



## PLANNING COMMISSION

Darren Smith, Chairman

Juan Tavares, Vice-Chairman

Eugene Bumbera      George A. Marquez

Jay Goyal      Robert Palacio      Kevan Hutchinson

**AGENDA  
PLANNING COMMISSION  
REGULAR MEETING  
WEDNESDAY, JUNE 2, 2021 AT 5:30 P.M.  
CITY OF BRAWLEY COUNCIL  
CHAMBERS 383 W. MAIN STREET  
BRAWLEY, CALIFORNIA**

**This meeting will be broadcast live at <https://www.facebook.com/cityofbrawley> .**

**1. CALL TO ORDER / ROLL CALL**

**2. APPROVE AGENDA**

**3. PUBLIC APPEARANCES**

The Planning Commission encourages citizen participation on all matters presented for their consideration. The Planning Commission does not take action on items presented under Public Appearances.

As the Planning Commission is observing social distancing protocols as recommended, social distancing and facemask will be required. Should a member of the public wish to provide verbal or written public comments prior to the meeting, please submit written comments via email to [amontano@brawley-ca.gov](mailto:amontano@brawley-ca.gov) or contact the Planning Division Office at 760/344.8822.

**4. VAR 21-02 682 16<sup>th</sup> Street**

A variance (VAR 21-02) was submitted by property owners Joseph and Maria Ramirez on property located at 682 16th Street. The variance to allow for a room addition to an existing residence in the required side yard setback.

Property Owner:      Joseph and Maria Ramirez

Legal Description:      Lot 13 of Block 3 Fiesta Valle Subdivision Tract 849,  
City of Brawley, County of Imperial, State of California,  
APN 047-453-013

**5. VAR 21-03 980 Birch Circle**

A variance (VAR 21-03) was submitted by Laura Avina & Gernando Garcia Escobedo on property located at 980 Birch Circle. The variance to allow for a room addition to an existing residence in the required side yard setback.

Property Owner: Joseph and Maria Ramirez

Legal Description: Lot 66 Parkside Estates Subdivision Unit No. 2  
City of Brawley, County of Imperial, State of California,  
APN 046-344-001

**6. HOUSING ELEMENT UPDATE WORKSHOP**

**7. NEXT MEETING DATE**

**8. ADJOURNMENT**

Supporting documents are available for public review in the Community Development Services office, 205 S. Imperial Avenue, Brawley, CA 92227 Monday through Friday, during regular posted business hours.

**STAFF REPORT**

**Variance #:** VAR 21-02

**Property Owner(s):** Joseph and Maria Ramirez

**Legal Description:** Lot 13 of Block 3 Fiesta Valle Subdivision Tract 849, City of Brawley, County of Imperial, State of California, APN 047-453-013

**Location:** 682 16th Street

**Area:** 0.21 Acres (9309 Square Feet)

**Zoning:** R-1 (Residential Single Family)

**Existing Use:** Single Family Dwelling

**Proposed Use:** Add a room to an existing residence

**Surrounding Land Uses:**

<b>North -</b>	R-1 Residential Single Family
<b>South -</b>	R-1 Residential Single Family
<b>East -</b>	R-1 Residential Single Family
<b>West-</b>	C-1 Neighborhood Commercial

**General Plan Designation:** Low Density Residential

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383 W. MAIN STREET  
BRAWLEY, CALIFORNIA**

**Variance: VAR 21-02**

**General Information:**

The applicant is requesting a variance to allow for a room to an existing residence in the required side yard setback. The property is currently zoned R-1 (Residential Single Family) and requires a 10 foot setback on corner lots. There are no zoning conditions currently imposed on this property.

**Information to the Commission:**

**Staff Recommendation:**

The Planning Department recommends of this variance request with the following condition(s):

1. The applicant shall obtain an encroachment permit from the Department of Public Works for any new, altered or unpermitted driveways necessary to access each of the parcels from a public street.
2. The applicant shall obtain a tax certificate from the County Tax Collector.
3. The applicant shall pay all fees associated with review and approval of the site plan, parcel map, and variance.
4. The applicant shall defend, indemnify, and hold harmless the City of Brawley, or its agents, officers and employees from any claim, action or proceedings against the City or its agents, officers, or employees to attack, set aside, void or annul, an approval by the Planning Commission or City Council concerning the subdivision. The City of Brawley shall promptly notify the applicant of any claim, action or proceedings and shall cooperate fully in the defense.
5. Any person or party who succeeds to the interest of the present owner by sale, assignment, transfer, conveyance, exchange or other means shall be bound by the conditions of approval.
6. Provide sewer and water, curb and gutter, sidewalks and other improvements to City standards before City issues certificate of occupancy for any structure for each parcel.

