



## PLANNING COMMISSION

George A Marquez, Chairman

Kevan Hutchinson, Vice-Chairman

Eugene Bumbera    Jay Goyal    Eric M. Reyes

Ramon M. Sagredo    Darren Smith

### AGENDA

**PLANNING COMMISSION  
REGULAR MEETING  
WEDNESDAY, NOVEMBER 6, 2013 AT 5:00 P.M.  
CITY COUNCIL CHAMBERS  
383 MAIN STREET  
BRAWLEY, CALIFORNIA**

1. CALL TO ORDER / ROLL CALL
2. APPROVE AGENDA
3. APPROVE MINUTES OF OCTOBER 2, 2013 AND CORRECTED MINUTES OF SEPTEMBER 4, 2013

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.

5. ZONING CODE ENFORCEMENT

### PUBLIC HEARING

6. Discussion and recommendations on the City of Brawley General Plan -- Housing Element Update 2013-2021 with an environmental negative declaration. The Housing Element 2013-2021 sets forth goals, objectives, and policies designed to reflect Brawley's changing characteristics and growth.
7. 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. Individuals who require special accommodations are requested to give 24-hour prior notice.

Contact: Alma Benavides, City Clerk, 760-351-3080

Gordon Gaste  
Planning Department  
Brawley Admin Offices  
383 Main Street

**PLANNING COMMISSION AGENDA REPORT**  
City of Brawley

Meeting Date: November 6, 2013

**FROM:** Prepared by: Gordon R. Gaste, Planning Director  
Presented by: Gordon R. Gaste, Planning Director  
Ralph Castaneda, Planning Consultant

**SUBJECT:** City of Brawley Housing Element Update/Negative Declaration for 2013-2021

**RECOMMENDATION:** Approve

**RECOMMENDATION:** The City of Brawley is requesting approval for the City of Brawley Housing Element Update and CEQA Negative Declaration for 2013-2021. A comprehensive update of the Housing Element would ensure that the Plan accurately reflects the City policies, conforms to any changes in State law, reflects current court decisions, and provides an integrated and internally consistent set of goals, objectives, and policies designed to reflect the changing characteristics and growth of the community.

The Department of Housing and Community Services (HCD) has reviewed the document and finds it in conformance with the state housing statutes.

**FISCAL IMPACT:** N/A

**ATTACHMENTS:** Housing Element; Negative Declaration; HCD Letter.



**CITY OF BRAWLEY  
NEGATIVE DECLARATION  
HOUSING ELEMENT UPDATE**

**DRAFT**

**I. DESCRIPTION OF PROJECT**

*REGIONAL SETTING*

Imperial County is located in a broad desert that has been transformed to productive agricultural lands by the importation of irrigation water. The City of Brawley is located in central Imperial County, which is in the southeastern corner of California near the Mexican border. Brawley is located approximately –

- 6 miles southeast of the City of Westmorland
- 9 miles to the south of the City of Calipatria
- 9 and 12 miles north of the Cities of Imperial and El Centro
- 21 miles north of Calexico situated along the Mexican border

Within the context of the County, Brawley is located at the intersection of State Route 78 with State Route 86 and State Route 111. The New River flows from the southwest to the northern portion of the Brawley Planning Area and the Union Pacific Railroad generally extends north-to-south and bisects central Brawley.

Brawley has historically played a significant role in the agricultural economy that characterizes Imperial County. The landscape around the urbanized areas is dominated by agricultural fields, scattered farmhouses, and related agricultural structures. Scenic views are enjoyed throughout Brawley including panoramic views of the stark topography of the Chocolate Mountains in the east and the foothills of the Peninsular Range in the west, the New River riparian corridor, and agricultural open space.

Brawley's strategic crossroads location at several major highways and the railroad facilitates easy access for residents and visitors, and regional shipping services. The City continues to provide a unique urban setting for residential, commercial, agribusiness, and industrial uses. The City is distinguished by a historic downtown commercial and civic center surrounded by a variety of distinct residential neighborhoods, parks, some industrial development, agriculture, and a municipal airport.

*HISTORICAL CONTEXT*

In 1902, J.H. Braly, a Los Angeles investor, was assigned 4,000 acres of land in the center of the area representing the present-day City of Brawley. U.S. Government Circular No. 9 was shortly released after Braly took control of the land and it claimed that nothing would grow in the desert area of Imperial Valley, even with plentiful water. In response to this news, Braly sold the land to G.A. Carter who shortly sold the land to the Imperial Land Company. In defiance of the government circular, the Imperial Land Company ordered the new town plotted and began

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promoting the agricultural potential of the area. Colorado River water was initially diverted to Imperial Valley in 1901 and irrigated agriculture in the Valley was showing promise.

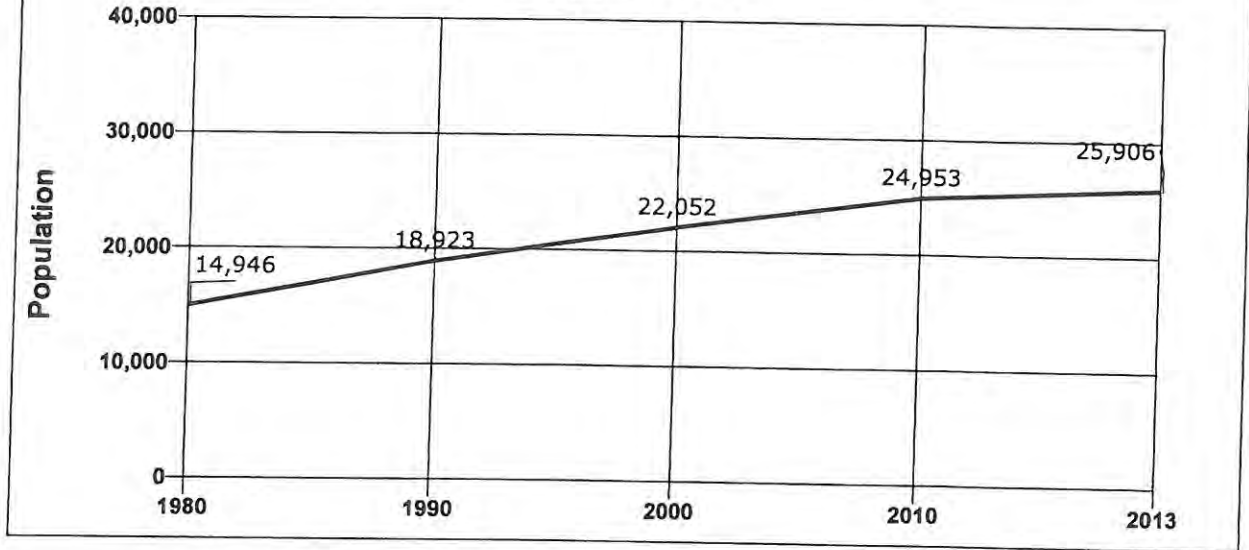
People had already begun to call the new townsite "Braly." However, Mr. Braly prohibited the use of his name for the town because he was convinced the town would fail miserably. A.H. Heber, one of the principals of the Imperial Land Company, suggested that the town be named Brawley: "I have a friend in Chicago named Brawley - we'll name the town after him," said Mr. Heber. The town developed that year with approximately a dozen tent houses and the railroad reached Brawley in September 1903. Due to the town's location at the end of the rail, new immigrants hopped off the train and often remained in Brawley for a while. By Christmas of 1903, the town's success was certain.

Brawley incorporated as a City in 1908. The City initially served as a bedroom community for farmers and cattlemen working in the central part of Imperial Valley. Due to the historic location of Brawley along the railroad, the City also served as an important trading and shipping center. For many years, Brawley contained the largest concentration of people in Imperial Valley.

During World War II, the City of El Centro exceeded Brawley's population due to the large military installations located near El Centro and Brawley consequently had become the second largest city in the Valley. Today, the cities of El Centro and Calexico each surpass the population of Brawley as a result in part to their advantageous position near Interstate 8 and the international border.

Chart 1-1 shows Brawley's population growth over the past 33 years. During this period the City grew by almost 11,000 persons or by 73%. Brawley, as noted in the preceding paragraph, is the third most populous city in Imperial County after El Centro and Calexico.

**Chart 1-1  
Brawley Population Growth  
1980 to 2013**



Brawley's strategic crossroads location with several major highways and the railroad as well as the City's proximity to Mexico continues to provide convenient access and opportunities for residents, visitors and businesses. The City's employment base, low cost of living, historic character, and recreational opportunities have made Brawley an attractive place to live.

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## STATE REQUIREMENTS AND LEGISLATIVE CHANGES

The Housing Element is one of the seven mandatory elements of the General Plan, and it specifies ways in which the housing needs of existing and future residents can be met. The element became a mandated element of a general plan in 1969, or 44 years ago. The law acknowledges that, in order for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems which provide opportunities for, and do not unduly constrain, housing development.

Government Code Section 65583 states:

The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobile homes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community.

In enacting the housing element requirement in 1969, the State legislature found and declared that -

The availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farm workers, is a priority of the highest order.

And that -

The provision of housing affordable to low- and moderate-income households requires the cooperation of all levels of government.

Also -

Local and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for housing needs of all economic segments of the community.

The Housing Element must include six major components:

- An assessment of the City's housing *needs*.
- An inventory of *sites* that can accommodate the need for new housing.
- An analysis of housing market and governmental *constraints* that impede public and private sector efforts to meet the needs.
- A *progress report* describing actions taken to implement the *2008-2014 Housing Element*.

- A statement of *goals*, quantified *objectives* and *policies* relative to the construction, rehabilitation, conservation and preservation of housing.
- An *implementation program* which sets forth a schedule of actions which the City is undertaking or intends to undertake to implement the policies and achieve the stated goals and objectives.

The City's prior Housing Element was adopted on July 15, 2008. Since that date, SB 812 is the only major change to the law. Chapter 507, Statutes of 2010 (SB 812), which took effect January 2011, amended State housing element law to require the analysis of the special housing needs of persons with developmental disabilities. This analysis should include an estimate of the number of persons with developmental disabilities, an assessment of the housing need, and a discussion of potential resources.

Chapter 728, Statutes of 2008 (SB 375) requires that the housing element due date is 18 months after adoption of the Regional Transportation Plan (RTP). October 15, 2013 (18 months after the RTP was adopted) is the due date for adoption of the Housing Element. According to Government Code Section 65588(f)(1):

“Planning Period” shall be the time period between the due date for one housing element and the due date for the next housing element.

Therefore, the planning period for the City's Housing Element is the period from October 15, 2013 through October 15, 2021.

According to Government Code Section 65588(f)(2):

“Projection Period” shall be the time period for which the regional housing need is calculated.

The SCAG Regional Housing Needs Assessment (RHNA) covers the period from January 1, 2014 to October 1, 2021.

According to SCAG, the anomaly of the housing element due date (October 15, 2013) preceding the RHNA start date (January 1, 2014) is due to (a) legislative changes and statutory definitions and (b) the date that SCAG adopted its Regional Transportation Plan. Also, HCD uses January 1 or July 1 for RHNA determination start date purposes as these are the effective dates used by Department of Finance (DOF) in updating DOF housing estimates and population projections.

## *ROLE AND ORGANIZATION OF THE HOUSING ELEMENT*

As previously noted, the Housing Element is one of seven mandatory elements of a General Plan. Its focus is on assessing the community's housing needs and describing programs to address those needs. The element must describe actions to –

- Identify adequate sites to accommodate a variety of housing needs
- Assist in the development of affordable housing



- Remove governmental constraints to housing improvement and construction
- Improve the condition of housing
- Preserve the affordable housing supply
- Promote fair housing
- Promote energy conservation

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In addition to this Introduction, two additional sections and two appendices comprise the Housing Element:

Section 2: Overview: This section provides an overview of the public participation efforts of the City during the development of the Housing Element, challenges the City faces in addressing housing needs, and a brief summary of the document.

Section 3 - Housing Program: This Section provides a summary of the housing needs and describes the goals, policies and objectives of the Housing Element. Section 3 also describes the individual programs that the City will implement during the eight-year planning period in order to address the community's housing needs.

Appendix A: This Appendix contains detailed information on the following:

- Housing Needs Assessment
- Sites Inventory and Analysis
- Housing Market Constraints Analysis
- Governmental Constraints Analysis
- Progress Report

Appendix B: This Appendix includes a list of organizations consulted, data sources, and definitions.

## *RELATIONSHIP TO OTHER GENERAL PLAN ELEMENTS*

Seven elements comprise the Brawley General Plan:

- Land Use Element
- Infrastructure Element
- Resource Management Element
- Open Space/Recreation Element
- Public Safety/Noise Element
- Economic Development Element
- Housing Element

The Housing Element complements other General Plan elements and is consistent with the policies and proposals set forth by the General Plan. For example, the housing sites identified in the Housing Element are consistent with those designated as residential or mixed use in the Land Use Element. Also, residential densities established by the Land Use Element are incorporated within the Housing Element and form the basis for calculating the residential capacity within the City.

The California Government Code requires internal consistency among the various elements of a General Plan. Section 65300.5 of the Government Code states that the General Plan's various Elements shall provide an integrated and internally consistent and compatible statement of

policy. The City has reviewed the other elements of the General Plan and has determined that this Housing Element provides consistency with the other Elements of the General Plan. The City will maintain this consistency as future General Plan amendments are processed by evaluating proposed amendments for consistency with *all* elements of the General Plan.

## *OTHER STATUTORY REQUIREMENTS*

### **1. Water and Sewer Priority**

Chapter 727 amended Government Code Section 65589.7(a) as follows:

The housing element adopted by the legislative body and any amendments made to that element shall be immediately delivered to all public agencies or private entities that provide water or sewer services for municipal and industrial uses, including residential, within the territory of the legislative body. Each public agency or private entity providing water or sewer services shall *grant a priority for the provision of these services to proposed developments that include housing units affordable to lower income households.* [Emphasis added]

The General Plan Infrastructure Component contains the following goals and objectives:

- Goal 7: Adequate water service and infrastructure.
- Objective 7.1: Provide adequate water service and infrastructure for existing development while planning and implementing improvements to accommodate planned growth in Brawley
- Goal 8: Provide adequate sewer collection infrastructure and treatment facilities.
- Objective 8.1: Provide adequate sewer collection infrastructure and treatment facilities for existing development while planning and implementing improvements to accommodate planned growth in Brawley.

The Public Works Department plans, constructs, and maintains the water system. The City purchases raw imported Colorado River water from the Imperial Irrigation District (IID), which then delivers treated water to the City.

The City provides wastewater collection, treatment and disposal services from residential, commercial, and industrial uses, and the Public Works Department plans, constructs, and maintains the sewage system, which includes a collection network of pipes and a wastewater treatment plant (WWTP).

The Planning Department will transmit a copy of the adopted Housing Element to the Public Works Department.

## 2. Flood Hazards and Flood Management Information

Government Code Section 65302 requires all cities and counties to amend the safety and conservation elements of their general plan to include an analysis and policies regarding flood hazard and flood management information upon the next revision of the housing element on, or after, January 1, 2009. The City's General Plan was adopted in September 2008.

The Safety Element includes an analysis of flood hazards. A figure in that element shows the areas subject to flooding of the New River. Flooding of the New River is presently not considered hazardous in the Planning Area because little development occurs in the flood channel and the elevation of the channel is substantially lower than the valley floor. Minor flooding and ponding of surface water can occasionally occur on the flat valley floor when irrigation canals overflow or are unable to withstand heavy precipitation. Flooding of the valley floor is considered more of an inconvenience than a hazard.

To maintain low flood hazards, the City will continue to restrict development in the New River flood channel. As indicated on the Land Use Policy Map in the Land Use Element and in the Open Space/Recreation Element, the New River channel is generally designated as Open Space. Development of land under the Open Space designation will be limited to passive and active recreational uses. To keep flood hazards minimal, the development intensity allowed under the Open Space category is very low and no residential uses are allowed.

The City has adopted the following goal and objective:

- Goal 1: Reduce the risk of flood damage in Brawley.
- Objective 1.1: Promote policies and programs that reduce the risk to the community's inhabitants from flood hazards.

### **Required Approvals**

Implementation of the proposed project would require the following discretionary actions by the City of Brawley City Council:

- Approval of a Negative Declaration; and
- Adoption of the Housing Element for the City of Brawley.

## **II. DESCRIPTION OF ENVIRONMENTAL SETTING**

The setting is entire area of the City of Brawley including projected annexation areas within the Sphere of Influence per the Service Area Plan.

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**III. ENVIRONMENTAL IMPACT AND PHYSICAL EFFECT**

The Brawley Planning Director and consultant prepared a draft Initial Study and the Planning Commission (PC) reviewed the project on November 6, 2013 and the City Council (CC) reviewed and approved the project on December 3, 2013. The PC and CC provided input.

1. There is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.
2. Feasible mitigation measures or alternatives will be incorporated to revise the proposed project, before the Negative Declaration is released for public review, such that the potential significant effects are eliminated or reduced to a level of insignificance.
3. The project is consistent with the general plan and zoning of the City of Brawley.
4. The project will not have a demonstrable negative aesthetic effect because development standards included in the Brawley Zoning Ordinance will assure a high quality of architectural and landscape design.
5. There are no unusual geologic hazards or flooding problems that would not be adequately addressed by compliance with city development requirements and the California Building Code (CBC).

**VI. POTENTIAL SIGNIFICANT IMPACTS**

There were no potential significant impacts found.

**VII. REASONS TO SUPPORT FINDING OF A NEGATIVE DECLARATION**

On the basis of this analysis, it is determined that any environmental impacts of this project are nonexistent or would not be potentially significant.

**A NEGATIVE DECLARATION IS THEREFORE APPROVED FOR THIS PROJECT.**

\_\_\_\_\_  
Gordon R. Gaste, AICP  
Planning Director

\_\_\_\_\_  
Date

Attachments  
Initial Study

**Initial Study**  
**Housing Element Update**

Prepared for:

CITY OF BRAWLEY



SEPTEMBER 2013

Prepared by:

**City of Brawley**



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***INITIAL STUDY***

***September 2013***

**A. BACKGROUND**

1. Project Title: City of Brawley Housing Element Update
2. Lead Agency Name and Address: City of Brawley  
Planning Department  
400 Main Street, Suite 2  
Brawley, CA, 92227
3. Contact Person and Phone Number/Email: Gordon Gaste  
Planning Director  
(760) 344-8822  
ggaste@brawley-ca.gov
4. Project Location: City of Brawley
5. Project Sponsor's Name and Address: City of Brawley  
Planning Department  
400 Main Street, Suite 2  
Brawley, CA, 92227
6. General Plan Designation: N/A
7. Existing Zoning: N/A
8. Proposed Zoning: N/A
9. Project Description Summary:

The City of Brawley's current Housing Element was adopted in 2008. However, a new housing element is currently being prepared for the City. This Initial Study evaluates the environmental effects of the *2013-2021 Brawley Housing Element*.

The Housing Element is an integral component of the City's General Plan. The Housing Element addresses existing and future housing needs of all types for persons of all economic groups in the City. The Housing Element is a tool for use by citizens and public officials in understanding and meeting the housing needs in City of Brawley.

The Housing Element Update covers the eight-year period of October 2013 through September 2021, and provides an implementation strategy for effectively addressing the housing needs of Brawley residents during this period. Housing program strategies are presented to address the following issues:

- Availability of adequate housing supply;
- Housing cost and affordability;
- Maintenance and rehabilitation;
- Special housing needs; and
- Energy conservation.

**B. SOURCES**

The following documents are referenced information sources utilized by this analysis:

1. City of Brawley General Plan, September 2008.
2. California Department of Toxic Substances Control, Envirostor Database, accessed August 12, 2013.
3. City of Brawley, Housing Element 2008-2013, August 2008.
4. City of Brawley, Zoning Ordinance, September 2008.
5. California Department of Conservation, Imperial County Important Farmland 2010, Division of Land Resource Protection, 2013.
6. Soil Candidate Listing for Prime Farmland and Farmland of Statewide Importance, Imperial County, California Department of Conservation, Farmland Mapping and Monitoring Program, Updated June 2, 2010.
7. City of Brawley Service Area Plan, November 2012.
8. Imperial County General Plan, January 2008.

