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CITY OF WESTMORLAND
GENERAL PLAN

November 1999

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I. INTRODUCTION

The General Plan is a comprehensive document which guides the future expansion and development of the City. It covers a long range time span and anticipates the growth of Westmorland to the year 2019. The General Plan contains goals, objectives and policies which will shape the future growth of Westmorland, and which will ensure that the quality of life in the City continues to improve for all residents. Physical growth in the City is a dynamic force, and, as such, the General Plan remains flexible to be revised as necessary to reflect changing and unforeseen conditions.

The General Plan does not precisely define nor locate specific uses in precise defined areas, but rather, the Plan establishes a framework within which growth can be logically directed to be consistent and compatible of community attitudes. However, the General Plan acts as a governing tool for other planning documents such as Specific Plans and Zoning policy.

In addition to being a planning document, the General Plan is also an informational tool that can aid the City and its residents in making key decisions. Various facts and figures such as population and number of housing units are presented throughout this General Plan document. Certain historical accounts and geological morphology is included in various sections of this General Plan.

California State Law requires that all municipalities have a long-range plan for the physical development of their jurisdiction. An updated General Plan must include each of the following seven mandatory elements:

1. **Land Use Element** – This element designates the general distribution, location and extent of the uses of land for housing, business, industry, open space, education, public buildings and other categories of public and private uses.
2. **Circulation Element** – This element identifies the general location and extent of existing and proposed major roads, highways, trails, railroad and transit routes, terminals, water systems, wastewater, and other local public utilities and public facilities.

3. **Housing Element** – This element identifies existing and projected housing needs and establishes goals, policies, objectives and programs for the preservation, improvement, and development of housing to meet the needs of all economic segments of the community. The Housing Element must be updated every five years as required by State Law.
4. **Open Space Element** – This element details plans and measures for the preservation of open space for natural resources, for the managed production of resources, for outdoor recreation, and for public health and safety.
5. **Conservation Element** – This element provides for the conservation, development and use of natural resources, such as water, forests, soils, air, rivers, lakes, harbors, fisheries, wildlife and minerals. The Conservation Element can also include sections for the preservation of historic and cultural resources.
6. **Safety Element** – This element establishes standards and plans for the protection of the community from crime, fires, geologic and seismic hazards, and provides for emergency preparedness.
7. **Noise Element** – This element examines noise sources yielding information to be used in setting land use policies for compatible uses and for developing and enforcing a local noise ordinance.

II. ENVIRONMENTAL SETTING

The City of Westmorland occupies an area of approximately 0.75 square miles in the northwest portion of the Imperial Valley. Access to the City is provided by State Highway 86 and Forrester Road. The City is located approximately 25 miles from the City of El Centro, the County Seat. Rail service was once available through a railroad right-of-way paralleling "F" and "G" Streets but has long been abandoned. Commuter air service is available from Imperial County Airport located approximately 20 miles southeast of the City, and International air service is available at San Diego International Airport located approximately 120 miles east of the City.

Imperial County is located in the southeast corner of the State of California and is bordered on the north by Riverside County, on the

west by San Diego County, on the east by the Colorado River (forming the Arizona border), and on the south by 84 miles of the International Boundary with the Republic of Mexico.

Westmorland is located on the gently sloping Imperial Valley floor, situated on a deep alluvial. Amongst the significant physiographic features in the vicinity are the deep narrow eroded gorges of the New and Alamo Rivers, which are located within 5 miles to the west and east of the City, respectively. The Salton trough, the most dominant land form within the region, comprises the northern land locked portion of the Gulf of California and includes the Coachella, Imperial, and Mexicali Valleys. The elevation of this broad alluvial plain ranges from 47 feet above sea level at the high point of the Colorado River delta in Mexico to 275 feet below sea level near the Riverside County line. The City of Westmorland is approximately 180 feet below sea level (as is much of the Imperial Valley).

The complex geomorphic structure of the Salton trough has slowly been evolving and the entire northern portion of the Imperial Valley is a continuation of the structural depression of the Gulf of California. Much of the irrigated portion of the Imperial Valley coincides with the shoreline of the ancient Lake Cahuilla and the sea level contour, which is still visible in many of the rock formations. The mountains outlining the Salton trough are primarily extrusions of volcanic, granitic, igneous and metamorphic rock complexes.

III. PLANNING PROCESS

Throughout a period of approximately three months demographic, historical and geologic data was collected and analyzed to form the basis of the information provided herein. Workshops and public hearings were held as part of an aggressive effort to include community views and goals. Additionally, concerns raised by citizens at regular City Council meetings for the past six months have been taken into consideration and made part of this General Plan.

Following the gathering of information, plans were formulated with public input and presented in this General Plan as a set of goals, objectives and policies. Copies of the draft General Plan were circulated to the public for review and comment. Revisions were made

as necessary. Once adopted by City Council, the General Plan becomes a tool that must be continually review and updated to reflect the dynamic forces in the evolution of the City.

In accordance with the California Environmental Quality Act (Pub. Res. Code § 210 et seq.), a draft Environmental Impact Report (EIR) was prepared and circulated to local, regional and State agencies and to the public for review and comment. The EIR addresses the environmental effect associated with the draft General Plan update and includes mitigation measures and alternatives to minimize impacts upon the environment. The Final EIR was certified by the City Council prior to the adoption of this General Plan.

IV. DEFINITION OF KEY TERMS

Each of the seven Elements includes goals, objectives and policies to be used in implementing this General Plan. In order for the General Plan to be most effective, the definition of goals, objectives and policies must be consistent and these terms, taken together, range from the general to the specific.

A **goal** is a direction setter. It is a general expression of community values and is an ideal future end, condition or state related to the public health, safety and general welfare towards which planning and implementation measures are directed.

An **objective** is a specific end, condition or state that is an intermediate step towards obtaining a goal. An objective should be achievable and when possible, measurable and time specific.

A **policy** is a specific statement that guides decision making. It indicates a clear commitment of the City Council.

TABLE OF CONTENTS

I. INTRODUCTION	1
A. RELATIONSHIP TO OTHER ELEMENTS AND DOCUMENTS	1
II. DENSITY	2
A. POPULATION DENSITY	2
B. BUILDING INTENSITY	3
III. LAND USE CATEGORIES	4
RESIDENTIAL	4
RURAL RESIDENTIAL	6
SINGLE FAMILY	6
LOW DENSITY MULTI-FAMILY	6
HIGH DENSITY MULTI-FAMILY	7
COMMERCIAL	7
NEIGHBORHOOD COMMERCIAL	8
GENERAL COMMERCIAL	8
INDUSTRIAL	9
OPEN SPACE	10
RECREATION	10
SAFETY	11
PRESERVATION	11
PUBLIC/SEMI-PUBLIC	12
SCHOOLS	12
COMMUNITY FACILITIES	13
PUBLIC UTILITIES	13

IV. SPHERE OF INFLUENCE / PLANNING AREA **14****COMMUNITY DESIGN** **16**

ARCHITECTURAL OVERLAY	16
OVERLAY ZONE	16
OVERLAY STYLE	17

VII. LAND USE PLAN **17**

I. INTRODUCTION

Although all General Plan elements carry equal weight, the Land Use Element is the most visible and often used element. It serves as the central framework for the entire plan and correlates all land use issues into a set of coherent development policies. The Land Use Element identifies the proposed general distribution and intensity of uses for housing, commerce, industry, open space, natural resources, public facilities and other categories of public and private uses.

The purpose of the Land Use Element is to guide future development by establishing a logical pattern of compatible land uses. Factors such as population density, development intensity, and community design are interrelated and affect the natural arrangement of development patterns.

The Land use Element will furthermore depict, in graphic format, the targeted growth areas of the City that are within the Sphere of Influence as approved by the Local Agency Formation Commission (LAFCO). These areas are referred to as the City's Future Land Use Plan and are taken into consideration for all development and service needs to support the projected population growth of the community.

A. RELATIONSHIP TO OTHER ELEMENTS AND PLANNING DOCUMENTS

All General Plan elements must relate to and be consistent with each other. However, the Land Use element has a direct effect on certain elements. The extent of existing and anticipated land development must be addressed by and reciprocally related to the roadway and infrastructure system presented in the Circulation Element. Additionally, the predominant cause of noise impact is the result of incompatible land use, and as such, the Land Use Element directly relates to the goals, objectives, and policies set forth by the Noise Element. Furthermore, the primary land use in the City of Westmorland is residential, and as such, issues discussed in the Housing Element have a direct impact on issues, goals, objectives and policies set forth in this Land Use Element.