The recommendation is based on the following findings:

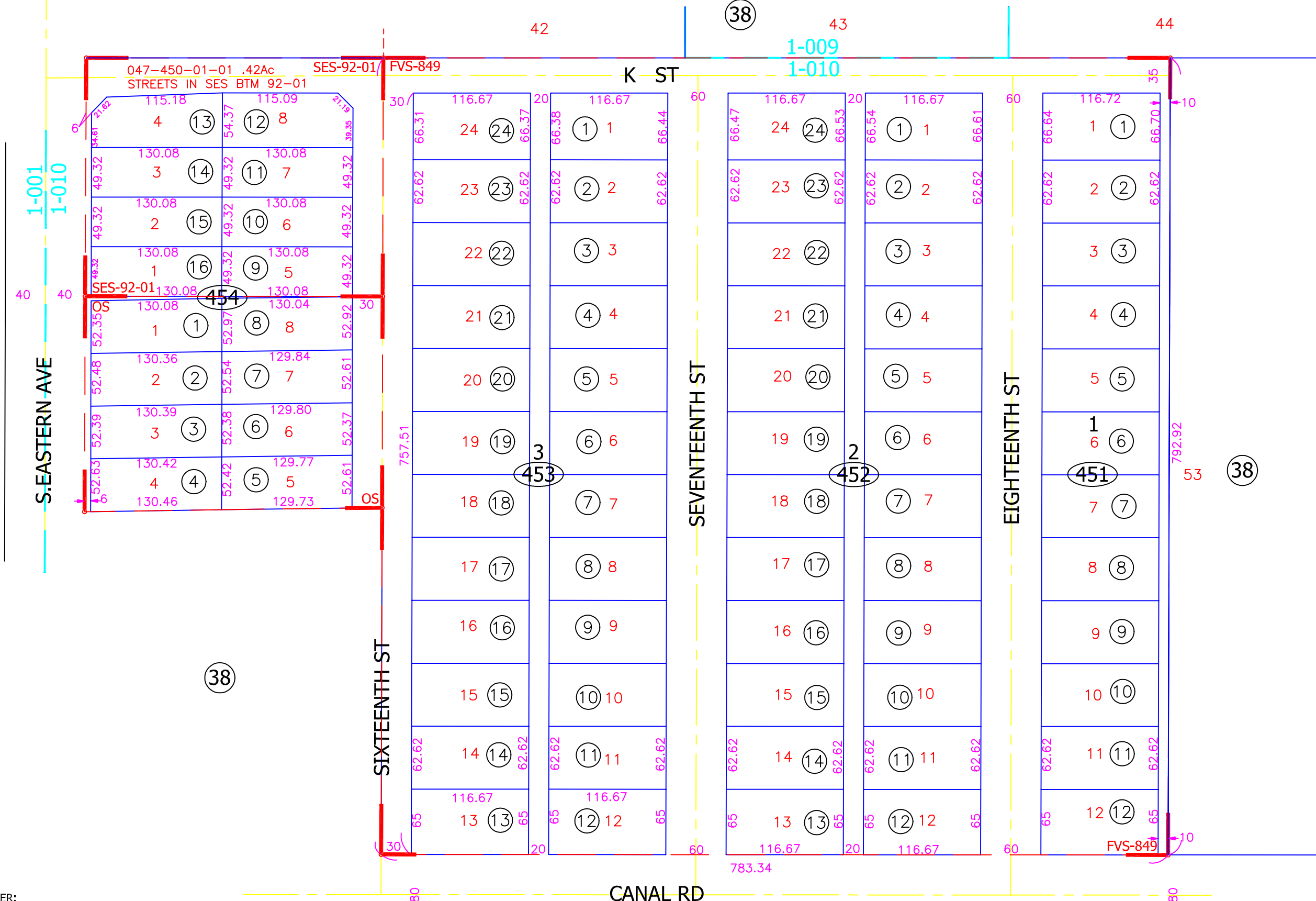
1. The proposal is exempt from CEQA pursuant to Section 15301(e).
2. The location of the project and surrounding land uses make it unlikely the project will cause significant environmental impacts.
3. The lot variance does not grant special privileges to the proponent.
4. Granting of the variance will not be detrimental to the public welfare or detrimental to the health and safety of the residents of the City of Brawley.
5. The variance is consistent with the character of the area for that type of land use.

**The Brawley General Plan Land Use Map** designates this property for **Low Density Residential** land uses.

R-1 (Residential Single Family) zoning permits Add a room to an existing residence by variance.

