



PLANNING COMMISSION

Kevan Hutchinson, Chairman

Darin Smith, Vice-Chairman

Eugene Bumbera Jay Goyal George A. Marquez
Ramon M. Sagredo Vacant Position

AGENDA

**PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, JANUARY 7, 2014 AT 5:30 P.M.
CITY COUNCIL CHAMBERS
383 MAIN STREET
BRAWLEY, CALIFORNIA**

1. CALL TO ORDER / ROLL CALL
2. APPROVE AGENDA
3. APPROVE MINUTES OF NOVEMBER 12, 2014
4. PUBLIC APPEARANCES

The Planning Commission encourages citizen participation on all matters presented for their consideration. Members of the public who wish to speak on an issue that is not on the agenda may do so during the "Public Appearances" section at any meeting. The Planning Commission does not take action on items presented under Public Appearances.

PUBLIC HEARING

5. An application for a parcel map/minor subdivision (PM14-03) to subdivide one existing parcel into two parcels to construct an additional single family dwelling.

Representative: Victor Rodriguez-Fernandez, LS
126 East 3rd Street, P.O. Box 234
Calexico, CA 92231

Applicant: Jose Ferrer, Vexar Engineering
633 Main Street
El Centro, CA 92243

Property Owner: Sustenes Nunez, Jr.
837 Eucalyptus Avenue
Brawley, CA 92227

Location: 1274 H Street, more particularly described as the West 50 feet of the East 209.8 feet of Lot 7, Block 127 less the South 40 feet to the City of Brawley by Deed, Townsite of Brawley, City of Brawley, County of Imperial, State of California, APN 049-121-004

REGULAR BUSINESS

6. Discuss and recommendations regarding the adoption of a proposed amendment to the Brawley Municipal Code, Chapter 27-Zoning Ordinance, Sections 27.147 and 27.180, for the purpose of clarifying landscaping and parking facilities and allowing multi-family residential projects with 3 or more units to have a 72 foot fence in the front yard setback.

DISCUSSION/DIRECTION

7. Discuss and direction regarding a proposed amendment to the Brawley Municipal Code, Chapter 27-Zoning Ordinance, Section 27.211 and Table 27.221, for the purpose of restricting off-site signs.
8. ZONING CODE ENFORCEMENT
9. ADJOURNMENT

Supporting documents are available for public review in the Planning Department, 400 Main Street, Suite 2, Brawley, Monday through Friday, during regular posted business hours. The full agenda is also available online at http://www.brawley-ca.gov/media/module/content_item/Jan_07_2015_PCagenda.pdf. Individuals who require special accommodations are requested to give 24-hour prior notice.
Contact: Alma Benavides, City Clerk, 760-351-3080

The Planning Commission of the City of Brawley, California, met in Regular Session at 5:30 p.m., City Council Chambers, 383 Main Street, Brawley, California, the date, time, and place duly established for the holding of said meeting. The City Clerk attests to the posting of the agenda pursuant to G.C. 54954.

CALL TO ORDER/ROLL CALL

The meeting was called to order by Chairman Hutchison at 5:30 p.m.

Present: Hutchinson, Bumbera, Goyal, Marquez, Sagredo, Smith

Absent: Reyes

APPROVAL OF AGENDA

Motion: The Planning Commission approves the agenda as presented. m/s/c Bumbera/Sagredo 6-0

APPROVAL OF MINUTES

Motion: The Planning Commission approves the minutes of August 13, 2014 as presented. m/s/c Goyal/Marquez 6-0

PUBLIC APPEARANCES

Chairman Hutchinson called for Public appearances.

Mr. Atul Kamar, General Manager of the Best Western Hotel, 1562 East Main Street, stated two issues to discuss. 1) There is off premises signage in front of our hotel that was installed on October 8th, this sign is from our competition and we are not against this sign or any kind of sign as long it is done on a billboard format but this particular sign is done in a permanent pole sign. It looks like a permanent pole sign. I have pictures of the signage to share. It will be a nuisance of they continue this type of signage in our city. Our hotel can be putting a signage other hotels or in other parts of the city and that could become a nuisance. I think we need to create a new ordinance so this will not happen, this is our recommendation. 2) On Main Street from Eastern Avenue to old Highway 111 there are no street lights. Would like to recommend Planning Commission to consider some type of street lights. There are some benefits for putting those street lights, including business opportunities in the near future, safety and security. We do have break-ins into our property, in the last 30 days had 3 break-ins.

Mr. Gaste, whats the location on the street lights?

Mr. Kamar, Eastern Avenue to Best Road.

Mr. Bumbera, when did this sign go up?

Mr. Kamar, October 8th, it is legal and they received approval from the City. The ordinance reads they can allow to have it I believe but I think we need to modify the ordinance.

Mr. Goyal, sign looks like a permanent sign?

Mr. Gaste, it doesn't matter the form the sign takes, whether it's a billboard, pole sign or monument sign. You're allowed one offsite advertisement sign on your property.

Mr. Goyal, offsite sign off your property?

Mr. Gaste, yes. This includes Real estate signs, anything that is advertising something else that is not on your property.

Mr. Hutchison, is this a matter for Planning Commission or does Mr. Kamar have other avenues to take as far as to getting it to us?

Mr. Gaste, if you want to put on the agenda as an action item you can but you can't take action tonight.

Mr. Marquez, what's the height of this sign?

Mr. Kamar believe about 25 feet high.

Mr. Gaste, that's an allowable height.

Mr. Bumbera what does it say?

Mr. Kamar Make a U-turn and go 2 miles back

Mr. Gaste, I've attended some seminars on signs over the years, there are State statues that prohibit regulating too much because there's free speech issues involved in that, but mostly for non-commercial.

Mr. Hutchinson, this is not a State highway anymore?

Mr. Gaste, No.

Mr. Kamar, if this was a State highway, I know Caltrans will not allow that because they already told me. If I wanted to put a sign on Brawley Inn they will not allow me do it because it's part of the Caltrans.

Mr. Gaste, that's not true you could put a sign if it's in the City on private property, you can put a pole sign on a property. What Caltrans regulates are billboards outside the City limits. They have to have a setback so far from the highway.