Once the goals, objectives, and policies have been identified, regulatory measures must be initiated to ensure the Land Use Elements purpose will be met. The Westmorland Zoning Ordinance is the primary tool for implementing and enforcing the provisions of this Land Use Element. These two documents must be consistent with each other, and any changes in zoning designation or Zoning Ordinance must be consistent with the Land Use Map and the policies established in this Land Use Element.

II. DENSITY

State Law has set minimum standards for population densities and building intensity. Although these two factors are closely related, there is an important distinction among the two. Population densities address the number of people allowed per acre given the existing and surrounding uses, while building intensity refers to the amount of physical development allowed as it relates to its use.

A. POPULATION DENSITY

Population density can best be expressed as the relationship between the number of dwelling units per acre and number of residents per dwelling unit. This relationship between the number of dwelling units per acre and the number of residents per unit plays an integral role in the spatial relationship between land uses. As population density increases, the need for certain land uses such as schools and medical facilities must be provided within greater proximity to concentrations of residential population.

The City of Westmorland is primarily an agricultural community where although the population per dwelling unit is relatively high (3.6 persons per household, State Department of Finance-1999) the overall population densities are relatively low. Even so, it is important to address density issues for orderly development when meeting a housing demand through projected local and regional population growth. As the Imperial Valley grows over the next ten years, Westmorland's land use pattern and housing supply must adapt to address the demand.

The highest population density is located on the northwest quadrant of the City. A 64-unit apartment complex is located on "G" Street. Many parcels in this portion of the city are typically 6,750 square feet. Given the average household size of 3.582 persons per household for the entire City, there is an estimated 24.35 persons per acre in this area. Compared to the estimated 21.49 persons per acre on other residential portions of the City.

Because population density needs will differ from one land use category to the next, this Land Use Element defines standards of population density for each of the residential land use categories. The combination of these densities create a balance that will be needed in addressing future housing and service needs. The following units per acre for each of the land use designations can be expressed in terms of persons per acre as outlined below.

Standards For Population Density

Land Use Category	Units per Acre	Persons per Acre
Rural Residential	.50 to 1.0	2 to 4
Low Density Residential	1.1 to 6	4 to 25
Medium Density Residential	6.1 to 8	25 to 40
High Density Residential	8 to 30	40 to 108

B. BUILDING INTENSITY

Building intensity, unlike population density, is defined as a quantitative measure of the concentration of a specified use as it relates to the amount of physical development allowed. In residential areas, the concentration of use (and hence, density) can be guided by controlling the maximum number of dwelling units allowed per acre. In commercial areas, the floor area ratio, or the relationship of the building floor area compared to the total land site area, is a useful measure for the concentration of use.

Intensity can be further expressed based on variables such as height and building mass/bulk limitations. The State Governor's Office of Planning and Research further suggests that building intensity standards also include permitted land uses, building types, and concentrations of use. The City's Land Use Element takes all of these

factors into consideration in determining the appropriate population densities and building intensities to accommodate future growth.

The standards for building intensity within the Westmorland General Plan are primarily expressed in terms of the maximum percentage of a lot or parcel that may be covered by buildings or structures, and secondarily by the maximum height allowed to the buildings or structures within each land use designation.

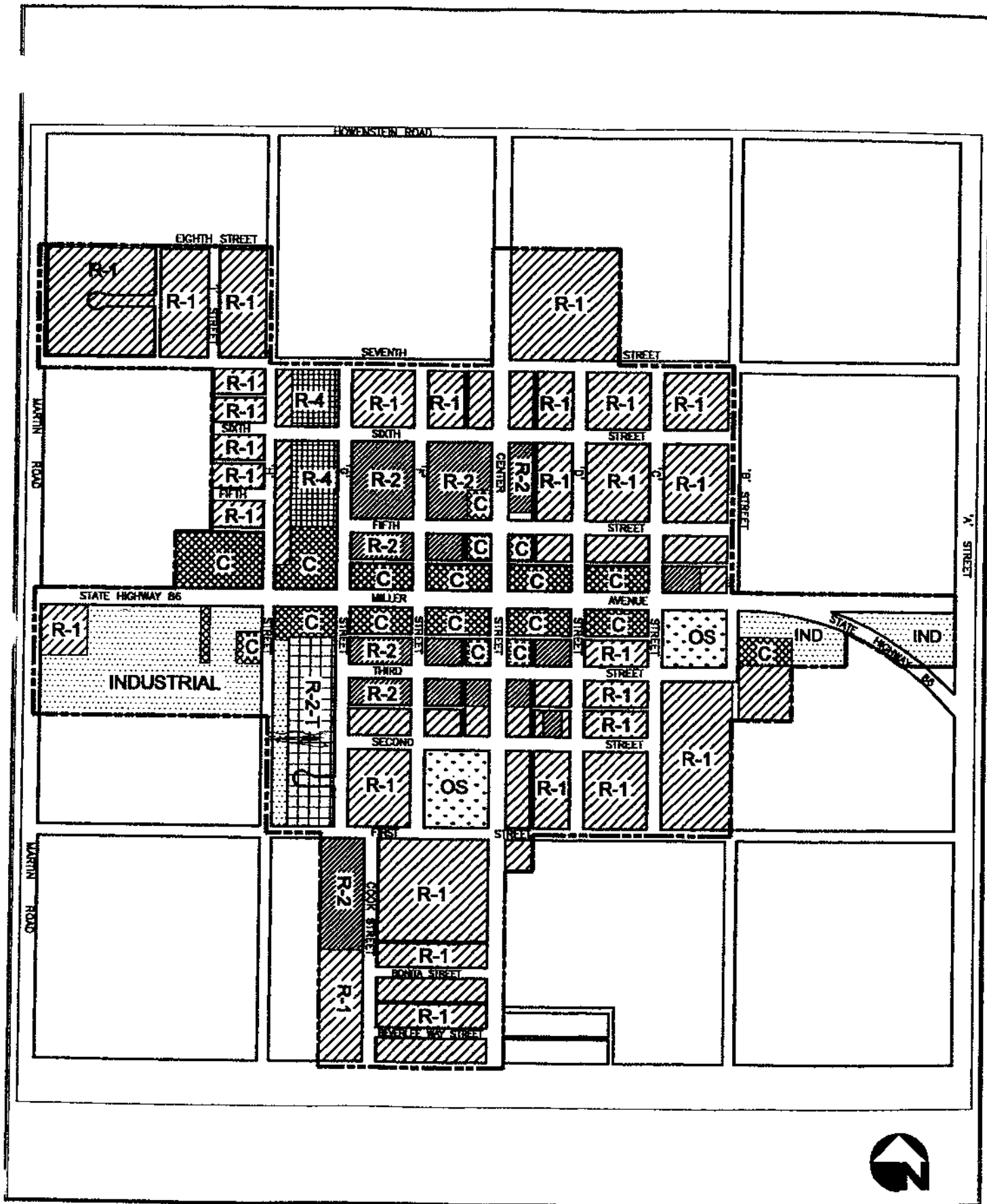
III. LAND USE CATEGORIES

It is important to note that the City of Westmorland is spatially divided into four quadrants bisecting north/south by Highway 86 and east/west by Center Street (Forrester Road). Although there is no indication of cultural segregation, these two roadways act as physical boundaries to the neighborhood uses around them. As the City grows and as traffic along Highway 86 increases, isolation of the quadrants will become more apparent. This is important because it will determine the location of particular land uses after the intended users have been identified. Another distinctive factor is the rural nature of the City. As a rural residential community, the primary land use in the City of Westmorland is single family residential. Over 141 acres (76% of the total incorporated land area) have been designated for residential uses; over 46% of this area is set aside for single family housing. This reinforces the community's desire to retain its rural characteristics.

Economic growth is essential for community development. Land for commercial and industrial uses are therefore important to secure. Consequently commercial land uses is second to residential uses, followed by industrial properties, and open space and public land, sequentially. The map on the following page illustrates the City's Land Use Map.

A. RESIDENTIAL

This Element only discusses residential uses in its spatial relationship to other land uses; the Housing Element contains detailed discussion of the need and supply of residential uses in the City of Westmorland. Approximately 76% of the total land area (141 acres) within the



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LAND USE MAP

WESTMORLAND GENERAL PLAN LAND USE ELEMENT

FIGURE
LU-1

incorporated City limits is designated to residential uses. These residential land uses can be separated into three major categories: 1) single family, 2) low density multi-family, and 3) high density multifamily.

