



CITY OF BRAWLEY

PLANNING DEPARTMENT
400 MAIN ST. - PLAZA PARK
BRAWLEY, CALIFORNIA 92227
PHONE: (760) 344-8822
FAX: (760) 344-0907

HOUSING POLICY
DEVELOPMENT, HCD
APR 01 2009

March 31, 2009

Ms. Jennifer Seeger

Department of Housing and Community Development
Division of Housing Policy Development
1800 3rd Street, Room 430
Sacramento, CA 95814

Re: City of Brawley Housing Element Annual Progress Report

Dear Ms. Seeger,

Enclosed, please find the Housing Element Annual Progress Report for the City of Brawley, CA. City staff have reviewed and authorized submission of the attached Report. We appreciate your acceptance of this Report and look forward to working with you in the future.

Cordially,

A handwritten signature in black ink, appearing to read "G. Gaste", written over a horizontal line.

GORDON GASTE, AICP, PLANNING DIRECTOR

**Annual Progress Report¹
on Implementation of the Housing Element
General Plan Report requirement pursuant to
Section 65400 of the Government Code**

Government Code Section 65400(b)(1) mandates that all cities and counties submit to their legislative bodies an annual report on the status of the housing element and progress in its implementation (the "Progress Report"). Only charter cities are exempt from the requirement to prepare Progress Reports, pursuant to Government Code Section 65700. However, a charter city may have elected to include the annual progress report as one of its goals and objectives in their most recent housing element. A copy of this Progress Report must also be sent to the Governor's Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD).

Jurisdiction: **City of Brawley**

Address: **400 Main Street
Brawley, CA 92227**

Contact **Francisco Soto**

Phone: **760-344-8622**

Report Period: January 1, 2008 to December 31, 2008

A. Progress in meeting Regional Housing Need for 2006-2014.

RHNA ACHIEVEMENT STATUS AND REMAINING NEEDS FOR THIS
RHNA PERIOD (JANUARY 2006-JUNE 2014)

Income Group - Percent of Households	Construction Need	<i>Units Constructed 2006-April 2008</i>	Remaining Needs
Extremely Low – 12.25%	378	115	263
Very Low – 12.25%	378	115	263
Low – 16.6%	511	156	355
Moderate – 16.0%	494	131	363
Above Moderate – 42.9%	1,326	131	1,195
TOTAL	3,088	648	2,440

Source: Regional Housing Allocation Plan, City of Brawley Planning Department

B. The effectiveness of the housing element in attainment of the community's housing goals and objectives.

Housing Programs

Programs in Support of Objective 1; Housing Availability and Production

PROGRAM	TIMING RESPONSIBLE AGENCY	STATUS
<p>A.) Utilize the City's Updated General Plan and Zoning ordinance to provide adequate, suitable sites for the construction of new housing, reflecting a variety of housing types and densities. The City will make the land inventory available to the public at City Hall and will also post the inventory on the City's website. The City will publish the availability of the updated inventory at least annually.</p>	<p>Current and on-going 2008 - 2014 Brawley Planning Department and Housing Agency</p>	<p>Land inventory is available to the public at City Hall, but not yet posted. It was last updated 2008.</p>
<p>B.) Zoning Ordinance revision to evaluate Second Dwelling Unit provisions that will eliminate the need for Conditional Use Permit or other discretionary approvals in all residential zones, in accordance with State law.</p>	<p>Fiscal Year 2009 Brawley Planning Department and Housing Agency</p>	<p>Second units no longer need CUP.</p>
<p>C.) Continue to use zoning and other land use controls to ensure the compatibility of residential areas with surrounding commercial and other non-residential uses.</p>	<p>Current and on-going 2008 - 2014 Brawley Planning Department and Housing Agency</p>	<p>Active Program</p>
<p>D.) The Zoning Ordinance shall be revised to incorporate Density Bonus provisions, with options, as per SB 1818.</p>	<p>Fiscal Year 2009 Brawley Planning Department and Housing Agency</p>	<p>Density Bonus provisions have been incorporated into the Zoning Ordinance.</p>

Housing Element Annual Progress Report: 2008

<p>E.) Zoning Ordinance revision to incorporate Inclusionary Zoning program to provide additional incentive and opportunity for the development of lower income housing as an indistinguishable component of market rate housing.</p>	<p>Fiscal Year 2009 Planning Department</p>	<p>No action taken yet.</p>
<p>F.) The City will grant programs, such as the HOME and CDBG Programs for the reconstruction and/or rehabilitation of lower income, including extremely low income owner/renter occupied housing units in Brawley. The City will take all action necessary to expedite processing and approvals for such programs.</p>	<p>Current and on-going 2008 - 2014 Brawley Planning Department and Housing Agency</p>	<p>Active Program</p>
<p>G.) The City shall schedule anticipated project annexations in cooperation with individual developers for projects located within the City's Sphere of Influence to provide the land necessary to accommodate housing needs. A tentative timeline for annexations according to project priority will be drafted and distributed to all project proponents.</p>	<p>Fiscal Year 2009-2010, timeline to be updated every 6 months Brawley Planning Department and Housing Agency</p>	<p>Porter Ranch annexation is scheduled. A timeline has been created.</p>
<p>H.) Continue to utilize environmental and other development review procedures to ensure that all new residential developments are provided with adequate public and private facilities and services. Documentation that adequate services and facilities are or will be provided shall be a condition for their approval.</p>	<p>Current and on-going 2008 - 2014 Brawley Planning Department and Housing Agency</p>	<p>Active Program</p>
<p>I.) Housing data will be currently posted on the City's web site and available in hard copy on request.</p>	<p>Beginning in 2008, at least every 6 months thereafter. Brawley Planning Department and Housing Agency</p>	<p>Housing data is available, but not yet posted on web site.</p>
<p>J.) Continue to update elements of the General Plan, as needed.</p>	<p>As per State law Brawley Planning Department and Housing Agency</p>	<p>Active Program</p>

