

# **AGENDA**

**A Special Meeting of the Bradbury City Council  
To be held on Monday, March 7, 2022  
at the Bradbury Civic Center  
600 Winston Avenue, Bradbury, CA 91008**

**7:00 PM**

*Pursuant to Governor Newsom's Executive Order N-25-20, the City is allowing Council Members, Staff and the public to participate in this City Council meeting by means of a Zoom video or telephone call. You will be able to hear the entire proceedings (other than the Closed Session) and to speak during Public Comment, Public Hearing, and other authorized times. Members of the public must maintain silence and mute their microphones and telephones except during those times. The Zoom information is: <https://us02web.zoom.us/j/82484477812>, One tap mobile +16699009128, 82484477812# or dial 1-669-900-9128 and enter code 824 8447 7812#.*

**CALL TO ORDER/ROLL CALL**

Mayor Bruny, Mayor Pro-Tem Lathrop, Councilmembers Barakat, Hale and Lewis

**PUBLIC COMMENT**

**STUDY SESSION: THE CITY COUNCIL WILL DISCUSS PLANNING MATTERS  
RELATED TO THE HOUSING ELEMENT AND DEVELOPMENT CODE**

**ADJOURNMENT**

The City Council will adjourn to a Regular Meeting at the Bradbury Civic Center,  
600 Winston Avenue, Bradbury, CA 91008 on Tuesday, March 15, 2022 at 7:00 p.m.

*"I, Claudia Saldana, City Clerk, hereby certify that I caused this agenda to be posted at the  
Bradbury City Hall entrance gate on Thursday, March 3, 2022 at 5:00 p.m."*

**CITY CLERK - CITY OF BRADBURY**



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

## **City of Bradbury City Council Agenda Report**

**TO: Honorable Mayor and Council Members**

**FROM: Jim Kasama, City Planner**

**DATE: March 7, 2022**

**SUBJECT: STUDY SESSION – PLANNING MATTERS RELATED TO THE HOUSING  
ELEMENT AND DEVELOPMENT CODE**

---

### **SUMMARY**

On February 7, 2022, the City Council met in a study session to review planning matters related to the Housing Element and other Development Code items. The agenda report for the February 7, 2022 meeting is attached. A second study session was scheduled for March 7, 2022 to continue the discussion.

### **DISCUSSION**

#### **Housing Element**

The current Housing Element (6th Cycle) is due October 15, 2022. To meet this deadline, the Housing Element consultant, Veronica Tam and Associates, Inc. outlined the schedule presented in the February 7, 2022 agenda report. The schedule will need to be updated.

Several issues were brought up at the February 7, 2022 meeting regarding changes to the Development Code that are necessary for the new Housing Element and implementation of Senate Bill 9. These changes are discussed in the attached February 25, 2022 memorandum and chart from the Assistant City Attorney.

One of the changes needed for the new Housing Element is the designation of at least one site that will allow for multiple-family housing at a density of at least 20 units per acre. The only site that can be readily designated by the City is the civic center, and this is to be done by applying the Affordable Housing Overlay Zone. This overlay zone can be applied to any residentially-zoned parcel by an owner. So far, this overlay has not been utilized. The overlay zone needs to be updated to align with current affordable housing

definitions and mandates. An ordinance for the updating of the overlay zone and the application of the overlay to the civic center should be processed concurrently with the Housing Element.

---

Another issue is the standards for Single-Room-Occupancy (SRO) Units. For these to be considered dwelling units, the State is requiring that such units have cooking facilities. The City's current standards do not allow cooking facilities. The City's definition for SROs is to be amended to allow cooking facilities.

In December, the City Council adopted Urgency Ordinance No. 380 to comply with Senate Bill 9, which requires that cities ministerially approve the development of up to two units on single-family-zoned lots and ministerially approve certain lot splits for the development of two units per lot. Proposed changes to meet these requirements are presented in the attached chart.

Other matters are the updating of the Safety Element, replacement of Urgency Ordinance No. 380 with a regular ordinance reviewed through public hearings by the Planning Commission and City Council, and the adding of family child care homes as allowed uses to the residential zones.