RURAL RESIDENTIAL

The rural residential land use designations primarily lie outside the City limits, but with the City's Sphere of Influence. Rural residential land uses primarily consist of single family residential uses at 1 unit per one to two acres. These designations are intended to preserve agriculture and farm uses while allowing the sparse development of single family residential units.

SINGLE FAMILY

Single family land uses makes up the largest portion of the City and occupies approximately 101.67 acres. Single family land use is similar to other residential land uses in that it requires close proximity to schools, parks and other public facilities. Over 27.75% of the single family land use is located South of town within close proximity to schools, parks, and other community facilities. The remaining 27.83% of single family land use is located North of Highway 86 making pedestrian trips to these facilities somewhat difficult due to the high traffic volumes of the dissecting Highway 86.

As the community grows and demand for housing increases, the City may need to look into property annexations. Beyond City limits and within the City's Sphere of Influence, there is an abundance of rural residential and agricultural land uses. However, expansion from the southern City boundaries seems to be the most logical for residential development given the location of existing land uses both within the City boundary and outside the City boundary.

LOW DENSITY MULTI-FAMILY

Multi-family land use in general occupies 29.54 acres. The majority of multi-family uses are less than five units per lot (or 12 units per acre) and can be described as "low density multi-family". Again, most of the low density multi-family land use designations are located on the north-end of the City. Since multi-family land uses contribute to meeting affordable housing needs, and because there is limited multi-

family land use designations, the City may also wish to preserve any future annexed land for multi-family use.

HIGH DENSITY MULTI-FAMILY

High density multi-family land use places the greatest demand because of the high number of people within a smaller land area. Services would need to be closer to these areas of high population densities. The need for proximity to public services is increased in these areas due to the high occurrence of elderly and low income families. There are currently no land use designations for high density multi-family housing in the South of the City. The existing high density multi-family to the North of the City is very limited, currently at 5.15 acres. Again, the City should preserve some future annexed land for high density multi-family.

B. COMMERCIAL

Commercial land uses often have a coherent relationship with residential land uses. Commerce provides services to the residents and in turn residents provide the necessary labor force and a portion of the market. However, as a predominantly rural community with its relative proximity to full service cities, commercial activity in Westmorland is sparse and primarily focuses on transient traffic along Highway 86.

Highway 86 is a major truck route to and from Mexico. It is furthermore the gateway into other desert communities. Consequently, this commercial core is encompassed primarily of businesses providing services for this traffic or of businesses that utilize this traffic and secondarily of businesses providing services to local residents. This travel corridor should be viewed as an asset to the community. The City's location can capture a vital revenue source for some of the local support services which are currently lacking.

Some service needs, however, can only be addressed by the free market. It is important to note that the need for businesses that will provide services to the City's residents will need to be addressed as the local demand increases. It is therefore important for the City to be able to secure land for local commercial use once the regional market depletes the land along the current commercial/industrial corridor.

A community cannot prosper without revenue support from commercial and industrial development. Without local commerce, the

City will be unable to provide vital services and amenities to the community. In turn, the community may be forced to relocate elsewhere in places where these amenities or services are reasonably available to them. A self sufficient community can prevent, or at the very least deter, out-migration.

NEIGHBORHOOD COMMERCIAL

Commercial land uses, in general, account for less than 10% of the City land and are primarily located along the City's West-East corridor off of Main Street (Highway 86). Neighborhood commercial land, however, is virtually nonexistent, accounting for less than 10% of the total commercial acreage.

Neighborhood commercial use can best be described as land use that primarily serves the local community. Such services include daycares, laundromats, beauty parlors, automotive shops, grocery stores, bakeries, etc. Very few of the existing commercial businesses cater to the needs of the local residents. Although the free market may not currently warrant the development of these services due to the low population base of the community and hindering economy, business development can be subsidized and encouraged through City Programs. The City should furthermore preserve land off of Center Street for neighborhood commercial development. Desert communities similar in size retain at least 10% of their land area for neighborhood commercial uses.

GENERAL COMMERCIAL

General commercial land use accounts for less than 7.62% of the City land and, again, is primarily located along the City's West-East corridor. Most of the land designated for General Commercial land use is undeveloped with the exception of a couple of grocery stores/convenience marts, and automotive shops.

General commercial land use can best be described as land use that primarily serves a broader or more regional market base. Such services include fast food franchises, mini-marts, motels, banks, medical centers, department stores, etc. The number of General commercial land uses in the City is very limited and lacks variation. The free market does not currently warrant the development of many of these services given the close proximity of the City of Brawley, a

full service community. However, given the ideal location off of Highway 86, a major transportation route, strategic planning can attract a much broader market base than that addressed by the existing businesses.

The City of Westmorland is situated in a strategic location in the Imperial Valley. It serves as a gateway into the region from the Los Angeles and Riverside areas. Near-term and long-term development policies should focus on this broad, regional market base. The City's location is a tremendous asset that has long been underestimated, but that could flourish into the bustling business district that it once was. Development standards for the desirable land uses should be designed as flexible and unrestrictive without impacting good planning practices. General commercial land use designations should continue on the main corridors in an effort to maintain orderly growth and preserve residential privacy.

INDUSTRIAL

Industrial land use accounts for a minimal portion of the land use and is primarily concentrated on the eastern and western entry points into the City along Highway 86. Industrial uses are vital for any city's economic development and can potentially be the most powerful revenue source into that community. The most obvious contribution comes in the form of jobs and economic reinvestment into the community. Unfortunately, only 9.9% of the total land area within the Westmorland City limits is designated to industrial development and over 50% of that area is undeveloped or underutilized.

Industrial use is described as a heavier land use that primarily serves a market from a regional base to an international base. These uses may include truck scales, manufacturing, processing, distribution centers, canneries, rail transportation, etc. There are currently a few industrial businesses in the community. Unfortunately, some of the existing industrial businesses are in locations not sympathetic to the surrounding land uses. Although the previous General Plan addressed these issues by converting the land use in these areas to more coherent land uses, transition has yet to take place. Furthermore, recent renovations and improvements have increased the longevity of some of these uses. Transition should be actively promoted and encouraged through land use development policies in an effort to significantly restrict further development of non-conforming uses. The City should

consider initiating programs that can assist in the relocation of such uses.

Industrial land should be encouraged along major transportation routes. The preservation of land for these uses should be a major goal and intent of the City's General Plan. This will further secure the feasibility of industrial relocation into these sites or the fruition of new development. Furthermore, the establishment of a buffer zone between residential land use and industrial land use, as well as between neighborhood commercial land use and industrial land use is of equal importance. Such buffer zones may be fulfilled through open space areas or development standards that will establish setbacks that will not minimize the profitable use of the land.

OPEN SPACE

A detailed review of the need and demand for open space is further discussed in the Open Space Element. This section of the Land Use Element discusses the locational characteristics of Open Space uses as it relates to other land uses.

The City of Westmorland is surrounded by vast expanses of open space (agricultural fields). Open space within the city limits, however, is confined to the City Hall Park and a portion of the Westmorland School District which is used for field game activities. Recreational use, however, is only one land use designation under the open space category. Areas can be preserved as open space for safety purposes and for conservation purposes as well.

RECREATION

The demand for Open Space land use in the City of Westmorland primarily derives from the need for recreational services. The school property and City Park provide the city with limited recreational opportunities. The site belonging to the Westmorland School District is restricted to school-related activities with the exception of any leases such as with the Pop Warner Little League Team. This leaves only the City Park land as available for outdoor recreational activities. These are, again, limited given the spatial restrictions of the park.

Although there is a lack of available recreational land under open space properties, there are sufficient existing undeveloped areas that could be designated to meet those needs. Furthermore, the City is in

the process of annexing property to the northwest of the City for public utility purposes. Although the property is being rezoned as public utility services, the area is large enough to enable reallocation of a portion of the land to open space/recreational uses as deemed necessary in the future. This designation would be of significant importance since it would provide the only recreational land use area to the North of the bisected City. This would facilitate recreational uses to a sector of the community that is currently lacking these amenities.

SAFETY

The second largest demand for open space land use can be attributed for safety purposes. Landscaped open space areas are an excellent development tool for the provision of buffer zones (to mitigate any safety concerns) between incompatible land uses. Other safety concerns, may require uses that are restricted to zero development or improvements such as along railroad tracks or other dangerous transportation corridors.