Housing Element Annual Progress Report: 2008

<p>K.) Brawley is currently in the process of updating the City’s General Plan. The Updated General Plan will include data regarding the availability of infrastructure and service limitations, which inhibit housing development and shall identify programs and sources to address short-term and long-term needs.</p>	<p>Current and on-going 2008 - 2014</p> <p>Brawley Planning Department and Housing Agency</p>	<p>Active Program. Adopted Sept. 2008.</p>
<p>L.) Continue to offer a reduction in development fees and flexibility in development standards to stimulate the more intensive use of vacant residential land within walking distance of downtown Brawley through the implementation of the application of density bonuses.</p>	<p>Current and on-going 2008 - 2014</p> <p>Brawley Planning Department and Housing Agency</p>	<p>Active Program</p>
<p>M.) Continue to conditionally allow residences above or to the rear of ground floor of commercial uses in the downtown area within the Downtown Overlay District. (Mixed use developments are conditionally permitted in Neighborhood Commercial [C-1] and Service and Professional [C-P] districts).</p>	<p>Current and on-going 2008 – 2014</p> <p>Planning Department</p>	<p>Active Program</p> <p>This use now also allowed in all C-2 zones (medium commercial) not only downtown.</p>

<p>N.) The newly revised Zoning Code includes a Mixed-Use Overlay District (Article XXII), in the Downtown overlay district (DOD), which includes the Civic Center Downtown overlay district which encourages the redevelopment of the downtown area with mixed-use uses. . With the goal of 500 units in the planning period, to promote development in the DOD, the City will establish a list of all sites, including a list of primary opportunities and will advertise the sites with the development community, including nonprofit, by meeting bi-annually throughout the planning period. In addition, the City will establish a variety of concessions and incentives to promote development in the DOD, including fee deferrals, priority processing, assisting with site assembly, technical support, density bonuses, supporting funding applications and other tools based on input from the development community.</p>	<p>Current and on-going 2008 – 2014</p> <p>Planning Department</p>	<p>The City is in the process of establishing a list of all DOD sites.</p> <p>The City is supporting two tax credit multifamily projects with \$250,000 each, which have not yet been built, and another multifamily project with a \$2 million HOME grant application.</p>
---	--	---

Objective 2: Housing Conservation and Improvement

PROGRAM	TIMING RESPONSIBLE AGENCY	STATUS
<p>A.) Rehabilitation of deteriorated housing in the City, thereby preserving affordable housing opportunities for lower income homeowners and renters. The program objective is the rehabilitation of 4 units per year, or 20 units over the current 5-year planning period, facilitating the addition of bedrooms, or otherwise rehabilitating/improving dwelling units will help reduce the incidences of overcrowding in the City.</p>	<p>Application to be made at the appropriate application deadline beginning in FY 2009-2010 throughout Housing Element period to 2014.</p> <p>Housing Agency</p>	<p>During the reporting period, four units were rehabilitated and two applications are in process.</p>

Housing Element Annual Progress Report: 2008

<p>B.) Allow for the construction of bedroom additions with financial assistance from the City's residential rehabilitation program, when needed to eliminate overcrowding. The City's noticing campaign will consist of publishing at least annually the availability of funds for bedroom additions as well as for other eligible activities. The campaign will also involve the provision of ongoing program progress (and remaining funds availability), to be posted in City Hall and be kept up to date.</p>	<p>Current and on-going 2008 - 2014 Housing Agency</p>	<p>The Community Services building and the Utility Billing office at City Hall post public notice during the reporting period announcing availability of funding.</p>
<p>C.) Continue to monitor housing conditions throughout the City, while periodically (i.e. every 5 years) conducting formal housing condition surveys.</p>	<p>Current and on-going 2008 - 2014 Housing Agency and Building Dept.</p>	<p>The City's codes enforcement policy had been reactive in the past, but since 2009 has been changed to be proactive. A housing conditions survey was conducted in December 2007. The next survey will be scheduled for approximately 2013.</p>
<p>D.) If necessary, cause the removal and replacement of substandard units, which cannot be rehabilitated, through enforcement of applicable provisions of the Uniform Housing and Revenue and Tax Codes.</p>	<p>Current and on-going 2008 - 2014 Brawley Planning Department, Housing Agency and Building and Safety Department</p>	<p>It was necessary to remove units during the reporting period.</p>
<p>E.) Continue and expand code enforcement efforts, as necessary, and explore new methods of eliminating unsightly property conditions in residential areas.</p>	<p>Current and on-going 2008 - 2014 Brawley Planning Department and Building and Safety Department</p>	<p>The method of eliminating unsightly property conditions in residential areas during the reporting period is: Abatement of dangerous buildings, Zoning violations for improper maintenance, Municipal ordinances for vacant properties and abandoned vehicles. New methods were explored to streamline compliance.</p>

Housing Element Annual Progress Report: 2008

<p>F.) Continue to provide information and technical assistance to local property owners regarding housing maintenance.</p>	<p>Current and on-going 2008 - 2014</p> <p>Brawley Planning Department, Housing Agency and Building and Safety Department</p>	<p>Housing maintenance info is available to local property owners at City hall, but is not yet available on the web site.</p>
<p>G.) Avoid displacement of residents in carrying out CDBG funded activities, whenever possible, or otherwise provide appropriate relocation assistance.</p>	<p>2008 – 2014, as needed</p>	<p>No displacement has occurred.</p>
<p>H.) Continue to utilize the City’s General Plan and Zoning Ordinance to prevent the encroachment of incompatible uses into established residential areas.</p>	<p>Current and on-going 2008 – 2014</p> <p>Planning Dept.</p>	<p>Active Program</p>

