

**MINUTES OF REGULAR MEETING OF THE  
PLANNING COMMISSION OF THE CITY OF BRADBURY,  
HELD ON JANUARY 27, 2010 AT 7:00 PM  
IN THE COUNCIL CHAMBERS AT CITY HALL**

- Meeting Called to Order:** The meeting of the Planning Commission of the City of Bradbury was called to order by Chairman Hernandez at 7:00 p.m.
- Pledge of Allegiance:** Chairman Hernandez led the pledge of Allegiance.
- Roll Call:** PRESENT: Chairman Hernandez, Vice-Chairman Dunst and Commissioner Kuba
- ABSENT: Commissioner Gifford
- VACANT: Commissioner, District 2
- STAFF: City Planner Meyer, City Manager Keith, City Clerk Saldana and Management Analyst Petsas
- Approval of Agenda:** Chairman Hernandez moved to approve the agenda as presented. Commissioner Dunst seconded the motion, which carried by unanimous vote.
- Approval of November Minutes:** Commissioner Kuba moved to approve the minutes of the November 18, 2009 Planning Commission meeting. Commissioner Dunst seconded the motion, which carried by unanimous vote.
- Compliance with California Political Reform Act:** In compliance with the California Political Reform Act, each Commissioner has the responsibility to disclose direct or indirect potential for a personal financial impact as a result of participation in the decision making process concerning development applications. The Commissioners disclosed the following information relative to the items contained on the agenda:
- Agenda Item 1: Zone Code Amendment NO. ZCA 09-15  
*Citywide*
- Agenda Item 2: Zone Code Amendment No. ZCA 10-16 Water Efficient Landscape Ordinance as Required by State Law  
*Citywide*
- Motion to Receive and File Staff Memo:** Commissioner Kuba made a motion to receive and file the staff memorandum dated January 27, 2010. Vice Chair Dunst seconded the motion, which carried.

**Agenda Item 1:** Zone Code Amendment NO. ZCA 09-15, regulating the development of Accessory Units and the establishment of an Overlay Zone to bring the City into compliance with the provisions of State law regarding updating the General Plan housing element.

**Housing Element update:** City Planner Meyer stated that the each city within the State of California is required to adopt a housing plan every five years that is compliant with State law. The State Department of HCD certified that the City of Bradbury Updated Housing Element of 2008 is in full compliance with the law as of October 20, 2009

**General Plan:** The City's adopted General Plan provides that the Zone Code shall implement the goals and objectives of the General Plan to include the policies set forth in the Housing Element. The proposed modifications are consistent with the goals and objectives of the adopted General Plan to include the Housing Element 2008

**Zone:** The proposed modifications of the Zone Code will be applicable to all of the City's zone districts as specified.

**Environmental Assessment:** On October 20, 2010 the City Council adopted an Environmental Negative Declaration for the Housing Element 2008. The proposed modification of the Zone Code will implement the goals and objectives set forth in the Housing Element 2008. Therefore, no additional environmental review would be required.

**Background:** The Planning Commission held public hearings on February 25, April 22, June 24, August 26, October 28, 2009 and January 27, 2010 regarding the potential amendments of the City's Zone Code that would implement the requirements of the Updated Housing Element 2008 as required by State Law.

The next step in the process of providing for affordable housing in the city of Bradbury as mandated by State Law is to amend the Zone Code to implement the goals and objectives contained in the Housing Element 2008.

## Analysis

City Planner Meyer stated that under SB 2, local governments must identify their Zone Codes within one year of adoption of their housing element in order to provide for emergency shelters and other mandated facilities to meet the housing needs of the homeless and low and moderate income persons. The identified zone(s) must permit a sufficient number of year-round emergency shelters to adequately accommodate the city's unsheltered need with the need to issue a conditional use permit or other discretionary permit. To meet these requirements the State requirements and the goals and objectives set forth in the City's Housing Element 2008, the following modifications to the Zone Code are offered:

### Title 9.03 (Definitions)

1. Single Room Occupancy Residential Dwelling Units- Units to house personnel involved in the care and maintenance of the primary dwelling or the associated on site farming activity.
2. Emergency Shelter-Housing with minimal supportive services for homeless persons that is limit to occupancy of six months or less by a homeless person
3. Transitional Housing- buildings configured as rental housing developments, but operated under different program requirements.
4. Supportive Housing-Housing with no limit on length of stay and is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing.
5. Supportive Housing Target Population-Persons as defined in the California Health and Safety Code having one or more disabilities, including mental illness, substance abuse or individuals eligible for services under the Lanterman Developmental Disabilities services act.
6. Modify Existing definition "Guest Houses or Accessory Living Structures" to define **Accessory Living Quarters**

**Overlay Zone-  
Affordable  
Housing**

It is proposed that the Zone Code be amended to create an Overlay Zone that accomplishes the following

1. Emergency Shelter- the use of single family dwelling units as emergency shelter for homeless persons with minimal support services provided
2. Transitional Housing- permits the use of single family dwelling unit or a second dwelling unit to be rented to homeless individuals or families transitioning to permanent housing
3. Supportive Housing-permits the use of a single family dwelling unit or a second dwelling unit to be rented to a member of the target population as defined by the California Health and Safety Code section 50675.14

**Section 9.05 of  
the Bradbury  
Zoning Code**

1. Section 9.05.010.020 shall be amended to add the Affordable Housing Overlay Zone.
2. R-7,500 Zone- Section 9.05.020.020 (B)(2) shall be amended to provide for one attached Accessory Living Quarters as defined in this code is permitted. Detached Accessory Living Quarters are not permitted.
3. Section 9.05.020.020 (B) Add number (9) to indicate that 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.
4. R-20,000 Zone-Section 9.05.030.020 (B)(2) shall be amended to provide for one attached Single-Room Occupancy dwelling unit as defined in this code.
5. Section 9.05.030.020(B)(3) shall be amended to provide one attached or detached second dwelling unit, guesthouse one granny house which may be permitted provided that such detached structure shall be located a minimum of 20 feet from the main dwelling unit.
6. Section 9.05.030.020(B) Add number (10) to indicate that 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.

7. A-2 Zone-Section 9.05.050.020(B)(3) shall be amended to provide for one attached Single-Room occupancy accommodation per gross acre as defined in this code
8. Section 9.05.050.020(B)(3) shall be amended to provide for one attached or detached second dwelling unit, guesthouse or granny house which may be permitted provided that such detached structure shall be located a minimum of 20 feet from the main dwelling unit.
9. Section 9.05.050.020 (B) Add number (10) to indicate that 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
10. A-5 Zone-Section 9.05.060.020(B)(2) shall be amended to provide for one attached Single-Room occupancy accommodation per gross acre as defined in this code
11. Section 9.05.060.020(B)(3) shall be amended to provide for one attached or detached second dwelling unit, guesthouse or granny house which may be permitted provided that such detached structure shall be located a minimum of 20 feet from the main dwelling unit
12. Section 9.05.060.020 (B) Add number (10) to indicate that 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.

**Off Street Parking Modifications**

To address the increased parking that will result from the creation of these new living units, staff is recommending that the following be added to the existing parking regulations:

Off Street Parking-Hillside (9.06.020.170 (B): Shall require in addition to the minimum off street parking required, provide a minimum of two uncovered off street parking spaces. The intent is to relieve parking congestion all narrow hillside streets to allow for adequate vehicle circulation.

Off Street Parking-Minimum Number (9.06.040.030): each single family unit with not more than 4 bedrooms shall provide two parking spaces located in a garage. Dwelling units with more than four bedrooms shall provide one additional off-street parking space in a garage for each increment of two additional bedrooms or rooms used for sleeping purposes.

**Accessory Living Quarters**

Amend Chapter 9.05.09 of the Zone Code to reflect the goals and objectives set forth in the Housing Element 2008

**Recommendation:** It is recommended that the Planning Commission adopt a Resolution recommending that the City Council amend various sections of the Zone Code to provide for the implementations of the goals and policies set forth in the City's updated Housing Element 2008.