### **RECOMMENDATION**

It is recommended that the City Council discuss the Housing Element matters and any others that the Council wishes to raise, and direct staff as to how to proceed.

### **ATTACHMENT**

1. February 7, 2022 Agenda Report
2. February 25, 2022 Memorandum & Chart

---

# ATTACHMENT #1





*Elizabeth Bruny, Mayor (District 5)*  
*Bruce Lathrop, Mayor Pro-Tem (District 4)*  
*Richard G. Barakat, Council Member (District 3)*  
*Richard T. Hale, Jr., Council Member (District 1)*  
*D. 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: February 7, 2022**

**SUBJECT: STUDY SESSION – PLANNING MATTERS RELATED TO THE HOUSING  
ELEMENT AND DEVELOPMENT CODE**

---

### **SUMMARY**

At the January 18, 2022, Regular City Council Meeting, the Council scheduled a study session on February 7, 2022, for planning matters related to the Housing Element and other Development Code items, including a regular ordinance to replace Urgency Ordinance No. 380 (attached) that was adopted to comply with Senate Bill 9 that took effect on January 1, 2022, and other planning, land use and development code issues.

### **DISCUSSION**

#### **Housing Element**

The current Housing Element (6th Cycle) was due October 15, 2021. The State has extended this deadline to October 15, 2022. To meet this deadline, the Housing Element consultant, Veronica Tam and Associates, Inc. has outlined the following schedule:

- Administrative Draft to staff by Friday, March 11, 2022
- 30-Day Public Review of Initial Draft – Friday, March 18 to Sunday, April 17, 2022
- City Council Review of Initial Draft at the April 19 Regular Meeting
- Revise Draft based on public review and City Council review – Monday, May 2, 2022
- Submit Draft to State for 90-day Review – May 3 to August 1, 2022
- Revise Housing Element based on State comments and post for 30-day public review by Friday, September 2, 2022.

- City Council and Planning Commission to review and adopt Revised Housing Element at a Joint Special Meeting during the first week of October 2022
- Submit adopted Housing Element to State by Tuesday, October 15, 2022

A significant issue required for the new Housing Element is the designation of at least one site that will allow for multiple-family housing at a density of at least 20 units per acre. The purpose of this requirement is to enable diverse types of housing, which tends to be relatively affordable in comparison to single-family, detached housing.

Another issue is the standards for Single-Room-Occupancy (SRO) Units. For these to be considered dwelling units, the State is requiring that such units have cooking facilities. The City's current standards do not allow cooking facilities.

Concurrent with the adoption of the new Housing Element, the City is required to update its Safety Element.

#### Urgency Ordinance No. 380 and Senate Bill 9

Senate Bill 9 (SB 9) was signed by the Governor on September 16, 2021, and took effect on January 1, 2022. SB 9 added two new sections to the Government Code requiring cities to ministerially approve the development of up to two units on single-family-zoned lots and requiring cities to ministerially approve certain lot splits. The approval of such developments are subject to certain requirements, but without a local ordinance in place, those standards are based on the State legislation and not local standards. In order to have such developments comply with local standards, the City Council adopted Urgency Ordinance No. 380 at the December 21, 2021, meeting. As an urgency ordinance, it was adopted without public hearings by the Planning Commission and City Council, and should be replaced by a regular ordinance that is reviewed through public hearings.

#### Family Child Care Homes

Senate Bill 234 prohibits cities from requiring any type of zoning permit or business license for all family childcare homes for up to 14 children. This has been a requirement for many years, but the legislation now requires that these family childcare homes be considered residential uses by all local ordinances and be listed as allowed uses.

### **RECOMMENDATION**

It is recommended that the City Council discuss the above matters and any others that the Council wishes to raise, and direct staff as to how to proceed. If the City is to meet the October 15, 2022 deadline for its Housing Element, the Council will need to provide direction for the Housing Element at the February 7, 2022 meeting, or at another meeting before the end of the month.