Programs in Support of Objective 3; Energy Conservation

PROGRAM	TIMING RESPONSIBLE AGENCY	STATUS
<p>A.) Utilize the development review process to incorporate energy conservation techniques into the siting and design of proposed residences.</p>	<p>Current and on-going 2008 – 2014</p> <p>Planning and Building Dept.</p>	<p>Active Program</p>
<p>B.) 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.</p>	<p>Current and on-going 2008 – 2014</p> <p>Planning Dept.</p>	<p>Active Program</p>
<p>C.) Continue to allow energy conservation measures as improvements eligible for assistance under the City’s residential rehabilitation program.</p>	<p>Current and on-going 2008 – 2014</p> <p>Housing Agency.</p>	<p>The City’s rehab program has three active grants.</p>

<p>D.) Assist in distributing information to the public regarding free home energy audits and other programs of the Imperial Irrigation District (IID).</p>	<p>Current and on-going 2008 – 2014 IDD and Planning Department</p>	<p>Information is available at community services.</p>
--	--	--

Programs in Support of Objective 4; Equal Housing Opportunity

PROGRAM	TIMING RESPONSIBLE AGENCY	STATUS
<p>A.) Provide outreach material on state and federal fair housing laws and direct complaints of housing discrimination to appropriate enforcement agencies (i.e. State Department of Fair Employment and Housing and Imperial County Department of Weights, Measures, and Consumer Protection Affairs).</p>	<p>Current and on-going 2008 - 2014 City Manager and Planning Dept.</p>	<p>Active Program Material is available at City Hall.</p>
<p>B.) Continue to allow the removal of architectural barriers with funding from the City’s residential rehabilitation program in order to provide barrier-free housing for handicapped or disabled persons.</p>	<p>Current and on-going 2008 - 2014 Housing Agency</p>	<p>Active Program through the rehab program.</p>
<p>C.) Specify procedures as part of the updated Zoning Ordinance to provide reasonable accommodation for persons with disabilities that allow for administrative approval of handicapped accessible features.</p>	<p>2009 / 10 fiscal year Planning and Building Dept.</p>	<p>The Zoning Ordinance has been updated. Reasonable Procedures have been specified in the updated ZO.</p>
<p>D.) Enforce the handicapped accessibility of Federal fair housing laws that apply to all new multi family residential projects containing four (4) or more units.</p>	<p>Current and on-going 2008 – 2014 Planning Dept.</p>	<p>Active Program</p>
<p>E.) Add transitional housing and supportive housing within the code’s definition section, and list as permitted uses within residential zone districts and clarify only subject to those standards that apply to other residential uses of the same type in the same zone.</p>	<p>Within 1 year of adopted HE Planning Dept.</p>	<p>Transitional and supportive housing has not yet been added to the code’s definition section.</p>

Housing Element Annual Progress Report: 2008

<p>F.) Identify emergency shelters as a permitted use in the General Commercial Zone as indicated by the vacant land survey preformed 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.</p> <p>Emergency shelters will be subject to the same development and management standards as other permitted uses in Commercial Zones. In addition, the City will develop written, objective standards for emergency shelters to comply with SB 2:</p>	<p>Within 1 year of adopted HE</p> <p>Planning and Building and Safety Departments.</p>	<p>Cool zones are regularly established in summer.</p> <p>No permanent shelters are present. None have applied.</p> <p>Emergency shelters have not yet been identified in the general commercial zone.</p> <p>The standards for emergency shelters have not yet been written.</p>
<p>G.) The City shall 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.</p>	<p>Current and on-going 2008 – 2014</p> <p>Planning Dept.</p>	<p>No streamlined permit procedures have been established yet. No applications have come through.</p>

<p>H.) As part of the Governmental Constraints analysis for Housing Element update, the following revision to the City of Brawley Zoning Code was identified as appropriate to better facilitate the provision of farmworker housing. The City shall amend its zoning code within one year of the adoption of this Housing Element to be consistent with the provisions of Health and Safety code Sections 17021.5 and 17021.6 (Employee Housing Act) with regard to allowances of farmworker housing within the City zones.</p> <p>In addition, the City will contact nonprofit builders and agricultural stakeholders to identify suitable and available sites for the development of farmworker housing by July of 2009. Upon identifying a site, the City will expeditiously assist builders and stakeholder to pursue funding resources, infrastructure availability, if necessary, and entitlements and provide priority processing.</p>	<p>Within 1 year of adopted HE</p> <p>Planning Dept.</p>	<p>No conversations with non profit builders or ag stakeholders to ID farmworker housing sites have been had.</p>
---	--	---

Programs in Support of Objective 5; Removing Constraints

PROGRAM	TIMING RESPONSIBLE AGENCY	STATUS
<p>A.) Periodically reexamine the Zoning Ordinance (i.e., every 5 years) for possible amendments to reduce housing construction costs without sacrificing basic health and safety considerations.</p>	<p>Every 5 years</p> <p>Planning Department</p>	<p>Active Program</p>
<p>B.) Periodically review (i.e., every 2 years) the performance of local lending institutions with regard to the Home Mortgage Disclosure Act (HMDA) and the Community Reinvestment Act (CRA).</p>	<p>Biannually</p> <p>Housing Agency</p>	<p>The City did not review local lending institutions with regard to HMDA and CRA during the reporting period.</p>

Housing Element Annual Progress Report: 2008

<p>C.) Periodically survey (i.e., every 5 years) other cities in the Imperial County area to ensure that local development fees are reasonable.</p>	<p>Every 5 years Planning Dept.</p>	<p>The City last inquired of other cities development fees January 2009.</p>
<p>D.) Continue the program to allocate funds to defray the cost of land and/or required off-site improvements for lower income, extremely low income housing projects.</p>	<p>Current and on-going Housing Agency</p>	<p>Active Program</p>
<p>E.) The City shall encourage concurrent processing of entitlements to foster an environment conducive to business, Allowing various analyses and staff reports to be done at the same time, rather than requiring one process to be completed before beginning the next process, the City facilitates faster overall processing times. Department staff will notify applicants early in development process of this policy and place public notice of the City's policy on the web site.</p>	<p>On-going 2008 – 2014 Planning Dept. and Housing Agency</p>	<p>Public notice of the expediting process and policy is not yet on the City's web site.</p>

