

2023-00015

FILED

January 20, 2023

**KRISTIN B. CONNELLY
CLERK-RECORDER**

By *Lynne Redolice*
Deputy clerk

NOTICE OF DETERMINATION

To: Contra Costa County Clerk
555 Escobar Street
Martinez, CA 94553

From: City of Clayton (Lead Agency)
Community Development Department
6000 Heritage Trail
Clayton, CA 94517
(925) 673-7300

SUBJECT: Filing of Notice of Determination in Compliance with Section 21152 of the Public Resources Code.

State Clearinghouse No.: 2022030086

Project Title: City of Clayton 6th Cycle Housing Element Update and Associated Land Use Element and Zoning Code Amendments

Lead Agency: City of Clayton, Community Development Department
6000 Heritage Trail, Clayton, CA 94517
(925) 673-7300

Lead Agency Contact: Dana Ayers, AICP, Community Development Director

Project Applicant: City of Clayton, Community Development Department
6000 Heritage Trail, Clayton, CA 94517
(925) 673-7300

Project Location: City of Clayton (city-wide). The City of Clayton is located in north-central Contra Costa County, approximately 20 miles east of downtown Oakland, at the base of the north slope of Mt. Diablo. The City is bordered by the unincorporated ghost town of Nortonville to the northeast. The City of Concord lies to the west, and Walnut Creek lies to the southwest.

Project Description: The City of Clayton updates its General Plan Housing Element on an eight-year cycle. The last update took place in December 2014 and established a housing plan for the City for the eight-year cycle between 2015 and 2023 (5th housing cycle). In fall 2021, the City commenced the update of its Housing Element for the 6th housing cycle, which spans years 2023 through 2031. The community engagement process for the Housing Element update for the 6th housing cycle included various meetings with stakeholders, community workshops, online surveys and community sessions and comment meetings.

The updated Housing Element includes programs, policies, and actions to further the goal of meeting existing and projected housing needs of all income levels and identifies how the City plans to accommodate its Regional Housing Needs Allocation (RHNA) of at least 570 units for the 6th housing cycle. The Housing Element update has the potential to result in development of up to 966 new dwelling units and 13,000 square feet of new non-residential building area, and an increase of up to 2,630 new residents and 71 additional employees within the Planning Area. To accommodate its RHNA, the City of Clayton identified 22 potential housing opportunity sites, including:

- Vacant properties zoned for residential, public, rural residential or agricultural use;
- A golf course driving range and an overflow parking lot owned by the Oakhurst Country Club;

- Within the City's Town Center, vacant properties (including two City-owned sites), a public parking lot, and private properties that could be redeveloped with mixed-use projects;
- Properties that are currently developed with a single-family home but that are large enough to support additional residences or a multifamily housing project; and
- Sites owned by religious institutions that have expressed interest in developing housing on portions of their properties.

Not all of these properties are designated and zoned for residential use, and for those that are, the density yields of the previously adopted General Plan are not high enough to achieve the RHNA through private development efforts. Thus, for this 6th cycle Housing Element update, to accommodate Clayton's RHNA of 570 or more units, previously adopted Clayton General Plan land use policy is amended to increase residential densities to support greater variety in multifamily housing types. Subsequent legislative actions will include amending the Zoning Code to provide for consistency with General Plan policy, and to rezone properties to reflect parallel General Plan land use designations. With these amendments, the City is able to plan for the RHNA and create a planning buffer that responds to State laws regarding no net loss of lower-income residential units, should a site planned for lower-income housing be developed with a lower density than was planned.

Determination: This Notice is to advise that on January 17, 2023, the City Council of the City of Clayton, as Lead Agency, adopted Resolution No. 6-2023:

- certifying the *Final Environmental Impact Report for the City of Clayton 6th Cycle Housing Element Update and Associated Land Use Element and Zoning Code Amendments* (State Clearinghouse No. 2022030086);
- repealing in entirety the Housing Element for the 5th Housing Cycle and adopting the Housing Element for the 6th Housing Cycle as the Housing Element of the Clayton General Plan; and
- adopting amendments to the Clayton General Plan Land Use Element and Land Use Diagram that are associated with the General Plan Housing Element update for the 6th Housing Cycle.

In adopting Resolution No. 6-2023, the City Council made the following determinations regarding the above-described Project:

1. The Project will have a significant effect on the environment.
2. An Environmental Impact Report (EIR) was prepared for this Project pursuant to the provisions of the California Environmental Quality Act.
3. Mitigation measures were made a condition of the approval of the Project.
4. A mitigation monitoring and reporting program was adopted for the Project.
5. A Statement of Overriding Considerations was adopted for the Project.
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Final EIR and record of Project approval are available to the general public at the Community Development Department of the City of Clayton located at 6000 Heritage Trail, in Clayton, CA 94517, in the custody of the City Clerk, as well as on the City's website at: <https://claytonca.gov/community-development/housing/housing-element/>.



Signature (Lead Agency)

Dana Ayers, AICP
Community Development Director

Name, Title

January 19, 2023

Date