### **ATTACHMENT**

Urgency Ordinance No. 380

## **URGENCY ORDINANCE NO. 380**

---

### **AN URGENCY ORDINANCE OF THE CITY OF BRADBURY, CALIFORNIA ADOPTING CHANGES TO TITLE IX OF THE BRADBURY MUNICIPAL CODE RELATING TO THE IMPLEMENTAION OF SENATE BILL 9 FOR THE CREATION OF URBAN LOT SPLITS AND TWO RESIDENTIAL UNITS PER LOT**

---

**WHEREAS**, on September 16, 2021 Governor Gavin Newsom approved Senate Bill 9 (SB 9, Chapter 162) relating to the creation of residential units, which requires local agencies to ministerially approve housing developments containing no more than two residential units per lot and to ministerially approve an urban lot split; and

**WHEREAS**, SB 9 takes effect on January 1, 2022; and

**WHEREAS**, SB 9 allows local agencies to impose objective zoning, subdivision, and development standards; and

**WHEREAS**, given that SB 9 was not signed into law until mid-September, there was insufficient time to process this Ordinance through noticed hearings before the Planning Commission and City Council so as to have the Ordinance in place by January 1, 2022; and

**WHEREAS**, the public is already beginning to express interest in developing under this new law and it is necessary to have standards in place by the time SB 9 becomes effective.

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

**SECTION 1.** Chapter 75 is hereby added to Part V of Title IX of the Bradbury Municipal Code to read as follows:

#### **Chapter 75. Two-unit Housing Development**

##### **Sec. 9.75.010 – Definitions.**

For purposes of this Chapter, the following definitions shall apply:

- (a) "Housing development" shall mean no more than two residential units on a lot within a single-family zone that meets the requirements of this section. The two units may consist of two new units or one new unit and one existing unit.
- (b) "Single-family residential zone" shall mean the R-7,500 Single-Family Residential Zoning District, the R-20,000 Single-Family Residential Zoning District, the A-1 Agriculture Residential Estate Zoning District, the A-2 Agriculture Residential Estate Zoning District, and the A-5 Agriculture Residential Estate Zoning District.

- (c) "Unit" shall mean any dwelling unit, including but not limited to a primary dwelling unit, an accessory dwelling unit, a junior accessory dwelling unit, or any unit created pursuant to this section.
- (d) "Urban lot split" means a lot split of a single-family residential lot into two parcels that meets the requirements of Chapter 164 of Part VII of Title IX.

#### **Sec. 9.75.020 – Housing Development Approval**

The City shall ministerially approve a housing development containing no more than two residential units if it meets the following requirements:

- (a) The parcel is located within a single-family residential zone.
- (b) The parcel is not located in any of the following areas and does not fall within any of the following categories:
  - 1. A historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city landmark or historic property or district pursuant to a city ordinance.
  - 2. Wetlands as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
  - 3. A very high fire hazard severity zone as further defined in Government Code section 65913.4(a)(6)(D). This does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.
  - 4. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law and by the city's building department.
  - 5. A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for ministerial approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that



is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met.

- i. The site has been subject to a Letter of Map Revision prepared by FEMA and issued to the city; or
  - ii. The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program as further spelled out in Government Code section 65913.4(a)(6)(G)(ii);
6. A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for ministerial approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site.
7. Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan as further spelled out in Government Code section 65913.4(a)(6)(I).
8. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
9. Lands under a conservation easement.
- (c) The proposed housing development would not require demolition or alteration of any of the following types of housing:
  1. Housing that is subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;
  2. Housing that has been occupied by a tenant in the last three years.
- (d) Unless demolition or alteration is prohibited pursuant to subsection (c) above, up to 25 percent of the existing exterior structural walls may be demolished.

### **Sec. 9.75.030 – Standards and Requirements.**

The following requirements shall apply in addition to all other objective standards pertaining to the underlying zone. In cases of conflict, the requirements set forth in this section shall prevail:

