

Richard Barakat, Mayor (District 3)
Richard Hale, Mayor Pro-Tem (District 1)
Monte Lewis, Council Member (District 2)
Bruce Lathrop, Councilmember (District 4)
Elizabeth Bruny, Councilmember (District 5)

City of Bradbury Agenda Memo

TO: Honorable Mayor and Members of the City Council

FROM: Scarlett Santos Leon, Management Analyst

DATE: December 18, 2018

SUBJECT: **Purchasing of an Automated External Defibrillator (AED) for City Hall**

ATTACHMENTS: 1. Philips HeartStart OnSite Flyer
2. First Aid/CPR/AED Fact Sheet

SUMMARY

The tentative Public Safety Committee is recommending that an Automated External Defibrillator (AED) be purchased and placed in City Hall, as well as Adult and Pediatric First Aid/CPR/AED training be provided.

Staff recommends that City Council review the proposed AED product and training information, and allocate \$3,277.90 to account 101-23-7757.

DISCUSSION

During the November 2018 tentative Public Safety Committee (PSC) meeting, the committee members expressed concern with the lack of a cardiac arrest emergency plan and expressed interest in having an Automated External Defibrillator (AED) on City Hall grounds. These devices have proven to help save lives in public places as well as in the workplace. Additionally, the Occupational Safety and Health Administration finds that using an AED on an individual experiencing cardiac arrest increases his/her survival rate by 60 percent.

After further research and discussion on AED products and training during the December 2018 meeting, the committee recommended purchasing a Philips HeartStart OnSite

(Attachment 1) and providing Adult and Pediatric First Aid/CPR/AED training (Attachment 2).

Below is a price breakdown of the cost for the purchase of a Philips HeartStart OnSite, installation, and training for an estimated of ten (10) people including: two estimated (2) City Council, three (3) Staff, and five (5) Public Safety Committee members.

Cost Breakdown

Description	Cost
Philips HeartSite OnSite	\$1,577.90
Installation	\$300.00
Adult & Pediatric First Aid/CPR/AED Training*	\$1,400.00
TOTAL	\$3,277.90

**The training estimate reflects costs for ten (10) people. Each additional person would cost \$115.*

FINANCIAL ANALYSIS

The current estimated total of \$3,277.90 reflects the cost of a Philips HeartStart Onsite as well as Adult and Pediatric First Aid/CPR/AED training for ten (10) people. The total amount may increase once taxes, shipping and handling fees are applied to the AED product and should the proposed training exceed ten (10) people.

This cost was not budgeted for during the Fiscal Year 2018-19 discussion. However, should the City Council desire to move forward with the purchase of the AED and training, it is recommended that the City Council allocate \$3,277.90 to account 101-23-7757.

STAFF RECOMMENDATION

Staff recommends that City Council review the proposed AED product and training information, and allocate \$3,277.90 to account 101-23-7757.

ATTACHMENT #1

Philips HeartStart OnSite

Special Bundle Price of \$1,441



Your HeartStart OnSite AED bundle includes

- ✓ Philips HeartStart OnSite AED
 - ✓ Includes one battery, one set of pads and an 8-year warranty
- ✓ Ready Pack
 - ✓ Includes case and extra set of pads
- ✓ Wall Sign
- ✓ Basic Cabinet



American Red Cross

PHILIPS

To place an order, contact your local American Red Cross sales representative

Offer effective until December 27, 2018

ATTACHMENT #2



Program: First Aid/CPR/AED

Purpose

The American Red Cross First Aid/CPR/AED program helps participants recognize and respond appropriately to cardiac, breathing and first aid emergencies. The courses in this program teach the knowledge and skills needed to give immediate care to an injured or ill person and to decide whether advanced medical care is needed.

This program offers a choice of first aid, CPR and AED courses to meet the various training needs of a diverse audience and is offered in traditional classroom or blended learning (online learning with instructor-led skill session) formats.

Prerequisites

Participants in AED-only courses must have current Red Cross certification or the equivalent.

Length

Course lengths vary depending on course components included. They may last from less than 1 hour to just over 5 hours.

Learning Objectives

- Describe how to recognize an emergency and size up the scene.
- Explain how to activate and work with the emergency medical services (EMS) system.
- Understand legal concepts as they apply to lay responders, including consent and the purpose of Good Samaritan laws.
- Identify how to reduce the risk of disease transmission when giving care.
- Demonstrate how to check a person who is responsive for life-threatening and non-life-threatening conditions.
- Explain how to check an injured or ill person who appears to be unresponsive.
- Recognize the signs and symptoms of a heart attack and describe appropriate first aid care for a person who is showing these signs and symptoms.
- Describe the links in the Cardiac Chain of Survival.
- Demonstrate CPR and use of an automated external defibrillator (AED) for a person who is in cardiac arrest.
- Demonstrate first aid care for a person who is choking.
- Recognize the signs and symptoms of shock and describe appropriate first aid care for a person who is showing these signs and symptoms.

- Recognize the signs and symptoms of, and describe appropriate first aid care for, the following sudden illnesses: breathing emergencies, diabetic emergencies, seizures, fainting and stroke.
- Describe methods used to control external bleeding, including the application of direct pressure and the application of a commercial tourniquet.
- Demonstrate the application of direct pressure to control external bleeding.
- Explain when a commercial tourniquet should be used, and describe the basic principles of using a tourniquet.
- Recognize the signs and symptoms of, and describe appropriate first aid care for, the following injuries: burns; muscle, bone and joint injuries; and head, neck and spinal injuries, including concussion.
- Recognize the signs and symptoms of, and describe appropriate first aid care for, the following environmental injuries and illnesses: heat-related illnesses, cold-related illnesses and poisoning.

Courses

The First Aid/CPR/AED program includes the following modules, any of which can be combined to form a course:

- First Aid
- CPR (Adult/Child/Infant)
- AED (Adult/Child/Infant)

The following optional modules can be taught separately or added to any course:

- Asthma Inhaler Training
- Epinephrine Auto Injector Training
- Tourniquet Application Training
- Bloodborne Pathogens Training

Certification Requirements

Classroom (instructor-led):

- Attend all class sessions.
- Participate in all course activities.
- Demonstrate competency in all required skills.
- Successfully complete the Putting It All Together Assessment Scenarios.

Blended Learning (online learning, in-person skill session):

- Complete all lessons of the online learning session and pass the online assessment with a score of at least 80 percent.
- Participate in all course activities.
- Demonstrate competency in all required skills.
- Successfully complete the Putting It All Together Assessment Scenarios.

Instructor

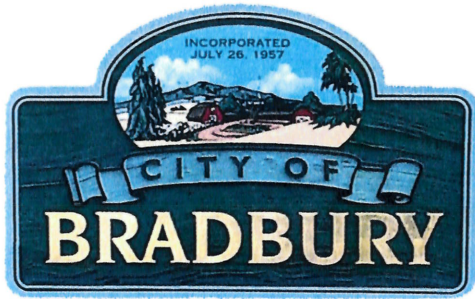
Currently certified First Aid/CPR/AED instructors and instructor trainers. Other instructors and instructor trainers qualified to teach the course after completing an orientation to the course materials are Lifeguarding and Emergency Medical Response instructors and instructor trainers.

Certificate Issued and Validity Period

All First Aid/CPR/AED certifications, with the exception of Bloodborne Pathogens Training, are valid for 2 years from the date of course completion. Bloodborne Pathogens Training certification is valid for 1 year from the date of course completion. On successful completion of a course in the First Aid/CPR/AED program, participants receive American Red Cross certification specific to the course they completed.