**ATTACHMENT:** Location Map; *Parcel Map*; *Site Plan*.

**NOTE TO THE PROPERTY OWNER:** PLANNING COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (760) 344-8822.



3-26-97 RM  
 4-13-95 LS  
 8-6-82 LS  
 From 47-38  
 8-21-79 DM  
 6-6-91 LS

**DISCLAIMER:**  
 THIS IS NOT AN OFFICIAL MAP.  
 THIS MAP WAS CREATED FOR THE IMPERIAL COUNTY  
 ASSESSOR, FOR THE SOLE PURPOSE OF AIDING IN  
 THE PERFORMANCE OF THE DUTIES OF THE ASSESSOR.  
 ANY ERRORS OR OMISSIONS IN THIS MAP ARE NOT  
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 OR THE ASSESSOR. (REV. & TAX. CODE SEC.327)

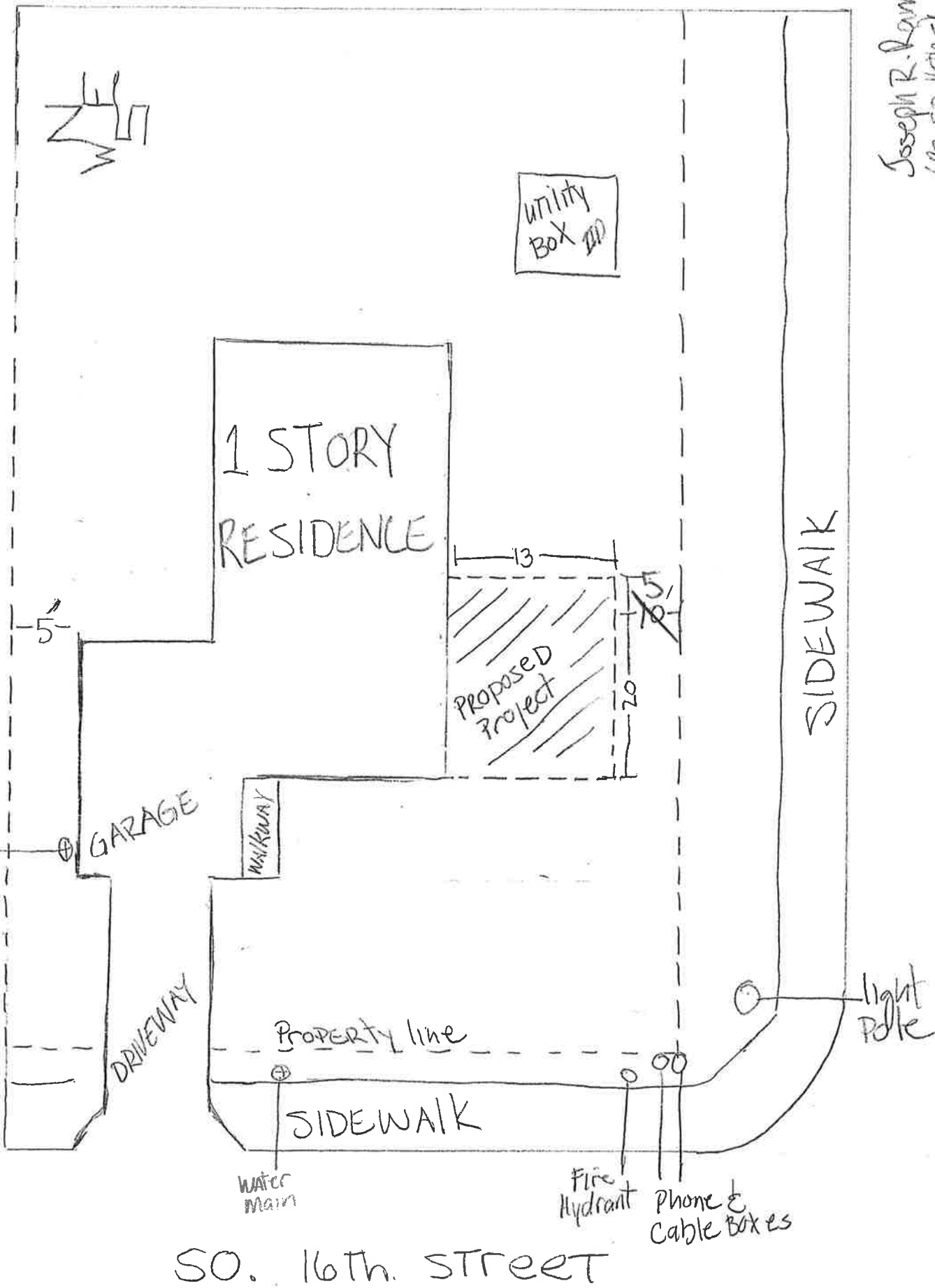
047-450-01-01 STREETS IN SES BTM 92-01

1-010  
 56-000  
 Bk.49  
 Pg.27



A J J W X

Joseph R. Ramirez  
682 So. 16th St.  
Brawley, Ca. 92227  
760-550-0452



W CANAL ST - MALAN E

SO. 16th Street

**STAFF REPORT**

**Variance #:** VAR 21-03

**Property Owner(s):** Laura Avina & Gernando Garcia Escobedo

**Applicant(s):** Gabriel Rodriguez

**Representative(s):** Same

**Legal Description:** Lot 66 Parkside Estates Subdivision Unit No. 2  
City of Brawley, County of Imperial, State of  
California, APN 046-344-001