- (a) No setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.
- (b) Except for those circumstances described in subsection (a) above, for any new housing developed under this chapter, the setback from any lot line first created in an urban lot split shall not be less than four feet. The front setback shall be as set forth in the single-family residential zone.
- (c) The applicant shall provide easements for the provision of public services and facilities as required.
- (d) Driveways shall be provided in accordance with Chapter 103 of Title IX. Easements shall be provided as required to ensure pedestrian and vehicular access across lots.
- (e) Required off-street parking shall be limited to one space per unit, except that no parking shall be required if the parcel is located within one-half mile walking distance of either a high-quality transit corridor or a major transit stop, or there is a car share vehicle located within one block of the parcel. Parking spaces shall meet the following requirements:
  - 1. Parking spaces may be covered or uncovered, but must be provided in the paved portions of setback areas.
  - 2. Tandem parking between units shall be prohibited.
- (f) For residential units connected to an onsite wastewater treatment system (septic tank), the applicant provides a percolation test completed within the last 5 years, or if the percolation test has been recertified, within the last 10 years, which shows that the system meets acceptable infiltration rates.
- (g) The number of units allowed on a lot shall not exceed two.
- (h) Square footage. The square footage of any new unit built under the provisions of SB 9 shall not exceed 800 square feet.
- (i) Height. The height of a new unit shall not exceed 16 feet unless the unit is built in a previously existing permitted space above a permitted ground floor area or garage.
- (j) Secondary Living Quarters. Guest houses or bunk houses shall only be allowed in accordance with Section 9.85.030 based on the actual size of the lot,

regardless of the zone. No single-room occupancy unit shall be located on any lot developed under the provisions of this Chapter or Chapter 9.164.

- (k) If there is no existing unit on the original parcel prior to any lot split allowed pursuant to Chapter 9.164, one of the four allowed units may be built to the standards of the applicable zone

#### **Sec. 9.75.040 – Denials.**

- (a) The city shall not deny an application solely because it proposes adjacent or connected structures provided that all building code safety standards are met and they are sufficient to allow a separate conveyance.
- (b) The city may deny the housing development if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code section 65589.5(d)(2), upon the public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

#### **Sec. 9.75.050 – Affidavit Required.**

An applicant for housing under this chapter shall be required to sign an affidavit in a form approved by the City Attorney to be recorded against the property stating the following:

- (a) That the uses shall be limited to residential uses.
- (b) That the rental of any unit created pursuant to this section shall be for a minimum of thirty-one days.
- (c) That the maximum number of units to be allowed on the parcels is two, including but not limited to units otherwise allowed pursuant to density bonus provisions, accessory dwelling units, junior accessory dwelling units, and units allowed pursuant to this Chapter.
- (d) That the square footage of any new unit built under the provisions of SB 9 shall not exceed 800 square feet.

#### **Sec. 9.75.060 – Other Municipal Code Provisions**

- (a) Unless contrary to the provisions of this Chapter, all other applicable objective provisions of Title IX, including the provisions of the underlying zone, shall apply.
- (b) Notwithstanding the above, the city shall not impose any zoning or design standards that would have the effect of physically precluding the construction of two units on either of the resulting parcels under an urban lot split or that would result in a unit size of less than 800 square feet.

**SECTION 2.** Table 28-1 in Section 9.28.020 of the Bradbury Municipal Code is hereby amended by adding a new row to read as follows:

Type of Application	City Planner	Planning Commission	City Council
Two-unit Housing Development	Approval	Not Applicable	Not Applicable

**SECTION 3.** Chapter 164 is hereby added to Part VII of Title IX of the Bradbury Municipal Code to read as follows:

## **CHAPTER 164 – URBAN LOT SPLITS**

### **Sec. 9.164.010 – Definitions.**

Definitions. For purposes of this Section, the following definition shall apply:

- (a) “Urban lot split” means a lot split of a single-family residential lot into two parcels that meets the requirements of this section.

### **Sec. 9.164.020 – Urban Lot Split Approval**

The City shall ministerially approve a parcel map for a lot split that meets the following requirements:

- (a) The parcel is located within a single-family residential zone.
- (b) The parcel is located at least partially in an urbanized area or urban cluster as designated by the United States Census Bureau.
- (c) The parcel map divides an existing parcel to create no more than two new parcels of approximately equal lot area, provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel.
- (d) Both newly created parcels are no smaller than 1,200 square feet.
- (e) The parcel is not located in any of the following areas and does not fall within any of the following categories:
  - 1. A historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city landmark or historic property or district pursuant to a city ordinance.
  - 2. Wetlands as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

3. A very high fire hazard severity zone as further defined in Government Code section 65913.4(a)(6)(D). ~~This does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.~~
4. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law and by the city's building department.
5. A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:
  - i. The site has been subject to a Letter of Map Revision prepared by FEMA and issued to the city; or
  - ii. The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program as further spelled out in Government Code section 65913.4(a)(6)(G)(ii);
6. A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the City shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site.
7. Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan as further spelled out in Government Code section 65913.4(a)(6)(I).