Programs in Support of Objective 6; Housing Affordability

PROGRAM	TIMING RESPONSIBLE AGENCY	STATUS
<p>A.) Explore, with local lending institutions, their possible participation in the creation of a loan pool for the construction, rehabilitation and/or purchase of housing affordable to low and moderate income households, as a means for them to fulfill their obligations under the Federal Community Reinvestment Act.</p>	<p>Current and ongoing, 2008-2014. A meeting with local lenders shall be held at least annually to evaluate progress and encourage ongoing participation Housing Agency</p>	<p>Community Development staff met in February 2009 with local lenders to discuss the Community Reinvestment Act.</p>
<p>B.) Continue to defer development fees for all proposed housing units affordable to lower income households.</p>	<p>Current and on-going 2008 - 2014 Planning, Building and Public Works Department</p>	<p>Developer must petition City.</p>

Housing Element Annual Progress Report: 2008

<p>C.) As part of the Zoning Ordinance revision, the City will evaluate for implementation the use of innovative land use techniques and construction methods, e.g., clustering of units, density transfers, zero lot line development, etc. to minimize housing development costs and to maximize development opportunities.</p>	<p>2009 / 10 Fiscal year Planning Dept.</p>	<p>The ZO has been revised.</p>
<p>D.) Zoning Ordinance revision will evaluate for implementation of reduced parking requirement for residential projects serving special needs groups or located close to public transportation or commercial services.</p>	<p>2009 / 10 Fiscal year Planning and Building Dept.</p>	<p>The ZO has been revised.</p>
<p>E.) Inform private developers of the below market interest rate mortgage programs operated by the California Housing Finance Agency (CalHFA) and direct interested developers to CalHFA, as a means to facilitate the construction of new, affordable housing for moderate income households. During each funding cycle, the Agency will execute a direct mailing to all interested developers, not limited to those currently doing business in the City, advertising the City's programs. projects/programs are identified, the City will assist the developers in pursuing state and federal funds through letters of support, documentation of need, and /or funding commitment.</p>	<p>Current and on-going 2008 – 2014 Housing Agency</p>	<p>No conversations with private developers have been had. No mailings have gone out to developers.</p>
<p>F.) Support the efforts of non-profit organizations, private developers, and the Imperial Valley Housing Authority to obtain State and/or Federal funds for the construction of affordable housing for lower income households. The City will be open to providing letters of support for funding applications; the City will also consider partnerships with non-profits for utilization of Code Enforcement staff and Brawley Redevelopment staff to help write and to review project applications.</p>	<p>Current and on-going 2008 – 2014 Housing Agency</p>	<p>The City has written support letters for available utilities and fire support. The City partnered with AmCal, a developer in applying for a HOME project grant in August 2008. In February 2008 the City leveraged two multifamily projects with \$250,000 each (not yet built). The City also aided in finishing and signing development forms for developers.</p>

Housing Element Annual Progress Report: 2008

<p>G.) The City shall annually apply or support development and rehabilitation applications for State and Federal funding for affordable housing.</p>	<p>At least twice annually Housing Agency</p>	<p>The City partnered with AmCal, a developer in applying for a HOME project grant in August 2008. The City applies annually for CDBG rehab and FTHB grants.</p>
<p>H.) California Housing Finance Agency (CHFA): Assist in the production of new, affordable housing for purchase of moderate income, first-time homebuyers.</p>	<p>Ongoing Housing Agency</p>	<p>The City has assisted in producing affordable housing during the reporting period as described above.</p>
<p>I.) Low Income Housing Tax Credits: Tax credits funds were available to assist in the construction of multi-family rental units affordable to low and moderate income households. The City will partner with developers to provide technical assistance to pursue tax credits for the construction of affordable units in the City.</p>	<p>Ongoing Housing Agency and Planning Dept.</p>	<p>The City has partnered with developers to provide tech assistance in tax credit apps as described above.</p>

Programs in Support of Objective 7; Preserving Affordable Housing

PROGRAM	TIMING RESPONSIBLE AGENCY	STATUS
<p>A.) Actively support the Brawley and Imperial Valley Housing Authority's attempts to secure additional Section 8 rental assistance to lower income households.</p>	<p>Current and on-going 2008 – 2014 Housing Agency</p>	<p>Active Program</p>
<p>B.) The City of Brawley will continue to utilize State and Federal funding sources such as the HOME Program to assist at-risk units. The Agency.</p>	<p>2009 Housing Agency and Planning Dept.</p>	<p>The City did not apply for any HOME Program rehab programs during the reporting period.</p>
<p>C.) The program objective is the rehabilitation of 24 units per year, or 10-20 units over the current 5-year planning period, facilitating the addition of bedrooms, or otherwise rehabilitating/improving dwelling units will help reduce the incidences of overcrowding in the City.</p>	<p>Ongoing 2009 – 2014 Housing Agency</p>	<p>Very similar to Objective 2A. The City rehabbed four units during the reporting period.</p>

Housing Element Annual Progress Report: 2008

<p>D.) To encourage participation in the rehabilitation program, the City will design and staff an informational kiosk within City Hall to coincide with City bill payment due dates to take advantage of the large percentage of people paying bills in person at the City Hall location.</p>	<p>Ongoing 2009 - 2014</p>	<p>The City has flyers available at the kiosk during the time utility payments were due.</p>
<p>E.) Continue to monitor housing conditions throughout the City, while periodically (i.e. every 5 years) conducting formal housing condition surveys.</p>	<p>Current and ongoing 2008 – 2014 Housing Agency and Planning Dept.</p>	<p>Also Objective 2C. Active Program</p>
<p>F.) If necessary, cause the removal and replacement of substandard units, which cannot be rehabilitated, through enforcement of applicable provisions of the Uniform Housing and Revenue and Tax Codes.</p>	<p>Current and ongoing 2008 – 2014 Planning Department, Housing Agency and Building and Safety Department</p>	<p>It has been necessary to remove the substandard units that were removed.</p>
<p>G.) Continue and expand code enforcement efforts, as necessary, and explore new methods of eliminating unsightly property conditions in residential areas.</p>	<p>Current and ongoing 2008 – 2014 Planning Department and Building and Safety Department</p>	<p>Also Objective 2E. The City hired new staff in March 2009 and has streamlined procedures.</p>
<p>H.) Avoid displacement of residents in carrying out CDBG funded activities, whenever possible, or otherwise provide appropriate relocation assistance.</p>	<p>2008 – 2014 as needed Housing Agency</p>	<p>Also Objective 2G. Active Program</p>
<p>I.) Continue to utilize the City’s General Plan and Zoning Ordinance to prevent the encroachment of incompatible uses into established residential areas.</p>	<p>Current and ongoing 2008 - 2014</p>	<p>Active Program</p>