Identification of floodplains and other geologic hazards also warrant the need for open space designations. Again, this is done to restrict any development in areas that may be considered a hazard in the near or long term development of the community.

PRESERVATION

The third largest demand for open space designation is for the preservation of cultural resources. Open space land use for preservation purposes can mostly be attributed to communities that have natural resources such as bays, beaches, forestry, etc. In Westmorland's case, open space land use for preservation purposes may not be as apparent but is nevertheless equally important. The community's desire to maintain its rural character can utilize open space land use designations as their principal tool in growth management. Although growth is welcomed, the City should have a well designed plan as to where and by how much the City would like to concentrate their growth. Open space designations into new annexations can preserve vast land areas for agricultural and farming purposes-attributes that are considered an asset by many metropolitan areas.

PUBLIC/SEMI-PUBLIC

This Element discusses public uses in its spatial relationship to other land uses; discussion of the need and supply of public facilities in the City of Westmorland may be warranted under a more detailed strategic plan. There are approximately five separate sites, and less than 24 acres, that are designated to, or for, public facilities, amenities, or services. These sites are designated for educational services, recreational services, recreational amenities, etc. All of the sites are located on the South of the City and by far not centrally located to its designated users.

SCHOOLS

Public education facilities in the City of Westmorland are limited to an elementary school system but there is a private K-12 school. Public High School education is provided by the Brawley Unified High School located approximately 7 miles east of the City limits, separated by vast expanses of agricultural land. Thus, accessing the High School is limited to vehicular means and most students are bussed. It is estimated that a total of 210 Westmorland residents are currently enrolled at the Brawley High School.

Most rural communities of similar characteristics are able to support a High School system once they reach the 3500 population threshold. Clearly there is not a high enough demand to warrant the development for a local High School in the City of Westmorland. This threshold is certainly foreseeable within the next ten years and land area should be designated in Westmorland's Sphere of Influence for Public Facilities. The designation should preferably be within the north-end of town where public facilities are lacking the most.

Accessibility to and from this Northerly situated facility can be justified given the intended users and their transportation capacities. For example, it is not reasonable to expect elementary age students to walk across a busy highway to reach a public school system, while it would be reasonable to expect high school age students to access the high school from a section of town divided by a busy highway.

College education is provided at a regional level through Imperial Valley College (IVC) out of rural El Centro (25 miles southeast of the City). There are also a couple of external campuses throughout the

Imperial Valley (IVC Branches) one of which is located in the City of Brawley. The City of Westmorland is furthermore recruiting IVC to locate an external campus within the City limits. Again, the properties available for this use are limited, and location is most probable to occur in the southend of town.

The University of California San Diego provides a number of extension courses through a campus in the City of Calexico (32 miles southeast of Westmorland). Other four year universities and post-graduate education is not currently available in Imperial County.

COMMUNITY FACILITIES

The City of Westmorland is very limited in the number of sites designated to community facilities. There is currently a City Pool, a City owned Public Hall, a combined City offices and Police Station, the Fire Station, and a City-owned Senior Center. All these facilities are within close proximity of one another and, again, located at the south-end of town.

Issues affecting these facilities are old age and need for rehabilitation or replacement. The Westmorland City Hall and Police Station are both within the same building. Recent reports show the building has been infested with termites and will need to be relocated elsewhere or significantly rehabilitated.

The City of Westmorland maintains a volunteer fire service with assistance from the Imperial County Fire Department. Storage of the fire equipment and fire vehicles are out of a dilapidated building off of Highway 86. There are several issues affecting the quality of service at the existing location. First, and most important, is the inadequate location of the station. Emergency vehicles have to exit onto Highway 86 which is a high traffic volume roadway. Furthermore, the building itself is old and inadequate in size for storage of fire vehicles. Construction of a new station has long been a goal of the community. Site locations have not been identified, but access off of Center Street, which runs North and South, is logical, given the lower traffic flow volume and its centralized location.

PUBLIC UTILITIES

The City of Westmorland owns and operates their own water and wastewater facilities. Existing locations hold enough adjacent publicly

owned land for expansion needs. Capacity, however, is not an issue of concern in regards to these facilities. Similar to other water facilities in the region, water treatment has long been an expensive responsibility, and system upgrade has long been a continuous demand placed on local communities. This may be one of the highest financial burdens faced by all desert communities alike.

Although regionalization has long been a suggested tactic in reducing treatment costs by distributing the expense among a larger user base, the Westmorland community has strongly expressed their desire for independence and self control. Recent upgrade demands required significant impacts on user costs. The City, however, has managed to undertake these demands successfully by subsidizing the homeowners through State and Federal sources.

IV. SPHERE OF INFLUENCE / PLANNING AREA

Each city has an area outside its boundaries whereby activities in that area affect the City and vice versa. This area is assigned by the Local Agency Formation Commission (LAFCO) and is known as the "Sphere of Influence". In the City of Westmorland, this is the unincorporated areas just beyond the city limits. (Please refer to the map on the following page).

LAFCO and the Imperial County General Plan anticipate that this area will eventually be annexed and incorporated by the City of Westmorland. Thus, it is important for the City of Westmorland to plan for the eventual annexation of these areas. Amongst the issues to be considered include extension of utility services (such as water and sewer), land use compatibility, rezoning issues, and fulfilling the public service needs of the delineated areas.

The cities, historically, have had no governmental power over land use decisions. Zoning control in this areas has traditionally been under the County of Imperial's jurisdiction. Recently, however, the Imperial

Local Agency Formation Commission

IMPERIAL COUNTY

EXECUTIVE OFFICER - JURG HEUBERGER

May 3, 1995

City Clerk
City of Westmorland
355 S Center Street
Westmorland, California 92281

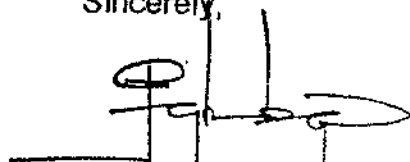
SUBJECT: Guidelines for Sphere of Influence Amendments/Changes

Dear City Clerk:

Attached hereto, please find a copy of a set of guidelines for the sphere of influence changes. While the Cortese Knox as well as the Imperial County LAFCO Policies and Procedures Manual already contains significant amount of information on the Sphere of Influence, these guidelines are an effort to provide you with a road map. The purpose of the guidelines is to assist you in preparing an application that meets the minimum requirements. It is requested that you keep this document on file with your LAFCO manuals and it is also requested that when, and if you do file an application for an amendment to the sphere of influence, that you refer to this document.

If you have any questions, please feel free to call the executive officer at 619-339-4236, extension 310.

Sincerely,



JURG HEUBERGER, CEP
Executive Officer to LAFCO

Attachment

cc: Joanne L. Yeager, Assistant County Counsel
John L. Morrison, Assistant Planning Director
File: 10.105, 50.000

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**APPLICATION
FOR (new/revised)
SPHERE OF INFLUENCE**

(GUIDELINES)

A request for the amendment or change for a "Sphere of Influence" (GOV. CODE SECTION 56076) to a City or a District requires specific general information and applicable technical information. These guidelines are intended to provide a basic outline of the (minimum) requirements. These guidelines are intended to serve as a basic road map and are not to limit additional information that may be required by the Executive Officer during the review of an actual application.

I. APPLICATION FILING:

A request for a change in the Sphere of Influence may be filed in one of three ways.

- a) A RESOLUTION by the governing board of the City or District.
(Two certified copies of the resolution containing all of the information as shown under section II (RESOLUTION) must be shown.
- b) A PETITION signed by all of the landowners whose property would be affected for applications with three or fewer parcels. Where the number of parcels exceeds four, a minimum of three signatures are required.
- c) A PETITION concurrent with an ANNEXATION with all property owners signatures. Where the parcels to be affected exceed four or more, only three signatures are required.

II. RESOLUTION:

If the application is made by resolution, (City/District) the resolution shall be made by the public agency in the form of a public hearing and shall contain all of the information shown under PETITION in section III.

III. PETITION:

If an application is filed in the form of a PETITION, the petition shall include all of the following information, (reference also GOV. CODE SECTION(s) 56425 - 56428)

- 1) State the full name of the person(s) filing the application
- 2) State the address and phone number of the person(s) filing the application
- 3) State the nature of the proposal
- 4) State the reason for the proposal
- 5) State that the proposal is made pursuant to the applicable government code section
- 6) State proposed terms or conditions
- 7) State whether petition is signed by registered voters or land owners.
- 8) Enclose all of the information requested under the CORTESE/KNOX REORGANIZATION ACT, the Policies, Standards and Procedures Manual for the Imperial LAFCO, and as outlines within these guidelines.
- 9) State name and address for all parties to whom notice is to be provided.