Mr. Bumbera, let's look into it, he works hard out there and someone to come stick a sign next to them.

Mr. Sagredo, you want to put it on the agenda for next time for discussion?

Mr. Bumbera, give some ideas as board members, what can we do about it and should do about it and do other cities do that.

Mr. Goyal, let's do some research before the next meeting.

Mr. Gaste, I pretty much done the research because this been an issue before. I'll bring it for a discussion and direction item for the next meeting.

PUBLIC HEARING

Due Notice having been given, now is the time to consider an application for a site plan (SP14-02), conditional use permit (CUP14-02), parcel map (PM14-01) zone change (ZC14-01) from R-1 (Residential Single Family) to MHP (Mobile Home Park), C-1 (Neighborhood Commercial) and M-1 (Light Manufacturing), a general plan amendment (GPA14-01) changing the land use designation from low density residential to medium density residential, commercial and industrial and an environmental mitigated negative declaration to allow for a mobile home and RV park, a convenience store and a mini-storage facility.

Applicant: Jay Goyal and David Ramirez
RSG Capital, LLC
512 Broadway Street
El Centro, CA 92243

Location: Northwest corner of River Drive and North Palm Avenue, more particularly described as Lot 8, Subdivision of tract 77, Township 13 South, Range 14 East, S.B. M. excepting the south 40 feet, City of Brawley, County of Imperial, State of California, APN 047-060-031

Mr. Goyal stepped down from the dais as he is the applicant for the project.

Gordon Gaste, Planning Director gave an overview of the project. Location is the Northwest corner of River Drive and North Palm Avenue. South of the airport, north of River Drive, where Caesar Chavez Avenue turns to the east. What the applicant is proposing are several different uses on that parcel the major one being an RV and mobile home park, which the smaller spaces that will be rented those are for the RVs. The ordinance allows the minimum size of 1500 sq. ft. The larger ones to the east are mobile homes spaces and those are a minimum size of 2500 sq. ft. To the west a M1 proposed zone for a mini storage facility and on the south east corner a convenience store, which is a neighborhood commercial zoning. This site plan, everything that is in the zoning ordinance pertaining to this type of uses it meets

regarding setbacks, building separation, parking requirements, each space will have a spot for the RV, a spot for a vehicle and parking spaces along the wider street. All the internal streets will be private streets. The area on the north will be a retention basin, that serves all three of the parcels and it will also serve somewhat as a recreational area. This portion will be required to be landscape, cannot be dirt. It will be landscape with weed fabric and rocks. Offsite improvements is there work to be done, the river is there to connect to utilities. Will be building half on Palm Avenue as they phase it in, also responsible for half of Duarte. It's not needed as a travel way right now but since it's adjacent to the subdivision they are responsible for that cost. They will be submitting payment for it, in lieu of building it.

Mr. Sagredo, the map shows one trash enclosure.

Chairman Hutchinson opened the public hearing at 5:45 p.m.

Mr. Goyal, representing the owner and partner David Ramirez is here who is designing this project. This project brings positive to the City, more revenue and snow birds to the City. Currently there is no kind of facility like this in the Brawley area, where they can come park their vehicles for a few months the RV area. The mobile home area is for people that want to stay a long period. Also the community near or the surrounding areas, they do not have bigger homes and looking for storage within their reached. A mini storage will be on the left side of the project. Some of the RV people don't have vehicles to go to the store on a daily basis so on the southeast corner of the project would be a small neighborhood store to serve the RVs and the whole park. It will not be a full blown grocery store. On the trash can concerned, we did analysis it and went to several different parks. It is a big enough capacity at the south end. When we designed it, we did talk to Allied Waste on how many spaces they need and also depends on how many times they are coming to pick up the trash. The whole idea was that the trash truck is so heavy we don't want them to drive on all the streets because it can damage the streets.

Thomas Perez, 682 N. 11th Street, concerns and questions about this project. Is this project going to be all paved or build on dirt?

David Ramirez, Design Engineer, yes, it's all going to be paved.

Mr. Bumbera, is everything going to be paved before it's going to be open?

Mr. Ramirez, yes, up to the point it's occupied. As we build we paved that. We are not going to put roads without occupation. Same way you build a subdivision you build your lots, you pave the streets.

Mr. Perez, how much of this property will be for mobile homes?

Mr. Ramirez, about 3-4 acres.

Mr. Bumbera, how many units?

Mr. Ramirez, 47 units

Mr. Perez, just for mobile homes.

Mr. Gaste, yes, just for mobile homes.

Mr. Perez, this is going to be a city property?

Mr. Gaste, yes.

Mr. Hutchinson, no, he ask if this going to be City property.

Mr. Gaste, no, its private property on city limits.

Mr. Perez, heard story that building a mobile home park the City has not regulations over it, only the County.

Mr. Bumbera, that's correct.

Mr. Ramirez, the City has regulations on how you manage it. The County does the inspections of the infrastructure.

Mr. Perez, it's hard to understand why the County takes over the City.

Francisco Soto, Building Official, in the late 1970 the Department of Motors Vehicles struck out a lot of their inspection team because of budgetary needs. The mobile homes Parks are actually under the direction of the Department of Motors Vehicles and when it came to the Imperial County, they wanted to deal with one inspection agency. Instead of DMV dealing with individual inspection agencies throughout the Imperial County. It's still regulated under the DMV regulations but it is enforced by the County Building Department who answers to the State DMV.

Mr. Perez, there is a mobile home park on I Street, Smith very nice park. Now the one by the High School, Eddie Gee's, how can we keep a place from falling like that? I don't know what happened there.

Mr. Bumbera, I agree with you but we can't do anything about it. The County has to do what they do and they do a little about it.

Mr. Gaste, you are seeing the difference between one that was built along time ago when the regulations were more lacks, didn't required the area to be paved and things like that. Then you see one that was built more recently that has higher standards and at least with this one will be handled to probably more because even if the County permits the individual units, gives permits to the individual trailers the City still can require the paving of the streets, water service, retention basin to City standards and anything that is within the site that is not really pertaining to that actual individual unit being permitted.