8. ~~Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).~~
  9. Lands under a conservation easement.
- (f) The proposed lot split would not require demolition or alteration of any of the following types of housing:
    1. Housing that is subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;
    2. Housing that has been occupied by a tenant in the last three years.
  - (g) The lot split does not create more than two units as defined in Section 9.75.010 on a parcel, including any accessory dwelling units or junior accessory dwelling.

**Sec. 9.164.030 – Standards and Requirements.**

The following requirements shall apply:

- (a) The lot split conforms to all applicable objective requirements of the Subdivision Map Act and Part VII of Title IX of the Bradbury Municipal Code, except as the same are modified by this section.
- (b) No setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.
- (c) Except for those circumstances described in subsection (b) above, for any lot resulting from an urban lot split, the setback from any lot line first created in an urban lot split shall not be less than four feet. The front setback shall be as set forth in the single-family residential zone.
- (d) The applicant shall provide easements for the provision of public services and facilities as required.
- (e) If a lot does not have direct access to a street, appropriate access easements meeting the minimum size of the driveway requirements set forth in Chapter 103 of Title IX shall be provided on the tentative and parcel map.
- (f) Development of the lots shall be in accordance with Chapter 75 of Part V of Title IX of this Code.

## **Sec. 9.164.040 – Denials**

(a) The City shall not:

1. Require dedications of rights-of-way or the construction of offsite improvements for the parcels being created as a condition of issuing a parcel map.
2. Impose any objective subdivision standards that would have the effect of physically precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than 800 square feet.
3. Require the correction of nonconforming zoning provisions as a condition for the lot split.
4. Deny an application solely because it proposes an adjacent or connected structure provided that all building code safety standards are met and they are sufficient to allow a separate conveyance.

(b) The city may deny the lot split if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code section 65589.5(d)(2), upon the public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

## **Sec. 9.164.050 – Affidavit**

An applicant for an urban lot split shall be required to sign an affidavit in a form approved by the City Attorney to be recorded against the property stating the following:

- (a) That applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of approval. This requirement does not apply when the applicant is a "community land trust" or a "qualified nonprofit corporation" as the same are defined in the Revenue and Taxation Code.
- (b) That the uses shall be limited to residential uses.
- (c) That any rental of any unit created by the lot split shall be for a minimum of thirty-one days.
- (d) That the maximum number of units, as defined in Section 9.75.010, to be allowed on the parcels is two, including but not limited to units otherwise allowed pursuant to density bonus provisions, accessory dwelling units, junior accessory dwelling units, or units allowed pursuant to Chapter 75 of Part V of Title IX.

- (e) That the square footage of any new unit built under the provisions of SB 9 shall ~~not exceed 800 square feet.~~

**Sec. 9.164.060 – Inapplicability of Chapter**

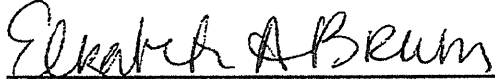
This Chapter shall not apply to:

- (a) Any parcel which has been established pursuant to a lot split in accordance with this section; or
- (b) Any parcel where the owner of the parcel being subdivided or any person acting in concert with the owner has previously subdivided an adjacent parcel in accordance with this section. For purposes of this section, "acting in concert" shall include, but not be limited to, where the owner of a property proposed for an urban lot split is the same, related to, affiliated with, or connected by partnership to the owner, buyer or seller of an adjacent lot (in each case, at any time within the last three years).

**SECTION 4.** The adoption of this Ordinance is not a project under CEQA as specified in SB 9.

**SECTION 5.** In accordance with Government Code section 36937, this Ordinance shall take effect immediately because of the need for the preservation of the public peace, health and safety as set forth in the Whereas clauses in the beginning of this Ordinance.