CITY OF BRAWLEY

PLANNING DEPARTMENT
400 MAIN ST. · PLAZA PARK
BRAWLEY, CALIFORNIA 92227
PHONE: (760) 344-8822
FAX: (760) 344-0907

March 31, 2009

Honorable Mayor and Members of the City Council
383 Main Street
Brawley, CA 92227

Subject: Annual Planning Report and Status of the General Plan for the Year 2008

Dear Council Members:

California planning law requires that each City prepare an annual report to its legislative body on the status of the General Plan and progress in its implementation. The Planning Department herewith respectfully submits the 2008 Annual Report and the Status of the General Plan.

The purpose of the report is to ensure that the General Plan directs all land use decisions and remains an effective guide for future development. The report provides the City Council and Planning Commission with information regarding implementation of the General Plan. The Planning Department updated the General Plan. It was adopted in September 2008 and the Housing Element was adopted in August 2008.

The annual report also explains the status of the plan and progress in its implementation, including the progress in meeting the City's share of regional housing needs determined pursuant to Section 65584 of the Government Code and the City's efforts to remove constraints to the maintenance, improvement, and development of housing pursuant to Paragraph (3) of Subdivision (c) of Section 65583 of the Government Code.

Please call 344-8822 for further information or if you have any questions.

Sincerely,

Gordon R. Gaste, AICP
Planning Director

cc: Office of Planning and Research
Department of Housing and Community Development
Planning Commission
City Manager
City Clerk
Department Heads

HOUSING POLICY
DEVELOPMENT, HCD

APR 06 2009

**CITY OF BRAWLEY
ANNUAL PLANNING REPORT
AND
STATUS OF THE GENERAL PLAN**

2008

Submitted To: City of Brawley City Council
383 Main Street
Brawley, California 92227

City of Brawley Planning Commission
400 Main Street
Suite 2
Brawley, California 92227

Governor's Office of Planning and Research
State Clearinghouse and Planning Unit
P.O. Box 3044
Sacramento, California 95812-3044

Department of Housing and Community Development
Housing Policy Division
1800 Third Street, Room 430
Sacramento, California 95814

Prepared By: City of Brawley Planning Department
400 Main Street
Suite 2
Brawley, California 92227

Date Submitted: March 31, 2009

2008 Annual Planning Report and Status of the General Plan

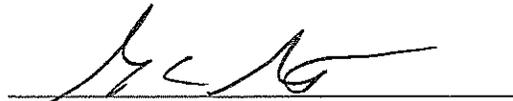
- I. Executive Summary
- II. City of Brawley Overview
- III. City Council Role and Responsibility
- IV. Planning Commission Role and Responsibility
- V. Development Review Committee
- VI. Planning Department Role and Responsibility
- VII. Land Use Permits
- VIII. General Plan Update
- IX. Housing Element Progress

I. EXECUTIVE SUMMARY

The annual planning report and status of the General Plan for the calendar year 2008 is hereby submitted to the City of Brawley City Council, Planning Commission, and State Office of Planning and Research (OPR).

During the 2008 Calendar Year, the staff, the Planning Commission, and the City Council addressed a variety of challenging and progressive land-use related projects and/or issues. Although applications for new residential entitlements have slowed somewhat, commercial development is still moving at a steady pace highlighted by the October 2008 opening of the Wal-Mart Supercenter.

As Director of the Planning Department, I sincerely thank the City Council and the Planning Commission for their assistance and support in my seventh full year with the City of Brawley. A sincere thank you is also given to the staff of the Planning Department, Community Development Services, and Public Works Department for their coordination and assistance in carrying out the year's projects. A particular thank you is also given to the members of the Development Review Committee (DRC) for working with the Planning Department on all the projects listed herein.



Gordon R. Gaste, AICP
Planning Director

II. CITY OF BRAWLEY OVERVIEW

The City of Brawley, incorporated April 6, 1908, is located in the southeast corner of the state of California, in the agriculturally rich Imperial Valley.

Brawley is located 210 miles southeast of Los Angeles, 290 miles southwest of Las Vegas, Nevada, 120 miles east of San Diego, 60 miles west of Yuma, Arizona, and 23 miles north of Mexicali, Baja California, Mexico.

Brawley's climate is characterized as arid with hot summers and mild winters. The City lie 113 feet below sea level and receives approximately 3 inches of rain per year. The average annual temperature is 73.2 degrees. Brawley also has more days of sunshine per year than San Diego making the area ideal for outdoor recreation.

Brawley's 2008 California Department of Finance population figures estimate 26,513 residents. The City encompasses 7.538 square miles giving the city a population density of 3,517 persons per square mile.

III. CITY COUNCIL ROLE AND RESPONSIBILITY

The City of Brawley is a General Law City operating under the laws of the State of California. There are five (5) Council members elected at large who serve four-year terms. This Council is the community legislative body. It sets policy, approves the budget, and determines tax rates.

2008 Brawley City Council

Steve Vasquez (Mayor)
John Benson
Don C. Campbell
Ryan Kelley
George Nava

IV. PLANNING COMMISSION ROLE AND RESPONSIBILITY

California Government Code, Section 65101, authorizes the creation of a Planning Commission by the City Council. The Planning Commission consists of seven (7) members, appointed by City Council for a term of four years.

