



CITY COUNCIL AGENDA REPORT



DEPARTMENT: City Manager's Office

MEETING DATE: September 6, 2016

PREPARED BY: Oliver Chi, City Manager

AGENDA LOCATION: CC-7

TITLE: Letter of Support for the City of Bradbury's Request to Annex into their Jurisdiction Four (4) Parcels of Land Currently Located in the City of Monrovia

OBJECTIVE: To authorize the issuance of a letter of support regarding annexation efforts to move four parcels of land currently located in the City of Monrovia into the City of Bradbury.

BACKGROUND: On August 2, 2016, the City Council authorized staff to issue a letter of support for the annexation of four parcels currently located in Monrovia into the City of Bradbury, assuming that the following conditions were met:

- Establish an agreement to ensure that Monrovia receives compensation for lost property tax revenues
- Ensure that no home could be built on the two residentially zoned parcels that were being considered for annexation into Bradbury

For reference, the four parcels in questions are located on the eastern edge of Monrovia off of Wild Rose Avenue near Deodar Lane, and in total, the properties combine to make up 2.65 acres of land. A more detailed description of the four parcels includes the following:

- A 0.07 acre parcel (APN 8527-003-001) owned by the Bradbury Estates Association
- A vacant 0.73 acre residentially zoned parcel (APN 8527-003-002)
- A 0.10 acre parcel (APN 8527-026-023) owned by the Bradbury Estates Association
- A 1.75 acre parcel residentially zoned parcel (APN 8527-026-025)

In addition, another 0.31 acres of street right-of-way (on Wild Rose Avenue and Bradbury Road) would be annexed from Monrovia into Bradbury, if the proposed annexation process is successful.

ANALYSIS: During the past several weeks, staff has had a chance to further assess the issues at hand regarding the proposed annexation process and have received additional assurances regarding both the financial and development considerations at hand.

First, with regard to the compensation for lost property tax revenues, Bradbury has asked that Monrovia consider accepting a one-time payment of \$59,000, rather than reimburse the City \$2,920.50 / year, which is the amount in property tax revenue that Monrovia would lose in the event that the annexation

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is approved. The one-time payment amount of \$59,000 represents 20 years of property tax payments, which staff believes is a sufficient compromise, given the following factors:

- Bradbury receives a lesser property tax split amount when compared with the City of Monrovia. While Monrovia receives around \$0.17 for every dollar paid in property taxes, Bradbury receives only \$0.06 for every dollar paid, given their agreements with LA County.
- Bradbury would be taking on additional maintenance liability costs, as the proposed annexation would require Bradbury to begin maintenance of ½ of Wild Rose Avenue, which would also be annexed into the Bradbury. Combined with other roadway improvements that need to be made at the entrance location, Bradbury's engineers have estimated that their one-time pavement improvement costs will cost around \$500,000, in addition to any on-going maintenance costs.
- By giving up ½ of Wild Rose Avenue, Monrovia will experience decreased road maintenance costs in the future, which will offset the property tax reduction amounts. Wild Rose Avenue, which is in fair condition, likely needs a cape seal / slurry seal type of rehabilitation work. The typical cape seal road maintenance application costs around \$0.96 / square foot, and as part of the annexation process, Bradbury will be taking over maintenance efforts for 0.31 acres (or 13,503.6 square feet) of roads. This means Monrovia will be saving around \$12,963.46 every time a cape seal maintenance activity is performed on the segment of Wild Rose Avenue that is being annexed. In addition, cape seals / slurry seals are typically applied once every 6 – 9 years.

Next, with regard to the development potential for the properties that would be annexed into Bradbury, we have been provided with documentation that illustrates no homes can be built on the two residentially zoned parcels under consideration. The two residential parcels, if annexed into Bradbury, would be zoned as, "City of Bradbury Zoning Designation A-5 – Agriculture Residential Estate Zoning District," as illustrated by the attached resolution provided by the City of Bradbury (Attachment A). Included with that resolution are details related to development standards for the A-5 district in Bradbury, which stipulates that each lot must have a minimum lot area of at least 5 acres, and each lot must have a minimum average width of not less than 250 feet. Given this factor, the two residential lots being annexed into Bradbury (one of which is 0.73 acres in size, while the other is 1.75 acres in size) could not have any residences built on the property.