Participant Products/Materials (available in digital and print formats)

- *American Red Cross First Aid/CPR/AED Participant's Manual*
- *American Red Cross Adult First Aid/CPR/AED Ready Reference Card*
- *American Red Cross Pediatric First Aid/CPR/AED Ready Reference Card*



Richard Barakat, Mayor (District 3)
Richard Hale, Mayor Pro-Tem (District 1)
Elizabeth Bruny, Council Member (District 5)
Bruce Lathrop, Council Member (District 4)
Montgomery Lewis, Council Member (District 2)

City of Bradbury City Council Agenda Report

TO: Honorable Mayor and Council Members

FROM: Kevin Kearney, City Manager
By: Jim Kasama, City Planner

DATE: December 18, 2018

SUBJECT: ORDINANCE NO. 362 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY AMENDING THE BRADBURY MUNICIPAL CODE TO DEFINE AND ADD REGULATIONS FOR RESIDENTIAL CARE FACILITIES AND SUPPORTIVE AND TRANSITIONAL HOUSING, ADD A NEW DEFINITION OF MULTI-FAMILY DWELLINGS, AMEND THE ACCESSORY LIVING QUARTERS DEFINITIONS AND REGULATIONS, AND ADD REASONABLE ACCOMMODATION PROCEDURES FOR DISABLED PERSONS

AGENDA ITEM NO. 4

INTRODUCTION

A required update of the City's Housing Element of the General Plan was due October 15, 2017. A housing consultant, Karen Warner Associates, prepared the prior, 2014 Housing Element Update and will prepare the upcoming update. In preparing for the update, the consultant found that several Development Code amendments that are required by the 2014 Housing Element had not been implemented. These amendments need to be in place before the City can submit the next update to the State Department of Housing and Community Development. The amendments are as follows:

- New Definitions and Regulations for Residential Care Facilities, and Supportive and Transitional Housing
- New Definition of Multi-Family Dwelling
- Amendment of the Accessory Living Quarters Definitions and Regulations
- Addition of Reasonable Accommodation Procedures for Disabled Persons

The amendments were reviewed by the Planning Commission at their March 28th, April 25th, May 23rd, and June 27th regular meetings. At the June 27, 2018 meeting, the Planning Commission adopted Resolution No. PC 18-275 to state that the Commission

found the proposed amendments to be consistent with the Housing Element and to recommend to the City Council approval of the amendments.

The City Council considered the proposed amendments at a public hearing at the September 18, 2018 regular meeting. The Council asked the City Attorney about changes to the amendments and requested a study session to allow for in-depth reviews of the proposed amendments. A study session was held on October 9, 2018, and the Council directed staff to add several measures to the proposed amendments. Because the Council made changes to the amendments, the City of Bradbury Development Code requires that the changes be reviewed by the Planning Commission. At the November 28, 2018 regular meeting, the Planning Commission reviewed a draft of the attached Ordinance No. 362, which includes the City Council's changes to the proposed amendments. The Commission directed staff to convey to the City Council a recommendation to approve Ordinance No. 362 as drafted. Also attached is a summary of the amendments with the Council's changes shown in bold type.

ENVIRONMENTAL DOCUMENT

It is recommended that the proposed Ordinance No. 362 is exempt under the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) which states that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to review under CEQA.

CITY COUNCIL ALTERNATIVES

The City Council is to open a public hearing and solicit testimony on the proposed ordinance. At that time, the City Council will have the following choice of actions:

Option 1. Close the public hearing and determine that the proposed ordinance is to be approved as drafted with an exemption under CEQA, and approve a motion to introduce the ordinance.

Option 2. If the City Council determines that the proposed ordinance should not be introduced because additional changes are still necessary, the Council should state the specific changes that need to be added, and approve a motion to close the public hearing and refer the draft ordinance back to staff to incorporate the changes. In accordance with the Bradbury Municipal Code, the changes to the ordinance will be referred to the Planning Commission for their review and recommendation.

RECOMMENDATION

Option 1 is recommended; that the City Council approve a motion to close the public hearing, determine that the ordinance is exempt under CEQA, and introduce Ordinance No. 362.

ATTACHMENTS

Planning Commission Resolution No. PC 18-275 (without exhibits)
Draft Ordinance No. 362
Summary of Ordinance No. 362

PLANNING COMMISSION RESOLUTION NO. PC 18-275

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BRADBURY, CALIFORNIA, SETTING FORTH THE FINDINGS OF FACT AND A DECISION TO RECOMMEND TO THE CITY COUNCIL APPROVAL OF DEVELOPMENT CODE AMENDMENTS AND A GENERAL PLAN AMENDMENT IN ACCORDANCE WITH THE PROGRAMS AND POLICIES OF THE HOUSING ELEMENT WITH AN EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

WHEREAS, the California Government Code requires cities and counties to include a Housing Element as part of their General Plan and that the Housing Element be periodically updated;

WHEREAS, the General Plan Housing Element is to be periodically updated to reflect goals, policies, and programs that are designed to demonstrate the City's responsibility to participate in achieving the State's housing goals of early attainment of decent housing and a suitable living environment for every California family;

WHEREAS, the City of Bradbury adopted its most recent Housing Element Update in 2014, and obtained certification of the Update from the State of California, Housing and Community Development Department with programs that stipulate inclusionary amendments to diversity the types of housing available in the City; and

WHEREAS, the City of Bradbury Planning Commission has considered Development Code Amendments and a General Plan Amendment to implement the inclusionary amendments stipulated for the 2014 Housing Element Update.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF BRADBURY, DOES HEREBY RESOLVE, FIND, AND DETERMINE AS FOLLOWS:

SECTION A. *The Planning Commission declares that a public hearing was held at the regular meetings of March 28, 2018, and April 25, 2018, and staff was directed to draft this Resolution to forward a recommendation of approval to the City Council of the Development Code Amendments and General Plan Amendment in accordance with the programs and policies of the Housing Element;*

SECTION B. *The Planning Commission finds and declares that the information in the agenda reports, and the testimony given at the public hearing are incorporated in this Resolution and comprises the bases on which the findings have been made;*

SECTION C. *The Planning Commission finds and declares that there is consistency between the General Plan and the Development Code Amendments and General Plan Amendment, and finds and declares that the Amendments implement programs and policies of the Housing Element in furtherance of the Statewide housing goals and the housing concerns of the City.*

SECTION D. The Planning Commission finds and declares that the Development Code Amendments and General Plan Amendment are exempt under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) as there is no possibility of a significant effect on the environment.

SECTION E. The Planning Commission hereby recommends to the City Council, approval of the following Development Code Amendments and General Plan Amendment:

- New Definitions & Regulations for Residential Care Facilities, and Supportive & Transitional Housing – Exhibit 'A'
- New Definition of Multi-Family Dwelling, and Amend Accessory Living Quarters Definitions – Exhibit 'B'
- Delete Accessory Living Quarters Regulations from the Residential Zones to Avoid Inconsistencies – Exhibit 'C'
- Amend Accessory Living Quarters Regulations – Exhibit 'D'
- Add Reasonable Accommodation Procedures for Disable Persons – Exhibit 'E'
- Amend the General Plan to Add the Affordable Housing Overlay to the Civic Center Site

SECTION F. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 27th day of June, 2018.