IV. PROJECT DESCRIPTION:

The proposed modification shall clearly be described in the form of a "project description", which at a minimum shall detail the reasons for the request, by whom the request is made, why the configuration of the request, explain why the current sphere is not adequate, explain why the proposed should be the size and configuration requested. The description should provide substantive reasoning or needs. It must also contain sufficient background on necessity versus desirability.

V. BOUNDARY DESCRIPTION (proposed):

The boundary may be described in two ways.

- a) In the form of a legal description. If this is the case, the legal description must be done by a licensed Engineer properly licensed in the State of California.
- b) A "geographic features" description, in which case, the description must use center line of existing roads plus RoW, center line of canals plus Row, RR right of ways, and other similar geographic features which are not susceptible to ready change. In this form, legal parcel boundaries may not be divided.

The boundary shall use recognized geographic features and there shall not be a mix of geographic and legal descriptions.

VI. BOUNDARY DESCRIPTION (existing):

The existing boundary shall be described in the same format as the proposed boundary. If the existing is in the form of a legal description then the proposed must likewise be in the form of a legal description.

Please verify the existing boundary configuration with the Executive Officer prior to preparing the proposed boundary.

VII. BOUNDARY ANALYSIS:

The existing versus the proposed boundary is to be analyzed in terms of existing versus proposed size, area, configuration, and relationship to the actual City/District limits. Alternatives must also be included in this analysis. If a proposal is to one side, or two sides of an existing City/District only, or if the configuration is unusual in shape or size, clearly describe why this version is desired.

VIII. AREA ANALYSIS:

A clear description of the area is to be provided. This should include existing land uses, private versus public land areas, public transportation corridors and systems, protected land, agricultural land, agricultural land classification, etc..

IX. LAND USE PLANNING:

Provide an analysis of the existing planned land uses versus the proposed planned land uses. Describe how land uses will be considered for development purposes if land is not immediately annexed. Explain the process the City intends to use to coordinate land uses within the sphere with the County. Describe how adjacent land uses will be affected.

X. ALTERNATIVES:

Explain in detail the alternative available or considered. Provide the same level of detail for the alternative(s) as for the proposed in terms of information.

XI. SERVICE AREA PLAN:

Provide a comprehensive analysis of the services to be provided to this area and how they would be provided. This plan must include capacity of existing systems, proposed systems, cost projections, financing methods. If applicable show phasing for proposed improvements. Show all services provided by the City/District, and how they will be provided. If you intend to form a financing system please provide details. Provide the necessary technical studies to show the methodology, engineering solutions, design alternatives, etc., to show how and where services may be provided.

XII. LAND USE INVENTORY:

Provide a comprehensive land use inventory of all land uses currently within the City/District, versus the amount of same to be provided within the new sphere of influence. Provide this data in terms of acres and percentages. Provide a detailed accounting of existing vacant land within the City/District and areas that could be increased in density by rehabilitation etc..

XIII. FISCAL IMPACT STATEMENT:

Provide a fiscal impact statement to show how you the applicant perceive the financial affects of the proposal. Would this affect the distribution of current or future taxes and how so. Describe why this proposal should be financially beneficial to affect agencies.

XIV. GROWTH PROJECTIONS:

Provide supporting documentation to show anticipated growth projections for the area(s) requested. Utilize standard accepted figures and methodologies. Also include an analysis of growth inducement this may cause.

XV. UNIQUE FEATURES:

If there are unusual geographic or topographic features within the area, such as hazardous or sensitive features, please describe. Are there any unique social or economic communities of interest within the area, if so describe.

XVI. OTHER CITY(S)/DISTRICTS AFFECTED:

List and describe how this proposal could affect other agencies, particularly adjoining districts, cities and the County.

XVII. MAP:

The mapping to be provide should be prepared on AUTOCAED format and a copy of the map must be provided in AUTOCAED rel 13 format along with ten "hard" copies. At a minimum the maps must contain the following information.

- a) show existing City/District boundary
- b) show existing City/District Sphere
- c) show proposed City/District Sphere
- d) show amount & location of prime farm land
- e) show amount & location of State wide significant farm land
- f) show all geologic hazard areas
- g) show all flood zone areas
- h) show location of other City/District within 5 miles
- i) show location of major utility corridors
- j) show location of primary waterways
- k) show location of unusual scenic or topographic features
- l) show location of existing and proposed police stations
- m) show location of existing and proposed fire stations
- n) show location of existing and proposed hospitals
- o) show location of existing and proposed schools/colleges

XVIII. NO ACTION ALTERNATIVE:

Describe clearly the affects if no action is taken by LAFCO to approve either the requested or any alternate sphere.

XIX. LAND USE COMPATIBILITY:

Describe how this proposed boundary would affect adjoining lands not within adjoining other City/District. Describe methods to mitigate adverse impacts.

XX. CEQA:

For purposes of any sphere amendment LAFCO is the "lead agency" to prepare the necessary CEQA analysis. LAFCO will determine if the project proceeds with a Negative Declaration, a Mitigated Negative Declaration or a full Environmental Impact Report.

XXI. COST(S):

Sphere of influence applications are considered to be a Time and Materials (T/M) cost, and as such applicant will be billed on a monthly basis for actual costs incurred. LAFCO does utilize the services of outside third party consultants to assist in the review and processing of applications. Generally these costs are equal or less than if done by the Executive Officer. Costs are carefully monitored by the Executive Officer.

XXII. CONSULTATION:

Prior to a formal submittal being delivered to the EXECUTIVE OFFICER, the proponent should consult with the Executive Officer and if necessary be prepared to present the proposal in the form of a "pre-application meeting".

For questions, please contact the Executive Officer!

County has given these areas a U-Zoning designation (Urban Areas). Under this new zoning designation, local Cities are able to exercise greater control of land use issues. As such, these areas must develop or be provided with public infrastructure which shall be consistent with City standards as determined by the City Engineer, the Public Works Department, the Fire Chief, and the Planning and Building Department.

Development in these unincorporated areas has tremendous impacts on existing and future developments of those areas within the City boundaries. In order to effectively plan for those areas and to maintain compatibility and consistency among these areas within the Sphere of Influence the City of Westmorland can designate specific areas for certain types of land uses. This becomes particularly useful in the eventual annexation of those areas. The map on the preceding page illustrates the boundaries of the Sphere of Influence and the intended land use designations by the City.

COMMUNITY DESIGN

Very few communities are allowed the opportunity for proactive planning, or pre-designed community development as a whole. Westmorland is in an ideal situation in which community design can be pre-designed to meet a future vision. Several sites on the main corridors, for example, are undeveloped and would lend themselves to a unifying architectural theme.

ARCHITECTURAL OVERLAY

Aesthetics can say a lot about a community. Business itself is attracted by visually appealing sites. An architectural overlay zone along the primary corridors of the City can really tie the community together, attract new businesses, and capture as much of the travel market as possible.

OVERLAY ZONE

The architectural overlay zone should be located in areas that would have the highest visual impact. These areas include both, the City entries running West/East off of Highway 86, and the City entries running North/South off of Center Streets (both being major traffic

routes). The depth of the overlay zone should not extend beyond the lots fronting these roadways.

OVERLAY STYLE

The strong Mexican and ranching influences in the area indicate a Western Style of architecture with a mixture of Santa Fe as the most appropriate for the City. This Western Style can be easily adaptable to the existing structures or themes off of Highway 86 such as the famous Town Pump Restaurant and the recently developed Gray's Stage Stop. The Santa Fe style can be carried through and continued on Center Street along with the historic adobe City Hall.

Both these styles indicate a rich landscape. Drought resistant shade trees and desert floral displays should be largely encouraged. Mesquite trees and wood planters should be encouraged along all City Right of Ways and as approved by Caltrans. Both of these styles not only provide a new development vision, but further keep in accordance with the rural atmosphere the community would like to maintain.

VII. LAND USE PLAN

GOAL #1

MAINTAIN THE RURAL SMALL TOWN ATMOSPHERE OF THE CITY OF WESTMORLAND

OBJECTIVE 1.1

Provide a community where residential uses are predominantly low density and non-residential uses are predominantly low intensity.