One of the Planning Commission's primary roles is to prepare, and recommend to the City Council, a comprehensive, long-term general plan for the physical development of the City. The Planning Commission also rules on matters from individual citizens pertaining to the enforcement of zoning.

2008 Brawley Planning Commission

Tony Gallegos (Chairman)
Eugene Bumbera
Ernest Dean
Robert L. Noriega
Eric Reyes
Thomas Rutherford
Ramon M. Sagredo

V. DEVELOPMENT REVIEW COMMITTEE ROLE AND RESPONSIBILITY

The Development Review Committee (DRC) is a decision-making body that consists of six (6) voting members representing the following departments:

- Planning
- Community Development Services
- Public Works
- Police
- Fire
- Parks and Recreation

The Committee also consists of ten (10) advisory members representing the following departments/agencies:

- Finance
- Library
- Imperial Irrigation District
- Southern California Gas Company
- Time/Warner Communications
- AT&T
- Brawley Union High School District
- Brawley Elementary School District
- Brawley Airport Advisory Commission
- California Department of Transportation (CALTRANS)
- County of Imperial (LAFCO/ALUC/Planning)

The Department Heads serve on the committee or may choose alternates to represent their departments.

The role of the DRC is to make decisions on projects subject to the California Environmental Quality Act (CEQA) and projects requiring close coordination with other agencies. It also approves site plans not requiring a zone change, general plan amendment, conditional use permit, or variance.

VI. PLANNING DEPARTMENT ROLE AND RESPONSIBILITY

Planning is an approach to problem solving, a process to formulate future plans and ordinances, ensuring full public participation, and providing all advisory bodies (e.g., Planning Commission) and the legislative body (City Council) with the necessary information to make intelligent and informed decisions.

Through the California Constitution, the State has delegated the responsibility of implementing local policies and development to each City through the City General Plan.

Some of the specific functions of the Planning Department are to revise the General Plan, made up of seven (7) mandatory elements and one (1) optional element, review of specific plans, amending the General Plan, keeping the Zoning and Subdivision Ordinances current through amendments thereto, handling Conditional Use Permits, Specific Plans, Zone Changes, Variances, Major/Minor Subdivisions (Tract Maps/Parcel Maps), Site Plans, Adjustment Plats (Lot Line Adjustments, Lot Mergers) and Certificates of Compliance among others. The Planning Department also works with other city departments providing administrative and technical assistance with their projects.

One of the necessary functions of the review for any project submitted to the Planning Department is the California Environmental Quality Act (CEQA) application. Through the preparation of an "Initial Study", the City determines whether or not a particular project may create a significant impact on the environment.

Policies of the General Plan and city ordinances must be consistently applied across the board without regard as to who the applicant is and what the project may be.

Planning Department Staff

Gordon R. Gaste, AICP, Planning Director
Cresencia Mattila, Administrative Secretary

VII. LAND USE PERMITS

The City of Brawley processed a significant amount of land use applications. The last five years have seen a considerable increase in the number of projects. However, this year is the first time in five years there have been less applications than in the previous years.

Below are brief definitions of the various permits, standard procedures, and the number of permits processed during the 2008 Calendar Year. The definitions are not comprehensive; therefore, they should only be used as a reference.

Subdivision: Generally, a subdivision is any division of land for the purpose of sale, lease, or financing and is governed by the State Subdivision Map Act (Government Code, Section 66410).

Major Subdivision: With a few exceptions, a major subdivision is the division of five or more lots. During the 2008 Calendar Year, the Planning Department processed 1 Major Subdivision application.

Minor Subdivision: A minor subdivision consisting of four or fewer parcels that requires a parcel map. During the 2008 Calendar Year, the Planning Department processed 1 Minor Subdivision application.

Zone Change: Zoning is a state-mandated requirement and all properties within the City are classified into various zones or “zoning districts.” Zoning regulations establish groups of permitted uses that vary from district to district. If a property owner desires to conduct a land use upon his property that is not permitted in the existing zoning district, he or she may apply for a Zone Change. During the 2008 Calendar Year, the Planning Department processed 2 Zone Change applications.

Conditional Use Permit: A procedure established whereby an applicant can request a certain land use to be permitted in an area in which it is not usually permitted by the Zoning Ordinance, and where such uses are deemed essential or desirable to the public convenience and welfare, and are compatible with the various elements or objectives of the General Plan. During the 2008 Calendar Year, the Planning Department processed 2 Conditional Use Permit applications.

Variance: A procedure established by state law and the ordinances of the City of Brawley whereby an applicant can request a deviation from the provisions of the minimum property development standards established relating to building height, lot area, structural coverage, building set backs, or accessory structures (e.g., carports, signs). During the 2008 Calendar Year, the Planning Department processed 1 Variance application.

Adjustment Plat: Lot Line Adjustment and Lot Merger. These are required to adjust property lines between adjacent parcels when no new parcels are created. During the 2008 Calendar Year, the Planning Department processed 4 Adjustment Plat applications.

General Plan Amendment: During the 2008 Calendar Year, the Planning Department processed 0 General Plan Amendment applications.

VIII. THE GENERAL PLAN UPDATE

The City of Brawley, in 2008, prepared a revised General Plan that serves to guide future development. The Housing Element was also updated in 2008 and is being implemented to achieve the regional housing needs.

The objective of the General Plan is to promote orderly growth and development and to maintain and improve the kind of environment that makes Brawley an excellent place to live, work, and enjoy leisure time. The General Plan contains information on the physical, economic, and social environment of Brawley.

The California Government Code requires that the plan be long-term, clearly written, comprehensive, and the policies of the plan must be internally consistent.

The City of Brawley General Plan is an official statement by the City Council. It can be viewed as the constitution for the City's physical development, for the protection of the environment, and for the enhancement of the quality of life in Brawley. It is used by the Planning Commission and City Council to support their decisions on major land use, zoning, and future public/private projects. The General Plan policies and programs shall also provide information and guidance to the general public. In context, the General Plan addresses the following mandatory plans and other optional elements:

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

The City's new Service Area Plan (SAP) and Sphere of Influence (SOI) were adopted by the Imperial County Local Area Formation Commission (LAFCO) on December 14, 2006.