Mr. Marquez, what Mr. Perez is trying to say is that they start off really pretty than after a while they start looking like Malan Park, vehicles parked with flat tires and trash all over the place. If you are going to keep it like new, which it's going to be part of the deal, I mean that's the way I see it. I understand Mr. Perez comments. As you rent your spaces, is that how you're going to be paving?

Ramirez, no, as we build blocks it will be fully equipped with all the requirements of the infrastructure, including the sewer and power. In the area where anyone is not allowed to be, we are not going to have anyone pulling in there. Either put a temporary fence or barricades.

Mr. Gaste it is going to remain vacant as it is now until it's developed. If they choose to do 2 or 3 blocks basically they would put all infrastructures, not one at a time. Then as they fill up the spaces, they will start on the next phase they will do the same thing.

Mr. Marquez, so what's the time frame?

Mr. Ramirez, it is market driven, so hopefully have fully occupancy by next year. County doesn't let you have occupancy until entire infrastructure is in place.

Mr. Sagredo, showing us the RV section. What happens to the mobile home side?

Mr. Gaste, same way.

Mr. Ramirez, same way and build equally as the RV section.

Mr. Sagredo, how many mobile homes units? Because I see 25 spaces.

Mr. Gaste, they are numbered in rows, so there's 2 rows.

Mr. Sagredo, single or double wide trailer?

Mr. Ramirez, some of the lots are design for more than 15 foot wide manufacture homes and some design for 30 foot wide.

Mr. Perez, so what assurance do we have that is going to be kept up?

Mr. Ramirez, we will provide a management plan.

Mr. Perez, who do we go to if it's starting falling?

Mr. Ramirez, it will be tight.

Mr. Perez, let me tell you about the beef plant. They assured us that there wasn't going to be any smell and what happen about this time we get the beef plant smell. Than the railroad tracks are there and

hazardous contaminated ground, it's been 10 or 15 years we were told it will be trucked out and it's still there. Is the storage plan the first one?

Mr. Ramirez, yes storage building will be on the west side, next to the contaminated ground.

Mr. Perez, the entrance to this place is going to be where?

Mr. Ramirez, on River and Palm, but there will be different areas to come in and go out.

Mr. Perez, the convenience store, is it going to be just a little groceries place and a lot of beer? Any gasoline there?

Mr. Ramirez, no gasoline.

Mr. Sagredo, Mr. Perez you mention they State promise to clean hazardous waste? Who promised?

Mr. Perez, the State.

Mr. Gaste, I do have letter form State, slowly cleaning up ground.

Mr. Hutchinson, is it State or Federal?

Mr. Gaste, State.

Ms. Lidia Duarte, this ground is a contaminated area. There was a chemical spill there and men where there to measure. When the wind blows you can smell it the and not safe to walk there. How safe is this project for the people that are going to go to this park.

Mr. Gaste, if it was truly not safe, they would have removed the people of the area.

Mr. Marquez, chemical has sip into the ground.

Ms. Duarte, my concern is for those people that are going to go there. What is the time frame for the completion of this project?

Mr. Goyal, will be constructed on stages. Dirt next year, then construct, to complete project 2-3 years.

Mr. Perez, I lived there all my life. ProGro was there and a big explosion and chemical spilled. Gentlemen have a nice plan but have concerns for people that will be going there.

Public hearing Closed: 6:20 pm

Mr. Sagredo, concerns that 250 RVs and 47 MH and one trash pickup there.

Mr. Ramirez, it's like an apartment complex.

Mr. Marquez, also have concerns one location for trash pickup.

Mr. Ramirez, will work on trash container locations.

Mr. Bumbera, will there be parking for visitors?

Mr. Ramirez, yes.

Mr. Sagredo, will there be community room.

Mr. Hutchinson, I don't see laundry room.

Mr. Smith, I also have concerns for this project, gated community, longer lots, County regulating this project, limit trailers, mobile manufactor-10 years, require year old of RV and mobile home.

Mr. Hutchinson, comment period end?

Mr. Gaste, ended on November 11, 2014.

Mr. Hutchinson, I have concerns for this project, was there Fire Department, Public Safety and community involvement. I don't see dog run and 30 days stay, I don't think snowbirds are not going to come here. I'm not with this project.

Mr. Ramirez, snowbirds are cheap and do not like noise. Dogs will be inside home.

Mr. Hutchinson, title 25 does require amenities?

Mr. Ramirez, this is a functional project.

Mr. Hutchinson, will this rent? what will be the rent?

Mr. Ramirez, rent and probably \$400.00 per month.

Mr. Hutchinson, will there be a master meter?

Mr. Ramirez, yes master meter and both RV and mobile homes.

Ms. Moore, can delay and ask for additional information from the applicant. Management plan, pictures of the area, gated community, rendering of the entrance, larger lots, open space, RV and MH date of manufacture, recreational center, dog run, laundry, parking, aesthetics of retention basin, landscape plan and renderings and trash receptacles.

Mr. Bumbera, would like for Building official and County to be in communications.

Mr. Hutchinson, was there a traffic study?

Mr. Ramirez and Mr. Gaste, yes there is a traffic study.

Mr. Gaste, traffic will not be spike up in certain days or hours.

Mr. Smith, have concerns and questions regarding rejecting the plan and having the applicant having to go back through the application process verses delaying or conditionally approving. Is there any other alternative?

Ms. Moore, question for Gordon from a Public Hearing continuous, I know we open and close.

Mr. Gaste, yes we can continue it but we have to post a continuous. Then depending what Commission are asking for or have applicant to resubmit application.

Mr. Smith can we ask the applicant to revise his application, we don't necessarily want limit the conditions from our end and give the applicant the opportunity to revise the application base on the comments from tonight.

Mr. Gaste, open space, amenities, etc...

Mr. Hutchinson, this is a parcel map maybe a more details or a typical site plan.

Mr. Ramirez the site plan is there.

Mr. Gaste it shows you what a typical site plan looks.

Ms. Moore what commission is asking for a concept site plan.

Mr. Gaste a visual presentation.