**Location:** 980 Birch Circle

**Area:** 0.17 Acres (7455 Square Feet)

**Zoning:** R-1 (Residential Single Family)

**Existing Use:** Single Family Dwelling

**Proposed Use:** Add a room to an existing residence

**Surrounding Land Uses:**

<b>North -</b>	R-1 Residential Single Family
<b>South -</b>	R-1 Residential Single Family
<b>East -</b>	R-1 Residential Single Family
<b>West-</b>	R-1 Residential Single Family

**General Plan Designation:** Low Density Residential

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CITY OF BRAWLEY COUNCIL CHAMBERS  
383 W. MAIN STREET  
BRAWLEY, CALIFORNIA**

**Variance: VAR 21-03**

**General Information:**

The applicant is requesting a variance to allow for a room addition to an existing residence in the required side yard setback. The property is currently zoned R-1 (Residential Single Family). We have previously approved a similar variance in the same subdivision at 799 Maple Court. There are no zoning conditions currently imposed on this property.

**Staff Recommendation:**

The Planning Department recommends of this variance request with the following condition(s):

1. The applicant shall obtain an encroachment permit from the Department of Public Works for any new, altered or unpermitted driveways necessary to access each of the parcels from a public street.
2. The applicant shall obtain a tax certificate from the County Tax Collector.
3. The applicant shall pay all fees associated with review and approval of the site plan, parcel map, and variance.
4. The applicant shall defend, indemnify, and hold harmless the City of Brawley, or its agents, officers and employees from any claim, action or proceedings against the City or its agents, officers, or employees to attack, set aside, void or annul, an approval by the Planning Commission or City Council concerning the subdivision. The City of Brawley shall promptly notify the applicant of any claim, action or proceedings and shall cooperate fully in the defense.
5. Any person or party who succeeds to the interest of the present owner by sale, assignment, transfer, conveyance, exchange or other means shall be bound by the conditions of approval.
6. Provide sewer and water, curb and gutter, sidewalks and other improvements to City standards before City issues certificate of occupancy for any structure for each parcel.

The recommendation is based on the following findings:

1. The proposal is exempt from CEQA pursuant to Section 15301(e).
2. The location of the project and surrounding land uses make it unlikely the project will cause significant environmental impacts.
3. The lot variance does not grant special privileges to the proponent.
4. Granting of the variance will not be detrimental to the public welfare or detrimental to the health and safety of the residents of the City of Brawley.
5. The variance is consistent with the character of the area for that type of land use.

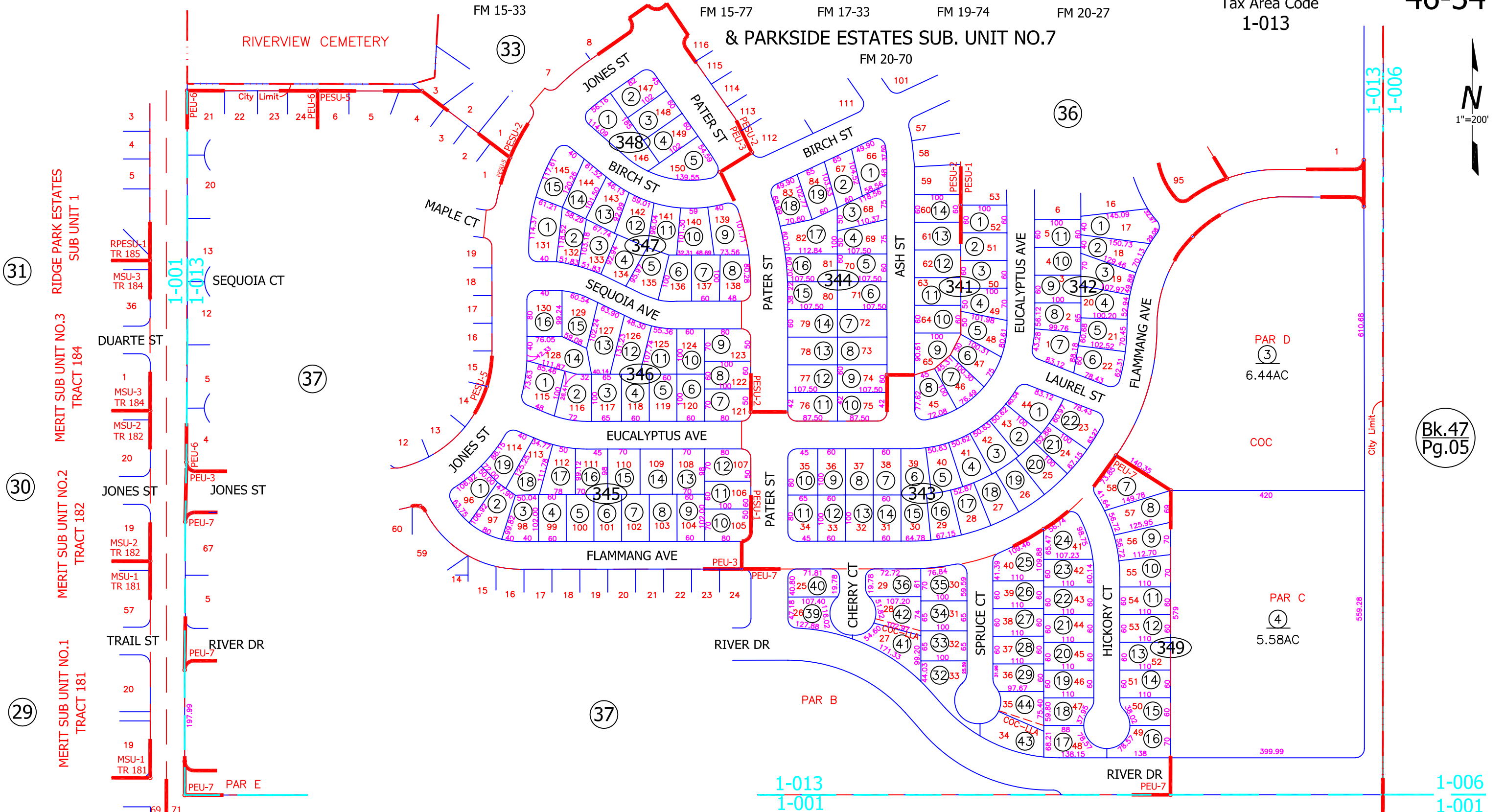
**The Brawley General Plan Land Use Map** designates this property for **Low Density Residential** land uses.