**Discussion:** Chairman Hernandez asked what the overlay title would be. Planner Meyer stated that it would be "Overlay Transitional Housing Zone"

Vice-Chair Dunst asked if Floor Area Ratio would have to be increased in the Zoning Code. Planner Meyer stated no, and the commission is setting the framework for applicants to request this type of development. The City would deal with issues such as Floor Area Ratio during the plan submittal stage.

**Public Hearing Opened:** Chairman Hernandez opened the public hearing and asked those wishing to speak in favor or opposition to come forward and be heard.

**Public Testimony:** Mr. Alan DeVault, 244 Barranca, asked if this opens the door for mobile homes as units. Planner Meyer responded no.

Mr. DeVault also asked if someone was to convert their garage would they still be required to provide covered parking. Planner Meyer responded that with any conversion of the property, the property owner would still be required to provide the minimum garage parking spaces.

**Public Hearing Closed:** There being no further public testimony, Chairman Hernandez declared the public hearing closed.

**Motion:** Vice-Chair Dunst moved to adopt Resolution No. 10-201.PC, A Resolution of the Planning Commission of the City of Bradbury, California, setting forth its findings of fact and recommendation relative to State mandated requirements to comply with the General Plan Housing Element Law (SB-2). Commissioner Kuba seconded the motion, which was carried by the following roll call vote:

**Approved:** AYES: Chairman Hernandez, Vice-Chairman Dunst and Commissioner Kuba.  
NOES: None  
ABSENT: Commissioner Gifford

**City Council Meeting:** City Planner Meyer stated that this item will be on the March 2010 City Council agenda.

<b>Agenda Item #2</b>	Zone Code Amendment No. ZCA 10-16 Water Efficient Landscape Ordinance as Required by State Law
<b>Description of Project</b>	The State of California Assembly Bill 1881 (Laird) requires that cities adopt Water Efficient Landscape Ordinances that are at least as effective in conserving water as the State's Model Ordinance as promulgated by the State Department of Water resources.
<b>General Plan</b>	The City's adopted General Plan contains a Conservation Element that is designed to protect and maintain the City's natural and cultural resources and to prevent their wasteful exploitation and destruction. Regulations and policies adopted by the City to conserve natural resources are in keeping with the goals and objectives of the adopted General Plan.
<b>Zone</b>	The subject water efficient landscape regulations are applicable to all zone districts.
<b>Environmental Assessment</b>	The City Council determined that the Water Efficient Landscape Ordinance is Categorical Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to the provisions of Section 15307 (action by Regulatory Agencies for Protection of Natural Resources) of the CEQA Guidelines.
<b>Analysis</b>	<p>On December 15, 2009 the Bradbury City Council adopted Urgency Ordinance No. 313 creating Water Efficient Landscaping Regulations that became effective January 1, 2010 as required by State Law.</p> <p>The Planning Commission has been directed to review the provisions of Ordinance No. 313 to determine if such regulations are consistent with the provisions of the City's adopted General Plan.</p> <p>Ordinance No. 313 has been sent to the State Department of Water Resources for review and determination that the local regulations are in compliance with State law and the provisions of the State's Model Ordinance regarding Water Efficient Landscaping.</p>

The City Council elected to use the Chino Basin regulations as a model for the City's Water Efficient Landscape Ordinance. Any Water Efficient Landscape Ordinance adopted by a local agency, if different from the DWR Ordinance, must be found by the local agency to be at least as effective as the DWR Ordinance in conserving water. The Department of Water Resources provided the following list of findings at a workshop held October 20, 2009. Each statement of finding is accompanied with an italicized section designation for where the finding is met in the proposed ordinance