IX. HOUSING ELEMENT PROGRESS

Annual Progress Report on Implementation of the Housing Element General Plan Report requirement pursuant to Section 65400 of the Government Code

Government Code Section 65400(b)(1) mandates that all cities and counties submit to their legislative bodies an annual report on the status of the housing element and progress in its implementation (the "Progress Report"). Only charter cities are exempt from the requirement to prepare Progress Reports, pursuant to Government Code Section 65700. However, a charter city may have elected to include the annual progress report as one of its goals and objectives in their most recent housing element. A copy of this Progress Report must also be sent to the Governor's Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD).

Jurisdiction: **City of Brawley**

Address: **400 Main Street
Brawley, CA 92227**

Contact **Gordon R. Gaste, AICP, Planning Director
Francisco Soto, Building Official**

Phone: **760-344-8622**

Report Period: January 1, 2008 to December 31, 2008

A. Progress in meeting Regional Housing Need for 2006-2014.

RHNA ACHIEVEMENT STATUS AND REMAINING NEEDS FOR THIS RHNA PERIOD (JANUARY 2006-JUNE 2014)

Income Group - Percent of Households	Construction Need	Units Constructed 2006-April 2008	Remaining Needs
Extremely Low – 12.25%	378	115	263
Very Low – 12.25%	378	115	263
Low – 16.6%	511	156	355
Moderate – 16.0%	494	131	363
Above Moderate – 42.9%	1,326	131	1,195
TOTAL	3,088	648	2,440

Source: Regional Housing Allocation Plan, City of Brawley Planning Department

<p>E.) Zoning Ordinance revision to incorporate Inclusionary Zoning program to provide additional incentive and opportunity for the development of lower income housing as an indistinguishable component of market rate housing.</p>	<p>Fiscal Year 2009 Planning Department</p>	<p>No action taken yet.</p>
<p>F.) The City will grant programs, such as the HOME and CDBG Programs for the reconstruction and/or rehabilitation of lower income, including extremely low income owner/renter occupied housing units in Brawley. The City will take all action necessary to expedite processing and approvals for such programs.</p>	<p>Current and on-going 2008 - 2014 Planning Department and Community Development Services Housing Division</p>	<p>Active Program</p>
<p>G.) The City shall schedule anticipated project annexations in cooperation with individual developers for projects located within the City's Sphere of Influence to provide the land necessary to accommodate housing needs. A tentative timeline for annexations according to project priority will be drafted and distributed to all project proponents.</p>	<p>Fiscal Year 2009-2010, timeline to be updated every 6 months Planning Department and Community Development Services Housing Division</p>	<p>Porter Ranch annexation is scheduled. A timeline has been created.</p>
<p>H.) Continue to utilize environmental and other development review procedures to ensure that all new residential developments are provided with adequate public and private facilities and services. Documentation that adequate services and facilities are or will be provided shall be a condition for their approval.</p>	<p>Current and on-going 2008 - 2014 Planning Department and Community Development Services Housing Division</p>	<p>Active Program</p>
<p>I.) Housing data will be currently posted on the City's web site and available in hard copy on request.</p>	<p>Beginning in 2008, at least every 6 months thereafter. Planning Department and Community Development Services Housing Division</p>	<p>Housing data is available, but not yet posted on web site.</p>

<p>N.) The newly revised Zoning Code includes a Mixed-Use Overlay District (Article XXII), in the Downtown overlay district (DOD), which includes the Civic Center Downtown overlay district which encourages the redevelopment of the downtown area with mixed-use uses. . With the goal of 500 units in the planning period, to promote development in the DOD, the City will establish a list of all sites, including a list of primary opportunities and will advertise the sites with the development community, including nonprofit, by meeting bi-annually throughout the planning period. In addition, the City will establish a variety of concessions and incentives to promote development in the DOD, including fee deferrals, priority processing, assisting with site assembly, technical support, density bonuses, supporting funding applications and other tools based on input from the development community.</p>	<p>Current and on-going 2008 – 2014</p> <p>Planning Department</p>	<p>The City is in the process of establishing a list of all DOD sites.</p> <p>The City is supporting two tax credit multifamily projects outside of the DOD with \$250,000 each, which have not yet been built, and another multifamily project with a \$2 million HOME grant application.</p>
--	--	--

Objective 2: Housing Conservation and Improvement

PROGRAM	TIMING RESPONSIBLE AGENCY	STATUS
<p>A.) Rehabilitation of deteriorated housing in the City, thereby preserving affordable housing opportunities for lower income homeowners and renters. The program objective is the rehabilitation of 4 units per year, or 20 units over the current 5-year planning period, facilitating the addition of bedrooms, or otherwise rehabilitating/improving dwelling units will help reduce the incidences of overcrowding in the City.</p>	<p>Application to be made at the appropriate application deadline beginning in FY 2009-2010 throughout Housing Element period to 2014.</p> <p>Community Development Services Housing Division</p>	<p>During the reporting period, four units were rehabilitated and two applications are in process.</p>

F.) Continue to provide information and technical assistance to local property owners regarding housing maintenance.	Current and on-going 2008 - 2014 Planning Department and Community Development Services Housing and Building Divisions	Housing maintenance info is available to local property owners at City hall, but is not yet available on the web site.
G.) Avoid displacement of residents in carrying out CDBG funded activities, whenever possible, or otherwise provide appropriate relocation assistance.	2008 – 2014, as needed Community Development Services Housing Division	No displacement has occurred.
H.) Continue to utilize the City's General Plan and Zoning Ordinance to prevent the encroachment of incompatible uses into established residential areas.	Current and on-going 2008 – 2014 Planning Department	Active Program