**C. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” or “Potentially Significant Unless Mitigation Incorporated” as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agriculture                        | <input type="checkbox"/> Air Quality                  |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology/Soils                |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality            | <input type="checkbox"/> Land Use & Planning          |
| <input type="checkbox"/> Energy & Mineral Resources    | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population & Housing         |
| <input type="checkbox"/> Public Services               | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation & Circulation |
| <input type="checkbox"/> Utilities/Service Systems     | <input type="checkbox"/> Mandatory Findings of Significance | <input checked="" type="checkbox"/> None              |

**D. DETERMINATION**

On the basis of this initial study:

- I find that the Proposed Project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the applicant. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the Proposed Project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a “potentially significant impact” or “potentially significant unless mitigated” on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
\_\_\_\_\_  
Signature

Gordon Gaste, AICP  
\_\_\_\_\_  
Printed Name

9-24-13  
\_\_\_\_\_  
Date

Planning Director  
\_\_\_\_\_  
Title

## **E. BACKGROUND AND INTRODUCTION**

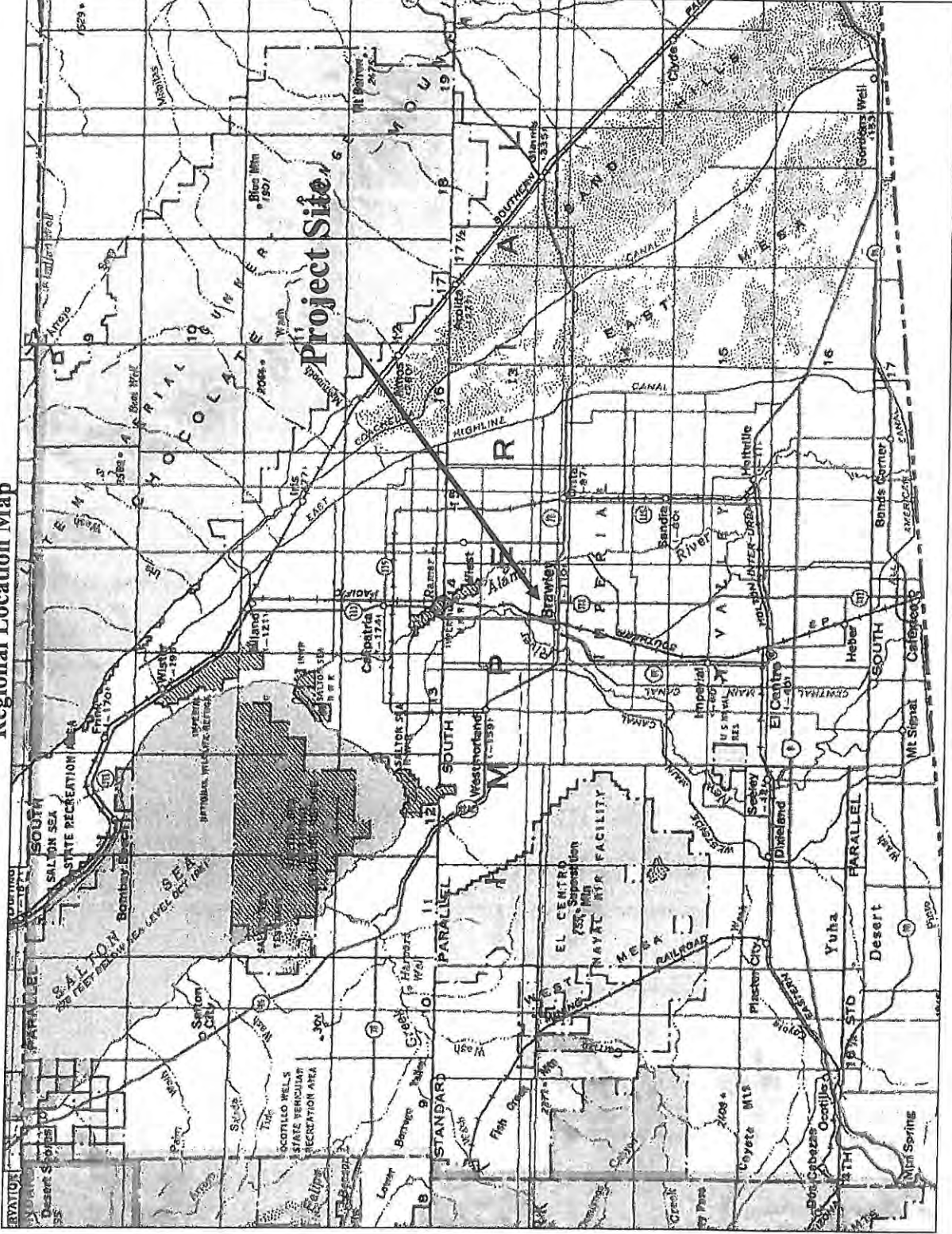
The California State Legislature has identified the attainment of a decent home and suitable living environment for every Californian as the State's primary housing goal. Recognizing the important role of local planning programs in the pursuit of this goal, the Legislature has mandated that all cities and counties prepare a Housing Element as part of the comprehensive General Plan.

The Housing Element of the Brawley General Plan sets forth the City's six-year strategy to preserve and enhance the community's character, expand housing opportunities for all economic segments, and provided guidance and direction for local government decision-making in all matters related to housing.

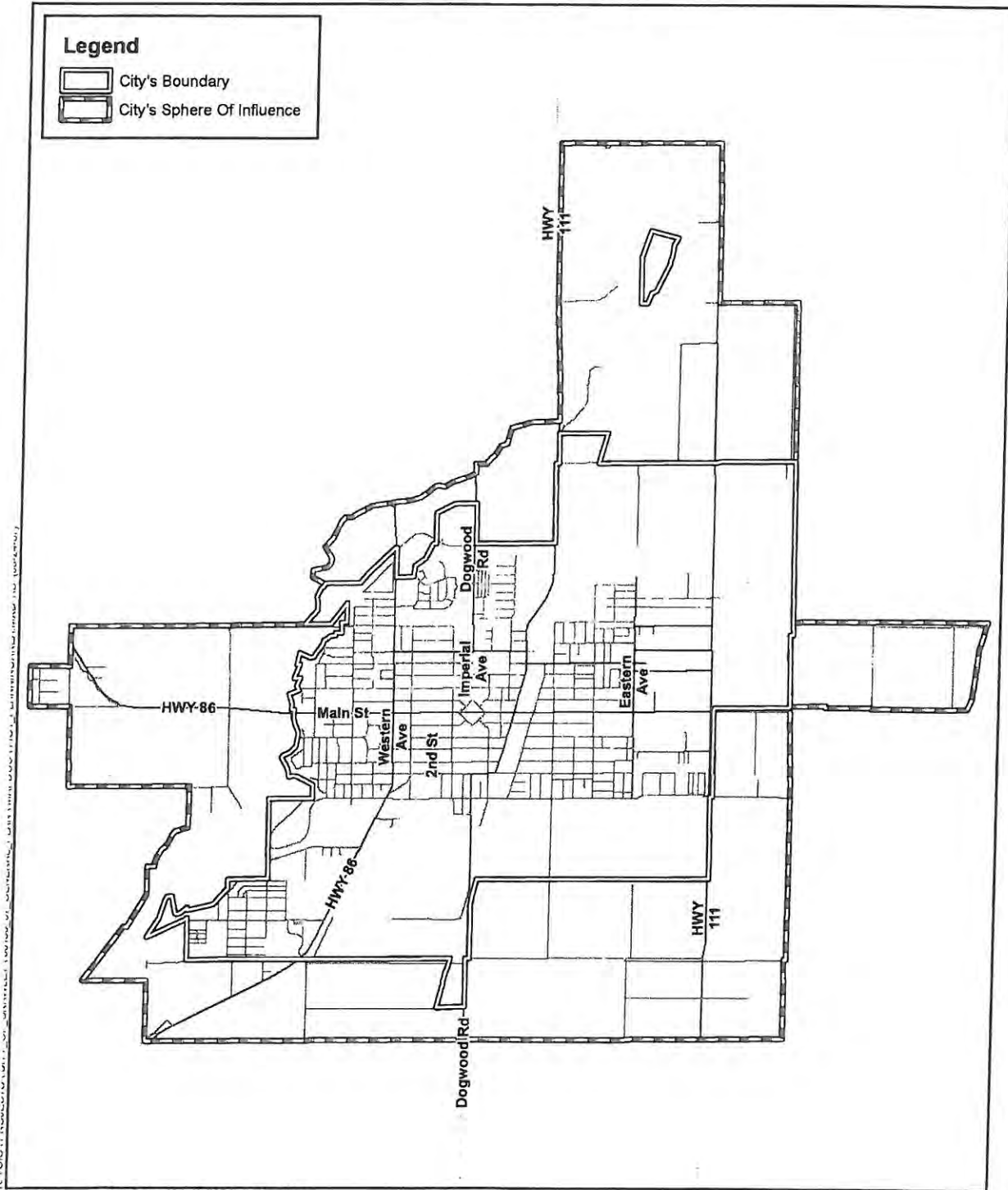
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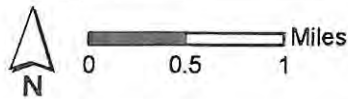
Figure 1  
Regional Location Map



**Figure 2**  
**Project Location Map**



Source: Imperial County Assessor's Office, July 2007.



Brawley General Plan

Figure INT-2  
Brawley Planning Area

Introduction to the General Plan  
December 2007

## F. PROJECT DESCRIPTION

### *REGIONAL SETTING*

Imperial County is located in a broad desert that has been transformed to productive agricultural lands by the importation of irrigation water. The City of Brawley is located in central Imperial County, which is in the southeastern corner of California near the Mexican border. Brawley is located approximately –

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- 9 miles to the south of the City of Calipatria
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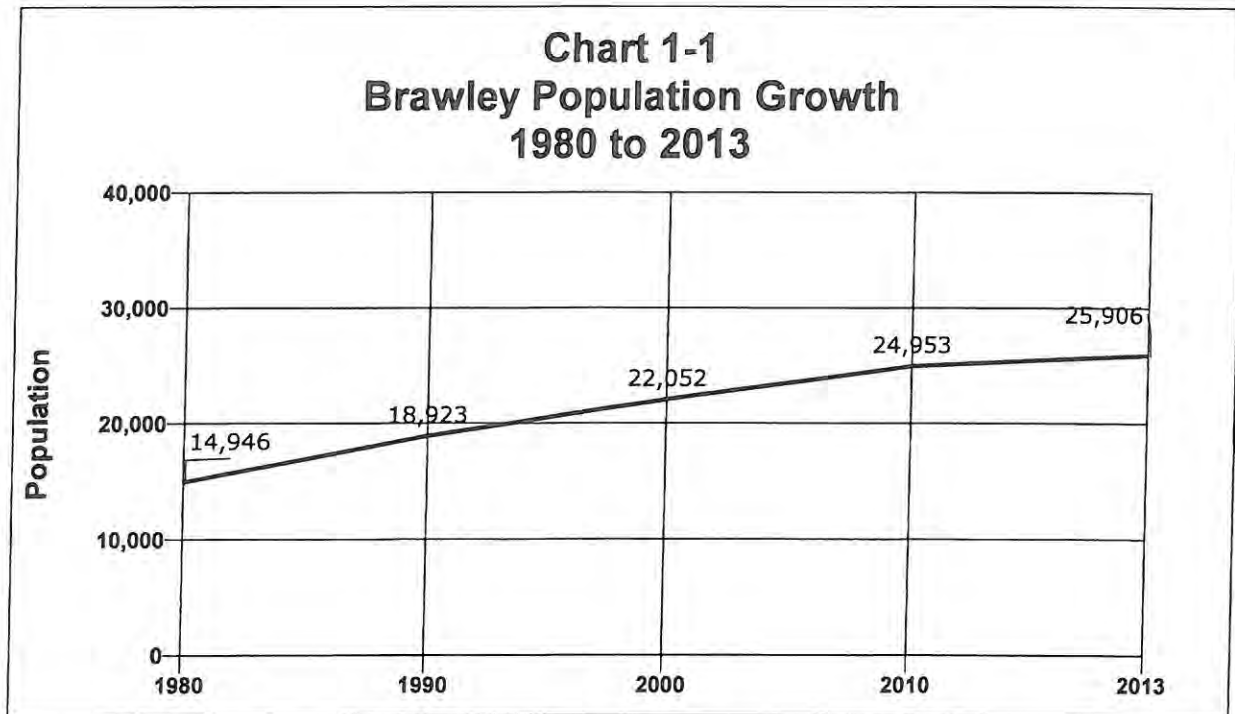


Brawley: "I have a friend in Chicago named Brawley - we'll name the town after him," said Mr. Heber. The town developed that year with approximately a dozen tent houses and the railroad reached Brawley in September 1903. Due to the town's location at the end of the rail, new immigrants hopped off the train and often remained in Brawley for a while. By Christmas of 1903, the town's success was certain.

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The Housing Element is one of the seven mandatory elements of the General Plan, and it specifies ways in which the housing needs of existing and future residents can be met. The element became a mandated element of a general plan in 1969, or 44 years ago. The law acknowledges that, in order for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems which provide opportunities for, and do not unduly constrain, housing development.

Government Code Section 65583 states:

The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobile homes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community.

In enacting the housing element requirement in 1969, the State legislature found and declared that -

The availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farm workers, is a priority of the highest order.

And that –

The provision of housing affordable to low- and moderate-income households requires the cooperation of all levels of government.

Also –

Local and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for housing needs of all economic segments of the community.

The Housing Element must include six major components:

- An assessment of the City's housing *needs*.
- An inventory of *sites* that can accommodate the need for new housing.
- An analysis of housing market and governmental *constraints* that impede public and private sector efforts to meet the needs.
- A *progress report* describing actions taken to implement the *2008-2014 Housing Element*.
- A statement of *goals*, quantified *objectives* and *policies* relative to the construction, rehabilitation, conservation and preservation of housing.

- An *implementation program* which sets forth a schedule of actions which the City is undertaking or intends to undertake to implement the policies and achieve the stated goals and objectives.

The City's prior Housing Element was adopted on July 15, 2008. Since that date, SB 812 is the only major change to the law. Chapter 507, Statutes of 2010 (SB 812), which took effect January 2011, amended State housing element law to require the analysis of the special housing needs of persons with developmental disabilities. This analysis should include an estimate of the number of persons with developmental disabilities, an assessment of the housing need, and a discussion of potential resources.

Chapter 728, Statutes of 2008 (SB 375) requires that the housing element due date is 18 months after adoption of the Regional Transportation Plan (RTP). October 15, 2013 (18 months after the RTP was adopted) is the due date for adoption of the Housing Element. According to Government Code Section 65588(f)(1):

“Planning Period” shall be the time period between the due date for one housing element and the due date for the next housing element.

Therefore, the planning period for the City's Housing Element is the period from October 15, 2013 through October 15, 2021.

According to Government Code Section 65588(f)(2):

“Projection Period” shall be the time period for which the regional housing need is calculated.

The SCAG Regional Housing Needs Assessment (RHNA) covers the period from January 1, 2014 to October 1, 2021.

According to SCAG, the anomaly of the housing element due date (October 15, 2013) preceding the RHNA start date (January 1, 2014) is due to (a) legislative changes and statutory definitions and (b) the date that SCAG adopted its Regional Transportation Plan. Also, HCD uses January 1 or July 1 for RHNA determination start date purposes as these are the effective dates used by Department of Finance (DOF) in updating DOF housing estimates and population projections.

#### *ROLE AND ORGANIZATION OF THE HOUSING ELEMENT*

As previously noted, the Housing Element is one of seven mandatory elements of a General Plan. Its focus is on assessing the community's housing needs and describing programs to address those needs. The element must describe actions to –

- Identify adequate sites to accommodate a variety of housing needs
- Assist in the development of affordable housing
- Remove governmental constraints to housing improvement and construction
- Improve the condition of housing
- Preserve the affordable housing supply
- Promote fair housing
- Promote energy conservation

In addition to this Introduction, two additional sections and two appendices comprise the Housing Element:

Section 2: Overview: This section provides an overview of the public participation efforts of the City during the development of the Housing Element, challenges the City faces in addressing housing needs, and a brief summary of the document.

Section 3 - Housing Program: This section provides a summary of the housing needs and describes the goals, policies and objectives of the Housing Element. Section 3 also describes the individual programs that the City will implement during the eight-year planning period in order to address the community's housing needs.

Appendix A: This Appendix contains detailed information on the following:

- Housing Needs Assessment
- Sites Inventory and Analysis
- Housing Market Constraints Analysis
- Governmental Constraints Analysis
- Progress Report

Appendix B: This Appendix includes a list of organizations consulted, data sources, and definitions.

### *RELATIONSHIP TO OTHER GENERAL PLAN ELEMENTS*

Seven elements comprise the Brawley General Plan:

- Land Use Element
- Infrastructure Element
- Resource Management Element
- Open Space/Recreation Element
- Public Safety/Noise Element
- Economic Development Element
- Housing Element

The Housing Element complements other General Plan elements and is consistent with the policies and proposals set forth by the General Plan. For example, the housing sites identified in the Housing Element are consistent with those designated as residential or mixed use in the Land Use Element. Also, residential densities established by the Land Use Element are incorporated within the Housing Element and form the basis for calculating the residential capacity within the City.

The California Government Code requires internal consistency among the various elements of a General Plan. Section 65300.5 of the Government Code states that the General Plan's various Elements shall provide an integrated and internally consistent and compatible statement of policy. The City has reviewed the other elements of the General Plan and has determined that this Housing Element provides consistency with the other Elements of the General Plan. The

City will maintain this consistency as future General Plan amendments are processed by evaluating proposed amendments for consistency with *all* elements of the General Plan.

### *OTHER STATUTORY REQUIREMENTS*

#### **1. Water and Sewer Priority**

Chapter 727 amended Government Code Section 65589.7(a) as follows:

The housing element adopted by the legislative body and any amendments made to that element shall be immediately delivered to all public agencies or private entities that provide water or sewer services for municipal and industrial uses, including residential, within the territory of the legislative body. Each public agency or private entity providing water or sewer services shall *grant a priority for the provision of these services to proposed developments that include housing units affordable to lower income households.* [Emphasis added]

The General Plan Infrastructure Component contains the following goals and objectives:

- Goal 7: Adequate water service and infrastructure.
- Objective 7.1: Provide adequate water service and infrastructure for existing development while planning and implementing improvements to accommodate planned growth in Brawley
- Goal 8: Provide adequate sewer collection infrastructure and treatment facilities.
- Objective 8.1: Provide adequate sewer collection infrastructure and treatment facilities for existing development while planning and implementing improvements to accommodate planned growth in Brawley.

The Public Works Department plans, constructs, and maintains the water system. The City purchases raw imported Colorado River water from the Imperial Irrigation District (IID), which then delivers treated water to the City.

The City provides wastewater collection, treatment and disposal services from residential, commercial, and industrial uses, and the Public Works Department plans, constructs, and maintains the sewage system, which includes a collection network of pipes and a wastewater treatment plant (WWTP).

The Planning Department will transmit a copy of the adopted Housing Element to the Public Works Department.

#### **2. Flood Hazards and Flood Management Information**

Government Code Section 65302 requires all cities and counties to amend the safety and conservation elements of their general plan to include an analysis and policies regarding flood

hazard and flood management information upon the next revision of the housing element on, or after, January 1, 2009. The City's General Plan was adopted in September 2008.

The Safety Element includes an analysis of flood hazards. A figure in that element shows the areas subject to flooding of the New River. Flooding of the New River is presently not considered hazardous in the Planning Area because little development occurs in the flood channel and the elevation of the channel is substantially lower than the valley floor. Minor flooding and ponding of surface water can occasionally occur on the flat valley floor when irrigation canals overflow or are unable to withstand heavy precipitation. Flooding of the valley floor is considered more of an inconvenience than a hazard.

To maintain low flood hazards, the City will continue to restrict development in the New River flood channel. As indicated on the Land Use Policy Map in the Land Use Element and in the Open Space/Recreation Element, the New River channel is generally designated as Open Space. Development of land under the Open Space designation will be limited to passive and active recreational uses. To keep flood hazards minimal, the development intensity allowed under the Open Space category is very low and no residential uses are allowed.

The City has adopted the following goal and objective:

- Goal 1: Reduce the risk of flood damage in Brawley.
- Objective 1.1: Promote policies and programs that reduce the risk to the community's inhabitants from flood hazards.

### **Required Approvals**

Implementation of the proposed project would require the following discretionary actions by the City of Brawley City Council:

- Approval of a Negative Declaration; and
- Adoption of the Housing Element for the City of Brawley.

## 7. ENVIRONMENTAL CHECKLIST

The following Checklist contains the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the proposed project. A discussion follows each environmental issue identified in the checklist. Included in each discussion are project-specific mitigation measures recommended as appropriate as part of the proposed project.

For this checklist, the following designations are used:

**Potentially Significant Impact:** An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.

**Potentially Significant Unless Mitigation Incorporated:** An impact that requires mitigation to reduce the impact to a less-than-significant level.

**Less-Than-Significant Impact:** Any impact that would not be considered significant under CEQA relative to existing standards.

**No Impact:** The project would not have any impact.

<b>I. AESTHETICS.</b> <i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

a-d. The City of Brawley is located in the central portion of Imperial County, southeast of the Salton Sea, North of the City of El Centro, in the Imperial Valley area. The core of the Brawley consists of residential, commercial, industrial, park/open space, and public facilities uses. The surrounding areas consist primarily of agricultural land. The New River runs along the western edge of Brawley. The General Plan EIR states that specific scenic resources or unique features do not exist within or adjacent to the City limits. State Routes 98 and 111 run through the City, but they have not been identified as State scenic highways.

The City of Brawley’s Housing Element is a policy-level document and would not cause direct development or redevelopment of specific projects within the City. Future development within the City will be required to comply with the City’s development standards. Without identifying the location of development within the area, the potential impact of development on a scenic vista, scenic resources, historic buildings, or the visual character of the City is impossible to determine. Furthermore, because the Housing Element is a policy-level document, site-specific designs or proposals are not included; therefore, that an assessment of potential site-specific visual impacts resulting from future development proposals is not possible.

Future development applications submitted for parcels within the City of Brawley will be subject to additional environmental review, which would ensure that impacts to aesthetics are minimized. Project-specific environmental review of future development applications and adherence to the above-mentioned City requirements would ensure that impacts related to aesthetics are *less-than-significant*.