R-1 (Residential Single Family) zoning permits Add a room to an existing residence by variance.

**ATTACHMENT:** Location Map; Parcel Map; Site Plan.

**NOTE TO THE PROPERTY OWNER:** PLANNING COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (760) 344-8822.





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RIDGE PARK ESTATES SUB UNIT 1  
MERIT SUB UNIT NO.3 TRACT 184  
MERIT SUB UNIT NO.2 TRACT 182  
MERIT SUB UNIT NO.1 TRACT 181

FROM 46-08  
05-10-01 AR  
09-28-01 AR  
03-07-02 AR  
04-15-02 AR  
06-26-02 AR  
07-01-02 AR  
10-09-07 MF  
06-05-07 MF  
06-01-04 AR  
10-27-03 AR

APPLEGATE TRACT

~~046 340 01 STREETS DELETED 4-4-95~~  
~~046 340 02 STREETS IN PEU 5 1.61 AC DELETED 01-18-02~~  
~~046 340 03 STREETS IN PEU 6 1.11 AC DELETED 10-22-02~~  
~~046 340 04 STREETS IN PEU 7 5.96 AC DELETED 03-17-03~~

RAMSDER'S SUB. 42

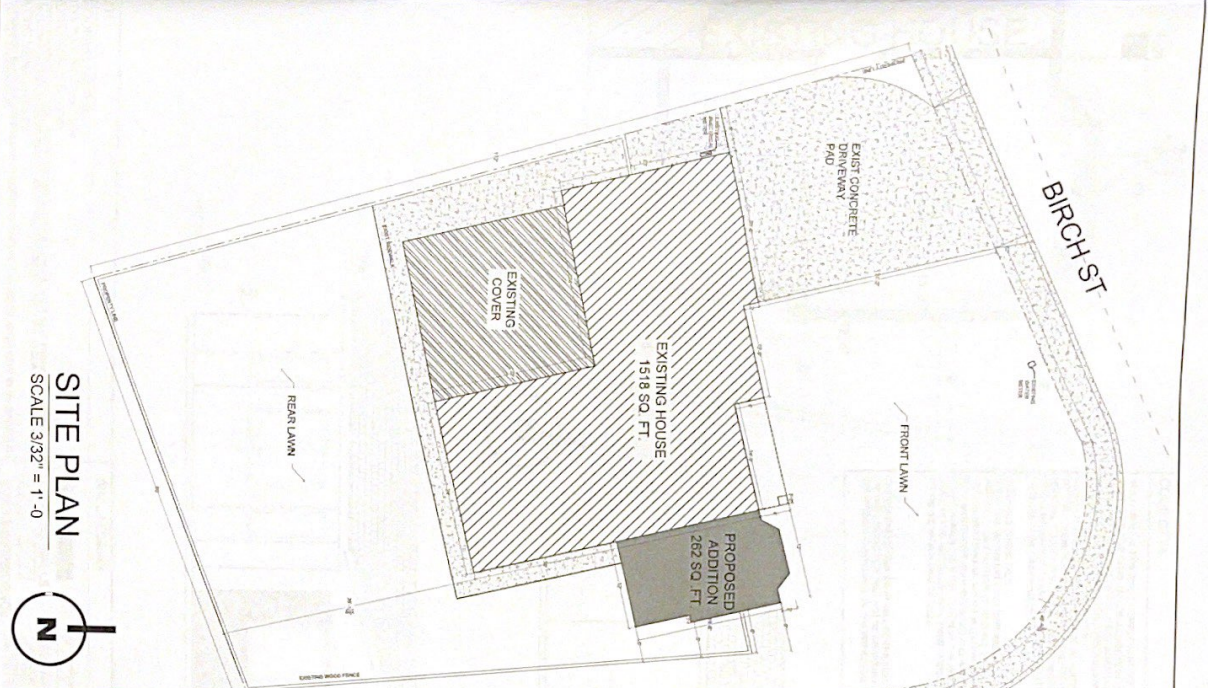
DE BLOIS SUB. 12

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CITY OF BRAWLEY  
Assessor's Map Bk.46-Pg.34  
County of Imperial, Calif.

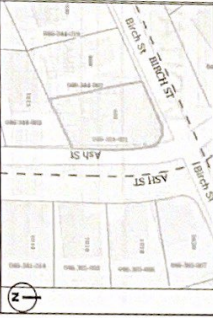


Bk.47  
Pg.05



**SITE PLAN**  
SCALE 3/32" = 1'-0"

- SITE NOTES**
1. ALL CONSTRUCTION SHALL COMPLY TO LOCAL CODES, AND ALL PERMITS SHALL BE OBTAINED FROM THE MERCED COUNTY BUILDING DEPARTMENT. ALL DESIGN SUBMITTALS SHALL BE PREPARED AS REQUIRED BY THE MERCED COUNTY BUILDING DEPARTMENT.
  2. EXISTING AND PROPOSED FOUNDATIONS SHALL BE PREPARED AS REQUIRED BY THE MERCED COUNTY BUILDING DEPARTMENT.
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  11. FOUNDATIONS SHALL BE PREPARED AS REQUIRED BY THE MERCED COUNTY BUILDING DEPARTMENT.
  12. FOUNDATIONS SHALL BE PREPARED AS REQUIRED BY THE MERCED COUNTY BUILDING DEPARTMENT.



<b>SITE DATA</b>	<b>NOTE</b>	<b>A.P.N.</b>
