

ORDINANCE NO. 316

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY
AMENDING TITLES 9.03, 9.05 AND 9.06, OF THE BRADBURY ZONING
CODE RELATING TO STATE MANDATED REQUIREMENTS TO
ACCOMMODATE AFFORDABLE HOUSING

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

SECTION 1: **TITLE 9.03 (DEFINITIONS) OF THE BRADBURY ZONING CODE**

is hereby amended by adding and deleting the following definitions:

1. **Add Section 9.03.010.020(A) Accessory Living Quarters** shall mean living quarters in addition to the main dwelling unit to include the following:
 - a. **Single Room Occupancy Units (SRO's)** defined as living accommodations that may be provided to house personnel involved in the care and maintenance of the primary dwelling or the associated on-site farming activity. SRO's are also known as servant or domestic quarters, groom's quarters or pool houses.
 - b. **Second Dwelling Units** defined as attached or detached dwelling units inclusive of complete kitchen facilities. The maximum size of the permitted dwelling units shall be specified elsewhere in this code.
 - c. **Guesthouse** is defined as living accommodations that do not include complete kitchen facilities.
 - d. **Bunk Houses** designed to house individuals associated with the on-site farming activities. Such facilities shall not include complete kitchen facilities.
 - e. **Groom's Quarters** designed to house individuals associated with the on-site care of animals. Such facilities shall not include complete kitchen facilities.
 - f. **Servant or Domestic Quarters** defined as an attached single-room occupancy (SRO) dwelling that does not include kitchen facilities.
 - g. **Pool Houses** defined as an attached or detached single-room occupancy (SRO) dwelling that does not include kitchen facilities.
 - h. **Granny House** to be defined as an attached or detached dwelling unit designed for occupancy by one or two adult individuals over the age of 62 provided that such dwelling does not contain complete kitchen facilities. *(Government Code Section 65852.1)*

2. **Add Section 9.03.010.020 (E) Emergency Shelter** – defined in Section 50801 of the California Health & Safety Code as housing with minimal supportive services for homeless persons that is limited to occupancy of

six month or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

3. **Add Section 9.03.010.020 (S) Single Room Occupancy Residential Dwelling Units (SRO's)** – defined as living accommodations that may be provided to house personnel involved in the care and maintenance of the primary dwelling or the associated on-site farming activity. SRO's are also known as servant or domestic quarters, groom's quarters or pool houses.
4. **Add Section 9.03.010.020(S) - Supportive Housing** – defined in Section 50675.14 of the California Health & Safety Code as housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.
5. **Add Section 9.03.010.020(T) - Target Population, Affordable Housing** - defined in Section 50675.14(b)(2) of the California Health & Safety Code as persons with low incomes having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated youth, families, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.
6. **Add Section 9.03.010.020(T) - Transitional Housing** – defined in Section 50675.2 of the California Health & Safety Code as 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.
7. **Delete Section 9.03.010.020(G) Guest House or Accessory Living Quarters.**

SECTION 2: TITLE 9.05 (ZONING DISTRICTS AND ALLOWABLE LAND USES) is hereby amended by adding the following:

- A. **Section 9.05.010.020** (Table 2-1) shall be amended to add the Affordable Housing Overlay Zone.

- B. R-7,500 Zone - Section 9.05.020.020(B)(2) Add** “One attached Accessory Living Quarters as defined in this Code is permitted. Detached Accessory Living Quarters are not permitted”.
- C. Section 9.05.020.020(B)(9) Add** “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”.
- D. R-20,000 Zone - Section 9.05.030.020(B)(2) Add** “One attached Single-Room Occupancy (SRO) dwelling unit as defined in this Code is permitted”.
- E. Section 9.05.030.020(B)(3) Add** “One attached or detached second dwelling unit, guesthouse or granny house may be permitted provided that such detached structure shall be located a minimum of 20 feet from the main dwelling unit”.
- F. Section 9.05.030.020(B)(10) Add** “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”.
- G. A-1 Zone – Section 9.05.040.020(B)(2) Add** “One attached Single-Room Occupancy (SRO) dwelling unit as defined in this Code is permitted”.
- H. Section 9.05.040.020(B)(3) Add** “One attached or detached second dwelling unit, guesthouse or granny house may be permitted provided that such detached structure shall be located a minimum of 20 feet from the main dwelling unit”.
- I. Section 9.05.040.020(B)(10) Add** “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”.
- J. A-2 Zone - Section 9.05.050.020(B)(2) Add** “One attached Single-Room Occupancy (SRO) dwelling unit as defined in this Code per each gross acre is permitted”.
- K. Section 9.05.050.020(B)(3) Add** “One attached or detached second dwelling unit, guesthouse or granny house may be permitted provided that such detached structure shall be located a minimum of 20 feet from the main dwelling unit”.