Mr. Ramirez, if you want an explanation I can do it verbally and if you do a list of comments, we can provide that too. When you look at an RV stand it's basically lots with paved areas. Some might have a tree, a bush and many don't have anything. In this particular incase, you will not see trees either because our concept is committed with the solar panels, it's going to be like parking under a car port cover.

Mr. Hutchinson, I have seen a lot of pull through site.

Mr. Ramirez, we don't expect to have daily activity. We are not really catering to that type of a visitor. We are catering to those that are coming to spend money downtown 3-6 months. We don't really cater to snowbirds here in the valley, Yuma is beating us. There is going to be vegetation around but not trees, it takes away from the electricity production.

Mr. Perez, the road on River Drive and Palm that is not paved right now all the way north, is that going to be paved?

Mr. Ramirez, yes, we are responsible for 44 foot section.

Mr. Hutchinson, they are responsible for half.

Motion: to move to reject the plan as presented and invite the applicant to return with a more favorable plan at a future date, we definitely want the project to work but you heard our concerns and would like to see something more favorable. m/s/c Smith/Bumbera 5-0,

Mr. Marquez, would like to see more public input.

Mr. Gaste, you want to continue the item?

Mr. Smith, reject the item as presented.

Mr. Ramirez, can I get a prescribe list and would need specifics.

Mr. Gaste, will provide a copy of the minutes.

Mr. Hutchinson, not sure if he made a comment, would like to see more mobile home type building and not as much RV. Not oppose to RV parks or trailer parks of any kind but this mix I have an issue.

CODE ENFORCEMENT

Mr. Francisco Soto, Building Official gave an enforcement report. Have been concentrating on banners, since the last meeting the require notices of the ordinance have started to come into effect. Have concentrated along Main Street, 4 businesses that have comply with banners that are over 45 days have been removed, 4-5 businesses under notice, another 4-5 businesses that we are preparing to notice. Just today we had two new banner signs installed what we did on that because it was very recent is have an inspection stop by leaving a notice of inspection prior to a certified letter so they can get going on that. The main objection to that is that banners and signs must be approved by the Planning Director prior to installation thereafter sign can stay 45 days and 12 month. There are a couple of businesses that have been notified properly and have not complied. We have notified them that they are going to be referred to the legal department in order to get compliance. Have been working on several problem housing areas, at 7th and B Street there are some apartments that were maintenance problem where we would have housing conditions called in. Regularly we have come to an agreement with the owner where he is going to be returning them around 5 units at a time and think there are 12 units in the premises. So you should start seeing some improvements there. We have a larger apartment complex on the 100 block G Street that we have the same situation and we also met with the owner and have been told that he is going to repair the apartments as they vacate one at a time. We had 3 units that he has completed and we are very happy with that way. Another one on the 200 block of E Street close to the cable company, the owner has not responded to any of our letters and at this point the area is vacated because of the substandard housing. Our plan is to make sure and it's properly boarded and not at this point a vandalism problem. We are in contact with an owner agent, who's anything on the yard and our plan is to hold the utilities in advance at least the water until we can get a plan for repairs on those. We try to move on any complaints right of way so we have inspections the next day. The letters do lacks other than that we have human contact saying this is not allowed and you're going to get a letter on the way and found that many citizens actually respect that and respond to it. When we get ready to issue the letter we make sure to do a drive by and more often we see the compliance has been achieved. We had one area that had many unlicensed car on the premises in the vicinity of 16th Street and those have been removed not entirely from the street those are license vehicles we cannot do nothing on those but the ones on the property. The legal portion of the City is taking action on a couple fire hazard and abandon buildings in the vicinity of Legion Road is in legal hands following through with court action. The legal department is reporting to the City Council regularly on the condition of the building at 279 J Street. We continue to chase trash cans that are left out over 48 hours.

Mr. Bumbera, the corner of 9th and Main, what are you guys doing on the planning commission, tires are out there, looks bad, are they allowed to store these tires?

Mr. Soto, not out in the open?

Mr. Bumbera, tires on the pavement.

Mr. Soto, will look into it.

Ms. Moore, a demo permit has been pulled for the A Plus Furniture site on Main Street, very excited to see the cleanup. Also toured 8th and G and we are very hopeful we get assistance from the State Legislator. Keeping our fingers cross on downtown cleanup efforts. We are progressing very rapidly on the medical building on Legion and Evelyn. We had recently had communications and submitted plan for the La Valencia subdivision phase III. Things are continually moving at the Florentine Estates which is condos and detached kind of different lots size configuration than our usual. The last suit was occupied in the Starbucks retail strip by TOGOS. We have some active discussion under way with a number of other entitle properties. We will soon go out to bid on the final lift of road way improvements on the La Paloma Subdivision. You may recall some years ago the city was under litigations with bond companies for that project. So with the settlement dollars we will be able to finally bring those streets to City standards, so we can accept them and begin our street sweeping. Lastly, very soon to get a phasing plan from the new owners of Luckey Ranch Subdivision. It is a local ownership from Imperial Valley. They have cleaned up the property considerably.

Mr. Hutchinson, any word on the Vons gas station?

Mr. Gaste, received email and asked how long is application still good for. It hasn't been two years. Since Vons is bought by Albertsons that they have to run it through them. The acquisition occurred sometime in the summer.

Mr. Soto, you will be seeing some construction being done on the north plaza, next to the floral shop that will be a Raspado Avenue.

Ms. Moore, there will be a new Art Studio coming down town on 6th Street. Hope to have something publicly announce on that as well as the former Del Norte site. Can't disclose details at this point.

Mr. Goyal, announced that will be submitting the revise plan for the mini plaza.

Mr. Hutchinson, I notice Inferno had some action but don't see no action inside the building.

Ms. Moore, we issued a 60 day certificate of occupancy for only the patio area and were to accommodate special events associated with Cattle Call week. They're still working on interior improvement we're hopeful that they open for business here in the near future. Also hope you notice that Motel 6 opened and we're really excited to have another motel operation here in town.

NEXT MEETING DATE

The Commission voted to skip the December regularly scheduled meeting and adjourn to the January regular meeting on January 7, 2015.