PROPERTY OWNER: LAURA AVINA	ALL PROPERTY CONTERS AND PROPERTY LINE DIMENSIONS ARE APPROXIMATE AND MUST BE VERIFIED BY A PROFESSIONAL LAND SURVEYOR (AS SHOWN ON SURVEY RECORDS IF REQUIRED)	046-344-001
OWNER BUILDER: LAURA AVINA		
PROPERTY ADDRESS: 980 BIRCH CIR BRAVLEY CA		
<b>DATA:</b>	<b>DRAWING INDEX</b>	
BUILDING USE: RESIDENCE	SHT- 1 SITE PLAN	
TYPE OF CONSTRUCTION: V-N	SHT- 2 FLOOR PLAN & ELEVATIONS	
AREA COVERED PATIO: 234 SQ. FT.	SHT- 3 FRAMING, FOUNDATION, ELECTRICAL & PLUMBING, SECTION, AND DETAILS	
STORIES: ONE		
<b>VICINITY MAP / N.T.S</b>		

**PROJECT:** MRS. LAURA AVINA  
**PROPOSED ADDITION**  
 ADDRESS: 980 BIRCH CIR  
 BRAVLEY, CA

**SITE PLAN**

NO.	REVISIONS	DATE	DRAWN BY
		04/07/2021	

SCALE: AS SHOWN

**S1**  
1 OF 3

## **Information for Planning Commission Staff Report**

Meeting Date: June 2, 2021

Prepared By: Gordon R. Gaste, Planning Director, AICP, CEP

Presented By: Gordon R. Gaste, Planning Director, AICP, CEP

Subject: Preliminary Draft Housing Element- 6<sup>th</sup> Cycle Housing Element (2021-2029)

### **RECOMMENDATION**

- Provide the public with the opportunity to comment on the staff presentation and Preliminary Draft Housing Element
- Provide Planning Commission comments on the staff presentation and Preliminary Draft Housing Element
- Approve staff transmittal of the Preliminary Draft Housing Element to the State Department of Housing and Community Development (HCD) in order to start the 60-day review period.

### **BACKGROUND**

State law requires that the City's 2013-2021 Housing Element to be updated for the 6<sup>th</sup> Cycle planning period which begins on October 15, 2021 and ends on October 15, 2029. All jurisdictions (approximately 200) which are located within the Southern California Association of Governments (SCAG) Region are required to update their housing elements by October 15, 2021.