**II. AGRICULTURE RESOURCES.**

*Would the project:*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
c. Involve other changes in the existing environment which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>

**Discussion**

a, c. The Soil Candidate Listing for Prime Farmland and Farmland of Statewide Importance in Imperial County (2010) in conjunction with the Soil Survey of Imperial County, California (1981), lists soils in the City that are considered Prime Farmland or Farmland of Statewide Importance. The following Prime Farmland soils are found within the City: Holtville silty clay, Holtville silty clay (wet), Indio loam, Indio loam (wet), Indio-Vint complex, Meloland very fine sand loam (wet), Meloland and Holtville loams (wet), Vint loamy very fine sand (wet), and Vint and Indio fine sandy loams (wet). In addition, the following soils of Statewide Importance are found within the City: Imperial silty clay (saline), Imperial silty clay (wet), and Imperial-Glenbar silt clay loams (wet), 0 to 2 percent slopes. However, much of Brawley has already been developed, resulting in a loss of Prime Farmland and Farmland of Statewide Importance. Furthermore, future development projects within the City would be required to undergo individual environmental review to determine potential impacts to existing agricultural uses, and to implement General Plan goals and policies related to conservation of agricultural resources including, but not limited to, Goal 8 found in the General Plan Resource Management Element, Goal 2 found in Open Space/Recreation Element, Goal 7 found in the Land Use Element and Goal 7 in the Public Safety/Noise Element. Therefore, impacts related to the conversion of agricultural lands to other uses would be *less-than-significant*.

b. Williamson Act contract lands do not exist within the Brawley City Limits. In addition, the Housing Element is a policy-level document and does not include any site-specific designs or proposals that would enable an assessment of potential site-specific impacts to lands that are zoned for agricultural use. Future development applications submitted for parcels within the City of Brawley will be subject to additional environmental review, which would ensure that impacts to agricultural uses are minimized. Therefore, impacts related to Williamson Act lands or lands zoned for agricultural use would be *less-than-significant*.

**III. AIR QUALITY.**

*Would the project:*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

- a-d. Brawley is located within the Salton Sea Air Basin (SSAB), which is under the jurisdiction of the Imperial County Air Pollution Control District (ICAPCD). The SSAB consists of all of Imperial County and the southeast portion of Riverside County.

Regional air quality within the SSAB is affected by topography and atmospheric inversions. The area is generally very flat and is bordered to the east by the Chocolate, Orocopia, and Cargo Muchacho mountains and to the west by the Peninsular Mountain Range. The prevailing winds tend to come from the west-northwest through the southwest. The mountains located to the east act as physical barriers to the dispersion of airborne contaminants. The SSAB also experiences surface inversions almost every day of the year. The surface inversions often last for long periods of time, allowing for air stagnation and the buildup of pollutants. During the winter, the area experiences radiation inversions in which the air near the ground surface cools by radiation, whereas the air higher in the atmosphere remains warmer. A shallow inversion layer is created between the two layers and precludes the vertical dispersion of air, causing pollutants to be trapped.

The State of California and the federal government have established air quality standards and emergency episode criteria for various pollutants. These standards are used to determine attainment of State and federal air quality goals and plans. Generally, State regulations are stricter standards than federal regulations. Air quality standards are set at concentrations that provide a sufficient margin of safety to protect public health and welfare. Episode criteria define air pollution concentrations at the level where short-term exposures may begin to affect the health of a portion of the population particularly susceptible to air pollutants. The health effects are progressively more severe and widespread as pollutant concentrations increase.

The Housing Element is a policy-level document that does not include site-specific development plans. Although implementation of a successful Housing Element can be expected to induce long-term physical growth in the City, the lack of site-specific development applications, including the design and location of specific projects, makes evaluation of the project's air quality impacts nearly impossible. In addition, future development within the City will be required to undergo project-specific review and approval and to adhere to General Plan goals and policies related to air quality, as well as federal, State, and regional air quality plans. Because the proposed project is a policy-level document that does not include direct development and because future development would be required to adhere to federal, State, and local policies and regulations, a *less-than-significant* impact would result.

- e. The proposed project would not include industrial or intensive agricultural uses; thus, the project would not be expected to create odors. Therefore, the proposed project would have *no impact* related to production of odors.

**IV. BIOLOGICAL RESOURCES.**

*Would the project:*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘

**Discussion**

a-d. The Imperial Valley provides a mix of arid desert and wetland habitat areas that can support a broad range of wildlife species. These species include both native and introduced species, as well as year-round and migrant species. Large, actively cultivated areas provide foraging habitat for numerous birds and small mammals.

It should be noted that, to a large extent, the City of Brawley has been disturbed by human activity and does not provide suitable habitat for special-status plant and wildlife species. Lands surrounding the developed areas of Brawley are primarily used for agricultural purposes. However, within the developed areas of Brawley, the New River and land adjacent to the river, as well as irrigation ditches and canals, potentially provide habitat for sensitive species. In addition, lands used for agriculture provide habitat for the burrowing owl, as well as foraging and roosting habitat for migratory birds that winter in the area.

Successful implementation of the Housing Element within Brawley would be expected to contribute to long-term physical growth in the area, which could adversely impact known and unknown biological resources in the area. Impacts could include the potential displacement or elimination of assorted biological resources in the area. However, the Housing Element is a policy-level document and would not cause direct development or redevelopment of specific projects within the City. Future development within the City will be required to comply with the City's development standards. Without identifying the location of development within the area, the potential impact of development on biological resources within the City is impossible to determine. Furthermore, because the Housing Element is a policy-level document, site-specific proposals that would enable an assessment of potential site-specific biological impacts that could result are not included. Future development applications submitted for parcels within the City of Brawley will be subject to additional environmental review, which would ensure that impacts to biological resources are minimized. In addition, future projects would be subject to federal, State, and local regulations, such as the Federal Endangered Species Act, the California Endangered Species Act, and Policy 1.1 found in the Open Space/Recreation Element of the General Plan. Therefore, impacts associated with the proposed project would be considered *less-than-significant*.

- e-f. The City of Brawley's Housing Element is a policy-level document and would not directly result in the development of specific projects within the City. Without identifying the location of specific development within the area, the potential impact of development on biological resources is impossible to determine. Because the Housing Element is a policy-level document, site-specific proposals that would enable an assessment of potential site-specific biological impacts are not included. Future development applications within the City will be required to comply with the City's development standards and will be subject to additional environmental review, which would ensure that impacts to biological resources are minimized. In addition, future projects would be subject to federal, State, and local regulations, such as the Federal Endangered Species Act, the California Endangered Species Act, and General Plan Open Space Policy 1.1. At this time, a habitat conservation plan has not been adopted within, or adjacent to, the planning area. Therefore, the proposed project would not conflict with any policies or ordinances protecting biological resources, or a habitat conservation plan, resulting in *no impact*.

**V. CULTURAL RESOURCES.**

*Would the project:*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource on site or unique geologic features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

- a. The City of Brawley was incorporated in 1908. The City initially served as a bedroom community for farmers and cattlemen working in the central part of Imperial Valley. For many years, Brawley contained the largest population concentration in Imperial Valley and a number of residential, commercial, civic, and agricultural structures were constructed. Although many of the historic structures have been removed, subsurface features such as house foundations, privies, and trash deposits may exist. Typically, the buildings and waterworks features associated with the irrigation systems of the early 20th Century are considered historic resources.

Because the Housing Element is a policy-level document, site-specific development is not associated with the proposed project, and future development projects will be required to undergo project-specific review and approval, including analysis for impacts to cultural and historic resources. In addition, future development projects would need to be consistent with the General Plan goals and policies related to cultural and historic resources, which include, but are not limited to, goals and policies found in the Land Use and Resource Management Elements. Furthermore, the future development projects would be required to adhere to federal, State, and local polices regarding preservation of historic resources. Therefore, the proposed project would result in a *less-than-significant* impact to cultural and historical resources.

- b-d. According to the County of Imperial General Plan, approximately 7,000 prehistoric archaeological sites have been recorded in Imperial County as a whole. The Sensitivity Map of Cultural Resources prepared for the County of Imperial General Plan Final EIR indicates that the New River is the nearest known cultural resource to the City of Brawley and the entire length of the New River is considered very sensitive for cultural resources due to the propensity of earlier peoples to settle in river areas.

The Brawley Housing Element is a policy-level document and would not cause direct development of specific projects within the City. Because the Housing Element is a policy document, site-specific proposals that would enable an assessment of potential site-specific impacts to cultural resources are not included. Future development projects

would be required to undergo project-specific environmental review. In addition, future projects would be required to adhere to federal and state regulations associated with protection of cultural resources, and to implement General Plan goals and policies associated with cultural resources. Therefore, impacts related to destruction or disturbance of cultural resources as a result of the proposed project would be *less-than-significant*.

**VI. GEOLOGY AND SOILS.**

*Would the project:*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist - Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

ai-iii. According to the Brawley General Plan EIR, the City of Brawley lies within a seismically active region. The County of Imperial General Plan estimates that minor earthquakes will affect certain portions of Imperial County every few months. The Alquist-Priolo Special Studies Zone for the Imperial Fault extends approximately 500 feet into the southern portion of the Brawley Sphere of Influence.

Liquefaction, settlement, ground lurching, and ground displacement along the fault line, are often the secondary effects of earthquakes. The soils in the New River Corridor, which includes portions of the City of Brawley, have properties, such as a combination unconsolidated soils, high groundwater, and saturated soils, that could facilitate these effects. Although the City of Brawley is within a seismically-active region, new developments would be required to adherence to the Uniform Building Code (UBC). Adherence with the UBD would reduce impacts from known geologic hazards.

The Housing Element is a policy-level document that does not include site-specific development proposals. Future development related to the Housing Element will have to undergo project-specific design review and approval, and will have to comply with the



goals and policies set forth in the General Plan relating to seismic hazards as well as other federal and State policies and Uniform Building Codes. Adherence to such regulations would reduce the potential impacts relating to groundshaking to a *less-than-significant* level.

aiv. The proposed project area is not susceptible to landslides because the area is essentially flat. In addition, the Housing Element is a policy-level document and does not include site-specific development proposals that could result in the exposure of people or structures to landslides. Therefore, *no impact* would occur.

b. Successful implementation of the Housing Element can be expected to contribute to development of residential uses within the City of Brawley. The development would range from renovation of existing structures to development of new structures on land that is currently vacant. The conversion of mostly vacant land to single-family or multi-family residential development, and the associated infrastructure improvements, would involve the disturbance and relocation of topsoil, rendering earth surfaces susceptible to erosion from wind and water. Soil erosion, or the loss of topsoil, resulting from the grading and excavation of a project site could be considered a significant impact.

However, the Housing Element is a policy-level document that does not include site-specific development proposals. Future development projects will be required to undergo project-specific environmental and design review, as well as comply with all UBC regulations. Therefore, impacts related to soil erosion would be *less-than-significant*.

c,d. According to the City of Brawley General Plan EIR, the possibility exists in the City for geologic hazards such as liquefaction and subsidence, as well as mudslides near the rivers and canals. However the General Plan EIR states that through the implementation of mitigation measures and General Plan policies, the impacts would be reduced to a less-than-significant level. In addition, the Housing Element is a policy-level document that does not include site-specific development proposals. Future development projects would be required to undergo project-specific environmental and design review, and would be required to comply with the General Plan goals and policies related to geologic hazards, as well as the regulations found in the UBC. Therefore, impacts related to liquefaction, expansive soils, subsidence, and mudslides would be *less-than-significant*.

e. Successful implementation of the Housing Element within the City of Brawley is expected to contribute to long-term growth in the area. However, the type of residential buildout related to the Housing Element would not include the use of septic tanks or alternative wastewater disposal systems, as all units would be required to connect to the City sewer system. Therefore, *no impact* would result.

**VII. GREENHOUSE GAS**

**EMISSIONS.** Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

a, b. The Housing Element Update would not in itself, produce impacts related to GHG emissions. The Housing Element identifies adequate sites under current zoning regulations that can accommodate the City's RHNA allocation through 2021. The potential impacts related to GHG emissions and global warming for any specific future residential projects will be assessed at the time the projects are actually proposed. Mitigation measures would then be adopted as necessary, in conformance with CEQA. Based on the above, the Housing Element Update would result in *less-than-significant* impacts from greenhouse gas emissions.

**VIII. HAZARDS AND HAZARDOUS MATERIALS.**

*Would the project:*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

a-c. Accidents can occur in the production, use, transport, and disposal of hazardous materials. Hazardous materials are used in Brawley for a variety of purposes including manufacturing, service industries, small businesses, agriculture, medical clinics, schools and households. In addition, several highways and railroads traverse the City of Brawley. The transportation routes include Highways State Routes 78, 86 and 111, and the Southern Pacific Railroad.

The City of Brawley does not have direct authority to regulate the transportation of hazardous materials on State highways and rail lines, but the U.S. Department of Transportation (DOT) regulations establish criteria for safe handling procedures. Federal

safety standards are also included in the California Administrative Code. In addition, the California Health Services Department regulates the haulers of hazardous waste, but does not regulate all hazardous materials.

Successful implementation of the Housing Element would be expected to contribute to long-term growth in the City. However, the type of residential development associated with the Housing Element would not include the routine use, transport, disposal, or release of hazardous waste. In addition, the Housing Element is a policy-level document and specific development projects are not proposed in conjunction with the Housing Element. Future development projects would be required to undergo project-specific environmental review; therefore, the project's impacts associated with hazardous materials would be *less-than-significant*.

- d. One site near the City of Brawley, Holtville Rocket Target Range No. 2., has been identified on list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The hazardous materials site is 13 miles northeast of Brawley. As the City is located over 10 miles from the hazardous site, adverse impacts are not anticipated.

The Housing Element is a policy-level document and does not include site-specific development proposals. Future development projects would be required to undergo project-specific environmental review, and would be required to implement General Plan policies related to hazardous materials, including Goal 3 found in the General Plan Safety Element. Therefore, impacts related to hazardous materials sites would be *less-than-significant*.

- e-f. The Brawley Municipal Airport is located within the Brawley City Limits. The Brawley Municipal Airport is located in the northeastern portion of the City, west of North Best Avenue and north of River Drive.

The General Plan environmental document indicates that General Plan policies found in the Land Use Element, as well as changes that were previously made to some existing land use designations near the airport, adequately address airport safety with respect to planned and existing land uses; therefore adverse impacts that could be significant are considered less-than-significant when policies are implemented. In addition, the Housing Element is a policy-level document that does not include site-specific development proposals, and an assessment of potential impacts related to the proximity of the project site to an airport is not possible. Future projects would be required to undergo project-specific environmental review and adhere to federal and State regulations, as well as General Plan goals and policies, related to airport land use plans. Therefore, implementation of the proposed project would result in a *less-than-significant* impact related to conflict with any airport land use plans.

- g, h. The Housing Element is a policy-level document that does not include site-specific development proposals, and any future development projects would be required to adhere to City regulations regarding emergency access, thus the project would not have an effect on any emergency plans. In addition, the proposed project area is not located within an area designated as "wildlands," where wildland fires pose a risk to structures. Therefore,

the proposed project would have *no impact* on emergency plans and would not be impacted by wildfires.

**IX. HYDROLOGY AND WATER QUALITY.**

*Would the project:*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (i.e., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
g. Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘
h. Place within a 100-year floodplain structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>

## Discussion

- a, f. Imperial Valley sediments contain as much as three billion acre-feet of groundwater, according to the Imperial County General Plan EIR. The application of imported water combined with the presence of fine-textured soils that do not drain well has caused the groundwater level to rise in many areas. Tile drain systems have been installed below ground in order to dewater soils to a depth below the crop root zone. Groundwater in Imperial Valley is not generally used for domestic purposes.

Water quality for all surface water and groundwater for the entire Imperial Valley is regulated under the jurisdiction of the Colorado River Basin Regional Water Quality Control Board (CRBRWQCB), Region 7. The jurisdictional area of the CRBRWQCB is separated into six different planning area.

Future development projects related to the Housing Element would be required to comply with all applicable federal, State, and local water quality regulations. Currently, the City of Brawley does not have specific standards for water quality, so the City follows State standards for water quality. During construction, future development projects would be required to obtain coverage under the State's General Permit for Construction Activities, which is administered by the CRBRWQCB. As stated in the Permit, during and after construction, Best Management Practices (BMPs) would be required to be implemented in order to reduce or eliminate adverse water quality impacts resulting from development. In addition, pursuant to the City's Municipal Separate Storm System (MS4) permit, the City is required to ensure that development does not cause adverse water quality impacts. Furthermore, stormwater management measures that will effectively control erosion and sedimentation and other construction-related pollutants during construction would be identified and implemented as required by City Ordinance. Other management measures, such as construction of detention basins, would also be required to be identified and implemented on a project-specific basis to effectively treat pollutants that would be expected for post-construction land uses. Because the Housing Element is a policy-level document and because future development projects will be subject to regulatory requirements, impacts to water quality standards or waste discharge requirements would be considered *less than significant*.

- b. According to the Brawley Service Area Plan 2012, groundwater is not used as a source of drinking water in the City of Brawley. The City purchases raw imported Colorado River water from the Imperial Irrigation District (IID). The groundwater is highly saline and detrimental to plant growth; therefore, the entire valley contains extensive underground tile drain systems to drain water from within the crop root zone. Conversion to urban land uses may result in a local lowering of the groundwater table, but this would not be substantial or detrimental because groundwater recharge in the region is estimated to be approximately 400,000 acre-feet per year. At the City of Brawley General Plan buildout, agriculture would continue to be the dominant land use in the region and because groundwater is not a source of potable water, impacts to ground water supplies and recharge would not be significant.

Because the proposed project does not include site-specific development and because buildout of the General Plan was determined not to have an adverse impact on groundwater levels, a *less-than-significant* impact would result.

- c-e. Drainage patterns in the City of Brawley are defined by the New River and the intricate network of drainage and irrigation canals that were constructed to serve the agricultural community. All of the manmade drainages ultimately discharge to the New River and then to the Salton Sea. Buildout of future development projects within the Brawley SOI would introduce roadway systems with curbs and gutters, stormwater conveyance systems, and/or stormwater detention basins that would alter existing drainage patterns. Changes to existing drainage patterns could result in a substantial increase in erosion and sediment transport to the New River unless appropriate mitigation were incorporated.

Because the Housing Element is a policy-level document, site-specific proposals that would enable an assessment of potential site-specific drainage impacts are not included. In addition, future development projects would be required to implement General Plan goals and policies related to hydrology, water quality, and drainage, as well as the mitigation measures related to drainage found in the General Plan environmental document, which would ensure that impacts of future development projects upon the City's drainage systems would be *less-than-significant*.

- g-i. The potential flood hazards in the City of Brawley are located near the New River along the western border of the City. The City has discouraged development in the New River flood channel by designating land as Open Space, where residential units are not permitted.

Because the Housing Element is a policy-level document, site-specific proposals that would enable an assessment of potential site-specific flooding impacts are not included. In addition, future development projects would not be constructed within the 100-year floodplain, resulting in *no impact*.

- j. A tsunami is a sea wave caused by submarine earth movement. A seiche is an oscillation of the surface of a lake or landlocked sea. The City of Brawley is not in close proximity to the ocean, a landlocked sea, or a lake; therefore the City is not at risk of inundation from these phenomena. In addition, the City's land is relatively flat and has a low risk of being impacted by mudslides. Therefore, the potential impact is *less-than-significant*.



**X. LAND USE AND PLANNING.**

*Would the project:*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
b. Conflict with any applicable land use plans, policies, or regulations of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating on environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘
c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘

**Discussion**

- a. The proposed project is a policy-level document that does not include site-specific development plans. Although implementation of a successful Housing Element would be expected to induce long-term growth in the City of Brawley, the lack of site-specific development applications, including the locations and design of projects, makes evaluating the impacts of the proposed project on the community impossible. Future development projects would be required to undergo project-specific review and approval and would be required to adhere to the General Plan goals and policies related to land use. Because the proposed project is a policy-level document that does not include direct development and because future development would be required to adhere to local policies and regulations, a *less-than-significant* impact would result.
- b. The intent of the Housing Element is to assess the housing needs of the City and to set future goals to fulfill those housing needs. Adoption of the Housing Element would not alter existing General Plan land use designations or zoning, nor would new land use designations or zones be created. Goal 2 of the General Plan Land Use Element sets policies to ensure that land uses will be compatible with each other and prevents the planning of incompatible land uses adjacent to one another. In addition, the Housing Element itself is an element included in the General Plan and, in accordance with State planning law, the Housing Element must be consistent with the other elements in the General Plan. Because the Housing Element must be consistent with the goals, policies, and regulations set forth in the General Plan regarding land use, *no impact* would result.
- c. The City of Brawley does not currently participate in a habitat conservation plan or natural community conservation plan. Therefore, *no impact* would result from conflict with such a plan.

**XI. MINERAL RESOURCES.**

*Would the project:*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

- a,b. According to the County of Imperial General Plan, geothermal plants or mineral recovery plants do not exist within the City of Brawley. Geothermal resources are present in the area underlying the City’s proposed Sphere of Influence; however, the resource area is far greater than the area subject to future urbanization. Consequently, impacts to mineral and geothermal resources and resource recovery from implementation of the City’s proposed General Plan were not determined to be significant. The proposed project is a policy-level document that does not include project-specific development, impacts to mineral resources would be *less-than-significant*.

**XII. NOISE.**

*Would the project result in:*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>

**Discussion**

a, b. Development of a project requires the use of construction equipment, which would generate an increase in noise levels, as well as potential groundborne vibration. Short-term construction-related noise levels would be higher than current ambient noise levels in a development area, but would be temporary in nature. Activities associated with construction would typically generate maximum noise levels ranging from 85 to 90 dB at a distance of 50 feet. However, because construction activities would be temporary and would occur during normal daytime working hours, significant adverse public reaction to construction noise would not be anticipated.

Although construction activities could result in periods of elevated noise levels, specific development projects are not proposed in connection with the Housing Element, and future construction activities would be required to comply with the Brawley Zoning Code. Therefore, impacts related to construction noise and groundborne vibration would be *less-than-significant*.

c, d. Successful implementation of the Housing Element would induce growth within the City of Brawley; specifically, residential growth. Residential growth would introduce additional traffic to the local roadway network, which, in turn, would result in a permanent increase in ambient noise levels. Whether or not the increase is considered

significant is a function of the amount of traffic noise generated by each project, relative to existing traffic noise levels prior to development of the project.