ADJOURNMENT

Motion: The meeting of the Planning Commission adjourns at 7:15 p.m. m /s/c Goyal/Sagredo 6-0

PLANNING COMMISSION STAFF REPORT

Minor Subdivision: PM14-03 (Parcel Map) - 1274 H Street

Property Owner: Sostenes Nunez, Jr.

Applicant: Jose Ferrer

Representative: Victor Rodriguez-Fernandez, LS

Legal Description: The West 50 feet of the East 209.8 feet of Lot 7, Block 127 less the South 40 feet to the City of Brawley by Deed, Townsite of Brawley, City of Brawley, County of Imperial, State of California, APN 049-121-004

Location: 1274 H Street

Area: Total: 0.37 Acres (16,000 Square Feet)
Parcel 1: 0.17 Acres (7,500 Square Feet)
Parcel 2: 0.20 Acres (8,500 Square Feet)

Zoning: R-2 (Residential Low Density)

Existing Use: Parcel 1: Duplex
Parcel 2: Vacant

Proposed Use: Parcel 1: Same
Parcel 2: Single Family Dwelling

Surrounding Land Uses:

North - M-1 (Light Manufacturing) / Farm Equipment Sales & Rental

South - R-2 (Residential Low Density) / Single Family Dwelling

East - R-2 (Residential Low Density) / Duplex

West - R-2 (Residential Low Density) / Single Family Dwelling

General Plan Designation: Low Density Residential

CEQA Status: Exempt

**PLANNING COMMISSION HEARING, JANUARY 7, 2015,
5:30 P.M., CITY COUNCIL CHAMBERS, 383 MAIN STREET,
BRAWLEY, CALIFORNIA**

Minor Subdivision: PM14-03

General Information:

The parcel map was submitted in order to permit subdivide the current parcel into two parcels in order to construct an additional single family dwelling. The property is currently zoned R-2 (Residential Low Density) and is 0.37 acres in size. The north half of the site is currently a duplex and the south half is vacant. Access is proposed via H and I Streets. There are no zoning conditions currently imposed on this property.

Staff Recommendation:

The Development Review Committee (DRC), on December 4, 2014 voted unanimously to recommend approval of this parcel map with the following conditions.

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 pay fees to process and record the final parcel map.
5. 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.
6. 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.
7. 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.
8. Provide an easement to the City for the sewer line between the two parcels.

The recommendation is based on the following findings:

1. The proposal is exempt from CEQA pursuant to Sections 15301(a), 15315 and 15332.
2. The location of the project and surrounding land uses make it unlikely the project will cause significant environmental impacts.
3. Approval of the parcel map will not be detrimental to the public welfare or detrimental to the health and safety of the residents of the City of Brawley.
4. The tentative parcel map is consistent with the character of the area for that type of land use.
5. The size of the new parcels is consistent with the Zoning ordinance.
6. The size of the new parcels is consistent with the General Plan.
7. The Parcel Map was performed in compliance with the Subdivision Map Act and Subdivision Ordinance requirements.

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

R-2 (Residential Low Density) zoning permits single family dwellings and duplexes by **Right**.

Minor Subdivision: PM14-03

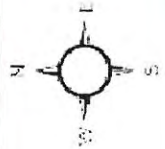
The Commission must determine the following:

- A. The proposed Parcel Map protects the best interest, health, safety and welfare of the public in general.
- B. The proposed Parcel Map complies with all of the standards and conditions applicable in the zoning district in which it is proposed to be located; complies with any special standards applicable to the particular type of development being proposed, or to the particular area in which the development is proposed; complies with any special approvals required in connection with such development or area.
- C. The proposed Parcel Map is in accordance with and in furtherance of the Brawley General Plan, any special neighborhood plans or policies adopted by the City regarding the development area, or any approved concept plan.
- D. The proposed Parcel Map is adequately served by and will not impose an undue burden upon the public improvements and rights - of - way by which it will be served or benefited, or which exist or are planned for installation within its boundaries or their immediate vicinity.
- E. Any impacts of the proposed Parcel Map on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development.
- F. The design of the Parcel Map mitigates substantial environmental problems.
- G. The proposed Parcel Map provides adequate landscaping and/or screening where needed to reduce visibility to adjacent uses.
- H. The proposed Parcel Map is compatible with adjacent structures and uses.
- I. The Parcel Map is not materially detrimental to the enjoyment or valuation of the property adjacent to the site.

ATTACHMENT: Location Maps; Proposed Parcel Map.

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.