Darlene Kuba
Chairperson

ATTEST:

Claudia Saldana
City Clerk

I, Claudia Saldana, City Clerk, hereby certify that the foregoing Resolution No. PC 18-275 was duly adopted by the Planning Commission of the City of Bradbury, California, at a regular meeting held on the 27th day of June, 2018, by the following vote:

AYES: Chairperson Kuba, Vice-Chairperson Novodor,
NOES: None Commissioners Dunst, Hernandez, Jones
ABSTAIN: None
ABSENT: None

ORDINANCE NO. 362

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF BRADBURY AMENDING THE BRADBURY
MUNICIPAL CODE TO DEFINE AND ADD REGULATIONS
FOR RESIDENTIAL CARE FACILITIES AND
SUPPORTIVE AND TRANSITIONAL HOUSING, ADD A
NEW DEFINITION OF MULTI-FAMILY DWELLINGS,
AMEND THE ACCESSORY LIVING QUARTERS
DEFINITIONS AND REGULATIONS, AND ADD
REASONABLE ACCOMMODATION PROCEDURES FOR
DISABLED PERSONS**

WHEREAS, the California Government Code requires cities and counties to include a Housing Element as part of their General Plan and that the Housing Element be periodically updated to reflect goals, policies, and programs that are designed to demonstrate that the City is responsibly participating in the achieving of the State's housing goals of early attainment of decent housing and a suitable living environment for every California family; and

WHEREAS, the City of Bradbury adopted its most recent Housing Element Update in 2014 and obtained certification of the Update from the State of California Housing and Community Development Department with goals, policies, and programs that stipulate code amendments to make available inclusionary and diversified types of housing in the City; and

WHEREAS, the Planning Commission conducted duly noticed public hearings to consider proposed changes and on May 23, 2018, adopted Resolution No. PC 18-275, a Resolution of the Planning Commission of the City of Bradbury, California, setting forth the findings of fact and a decision to recommend to the City Council approval of Development Code amendments and a General Plan amendment in accordance with the programs and policies of the Housing Element with an exemption under the California Environmental Quality Act (CEQA); and

WHEREAS, the City Council conducted a duly noticed public hearing to consider the proposed changes on September 18, 2018 at which time it requested that a study session be scheduled on the topic; and

WHEREAS, the City Council held a study session on October 9, 2018; and

WHEREAS, in accordance with Government Code Section 65857, on November 28, 2018 the Planning Commission considered the modifications that were made to the Ordinance based on the City Council study session and recommended approval; and

WHEREAS, the City Council has determined that large residential care facilities do not belong in the R-7,500 zone because of the small size of the lots, the lack of room for additional

parking on the lots, and the fact that all of the streets in the R-7,500 zone are cul-de-sac streets which also limit the amount of on-street parking;

WHEREAS, the City Council conducted a second duly noticed public hearing on December 18, 2018 to consider the changes set forth herein and to consider an exemption under the California Environmental Quality Act (CEQA).

THEREFORE, THE CITY COUNCIL OF THE CITY OF BRADBURY DOES ORDAIN AS FOLLOWS:

Section 1. Section 9.25.020 of Title IX, Part III, Chapter 25 of the Bradbury Development Code of the Bradbury Municipal Code is hereby amended by adding the following definitions:

Sec. 9.25.020. – Definitions.

Accessory Dwelling Unit (“ADU”) means an attached or detached dwelling unit, which includes kitchen facilities. An ADU is sometimes referred to as a second dwelling unit.

* * *

Bunk house means living accommodations in a single room designed to house more than two individuals who are personnel involved with the care and maintenance of the primary dwelling unit, or the associated on-site agricultural, farming or equestrian activities. Bunk houses shall include separate toilet, sink and shower facilities, but shall not include kitchen facilities.

* * *

Guest house means living accommodations for guests and visitors of the occupants of the main and/or second dwelling units. A guest house shall not include kitchen facilities. A guest house is sometimes referred to as a pool house.

* * *

Land Reclamation means the grading, excavation and/or fill of any parcel of land or tract of land as to which such operations are required to prepare the site for any use authorized by this Code and where there is an import or export of materials in excess of 10,000 cubic yards over a period of 12 consecutive months.

* * *

Multi-Family Dwelling means a detached building of two or more accessory SROs as defined herein.

* * *

Residential Care Facility, Large means any State licensed facility, place, or structure that is maintained and operated to provide non-medical residential care, day treatment, adult day care,

supportive or transitional housing, or foster agency services for seven or more adults, children, or adults and children, as defined in the California Health and Safety Code § 1502.

* * *

Residential Care Facility, Small means any State licensed facility, place, or structure that is maintained and operated to provide non-medical residential care, day treatment, adult day care, supportive or transitional housing, or foster agency services for six or fewer adults, children, or adults and children, as defined in the California Health and Safety Code § 1502.

* * *

Single-room occupancy (SRO) development means an accessory building used primarily for multi-tenant single-room occupancy units, containing two or more single-room occupancy units with a shared kitchen and laundry facilities.

Section 2. Section 9.25.020 of Title IX, Part III, Chapter 25 of the Bradbury Development Code of the Bradbury Municipal Code is hereby amended by amending the following definitions to read as follows:

Accessory living quarters means living quarters in addition to the main dwelling unit and include the following:

- (1) Single-room occupancy units (SROs);
- (2) Single-room occupancy developments;
- (3) Bunk houses;
- (4) Guest houses.

* * *

Kitchen means any room or space within a building designed, intended to be used or used for the cooking or the preparation of food. A kitchen includes a sink, refrigerator, and oven, stove top, or range.

* * *

Single room occupancy residential units (SROs) means an attached room of not more than 250 square feet of floor area, which is occupied by personnel involved with the care and maintenance of the primary dwelling unit, or the associated on-site agricultural, farming or equestrian activities as further specified in Chapter 9.85 of this Code.

* * *

Supportive housing is defined in Government Code § 65582 and means housing with no limit on length of stay, that is occupied by the target population, and that is linked to on-site or off-

site services that assist the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community.

Target population is defined in Government Code § 65582 and means persons with low incomes having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Welfare and Institutions Code § 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

Transitional housing is defined in Government Code § 65582 and means buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months from the beginning of the assistance.

Section 3. Section 9.25.020 of Title IX, Part III, Chapter 25 of the Bradbury Development Code of the Bradbury Municipal Code is hereby amended by deleting the definition of *Detached living quarters*.

Section 4. The following sections of the Bradbury Development Code of the Bradbury Municipal Code are hereby amended to read as follows:

Sec. 9.61.020. – Permitted uses.

No person shall use, nor shall any property owner permit the use of any lot classified in any R-7,500 zone for any use, other than the following:

- (1) Principal uses.
 - a. One single-family dwelling.
 - b. Open spaces.
 - c. Small residential care facility (six or fewer residents).
 - d. Supportive and transitional housing.
- (2) Accessory uses.
 - a. Accessory buildings or structures.
 - b. Accessory living quarters as allowed by Chapter 85 of this title.
 - c. Accessory dwelling units as allowed by Chapter 85 of this title.
 - d. Nursery stock, orchards, vineyards, the raising of field crops, tree, berry and bush crops, or vegetable or flower gardening; provided that no roadside stands, or sales offices shall be permitted, nor shall there be permitted any retail sale from the premises or advertising signs of any nature.
 - e. The keeping of animals as specified in Chapter 124 of this title.

f. The storage of building materials during the construction of any building or part thereof, and for a period of 30 days after construction is completed. The temporary use of portable prefabricated metal storage containers is permitted until construction is completed.

g. Not to exceed one home occupation.

h. Private garages and carports.

i. Open spaces.

j. Manufactured housing units to include mobile homes that comply with the State Housing Code and the City's design guidelines are permitted when installed on a permanent foundation.

(3) Conditional uses.

a. Land reclamation.

Sec. 9.61.040. – Development standards.

All premises in the R-7,500 zone shall comply with the following standards of development:

(1) *Required lot area.* Each lot in the R-7,500 zone shall have a minimum lot area of not less than 7,500 square feet.

(2) *Lot width.* Each lot or parcel of land in the R-7,500 zone shall have a minimum average width of not less than 60 feet.