### **DISCUSSION**

#### **Purpose of the Community Workshop**

- ✓ Provide the Planning Commissioners with an overview of the Preliminary Draft Housing Element
- ✓ Provide information to City residents and business owners
- ✓ Respond to comments and questions from the Planning Commission and public

#### **Components of the Housing Element**

State law mandates the components of a housing element. The Preliminary Draft Housing Element addresses the mandated components in the following Sections and Appendices:

Section I Introduction: The Section provides basic information on the City and State law requirements.

Section II Housing Program: This section presents a summary of housing needs and constraints; a statement of goals, policies, and objectives; and a description of planned actions to address the program requirements of Government Code Section 65583(c).

Appendix A: Assessment of Housing Needs: The Appendix includes data and analysis of existing and projected housing needs.

Appendix B Assessment of Fair Housing: The Appendix contains information on fair housing protected groups; describes fair housing issues; and recommends goals, priorities; and strategies.

Appendix C: Sites Inventory and Analysis: The Appendix identifies the sites that will accommodate the City's share of the regional housing need for above moderate, moderate and lower income housing units.

Appendix D: Governmental Constraints: The Appendix describes actual and potential governmental constraints that hinder the City's ability to address housing needs.

Appendix E: Nongovernmental Constraints: This Appendix describes market conditions that impede the development of housing for all economic segments, including the availability of financing, land costs, and construction costs.

Appendix F: Housing Resources: This Appendix describes financial and administrative resources that can contribute to addressing the City's housing needs.

Appendix G: Progress Report: The Appendix describes the progress the City has made in implementing the actions adopted in the *2014-2021 Housing Element*.

### **Share of the Regional Housing Need**

A key difference between the 5<sup>th</sup> Cycle and 6<sup>th</sup> Cycle Housing Elements is the City's share of the regional housing need. The City's share of the regional housing need for the 2021-2029 period is much lower than the previous planning period. The City's share of the regional housing need for the 2014-2021 period was 3,034 housing units. By comparison, the City's share for the 2021-2029 period is 1,426 housing units.

The key reason for the lower numbers is the methods used to allocate the total SCAG regional housing need. In the 5<sup>th</sup> Cycle the methodology emphasized land availability. In the 6<sup>th</sup> Cycle the methodology emphasized the growth in jobs. Therefore, in the 6<sup>th</sup> Cycle more of the total regional housing need was allocated to Los Angeles and Orange Counties and less to the Inland Empire and Imperial County.

Table 1 shows breakdowns of the City's total need of 1,426 housing units by income group.

### **Sites to Accommodate the City's Share of the Regional Housing Need**

Appendix C of the Preliminary Draft Housing Element identifies the sites that meet the City's share of regional housing need (1,426 housing units). The sites inventory demonstrates there are sufficient sites to accommodate the housing needs of the three income groups: lower, moderate and above moderate income.

The total RHNA allocation is 1,426 housing units of which 615 are **above moderate income** housing units. In 2021, a 4-person above moderate income family had an annual income of \$84,851 or more. The sites inventory identifies eight sites that have a combined capacity of 1,911 housing units:

The total RHNA allocation is 1,426 housing units of which 202 are **moderate income** housing units. In 2021, a 4-person moderate income family had an annual income of no more \$84,850. The sites inventory identifies six vacant sites that have a combined housing capacity of 703 housing units:

The total RHNA allocation is 1,426 housing units of which 609 are **lower income** housing units. In 2021, a 4-person lower income family had an annual income of no more \$55,900. The sites inventory identifies 11 sites that have a combined housing capacity of 720 housing units:

**Table 1**  
**City of Brawley**  
**6<sup>th</sup> Cycle**  
**Share of Regional Housing Needs**  
**June 30, 2021 – October 15, 2029**

<b>Income Group</b>	<b>Number</b>	<b>Percent</b>
Extremely Low	200	14.0%
Very Low	199	14.0%
Low	210	14.7%
Moderate	202	14.2%
Above Moderate	615	43.1%
<b>Total:</b>	<b>1,426</b>	<b>100.0%</b>

Source: Southern California Association of Governments, *Final 6<sup>th</sup> Cycle RHNA Allocation* adopted by Regional Council on, March 4, 2021

**Housing Need**

Appendix A of the Preliminary Draft Housing Element describes in detail the City’s housing needs. For example, there are almost 1,700 renter households who are cost burdened – that is, spending 30% or more of their income on housing costs. Another example is overcrowded households – that is, households with 1.01+ persons per room. The City has almost 800 overcrowded households.

Chart 1 lists the full scope of the housing needs which are described in Appendix A.