Staff believes the issues that were raised have been adequately addressed, and based on the additional analysis that has been performed, it is recommended that the City Council authorize the issuance of a letter of support for the proposed annexation (Attachment B).

FISCAL IMPACT: Monrovia currently receives \$2,920.50 / year in property tax revenues from the four parcels that are being annexed. In recognition of that loss in revenue, Bradbury would compensate the City with a one-time payment amount of \$59,000, which represents around 20 years of property tax payments.

In addition to the one-time payment, the City will also experience a decrease in street maintenance work should the annexation proceed. As part of the annexation proposal, ½ of Wild Rose Avenue in the impacted area will be annexed from Monrovia to Bradbury. This equates to a 13,503.6 square feet reduction in roadway that would have to be maintained by Monrovia. The maintenance cost for that segment of road has been estimated at \$12,963.46 once every 6 – 9 years.

When combining the one-time payment from Bradbury and the decrease in maintenance costs, there would be no net fiscal impact to Monrovia should the proposed annexation effort proceed forward.

ENVIRONMENTAL IMPACT: There is no environmental impact associated with approving a letter of support for the City of Bradbury's annexation efforts.

OPTIONS: Staff has developed the following options for City Council consideration:

1. Upon receiving formal confirmation of Bradbury's agreement to compensate the City \$59,000 for lost property tax revenues, authorize staff to issue a letter of support for the City of Bradbury's efforts to annex into their community four parcels of land currently located in the City of Monrovia.
2. Do not authorize staff to issue a letter of support for the City of Bradbury's efforts to annex into their community four parcels of land currently located in the City of Monrovia.

RECOMMENDATION: Staff recommends that the City Council select Option 1, thereby authorizing staff to issue a letter of support for the City of Bradbury's efforts to annex into their community four parcels of land currently located in the City of Monrovia after receiving formal confirmation of Bradbury's agreement to reimburse the City \$59,000 for lost property tax revenues from the annexation proceedings.

COUNCIL ACTION REQUIRED: If the City Council concurs, the appropriate action would be a motion to authorize staff to issue a letter of support for the City of Bradbury's efforts to annex into their community four parcels of land currently located in the City of Monrovia after receiving formal confirmation of Bradbury's agreement to reimburse the City \$59,000 for lost property tax revenues from the annexation proceedings.

ORDINANCE NO. 344

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, APPROVING ZONE CHANGE 16-002 - A PREZONE FOR THE BRADBURY ESTATES ANNEXATION AND ADOPTING THE CATEGORICAL EXEMPTION FOR THE PROJECT

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

SECTION 1: FINDINGS OF FACT: The City Council does hereby make the following findings of fact:

- a. On [insert date], the City of Bradbury (“applicant”) initiated an Application of Zone Change pursuant to Section 9.02.040.020A of the Bradbury Municipal Code;
- b. The project site is located on and to the east of Wildrose Avenue and Deodar Lane to the Bradbury City boundary in the City of Monrovia;
- c. The project site is located within the jurisdictional boundaries of the Bradbury Estates Community Services District and is also part of the Bradbury Estates Homeowner’s Association.
- d. The project site consists of approximately 2.34 acres of land (four parcels) contiguous to the corporate limits of the City of Bradbury, as shown in Exhibit A;
- e. The project area includes unimproved portions of two privately owned residential properties partially located and with addresses in the City of Bradbury, the roadway leading into the Bradbury Estates community, and the Bradbury Estates guard house.
- f. The surround land uses are single-family homes.
- g. The project area is currently located in the City of Monrovia and zoned “Residential Low.”
- h. Zone Change 16-002 would Prezone the project area with the City of Bradbury Zoning Designation A-5 – Agriculture Residential Estate Zoning District. The proposed Prezone designation reflects the existing development pattern in the area.
- i. The Planning Commission held a duly noticed public hearing on this issue on May 25, 2016 at 7:00 p.m. at Bradbury City Hall. At the hearing the Planning Commission received a staff report, considered the facts of the project and invited public testimony on the project.
- j. The Planning Commission adopted Resolution No. 16-### recommending that the City Council approve Prezone 16-001 and adopt Zone Change 16-002 designating four parcels as A-5.
- k. The City Council held a duly noticed public hearing on this issue on June 14, 2016. The public hearing was held at 7:00 p.m. at Bradbury City Hall. At the June 14, 2016 meeting, the City Council received a staff report, considered the facts of the project and invited public testimony on the

- project, and closed the public hearing; and
- I. All notification requirements pursuant to Section 65090 and 65091 of the Government Code of the State of California were duly followed.