(3) *Yards.*

a. *Front yards.* Each lot in the R-7,500 zone shall maintain a front yard area of not less than 20 feet in depth.

b. *Side yards.* Each lot in the R-7,500 zone shall maintain side yards of not less than ten feet in depth.

c. *Rear yards.* Each lot in the R-7,500 zone shall maintain a rear yard of not less than ten feet in depth.

d. *Private streets.* Notwithstanding any other provision of this chapter, no building shall be located closer than 50 feet to any private street or vehicular easement serving more than two parcels of property.

(4) *Minimum dwelling size.* Each dwelling in the R-7,500 zone, exclusive of accessory living quarters and accessory dwelling units, shall have a minimum size of 1,500 square feet. Such square footage shall be exclusive of porches and garages, or other accessory buildings attached to the dwelling.

(5) *Height limits.* No building, structure, or improvement in the R-7,500 zone shall exceed the lesser of:

a. The height approved by the Planning Commission pursuant to the ridgeline and view preservation regulations, Chapter 43, of this title, if applicable; or

b. 28 feet. To the extent that an owner of property seeks to construct a building to a greater height than the limit provided in the zone in which the property is located, relief may be granted through variance proceedings.

All measurements of height shall be made from the finished grade to the highest ridge beam and shall not include the chimneys. Chimneys shall not exceed the minimum height required by this Code or have a width larger than the minimum required for proper draft, plus a facing for the exterior of the flue.

(6) *Off-street parking.* The owner and/or person in possession of each lot or parcel of land in the R-7,500 zone shall have and maintain off-street parking facilities as required by Chapter 103 of this title.

(7) *Roof pitch.* Not more than 20 percent of the roof of any main building may have a pitch of less than 3½:12.

Sec. 9.64.020. – Permitted uses.

No person shall use, nor shall any property owner permit the use of any lot classified in any R-20,000 Zone for any use, other than the following:

(1) Principal uses.

- a. One single-family dwelling.
- b. Open spaces.
- c. Small residential care facility (six or fewer residents).
- d. Supportive and transitional housing.

(2) Accessory uses.

- a. Accessory buildings or structures.
- b. Accessory living quarters as allowed by Chapter 85 of this title.
- c. Accessory dwelling units as allowed by Chapter 85 of this title.
- d. Nursery stock, orchards, vineyards, the raising of field crops, tree, berry and bush crops, or vegetable or flower gardening; provided that no roadside stands, or sales offices shall be permitted, nor shall there be permitted any retail sale from the premises or advertising signs of any nature.
- e. The keeping of animals as specified in Chapter 124 of this title.
- f. The storage of building materials during the construction of any building or part thereof, and for a period of 30 days after construction is completed. The temporary use of portable prefabricated metal storage containers is permitted until construction is completed.
- g. Not to exceed one home occupation.
- h. Private garages and carports.
- i. Open spaces.
- j. Manufactured housing units to include mobile homes that comply with the State Housing Code and the City's design guidelines are permitted when installed on a permanent foundation.

(3) Conditional uses.

- a. Land reclamation.
- b. Large residential care facility (seven or more residents).

Sec. 9.64.040. – Development standards.

All premises in the R-20,000 zone shall comply with the following standards of development:

(1) *Required lot area.* Each lot in the R-20,000 zone shall have a minimum lot area of not less than 20,000 square feet.

(2) *Lot width.* Each lot or parcel of land in the R-20,000 zone shall have a minimum average width of not less than 80 feet.

(3) *Yards.*

a. *Front yards.* Each lot in the R-20,000 zone shall maintain a front yard area of not less than 35 feet in depth.

b. *Side yards.* Each lot in the R-20,000 zone shall maintain side yards of not less than 15 feet in depth.

c. *Rear yards.* Each lot in the R-20,000 zone shall maintain a rear yard of not less than 15 feet in depth.

d. *Private streets.* Notwithstanding any other provision of this chapter, no building shall be located closer than 50 feet to any private street or vehicular easement serving more than two parcels of property.

(4) *Minimum dwelling size.* Each dwelling in the R-20,000 zone, exclusive of accessory living quarters and accessory dwelling units, shall have a minimum size of 1,850 square feet. Such square footage shall be exclusive of porches and garages, or other accessory buildings attached to the dwelling.

(5) *Height limits.* No building, structure, or improvement in the R-20,000 zone shall exceed the lesser of:

a. The height approved by the Planning Commission pursuant to the ridgeline and view preservation regulations, Chapter 43, of this title, if applicable; or

b. 28 feet. To the extent that an owner of property seeks to construct a building to a greater height than the limit provided in the zone in which the property is located, relief may be granted through variance proceedings.

All measurements of height shall be made from the finished grade to the highest ridge beam and shall not include the chimneys. Chimneys shall not exceed the minimum height required by this Code or have a width larger than the minimum required for proper draft, plus a facing for the exterior of the flue.

(6) *Off-street parking.* The owner and/or person in possession of each lot or parcel of land in the R-20,000 zone shall have and maintain off-street parking facilities as required by Chapter 103 of this title.

(7) *Roof pitch.* Not more than 20 percent of the roof of any main building may have a pitch of less than 3½:12.

Sec. 9.67.020. – Permitted uses.

No person shall use, nor shall any property owner permit the use of any lot classified in any A-1 zone for any use, other than the following:

(1) Principal uses.

a. One single-family dwelling.

b. Open spaces.

c. Nursery stock, orchards, vineyards, the raising of field crops, tree, berry and bush crops, or vegetable or flower gardening; provided that no roadside stands, or sales offices shall be permitted, nor shall there be permitted any retail sale from the premises or advertising signs of any nature.

d. Small residential care facility (six or fewer residents).

e. Supportive and transitional housing.

(2) Accessory uses.

a. Accessory buildings or structures.

b. Accessory living quarters as allowed by Chapter 85 of this title.

- c. Accessory dwelling units as allowed by Chapter 85 of this title.
 - d. Nursery stock, orchards, vineyards, the raising of field crops, tree, berry and bush crops, or vegetable or flower gardening; provided that no roadside stands, or sales offices shall be permitted, nor shall there be permitted any retail sale from the premises or advertising signs of any nature.
 - e. The keeping of animals as specified in Chapter 124 of this title.
 - f. The storage of building materials during the construction of any building or part thereof, and for a period of 30 days after construction is completed. The temporary use of portable prefabricated metal storage containers is permitted until construction is completed.
 - g. Not to exceed one home occupation.
 - h. Private garages and carports.
 - i. Open spaces.
 - j. Manufactured housing units to include mobile homes that comply with the State Housing Code and the City's design guidelines are permitted when installed on a permanent foundation.
- (3) Conditional uses.
- a. Land reclamation.
 - b. Large residential care facility (seven or more residents).

Sec. 9.67.040. – Development standards.

All premises in the A-1 zone shall comply with the following standards of development:

- (1) *Required lot area.* Each lot in the A-1 zone shall have a minimum lot area of not less than one acre.
- (2) *Lot width.* Each lot or parcel of land in the A-1 zone shall have a minimum average width of not less than 100 feet.
- (3) *Yards.*
 - a. *Front yards.* Each lot in the A-1 zone shall maintain a front yard area of not less than 50 feet in depth.
 - b. *Side yards.* Each lot in the A-1 zone shall maintain side yards of not less than 25 feet in depth.
 - c. *Rear yards.* Each lot in the A-1 zone shall maintain a rear yard of not less than 25 feet in depth.
 - d. *Private streets.* Notwithstanding any other provision of this chapter, no building shall be located closer than 50 feet to any private street or vehicular easement serving more than two parcels of property.
- (4) *Minimum dwelling size.* Each dwelling in the A-1 zone, exclusive of accessory living quarters and accessory dwelling units, shall have a minimum size of 2,250 square feet. Such square footage shall be exclusive of porches and garages, or other accessory buildings attached to the dwelling.
- (5) *Height limits.* No building, structure, or improvement in the A-1 zone shall exceed the lesser of:
 - a. The height approved by the Planning Commission pursuant to the ridgeline and view preservation regulations, Chapter 43, of this title, if applicable; or

b. 28 feet. To the extent that an owner of property seeks to construct a building to a greater height than the limit provided in the zone in which the property is located, relief may be granted through variance proceedings.