Programs in Support of Objective 3; Energy Conservation

PROGRAM	TIMING RESPONSIBLE AGENCY	STATUS
A.) Utilize the development review process to incorporate energy conservation techniques into the siting and design of proposed residences.	Current and on-going 2008 – 2014 Planning Department and Community Development Services Building Division	Active Program
B.) 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.	Current and on-going 2008 – 2014 Planning Department	Active Program

<p>E.) Add transitional housing and supportive housing within the code's definition section, and list as permitted uses within residential zone districts and clarify only subject to those standards that apply to other residential uses of the same type in the same zone.</p>	<p>Within 1 year of adopted HE</p> <p>Planning Department.</p>	<p>Transitional and supportive housing has not yet been added to the code's definition section.</p>
<p>F.) 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.</p> <p>Emergency shelters will be subject to the same development and management standards as other permitted uses in Commercial Zones. In addition, the City will develop written, objective standards for emergency shelters to comply with SB 2.</p>	<p>Within 1 year of adopted HE</p> <p>Planning Department and Community Development Services Building Division</p>	<p>Cool zones are regularly established in summer.</p> <p>No permanent shelters are present. None have applied.</p> <p>Emergency shelters have not yet been identified in the general commercial zone.</p> <p>The standards for emergency shelters have not yet been written.</p>
<p>G.) The City shall 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.</p>	<p>Current and on-going 2008 – 2014</p> <p>Planning Department</p>	<p>No streamlined permit procedures have been established yet. No applications have come through.</p>

D.) Continue the program to allocate funds to defray the cost of land and/or required off-site improvements for lower income, extremely low income housing projects.	Current and on-going Community Development Services Housing Division	Active Program
E.) The City shall encourage concurrent processing of entitlements to foster an environment conducive to business, Allowing various analyses and staff reports to be done at the same time, rather than requiring one process to be completed before beginning the next process, the City facilitates faster overall processing times. Department staff will notify applicants early in development process of this policy and place public notice of the City's policy on the web site.	On-going 2008 – 2014 Planning Department and Community Development Services Housing Division	Public notice of the expediting process and policy is not yet on the City's web site.

Programs in Support of Objective 6; Housing Affordability

PROGRAM	TIMING RESPONSIBLE AGENCY	STATUS
A.) Explore, with local lending institutions, their possible participation in the creation of a loan pool for the construction, rehabilitation and/or purchase of housing affordable to low and moderate income households, as a means for them to fulfill their obligations under the Federal Community Reinvestment Act.	Current and ongoing, 2008-2014. A meeting with local lenders shall be held at least annually to evaluate progress and encourage ongoing participation Community Development Services Housing Division	Community Development staff met in February 2009 with local lenders to discuss the Community Reinvestment Act.
B.) Continue to defer development fees for all proposed housing units affordable to lower income households.	Current and on-going 2008 - 2014 Planning Department, Community Development Services Building Division and Public Works Department	Developer must petition the City.

<p>F.) Support the efforts of non-profit organizations, private developers, and the Imperial Valley Housing Authority to obtain State and/or Federal funds for the construction of affordable housing for lower income households. The City will be open to providing letters of support for funding applications; the City will also consider partnerships with non-profits for utilization of Code Enforcement staff and Brawley Redevelopment staff to help write and to review project applications.</p>	<p>Current and on-going 2008 – 2014</p> <p>Community Development Services Housing Division</p>	<p>The City has written support letters for available utilities and fire support.</p> <p>The City partnered with AmCal, a developer in applying for a HOME project grant in August 2008.</p> <p>In February 2008 the City leveraged two multifamily projects with \$250,000 each (not yet built).</p> <p>The City also aided in finishing and signing development forms for developers.</p>
<p>G.) The City shall annually apply or support development and rehabilitation applications for State and Federal funding for affordable housing.</p>	<p>At least twice annually</p> <p>Community Development Services Housing Division</p>	<p>The City partnered with AmCal, a developer in applying for a HOME project grant in August 2008.</p> <p>The City applies annually for CDBG rehab and FTHB grants.</p>
<p>H.) California Housing Finance Agency (CHFA): Assist in the production of new, affordable housing for purchase of moderate income, first-time homebuyers.</p>	<p>Ongoing</p> <p>Community Development Services Housing Division</p>	<p>The City has assisted in producing affordable housing during the reporting period as described above.</p>
<p>I.) Low Income Housing Tax Credits: Tax credits funds were available to assist in the construction of multi-family rental units affordable to low and moderate income households. The City will partner with developers to provide technical assistance to pursue tax credits for the construction of affordable units in the City.</p>	<p>Ongoing</p> <p>Community Development Services Housing Division and Planning Dept.</p>	<p>The City has partnered with developers to provide tech assistance in tax credit apps as described above.</p>

<p>F.) If necessary, cause the removal and replacement of substandard units, which cannot be rehabilitated, through enforcement of applicable provisions of the Uniform Housing and Revenue and Tax Codes.</p>	<p>Current and ongoing 2008 – 2014</p> <p>Planning Department and Community Development Services Housing Division and Building Division</p>	<p>It has been necessary to remove the substandard units that were applicable to the Codes.</p>
<p>G.) Continue and expand code enforcement efforts, as necessary, and explore new methods of eliminating unsightly property conditions in residential areas.</p>	<p>Current and ongoing 2008 – 2014</p> <p>Planning Department and Community Development Services Building Division</p>	<p>Also Objective 2E.</p> <p>The City hired new staff in March 2009 and has streamlined procedures.</p>
<p>H.) Avoid displacement of residents in carrying out CDBG funded activities, whenever possible, or otherwise provide appropriate relocation assistance.</p>	<p>2008 – 2014 as needed</p> <p>Community Development Services Housing Division</p>	<p>Also Objective 2G.</p> <p>Active Program</p>
<p>I.) Continue to utilize the City’s General Plan and Zoning Ordinance to prevent the encroachment of incompatible uses into established residential areas.</p>	<p>Current and ongoing 2008 – 2014</p> <p>Planning Department</p>	<p>Active Program</p>