The City of Brawley includes a centralized urban area surrounded by agricultural lands. The type of housing that may result from the proposed project would be developed as infill or would involve the expansions of the urbanized limits of the City. The amount of housing would be considered small in regards to the amount of housing and population that already exists within the City and would be spread throughout the City; which would also spread the traffic related noise impacts throughout the City.

Because the proposed project does not include site-specific development, site-specific evaluation of noise-related impacts is not possible. Future development projects would be required to undergo project-specific environmental review. In addition, future projects would be required to adhere to General Plan goals and policies related to noise. Therefore, a *less-than-significant* impact to ambient noise levels would result.

- e.f. According to the Brawley General Plan, the northern portions of the City are located within the Brawley Municipal Airport Plan. The Land Use Element of the General Plan designates the areas west and north of the airport and under the flight pattern for Industrial uses. The objective of employing the Industrial designation around the airport and below the flight pattern is to minimize the risk of aircraft overflight incidents and human endangerment.

The Housing Element does not include site-specific designs or development proposals that would enable an assessment of potential site-specific impacts that could result from future development proposals. Furthermore, all future development would be reviewed to ensure consistency with all regional and local transportation plans and policies, including the Brawley Municipal Airport Plan. In addition, potential future development related to the Housing Element would generally not be expected to occur in the vicinity of the airport. Adherence to applicable plans, policies, and regulations would reduce the potential impacts related to air traffic noise levels to a *less-than-significant* level.

**XIII. POPULATION AND HOUSING.**

*Would the project:*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

a-c. Housing development that is anticipated by the Brawley Housing Element would be located on land already served by the necessary infrastructure for residential development, or on land that would allow for the reasonable extension of existing infrastructure systems. Therefore, adoption and implementation of the Housing Element would not be expected to induce substantial growth that would require significant new infrastructure. In addition, future development associated with the Housing Element would not require the displacement of existing housing or people, or necessitate the construction of replacement housing. Therefore, approval and implementation of the Housing Element would have *less-than-significant* impacts related to population and housing.

**XIV. PUBLIC SERVICES.**

*Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

a,b. Fire Protection

The Brawley Fire Department (BFD) provides fire protection to the City of Brawley. The BFD currently has two fire stations located at 815 Main Street and 1505 Jones Street. The BFD is a member of the Imperial Valley Firefighters Strike Force, which is responsible for responding to fire emergencies throughout California. The BFD is also a member of the Imperial Valley Hazardous Materials Response Team and is available to respond to hazardous materials emergencies throughout Imperial County.

Police Protection

The Brawley Police Department (BPD) provides police protection for the City of Brawley. The BPD station is located at 351 Main Street. As Brawley develops outward, the necessity may arise in the future to construct new facilities in order to maintain acceptable response times.

## Conclusion

The proposed project is a policy-level document that does not include site-specific development plans. Although implementation of a successful Housing Element would be expected to induce long-term growth in the Brawley, the lack of site-specific development applications, including the location and design of projects makes evaluating the impacts of projects on the City's Police and Fire Departments difficult. However, future development would be required to undergo project-specific review and pay appropriate Impact Fees related to public services, as well as adhere to General Plan goals and policies related to land use. Because the proposed project is a policy-level document that does not include direct development and because future development would be required to pay associated Impact Fees, a *less-than-significant* impact would result.

- c. The Brawley Elementary School District (BESD) provides educational services for K-8 the City of Brawley. BESD has students in four elementary schools and one junior high school. The Brawley Union High School (BUHS) District includes two high schools and one community day school.

The proposed project is a policy-level document that does not include site-specific development plans. Although implementation of a successful Housing Element would be expected to induce long-term growth in Brawley, the lack of site-specific development applications makes evaluating the impacts of projects on school facilities difficult. Because future development projects would be required to undergo project-specific review, comply with General Plan goals and policies related to school facilities, and pay Chapter 407, Statutes of 1998 (SB 50) school facility development fees, a *less-than-significant* impact would result.

- d,e. According to the Brawley Service Area Plan, as of 2012, the City of Brawley had 20 park and recreation facilities totaling more than 125 acres. All of the City's parks are classified as Mini, Neighborhood, or Community Parks

The proposed project is a policy-level document that does not include site-specific development plans. Although implementation of a successful Housing Element would be expected to increase long-term growth in the City, the lack of site-specific development applications makes evaluating impacts to park and recreational facilities difficult. However, future development projects would be required to comply with the GP Goal 4, Policy 6.2.6 that includes the payment of in-lieu fees and Quimby fees. Because the proposed project is a policy-level document that does not include direct development and because future development would be required to comply with the Quimby Act and pay appropriate fees, a *less-than-significant* impact would result.

**XV. RECREATION.**

*Would the project:*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>

**Discussion**

- a,b. According to the City of Brawley Service Area Plan (2012), the City of Brawley had 20 parks and recreational facilities totaling more than 125 acres. In addition, 101.9 acres are planned for addition or expansion of parks. All of the City’s parks are classified as mini-park, Neighborhood Park, or Community Park. Parks that are less than two acres and serve a one-quarter-mile radius are considered Mini Parks, Neighborhood Parks are three to ten acres, and Community Parks are within a one to two-mile radius and are larger than ten acres.

The proposed project is a policy-level document that does not include site-specific development plans. Although implementation of a successful Housing Element would be expected to long-term growth in the City, the lack of site-specific development applications makes evaluating impacts to park and recreational facilities difficult. Because the proposed project is a policy-level document that does not include direct development and because future development would be required to comply with the Quimby Act and pay appropriate fees, a *less-than-significant* impact would result.



**XVI. TRANSPORTATION/CIRCULATION.**

*Would the project:*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially increase hazards due to a design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

a,b. Cities in the more urbanized areas of southern California use Level of Service (LOS) D or E for determining the performance of roadways. The City of Brawley maintains a LOS C performance criteria. The City of Brawley regulates the impacts of new development on the transportation system by requiring payment of Traffic Impact Fees as part of the Development Impact Fees required to be paid by developers as part of specific development projects.

However, the Housing Element is a policy-level document and does not include site-specific development proposals that would enable an assessment of potential site-specific impacts to traffic and circulation. In addition, future development projects within the City would be required to follow the City's regulations and development standards, and contribute the appropriate Traffic Impact Fees, as assessed on a project-by-project basis. Therefore, because the proposed project does not include site-specific development and future development would be required to adhere to City regulations and standards, a *less-than-significant* impact would result.

c. The City of Brawley is located within the Brawley Municipal Airport Plan. The Housing Element does not include site-specific development proposals that would enable an assessment of potential site-specific impacts related to an increase in traffic levels near the airport; however, all future development projects would be required to undergo

review to ensure consistency with all regional and local transportation plans and policies, including the Brawley Municipal Airport Plan and Brawley General Plan. In addition, it should be noted that potential future development related to the Housing Element would not generally be located in the vicinity of the airport. Therefore, impacts related to interference with existing air traffic patterns would be *less-than-significant*.

- d,e. The proposed project does not include site-specific development proposals that would enable an assessment of the adequacy of road design and emergency access with any precision. Future development projects would be evaluated on a project-by-project basis for potential safety impacts and to determine adequacy of emergency access prior to approval. Therefore, the proposed project would have a *less-than-significant* impact to hazards resulting from roadway design features.
- f. The City of Brawley regulates the design of development to ensure proper emergency access and parking facilities. The City also regulates off-street truck parking to reduce the impact of truck traffic in residential areas. Because the proposed project does not include site-specific development, and future development would be required to adhere to City regulations related to parking, a *less-than-significant* impact would result.
- g. According to the Brawley General Plan, the City of Brawley works with many organizations to implement plans and programs for alternative modes of transportation as well as for direct improvements to existing highways. In addition, General Plan policies address and encourage cooperation with transit providers, development of appropriate transit facilities (such as bus stops and shelters), and demand for service systems such as dial-a-ride. The General Plan infrastructure Element includes a transit, bicycle, pedestrian, and equestrian section, which identifies locations and standards for trails, routes, lanes, and related bicycle facilities. Because the Brawley General Plan recognizes and incorporates plans and programs that support alternative modes of transportation, and because site-specific development proposals are not included as part of the proposed project, the impact would be *less-than-significant*.

<b>XVII. UTILITIES AND SERVICE SYSTEMS.</b> <i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

a.e. According to the Brawley General Plan and Service Area Plan (2012), the City of Brawley operates the wastewater collection and treatment system. The City's wastewater treatment plant has a capacity of approximately 5.9 million gallons per day (MGD) and currently processes 3.84 MGD. The wastewater treatment plant (WWTP) is currently operating at 65 percent of the maximum design capacity per the standards of the California Region Water Quality Control-Board Colorado River Basin Region 7. The WWTP is not in need of additional capacity to accommodate existing development. However, the WWTP fails to meet regional standards for bioassays (ammonia). The City anticipates resolving the difficulties in meeting Regional Water Quality Control Board minimum standards by following the completion of a project that consists of the installation of a recirculation pipeline and additional aerators to the WWTP.

The Housing Element is a policy-level document and does not include site-specific development proposals. Future development projects within the City would be required to follow the City's regulations and development standards related to wastewater facilities. Therefore, because the proposed project does not include site-specific development and

future development would be required to adhere to City regulations and standards, a *less-than-significant* impact would result.

- b,d. The City of Brawley provides water treatment and distribution services within the City limits and to some unincorporated areas of Imperial County. The City owns and operates a water treatment plant that provides clarification, filtration, and disinfection of water from the Colorado River. Untreated water is delivered to the plant via the Imperial Irrigation District (IID) canals. Treated water is then pumped from storage tanks to users via a grid of distribution pipelines and water mains. The City plans for existing water and future development through a Water Master Plan.

According to the Brawley Service Area (2012), the IID canals provide up to 16 MGD. The water treatment plant is capable of processing 15 MGD.

The Housing Element is a policy-level document and does not include site-specific development proposals that would enable an assessment of potential site-specific impacts to water supply. Future development projects would be subject to project-specific environmental review and would be required to comply with General Plan goals and policies related to water facilities. In addition, future projects would be required to comply with Chapter 643, Statutes of 2001 (SB 610) and Chapter 642, Statutes of 2001 (SB 221), which require large developments to prove their ability to obtain adequate water supply for their projects. Therefore, a *less-than-significant* impact would result.

- c. The Brawley General Plan states that development of planned land uses will affect the drainage system in the planning area. New development will result in greater areas of impervious surfaces such as streets, roofs, sidewalks, and parking lots. Future development within the City would increase impervious surfaces and runoff. In order to accommodate for the increased run off, future development would either have to discharge stormwater to existing retention facilities or construct new facilities. Retention needs would depend on the particular constraints of each project and would be determined on an individual basis, as development applications are submitted and reviewed by regulatory agencies.

Because the Housing Element is a policy-level document, the Housing Element does not include any site-specific proposals that would enable an assessment of potential site-specific drainage impacts that could result with future development projects. Future projects would be required to undergo project-specific environmental review, and would be required to comply with the City of Brawley's design criteria. Therefore, because the proposed project would not include direct development, and because future development would be required to comply with City regulations, a *less-than-significant* impact would occur.

- f,g. Solid waste collection and disposal services are provided to the City of Brawley by Allied Waste. The County of Imperial and other local agencies continue to actively seek a new landfill site and expect to open a new site in the near future.

Because the Housing Element is a policy-level document and does not include site-specific development proposals, and because future development projects would be

required to comply with City regulations and development standards related to solid waste, impacts associated with solid waste would be *less-than-significant*.

**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.**

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

- a. As mentioned previously, to a large extent the City of Brawley has been disturbed by human activity and does not provide suitable habitat for special-status plant and wildlife species. However, within the developed areas of Brawley, the New River and land adjacent to the river, as well as irrigation ditches and canals, potentially provide habitat for sensitive species. In addition, lands used for agriculture provide habitat for the burrowing owl, as well as foraging and roosting habitat for migratory birds that winter in the area. However, the proposed project is a policy-level document and does not include site-specific development proposals. All future development projects would be required to undergo site-specific environmental review, at which time the impacts to biological resources would be determined and mitigation would be required to reduce the project's impacts to a less-than-significant level. Therefore, the proposed project would have a *less-than-significant* impact to special-status species and sensitive natural communities.
- b. Development that converts rural areas to urban/suburban uses may be regarded as achieving short-term goals to the disadvantage of long-term environmental goals. However, long-range planning to establish policies, programs, and measures for the efficient and economical use of resources mitigates the inevitable impacts resulting from population and economic growth. Long-term environmental goals, both broad and specific, have been addressed previously in several environmental documents, the most comprehensive being the Brawley General Plan. The proposed project is a policy-level document and does not include site-specific development proposals. Future development projects would be required to undergo site-specific environmental review for both short-term and cumulative impacts, and implement any mitigation measures required to reduce

those impacts to less-than-significant levels. Therefore, the impact related to the proposed project would be *less-than-significant*.

- c. The loss of prime agricultural land is considered both a “cumulatively considerable impact” and a “substantial adverse impact,” both direct and indirect. As mentioned previously, portions of the General Plan buildout area are designated as Prime Farmland or Farmland of Statewide Importance.

However, the impact related to the proposed project, which is a policy-level document and does not include site-specific development proposals, is not considered significant. Other cumulative impacts could be identified in the categories of population growth, use of resources, demand for services, and physical changes to the natural environment. These impacts could be considered *potentially significant*; however, the impacts would be related to future site-specific projects, and would be mitigated to a less-than-significant level through mitigation measures required for those projects, as well as through cumulatively applied measures as development occurs. Therefore, the proposed project would result in a *less-than-significant* impact.

## **XIX. DETERMINATION AND PREPARER**

### **CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE FEE DETERMINATION (Fish and Wildlife Code Section 711.4, Statutes of 2006 - SB 1535)**

It is hereby found that this project involves no potential for any adverse effect, either individual or cumulatively, on wildlife resources and that a "Certificate of Fee Exemption" shall be prepared for this project.

It is hereby found that this project could potentially impact wildlife, individually or cumulatively, and therefore, fees in accordance with Section 711.4(d) of the Fish and Wildlife Code shall be paid to the County Clerk.

Report Preparers

City of Brawley, 400 Main Street, Brawley, CA 92227

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833  
(916) 263-2911 / FAX (916) 263-7453  
[www.hcd.ca.gov](http://www.hcd.ca.gov)



September 19, 2013

Mr. Don Dooley, Director  
Planning Department  
City of Brawley  
400 Main Street, Suite 2  
Brawley, CA 92227

Dear Mr. Dooley:

**RE: Review of the City of Brawley's 5<sup>th</sup> Cycle (2014-2021) Draft Housing Element**

Thank you for submitting the City of Brawley's revised draft housing element update received for review on July 29, 2013 along with additional revisions received on September 17, 2013. Pursuant to Government Code Section 65585(b), the Department is reporting the results of its review. A telephone conversation on September 10, 2013 with you and Mr. Ralph Castañeda, the City's consultant, facilitated the review.

The revised draft element meets the statutory requirements of State housing element law. The revised element will comply with State housing element law (Article 10.6 of the Government Code) when these revisions are adopted and submitted to the Department, pursuant to Government Code Section 65585(g).

To remain on an eight year planning cycle, pursuant to Senate Bill 375 (Chapter 728, Statutes of 2008) the City must adopt its housing element within 120 calendar days from the statutory due date of October 15, 2013 for Southern California Association of Government localities. If adopted after this date, the City will be required to revise the housing element every four years until adopting at least two consecutive revisions by the statutory deadline (Government Code Section 65588(e)(4)). More information on housing element adoption requirements is available on the Department's website at: [http://www.hcd.ca.gov/hpd/hrc/plan/he/he\\_review\\_adoptionsteps110812.pdf](http://www.hcd.ca.gov/hpd/hrc/plan/he/he_review_adoptionsteps110812.pdf).

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate.



Mr. Don Dooley, Director  
Page 2

The Department is pleased to inform the City that prior 4<sup>th</sup> cycle housing element compliance meets one of the threshold requirements of the Housing Related Parks (HRP) Program which rewards local governments for approving housing affordable to lower-income households. The HRP Program, funded by Proposition 1C, provides grant funds to eligible local governments for every qualifying unit permitted since 2010. Grant awards can be used to fund park-related capital asset projects. Specific information about the HRP is available on the Department's website at <http://www.hcd.ca.gov/hpd/hrpp/>.

The Department appreciates the hard work and dedication of Mr. Castañeda in preparation of the housing element and looks forward to receiving Brawley's adopted housing element. If you have any questions or need additional technical assistance, please contact Brett Arriaga, of our staff, at (916) 263-7439.

Sincerely,

A handwritten signature in cursive script that reads "Glen A. Campora".

Glen A. Campora  
Assistant Deputy Director

**List of Responses  
HCD Comments on Brawley's Draft Housing Element  
September 9, 2013**

**1. Total Number of ELI Households**

Refer to pages A-9 and A-10.

Table A-9 replaces the previous Table A-9.

Total number of ELI, VLI and LI households as well as the total households is provided. Data is included on the number of cost burdened households by income and household type.

**2. Housing Capacity and Affordability of the Brawley Downtown Sites**

Refer to revisions in strike-through and bold on pages A-29 and A-30.

The City has decided not to use the Downtown housing capacity as a means of demonstrating sites to accommodate Brawley's share of the regional housing need. The housing capacity was determined by the consultants who prepared the Downtown Specific Plan. The City does not have the specifics on a parcel-by-parcel basis of how capacity was estimated. See top of page A-30.

Nevertheless, the information does demonstrate the City's efforts to offer a variety of housing types and will be helpful to the development of infill development strategies for the Sustainable Communities Planning Grant.

**3. General Plan and Zoning Designations for Brawley Downtown**

The City Council adopted the Specific Plan as a regulatory tool; therefore, it replaced the prior zoning and is zoning for the Downtown.

The General Plan designation is Mixed Use.

The titles of Tables A-25 and A-26 have been revised to note the General Plan and Zoning Designations. However, separate columns for the two designations were not added to the tables.

**4. Existing Uses on Underutilized Sites**

Page A-35 provides a narrative description of the underutilized sites.

A new Table A-27 has been added to list the existing uses on the underutilized parcels.

**5. Monthly Rents**

Data on monthly rents was added to page A-52.

**6. Processing of Emergency Shelters**

Please refer to the bolded text on page A-54.

**APPENDIX A – HOUSING NEEDS, SITES, CONSTRAINTS & PROGRESS**

**DRAFT**

**2. Cost Burdened and Severely Cost Burdened Owners and Renter.**

Overpaying is often cited as one of the major problems confronting the lower income population. Table A-9 shows the total number of households and the number cost burdened and severely cost burdened by income group and household type.

**Table A-9  
City of Brawley  
Cost Burdened Households by Income and Household Type**

Household Type/Income Level/Cost Burden	Small Related	Large Related	Elderly	Other	Total Cost Burdened	Percent Cost Burdened	Total Households by Income
<b>Renters Cost Burden &gt;30%</b>							
0-30% AMI	430	85	95	105	715	73.3%	975
30-50% AMI	255	135	155	45	590	62.4%	945
50-80% AMI	85	70	-	30	185	37.0%	500
All Households	770	290	250	180	1,490	45.8%	3,250
<b>Renters Cost Burden &gt;50%</b>							
0-30% AMI	330	50	60	75	515	52.8%	975
30-50% AMI	125	40	105	-	270	28.6%	945
50-80% AMI	-	40	-	-	40	8.0%	500
All Households	455	130	165	75	825	25.4%	3,250
<b>Owners Cost Burden &gt;30%</b>							
0-30% AMI	30	-	110	25	165	82.5%	200
30-50% AMI	70	105	110	-	285	67.9%	420
50-80% AMI	50	130	90	35	305	63.5%	480
All Households	510	290	354	129	1,283	33.8%	3,800
<b>Owners Cost Burden &gt;50%</b>							
0-30% AMI	30	-	35	25	90	45.0%	200
30-50% AMI	40	40	65	-	145	34.5%	420
50-80% AMI	15	40	0	35	130	27.1%	480
All Households	120	80	150	85	435	11.4%	3,800

Source: HUD User Website, CPD Data, City of Brawley, 2006-2010 CHAS.

## **APPENDIX A – HOUSING NEEDS, SITES, CONSTRAINTS & PROGRESS**

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### **In summary:**

- **There are a total of 1,175 extremely low income renter and owner households (975 + 200) of which 880 (715 + 165) are cost burdened (>30%). About three of every four ELI renters are cost burdened.**
- **There are a total of 1,395 very low income renter and owner households (945 + 420) of which 875 (590 + 285) are cost burdened (>30%). Almost two-thirds of very low income renters are cost burdened.**
- **There are a total of 980 low income renter and owner households (500 + 480) of which 490 (185 + 305) are cost burdened (>30%). About one-third of the low income renters are cost burdened.**
- **There are a total of 3,550 lower income (<80% AMI) renter and owner households of which 2,245 are cost burdened (>30%). Almost two-thirds of all lower income renters are cost burdened.**
- **There are a total of 7,050 (3,250 + 3,800) households of which 2,773 are cost burdened (about 40%).**

**Cost burdened renters can be assisted by the Imperial Valley Housing Authority's Section 8 Housing Choice Voucher Program and the affordable rental housing stock. Cost burdened home owners, however, do not have a funding source that can lower their housing payments.**

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**3. BRAWLEY DOWNTOWN VACANT AND UNDERUTILIZED SITES ACCOMMODATING THE CITY'S NEW CONSTRUCTION NEED**

In December 2012, the City Council adopted the Brawley Downtown Specific Plan. Downtown Brawley consists of approximately 110 acres, 265 parcels, and about 1 million square feet of existing civic, commercial, institutional and industrial uses. An estimated 179 dwellings also exist within the Downtown, represented by a mixture of single-family residential and multi-family homes.

