

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

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

**Present:** Bumbera, Goyal, Hutchinson, Marquez, Reyes, Smith

**Absent:** Sagredo

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Motion: The Planning Commission approves the minutes of February 6, 2013 as amended to include, "The Planning Commission makes findings and determinations consistent with those listed in the Planning Commission Staff Report dated February 6, 2013 and approves the Variance (VAR12-03) to allow an encroachment to the front-yard setback from 10 feet to 0 feet for use as two permanent parking spaces in an R-1 (Single Family Residential) zone subject to compliance with the conditions of approval as stated in the staff report. m/s/c Goyal/Hutchinson 6-0

Motion: The Planning Commission approves the minutes of March 6, 2013 as presented. m/s/c  
Smith/Marquez 6-0

PUBLIC APPEARANCES

Chairman Goyal called for public appearances. There were none.

DISCUSSION – DEVELOPMENT IMPACT FEE COLLECTION PROCEDURE

Chairman Goyal opened the discussion reminding the Commissioners of previously held discussions and noting the materials provided by the Planning Director. Commissioner Reyes stated that the City Council voted to not implement the approved, scheduled increases in the Development Impact Fees which might now make the topic irrelevant. Mr. Gaste clarified the City Council's decision not to implement the approved, scheduled Development Impact Fee increases. Chairman Goyal stated that the discussion is not about the fee amounts; it is about providing options on how and when the fees are paid for the purpose of encouraging development. He asked if staff has asked about at the way school fees are collected. Mr. Gaste asked Oscar Escalante, Building Inspector, to explain the school fee calculation. Mr. Escalante stated that the fee is based on square footage for commercial and residential property with commercial properties paying less. Mr. Goyal stated that he was interested in learning about, looking at school district documents detailing the time of payment of school impact fees because he feels schools are not actually affected until the time of occupancy; he would like to formulate a proposal to the school board for their consideration at the same time the City looks at how fees are paid. Mr. Gaste stated that regardless of the documentation, the schools will want payment up front. Commissioner Reyes clarified that any proposal would be first approved by the City Council. Mr. Goyal stated that was his intention. Commissioner Bumbera stated that he has not heard support for proposing changes to the way fees are collected; the economy is hard for everyone; he does not support the changes. He expressed his concerns about the Florentine Subdivision, the delays in the construction of Panno Street, and the one-half million dollar cost to the City for completion. He recommended that the Commission wait. Mr. Goyal stated that he understands and reiterated that he is not proposing to reduce the fees one penny; he hopes to encourage development by offering options. Commissioner Smith stated that no impact to the school, hospital exists until escrow is closed and people are living there; that's when payment should occur. Chairman Goyal said he liked this idea; he read about it in other cities and wanted to talk about it. Mr. Gaste explained that DIF collected for Florentine's original 16-21 units have been applied toward Panno Street construction, water and sewer lines. Commissioner Reyes stated that Brawley's low development impact fees are affecting the city, as in other Imperial Valley cities, they are not collected effectively, and the costs go back to the people. He said it should stay as it is, DIF should be paid up front. Commissioner Hutchinson stated that some impacts are immediate, like fire, police, inspections, and need to be sorted out, the school boards would have to agree to consider changes. He said he is on the fence on this matter

and wants to see both sides. Chairman Goyal reiterated that he is in favor of discussing ways to provide payment options. Mr. Gaste replied that too much incentive might create a rush of development creating empty units. Commissioner Reyes said that it is possible that a developer goes belly up before paying the DIF and the city is stuck with costs. He used other developments as examples. Chairman Goyal called for any further discussion. There was none.

#### ANNUAL PLANNING REPORT AND STATUS OF THE GENERAL PLAN 2012

Mr. Gaste provided an overview, explained that it is a state-mandated report, and stated that he would answer any questions. He asked for the Commission's acceptance of the report. Chairman Goyal asked if everyone had a chance to review the report and if there were any questions or comments. There were none.

Motion: The Planning Commission accepts the Annual Planning Report and Status of the General Plan for 2012 as presented. m/s/c Marquez/Reyes 6-0

#### ZONING CODE ENFORCEMENT

Oscar Escalante, Building Inspector, informed the Commission that a permit is ready to issue for a six tenant building that includes a Starbucks and a restaurant; Family Dollar is underway; Florentine 6-plex is in production and their single-family detached homes are in plan check; and Garcia Subdivision has 5 homes in production.

Code Enforcement has: removed Brawley Recycle and Brawley Pharmacy banners; entered joint code enforcement with county for vector control, dogs, standing water, fecal matter in abandoned buildings; removed 2 abandoned vehicles from residences and 1 from commercial lots; implemented stormwater retention requirements for new construction.

Chairman Goyal asked for clarification on banners. Mr. Escalante explained the standards for signs and that banners are very limited. Chairman Goyal asked about banners for Brownies and Town Pump.

Mr. Escalante said they are addressing complaints as calls come in.

Mr. Gaste informed the Commission that temporary communications tower on G Street and 3<sup>rd</sup> street has been removed. It will possibly be collocated or a stealth tower constructed.

Commissioner Bumbera mentioned that when CalTrans had authority from 1<sup>st</sup> Street to Highway 111 only they could approve banners; Cattle Call activities required their approval. Mr. Gaste clarified only if activity was in their right-of-way. He described the area where CalTrans has relinquished the roads. He added that Caltrans is looking at Forrester Road to divert traffic from towns along with other proposals. He stated that he will share the Imperial County Transportation Commission's reports on the proposals. Chairman Goyal asked Mr. Gaste if he has had a chance to ask what can be done about the burned buildings regarding taxes, etc. Mr. Gaste stated that it is in the control of the assessor's office. The City Council is in conversation with the County about the properties; the City has placed liens on the properties for clean-up work done.

Chairman Goyal stated that he was asked about and wants to learn more about RV park subdivisions, lot sizes, and impact fees. Mr. Gaste explained a mobile home subdivision would be charged the single-family development impact fee, a mobile home park would be charged the multi-family development impact fee. A discussion ensued about the distinctions between a MH subdivision and a MH park, RV parks, the minimum lot sizes for each, comparison with other cities, open area requirements, size of home models for each, zoning requirements, and environmental studies.

Commissioner Bumbera asked if a mobile home subdivision is planned. Mr. Gaste replied yes and he described the Rancho Porter project.

Commissioner Hutchinson asked about the scheduled Planning Commission Training Workshop. Mr. Gaste replied that it will be held on April 25, 2013, at 6-7:30 pm, at the SDG&E Building on Main Street in El Centro. The agenda will be ready in about 2 weeks and will include 10-15 minute presentations on various topics. Other Imperial Valley cities will be attending.

#### ADJOURNMENT

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