Policies

- 1.1.1 Low density residential areas shall have a population density of 0-4 dwelling units per acre.
- 1.1.2 Medium density residential areas shall have a density not to exceed 12 units per acre.
- 1.1.3 High density residential areas shall have a density not to exceed 25 units per acre.

- 1.1.4 Commercial and Industrial designated areas shall have a maximum lot coverage of eighty percent (80%) and a floor area ratio (FAR) of 1.2.

GOAL #2

PLAN AND CREATE AN EFFICIENT URBAN FORM THAT MAINTAINS AND PROMOTES A COMPLEMENTARY RELATIONSHIP BETWEEN THE VARYING LAND USES

OBJECTIVE 2.1

Encourage non-residential development to occur in and around activity centers and transportation corridors along Center Street and Highway 86.

Policies

- 2.1.1 Provide opportunities for various commercial activity which includes retail sales and service oriented uses such as restaurants, banks, dry cleaning, etc.
- 2.1.1.1 Encourage and provide opportunities for future and existing commercial markets to serve the residential neighborhoods, especially along Center Street.
- 2.1.1.2 Restrict regional commercial activity (e.g. gas service stations, fast-food restaurants, etc.) to areas along Highway 86.
- 2.1.2 Provide opportunities for light industrial activity that is conducive to research and development, fabrication and assembly, and agricultural related processing.

OBJECTIVE 2.2

Ensure community facilities that will provide for the basic services needed by the residents of the City of Westmorland. Community facilities shall include but not be limited to Senior Citizens Center, playgrounds, City Hall, library, youth hall, fire station, etc.

Policies

- 2.2.1 Provide opportunities for various neighborhood commercial activities, which include retail sales and service

oriented uses, along and around Center Street and Highway 86.

2.2.2 Restrict regional, general commercial, activities to higher traffic volume areas along Highway 86.

2.2.3 Provide opportunities for light industrial activities away from the central business district, but along Highway 86 and any extension of City limits there of.

OBJECTIVE 2.3

Encourage new-residential development to occur on the South sector of the City near schools and other community facilities.

Policies

2.3.1 City shall pre-zone Sphere of Influence areas to the South of the City for residential uses prior to annexation.

2.3.2 The City's Sewer Collection and Water Distribution Master Plans should address improvements/extensions of water and sewer mains to the South of the City.

GOAL #3

ESTABLISH AND MAINTAIN A BALANCED DISTRIBUTION OF PUBLIC FACILITIES TO ADDRESS THE NEEDS OF THE COMMUNITY.

OBJECTIVE 3.1

Maintain and improve the existing community facilities that provide for the basic services needed by the current and projected population in the Westmorland community.

Policies

3.1.1 The City shall seek funding opportunities for the construction a locally operated and maintained Fire Station.

3.1.2 The City shall continue to improve and rehabilitate, while financially feasible, all existing City owned public buildings including the Senior Citizen Center, City Hall, Police Station, Youth Hall, and City Pool.

OBJECTIVE 3.2

The availability of public services and facilities should be consistent with the existing projected populations.

Policies

- 3.2.1 The number of dwelling units allowed in the City shall be limited to those which can be adequately serviced by the existing planned public services and facilities.
- 3.2.2 The City shall maintain current information concerning the capacity of the public services and facilities it provides.

GOAL #4**PROMOTE AND ENCOURAGE ECONOMIC DEVELOPMENT FOR ALL SECTORS OF THE COMMUNITY****OBJECTIVE 4.1**

Ensure availability of land for commercial and industrial land uses to support the projected demands.

Policies

- 4.1.1 Prohibit and discourage residential land uses along the main transportation corridors.
- 4.1.2 Pre-zone Sphere of Influence land for commercial or industrial uses along Highway 86 and Forrester Road prior to annexation.
- 4.1.3 Improve and extend water distribution and sewer line at adequate standards to support new development or expansion within designated commercial and industrial zones.
- 4.1.4 Encourage the orderly conversion of legal, nonconforming land uses within commercial and industrial zones to commercial or industrial land uses.

OBJECTIVE 4.2

Encourage businesses that cater to visitors and travelers along the Central Business District (Highway 86) in an effort to capture maximum tax revenue.

Policies

- 4.2.1 The City shall continue to provide, through Community Development Block Grants, business loans for expansion or start-up within the Central Business District.
- 4.2.2 Development standards off of the primary corridors shall be flexible while maintaining good planning practices.

TABLE OF CONTENTS

I. INTRODUCTION	1
II. TRANSPORTATION	1
A. VEHICULAR TRAFFIC	2
1. TRAFFIC SYSTEM MANAGEMENT	2
2. ROADWAY SYSTEM/STREET CLASSIFICATION	6
B. REGIONAL COORDINATION / JURISDICTIONAL RESPONSIBILITY	7
1. TRANSIT	7
2. STATE ROUTES (HIGHWAY 86)	8
3. COUNTY ROADS (FORRESTOR ROAD)	8
C. TRAFFIC CALMING	8
1. METHODS AND DEVICES	9
III. NON-MOTORIZED TRANSPORTATION	12
A. PEDESTRIAN	12
1. SCHOOL ZONES	12
2. DISABILITY BARRIERS	13
B. BIKEWAYS	13
IV. INFRASTRUCTURE	13
A. WATER DISTRIBUTION	14
B. WASTEWATER COLLECTION	14
C. STORM WATER DRAINAGE	14
D. UTILITIES	15
1. ENERGY	15
2. TELECOMMUNICATIONS	15
V. CIRCULATION POLICIES	16

I. INTRODUCTION

The arrangement of circulation patterns for the movement of people, goods, and resources have a tremendous impact on the City's physical, economic, and social environment. Circulation, however, does not necessarily relate to just the transportation schematic; rather, it is an infrastructure plan which establishes the organization of roadways, energy, water, wastewater, storm drainage, and communication. To that extent, the Circulation Element of Westmorland's General Plan is a reflection of the community's growth objectives supported by a infrastructure system of transportation and public utilities and facilities.

A. RELATIONSHIP TO OTHER ELEMENTS AND PLANNING DOCUMENTS

The provisions of the Circulation Element relates closely to the goals, objectives and policies of the Land Use Element. The City's circulation system takes form as a response to physical development patterns and vice versa. Without the necessary infrastructure distributed in a manner consistent with activities described in the Land Use Element, physical development would occur haphazardly. The Circulation Element can result in a responsive framework to support the sustainable development of the community.

II. TRANSPORTATION

The City of Westmorland is in a strategic location on the northwestern portion of Imperial County and serves as the gateway into the Imperial Valley from Los Angeles and Riverside Counties. Highway 86, which traverses in an east-west direction through the City of Westmorland is the primary surface transportation corridor into the County.

With the implementation of the North American Fair Trade Agreement (NAFTA), surface transportation, especially truck traffic will continue to generate impacts to the City's transportation system.

A. VEHICULAR TRAFFIC

The primary transportation corridor in the City of Westmorland is Highway 86 and the secondary transportation corridor is Center Street (also known as Forrester Road). Much of the City's transportation activity is a direct result from regional traffic, and a significant portion of that is truck traffic. The map on the following page illustrated the location of the streets.