- L. **Section 9.05.050.020(B)(10) Add** “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”.
- M. **A-5 Zone - Section 9.05.060.020(B)(2) Add** “One attached Single-Room Occupancy (SRO) dwelling unit as defined in this Code per each gross acre is permitted”.
- N. **Section 9.05.060.020(B)(3) Add** “One attached or detached second dwelling unit, guesthouse or granny house may be permitted provided that such detached structure shall be located a minimum of 20 feet from the main dwelling unit”.
- O. **Section 9.05.060.020(B)(10) Add** “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”.

SECTION 3: TITLE 9.05 (ZONING DISTRICTS AND ALLOWABLE LAND USES) is hereby amended by deleting and replacing Chapter 9.05.090 Accessory Living Quarters, to read as follows:

9.05.090.010 - Accessory Living Quarters - Permitted.

- A. One Second Dwelling unit shall be permitted on each legally created parcel of land in the R-7,500, R-20,000, A-1, A-2, and A-5 Zones, subject to the applicable development standards of the zone and this Chapter.
- B. Attached or detached guesthouses, groom’s quarters, bunk houses or pool houses suitable for living accommodations shall be permitted on each legally created parcel of land zoned A-1, A-2 or A-5 provided that not more than one accessory dwelling unit per gross acre shall be permitted.
- C. Not more than one attached Single Room Occupancy (SRO) dwelling unit such as a servant’s quarters or similar living accommodations shall be permitted on each legally created parcel of land zoned R-20,000, A-1, A-2 or A-5.
- D. Open off-street parking spaces equivalent to one open space per accessory dwelling unit shall be provided. Tandem parking shall be permitted to meet this requirement.

9.05.090.020 - Development Standards.

Second Dwelling Units shall be developed in accordance with the following standards:

A. **Second Dwelling Unit Maximum Size:**

One Second Dwelling unit is permitted on any legally created lot in each zone as follows:

	ng Unit Maximum Square Footage Permitted
R-7,500	1,200 sq. ft. (attached to main dwelling only)
R-20,000	1,200 sq. ft.
A-1	1,500 sq. ft.
A-2	2,000 sq. ft.
A-5	2,500 sq. ft.

- B. Second Dwelling units are permitted only on residential lots which are developed with a single-family residence.
- C. Accessory Living Quarters to include second dwelling units must comply with the Uniform Housing Code, Fire Code, Health and Safety Codes, applicable at the time the building permits for the Accessory Living Quarters are issued. The primary dwelling unit shall be brought into compliance with the current Building Codes prior to occupancy of the Accessory Living Quarters unit.
- D. 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.
- E. The maximum allowed height for a detached Accessory Living Quarters unit shall not exceed twenty-eight (28) feet.
- F. The owner of the property or the master lessor of the entire property must occupy either the primary dwelling unit or the Accessory Living Quarters unit.
- G. A minimum of one on-site parking space shall be provided for the Accessory Living Quarters, in addition to the parking requirement for the primary unit. The additional space need not be covered but shall be paved and accessible from a single, common driveway for both primary and

accessory units. Tandem parking is permitted to meet this off-street parking requirement

9.05.090.030 - Neighborhood Compatibility Review; Conditions.

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 9.04.050 et seq. of this Code. In addition to the standards and determinations required by Chapter 9.04.050 et seq., the following findings shall be required for approval of Accessory Living Quarters having an enclosed floor area in excess of 400 square feet.

- A. The Accessory Living Quarters unit will be appropriate to the size and character of the lot on which it will be located, and to the character of the neighborhood.
- B. The Accessory Living Quarters unit will not overload the capacity of the neighborhood to absorb the physical and use impacts of the unit in terms of parking; adequacy of water and sewer services; traffic volumes and flows; and utilities consumption.
- C. The Accessory Living Quarters unit 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.

9.05.090.040 - Abatement of Non-Conforming Uses.

No non-conforming Accessory Living Quarters 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 conditions set forth in this Chapter prior to occupancy.

SECTION 4: TITLE 9.05 (ZONING DISTRICTS AND ALLOWABLE LAND USES) is hereby amended by adding the following Chapter 9.05.100 to read as follows:

Add Chapter 9.05.100 Overlay Zone – Affordable Housing.

9.05.100.010 – Purpose.

The purpose of this Chapter is to provide opportunities and regulations for development of various dwelling units and supportive services designed to meet the needs of the affordable housing target population as defined herein. The affordable housing overlay zone provides guidance for development in addition to the standards and regulations of the primary zoning district.

9.05.100.020 – Applicability of the Affordable Housing Overlay Zone.

The affordable housing overlay zone may be assigned to any legally created parcel of land located within the various residential zones provided that such parcel of land complies with the provisions of the California Environmental Quality Act (CEQA); and that such site has adequate access and is provided with acceptable water and sewer or septic service for the intended use. In the event of any perceived conflict between the provisions of this Chapter and any other provisions of the Development Code, this Chapter shall control.