**PASSED, APPROVED AND ADOPTED this 21st day of December, 2021.**

  
\_\_\_\_\_  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
City Clerk

STATE OF CALIFORNIA       )  
COUNTY OF LOS ANGELES   ) §.  
CITY OF BRADBURY         )

I, Claudia Saldana, City Clerk of the City of Bradbury, do hereby certify that the foregoing ordinance, being Urgency Ordinance No. 380 was duly passed by the City Council of the City of Bradbury, signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of the City Council held on the 21<sup>st</sup> day of December, 2021, that it was duly posted, and that the same was passed and adopted by the following vote, to wit:

AYES: Mayor Bruny, MPT Lathrop, Councilmembers Barakat  
and Hale

NAYS: None

ABSENT: Councilmember Lewis

ABSTAIN: None

Claudia Saldana

Claudia Saldana  
City Clerk  
City of Bradbury

---

# ATTACHMENT #2



## MEMORANDUM

To: Mayor and City Council

CC: Kevin Kearney, City Manager  
Jim Kasama, City Planner  
Veronica Tam, Housing Consultant  
Cary Reisman, City Attorney

From: Lisa Kranitz, Assistant City Attorney

Date: February 25, 2022

Subject: Housing Workshop

---

This memo is to outline the proposed changes that will be needed for purposes of the Housing Element and to implement SB 9.

The City received a total RHNA of 41 units, broken down as follows: very low – 16; low – 9; moderate – 9; and above moderate – 7.

The proposed strategy to deal with the lower income units is two-fold:

- Amend Chapter 88 of the Development Code, Affordable Housing Overlay Zone (AHOZ), to specifically provide that the zone can be used for affordable housing at a rate of 20 – 25 dwelling units/acre. The AHOZ will be placed on the City Hall property. This was an action item of the last Housing Element, but the final step was never taken.
- Amend Chapter 85 of the Development Code relating to Secondary Living Quarters. In order to count as a permitted housing unit, a single room must be occupied as separate living quarters which means that the occupants live separately from any other individuals in the building and have direct access from the outside or from a common hall and has separate cooking/eating facilities.
  - The definition of SRO should be amended to require a separate access from outside and require a kitchenette.

- The size of an SRO should be increased to a maximum of 300 square feet (from 250 square feet) to account for the kitchen.
- 

#### Other revisions to the Development Code

---

- The concept of a “bunkhouse” will be eliminated by removing the definition of “bunkhouse” and references thereto throughout the Code. Bunkhouses do not count as residential units for RHNA because they lack individual kitchen areas.
- Allowed secondary living quarters will be amended as provided for on the attached chart.
  - Eliminate stand-alone SROs (because these can be an ADU or JADU) and move that SRO into what is allowed in an SRO development, but without any increase in total sf
  - Accessory living quarters (Guest house and SRO development) on SB 9 lot splits is ½ what is allowed on lot without a split (but with increased unit count)
  - Question – should ADUs/JADUs continue to be allowed on lots which are developed under SB 9 without a lot split?
- Create an objective standard requiring access to all lots from a street that is a minimum of 20 feet in width. And then include that this will prohibit SB 9 units on the same lots listed under Chapter 85: Furlong Lane – between Deodar and Long Canyon; Oak Knoll Lane – east of Bliss Canyon; Woodlyn Lane – between Bradbury Hill Road and El Cielo; and Bradbury Hills Road.
- Define development standards for SB 9 units.
- The Development Code also has to be amended to bring the provisions on emergency shelters, transitional housing and supportive housing into compliance with state law.

