

ORDINANCE NO. 333

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY ADDING A NEW CHAPTER 9.05.085 – LEMON/WINSTRON/ROYAL OAKS DRIVE NORTH OVERLAY ZONING DISTRICT TO THE MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF BRADBURY DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

CHAPTER 9.05.085 – LEMON/WINSTON/ROYAL OAKS DRIVE NORTH OVERLAY ZONE shall be added to read as follows:

9.05.085.010 – Purpose.

The purpose of this Chapter is to require a consistent street frontage treatment along Lemon and Winston Avenues and Royal Oaks Drive North, from the property addressed 2060 Royal Oaks Drive North west to the City boundary. The intent is to achieve a higher quality aesthetic appearance, as well as creating a safer traveling environment for pedestrians and cyclists along the street.

9.05.085.020 – Applicability of Lemon/Winston/Royal Oaks Drive North Overlay Zoning District.

The Lemon/Winston/Royal Oaks Drive North Overlay Zoning District applies to any and all parcels with any amount of street frontage along the identified streets at such time as the property is being considered for development pursuant to Section 9.04.030 – Architectural Review Significant. The Overlay Zone will be indicated on the Zoning Map. The provisions of this Chapter apply to proposed land uses and development in addition to all other applicable requirements of this Development Code. In the event of a perceived conflict between the provisions of this Chapter and any other provisions of the Development Code, this Chapter shall control.

9.05.085.030 – Development Standards

A. The first ten (10) feet as measured from the back of the curb or curb equivalent inward toward the property, shall remain clear and unobstructed of development features including gates, walls, fences, hedges, and raised planted areas.

B. An applicant for Architectural Review shall provide a “clear area plan” as part of the application showing how the clear area will be treated.

C. Minor incidental features such as a lamppost or a mailbox can be located in the clear area. Existing mature trees can also be considered for retention in the clear area.

D. The final approved design of the clear area is subject to the discretion of the Planning Commission, or City Council whichever is the final decision making body. Findings shall be made that the clear area meets the following goals:

1. The clear area is aesthetically favorable and designed in a consistent or compatible design with the remainder of the property;
2. The clear area creates a safer condition for a pedestrian or cyclist than existed previously.

E. Property owners in the Overlay Zone are not required to allow trespassers on their private property, other than a momentary occurrence to avert a traffic safety hazard if one arises.

SECTION 2. SEVERABILITY

If any provision, section, paragraph, sentence or word of this ordinance, or the application thereof to any person or circumstance, is rendered or declared invalid by any court of competent jurisdiction, the remaining provisions, sections, paragraphs, sentences or words of this ordinance, and their application to other persons or circumstances, shall not be affected thereby and shall remain in full force and effect and to that end the provisions of this ordinance are severable.

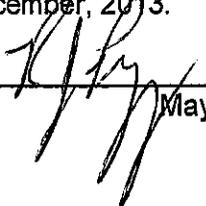
SECTION 3. EFFECTIVE DATE

The ordinance shall take effect thirty (30) days after its passage and adoption pursuant to California Government Code section 36937.

SECTION 4. CERTIFICATION.

The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published or posted according to law.

PASSED, APPROVED, AND ADOPTED, this 17th day of December, 2013.

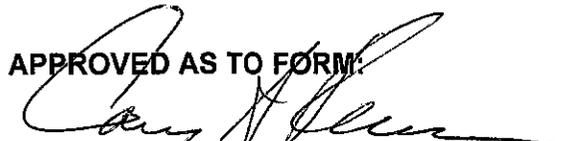


 Mayor

ATTEST:



 Claudia Saldana, City Clerk

APPROVED AS TO FORM:


 Cary Reisman, City Attorney

"I, Claudia Saldana, City Clerk, hereby certify that the foregoing ordinance, being Ordinance No. 333, was introduced at a regular meeting of the City Council of the City of Bradbury, held on the 19th day of November, 2013, and was duly passed, approved and adopted at a regular meeting of said Council, held on the 17th day of December, 2013, by the following roll call vote:

AYES: Mayor Rycz, MPT Barakat, Council members Hale, Lewis and Lathrop
 NOES: None
 ABSENT: None



 Claudia Saldana, City Clerk