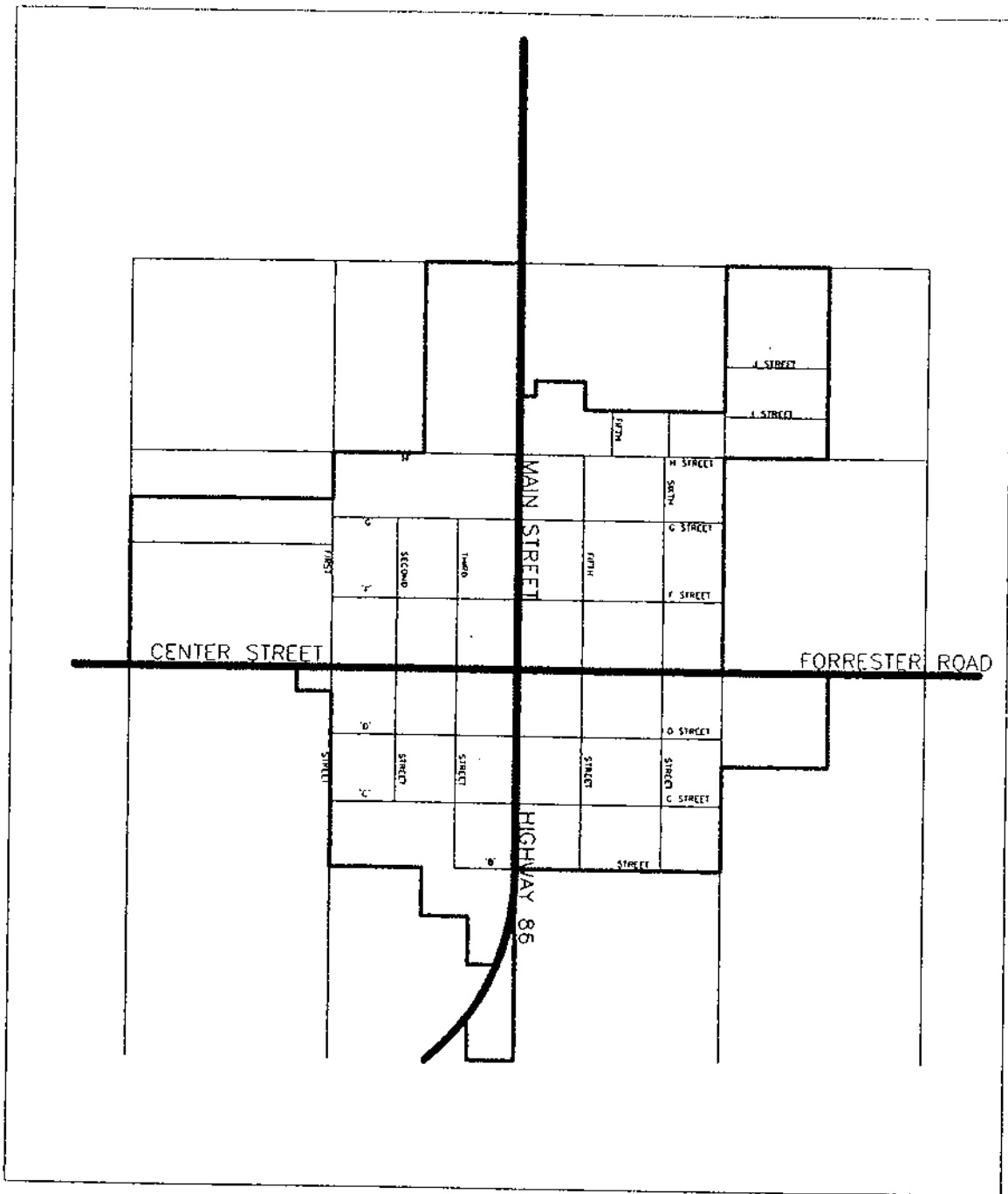
Published data from the California Department of Transportation (Caltrans) for the 1998 count year shows an ADT (average daily trip) of 7,868 vehicles headed westbound between "B" Street and Center Street on Highway 86 and 12,638 vehicles headed westbound between Center Street and Martin Road. A traffic study conducted during the week of June 18-25, 1999 showed that there were 9,110 eastbound ADT between Martin Road and Center Street. The traffic study also showed 7,805 eastbound ADT between Center Street and "B" Street.

Traffic loss from one end of Highway 86 to the other is diverted to local streets to local activity nodes. However, a significant portion of traffic through the City of Westmorland shifts from Highway 86 and heads south on Center Street/Forrester Road to reach destinations in Imperial County.

Much of the City's transportation activity is regional traffic and a significant portion of that is truck traffic. The City of Westmorland is rural residential community where there is minimal separation between the primary transportation corridors and the residential land uses. This conflict (i.e., the noise and vibration levels as a byproduct of truck traffic) has long been an issue for residents of the City. Additionally, the amount of non-local traffic through local streets (Center Street, in particular) creates an extreme financial burden in road maintenance.

1. TRAFFIC SYSTEM MANAGEMENT

In order to maintain an efficient surface transportation system, traffic system management (TSM) techniques can be implemented to minimize the adverse impact of vehicular transportation without the need for construction of new roadways. Although traffic flow in the City of Westmorland is unlike those found in bigger cities, the amount of traffic that passes through Highway 86 can have significant impacts



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ROADWAY SYSTEM

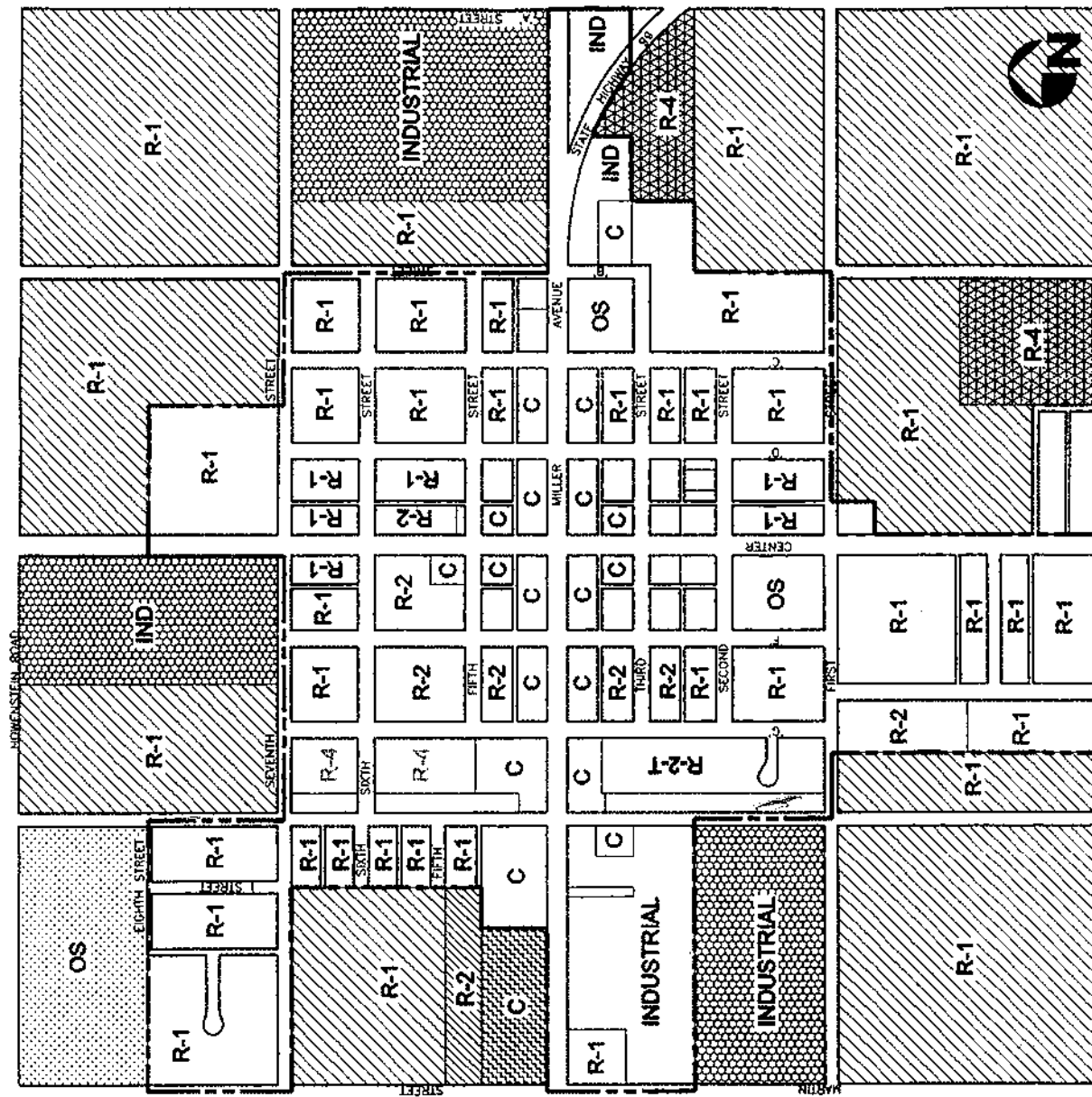
WESTMORLAND GENERAL PLAN CIRCULATION ELEMENT

FIGURE
CI-1



City of Westmorland

Land Use Plan/Sphere of Influence



to the City and its residents. The high volume of traffic poses safety concerns for the residents and creates a financial burden to the City due to the need for more frequent road maintenance. However, the amount of traffic provides a healthy revenue source for local businesses to capture the market. The following TSM techniques and considerations can be applied to maintain a healthy balance to promote the positive aspects while minimizing the adverse effects.

