant environmental issues and reasonable alternatives and mitigation measures that your agency will need to have explored in the EIR; and (2) whether your agency will be a responsible or trustee agency for this project.

REVIEW AND RESPONSE PERIOD

March 2, 2022 to April 4, 2022

Pursuant to CEQA Guidelines Section 15082(b), responses to this NOP must be provided during this response period.

SUBMITTAL OF WRITTEN COMMENTS

Please send your written comments to:

Dana Ayers, AICP,
Community Development Director
City of Clayton Community Development Department
6000 Heritage Trail
Clayton, California 94517

Email: danaa@claytonca.gov

Tel: (925) 673-7343

Fax: (925) 672-4917

Project Location

The City of Clayton is located in north-central Contra Costa County, approximately 20 miles east of downtown Oakland. The City is located at the base of the north slope of Mt. Diablo. For the purposes of this project, the area of interest includes all properties within the corporate City boundaries and the City's Sphere of Influence (SOI), as defined by the Contra Costa County Local Agency Formation Commission. This planning area is bounded to the south by Mt. Diablo State Park and to the northeast by Black Diamond Regional Preserve. The northern and western planning area boundaries are shared with the City of Concord. The regional context of Clayton is shown in Exhibit 1 (Regional Context Map). Exhibit 2 (Planning Area Map) provides a more detailed view of the planning area and illustrates the current General Plan land use diagram.

The planning area includes the entire City of Clayton, which is 3.84 square miles of land, as well as its SOI, which is an additional 0.98 square miles. The City also has a Planning Area which extends beyond the SOI that will not be impacted by this project. Freeways and highways that provide regional access include Interstate 680 (I-680) to the west, State Route 242 (SR 242) to the northwest, and Interstate 580 (I-580) to the south. Regional arterials directly serving Clayton are Ygnacio Valley/Kirker Pass Road and Clayton Road. Clayton Road carries traffic to downtown Clayton from SR 242. Marsh Creek Road connects Clayton to the east to Brentwood.

Project Description

The Housing Element is one of the mandated General Plan elements. All cities and counties in California are required to update their Housing Element every eight years to meet existing and future projected housing needs of all economic segments of the community. Clayton, as a part of the ABAG region, is preparing this 6th cycle Housing Element for the 2023-2031 planning period.

The Housing Element Update establishes programs, policies, and actions to further the goal of meeting the existing and projected housing needs of all income levels of the community; provides evidence of the City's ability to accommodate the RHNA through the year 2031, as established by ABAG; and identifies changes to the General Plan Land Use Element needed to support the required housing capacity. In addition, the Housing Element includes goals and strategies to maintain the quality of the existing housing stock, promote housing opportunities for special needs

households, incorporate energy conservation approaches that can contribute to reduced housing costs, and affirmatively further fair housing practices. The Housing Element must be adopted by January 2023.

The City has been assigned a RHNA of 570 units, distributed among the four income categories shown in the adjacent diagram. Achieving this RHNA will require that the City amend the Land Use Element to clearly define and possibly increase multi-family residential densities and change land use designations in the downtown. Parallel changes would need to be made to the Zoning Code and zoning map.

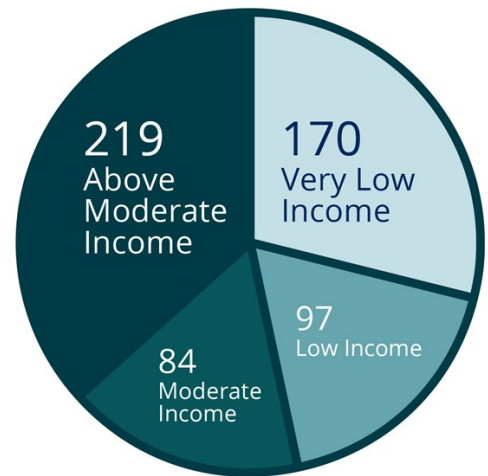


Exhibit 3 identifies existing land uses, and Exhibit 4 identifies the proposed land use changes associated with the Housing Element Update. These changes would affect the ultimate build-out reported in the General Plan Land Use Element. As shown in the table below, these proposed land use changes have the potential to result in increased capacity for as many as 883 new dwelling units, an increase of approximately 20,000 square feet of commercial space, and a reduction of approximately 7,000 square feet of public facilities/institutional space. Potential increases of approximately 2,397 residents and 100 jobs are projected for the 2031 horizon year.

Land Use Data Table

Development Indicators	Existing Conditions (2021)	Future Buildout Conditions (2029)	Existing to Buildout Change (Numbers)	Existing to Buildout Change (Percentage)
Dwelling Units	4,120	5,003	+883	21.4%
Population	11,268	13,665	+2,397	21.3%
Employees	1,510	1,610	+100	6.6%
Non-Residential Building SF	357,140	307,140	+13,000	3.6%
<i>Commercial</i>	<i>173,490</i>	<i>193,490</i>	<i>+20,000</i>	<i>11.5%</i>
<i>Office</i>	<i>83,650</i>	<i>83,650</i>	<i>0</i>	<i>0.0%</i>
<i>Public Facilities/Institutional</i>	<i>100,000</i>	<i>93,000</i>	<i>-7,000</i>	<i>-7.0%</i>
Source: City of Clayton, 2021; MIG, Inc. 2022; UrbanFootprint, 2021; Department of Finance (DOF) Demographic and Research Unit, 2021; and Esri Business Summary, 2021.				
Notes: Vacancy Rate: 2.79%; Persons Per Household: 2.81 (DOF, 2021)				

Programmatic EIR

The City of Clayton has determined that the proposed project will require preparation of an EIR pursuant to CEQA. The City is the Lead Agency for preparation of a Program EIR for the proposed Housing Element update and associated changes to the Land Use Element and Zoning Code. The Program EIR will evaluate the environmental impacts resulting from implementation of the proposed project and will recommend mitigation measures to avoid or reduce significant impacts, where applicable. The Program EIR also is intended to help the City review future project proposals pursuant to section 15168 (Program EIR) of the CEQA Guidelines. The following environmental topics will be evaluated in the EIR:

- Aesthetics
- Agriculture and Forestry
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Tribal Cultural Resources
- Transportation and Circulation
- Utilities and Service Systems
- Wildfire
- Cumulative Impacts
- Alternatives