All measurements of height shall be made from the finished grade to the highest ridge beam and shall not include the chimneys. Chimneys shall not exceed the minimum height required by this Code or have a width larger than the minimum required for proper draft, plus a facing for the exterior of the flue.

(6) *Off-street parking.* The owner and/or person in possession of each lot or parcel of land in the A-1 zone shall have and maintain off-street parking facilities as required by Chapter 103 of this title.

(7) *Roof pitch.* The roof of any building shall have a design slope of a minimum of one-eighth unit vertical in 12 units horizontal (one percent slope) as also required by the most current version of the California Building Code in effect at the time that the plans are submitted for a building permit. Mechanical equipment and appurtenances should not be located on the roof or on the exterior of the building except when necessary and, if necessary, shall be screened. Screening and/or parapets should hide equipment so as not to be visible to a passerby or from an adjacent property, including properties which may be located upslope and with a view of said roof. The approval body may require the applicant to provide documented proof of necessity.

Sec. 9.70.020. – Permitted uses.

No person shall use, nor shall any property owner permit the use of any lot classified in any A-2 zone for any use, other than the following:

(1) Principal uses.

- a. One single-family dwelling.
- b. Open spaces.
- c. Nursery stock, orchards, vineyards, the raising of field crops, tree, berry and bush crops, or vegetable or flower gardening; provided that no roadside stands, or sales offices shall be permitted, nor shall there be permitted any retail sale from the premises or advertising signs of any nature.

d. Small residential care facility (six or fewer residents).

e. Supportive and transitional housing.

(2) Accessory uses.

- a. Accessory buildings or structures.
- b. Accessory living quarters as allowed by Chapter 85 of this title.
- c. Accessory dwelling units as allowed by Chapter 85 of this title.
- d. Nursery stock, orchards, vineyards, the raising of field crops, tree, berry and bush crops, or vegetable or flower gardening; provided that no roadside stands, or sales offices shall be permitted, nor shall there be permitted any retail sale from the premises or advertising signs of any nature.
- e. The keeping of animals as specified in Chapter 124 of this title.
- f. The storage of building materials during the construction of any building or part thereof, and for a period of 30 days after construction is completed. The temporary use of portable prefabricated metal storage containers is permitted until construction is completed.
- g. Not to exceed one home occupation.
- h. Private garages and carports.

- i. Open spaces.
- j. Manufactured housing units to include mobile homes that comply with the State Housing Code and the City's design guidelines are permitted when installed on a permanent foundation.

(3) Conditional uses.

- a. Land reclamation.
- b. Large residential care facility (seven or more residents).

Sec. 9.70.040. – Development standards.

All premises in the A-2 zone shall comply with the following standards of development:

(1) *Required lot area.* Each lot in the A-2 zone shall have a minimum lot area of not less than two acres.

(2) *Lot width.* Each lot or parcel of land in the A-2 zone shall have a minimum average width of not less than 120 feet.

(3) *Yards.*

a. *Front yards.* Each lot in the A-2 zone shall maintain a front yard area of not less than 50 feet in depth.

b. *Side yards.* Each lot in the A-2 zone shall maintain side yards of not less than 25 feet in depth.

c. *Rear yards.* Each lot in the A-2 zone shall maintain a rear yard of not less than 25 feet in depth.

d. *Private streets.* Notwithstanding any other provision of this chapter, no building shall be located closer than 50 feet to any private street or vehicular easement serving more than two parcels of property.

(4) *Minimum dwelling size.* Each dwelling in the A-2 zone, exclusive of accessory living quarters and accessory dwelling units, shall have a minimum size of 2,500 square feet. Such square footage shall be exclusive of porches and garages, or other accessory buildings attached to the dwelling.

(5) *Height limits.* No building, structure, or improvement in the A-2 zone shall exceed the lesser of:

- a. The height approved by the Planning Commission pursuant to the ridgeline and view preservation regulations, Chapter 43, of this title, if applicable; or

- b. 28 feet. To the extent that an owner of property seeks to construct a building to a greater height than the limit provided in the zone in which the property is located, relief may be granted through variance proceedings.

All measurements of height shall be made from the finished grade to the highest ridge beam and shall not include the chimneys. Chimneys shall not exceed the minimum height required by this Code or have a width larger than the minimum required for proper draft, plus a facing for the exterior of the flue.

(6) *Off-street parking.* The owner and/or person in possession of each lot or parcel of land in the A-2 zone shall have and maintain off-street parking facilities as required by Chapter 103 of this title.

(7) *Roof pitch.* The roof of any building shall have a design slope of a minimum of one-eighth unit vertical in 12 units horizontal (one percent slope) as also required by the most current version of the California Building Code in effect at the time that the plans are submitted for a

building permit. Mechanical equipment and appurtenances should not be located on the roof or on the exterior of the building except when necessary and, if necessary, shall be screened. Screening and/or parapets should hide equipment so as not to be visible to a passerby or from an adjacent property, including properties which may be located upslope and with a view of said roof. The approval body may require the applicant to provide documented proof of necessity.

Sec. 9.73.020. – Permitted uses.

No person shall use, nor shall any property owner permit the use of any lot classified in any A-5 zone for any use, other than the following:

(1) Principal uses.

- a. One single-family dwelling.
- b. Open spaces.
- c. Nursery stock, orchards, vineyards, the raising of field crops, tree, berry and bush crops, or vegetable or flower gardening; provided that no roadside stands, or sales offices shall be permitted, nor shall there be permitted any retail sale from the premises or advertising signs of any nature.
- d. Small residential care facility (six or fewer residents).
- e. Supportive and transitional housing.

(2) Accessory uses.

- a. Accessory buildings or structures.
- b. Accessory living quarters as allowed by Chapter 85 of this title.
- c. Accessory dwelling units as allowed by Chapter 85 of this title.
- d. Nursery stock, orchards, vineyards, the raising of field crops, tree, berry and bush crops, or vegetable or flower gardening; provided that no roadside stands, or sales offices shall be permitted, nor shall there be permitted any retail sale from the premises or advertising signs of any nature.
- e. The keeping of animals as specified in Chapter 124 of this title.
- f. The storage of building materials during the construction of any building or part thereof, and for a period of 30 days after construction is completed. The temporary use of portable prefabricated metal storage containers is permitted until construction is completed.
- g. Not to exceed one home occupation.
- h. Private garages and carports.
- i. Open spaces.
- j. Manufactured housing units to include mobile homes that comply with the State Housing Code and the City's design guidelines are permitted when installed on a permanent foundation.

(3) Conditional uses.

- a. Land reclamation.
- b. Large residential care facility (seven or more residents).

Sec. 9.73.040. – Development standards.

All premises in the A-5 zone shall comply with the following standards of development:

- (1) *Required lot area.* Each lot in the A-5 zone shall have a minimum lot area of not less than five acres.

(2) *Lot width.* Each lot or parcel of land in the A-5 zone shall have a minimum average width of not less than 250 feet.