SECTION 2. Based on the testimony and other evidence received at the hearing, and upon the study and investigation made by the Planning Commission on its behalf, the City Council further finds as follows:

- a. The purpose of the project is to Prezone the subject site from Monrovia Zoning Designation Residential Low to Bradbury Zoning designation A-5 – Agricultural Residential Estate (A-5).
- b. The Prezone has been reviewed for consistency with the City of Bradbury General Plan, and
- c. Public participation and notification requirements pursuant to Sections 65090 and 65091 of the Government Code of the State of California, and 9.04.020 of the Bradbury Municipal Code were duly followed.

SECTION 3. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS: Based upon the testimony and other evidence received, the City Council finds as follows:

- a. Pursuant to Section 15319 of the Guidelines, the project meets the requirements of the Class 19 categorical exemption – Annexations of Existing Facilities and Lots for Exempt Facilities.
- b. A Notice of Exemption will be filed with the Office of Planning and Research, State of California, Sacramento, California (Exhibit B.)

SECTION 4. FINDINGS FOR PREZONE. Based upon the foregoing facts and findings, the City Council hereby finds as follows:

- a. Zone Change 16-002 adopting the Prezone pertaining to the Bradbury Estates Annexation, as shown in attached Exhibit “A,” is consistent with the objectives of the Bradbury Development Code, the General Plan and the development policies of the city of Bradbury in that the proposed Prezone designations are consistent with existing land uses in the area and would not result in a substantive change to the existing zoning of the project site, as the area and the adjacent developed area is developed in compliance with the proposed zones’ development standards.

SECTION 5. 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

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. ##, was introduced at a regular meeting of the City Council of the City of Bradbury, held on the by the following roll call vote:

AYES:

NOES:

ABSENT:

Claudia Saldana, City Clerk

Chapter 9.05.060 - A-5 - Agriculture Residential Estate Zoning District

Chapter Index:

- 9.05.060.010 - Purpose of Chapter
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9.05.060.010 - Purpose of Chapter.

(Ord 316)

In order to provide for the development of single family residential areas and to maintain the integrity of existing single family residential areas within the City, the following regulations shall be applicable to all properties classified in Zone A-5.

3. 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. (Ord 316)

9.05.060.020 - 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:

A. Principal Use.

1. One single-family dwelling.
2. Open spaces
3. Nursery stock, orchards, vineyards, the raising of field crops, tree, berry and bush crops, or vegetable or flower gardening; providing 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.

4. Nursery stock, orchards, vineyards, the raising of field crops, tree, berry and bush crops, or vegetable or flower gardening; providing 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.

B. Accessory Uses.

1. Accessory buildings or structures.
2. One attached Single-Room Occupancy (SRO) dwelling unit as defined in this Code per each gross acre is permitted.

5. The keeping of animals as specified in Chapter 9.06.100 hereof.
6. The storage of building materials during the construction of any building or part thereof, and for a period of thirty (30) days after construction is completed. The temporary use of portable prefabricated metal storage containers is permitted until construction is completed.
7. Not to exceed one home occupation, as defined herein.
8. Private garages and carports.
9. Open spaces.

10. 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. (Ord 316)

9.05.060.030 – Uses Expressly Prohibited.

- A.** No use shall be permitted on any A-5 zoned lot except as expressly authorized herein.
- B.** Permanent use of portable prefabricated metal storage containers is prohibited.

9.05.060.040 - Development Standards.