**Chart 1**  
**City of Brawley**  
**Components of the Housing Needs Assessment**

<ul style="list-style-type: none"> <li>▪ <b>Housing Stock Characteristics</b></li> </ul>
<ul style="list-style-type: none"> <li>✓ Number and Types of Housing</li> <li>✓ Vacant Housing Units</li> <li>✓ Condition of the Existing Housing Stock</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Household Characteristics</b></li> </ul>
<ul style="list-style-type: none"> <li>✓ Tenure</li> <li>✓ Household Income Groups</li> <li>✓ Level of Payment Compared with Ability to Pay</li> <li>✓ Overcrowding</li> <li>✓ Race and Ethnicity</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Affordable Housing At-Risk of Conversion to Market Rate Housing</b></li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Special Housing Needs</b></li> </ul>
<ul style="list-style-type: none"> <li>✓ Elderly</li> <li>✓ Persons with Disabilities</li> <li>✓ Persons with Developmental Disabilities</li> <li>✓ Large Families</li> <li>✓ Farmworkers</li> <li>✓ Families with Female Heads of Household</li> <li>✓ Families and Persons in Need of Emergency Shelter</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Projected Housing Needs</b></li> </ul>
<ul style="list-style-type: none"> <li>✓ Population Trends and Projections</li> <li>✓ Employment Trends and Projections</li> <li>✓ Share of the Regional Housing Need</li> </ul>

**Housing Program**

State law requires that the housing needs be addressed through the following categories of programs:

- Category 1 – Identify Sites to Accommodate the City’s Share of the Regional Housing Need
- Category 2 - Assist the Development of Lower Income and Moderate Income Housing
- Category 3 - Remove Governmental and Nongovernmental Constraints to Housing
- Category 4 – Conserve and Improve the Existing Stock of Affordable Housing
- Category 5 - Promote Housing Opportunities For All/Affirmatively Furthering Fair Housing

Table 2 lists the individual programs that comprise the overall 2021-2029 Housing Program.

For example, Program 2.1 is the rental assistance program administered by the Imperial Valley Housing Authority. Program 4.1 is the City’s housing code enforcement program.

**Table 2**  
**City of Brawley**  
**2021-2029 Housing Program**

<b>Program Category</b>	<b>List of Programs</b>
<b>Category 1 – Identify Sites to Accommodate the City’s Share of the Regional Housing Need</b>	1.1 By-Right Zoned Sites Development Program
	1.2 Housing Supply Proactive Marketing Program
	1.3 No Net Loss Program
<b>Category 2 - Assist the Development of Lower Income and Moderate Income Housing</b>	2.1 Imperial Valley Housing Authority – Rental Assistance for Lower Income Cost Burdened Families
	2.2 First Time Homebuyer Program (City)
	2.3 Section 502 Direct Loan program (USDA)
	2.4 Density Bonus Affordable Housing Program
	2.5 ADU Incentives Plan
	2.6 Affordable Rental Housing Construction Program
	2.7 Fee Waivers and Deferrals for Affordable Housing Developments
	2.8 Developmentally Disabled Program
	2.9 Extremely Low Income (ELI) Program
<b>Category 3 - Remove Governmental and Nongovernmental Constraints to Housing</b>	3.1 Adopt Density Bonus Ordinance
	3.2 Adopt Accessory Dwelling Unit Ordinance
	3.3 Adopt New and Revised Zoning Ordinance Definitions
	3.4 Update the Uses Permitted in Residential Districts
	3.5 Update the Uses Permitted in the Commercial Districts
	3.6 Update the Parking and Loading Requirements
	3.7 Update Article XII Special Development Standards and Uses
	3.8 Update Article XIII Special Development Standards for Certain Conditional and Regulated Uses
	3.9 Update Article XXI Density Bonus Program
<b>Category 4 – Conserve and Improve the Existing Stock of Affordable Housing</b>	4.1 Housing Code Enforcement
	4.2 Housing Rehabilitation Program
	4.3 Section 504 Home Repair Program
<b>Category 5 - Promote Housing Opportunities For All/Affirmatively Furthering Fair Housing</b>	5.1 Fair Housing Services Program
	5.2 Fair Housing Information Program
	5.3 Affirmatively Furthering Fair Housing (AFFH) Program

**Schedule**

State law requires the 2021-2029 Housing Element to be adopted by October 15, 2021. The schedule to meet the adoption date is noted below:

June 2	Planning Commission Community Workshop
June 10	HCD Logs In Transmittal Housing Element Draft
August 10	Receipt of HCD Comments/Findings
August 11-25	Complete Housing Element Draft Based on HCD Comments/Findings
September 1	Planning Commission – Adoption of 6 <sup>th</sup> Cycle Housing Element
September 21	City Council Public Hearing – Adoption of 6 <sup>th</sup> Housing Element

## **Next Steps**

- ✓ Following the Community Workshop, the Preliminary Draft Housing Element must be transmitted to the State Department of Housing and Community Development (HCD)
- ✓ HCD has a 60-day period to review and provide comments on the Preliminary Draft Housing Element