A purpose of the Specific Plan was to implement the following Land Use Element Policy:

*Encourage in-fill of vacant parcels in areas already predominately developed.*

Another purpose of the Specific Plan is to:

*Diversify the City's housing options by providing urban housing opportunities for a range of socio-economic levels.*

Three Districts comprise Brawley Downtown: Civic Center, West Village and East Village. Exhibit A-2 shows the boundaries of the three Districts. Table A-24 illustrates that the combined housing capacity is 200 housing units.

**Table A-24  
Brawley Downtown: Housing Capacity by District**

District	Permitted Dwelling Units Per Acre (DU)	Maximum # of Dwelling Units <sup>1</sup>	Height Limits
Civic Center (I)	25	150	5 stories
West Village (II)	20	20	3 stories
East Village (III)	18	30	4 stories
<b>Total</b>	N/A	200	

<sup>1</sup>Maximum # of Dwelling Units (DU) has been determined by the Downtown Brawley Specific Plan based on total combined acres of parcels designated by one of the "Neighborhood" frontage types.

The housing unit capacity has been allocated to three affordability levels based on the permitted density of development:

- Lower income ————— 150 housing units @ a density of 25 dwellings per acre
- Moderate income ————— 20 housing units @ a density of 20 units per acre
- Above moderate income ————— 30 housing units @ a density of 18 units per acre

The Specific Plan encourages mixed use development on parcels having street frontage, including attached single-family and multi-family residential allowed only on the upper floors. Density bonuses permit housing to be developed at 25, 27 and 34 dwelling units per acre. Downtown Brawley has examples of high density residential development. The Ciudad Plaza – located at the northwest corner of North 8<sup>th</sup> Street and Main Street – is three stories high and contains 60 housing units on a lot that is 14,300 square feet.

**DRAFT**

## **APPENDIX A – HOUSING NEEDS, SITES, CONSTRAINTS & PROGRESS**

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Although the Brawley Downtown Specific Plan offers a variety of development incentives and the potential for density bonus housing, the housing capacity of 200 housing units was not allocated to one of the three affordability levels. Table A-23 demonstrates that there are enough sites to accommodate Brawley's share of the regional housing need for lower income, moderate income and above moderate income housing units. Information on housing in Brawley Downtown shows that the City is offering a variety of housing types and also will contribute to the development of an infill development strategy, as required by the Sustainable Communities Planning Grant.

The Brawley Downtown Specific Plan regulates the development of properties based on the type of building frontage for the property. The Specific Plan establishes development standards for eight frontage types of which six permit residential uses. Table A-25 lists the residential density standards and height limits for six frontage types.

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**APPENDIX A – HOUSING NEEDS, SITES, CONSTRAINTS & PROGRESS**

**Table A-25  
Brawley Downtown Residential Development Standards by Frontage Type  
General Plan Designation: Mixed Use  
Zoning Designation: Specific Plan**

<b>Residential Permitted by Right or in Specific Locations</b>	<b>Base Residential Density Standards</b>	<b>Maximum Height</b>
<b>Civic Center Main Street</b>		
<i>Attached Single-Family and Multi-Family Residential Units: residential units are only allowed on upper floors or within ground floor locations that do not have street frontage.</i>	Base Residential Density: 18.5 units per acre  Density Bonus: Density bonuses of up to 35% (maximum of 25 units per acre) are allowed per the requirements of Article XXI (Density Bonus Program) of the Zoning Ordinance.	5 stories maximum; however, the fifth story facade shall not project past the property line maximum.
<b>Civic Center Neighborhood</b>		
Attached Single-Family and Multi-Family Residential Units (by right)	Base Residential Density: 25 units per acre  Density Bonus: Density bonuses of up to 35% (maximum of 34 units per acre) are allowed per the requirements of Article XXI (Density Bonus Program) of the Zoning Ordinance.	4 stories maximum
<b>West Village Main Street</b>		
<i>Attached Single-Family and Multi-Family Residential Units: residential units are only allowed on upper floors or within ground floor locations that do not have street frontage</i>	Base Residential Density: 18.5 units per acre  Density Bonus: Density bonuses of up to 35% (maximum of 25 units per acre) are allowed per the requirements of Article XXI (Density Bonus Program) of the Zoning Ordinance.	3 stories maximum
<b>West Village Neighborhood</b>		
Attached Single-Family and Multi-Family Residential Units (by right)	Base Residential Density: 20 units per acre  Density Bonus: Density bonuses of up to 35% (maximum of 27 units per acre) are allowed per the requirements of Article XXI (Density Bonus Program) of the Zoning Ordinance.	3 stories maximum

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**APPENDIX A – HOUSING NEEDS, SITES, CONSTRAINTS & PROGRESS**

Table A-25 continued  
 Brawley Downtown Residential Development Standards by Frontage Type  
General Plan Designation: Mixed Use  
Zoning Designation: Specific Plan

Residential Permitted by Right or in Specific Locations	Base Residential Density Standards	Maximum Height
<b>East Village Main Street</b>		
<i>Attached Single-Family and Multi-Family Residential Units: residential units are only allowed on upper floors or within ground floor locations that do not have street frontage</i>	Base Residential Density: 18.5 units per acre  Density Bonus: Density bonuses of up to 35% (maximum of 25 units per acre) are allowed per the requirements of Article XXI (Density Bonus Program) of the Zoning Ordinance.	4 stories maximum
<b>East Village Neighborhood</b>		
Attached Single-Family and Multi-Family Residential Units (by right)	Base Residential Density: 18 units per acre  Density Bonus: Density bonuses of up to 35% (maximum of 25 units per acre) are allowed per the requirements of Article XXI (Density Bonus Program) of the Zoning Ordinance.	3 stories maximum

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**APPENDIX A – HOUSING NEEDS, SITES, CONSTRAINTS & PROGRESS**

**Table A-26  
Vacant and Underutilized Sites in Brawley Downtown  
General Plan Designation: Mixed Use  
Zoning Designation: Specific Plan**

Frontage Type	Assessor Parcel Number	Street Address	Lot Size	Status
<b>West Village District</b>				
West Village Neighborhood	046-212-004-000	234 E	7,725	Vacant
West Village Neighborhood	046-212-005-000	236 E	8,078	Vacant
West Village Main Street and West Village Neighborhood	046-212-020-000	283 Main	110,392	Underutilized
<b>Civic Center District</b>				
Civic Center Main Street	046-213-006-000	217 Imperial	6,769	Vacant
Civic Center Main Street	046-213-010-000		8,702	Vacant
Civic Center Main Street	046-214-005-000		7,010	Vacant
Civic Center Neighborhood	048-062-006-000		15,558	Vacant
Civic Center Neighborhood	048-062-007-000		3,025	Vacant
Civic Center Neighborhood	047-331-015-000		11,124	Vacant
Civic Center Main Street	047-342-025-000	124 Plaza	7,408	Vacant
Civic Center Main Street	047-342-026-000		7,432	Vacant
Civic Center Neighborhood	047-342-004-000		8,336	Vacant
Civic Center Neighborhood	047-345-002-000	150 6th	9,194	Vacant
Civic Center Neighborhood	047-345-017-000	150 St 610 E	5,727	Vacant
Civic Center Neighborhood	047-345-003-000	620-624 E	21,419	Vacant*
Civic Center Neighborhood	047-345-004-000		4,136	Vacant
Civic Center Main Street	047-345-015-000	619 Main	6,429	Vacant
Civic Center Main Street	047-345-016-000	601 Main	11,281	Vacant
Civic Center Neighborhood	049-012-007-000	205 5th	4,248	Vacant
Civic Center Neighborhood	049-012-008-000	213 5th	5,264	Vacant
Civic Center Neighborhood	049-022-003-000	536 G	7,342	Vacant
Civic Center Neighborhood	049-024-004-000		8,087	Vacant
Civic Center Neighborhood	046-213-012-000	361 363 365 367 381 383 E	15,880	Underutilized
Civic Center Neighborhood	046-213-013-000		2,471	Underutilized
Civic Center Neighborhood	046-213-014-000	351-351 1/2 East E	9,685	Underutilized
Civic Center Neighborhood	046-213-015-000	347-347 1/2 349 East	10,160	Underutilized
Civic Center Neighborhood	046-213-016-000		32,355	Underutilized
Civic Center Neighborhood	046-214-010-000	302 306 312	20,089	Underutilized
Civic Center Neighborhood	046-214-011-000	320 E	7,126	Underutilized

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**APPENDIX A – HOUSING NEEDS, SITES, CONSTRAINTS & PROGRESS**

**Table A-26 continued  
Vacant and Underutilized Sites in Brawley Downtown  
General Plan Designation: Mixed Use  
Zoning Designation: Specific Plan**

Frontage Type	Assessor Parcel Number	Street Address	Lot Size	Status
<b>East Village District</b>				
East Village Neighborhood	047-353-004-000	956 E	7,580	Vacant
East Village Neighborhood	047-353-027-000	986 E	7,387	Vacant
East Village Neighborhood	049-041-017-000	959-965 E G	7,925	Vacant
East Village Neighborhood	049-041-018-000	955 G	7,847	Vacant
East Village Neighborhood	049-041-019-000	947-949 East G	7,985	Vacant
East Village Neighborhood	049-041-020-000	945 G	7,891	Vacant
East Village Neighborhood	049-041-024-000	194 9 <sup>th</sup>	5,591	Vacant
East Village Neighborhood	049-041-025-000	156 162 166 174 182 So 9 <sup>th</sup>	8,208	Vacant
East Village Neighborhood	049-042-001-000		15,586	Vacant
East Village Neighborhood	049-042-003-000	914 G	15,344	Vacant
East Village Neighborhood	049-042-029-000	942 944 946 948 E G	7,795	Vacant
East Village Neighborhood	049-042-010-000	980-980 ½ East G	7,531	Vacant
East Village Neighborhood	049-042-011-000	986-992 East G	7,164	Vacant

The purpose of the Brawley Downtown Specific Plan is to transform the area into a vibrant neighborhood that offers a variety of housing options. Table A-27 lists the existing uses located on the underutilized parcels. Parcel #1 has plenty of room to add a residential component. Parcels #2 and #4 are ripe for recycling given the incentives of the Downtown Specific Plan. Parcel #3 is obsolete and is now occupied by far fewer employees than in the past.

These parcels could be recycled during the eight year planning period because of 1) the densities permitted in the Downtown and 2) the impetus of an improving economy. With density bonuses, as previously noted, development is permitted at 25, 27 and 34 dwelling units per acre. Allowing densities this high coupled with an improving economy and the infill development strategies that the City will adopt all should help to encourage and facilitate the recycling of the underutilized parcels. The City was awarded a Sustainable Communities Planning Grant and one of the end products of the Grant is an infill development strategy.

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**APPENDIX A – HOUSING NEEDS, SITES, CONSTRAINTS & PROGRESS**

**Table A-27  
Brawley Downtown Underutilized Sites**

Site#	Segment	Tax ID	Universal Land Use	Lot Sq Ft	Field Notes
1	West Village District	046-212-020-000	Retail Trade	110,392	Dollar Tree/Little Ceasers/Check Cashing Building is 45 years old
2	Civic Center District	046-214-010-000	Apartment <sup>2</sup>	20,089	Older residential building
	Civic Center District	046-214-011-000	Apartment <sup>2</sup>	7,126	Older residential building
3	Civic Center District	046-213-016-000	ATT Building	32,355	Downsize in the number of employees and building is obsolete; building is 56 years old
4	Civic Center District	046-213-012-000	Duplexes	15,880	2 Duplexes Units – 61 years and 65 years old
	Civic Center District	046-213-013-000	Residential Lot <sup>1</sup>	2,471	
	Civic Center District	046-213-014-000	SFR <sup>1</sup>	9,685	SFR
	Civic Center District	046-213-015-000	SFR	10,160	Duplex

<sup>1</sup>Same ownership

<sup>2</sup>Same ownership

**DRAFT**

**APPENDIX A – HOUSING NEEDS, SITES, CONSTRAINTS & PROGRESS**

**Table A-35  
City of Brawley  
Sales Prices of Non-Owner Occupied Single Family Homes  
2011 and First Three Quarters 2012**

Price	2011		2012		Total	
	Number	Percent	Number	Percent	Number	Percent
<\$70,000	12	33.3%	10	29.4%	22	31.4%
\$70,000-79,999	3	8.3%	1	2.9%	4	5.7%
\$80,000-89,999	3	8.3%	5	14.7%	8	11.4%
\$90,000-99,999	3	8.3%	3	8.8%	6	8.6%
\$100,000-109,999	2	5.6%	2	5.9%	4	5.7%
\$110,000-119,000	2	5.6%	1	2.9%	3	4.3%
\$120,000-129,999	2	5.6%	4	11.8%	6	8.6%
\$130,000-139,999	0	0.0%	0	0.0%	0	0.0%
\$140,000-149,999	4	11.1%	2	5.9%	6	8.6%
\$150,000-159,999	3	8.3%	1	2.9%	4	5.7%
\$160,000-169,999	1	2.8%	0	0.0%	1	1.4%
\$170,000-179,999	1	2.8%	4	11.8%	5	7.1%
\$180,000-189,999	0	0.0%	0	0.0%	0	0.0%
\$190,000-199,999	0	0.0%	1	2.9%	1	1.4%
\$200,000+	0	0.0%	0	0.0%	0	0.0%
<b>Total</b>	<b>36</b>	<b>100.0%</b>	<b>34</b>	<b>100.0%</b>	<b>70</b>	<b>100.0%</b>

Note: 23 REO Sales in 2011 and 18 in 2012.

Source: Realist property tax records from the Pacific West Association of Realtors

**a. Monthly Rents**

The 2009-2011 American Community Survey (ACS) estimated a total of 3,048 renters of which 229 reported “no cash rent” and 2,819 reported a monthly rent. The ACS determined that the median monthly cash rent was \$565. Many of the renters paying monthly rents at or below the median probably live in one of the City’s affordable housing developments. Some 271 renter households have monthly rents of more than \$1,000.

**E. GOVERNMENTAL CONSTRAINTS ANALYSIS**

**1. INTRODUCTION**

The Housing Element must include -

“An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels...”

The purpose of the analysis is to find out if the following factors contain a standard or practice which “...constitute(s) a barrier to the maintenance, improvement or development of housing.”

- Land use controls
- Building codes and their enforcement

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**2. ACTIONS TAKEN TO REMOVE/AMELIORATE CONSTRAINTS IDENTIFIED BY THE 2008-2014 HOUSING ELEMENT**

The *2008-2014 Housing Element* identified governmental constraints that needed to be removed or ameliorated. The City has amended the Zoning Ordinance to remove the following constraints, which were described in Section 4 – Housing Program – of the *2008-2014 Housing Element*.

- Identify emergency shelters as a permitted use in the General Commercial Zone as indicated by the vacant land survey performed for this Housing Element. The City has in excess of 38 acres of vacant commercial land zoned C-1 through C-3 available throughout the City that would be available for emergency shelters.
- Establish streamlined permit processing procedures to expedite the development of homeless shelters as developments come under the consideration of the City through expediting the permitting process for homeless shelters.
- Zoning Ordinance revision to evaluate Second Dwelling Unit provisions that will eliminate the need for a conditional use permit or other discretionary approvals in all residential zones, in accordance with State law.

DRAFT

The Zoning Ordinance was amended to incorporate the following definition:

**Emergency shelter** means housing with minimal supportive services for homeless persons that is limited to occupancy of 6 months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

Emergency shelters are a permitted use in the following zones:

- C-1 Neighborhood Commercial
- C-2 Medium Commercial
- C-3 Heavy Commercial

**Emergency shelters are processed in the same manner as the other uses permitted in the three commercial zones. No conditional use permit or other discretionary approvals are required of emergency shelters located in the C-1, C-2 and C-3 Zones.**

The Zoning Ordinance was amended to eliminate the requirement of a conditional use permit and other discretionary approvals for second units. Second units are now allowed by right in the five residential zones subject only to specific conditions outlined in the Zoning Ordinance.

**3. GOVERNMENTAL CONSTRAINTS IDENTIFIED BY THE 2008-2014 HOUSING ELEMENT WHICH HAVE NOT BEEN REMOVED OR AMELIORATED**

The following four pages discuss the governmental constraints that have not been removed or ameliorated: density bonus ordinance, housing for the disabled, zoning for a variety of housing types, and reduced parking for special needs housing.



City of **BRAWLEY**

**DRAFT HOUSING ELEMENT**

**SUBMITTED FOR REVIEW TO:  
STATE DEPARTMENT OF HOUSING  
AND COMMUNITY DEVELOPMENT**

**SUBMITTED BY:  
PLANNING DEPARTMENT  
CITY OF BRAWLEY**

**JULY 2013**



**City of Brawley**  
**2013-2021 Housing Element of the General Plan**  
**Section 1-Introduction**  
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## SECTION 1 - INTRODUCTION

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### A. REGIONAL SETTING

Imperial County is located in a broad desert that has been transformed to productive agricultural lands by the importation of irrigation water. The City of Brawley is located in central Imperial County, which is in the southeastern corner of California near the Mexican border. Brawley is located approximately –

- 6 miles southeast of the City of Westmorland
- 9 miles to the south of the City of Calipatria
- 9 and 12 miles north of the Cities of Imperial and El Centro
- 21 miles north of Calexico situated along the Mexican border

Within the context of the County, Brawley is located at the intersection of State Route 78 with State Route 86 and State Route 111. The New River flows from the southwest to the northern portion of the Brawley Planning Area and the Union Pacific Railroad generally extends north-to-south and bisects central Brawley.

Brawley has historically played a significant role in the agricultural economy that characterizes Imperial County. The landscape around the urbanized areas is dominated by agricultural fields, scattered farmhouses, and related agricultural structures. Scenic views are enjoyed throughout Brawley including panoramic views of the stark topography of the Chocolate Mountains in the east and the foothills of the Peninsular Range in the west, the New River riparian corridor, and agricultural open space.

Brawley's strategic crossroads location at several major highways and the railroad facilitates easy access for residents and visitors, and regional shipping services. The City continues to provide a unique urban setting for residential, commercial, agribusiness, and industrial uses. The City is distinguished by a historic downtown commercial and civic center surrounded by a variety of distinct residential neighborhoods, parks, some industrial development, agriculture, and a municipal airport.

### B. HISTORICAL CONTEXT

In 1902, J.H. Braly, a Los Angeles investor, was assigned 4,000 acres of land in the center of the area representing the present-day City of Brawley. U.S. Government Circular No. 9 was shortly released after Braly took control of the land and it claimed that nothing would grow in the desert area of Imperial Valley, even with plentiful water. In response to this news, Braly sold the land to G.A. Carter who shortly sold the land to the Imperial Land Company. In defiance of the government circular, the Imperial Land Company ordered the new town plotted and began promoting the agricultural potential of the area. Colorado River water was initially diverted to Imperial Valley in 1901 and irrigated agriculture in the Valley was showing promise.

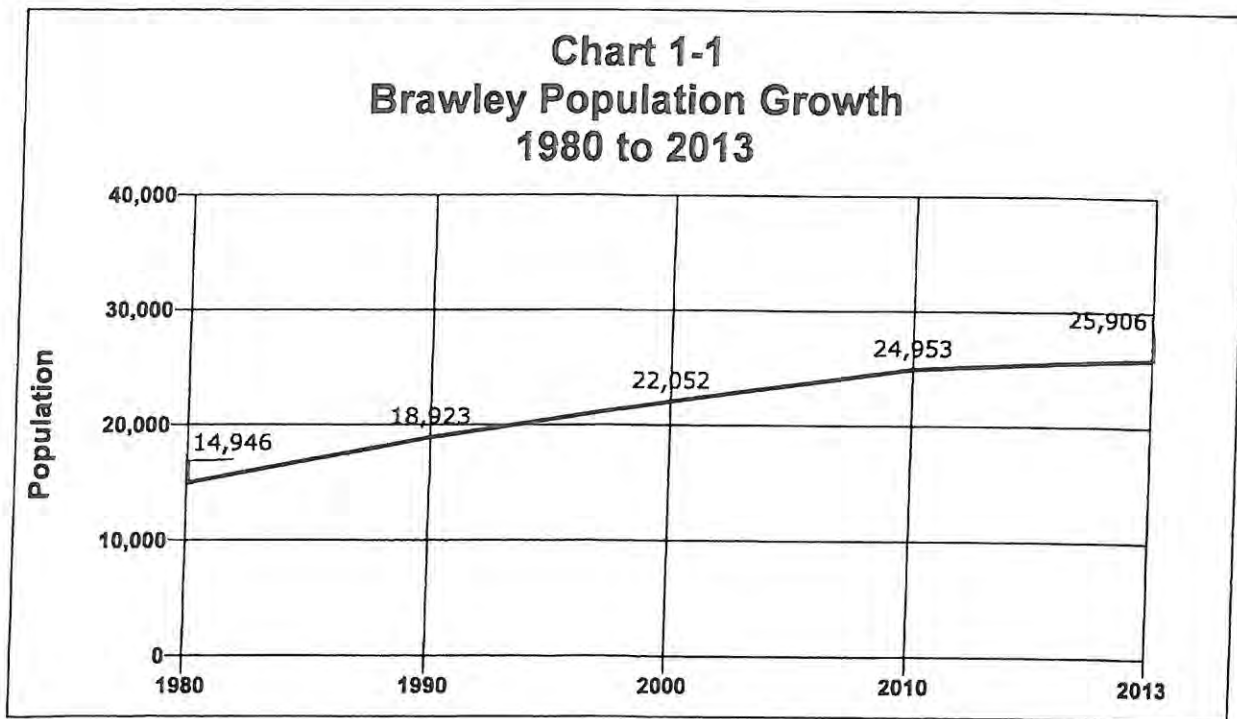
People had already begun to call the new townsite "Braly." However, Mr. Braly prohibited the use of his name for the town because he was convinced the town would fail miserably. A.H. Heber, one of the principals of the Imperial Land Company, suggested that the town be named Brawley: "I have a friend in Chicago named Brawley - we'll name the town after him," said Mr. Heber. The town developed that year with approximately a dozen tent houses and the railroad reached Brawley in September 1903. Due to the town's location at the end of the rail, new immigrants hopped off the train and often remained in Brawley for a while. By Christmas of 1903, the town's success was certain.