PM14-03



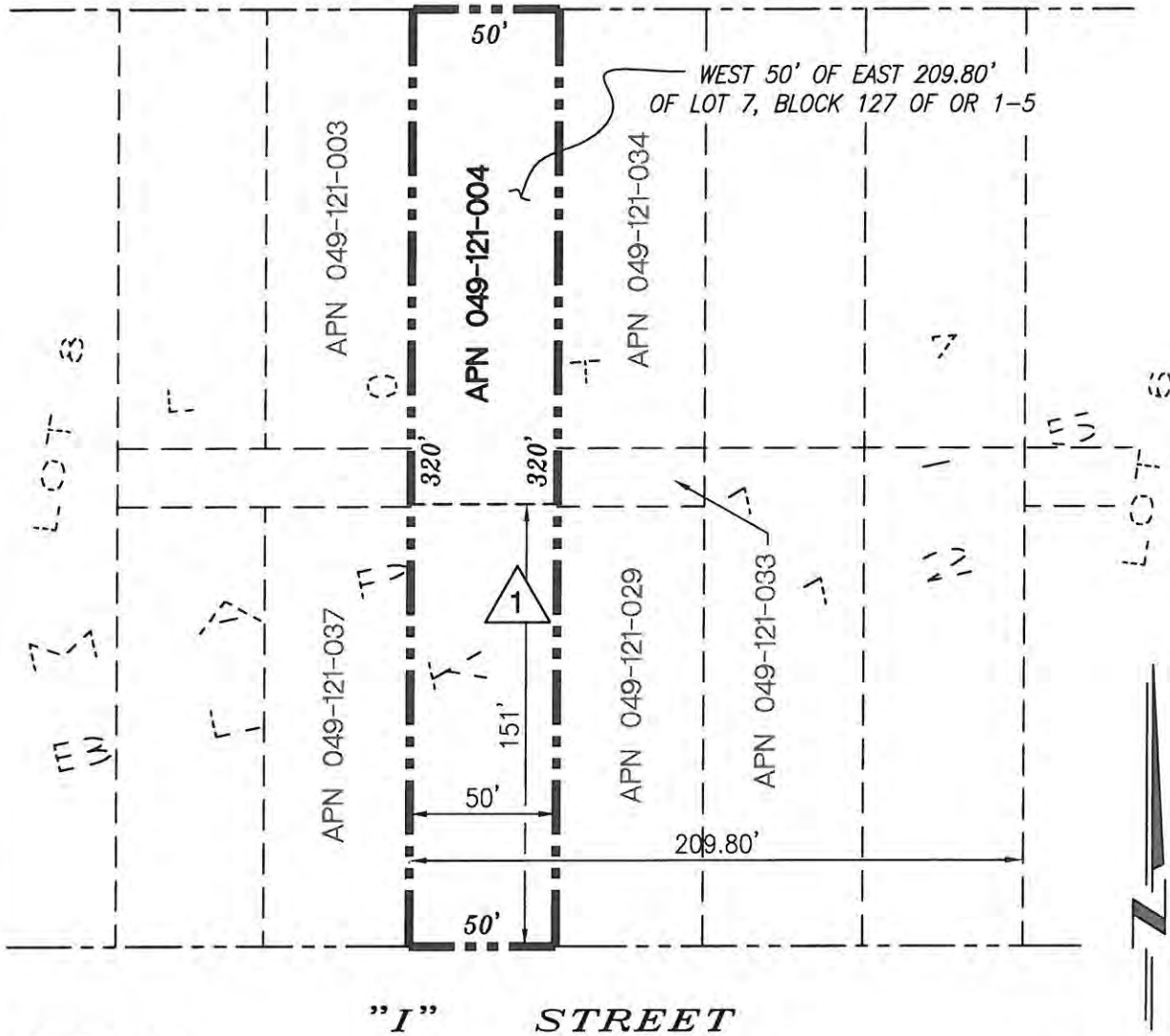
11/07/2014

Parcel Map

1" = 188 ft

This map represents a visual display of related geographic information. Data provided hereon is not a guarantee of actual field conditions. To be sure of complete accuracy, please contact Imperial County staff for the most up-to-date information.

"H" STREET



"I" STREET

EASEMENT:

SCALE 1" = 60'



IN FAVOR OF: IMPERIAL IRRIGATION DISTRICT
 PURPOSES: PUBLIC UTILITIES AND INCIDENTAL PURPOSES
 RECORDED: 02/15/1978 IN BOOK 1412, PAGE 693
 AFFECTS: 151' NORTH OF THE SOUTH LINE OF THIS PROPERTY



LEGEND:

- · · · · · — PROJECT PROPERTY LINE
- — — — — RIGHT OF WAY LINE
- - - - - EXISTING LOT LINE
- - - - - EXISTING EASEMENT LINE

