

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

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 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 41 years. During this period the City grew by almost 12,400 persons or by 82%. 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.

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 *2013-2021 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 December 3, 2013.

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 October 2021 to October 2029.

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 as well as the related zoning ordinance updates:

Section 2 - 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.

Appendices: The Appendices contains detailed information on the following:

- Appendix A: Assessment of Housing Needs
- Appendix B: Assessment of Fair Housing
- Appendix C: Sites Inventory and Analysis
- Appendix D: Governmental Constraints Analysis
- Appendix E: Analysis of Non-Governmental Constraints
- Appendix F: Housing Resources
- Appendix G: Progress Report

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
- Environmental Justice Element (To be adopted October/November 2021)

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

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.

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.

1. 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.

III. ENVIRONMENTAL IMPACT AND PHYSICAL EFFECT

The Brawley Development Services Director prepared a draft Initial Study. Staff 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 CEP
Planning Director

Date