## SECTION 1 - INTRODUCTION

Brawley incorporated as a City in 1908. The City initially served as a bedroom community for farmers and cattlemen working in the central part of Imperial Valley. Due to the historic location of Brawley along the railroad, the City also served as an important trading and shipping center. For many years, Brawley contained the largest concentration of people in Imperial Valley.

During World War II, the City of El Centro exceeded Brawley's population due to the large military installations located near El Centro and Brawley consequently had become the second largest city in the Valley. Today, the cities of El Centro and Calexico each surpass the population of Brawley as a result in part to their advantageous position near Interstate 8 and the international border.

Chart 1-1 shows Brawley's population growth over the past 33 years. During this period the City grew by almost 11,000 persons or by 73%. Brawley, as noted in the preceding paragraph, is the third most populous city in Imperial County after El Centro and Calexico.



Brawley's strategic crossroads location with several major highways and the railroad as well as the City's proximity to Mexico continues to provide convenient access and opportunities for residents, visitors and businesses. The City's employment base, low cost of living, historic character, and recreational opportunities have made Brawley an attractive place to live.

## SECTION 1 - INTRODUCTION

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### C. STATE REQUIREMENTS AND LEGISLATIVE CHANGES

The Housing Element is one of the seven mandatory elements of the General Plan, and it specifies ways in which the housing needs of existing and future residents can be met. The element became a mandated element of a general plan in 1969, or 44 years ago. The law acknowledges that, in order for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems which provide opportunities for, and do not unduly constrain, housing development.

Government Code Section 65583 states:

The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobile homes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community.

In enacting the housing element requirement in 1969, the State legislature found and declared that -

The availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farm workers, is a priority of the highest order.

And that -

The provision of housing affordable to low- and moderate-income households requires the cooperation of all levels of government.

Also -

Local and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for housing needs of all economic segments of the community.

The Housing Element must include six major components:

- An assessment of the City's housing *needs*.
- An inventory of *sites* that can accommodate the need for new housing.
- An analysis of housing market and governmental *constraints* that impede public and private sector efforts to meet the needs.
- A *progress report* describing actions taken to implement the *2008-2014 Housing Element*.
- A statement of *goals*, quantified *objectives* and *policies* relative to the construction, rehabilitation, conservation and preservation of housing.
- An *implementation program* which sets forth a schedule of actions which the City is undertaking or intends to undertake to implement the policies and achieve the stated goals and objectives.

## SECTION 1 - INTRODUCTION

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The City's prior Housing Element was adopted on July 15, 2008. Since that date, SB 812 is the only major change to the law. Chapter 507, Statutes of 2010 (SB 812), which took effect January 2011, amended State housing element law to require the analysis of the special housing needs of persons with developmental disabilities. This analysis should include an estimate of the number of persons with developmental disabilities, an assessment of the housing need, and a discussion of potential resources.

SB 375 requires that the housing element due date is 18 months after adoption of the Regional Transportation Plan (RTP). October 15, 2013 (18 months after the RTP was adopted) is the due date for adoption of the Housing Element. According to Government Code Section 65588(f)(1):

"Planning Period" shall be the time period between the due date for one housing element and the due date for the next housing element.

Therefore, the planning period for the City's Housing Element is the period from October 15, 2013 through October 15, 2021.

According to Government Code Section 65588(f)(2):

"Projection Period" shall be the time period for which the regional housing need is calculated.

The SCAG Regional Housing Needs Assessment (RHNA) covers the period from January 1, 2014 to October 1, 2021.

According to SCAG, the anomaly of the housing element due date (October 15, 2013) preceding the RHNA start date (January 1, 2014) is due to (a) legislative changes and statutory definitions and (b) the date that SCAG adopted its Regional Transportation Plan. Also, HCD uses January 1 or July 1 for RHNA determination start date purposes as these are the effective dates used by Department of Finance (DOF) in updating DOF housing estimates and population projections.

### **D. ROLE AND ORGANIZATION OF THE HOUSING ELEMENT**

As previously noted, the Housing Element is one of seven mandatory elements of a General Plan. Its focus is on assessing the community's housing needs and describing programs to address those needs. The element must describe actions to –

- Identify adequate sites to accommodate a variety of housing needs
- Assist in the development of affordable housing
- Remove governmental constraints to housing improvement and construction
- Improve the condition of housing
- Preserve the affordable housing supply
- Promote fair housing
- Promote energy conservation

## SECTION 1 - INTRODUCTION

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In addition to this Introduction, two additional Sections and two Appendices comprise the Housing Element:

Section 2: Overview: This Section provides an overview of the public participation efforts of the City during the development of the Housing Element, challenges the City faces in addressing housing needs, and a brief summary of the document.

Section 3 - Housing Program: This Section provides a summary of the housing needs and describes the goals, policies and objectives of the Housing Element. Section 3 also describes the individual programs that the City will implement during the eight-year planning period in order to address the community's housing needs.

Appendix A: This Appendix contains detailed information on the following:

- Housing Needs Assessment
- Sites Inventory and Analysis
- Housing Market Constraints Analysis
- Governmental Constraints Analysis
- Progress Report

Appendix B: This Appendix includes a list of organizations consulted, data sources, and definitions.

### E. RELATIONSHIP TO OTHER GENERAL PLAN ELEMENTS

Seven elements comprise the Brawley General Plan:

- Land Use Element
- Infrastructure Element
- Resource Management Element
- Open Space/Recreation Element
- Public Safety/Noise Element
- Economic Development Element
- Housing Element

The Housing Element complements other General Plan elements and is consistent with the policies and proposals set forth by the General Plan. For example, the housing sites identified in the Housing Element are consistent with those designated as residential or mixed use in the Land Use Element. Also, residential densities established by the Land Use Element are incorporated within the Housing Element and form the basis for calculating the residential capacity within the City.

The California Government Code requires internal consistency among the various elements of a General Plan. Section 65300.5 of the Government Code states that the General Plan's various Elements shall provide an integrated and internally consistent and compatible statement of policy. The City has reviewed the other elements of the General Plan and has determined that this Housing Element provides consistency with the other Elements of the General Plan. The City will maintain this consistency as future General Plan amendments are processed by evaluating proposed amendments for consistency with *all* elements of the General Plan.

## SECTION 1 - INTRODUCTION

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### F. OTHER STATUTORY REQUIREMENTS

#### 1. Water and Sewer Priority

Chapter 727 amended Government Code Section 65589.7(a) as follows:

The housing element adopted by the legislative body and any amendments made to that element shall be immediately delivered to all public agencies or private entities that provide water or sewer services for municipal and industrial uses, including residential, within the territory of the legislative body. Each public agency or private entity providing water or sewer services shall grant a *priority for the provision of these services to proposed developments that include housing units affordable to lower income households.* [Emphasis added]

The General Plan Infrastructure Component contains the following goals and objectives:

- Goal 7: Adequate water service and infrastructure.
- Objective 7.1: Provide adequate water service and infrastructure for existing development while planning and implementing improvements to accommodate planned growth in Brawley
- Goal 8: Provide adequate sewer collection infrastructure and treatment facilities.
- Objective 8.1: Provide adequate sewer collection infrastructure and treatment facilities for existing development while planning and implementing improvements to accommodate planned growth in Brawley.

The Public Works Department plans, constructs, and maintains the water system. The City purchases raw imported Colorado River water from the Imperial Irrigation District (IID), which then delivers the raw water to the City via IID-owned and operated canals.

The City provides wastewater collection, treatment and disposal services from residential, commercial, and industrial uses, and the Public Works Department plans, constructs, and maintains the sewage system, which includes a collection network of pipes and a wastewater treatment plant (WWTP).

The Planning Department will transmit a copy of the adopted Housing Element to the Public Works Department.

#### 2. Flood Hazards and Flood Management Information

Government Code Section 65302 requires all cities and counties to amend the safety and conservation elements of their general plan to include an analysis and policies regarding flood hazard and flood management information upon the next revision of the housing element on, or after, January 1, 2009. The City's General Plan was adopted in September 2008.

The Safety Element includes an analysis of flood hazards. A figure in that element shows the areas subject to flooding of the New River. Flooding of the New River is presently not considered hazardous in the Planning Area because little development occurs in the flood

## SECTION 1 - INTRODUCTION

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channel and the elevation of the channel is substantially lower than the valley floor. Minor flooding and ponding of surface water can occasionally occur on the flat valley floor when irrigation canals overflow or are unable to withstand heavy precipitation. Flooding of the valley floor is considered more of an inconvenience than a hazard.

To maintain low flood hazards, the City will continue to restrict development in the New River flood channel. As indicated on the Land Use Policy Map in the Land Use Element and in the Open Space/Recreation Element, the New River channel is generally designated as Open Space. Development of land under the Open Space designation will be limited to passive and active recreational uses. To keep flood hazards minimal, the development intensity allowed under the Open Space category is very low and no residential uses are allowed.

The City has adopted the following goal and objective:

- Goal 1: Reduce the risk of flood damage in Brawley.
- Objective 1.1: Promote policies and programs that reduce the risk to the community's inhabitants from flood hazards.





**City of Brawley**  
**2013-2021 Housing Element of the General Plan**  
**Section 2-Overview**  
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## SECTION 2- OVERVIEW

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The Section 2 Overview presents information on:

- Housing Element Public Participation Effort
- Challenges To Addressing the Community's Housing Needs
- Brief Housing Element Summary

### A. HOUSING ELEMENT PUBLIC PARTICIPATION EFFORT

A housing element must:

Include a diligent effort by the local government to achieve public participation of all economic segments of the community in the development of the housing element

Community participation formed the foundation for the 2008 comprehensive update of the Brawley General Plan. The General Plan Update included numerous meetings, workshops, and public hearings. During the development of the 2013 Housing Element Update, public participation efforts included:

- Housing Needs Survey
- Community Stakeholder Outreach
- Public Review of the Draft Housing Element
- Public Hearings

#### 1. Housing Needs Survey

A Housing Needs Survey comprised of eight questions was posted on the City's website in both English and Spanish languages. The public was notified of the opportunity to complete the survey through announcements in local newspapers, including the Imperial Valley Press and El Sol Del Valle Imperial.

The purpose of the Survey was to garner insights on the respondents housing needs and their opinions on the community's housing needs. The survey results are presented below:

Thirty-one residents responded to the Survey: 29 English responses and two Spanish responses. In order to complete the survey, respondents had to live in the City. Not all respondents answered each question, so percentages are based on those that responded to the specific question. A summary of the survey results is presented below:

Household Characteristics:

- 72% Owners 28% Renters
- 25% large families (5 Persons or more)
- 54% have annual incomes of less than \$48,000

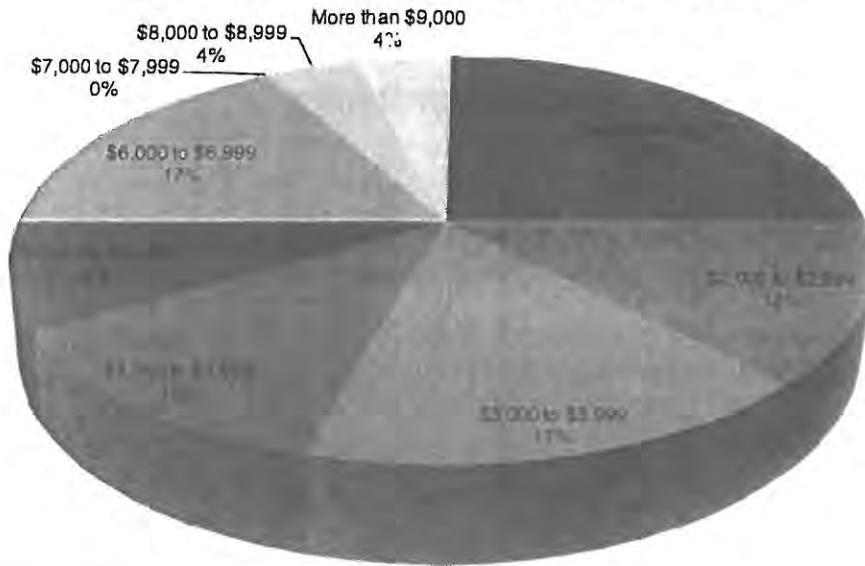
Refer to Chart 2-1 for the income distribution of all survey respondents.

Of all respondents:

- 17% said they "need grab bars, ramps, or other accessibility modifications"
- 13% "have difficulty using stairs, bathtub, etc."

## SECTION 2- OVERVIEW

**Chart 2-1**  
**City of Brawley**  
**Household Income of Survey Respondents**



When asked about their family' housing needs:

- 41% "need help with home repairs and maintenance"
- 32% say their "monthly housing costs are too high"
- 32% "need a larger place to live in"
- 59% say their "monthly utility bills are too high"

When asked about high priority community housing programs:

- 18% said "assistance to modify my home"
- 36% indicated "first time home buyer assistance"
- 36% indicated "assistance with monthly housing costs"
- 32% indicated "single-family home repair and rehabilitation"

While the survey is not a scientific sample, the respondents' answers reveal a need for first time homebuyer assistance, rental assistance, and home repairs. More respondents (41%) consider new family housing as a priority compared to senior housing (about 27%). Although funding is limited, the City and Imperial Valley Housing Authority operate programs that address the priority housing needs.

### **2. Community Stakeholder Outreach**

An essential part of the public participation effort was outreach to community stakeholders. Interviews were conducted with several organizations that represent the interest of low income families, the elderly, and special needs households. A summary is presented on the next two pages of the housing needs and resources identified as part of the outreach effort.

## SECTION 2 - OVERVIEW

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### **Campesinos Unidos, Inc. (serves the rural poor)**

- Rental assistance is considered a growing and significant problem.
- Campesinos Unidos, Inc. provides emergency rental assistance up to three months.
- Campesinos Unidos, Inc. provides energy bill assistance to get up to date and reconnect; a growing problem.
- Growing need for energy efficient homes because many homes are old.
- Most families do not want regular apartments because they prefer garden style single story homes which have a minimum upkeep and a small garden area.

### **Imperial Valley Housing Authority**

The Housing Authority reports that:

- 2,224 families are on the Section 8 waiting list.
- About one-half of the families on the waiting list need a 2-bedroom unit.
- Veterans and families whose homes have been condemned receive priority in the issuance of Section 8 Housing Choice Vouchers.
- It operates 395 assisted housing units in 8 developments located Brawley.
- It operates one mobile home park located in Brawley. The park has 58 spaces.
- It assists 296 families with Section 8 Housing Choice Vouchers

### **Area Agency on Aging**

Staff at the Area Agency on Aging described the following needs:

- People are reluctant to apply for home modifications and repairs because they do not want to take on more debt.
- The Agency has limited funds to assist with emergency turn-on/turn-off of utilities.
- The Agency provides three months of rental assistance and then refers the clients to the County or a city. About 20 households are assisted each month.
- There seems to be a steady increase in the numbers of elderly requesting assistance.
- The types of housing most needed include:
  - ✓ Energy efficient
  - ✓ Handicapped accessible (as the elderly get older grab bars and walk-in showers are important)
  - ✓ Garden homes with minimal upkeep would enable more seniors to age in place

### **Brawley Senior Center**

Staff at the Brawley Senior Center described the following needs:

- Although 60% of clients speak only Spanish, service information is available in both English and Spanish.
- Number of clients using the Center has recently been increasing.
- About one-third of the clients are mobility impaired (use a cane or a walker)
- New housing should be one-story garden style with small yards.

## SECTION 2 - OVERVIEW

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### Department of Developmental Services (DDS) – San Diego Regional Center

- Service coordinators from the Regional Center meet with individuals who are requesting assistance to diagnose and assess eligibility and help plan, access, coordinate and monitor the services and supports that are needed because of a developmental disability.
- 194 developmentally disabled persons living in Brawley are served by the Regional Center.

### Women Haven – the Center for Family Solutions and Domestic Violence Shelter

- Operates two emergency shelters for women and women with children. The shelters have a capacity of 12 people and 15 to 18 people. The maximum stay is 60 days, although extensions may be granted.
- Operates 13 transitional housing units with a maximum stay of two years. Funding is from two sources: EHAP and HUD vouchers. The voucher holders usually select El Centro as a place to reside because of available services.

### Local Churches

There are thirty (30) churches located in the City of Brawley. Several attempts were made to contact a representative sample of thirteen (13) churches. Five (5) out of the thirteen (13) churches representing approximately 1,400+ members/parishioners responded to a telephone interview. Those churches interviewed represent approximately 90%+ English speaking members/parishioners. In addition, efforts were made to contact churches that had Hispanic services. One of the five churches interviewed has a Hispanic service.

In general all ages attend the churches interviewed. None of the churches provided emergency shelter. One church does have a Recovery Home in Brawley as part of their Ministry. One church provides very limited financial assistance on a case –by- case basis and several try to either partner or refer to other agencies. One church provides 35 – 50 sack lunches four days a week to the homeless or anyone in need.

The churches interviewed thought that members/parishioners themselves didn't experience major housing needs. A few did lose their homes due to foreclosures and now cannot afford to buy. Rent being too high is not significant. One church interviewed had family housing needs for a few of the members/parishioners because they are located in a blighted area. Senior housing needs does not appear to be need for members/parishioners. One church interviewed did state that there is only one senior complex and one convalescent hospital and nothing in between, so lacking in his opinion.

Most of the churches interviewed stated that it would be extremely helpful if a general list of social services and agencies. It was suggested that this list be distributed to the churches for their use when asked about emergency shelter, housing needs and social services. It was also suggested that perhaps a Pastor's Forum could be held in order to learn first hand what is available.

As a reflection of the interviews, the churches interviewed and their members/ parishioners overall do not appear to have a significant need for housing or social services. However, churches expressed that in certain blighted neighborhoods there is definitely a need of assistance with housing and social services.

## SECTION 2 - OVERVIEW

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### 3. Public Review of the Draft Housing Element

The Draft Housing Element will be posted on the City's website. A notice published in the Imperial Valley Press will inform the public in both English and Spanish of the opportunity to review and to provide comments on the Draft Housing Element. The review and comment period will commence when the Draft Housing Element is transmitted to HCD and end just before the public hearing before the City Council. The Planning Director will notify community stakeholders that comments on the Draft Housing Element are welcomed.

### 4. Planning Commission and City Council Public Hearings

The Public Hearings before the Planning Commission and City Council will offer another opportunity for the public to comment on the Draft Housing Element. Community stakeholders will be notified by the Planning Director of the opportunity to comment on the Housing Element at the scheduled public hearings.

## B. CHALLENGES TO ADDRESSING THE COMMUNITY'S HOUSING NEEDS

At the beginning of the prior planning period – January 1, 2006 – Brawley was in a much better position to address the community's housing needs. Years before the prior planning period began; the City had established its own a Redevelopment Agency and had accumulated financial resources in the Low and Moderate Income Housing Fund. Additionally, the Imperial Valley Housing Authority was maintaining and slightly increasing its Section 8 vouchers. Now eight years later as the City enters the new planning period it faces the challenge of diminishing resources.

### 1. Reduced Funding for the Section 8 Housing Choice Voucher Program

Sequestration – automatic Federal spending cuts – impacts the resources the Imperial Valley Housing Authority to administer and make housing assistance payments under the provisions of the Section 8 Housing Choice Voucher Program. HUD has warned:

About 125,000 individuals and families, including elderly and disabled individuals, could lose assistance provided through the Housing Choice Voucher (HCV) program and be at risk of becoming homeless. The HCV program, which is administered by state and local public housing agencies (PHAs), provides crucial assistance to families and individuals in renting private apartment units. There may be even more families affected by these sequestration cuts to the extent that PHAs are forced to absorb annual funding losses in less than a full twelve month time frame. In addition, since sequestration will also cut PHA administrative fees for the HCV program, numerous PHAs may find continued operation of the program financially untenable and thus stop operating the program entirely, which will harm even more families and individuals, including homeless veterans.

Source: Written Testimony of Secretary Shaun Donovan, Hearing before the Senate Committee on Appropriations on *The Impacts of Sequestration*, Thursday February 14, 2013



## **SECTION 2 - OVERVIEW**

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### **2. Reduced Federal CDBG and HOME Funding**

Additionally, over the recent years, the amount of Community Development Block Grant (CDBG) funds available to local communities has been dwindling. Brawley is not a CDBG entitlement jurisdiction but receives funds from the State Department of Housing and Community Development (HCD).

Brawley is not a participating jurisdiction under the HOME Partnerships Program and, therefore, does not have a dedicated source of affordable housing funds. The City periodically applies to HCD for HOME funds and has been awarded such funds in recent years.

### **3. Loss of the Redevelopment Agency's Low and Moderate Income Housing Fund**

Pursuant to State law, the Agency was forced to dissolve in February 2012. The funds lost due to the dissolution of the RDA totaled \$2,120,161.65 (\$1,963,644.59 – Low/Mod Income Housing Fund and \$156,517.06 – Redevelopment Agency). Hence, the City lost the opportunity to expend the Fund on affordable housing endeavors. This loss of funds also resulted in the layoff of 4 fulltime positions consisting of Grant Coordinator, Economic Development/Redevelopment Coordinator, Code Enforcement Officer and Housing Rehab Manager.