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

- A. Required Lot Area.** Each lot in the A-5 Zone shall have a minimum lot area of not less than five acres.
- B. Lot Width.** Each lot or parcel of land in Zone A-5 shall have a minimum average width of not less than two hundred fifty (250) feet.
- C. Yards.**
 1. **Front Yards.** Each lot in the A-5 Zone shall maintain a front yard area of not less than fifty (50) feet in depth.
 2. **Side Yards.** Each lot in the A-5 Zone shall maintain side yards of not less than twenty-five (25) feet in depth.
 3. **Rear Yards.** Each lot in the A-5 Zone shall maintain a rear yard of not less than twenty-five (25) feet in depth.
 4. **Private Streets.** Notwithstanding any other provision of this Chapter no building shall be located closer than fifty (50) feet to any private street or vehicular easement serving more than two parcels of property.

D. Minimum Dwelling Size. Each dwelling in the A-5 Zone, exclusive of guest houses, pool houses, **servants' quarters**, or other permitted accessory dwellings, 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.

E. Height Limits. No building, structure or improvement in the A-5 Zone shall exceed the following height:

1. Twenty-eight (28) feet provided that the Planning Commission approves a building height in excess of eighteen (18) feet.
2. Thirty-five (35) feet provided that the Planning Commission makes all of the following findings:
 - a. The proposed structure is at least 8,000 square feet in size; and
 - b. The proposed structure does not contain more than two-stories; and
 - c. The interior ceiling height of each **story is at least 10'-0"**; and
 - d. The minimum roof pitch is 5:12; and
 - e. No mechanical equipment shall be located on the roof; and
 - f. 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; and
 - g. A gable-end of a roof or flat building surface does not exceed a height of 28 feet; and
 - h. The roof plane exceeding 28 feet shall be articulated or divided by dormers or similar architectural features; and
 - i. The proposed project does not

negatively impact views of mountains, valleys or ridgelines from the surrounding existing or future dwellings; and

- j. 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 the Bradbury Code or have a width larger than the minimum required for proper draft, plus a facing for the exterior of the flue.

F. Off-Street Parking. The owner and/or person in possession of each lot or parcel of land in Zone A-5 shall have and maintain off-street parking facilities as required by Chapter 9.06.040 et seq. hereof.

G. Roof Pitch. Not more than twenty (20) percent of the roof of any main building may have a pitch of less than 3 ½:12.

9.05.060.050 - Placement of Buildings and Structures.

Placement of buildings on each A-5 lot shall conform to the following:

- A.** No building or structure shall occupy any portion of a required yard or open space area, except as otherwise provided in this Article.

9.05.060.060 - Existing Uses, Exemption.

Notwithstanding any provision of this Code to the contrary, any building and/or structure located on any A-5 zoned lot:

- A.** Which was in existence under a valid building permit or for which building permits have been issued as of the date of adoption of this Code; and

- B.** Which conformed to the zoning regulations of the City in effect as of said date; and

- C.** Which would otherwise be rendered non-conforming solely by reason of the application thereto of this chapter hereof, shall not be deemed to have acquired a non-conforming status, within the meaning of Section 9.03.010.020(N) hereof, provided:

1. That any new use, building or structure, proposed to be located on such lot shall comply with all of the regulations contained in this Code as to such proposed new use, building or structure; and
2. That the exemption granted hereunder shall not apply to any building or structure which is damaged or destroyed, by any cause, to the extent that the cost of reconstruction or rehabilitation thereof would exceed an amount equal to the assessed value of such building or structure, as estimated by the City's Building Official, for building permit purposes.

9.05.060.070 - Additions to a Nonconforming Building or Structure.

Additions may be made to a nonconforming building or structure which is not in violation of any provisions of this Code and is nonconforming only because it does not meet the following standards of development as provided herein:

- A. Yards** provided such addition or expansion is developed pursuant to the setback standards that were in existence at the time of the construction of the existing building or structure and providing that such addition or expansion does not expand the degree of nonconformity.

- B. Access** and paving width of access drives provided such addition or expansion shall be developed pursuant to the vehicle parking

standards of this Code. Where the amount of parking provided prior to such addition is sufficient to comply with said provisions after such expansion it shall be deemed to comply with this subsection.