1. The Ordinance is applicable to all landscapes as identified in the applicability section of the Model Ordinance §9.06.095.040
2. The most efficient and appropriate irrigation equipment is required. §9.06.095.060
3. The necessary design plan will require the use of improved technology. §9.06.095.060
4. Irrigation scheduling shall be based on CIMIS or other reliable ETo data or soil moisture sensors. §9.06.095.060, 9.06.095.070
5. The ordinance has a Maximum Applied Water Allowance (MAWA) water budget based on ETAF of 0.7 for new and rehabilitated landscapes. §9.06.095.060
6. There is a water budget that can support an average 0.5 plant factor palette without wasting or overusing water. §9.06.095.080
7. Overspray and runoff is prohibited. §9.06.095.0130
8. The audit and maintenance sections of the proposed Ordinance meet the minimum requirements of the Model Ordinance. §9.06.095.0100
9. The landscape documentation component complies with the Model ordinance documents. §9.06.095.080
10. Plants will be grouped in hydrozones. §9.06.095.050
11. Recycled water will be required when available. §9.06.095.050, §9.06.095.0100
12. Opportunities for stormwater retention will be taken advantage of. §9.06.095.0100, §9.06.095.070
13. Mulch is required where appropriate. §9.06.095.050
14. Soils will be assessed and amended as necessary prior to planting. §9.06.095.070
15. Mechanisms are in place to ensure compliance. §9.06.095.020, §9.06.095.090

<b>Options</b>	<p>The Planning Commission may examine the following options to determine the appropriateness of the proposed Water Efficient Landscape Regulations for the City of Bradbury:</p> <ol style="list-style-type: none"> <li>1. Review the provisions of Bradbury Ordinance No. 313 and find that the ordinance is consistent with the provisions of the State Model Water Efficient Landscape regulations; and that Ordinance No. 313 is consistent with the goals and objectives of the City's adopted General Plan; or</li> <li>2. Recommend that the City Council modify the provisions of Ordinance No. 313 and find that the proposed revised Ordinance No. 313 is consistent with the goals and objectives of the City's adopted General Plan.</li> </ol>
<b>Recommendation:</b>	The Planning Department recommends that the Planning Commission select <b>Option 1</b> and adopt Resolution No. 10-201.PC
<b>Discussion:</b>	Vice-Chair Dunst asked about agricultural uses and if they were required to follow these new regulations, Planner Meyer stated that those types of uses were exempt.
<b>Public Hearing Opened</b>	Chairman Hernandez opened the public hearing and asked those wishing to speak in favor or opposition to come forward and be heard.
<b>Public Testimony:</b>	Mr. Alan DeVault, 244 Barranca Rd., asked if these new regulations would apply to existing homes. City Manager Keith responded that it applies to properties with existing landscaped areas over one (1) acre in size.
<b>Public Hearing Closed</b>	There being no further public testimony, Chairman Hernandez declared the public hearing closed.
<b>Motion:</b>	Commissioner Kuba moved to adopt Resolution No. 10-202.PC, A Resolution of the Planning Commission of the City of Bradbury, California, setting forth its findings of fact and recommendation relative to the State mandated requirements (AB 1881) regarding water efficient landscape regulations. Vice-Chair Dunst seconded the motion, which was carried by the following roll call vote:
<b>Approved</b>	<p><u>AYES:</u> Chairman Hernandez, Vice-Chairman Dunst and Commissioner Kuba.</p> <p><u>NOES:</u> None</p> <p><u>ABSENT:</u> Commissioner Gifford</p>

**Reports and  
Items for Future  
Agendas:**

Commission Members: Nothing to report.

City Manager: Discussed the extension of the Mt. Olive Trail and closure of the Lemon and Royal Oaks North trail due to storm damage.

City Planner: Planner Meyer discussed the current status of projects within the City. In addition, Planner Meyer stated that there are currently no projects scheduled for the February Planning Commission meeting

**Adjournment:**

At 8:15 p.m., Chairman Hernandez adjourned the meeting in memory of the passing of Commissioner James Ryan, to Wednesday, February 27, 2010, at 7:00 p.m. or possibly March 24, 2010

ATTEST:

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Frank Hernandez - Chairman

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Claudia Saldana-City Clerk