	2016	2019 – Ord. 362	2021 – Ord. 373 - CURRENT	PROPOSED Amendments based on direction	PROPOSED SB 9 – no lot split	PROPOSED SB 9 with lot split
R-7,500	Main house	Main house	Main house (1,500 sf min)	Main house (1,500 sf min)	2 units per lot limited to 800 sf each (1,600 sf total)	2 units per each lot (4 total) – limited to 800 sf each (3,200 sf total)
	SRO	SRO (250)	ADU/FZADU (1,000)	ADU/FZADU (1,000)	<del>ADU/FZADU (1,000)</del>	
		ADU, or Guest/Bunk house (1,200)	JADU (500)	JADU (500)	<del>JADU (500)</del>	
R-20,000	Main house	Main house	Main house (1,850 sf min)	Main house (1,850 sf min)	2 units per lot limited to 800 sf each (1,600 sf total)	2 units per each lot (4 total) – limited to 800 sf each (3,200 sf total)
	SRO	SRO (250)	SRO (250)	<del>SRO (250)</del>		
	Detached living quarters/guest house	ADU (1,200)	ADU/FZADU (1,000) or EADU(1,200)	ADU/FZADU (1,000) or EADU (1,200)	<del>ADU/FZADU (1,000) or EADU(1,200)</del>	
	2 <sup>nd</sup> DU	Guest/Bunk house (1,200)	JADU (500)	JADU (500)	<del>JADU (500)</del>	
A-1	Main house	Main house	Main house (2,250 sf min)	Main house (2,250 sf min)	2 units per lot limited to 800 sf each (1,600 sf total)	2 units per each lot (4 total) – limited to 800 sf each (3,200 sf total)
	SRO	SRO (250)	SRO (250)	<del>SRO (250)</del>		
	Detached living quarter/guest house	ADU (1,500)	ADU/FZADU (1,000)	ADU/FZADU (1,000)	<del>ADU/FZADU (1,000)</del>	
		SRO Development (3 units)/Guest House/Bunk house (1,500)	JADU (500)	JADU (500)	<del>JADU (500)</del>	SRO Development (2 units)/Guest house/ <del>Bunk house</del> (750 sf) per lot
	Attached/Detached 2 <sup>nd</sup> unit		SRO Development (2-3 units)/Guest house/Bunk house (1,500)	SRO Development (2-4 units)/Guest house/ <del>Bunk house</del> (1,500)	SRO Development (2-4 units)/Guest house/ <del>Bunk house</del> (1,500)	
A-2	Main house	Main house	Main house (2,500 sf min)	Main house (2,500 sf min)	2 units per lot limited to 800 sf each (1,600 sf total)	2 units per each lot (4 total) – limited to 800 sf each (3,200 sf total)
	SRO	SRO (250)	SRO (250)	<del>SRO (250)</del>		
	Detached living quarter/guest house	ADU (2,000)	ADU/FZADU (1,000)	ADU/FZADU (1,000)	<del>ADU/FZADU (1,000)</del>	
		SRO Development (5 units)/Guest House/Bunk house (2,000)	JADU (500)	JADU (500)	<del>JADU (500)</del>	SRO Development (2-3 units)/Guest house/ <del>Bunk house</del> (1,000) per lot
	Attached/Detached 2 <sup>nd</sup> unit		SRO Development (2-5 units)/Guest house/Bunk house (2,000)	SRO Development (2-6 units)/Guest house/ <del>Bunk house</del> (2,000)	SRO Development (2-6 units)/Guest house/ <del>Bunk house</del> (2,000)	
A-5	Main house	Main house	Main house (2,500 sf min)	Main house (2,500 sf min)	2 units per lot limited to 800 sf each (1,600 sf total)	2 units per each lot (4 total) – limited to 800 sf each (3,200 sf total)
	SRO	SRO (250)	SRO (250)	<del>SRO (250)</del>		
	Detached living quarter/guest house	ADU (2,500)	ADU/FZADU (1,000)	ADU/FZADU (1,000)	<del>ADU/FZADU (1,000)</del>	SRO Development (2-5 units)/Guest house/ <del>Bunk house</del> (1,250) per lot
	Attached/Detached 2 <sup>nd</sup> unit	SRO Development (10 units)/Guest House/Bunk house (2,500)	JADU (500)	JADU (500)	<del>JADU (500)</del>	
			SRO Development (2-10 units)/Guest house/Bunk house (2,500)	SRO Development (2-10 units)/Guest house/ <del>Bunk house</del> (2,500)	SRO Development (2-10 units)/Guest house/ <del>Bunk house</del> (2,500)	