(3) *Yards.*

a. *Front yards.* Each lot in the A-5 zone shall maintain a front yard area of not less than 50 feet in depth.

b. *Side yards.* Each lot in the A-5 zone shall maintain side yards of not less than 25 feet in depth.

c. *Rear yards.* Each lot in the A-5 zone shall maintain a rear yard of not less than 25 feet in depth.

d. *Private streets.* Notwithstanding any other provision of this chapter, no building shall be located closer than 50 feet to any private street or vehicular easement serving more than two parcels of property.

(4) *Minimum dwelling size.* Each dwelling in the A-5 zone, exclusive of accessory living quarters and accessory dwelling units, shall have a minimum size of 2,500 square feet. Such square footage shall be exclusive of porches and garages, or other accessory buildings attached to the dwelling.

(5) *Height limits.* No building, structure, or improvement in the A-5 zone shall exceed the lesser of:

a. 28 feet, unless the Planning Commission approves a building height in excess of 28 feet;

b. 35 feet, unless the Planning Commission makes all of the following findings:

1. The proposed structure is at least 8,000 square feet in size;

2. The proposed structure does not contain more than two stories;

3. The interior ceiling height of each story is at least ten feet, zero inches;

4. The minimum roof pitch is 5:12;

5. No mechanical equipment shall be located on the roof;

6. The roof structure exceeding 28 feet in height does not contain any flat surfaces other than that which may be required for skylights or similar roof elements;

7. A gable end of a roof and any flat vertical wall surface of such roof must be designed consistent with the designated architectural style of the structure in order to exceed the 28-foot height limit of the zone;

8. The roof plane exceeding 28 feet shall be articulated or divided by dormers or similar architectural features;

9. The proposed project does not negatively impact views of mountains, valleys or ridgelines from the surrounding existing or future dwellings; and

10. The proposed project does not negatively impact the privacy of the surrounding existing or future dwellings.

All measurements of height shall be made from the finished grade to the highest ridge beam and shall not include the chimneys. Chimneys shall not exceed the minimum height required by this Code or have a width larger than the minimum required for proper draft, plus a facing for the exterior of the flue.

(6) *Off-street parking.* The owner and/or person in possession of each lot or parcel of land in the A-5 zone shall have and maintain off-street parking facilities as required by Chapter 103 of this title.

(7) *Roof pitch.* The roof of any building shall have a design slope of a minimum of one-eighth unit vertical in 12 units horizontal (one percent slope) as also required by the most current

version of the California Building Code in effect at the time that the plans are submitted for a building permit. Mechanical equipment and appurtenances should not be located on the roof or on the exterior of the building except when necessary and, if necessary, shall be screened. Screening and/or parapets should hide equipment so as not to be visible to a passerby or from an adjacent property, including properties which may be located upslope and with a view of said roof. The approval body may require the applicant to provide documented proof of necessity.

Section 5. Section 9.49.020 of Title IX, Part IV, Chapter 49 of the Bradbury Development Code of the Bradbury Municipal Code is hereby deleted.

Sec. 9.49.020. – [Deleted]

Section 6. Section 9.49.025 of Title IX, Part IV, Chapter 49 of the Bradbury Development Code of the Bradbury Municipal Code is hereby added to read as follows:

Sec. 9.49.025 – Large Residential Care Facility – Requirements.

In addition to meeting the development standards of the zone in which the large residential care facility is conditionally permitted and the requirements for a conditional use permit, such use shall meet the following additional requirements:

(1) The use shall be required to obtain a business license in accordance with Title XIII of this Code.

(2) The Care Facility shall be required to provide one additional parking space on the Property for each employee.

(3) The Care Facility shall be required to meet the parking requirements of Chapter 9.103 of the Bradbury Development Code, plus provide one additional parking space for each adult resident beyond six adult residents. All parking spaces shall be required to be provided on the property.

Section 7. Section 9.49.030 of Title IX, Part IV, Chapter 49 of the Bradbury Development Code of the Bradbury Municipal Code is hereby amended to read as follows:

Sec. 9.49.030. – Findings and decision.

Before any conditional use permit is granted, the Planning Commission shall make the following findings:

(1) That the site for the proposed use is adequate in size, shape, topography and circumstances;

(2) That the site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use;

(3) That there are sufficient utilities and capacity in the utility systems to accommodate the use;

(4) That there is sufficient parking to accommodate the use;

(5) That the use meets the requirements of the Development Code; and

(6) That the proposed use will not have an adverse effect upon the use, enjoyment or valuation of adjacent property or upon the public welfare.

Section 8. Chapter 85 of Title IX, Part V of the Bradbury Development Code of the Bradbury Municipal Code is hereby amended to read as follows:

CHAPTER 85. – ACCESSORY LIVING QUARTERS AND ACCESSORY DWELLING UNITS

Sec. 9.85.010. – Permitted.

(1) One SRO unit attached to the main dwelling and one of the following - accessory dwelling unit, guest house or bunk house, on each legally created parcel of land in the R-7,500 zone, subject to the applicable development standards of the zone and this chapter. Single-room occupancy developments are not allowed in this zone.

(2) One SRO unit attached the main dwelling, one accessory dwelling unit, and one guest house or bunk house, on each legally created parcel of land in the R-20,000 zone, subject to the applicable development standards of the zone and this chapter. Single-room occupancy developments are not allowed in this zone.

(3) One SRO unit attached to the main dwelling, one accessory dwelling unit, and one single room occupancy development, guest house or bunk house in the A-1, A-2 and A-5 zones, subject to the applicable development standards of the zone and this chapter.

Sec. 9.85.020. – Development standards for accessory living quarters.

(1) Maximum size. Accessory living quarters shall be limited to the following maximums:

Zone	Single room occupancy (SRO) unit	Single room occupancy (SRO) development	Accessory dwelling unit	Guest House or Bunk House
R-7,500	250 sq. ft.	Not permitted	1,200 sq. ft.	1,200 sq. ft.
R-20,000	250 sq. ft.	Not permitted	1,200 sq. ft.	1,200 sq. ft.
A-1	250 sq. ft.	1 unit per acre to a maximum of 3 SRO units per lot	1,500 sq. ft.	1,500 sq. ft.
A-2	250 sq. ft.	1 unit per acre to a maximum of 5 SRO units per lot	2,000 sq. ft.	2,000 sq. ft.
A-5	250 sq. ft.	1 unit per acre to a maximum of 10 SRO units per lot	2,500 sq. ft.	2,500 sq. ft.

(2) Accessory living quarters are permitted only on residential lots which are developed with a main single-family residence.

(3) Accessory living quarters, must comply with the Bradbury Residential Code, applicable at the time the plans for the building permits for the accessory living quarters are submitted.

(4) All accessory living quarters, whether attached or detached, must conform to all setback, lot coverage, floor area, and building bulk requirements of the applicable zone, and if detached, must be at least 20 feet from any other building.

(5) The maximum allowed height for a detached accessory living quarter unit or building shall not exceed 28 feet.

(6) No accessory living quarter shall exceed one-story in height.

(7) The owner of the property or the master lessor of the entire property must occupy either the main dwelling unit or an accessory living quarter unit.

(8) A minimum of one on-site parking space shall be provided for each accessory living quarter, in addition to the parking requirement for the main single-family dwelling. The parking spaces for the accessory living quarters need not be covered, except for multi-family dwellings for which the parking spaces shall be in carports. All parking spaces shall be paved and accessible from a single, common driveway for the main and accessory units. Tandem parking is not permitted to meet this off-street parking requirement.

(9) Single room occupancy ("SRO") residential units and buildings are subject to the following additional requirements:

(a) Each SRO unit shall have a minimum floor area of 150 square feet and a maximum floor area of 250 square feet.

(b) Each SRO unit shall have a private toilet in an enclosed compartment with a door and a sink and a private bathing facility including a shower.

(c) Each SRO unit shall have a separate closet.