9.05.100.030 – Allowable Land Uses.

Any land use normally allowed in the primary zone district may be allowed with the affordable housing overlay zone. In addition to the uses of land permitted by the primary zone district the following uses are permitted;

- A. **Emergency Shelter** - The use of a single-family dwelling unit for emergency shelter for homeless persons with minimal supportive services may be approved by the City Manager, provided that occupancy of the emergency shelter is limited to not more than six months by any single individual; and provided that the subject property and facilities meet the following minimal development standards:
1. The site has adequate water and sewer or septic service for the intended use; and
 2. The proposed use will not impact the existing or proposed traffic flow; and
 3. Emergency shelter shall not be located closer than 300 feet from any other shelter, school, public park, or similar use; and
 4. No on-street parking will be required to meet the needs of the use and operation of the emergency shelter and such parking requirements shall be not less than required by this Code; and
 5. Not more than six homeless persons shall reside in the facility at any one time provided that the occupancy does not constitute overcrowding; and
 6. No individual shall reside in the emergency shelter for more than 180 consecutive days; and
 7. Client intake area shall not exceed 200 square feet; and
 8. The facility shall have at least one on-site manager at all times; and
 9. The facility shall be equipped with security provisions and lighting; and
 10. Client intake may be operated between the hours of 8:00 a.m. and 8:00 p.m. only; and
 11. The subject premises shall be maintained in a neat and orderly manner consistent with the neighborhood as reflected in the City's public nuisance and property maintenance standards.

- B. **Transitional Housing** – The use of a single-family dwelling unit or a second dwelling unit to be rented to homeless individuals or families transitioning to permanent housing provided that:
1. The site has adequate water and sewer or septic service for the intended use; and
 2. The proposed use will not impact the existing or proposed traffic flow; and
 3. No on-street parking will be required to meet the needs of the use and operation of the transitional home and such parking requirements shall be not less than required by this Code; and
 4. Not more than six homeless persons shall reside in the facility at any one time provided that the occupancy does do not constitute overcrowding; and
 5. The subject premises shall be maintained in a neat and orderly manner consistent with the neighborhood as reflected in the City’s public nuisance and property maintenance standards.
- C. **Supportive Housing** – The use of a single-family dwelling unit or a second dwelling unit to be rented to a member of the affordable housing target population as defined by the California Health & Safety Code Section 50675.14 provided that:
1. The site has adequate water and sewer or septic service for the intended use; and
 2. The proposed use will not impact the existing or proposed traffic flow; and
 3. No on-street parking will be required to meet the needs of the use and operation of the transitional home and such parking requirements shall be not less than required by this Code; and
 4. Occupancy does do not constitute overcrowding; and
 5. No permanent on-site supportive services shall be provided; and
 6. The subject premises shall be maintained in a neat and orderly manner consistent with the neighborhood as reflected in the City’s public nuisance and property maintenance standards.

9.05.100.040 – Development Standards.

All development standards of the primary zone district shall apply except as may be otherwise modified by this Chapter.

SECTION 5: TITLE 9.06 (SITE PLANNING AND GENERAL DEVELOPMENT STANDARDS) is hereby amended as follows:

- A. **Section 9.06.020.170(B) Hillside Parking** is to be removed and replaced to read as follows:

“Any development subject to the City’s Hillside Development Standards shall provide and maintain, in addition to the minimum off-street parking required by Section 9.06.040.030, a minimum of two (2) uncovered off-street parking spaces readily accessible from the street from which access to the site is derived. These off-street parking spaces may not be developed in tandem with the required parking spaces. The intent of this requirement is to relieve parking congestion along narrow hillside streets to allow for adequate traffic circulation and access by emergency vehicles”.

B. Section 9.06.040.030 – Number of Parking Spaces Required is to be removed and replaced to read as follows:

1. The number of off-street parking spaces required for each single-family dwelling unit containing not more than four bedrooms, shall be two parking spaces located in a garage. Dwelling units containing 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.
2. Development projects subject to the Hillside Development Standards shall require an additional two (2) uncovered off-street parking spaces.
3. Accessory dwelling units require an additional uncovered off-street parking space. This required off-street parking space or spaces may not be developed in a tandem configuration unless otherwise provided for in this Code.

SECTION 6. EFFECTIVE DATE

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

SECTION 7. 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 20 day of April, 2010.

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. 316, was introduced at a regular meeting of the City Council of the City of Bradbury, held on the 16th day of March, 2010, and was duly passed, approved and adopted at a regular meeting of said Council, held on the 20th day of April, 2010, by the following roll call vote:

AYES:

NOES:

ABSENT:

Claudia Saldana, City Clerk