VICTOR RODRIGUEZ-FERNANDEZ
 CIVIL ENGINEER & LAND SURVEYOR

125 E. 3rd ST. BOX 234, CALEXICO, CA., 92231
 PH. (760) 357-2434

APN 049-121-004

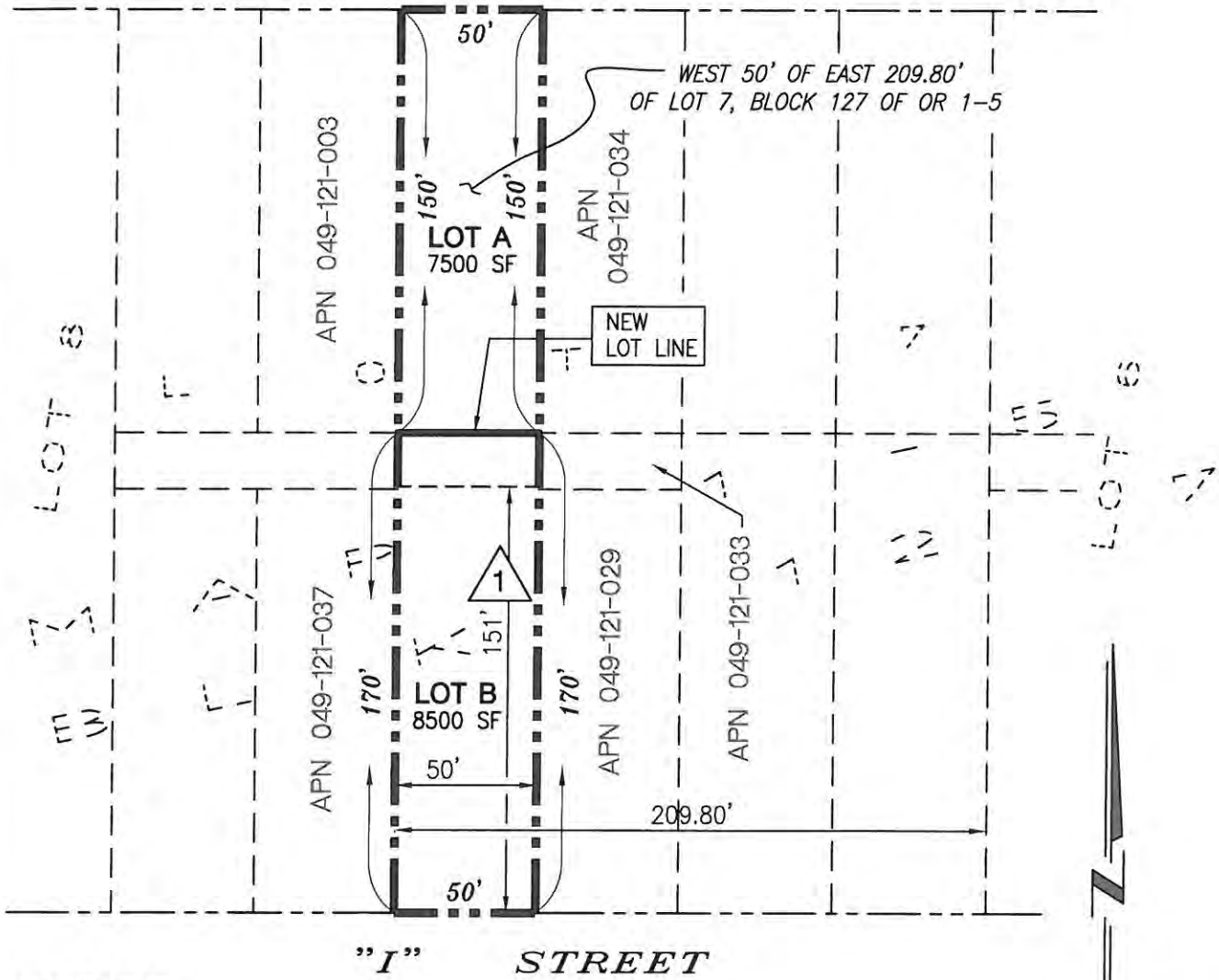
EXISTING LOTS CONFIGURATION

DATE: 11/01/14 IN THE CITY OF BRAWLEY, CA.
 CLIENT: RAUL GARCIA BY: JF CHK: VR-F

SHEET:


1
 OF: **2**

"H" STREET




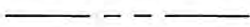



"I" STREET

EASEMENT:

 IN FAVOR OF: IMPERIAL IRRIGATION DISTRICT
 PURPOSES: PUBLIC UTILITIES AND INCIDENTAL PURPOSES
 RECORDED: 02/15/1978 IN BOOK 1412, PAGE 693
 AFFECTS: 151' NORTH OF THE SOUTH LINE OF THIS PROPERTY

SCALE 1" = 60'

LEGEND:

-  PROJECT PROPERTY LINE
-  RIGHT OF WAY LINE
-  EXISTING LOT LINE
-  EXISTING EASEMENT LINE
-  NEW LOT LINE



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 PH. (760) 357-2434

APN 049-121-004

LOT SPLIT PLAT

DATE: 11/01/14

IN THE CITY OF BRAWLEY, CA.

CLIENT: RAUL GARCIA

BY: JF

CHK: VR-F

SHEET:

2

OF:

2

**LEGAL DESCRIPTION
LOT A**

THE NORTH 150 FEET OF THE WEST 50 FEET OF THE EAST 209.80 FEET OF LOT 7,
BLOCK 127, OF TOWNSITE OF CITY OF BRAWLEY, COUNTY OF IMPERIAL, STATE OF
CALIFORNIA, ACCORDING TO MAP THEREOF NO. 920 IN BOOK 1, PAGE 5 OF OFFICIAL
MAPS ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF IMPERIAL COUNTY.

SAID AREA CONTAINING 7,500 SQ. FT. MORE OR LESS.



**LEGAL DESCRIPTION
LOT B**

THE SOUTH 175 FEET OF THE WEST 50 FEET OF THE EAST 209.80 FEET OF LOT 7,
BLOCK 127, OF TOWNSITE OF CITY OF BRAWLEY, COUNTY OF IMPERIAL, STATE OF
CALIFORNIA, ACCORDING TO MAP THEREOF NO. 920 IN BOOK 1, PAGE 5 OF OFFICIAL
MAPS ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF IMPERIAL COUNTY.

SAID AREA CONTAINING 8,500 SQ. FT. MORE OR LESS.



**PLANNING COMMISSION
AGENDA REPORT
City of Brawley**

Meeting Date: January 7, 2015
City Manager: _____

PREPARED BY: Gordon R. Gaste, AICP CEP

PRESENTED BY: Gordon R. Gaste, AICP CEP

SUBJECT: Maximum Fence Height in Multi-Family Front Yards, Landscaping Maintenance, Paving of Parking Facilities

DEVELOPMENT REVIEW COMMITTEE RECOMMENDATION: Recommend approval to City Council for adoption

DISCUSSION: 1. Currently, the maximum fence height in the front yard setback for multi-family is four (4) feet per Section 27.179(b) of the Brawley Municipal code. The Planning Commission has approved multiple variances granting six (6) foot high fences for multi-family projects with 4 or more units. The Commission recommended that staff review the ordinance and propose an amendment allowing six (6) foot fence maximum heights for such projects.

Therefore, an amendment to Section 27.179 is proposed as follows:

Section 27.179 Fences, Wall and Hedges

(b) Maximum Fence and Wall Height in Required Front Yards. Except as otherwise permitted in this zoning ordinance, fences and walls shall not exceed a height of forty-eight inches in any residential zone within the required front yard; provided, however, that fences and walls shall not exceed a height of seventy-two inches in the A-1, commercial and industrial zones and multi-family projects with greater than 3 units or hinder driver's line of sight.

2. **Section 27.180(3) Landscaping Maintenance** of the Zoning Ordinance should be amended to include all landscaping rather than only required landscaping.

Therefore, an amendment to Section 27.180 is proposed as follows:

Section 27.180 Landscaping

3. Maintenance. ~~Required~~ All landscaped areas and landscaping shall be maintained in a neat, clean and healthful condition. This shall include proper pruning (so as not to interfere with foot or vehicular traffic or City of Brawley maintenance equipment), mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary, and the regular watering of all plantings.

Section 27.147. Development of Parking Facilities.

(a) Paving. All ~~required~~ parking areas, maneuvering areas, and any driveways used for access thereto shall be paved to City of Brawley engineering standards.