(d) Kitchens shall not be provided in the individual SRO unit. In the case of a SRO development, common kitchen facilities, dining rooms, and laundry facilities shall be provided.

(e) Each SRO development shall have a cleaning supply room or utility closet with a wash tub with hot and cold running water.

(f) No more than two persons shall be allowed to reside in any SRO unit.

(g) SRO units shall only be occupied by house personnel involved in the care and maintenance of the primary dwelling, the premises in general, or the associated on-site, agricultural and/or equestrian activities and their family members.

(h) SRO units shall be offered for rent or occupancy in conjunction with employment on a monthly basis or longer.

Sec. 9.85.030. – Accessory Living Quarters – Neighborhood compatibility review; standards.

All development of accessory living quarters in excess of 400 square feet of enclosed floor area shall be subject to the procedures for neighborhood compatibility review and approval pursuant to Chapter 40 of this title. In addition to the standards and determinations required by Chapter 40 of this title, the following findings shall be required for approval of accessory living quarters having an enclosed floor area in excess of 400 square feet:

(1) The accessory living quarter(s) will be appropriate to the size and character of the lot on which it will be located, and to the character of the neighborhood.

(2) The accessory living quarter(s) will not overload the capacity of the neighborhood to absorb the physical and use impacts of the unit(s) in terms of parking, adequacy of water and sewer services, traffic volumes and flows, and utilities consumption.

(3) The accessory living quarter(s) will not be materially detrimental to the public health, safety and general welfare, or to the use, enjoyment or valuation of property of other persons located in the vicinity.

Sec. 9.85.040. – Accessory Dwelling Units – [Reserved]

Sec. 9.85.050. – Abatement of nonconforming uses.

No nonconforming accessory living quarter(s) or accessory dwelling unit may be expanded or remodeled by the addition of any space or addition of plumbing fixtures or cooking facilities unless it is brought into compliance with the provisions set forth in this Code prior to occupancy.

Section 9. Title IX, Part IV of the Bradbury Development Code of the Bradbury Municipal Code is hereby amended to add a Chapter 29 that is to read as follows:

CHAPTER 29 – REASONABLE ACCOMMODATION PROCEDURES FOR DISABLED PERSONS

Sec. 9.29.010. – Purpose and applicability.

(1) Purpose. The purpose of this section is to establish a procedure for disabled persons, or their representatives, to request a reasonable accommodation from the City's zoning laws, building codes, and land use regulations, policies, and procedures to provide disabled persons with an opportunity to use and enjoy housing equal to that of non-disabled persons.

(2) Who may apply. A request for a reasonable accommodation may be made by any disabled person, his or her representative, or a developer or provider of housing for disabled persons, when the application of a zoning law, building code provision, or other land use regulation, policy, or practice acts as a barrier to a disabled person's equal opportunity to use and enjoy housing.

(3) What can be requested. A request for a reasonable accommodation may include a modification to or exception from the rules, standards, or practices for the siting, development, or use of housing or housing related facilities, to allow a disabled person an equal opportunity to use and enjoy housing in accordance with the fair housing laws. Requests for a reasonable accommodation shall be made in the manner prescribed by this Chapter.

Sec. 9.29.020. – Reviewing authority.

(1) A request for a reasonable accommodation shall be reviewed by the City Manager or the City Manager's designee, unless it is related to a discretionary land use application for the same site area that requires review by the Planning Commission, in which case the Planning Commission shall be the reviewing authority. The City Manager may, in his or her discretion, refer applications to the Planning Commission for consideration.

(2) Variance not required. Where the improvements or modifications approved through a request for a reasonable accommodation would otherwise require a variance, a variance shall not be required.

Sec. 9.29.030. – Review procedure.

(1) City Manager review. The City Manager, or designee, shall consider an application and issue a written determination. At least ten calendar days before issuing a written determination on the application, the City Manager shall mail notice to the applicant and adjacent property owners that the City will be considering the application, advising of the standards for issuing an accommodation, and inviting written comments on the requested accommodation.

(2) Planning Commission review. The processing procedures for the discretionary land use application before the Planning Commission shall govern the processing of the request for a reasonable accommodation. If the reasonable accommodation is referred to the Planning Commission by the City Manager and there is no other discretionary application, then the Planning Commission shall hold a public hearing within 45 days after the application is deemed complete and shall issue a written determination within 60 calendar days after such public hearing. Written notice of a hearing to consider the application shall be mailed ten calendar days prior to the meeting to the applicant and adjacent property owners.

(3) Ability to require additional information. If the reviewing authority believes that additional information is necessary to reach a determination on any request for a reasonable accommodation, then the reviewing authority may request further information from the applicant. The reviewing authority's request shall specify in detail the requested information. In the event a request for further information is made, the applicable time period to issue a written determination shall be stayed until the applicant fully responds to the request for information. If an individual needs assistance in submitting the application for a reasonable accommodation, the City shall provide assistance to ensure that the process is accessible. The applicant and the City may agree at any time to extend the time period(s) set forth in this section.

Sec. 9.29.040. – Application submittal.

Notwithstanding any other requirements of this section, a request for a reasonable accommodation shall be made on a form supplied by the City and shall include the following information:

- (1) The applicant's or representative's name, mailing address, daytime phone number, and email address, if applicable;
- (2) The address of the property for which the request is being made;
- (3) The specific code section, regulation, procedure, or policy of the City from which relief is sought;
- (4) A site plan or illustrative drawing showing the proposed accommodation, if applicable;
- (5) An explanation of why the specified code section, regulation, procedure, or policy is denying, or will deny a disabled person equal opportunity to use and enjoy the dwelling;
- (6) The basis for the claim that the fair housing laws apply to the applicant and evidence satisfactory to the City supporting the claim, which may include a letter from a medical doctor or other licensed health care professional, a disabled license, or any other appropriate evidence;

(7) A detailed explanation of why the accommodation is reasonable and necessary to afford the disabled person an equal opportunity to use and enjoy the dwelling; and

(8) Any other information required to make the findings required by Sec. 9.29.050 of this section consistent with the fair housing laws.

(9) A reasonable accommodation does not affect or negate an individual's obligation to comply with other applicable regulations that are not the subject of the requested accommodation.

(10) No application fee shall be required to process an application for a reasonable accommodation pursuant to this section. However, application fees shall be required for any concurrent development application and any other permits that may be required to construct or otherwise implement the reasonable accommodation.

(11) While a request for a reasonable accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

Sec. 9.29.050. – Findings and conditions of approval.

Required findings. The reasonable accommodation shall be approved, with or without conditions, if the reviewing authority finds, based upon all of the evidence presented, that all of the following findings can be made:

(1) The dwelling that is the subject of the request for reasonable accommodation will be occupied by a disabled person;

(2) The requested accommodation is necessary to provide a disabled person with an equal opportunity to use and enjoy a dwelling;

(3) The requested accommodation will not impose an undue financial or administrative burden on the City, as defined in the fair housing laws; and

(4) The requested accommodation will not require a fundamental alteration to the City's zoning or building laws, policies, and/or procedures, as defined in the fair housing laws. In considering whether the accommodation would require such a fundamental alteration, the reviewing authority may consider, among other factors:

(a) Whether the requested accommodation would fundamentally alter the character of the neighborhood;

(b) Whether the requested accommodation would result in a substantial increase in traffic or insufficient parking;

(c) Whether the requested accommodation would substantially undermine any express purpose of either the City's General Plan or an applicable specific plan; and

(d) Whether the requested accommodation would create an institutionalized environment due to the number of, and distance between, facilities that are similar in nature or operation.

Sec. 9.29.060. – Decision.