### **4. California Homes and Jobs Act**

The California Homes and Jobs Act of 2013 would place a fee of \$75 on the recordation of real estate related documents — excluding home sales — raising \$500 million annually for state investment in affordable home production and leveraging an additional \$2.78 billion in federal, local, and bank investment in homes and jobs for Californians. If enacted, monies generated by the fee would be placed in a Trust Fund that would support the —

...development, acquisition, rehabilitation, and preservation of housing affordable to low- and moderate income households, including, but not limited, to emergency shelters, transitional and permanent rental housing, including necessary service and operating subsidies; foreclosure mitigation; and homeownership opportunities.

If the California Homes and Jobs Act of 2013 is enacted, it may be possible that resources could become available so a developer could seek funding for an affordable housing development to be located in Brawley. Efforts are to be made, according to the Act, "to promote a geographically balanced distribution of funds."

## **C. HOUSING ELEMENT SUMMARY**

Since the City adopted the current Housing Element in July 2008, only one major change has been made to the statute. That change requires an analysis of the needs of developmentally disabled persons. As noted above, resources to address housing needs have dwindled leaving the City in a much poorer position than it was five years. Table 2-1 on the next page shows the initiatives that will be undertaken to meet the seven program objectives of the State housing element law.

## SECTION 2 - OVERVIEW

**Table 2-1  
City of Brawley  
2013-2021 Housing Element  
Housing Program Outline  
List of Specific Individual Programs by Program Category**

Program Category	Specific Individual Program
Category 1 – Identify Housing Sites to Accommodate the City's Share of the Regional Housing Need	1. RHNA Housing Sites Implementation Program
	2. Infill Housing Development Strategy
	3. No Net Loss Program
	4. Zoning Ordinance Amendments to Encourage a Variety of Housing Types
Category 2 – Assist in the Development of Lower Income and Moderate Income Housing	5. Imperial Valley Housing Authority - Rental Assistance for Lower Income Cost Burdened Families
	6. First Time Home Buyer Program
	7. Density Bonus Affordable Housing Program
	8. Affordable Rental Housing Construction Program
	9. Developmentally Disabled Outreach Program
	10. Extremely Low Income (ELI) Program
Category 3 – Remove Governmental Constraints to the Maintenance, Improvement and Development of Housing	11. Reasonable Accommodation Procedure
	12. Zoning Ordinance Amendments to Accommodate Housing for the Disabled
	13. Zoning Ordinance Amendment to Reduce Parking for Special Needs Groups
Category 4 – Conserve and Improve the Existing Stock of Affordable Housing	14. Housing Code Enforcement Program
	15. Housing Rehabilitation Program
Category 5 – Promote Housing Opportunities for All Persons	16. Fair Housing Services Program
	17. Fair Housing Information Program
Category 6 – Preserve Assisted Housing at Risk of Conversion to Market Rate Housing	18. At-Risk Housing Preservation Program
Category 7 – Promote Energy Conservation	19. Energy Conservation Program

## SECTION 2 - OVERVIEW

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Key highlights include:

- Sites to Accommodate the City's Share of the Regional Housing Need: The City has designated sufficient sites to accommodate the need for new construction. Included among these sites are those included in apartments, subdivision, planned development, Specific Plan areas and the *Brawley Downtown Specific Plan*.
- Providing for a Variety of Housing Types: Zoning Ordinance amendments will be drafted to facilitate single room occupancy housing, transitional housing and supportive housing. These amendments will contribute to achieving housing diversity while also meeting State law requirements.
- Cost Burdened Renters: – The Imperial Valley Housing Authority will continue to offer rental assistance through the Section 8 Housing Choice Voucher Program. This program helps about xxx lower income families to reduce their monthly rental costs. Given the status of HUD funding, no significant funding increases are anticipated in the years ahead. In fact, because of the sequestration cuts, there may be a decrease in the number of poor families who can obtain rental assistance.
- Housing Rehabilitation: As in most communities with an older housing stock, rehabilitation is an evident need. The City for many years has supported housing rehabilitation initiatives with CDBG funds, when available. The Housing Rehabilitation Program is included among the individual programs to be implemented during the 2013-2021 planning period. It will be implemented in the future as funding becomes available.
- Promote Fair Housing: The City will continue to expand its contribution to achieving fair housing by obtaining technical assistance from an experienced fair housing provider. The City also plans to disseminate fair housing information on its website and other venues.

**City of Brawley**  
**2014-2021 Housing Element of the General Plan**  
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## **SECTION 3 – HOUSING NEEDS, GOALS, POLICIES, OBJECTIVES & PROGRAMS**

### **A. INTRODUCTION**

Government Code Section 65583(c) requires that a housing element include:

*A program which sets forth a five-year schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element....*

The housing program must:

- Identify Actions to Make Sites Available to Accommodate the City's Share of the Regional Housing Need [Government Code Section 65583(c)(1)]
- Assist in the Development of Adequate Housing to Meet the Needs of Extremely Low-, Very Low-, Low- and Moderate Income Households [Government Code Section 65583(c)(2)]
- Address and, Where Appropriate and Legally Possible, Remove Governmental Constraints to the Maintenance, Improvement and Development of Housing [Government Code Section 65583(c)(3)]
- Conserve and Improve the Condition of the Existing Stock of Affordable Housing [Government Code Section 65583(c)(4)]
- Promote Housing Opportunities for All Persons Regardless of Race, Religion, Sex, Marital Status, Ancestry, National Origin, Familial Status, or Disability [Government Code Section 65583(c)(5)]
- Preserve for Lower Income Households Assisted Housing at Risk of Conversion to Market Rate Housing [Government Code Section 65583(c)(6)]
- Promote Energy Conservation [Government Code Section 65583(a)(8)]

For each of the seven program categories listed above, Section 3 presents:

- A summary of the program category's housing needs. Each housing need (e.g., cost burden, housing rehabilitation) is discussed in greater detail in Appendix A.
- A statement of the program category's housing goals, policies and objectives.
- A description of the individual programs that will be implemented during the 2013-2021 planning period.

### **B. HOUSING PROGRAM DESCRIPTION**

Table 3-1 presents a summary description of the individual programs of each program category as follows: Individual Program Title, Responsible Implementing Agency, Objective, Time Schedule, and Funding Source(s).

The meanings of the abbreviations in Table 3-1 are listed below:

- ELI – extremely low income
- LI – low income
- VL – very low income
- HOME – HOME Partnerships Program
- HUD – U.S. Department of Housing and Urban Development
- CDS – City of Brawley Community Development Services Department
- CDBG – Community Development Block Grant funds
- LIHTC – Low Income Housing Tax Credits

**SECTION 3 – HOUSING NEEDS, GOALS, POLICIES, OBJECTIVES & PROGRAMS**

**Table 3-1  
City of Brawley  
2013-2021 Housing Program Summary**

<b>Individual Programs</b>	<b>Responsible Implementing Agency</b>	<b>Objective</b>	<b>Time Schedule</b>	<b>Funding Source(s)</b>
<b>Adequate Housing Sites</b>				
1. RHNA Housing Sites Implementation Program	Planning Department	2,800 housing units	Ongoing 2013-2021	General Fund
2. Infill Housing Development Strategy	Planning Department	50 new housing units on infill sites	Ongoing 2013-2021	Sustainable Communities Planning Grant General Fund
3. No Net Loss Program	Planning Department	Evaluation procedure established	July 1, 2014	General Fund
4. Zoning Ordinance Amendments to Encourage a Variety of Housing Types	Planning Department	Amendments adopted	October 2013 and March 2014	General Fund
<b>Affordable Housing</b>				
5. Imperial Valley Housing Authority - Rental Assistance for Lower Income Cost Burdened Families	Imperial Valley Housing Authority	505 ELI, 169 VLI, and 75 LI income families	Ongoing 2013-2021	HUD Section 8 Housing Assistance Payments Contract State HOME funds Public Housing
6. First Time Home Buyer Program	Housing Division CDSD	20 LI families	Ongoing 2013-2021	CDBG funds
7. Density Bonus Affordable Housing Program	Planning Department	30 density bonus units	Ongoing 2013-2021	General Fund
8. Affordable Rental Housing Construction Program	Housing Division CDSD	20 affordable rental units	Apply for funds October 2015 Construct units October 2017	HOME, LIHTC and other funding sources
9. Developmentally Disabled Outreach Program	Planning Department San Diego Regional Center	Develop and implement Outreach Program	October 15, 2015	General Fund
10. Extremely Low Income (ELI) Program	Planning Dept. Housing Division CDSD and Imperial Valley Housing Authority (IVHA)	550 ELI Families (refer to Table 3-2, Page 3-19)	Ongoing 2013-2021	Density Bonus Units HOME and Other Grant Awards and HUD funds for the IVHA

**SECTION 3 – HOUSING NEEDS, GOALS, POLICIES, OBJECTIVES & PROGRAMS**

**Table 3-1 continued  
City of Brawley  
2013-2021 Housing Program Summary**

<b>Individual Programs</b>	<b>Responsible Implementing Agency</b>	<b>Objective</b>	<b>Time Schedule</b>	<b>Funding Source(s)</b>
<b>Remove Governmental Constraints</b>				
11. Reasonable Accommodation Procedure	Planning Department	Procedure adopted	October 2013	General Fund
12. Zoning Ordinance Amendments to Accommodate Housing for the Disabled	Planning Department	Amendments adopted	March 2014	General Fund
13. Zoning Ordinance Amendment to Reduce Parking for Special Needs Groups	Planning Department	Amendment adopted	March 2014	General Fund
<b>Improve Housing Condition</b>				
14. Housing Code Enforcement Program	Code Enforcement Division CDS	120 corrected code violations	Ongoing 2013-2021	General Fund
15. Housing Rehabilitation Program	Housing Division CDS	20 single-family homes	Ongoing 2013-2021	HOME Grant and other sources when available
<b>Promote Fair Housing</b>				
16. Fair Housing Services Program	Planning Department Inland Fair Housing & Mediation Board	Accomplish training and workshops	Ongoing 2013-2021	General Fund
17. Fair Housing Information Program	Planning Department	Post information on City's website	March 2014 and update as appropriate	General Fund
<b>Preserve Assisted Housing at Risk of Conversion to Market Rate Housing</b>				
18. At-Risk Housing Preservation Program	Planning Department	Preserve 116 affordable housing units	Ongoing 2013-2021	General Fund and other housing funds when available
<b>Promote Energy Conservation</b>				
19. Energy Conservation Program	Planning Department Building Division CDS	Reduce energy consumption	Ongoing 2013-2021	General Fund



## SECTION 3 – HOUSING NEEDS, GOALS, POLICIES, OBJECTIVES & PROGRAMS

### PROGRAM CATEGORY #1:

**DESCRIBE ACTIONS TO MAKE SITES AVAILABLE TO ACCOMMODATE THE CITY'S SHARE OF THE REGIONAL HOUSING NEED AND ENCOURAGE THE DEVELOPMENT OF A VARIETY OF HOUSING TYPES**

Government Code Section 65583(c)(1) states that the housing program must:

*Identify actions that will be taken to make sites available during the planning period of the general plan with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's ... share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory ... without rezoning...*

*Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing single-room occupancy units, emergency shelters, and transitional housing.*

### 1. Housing Needs, Goals, Policies and Objectives

SCAG's Regional Housing Needs Assessment has allocated a new housing construction need of 3,034 housing units, as follows:

#### SCAG'S Regional Housing Needs: January 2014 – October 2021

Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
380	380	470	466	1,338	3,034

The Sites Inventory and Analysis (pages A-22 to A-36) demonstrates that there are sufficient sites to meet the housing needs listed above. Amendments to the Zoning Ordinance are needed to expand the variety of housing types.

#### Goals

- Accommodate the housing needs of all income groups as quantified by the Regional Housing Needs Assessment (January 2014 - October 2021).
- Facilitate the construction of the maximum feasible number of housing units for all income groups.

#### Policies

- Designate sites that provide for a variety of housing types.
- Implement the Land Use Element and Zoning Ordinance to achieve adequate sites for all income groups.
- Implement adopted residential Specific Plans.
- Implement an infill development strategy through development incentives.

## SECTION 3 – HOUSING NEEDS, GOALS, POLICIES, OBJECTIVES & PROGRAMS

### New Construction Objectives

Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
10	30	60	1,300	1,400	2,800

## 2. Housing Programs

### Program #1 – RHNA Housing Sites Implementation

The City has sufficient sites to accommodate its share of the regional housing. During the 2013-2021 planning period, this program will continue to implement the following three components:

- Land Use Element Implementation
- Specific Plan Implementation
- Brawley Downtown Specific Plan

The City has approved apartments, subdivisions, planned developments, townhouse, condominium and density bonus projects all of which are consistent with the Land Use Element. The City will continue to implement these approved developments and work with the Local Agency Formation Commission on those projects that require annexation.

The City also has approved specific plans such as the one for Rancho Porter, a planned development on 210 acres and consisting of 1,266 residential units, 35 acres of commercial, and 33 acres of open space. The City will continue to implement adopted Specific Plans and new ones that are approved during the planning period.

In December 2012, the City Council adopted the *Brawley Downtown Specific Plan*. Downtown Brawley consists of approximately 110 acres, 265 parcels and about 1 million square feet of existing civic, commercial, institutional and industrial uses. The Downtown Specific Plan provides for a housing capacity of 200 new dwelling units, which includes 150 at a density of 25 dwellings per acre. The City will implement the *Brawley Downtown Specific Plan* during the planning period.

### Program #2 – Infill Housing Development Strategy

The State Department of Conservation awarded the City a Sustainable Communities Planning Grant to develop an "infill housing development strategy." The strategy has identified key infill development opportunities. The City will post on its website the infill sites that are eligible to receive development incentives. Aerials, maps, development regulations and assessor information will be posted on the City's website. A description will be given of the incentives to encourage infill development, particularly within downtown Brawley, such as waiving utility, capacity and infrastructure fees as well as density bonuses.

### Program #3 - No Net Loss Program

This is a model program developed by HCD and that Department recommends inclusion of this program in the Housing Element Update. The program implements Government Code Section 65863. The "no net loss" program is described as follows:

## **SECTION 3 – HOUSING NEEDS, GOALS, POLICIES, OBJECTIVES & PROGRAMS**

To ensure adequate sites are available throughout the planning period to meet the City's RHNA, the City will annually update an inventory that details the amount, type and size of vacant and underutilized parcels to assist developers in identifying land suitable for residential development.

The City will also report on the number of extremely low, very low, low and moderate income units constructed annually. If the inventory indicates a shortage of available sites; the City will rezone sufficient sites to accommodate the City's RHNA.

To ensure sufficient residential capacity is maintained to accommodate the City's RHNA, the City will develop and implement a formal ongoing (project-by-project) evaluation procedure pursuant to Government Code Section 65863. Should an approval of development result in a reduction of capacity below the residential capacity needed to accommodate the remaining need for lower income households, the City will identify and zone sufficient sites to accommodate the shortfall.

This program will be implemented on an ongoing basis throughout the planning period.

The development of the evaluation procedure to implement Government Code Section 65863 will be accomplished by July 1, 2014.

### **Program #4 – Zoning Ordinance Amendments to Encourage a Variety of Housing Types**

In order to remove identified governmental constraints, Zoning Ordinance amendments will be adopted to provide for the following housing types:

- Transitional Housing
- Supportive Housing
- Employee Housing
- Single Room Occupancy Housing

#### **4.1 Transitional and Supportive Housing**

HCD guidance states:

The housing element must demonstrate that transitional housing and supportive housing are permitted as a residential use and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone (Government Code Section 65583(a)(5)). In other words, transitional housing and supportive housing are permitted in all zones allowing residential uses and are not subject to any restrictions (e.g., occupancy limit) not imposed on similar dwellings (e.g., single family home, apartments) in the same zone in which the transitional housing and supportive housing is located. For example, transitional housing located in an apartment building in a multifamily zone is permitted in the same manner as an apartment building in the same zone and supportive housing located in a single family home in a single family zone is permitted in the same manner as a single family home in the same zone.

If jurisdictions do not explicitly permit transitional and supportive housing as previously described, the element must include a program to ensure zoning treats transitional and supportive housing as a residential use, subject only to those restrictions on residential uses contained in the same type of structure.

## **SECTION 3 – HOUSING NEEDS, GOALS, POLICIES, OBJECTIVES & PROGRAMS**

*Transitional housing* is defined in Section 50675.2 of the Health & Safety Code as rental housing for stays of at least six months but where the units are re-circulated to another program recipient after a set period. Transitional housing may be designated for a homeless individual or family transitioning to permanent housing.

*Supportive housing* as defined at Section 50675.14 of the Health & Safety Code has no limit on the length of stay, is linked to onsite or offsite services, and is occupied by a target population as defined in Health & Safety Code Section 53260. Services typically include assistance designed to meet the needs of the target population in retaining housing, living and working in the community, and/or improving health and may include case management, mental health treatment, and life skills.

The *2008-2014 Housing Element* included a program to satisfy the requirements of Government Code Section 65583(a)(5). That program is carried forward to the 2013-2021 planning period. The Planning Department expects that the transitional and supportive housing Zoning Ordinance amendments will be adopted by October 2013.

### **4.2 Employee and Farm Employee Housing**

Health and Safety Code Section 17021.5 requires that employee housing of six or fewer persons be deemed a single family structure with a residential land use, and be treated the same as a single-family dwelling of the same type in the same zone. HCD guidance indicates that California Health and Safety Code Section 17021.5 (Employee Housing Act) requires jurisdictions to permit employee housing for six or fewer employees as a single-family use. HCD indicates that employee housing shall not be included within the zoning definition of a boarding house, rooming house, hotel, dormitory, or other similar term that implies that the employee housing is a business run for profit or differs in any other way from a family dwelling. Jurisdictions cannot impose a conditional use permit, zoning variance, or other zoning clearance of employee housing that serves six or fewer employees that are not required of a family dwelling of the same type in the same zone.

Although the Zoning Ordinance contains an Agriculture Zone, none of the land within the City limits is zoned agriculture. Consequently, the provisions of California Health and Safety Code Section 17021.6 (Employee Housing Act) do not apply to Brawley. Farm worker housing needs are addressed by existing and new affordable housing some of which could be targeted to meet the needs of this special population group.

The Planning Department will prepare a Zoning Ordinance amendment to provide consistency with the Employee Housing Act. The timeline for enacting the zoning provisions is March 2014.

### **4.3 Single Room Occupancy Housing**

State law requires zoning ordinances to make provisions for single-room occupancy (SRO) units. There is no official Government Code definition of SRO housing. However, the California Building Code definition of "efficiency dwelling unit" provides the foundation for the City's approach to defining SRO housing:

- The unit shall have a living room of not less than 220 square feet (20.4 m<sup>2</sup>) of floor area. An additional 100 square feet (9.3 m<sup>2</sup>) of floor area shall be provided for each occupant of such unit in excess of two.
- The unit shall be provided with a separate closet.

## **SECTION 3 – HOUSING NEEDS, GOALS, POLICIES, OBJECTIVES & PROGRAMS**

- The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.
- The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.

The Planning Department plans to have the SRO housing Zoning Ordinance amendment adopted by March 2014.

**PROGRAM CATEGORY #2:  
ASSIST IN THE DEVELOPMENT OF ADEQUATE HOUSING TO MEET THE NEEDS OF  
EXTREMELY LOW-, VERY LOW-, LOW-, AND MODERATE- INCOME HOUSEHOLDS**

Government Code Section 65583(c)(2) states that a housing program shall:

*Assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate- income households.*

The term “development” includes providing for affordability covenants in existing housing and construction of new affordable housing units.

### **1. Housing Needs, Goals, Policies and Objectives**

Cost burden or overpaying, which is defined as spending 30% or more of gross household income for housing including utilities, is the most severe need experienced by lower income households. Cost burden is adversely impacting the quality of life of -

- 1,630 lower income renters and 853 lower income owners

There also is need for new housing units for 1,230 lower-income and 466 moderate-income households.

#### **Goals**

- Reduce the number of cost burdened lower income households.
- Reduce the number of crowded lower income households.
- Increase the number of lower income, first-time homebuyers.

#### **Policies**

- Provide rental assistance to extremely low-, very low, and low- income households through programs administered by the Imperial Valley Housing Authority.
- Facilitate the construction of new housing affordable to lower income households.
- Encourage the development of density bonus affordable housing units.
- Ensure the affordability of new affordable housing developments through long-term affordability covenants.
- Provide financial assistance available to first time homebuyers.

## SECTION 3 – HOUSING NEEDS, GOALS, POLICIES, OBJECTIVES & PROGRAMS

### Housing Assistance Objectives\*

Extremely Low	Very Low	Low	Total
515	199	145	859

\*includes IVHA housing units, Section 8 Housing Choice Vouchers, 10 first-time homebuyer assisted families, density bonus units, and affordable housing constructed units

## 2. Housing Programs

### Program #5 – Imperial Valley Housing Authority - Rental Assistance for Lower Income Cost Burdened Families

The Imperial Valley Housing Authority (IVHA) operates eight housing developments consisting of 395 housing units and a 58-space mobile home park. In addition, the IVHA provides rental assistance to 222 extremely-low and 74 very low-income Brawley families.

During the planning period, the City anticipates that the IVHA will continue to implement these two very important rental assistance programs. The assisted families pay 30% of their income toward monthly rent and, therefore, these programs reduce the number of cost burdened families. The City will continue to support the efforts of the Housing Authority to secure additional Section 8 Housing Choice Vouchers.

### Program #6 – First Time Homebuyer Program

First time home buyer means an individual(s) who have not owned a home during the three-year period before the purchase of a home with program assistance.

This program offers first time home buyer down-payment assistance to low and very low households for the purchase of qualified homes in the City of Brawley. These loans will enable applicants to qualify for permanent financing of single family homes. The loans are for gap funding only.