FISCAL IMPACT: Staff Time and Materials

**PLANNING COMMISSION
AGENDA REPORT
City of Brawley**

Meeting Date: January 7, 2015
City Manager: _____

PREPARED BY: Gordon R. Gaste, AICP CEP

PRESENTED BY: Gordon R. Gaste, AICP CEP

SUBJECT: Banning of Off-Site Signs

**DISCUSSION/
DIRECTION:**

Currently, the City of Brawley Zoning Ordinance allows one off-site sign to be located on parcels in commercial districts and two off-site signs on parcels in manufacturing and industrial districts. These signs may advertise commercial and non-commercial messages. No signs, other than traffic and directional signs, are permitted in the public right-of-way unless otherwise authorized by the Public Works Department. The Commission will consider a ban on off-site advertising. The following options are possible points of discussion, but may include topics in addition to these options:

1. Ban all types off-site advertising, commercial and non-commercial.
2. Ban only commercial off-site advertising.
3. Continue the current policy of allowing both types of signs.

The ordinance already has special provisions for off-site political and real estate signs. To allow a shopping center to advertise its tenants, it is recommended the definition of On-Site sign should be amended as such if the City approves a ban on off-site signage:

On-site sign means any sign which pertains to the business operated, activity conducted, or products sold or manufactured on the premises upon which such sign is located. In the case of a shopping center, shopping mall, or building complex, an establishment or tenant within the complex is "on-site" anywhere within the complex, even if the complex is located on more than one parcel.

If an amendment to the ordinance is adopted, current off-site signs will be "grandfathered" becoming a legal non-conforming use and allowed to remain if they are not moved or enlarged. Also, any non-conforming sign that requires a building permit shall adhere to the current standards. No new off-site signs will be permitted.

FISCAL IMPACT: Staff Time and Materials

ATTACHMENTS: Brawley Municipal Code Sections 27.211 and Table 27.221

Section 27.211. Definitions. For the purpose of this zoning ordinance, the following words and terms are defined as follows:

Abandoned signing means any sign, visible from a position on or off the property upon which erected, which attracts the attention of the public to something which existed at the time of its installation on the property, and which has subsequently ceased to exist on the property.

Animated signs means any sign which displays or employs action or movement, whether driven by mechanical means or wind actuated; signs which only rotate shall not be included in this category.

Banner means any sign consisting of paper, fabric, canvas, rubber, plastic, or the like, with no other material for rigid structural support. Such signs are considered temporary signs subject to the regulations of Section 27.218(f) of this ordinance.

Copy means the words, letters, symbols, illustrations, or other graphic characters used to convey the message of a sign.

Degree of nonconformity means the extent to which any sign or sign structure does not conform to the standards and requirements of this section, such as the height, sign face area, setback, vertical clearance, number of signs, or manner of keeping.

Flashing sign means any sign which contains a source of light, internal or external, that intermittently cuts on and off, or which creates the illusion of flashing or intermittent light through animation or other means.

Freestanding sign means any sign permanently anchored to the ground which stands alone on its own foundation and structural supports, and free of support from any building.

Off-site sign means any sign that may display a message, whether commercial or noncommercial, that does not necessarily relate to the premises upon which such sign is located.

On-site sign means any sign which pertains to the business operated, activity conducted, or products sold or manufactured on the premises upon which such sign is located.

Permanent sign means any sign set in the ground with its own foundation, or which is painted on or otherwise anchored to a building, wall, or other permanent structure.

Portable signing means any signing which is designed to be placed on the ground, rather than anchored to the ground or to any structure, and which may be moved without disassembly or excavation of the sign or sign structure.

Sign means any identification, illustration, description, symbol, statue, or other device, which is affixed either directly or indirectly upon a parcel, building, structure, or other surface, and used or intended to attract the attention of the public when visible from any position on or off the premises upon which it is displayed.

Sign area means the area, in square feet or square inches, which encloses both the copy and entire facing of the sign. Where a sign has two or more faces, the area of all faces shall be included in determining the sign area, except that only one face of a double faced sign shall be considered where the angle between faces does not exceed thirty degrees and the distance between faces does not exceed two feet.

Temporary signing means any signing which is set in the ground but not permanently set in its own footing or foundation, nor permanently anchored to a building, wall, or other structure.

Unauthorized signing means any signing, irrespective of the method of installation, which is erected on property without the permission of the property owner, or signing that is installed without a sign permit and/or encroachment permit.

Vertical Clearance means the vertical distance measured from the bottom edge of a sign face to the street grade of the nearest driving lane.

Wall-mounted sign means any sign attached to a wall of a building, whether or not parallel to the wall surface, including any sign painted on a wall surface or included on an awning.

Window sign means any sign painted, attached, glued, or otherwise affixed to a window, and designed to be viewed from adjoining streets, malls or parking lots.

Table 27.221. Maximum Number and Types of Signs Allowed by Zoning District

Zoning District	Temporary	Permanent		
		Freestanding On-site/Off-site	Wall-Mounted On-site	Portable
Residential- Agricultural and Estate Districts		1 (a)/none	1 (a)	not permitted
Single-Family and Low Density Multiple-Family Residential and Mobilehome Subdivision Districts		1 (a)/none	1 (a)	not permitted
Medium Density Multiple-Family Residential Districts	See Section 27.218	1 (b)/none	1 (b)	not permitted
Mobile Home Park District		1 (b)/none	1 (b)	not permitted
Commercial Districts		1/1 (c)(g)	1 (d)(h)	1 (e)
Manufacturing and Industrial Districts		2/2 (c)(g)	1 (d)(h)	1 (e)
Recreational District		1 (f)	1(f)	1 (e)
Light Agricultural District		1 (f)	1 (f)	1 (e)

Notes:

- (a) Sign copy indicating name and address of resident or owner of premises.
- (b) Sign copy indicating name and address of project or mobile home park.
- (c) Sign copy advertising the business conducted or services rendered on the premises, or in the case of an off-site sign, the business conducted at another location. Sign may be double faced, and may be illuminated or non-illuminated.
- (d) Sign copy advertising the business conducted or services rendered on the premises. Sign may be illuminated or non-illuminated.
- (e) Requires approval of a conditional use permit by the planning director.
- (f) Sign copy advertising the business conducted or services rendered on the premises.
- (g) For commercial and manufacturing/industrial centers, one (1) freestanding on-site sign per street frontage is permitted.
- (h) For commercial and manufacturing/industrial centers, one wall-mounted sign per business within the center is permitted.