(1) The reviewing authority's written decision shall set forth the findings and any conditions of approval. The decision and notice of the right to appeal shall be mailed to the applicant, and to any person having provided written comment on the application. The approval of a reasonable accommodation shall be subject to any reasonable conditions imposed on the approval that are consistent with the purposes of this section or the General Plan, or are appropriate to protect the

public health, safety, or welfare. The reviewing authority may approve an alternative reasonable accommodation that provides the applicant an opportunity to use and enjoy a dwelling equivalent to that provided by the specific accommodation requested by the applicant, where such alternative accommodation would reduce impacts to neighboring properties or the surrounding area. The written decision of the reviewing authority shall be final, unless appealed or ordered for City Council review in the manner set forth in Chapter 16 of this Development Code.

(2) Prior to the issuance of any permits related to an approved reasonable accommodation, the applicant, or property owner if different, shall record a covenant in the County Recorder's Office, in a form approved by the City Attorney, acknowledging and agreeing to comply with the terms and conditions of the approved reasonable accommodation. A reasonable accommodation is granted to an individual(s) and shall not run with the land, unless the City Manager finds, at the time of approval of the accommodation, that the modification is physically integrated with the structure and cannot feasibly be removed or altered.

Sec. 9.29.070. – Expiration and discontinuance.

(1) Expiration. Any reasonable accommodation approved in accordance with the terms of this section shall expire within 12 months from the effective date of the approval, or at an alternative time specified in the approval, unless:

- (a) A building permit has been issued and construction has commenced;
- (b) The right granted by the accommodation has been exercised; or
- (c) A time extension has been granted by the City Manager.

(2) Discontinuance. A reasonable accommodation shall lapse if the exercise of rights granted by it is discontinued for 180 consecutive days. In addition, if the disabled person for whom the reasonable accommodation was granted vacates the residence, the reasonable accommodation shall remain in effect only if:

(a) The City Manager determined pursuant to Sec. 9.29.060 that the reasonable accommodation shall run with the land, or

(b) Another disabled person who requires the accommodation to have an equal opportunity to use and enjoy the dwelling now occupies the dwelling. The City Manager may request that the person seeking to retain the accommodation provide documentation that the occupants are disabled persons and the existing accommodation is necessary for them to have an equal opportunity to use and enjoy the dwelling. Failure to provide such documentation within ten days of the date of a request by the City shall constitute grounds for discontinuance by the City of a previously approved reasonable accommodation.

Sec. 9.29.080. – Revocation or modification.

(1) If the City Manager determines that evidence could be presented to the Planning Commission that may support grounds for revocation or modification of an approved reasonable accommodation, and the City Manager believes that the Planning Commission may find that such evidence is adequate to support revocation or modification of the reasonable accommodation, then the City Manager may initiate a revocation proceeding before the Planning Commission.

(2) Upon initiation of a revocation proceeding, the Planning Commission shall hold a public hearing regarding the possible revocation or modification of the reasonable accommodation. Notice of such hearing shall be provided in the same manner as the notice

required to be provided in Sec. 9.29.030. The Planning Commission, after such hearing, may revoke or modify the reasonable accommodation if the Planning Commission determines that:

(a) There has been a change in the disabled person's use of the property or need for the reasonable accommodation that negates the basis for the approval of the reasonable accommodation;

(b) The application, or other information presented to the City in conjunction with the request for a reasonable accommodation, included false information; or

(c) Any of the conditions or terms of such approval are violated, or any law or ordinance is violated in connection therewith.

(3) Upon revocation of the reasonable accommodation, the property shall be brought into compliance with any zoning regulations or other laws, policies, or procedures from which a deviation was granted to allow the reasonable accommodation.

Section 10. CEQA. The City Council hereby determines that this Ordinance is exempt from review under the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000 et seq.), pursuant to Section 15061(b)(3) under the general rule that CEQA does not apply to activities which can be seen with certainty to have no effect on the environment.

Section 11. Severability; Continuation of Provisions. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance. The City Council of the City of Bradbury hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases hereof be declared invalid or unenforceable. To the extent the provisions of the Bradbury Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this Ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

Section 12. The City Clerk shall certify to the adoption of this Ordinance.

PASSED, APPROVED and ADOPTED this ____ day of _____, 201__.

Richard G. Barakat
Mayor

ATTEST:

Claudia Saldana
City Clerk

SUMMARY OF ORDINANCE NO. 362

Adds the following definitions to 9.25.020:

- Accessory Dwelling Unit (formerly Second Dwelling Unit)
- Bunk House – which will cover more than 2 people involved with the care and maintenance of the house or on-site activities. No kitchen facilities allowed.
- Guest House – covers living accommodations for guests/visitors. No kitchen facilities allowed.
- Land Reclamation – definition moved from other section.
- Multi-Family Dwelling – a detached building of 2 or more SROs.
- Residential Care Facility, Large
- Residential Care Facility, Small
- Single Room Occupancy (SRO) development – essentially the same as a Multi-Family dwelling

Amends the following definitions of 9.25.020

- Accessory living quarter – primary substantive difference is to remove accessory dwelling unit/second unit as these will be treated differently under state law
- Kitchen – further defines kitchen to include sink, refrigeration, and oven/stove top/range
- SRO
- Supportive Housing, Target population, Transitional housing – all amended to reference correct state Code Section

Deletes definition of detached living quarters

Uses

- The following are now specified as being allowed in all residential zones – already allowed by state law
 - Small residential care facility
 - Supportive and transitional housing
- Accessory dwelling unit called out as a separate accessory use in all residential zones – already allowed by state law
- Land reclamation called out as conditional use in all residential zones – this is just a reorganization; already allowed by other section of the Code
- **Large residential care facilities allowed as conditional use in all residential zones except R-7,500**

Development Standards

- Subsection (4) on minimum dwelling size amended to match new definitions
- Typo in 9.73.040(5) cleaned up (referenced 18 feet instead of 28 feet)

Deletes Section 9.49.020 relating to conditional uses deleted as it is now specified in the zone

Adds Section 9.49.025 – adds requirements for a Large Residential Care Facility to include business license, an additional parking space for each employee, and an additional parking space for every adult resident beyond 6 residents.

Amends Section 9.49.030 relating to findings required for a CUP – adds:

- **Sufficient utilities and capacity in the utility system**
- **Sufficient parking**
- **Use meets the requirements of the Development Code**

Amends Chapter 85 relating to Accessory Living Quarters

- **Retitles as Accessory Living Quarters and Accessory Dwelling Units – as ADUs will be subject to different requirements under State law**
- **Provides for the following:**
 - R-7,500 – one attached SRO and either an ADU or Guest House or Bunk House – no SRO Development
 - R-20,000 – one attached SRO, one ADU, and one Guest House or Bunk House – no SRO Development
 - A-1 – one attached SRO, one ADU, and one SRO development, guest house or bunk house. On SRO development – limited to 1 SRO per acre to a max. of 3 SRO units per lot
 - A-2 – one attached SRO, one ADU, and one SRO development, guest house or bunk house. On SRO development – limited to 1 SRO per acre to a max. of 5 SRO units per lot
 - A-5 – one attached SRO, one ADU, and one SRO development, guest house or bunk house. On SRO development – limited to 1 SRO per acre to a max. of 10 SRO units per lot
- **Specifies that Accessory Living Quarters can only be 1 story**
- **Requirements for SROs added**
 - 150 – 250 SF
 - **Private toilet, sink, bathing facility**
 - **Closet**
 - No kitchen in single SRO; in SRO development – shared kitchen and cleaning facility
 - Available to house personnel and family members
 - Offered for rent/occupancy in connection with employment on a monthly basis or longer
- **Adds a holding section for ADUs**

Adds Chapter 29 – Reasonable Accommodation Procedures for Disabled Persons