The Housing Division of the Community Development Services Department administers this program. Between 2007 and 2011, 16 families were assisted. The quantified objective for the 2013-2021 planning period is 20 families.

### Program #7 – Density Bonus Affordable Housing Program

The City's Density Bonus Ordinance (DBO) facilitates the production of affordable housing units. Toscana, a 61-unit apartment community with density bonus units has been approved but not yet constructed. In order to promote this program, the Planning Department will prepare a user-friendly brochure explaining the DBO and also hold annual workshops for land owners and developers.

The quantified objective is construction of 30 density bonus units during the planning period.

## **SECTION 3 – HOUSING NEEDS, GOALS, POLICIES, OBJECTIVES & PROGRAMS**

### **Program #8– Affordable Rental Housing Construction Program**

The City will support and apply for funds to facilitate the construction of affordable rental housing. The most likely funding sources include: 1) Low Income Housing Tax Credits (LIHTC) and 2) State HOME Funds. The City was awarded \$2 million of HOME funds in 2008 to financially support the development of 11 affordable housing units in an 81-unit complex.

The Community Development Services Department plans to submit an application for HOME funding by October 2015. The quantified objective is the construction of 20 affordable rental housing units.

### **Program #9 – Developmentally Disabled Outreach Program**

Chapter 507, Statutes of 2010 (SB 812), which took effect January 2011, amended State housing element law to require the analysis of the disabled to include an evaluation of the special housing needs of persons with developmental disabilities.

HCD guidance indicates that there are a number of housing types appropriate for people living with a developmental disability: rent subsidized homes, licensed and unlicensed single-family homes, inclusionary housing, Section 8 vouchers, special programs for home purchase, HUD housing, and SB 962 homes. The design of housing-accessibility modifications, the proximity to services and transit, and the availability of group living opportunities represent some of the types of considerations that are important in serving this need group.

Through this program, the City will work with the San Diego Regional Center to implement an outreach program that informs families within Brawley on housing and services available for persons with developmental disabilities. The program could include the development of an informational brochure, including information on services on the City's website, and providing housing-related training for individuals/families through workshops. The City also will work with the San Diego Regional Center to identify funding sources that can address the housing needs of developmentally disabled persons.

This program will be implemented by October 15, 2015 or approximately two years after adoption of the 2013-2021 Housing Element.

### **Program #10 – Extremely Low Income (ELI) Program**

The needs of extremely low income households are addressed within the framework of the programs administered by the City and Imperial Valley Housing Authority.. Each of these entities addresses the needs of low and moderate income households, including extremely low income households. The quantified objectives for extremely low income households are based on individual programs that address the existing and future needs of extremely low income households, as follows:

- Program #5 – Imperial Valley Housing Authority operated housing and Section Housing Choice Vouchers - 505 extremely low income households
- Program #7 – Density Bonus Affordable Housing Program – 5 extremely low income households
- Program #8 – Affordable Rental Housing Construction Program – 5 extremely low income households

## **SECTION 3 – HOUSING NEEDS, GOALS, POLICIES, OBJECTIVES & PROGRAMS**

- Program #9 – Developmentally Disabled Outreach Program – an unknown number of extremely low income persons
- Program #18 – At-Risk Preservation Program – 30 extremely low income households

This program will be implemented throughout the 2013-2021 planning period.

### **PROGRAM CATEGORY #3:**

***ADDRESS AND, WHERE APPROPRIATE AND LEGALLY POSSIBLE, REMOVE GOVERNMENTAL CONSTRAINTS TO THE MAINTENANCE, IMPROVEMENT AND DEVELOPMENT OF HOUSING***

More specifically, Government Code Section 65583(c)(3) states that a housing program must:

*Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities.*

*The program shall remove constraints to, or provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities.*

### **1. Housing Needs, Goals, Policies and Objectives**

The governmental constraints analysis found the following:

- Lack of reasonable accommodation procedure
- Need to revise the “family” definition
- Need to revise the Zoning Ordinance group home requirements

#### **Goals**

- Attain barrier and constraint free governmental codes, ordinances, and policies.
- Provide codes, ordinances, and policies that lead to the improvement of the housing status of residents.

#### **Policies**

- Remove existing governmental constraints to the maintenance, preservation, improvement and development of housing.
- Affirmatively further housing goals through City codes, ordinances and policies that enhance the housing quality of life experienced by residents.

#### **Objectives**

The housing program efforts do not involve the production or rehabilitation of housing. Therefore, quantified objectives cannot be set for this Program Category.



## **SECTION 3 – HOUSING NEEDS, GOALS, POLICIES, OBJECTIVES & PROGRAMS**

### **2. Housing Programs**

#### **Program #11 – Adopt Reasonable Accommodation Procedure**

The California Attorney General and Federal Departments of Justice and Housing and Urban Development all recommend that cities adopt a reasonable accommodation procedure. In a letter dated May 15, 2001 and transmitted to all California mayors, the Attorney General stated:

Both the federal Fair Housing Act ("FHA") and the California Fair Employment and Housing Act ("FEHA") impose an affirmative duty on local governments to make reasonable accommodations (i. e., modifications or exceptions) in their zoning laws and other land use regulations and practices when such accommodations "may be necessary to afford" disabled persons "an equal opportunity to use and enjoy a dwelling."

The *2008-2014 Housing Element* includes a program to amend the Zoning Ordinance to provide reasonable accommodations for persons with disabilities that allow for administrative approval of handicapped accessible features. This program has not been implemented and is too limited in scope to meet the State and Federal mandates for a reasonable accommodation procedure. Consequently, the *2013-2021 Housing Element* includes a program to amend the Zoning Ordinance to satisfy all the requirements of a reasonable accommodation procedure.

The Planning Department plans to have the reasonable accommodation procedure adopted by October 2013.

#### **Program #12 – Zoning Ordinance Amendments to Accommodate Housing for the Disabled**

Zoning Ordinance amendments will be completed to accomplish the following:

- Revise the Zoning Ordinance "family" definition. (This was discussed in the Governmental Constraints Analysis on pages A-47 to A-48.)
- Revise the Zoning Ordinance to define the licensed group home facility types and to list the residential zones in which the licensed group homes are permitted. (This was discussed in the Governmental Constraints Analysis on pages A-48 to A-49.)

The Planning Department plans to have Zoning Ordinance amendments adopted by March 2014.

#### **Program #13 – Zoning Ordinance Amendment to Reduce Parking for Special Needs Groups**

The *2008-2014 Housing Element* included a program to evaluate for implementation a reduced parking requirement for residential projects serving special needs groups or located close to public transportation or commercial services. This program was not implemented and, therefore, will be carried forward to the 2013-2021 planning period.

The Planning Department plans to have Zoning Ordinance amendments adopted by March 2014.

## **SECTION 3 – HOUSING NEEDS, GOALS, POLICIES, OBJECTIVES & PROGRAMS**

### **PROGRAM CATEGORY #4:**

### **CONSERVE AND IMPROVE THE CONDITION OF THE EXISTING STOCK OF AFFORDABLE HOUSING**

Government Code Section 65583(c)(4) states that a housing program shall describe actions to:

*Conserve and improve the condition of the existing affordable housing stock, which may include addressing ways to mitigate the loss of dwelling units demolished by public and private actions.*

#### **1. Housing Needs, Goals, Policies and Objectives**

A 2008 Housing Condition Survey is a reliable indicator of the numbers of housing units in need of rehabilitation or replacement. The survey found that about 3,600 housing units need rehabilitation of which about 200 had substantial rehabilitation needs. Because housing rehabilitation needs are non-structural in nature, they do not pose serious health and safety issues. For example, the most frequent housing rehabilitation needs are

- Replacing windows - 3,440 housing units
- Re-painting - 1,631 housing units
- Patching/painting - 598 housing units

However, 844 homes need re-roofing, and could be a serious problem if, for example, rain leaks into the home. Also, 293 homes had no foundation or needed foundation repairs.

#### **Goals**

- Achieve a housing stock free of substandard structures.
- Conserve and improve the existing stock of affordable housing.

#### **Policies**

- Continue to implement the Housing Code Enforcement Program.
- Continue to implement a Housing Rehabilitation Program.

#### **Objectives**

- Corrected housing code violations at an average level of 15 per month for all income levels. The total objective is 120 corrected code violations per year.
- Rehabilitation of 20 existing housing occupied by extremely low- (5), very low- (5), and low- (10) income homeowners.

The rehabilitation objective assumes that funding from a non-City source will continue to be available during the planning period. The income category distribution is based on the percentage of the City's homeowners that belong to each of the three income groups.

## **SECTION 3 – HOUSING NEEDS, GOALS, POLICIES, OBJECTIVES & PROGRAMS**

### **2. Housing Programs**

#### **Program #14 – Housing Code Enforcement**

Code Enforcement administers an enforcement program that investigates and corrects violations of the City's Municipal Codes that govern the use and maintenance of private, residential property and commercial property. Code Enforcement also investigates and conducts inspections involving vehicle abatement, blight and nuisance, weed abatement, unsafe, illegal or unlicensed construction or conversions, and illegal dumping.

The Code Enforcement Division of the Community Services Department enforces city code violations that are blight issues or hazards that are seen by public view or reported to code enforcement. Personnel assigned to this program are responsible for investigating city code violations, seeking compliance via education and enforcement efforts up to and including civil/criminal prosecutions.

If a code violation occurs, the following are options the Code Enforcement Officer may use to ensure compliance: notice of violations, correction notices, inspection notices and order, summary abatement, citations, inspection and abatement warrants, and warnings.

#### **Program #15– Housing Rehabilitation Program**

The City currently has an active Owner-Occupied Rehabilitation Program. This program will enable income qualified families to make much needed health and safety repairs to their home.

Rehabilitation means repairs and improvements to substandard housing which are necessary to meet rehabilitation standards as defined in Section 50097 of the Health and Safety Code, to eliminate conditions specified in Section 17920.3 of the Health and Safety Code and to meet housing quality standards. Rehabilitation also means repairs and improvements which are necessary to meet any locally-adopted standards used in a local rehabilitation program.

Rehabilitation shall include reconstruction, if needed.

Homeowners are eligible for a Deferred Payment Loan at zero (0%) percent interest rate, evidenced by a promissory note and secured by a deed of trust, with no payback required for 30 years unless the borrower sells, refinances, transfers title or discontinues residence in the dwelling, at which time the full balance is due and payable. Payments are voluntary on a deferred loan with no penalties.

**PROGRAM CATEGORY: #5**  
**PROMOTE HOUSING OPPORTUNITIES FOR ALL PERSONS**

Section 65583(c)(5) requires that the housing program:

*Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.*

### **1. Housing Needs, Goals, Policies and Objectives**

Federal and State fair housing laws prohibit discrimination in the sale, lease, negotiation, insurance, or financing of housing based on race, color, religion, sex, marital status, familial

## **SECTION 3 – HOUSING NEEDS, GOALS, POLICIES, OBJECTIVES & PROGRAMS**

status, disability, national origin, ancestry, sexual orientation, source of income or other arbitrary factor. Housing discrimination complaints may be filed with HUD and the California Department of Fair Employment and Housing. Other fair housing needs include general housing counseling and resolving landlord/tenant conflicts.

### **Goals**

- Attain a housing market with “fair housing choice,” meaning the ability of persons of similar income levels regardless of race, color, religion, sex, marital status, familial status, disability, national origin, ancestry, sexual orientation, source of income or other arbitrary factor to have available to them the same housing choices.

### **Policies**

- Continue to promote fair housing opportunities through the City's participation in the State Community Development Block Grant Program.
- Promote fair housing through the provision of information and referral services to residents who need help in filing housing discrimination complaints.

### **Objectives**

Because the City has no fair housing provider, quantified objectives cannot be estimated.

## **2. Housing Programs**

### **Program #16 – Fair Housing Services Program**

As the City is not a CDBG entitlement jurisdiction it has no funding to retain the services of a fair housing provider. However, the City of El Centro, a CDBG recipient, contracts with the Inland Fair Housing & Mediation Board. The City of Brawley, when funds become available, will contract with Inland to conduct:

- Fair housing training to City staff
- Fair housing workshop for the benefit of tenants
- Fair housing workshop for the benefit of apartment managers

### **Program #17 – Fair Housing Information Program**

The City will provide residents with fair housing information primarily by posting links to a variety of fair housing resources including, but not limited, to:

- U. S. Department of Housing and Urban Development (HUD)
- Fair Housing/Equal Opportunity (HUD)
- Inland Fair Housing & Mediation Board
- Fair Housing Council of San Diego
- National Fair Housing Advocate
- A Guide to Residential Tenants' and Landlord Rights and Responsibilities

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The City will add to its links the following resource:

*California Department of Fair Employment and Housing*  
[www.dfeh.ca.gov](http://www.dfeh.ca.gov)

The largest number of housing discrimination complaints are filed by disabled persons often due to a lack of understanding by resident apartment managers of the rules for granting reasonable accommodations and reasonable modifications. To continue its efforts at disseminating fair housing information, the City will transmit to on-site resident apartment managers the following important documents:

- U.S. Department of Justice, Civil Rights Division and U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, *Joint Statement of the Department of Housing and Urban Development and Department of Justice, Reasonable Accommodations Under the Fair Housing Act*, May 17, 2004
- U.S. Department of Justice, Civil Rights Division and U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, *Joint Statement of the Department of Housing and Urban Development and Department of Justice, Reasonable Modifications Under the Fair Housing Act*, March 5, 2008

Program #17 will be implemented by March 2014 or approximately six months after adoption of the Housing Element.

<b>PROGRAM CATEGORY #6: PRESERVE LOWER INCOME ASSISTED HOUSING DEVELOPMENTS</b>
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Section 65583(c)(6) mandates that the housing program shall do the following:

*Preserve for lower income households the assisted housing developments . . . The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all the available federal, state, and local financing and subsidy programs... except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve regulation and technical assistance.*

#### **1. Housing Needs, Goals, Policies and Objectives**

At-risk housing refers to affordable rental housing that may convert to market rate housing between 2013 and 2023. The California Housing Partnership Corporation data base indicates 116 rental housing units located in three apartment communities are at-risk of conversion to market rate housing.

One of properties is considered at high risk due to a Section 8 rental assistance contract set to expire in the next five years while the other two have Section 8 contracts set to expire within 10 years so they are considered moderate risk.

Section 8 provides rental assistance to the elderly and families residing in a specific project – that is, project based rental assistance.

## **SECTION 3 – HOUSING NEEDS, GOALS, POLICIES, OBJECTIVES & PROGRAMS**

### **Goal**

- Preserve the existing supply of affordable housing that is financially assisted by the City, County, and State or Federal governments.

### **Policies**

- Monitor and protect the supply of affordable housing.
- Ensure the long-term affordability of future affordable housing developments.

### **Objectives**

- Preserve 116 affordable housing units at risk of conversion to market rate housing.

## **2. Housing Program**

### **Program #18 – At-Risk Housing Preservation Program**

The program consists of the following actions:

Monitor Units at Risk: Maintain contact with providers and owners to monitor the status of the three existing at-risk developments (116 housing Units) since they may lose their subsidies due to discontinuation of the Section 8 program at the federal level or opting out by the property owner.

Work with Potential Purchasers: Where feasible, provide assistance to public and non-profit agencies interested in purchasing and/or managing units at risk.

Tenant Education: The California legislature extended the noticing requirement of at-risk units opting out of low income use restrictions to one year. Within 60 days of a notice of intent to convert at-risk units to market rate rents, the City will work with potential purchasers using HCD's current list of Qualified Entities (<http://www.hcd.ca.gov/hpd/hrc/tech/presrv/>)

Should a property owner pursue conversion of the units to market rate, the City will ensure that tenants were properly noticed and informed of their rights and that they are eligible to receive Section 8 vouchers that would enable them to stay in their units.

Assist Tenants of Existing Rent Restricted Units to Obtain Section 8 Voucher Assistance: Tenants of housing units with expired Section 8 contracts are eligible to receive special Section 8 vouchers that can be used only at the same property. The City will assist tenants of "at-risk" units to obtain these Section 8 vouchers through the Imperial Valley Housing Authority.

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### **PROGRAM CATEGORY #7: ENCOURAGE ENERGY CONSERVATION**

Government Code Section 65583(a)(8) states the Housing Element must include:

*An analysis of opportunities for energy conservation with respect to residential development. Cities and counties are encouraged to include weatherization and energy efficiency improvements as part of publicly subsidized housing rehabilitation projects. This may include energy efficiency measures that encompass the building envelope, its heating and cooling systems, and its electrical system.*

#### **1. Housing Needs, Goals, Policies and Objectives**

Conservation can be accomplished by reducing the use of energy consuming items, or by physically modifying existing structures and land uses. The California Energy Commission first adopted energy conservation standards for new construction in 1978. These standards, contained in Title 24 of the California Administrative Code, contain specifications relating to insulation, glazing, heating and cooling systems, water heaters, swimming pool heaters, and several other items.

As part of the Community Stakeholder Outreach, both Campesinos Unidos, Inc. and the Area Agency on Aging indicated that there is a growing need for energy efficient homes because many homes are old.

#### **Goal**

- Achieve reductions in energy consumption.

#### **Policies**

- Encourage the use of energy conserving techniques in the siting and design of new housing.
- Actively enforce all state energy conservation requirements for new residential construction.
- Allow use of rehabilitation assistance funds to make residences more energy efficient.
- Continue to make local residents aware of the free home energy surveys performed by the Imperial Irrigation District as a means to reduce energy consumption and, in turn, overall long-term housing costs.
- Encourage and promote the maximum use of solar energy systems and other more aggressive energy conservation techniques, including construction techniques similar to and including LEED certification in housing units throughout the City thereby increasing opportunities for energy conservation and reducing overall long term housing costs.

#### **Energy Conservation Objective**

- Achieve the General Plan energy conservation implementation objectives

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### 2. Housing Program

#### Program #19 – Energy Conservation Program

The Planning Department will utilize the development review process to incorporate energy conservation techniques into the siting and design of proposed residences.

The Building Division of the Community Services Department also will continue to require that all new residential development complies with the energy conservation requirements of Title 24 of the California Administrative Code, and the City will encourage developers through a revised Subdivision Ordinance to employ additional energy conservation measures in an effort to exceed the minimum required standards, including but not limited, to the specific example below.

- Sustainable site development;
- Water savings;
- Energy efficiency;
- Material selection; and
- Indoor environmental quality.

The Housing Division of the Community Services Department, to the extent permitted by funding programs, will continue to allow energy conservation measures as improvements eligible for assistance under the provisions of the Housing Rehabilitation Program.

The Housing Division of the Community Services Department will continue to inform the public regarding free home energy audits and other programs of the Imperial Irrigation District (IID).

### C. SUMMARY OF QUANTIFIED OBJECTIVES

Government Code Section 65583(b) requires the Housing Element to establish quantified objectives *by income group* for the 2013-2021 planning period with regard to: Construction, Rehabilitation, Conservation and Preservation. Table 3-2 lists the quantified objectives by category and income group.

**Table 3-2  
City of Brawley  
Quantified Objectives: 2013-2021**

Category	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
Construction	10	30	60	1,300	1,400	2,800
Rehabilitation	5	5	10	0	0	20
Conservation	505	169	75	0	0	749
Preservation	30	30	56	0	0	116

The construction objective for extremely low, very low and low income households is based on implementation of the *Brawley Downtown Specific Plan* (50 units); density bonus units (30); and the Affordable Rental Housing Construction program (20 units). The moderate and above moderate construction objective is based on SCAG's growth forecast and then allocated proportionally between the two income groups.



### **SECTION 3 – HOUSING NEEDS, GOALS, POLICIES, OBJECTIVES & PROGRAMS**

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The rehabilitation objective is based on implementation of the Housing Rehabilitation Program as funding becomes available.

The conservation objective includes the rental assistance provided by two programs operated by the Imperial Valley Housing Authority.

The preservation objective refers to maintaining the affordability of 116 rental units in three apartment complexes.

#### **D. BENEFICIAL IMPACTS**

Beneficial impacts will be produced by the Housing Program for individual families as well as the community as a whole.

As the Imperial Valley economy improves, new housing will be constructed to accommodate the needs of all income groups on the sites designated by the Land Use Element, Brawley Downtown Specific Plan and Housing Element. The new housing will not only meet the housing needs (space, cost, location) of individual families but also generate community benefits by relieving pressures on the existing housing stock and creating a healthy vacancy rate.

Rehabilitated housing will produce beneficial impacts by eliminating substandard conditions and reducing overcrowding. As housing is rehabilitated, neighborhood quality will improve and other families will be encouraged to invest in home improvements.

Conserving housing will benefit families by reducing housing costs and maintaining a housing life style that adds diversity to the community's housing stock. Rental assistance enables poor families to retain more of their income for necessities such as food, utilities, and gas.

Beneficial impacts will result from housing preservation because low income families will be able to maintain their current housing at reduced housing costs. If housing is not preserved, detrimental impacts would be generated such as a reduced vacancy rate, increased cost burdens, and overcrowding.

The City's will expand its efforts to ensure that fair housing exists in the community. Expanded services also will produce beneficial impacts such as educating residents of their rights and informing apartment managers of the obligation to make reasonable accommodations and modifications for disabled persons.

Infill development and investment in the existing community is a key objective of the City's Sustainable Communities Planning Grant. Infill development will serve pedestrians, cyclists and automobiles and promote public health, reduce transportation emissions, and create a more resource-efficient Brawley community.

## **Appendix A**

**Housing Needs Assessment  
Sites Inventory and Analysis  
Housing Market Constraints  
Governmental Constraints Analysis  
Progress Report**



## **Appendix B**

**Community Stakeholder Interviews**

**Organizations Consulted**

**Data Sources**

**Definitions**