LEVELS OF SERVICE (LOS)

The qualitative measure of traffic flow (performance of intersections and roadways) is based on the ratio of traffic volume to the capacity of the roadway and is expressed as Level of Service (LOS). This ratio is expressed on a scale from A to F, with LOS A representing free flow traffic and LOS F representing severe traffic congestion. The following table illustrates the various levels of service.

LEVEL OF SERVICE (LOS)		
	Definitions	Volume/Capacity Ratio
LOS A	<ul style="list-style-type: none"> Free flow conditions No motorist waits longer than one signal 	0-0.60
LOS B	<ul style="list-style-type: none"> Stable traffic flow Motorists rarely wait through more than one signal 	0.61-0.70
LOS C	<ul style="list-style-type: none"> Stable and acceptable flow but speed and maneuverability somewhat restricted due to higher volumes. Motorists intermittently wait through more than one signal Occasional back-ups behind left turning vehicles 	0.71-0.80
LOS D	<ul style="list-style-type: none"> Extensive delays at times Some motorists, especially left turners, may wait through one or more signals, but no excessive backups. Maneuverability restricted. 	0.81-0.90
LOS E	<ul style="list-style-type: none"> Very long lines may create lengthy delay, especially for left turns. Volume at or near capacity Unstable flow 	0.91-1.00
LOS F	<ul style="list-style-type: none"> Backup from locations downstream restrict movement at intersection approaches. Forced flow conditions Stoppage for long periods due to congestion Volumes drop to zero in extreme cases 	1.01 or above

All streets in the City of Westmorland have capacities that far exceed their respective volumes, thus most streets can be categorized at LOS A even during peak hours. The intersection of Center Street and Highway 86 experiences LOS C during peak hour, which is still an acceptable traffic flow. This is not necessarily caused by the level of

traffic volume, but rather is caused by diminishing traffic capacities resulting from the deteriorated quality of Center Street. This problem is further exacerbated by the high volume of truck traffic which places excessive stress on the roadway.

INGRESS/EGRESS POINTS (RESTRICTION ON HIGHWAY 86)

Although traffic on Highway 86 is restricted to non-highway speeds, the amount of traffic that travels through Highway 86 is still tremendous. The number of access points onto the highway can significantly affect traffic flow. Street intersections are controlled points of access and have less of an impact, but driveways are not controlled (i.e., not stop signs or lights) and creates greater conflict. Furthermore, driveways within close proximity to an intersection creates increased congestion on both streets. Thus, there exists a need to limit the amount and location of driveways so that there will be minimal impact to the traffic flow. Caltrans reviews development proposal along Highway 86 but so far has not limited the number of driveways.

TRIP GENERATING LAND USES

As discussed in the Land Use Element, certain land uses generate more vehicle trips than others. Banks, grocery stores, and similar land uses produce more traffic at any given time when compared to other land uses, such as business offices, auto shops and the like. Land uses that traditionally generate an excessive amount of vehicle trips should be located where the roadway system can accommodate the forecasted traffic volume. As discussed earlier, the intersection of Center Street and Highway 86 is of great concern in terms of trip generating land uses and should be limited in some form.

2. ROADWAY SYSTEM/STREET CLASSIFICATION

a) Arterials

Arterial streets function as traffic movers to expedite the movement of traffic through the City from one point to another. Traffic flow is typically faster on arterial streets and measures should be taken to maintain a constant level of service (LOS). Although not required, the City's classification of arterial streets should be consistent with Caltrans designation. This will allow the City to obtain funding for future street improvement projects.

This General Plan update will coincide with an application to the California Department of Transportation (Caltrans) to obtain primary arterial designation on Main Street (Highway 86) and Center Street (Forrester Road).

b) Collectors

Collector streets provide land access and movement within residential, commercial and industrial areas. These streets collect (and distribute) traffic to the arterial streets. Collectors penetrate residential areas, but ideally should not have extended continuity through these areas. This minimizes the impacts of traffic on residential land uses. Although the City's grid-pattern extends all streets into residential areas, the arterial streets functionally divide the collector streets.

In the City of Westmorland, the following streets serve as collectors:

- Seventh Street
- First Street
- "H" Street
- "B" Street
- "C" Street

B. REGIONAL COORDINATION / JURISDICTIONAL RESPONSIBILITY

Because transportation is dynamic and the function of transportation is not limited to City boundaries, regional coordination is an important facet in implementing a cohesive transportation system. Within the City of Westmorland, all of the roadways fall under the jurisdiction of the City, except for State Highway 86. As stated earlier, the California Department of Transportation (Caltrans) maintains jurisdictional responsibility for Highway 86. The County of Imperial is responsible for all roadways (except Highway 86) that are immediately beyond the City's borders.

1. TRANSIT

Because Westmorland is an isolated rural community, transportation to other localities where essential services such as hospitals, grocery stores, and schools is essential to everyday living. Mass transit systems are needed to provide transportation to those without access to their own automobiles. This is especially important to Westmorland because a significant portion of the population is low income and not able to afford their own vehicles.

The County of Imperial provides public transportation through a network of bus lines connecting residents of the entire county. However, there is only one bus line that passes through the City of Westmorland via Forrester Road from the north, then turns east on Highway 86 to continue on to Brawley.

The County transit system is supported by private and quasi-public para-transit modes such as the Dial-A-Ride in Brawley which provides door-to-door service for senior citizens and people with disabilities. Additionally, non-emergency transportation to medical facilities in San Diego is provided by Med-Express. The one area lacking in para-transit (or other form of public transportation) is for youth activities. Whereas there are limited youth resources in Westmorland, the youths must travel to the nearby City of Brawley. The Boys and Girls Club of Brawley does provide van shuttles to a limited number of youths, but there exists a need for increased service for other sources.

2. STATE ROUTES (HIGHWAY 86)

The presence of a State Route through Westmorland is extremely beneficial to the economic prosperity of the City. The City has an opportunity to capture sales and service revenue from those traveling on Highway 86. The City further benefits in that most maintenance costs associated with Main Street (Highway 86) is borne by the State Department of Transportation. The downside, however, is that the City has very little control over development standards or addressing improvement needs.

3. COUNTY ROADS (FORRESTOR ROAD)

Westmorland is further connected to the rest of the County via Forrester Road (Center Street) which traverses in a north-south direction. This connects the Westmorland to the City of Calipatria on the northwest and El Centro (the county seat) on the south.

Over the years, Forrester Road has become an alternate route to Highway 86 into and out of the City of El Centro. This has placed a tremendous burden on the City of Westmorland and its residents. Noise levels are incompatible with residential land uses along the southern portion of Forrester Road. Center Street (Forrester Road) was once a County right-of-way. The City took over control of that portion of Center Street within its incorporated boundaries to effectively direct activity that will minimize conflict with those land uses (especially residential land uses) abutting Center Street. All costs associated with the maintenance of Center Street are now the responsibility of the City of Westmorland.

C. TRAFFIC CALMING

Excessive volume and speed of vehicular traffic is becoming one of the biggest factors degrading quality of life in today's communities. Its effect include congestion, air pollution, polluted runoff, noise, injury and danger, especially to pedestrians and bicyclists and to children and the elderly.

In order to combat the negative effects of motor vehicles, traffic calming is increasingly becoming the popular approach to solving these problems. Traffic calming is the redesign/reconstruction of roadways and roadsides to physically and mentally encourage "calmer" (slower) traffic speeds. It is effective, relatively inexpensive

and generally popular with neighborhood residents. Devices employed in traffic calming include sidewalk extensions, pedestrian islands, raised crosswalks and speed humps/tables and visual modifications.

Traffic calming also shifts motorists attitude away from the attitude encouraged by traditional traffic engineering (i.e., a street is foremost a conduit for travel by motor vehicles). Instead, it sends a message that the motorist is intruding with his or her vehicle into a neighborhood where people live, work, play, school and/or shop. Accordingly, the motorist should (and via traffic calmed roadways, must) avoid degrading this environment via fast driving. In short, the goal is to tell drivers loud and clear "Hey, slow down! There are people here!".

Highway 86 and Center Street are important transportation corridors for the City of Westmorland and the Imperial Valley. However, its positioning essentially divides the community into four quadrants and presents potential safety concerns for pedestrian traffic from residential land uses within close proximity of Highway 86 and abutting Center Street. This is often remedied through land planning techniques but would be impractical because of the limited land area within the City. Instead, traffic calming mechanisms provide a more feasible alternative.

1. METHODS AND DEVICES

The City of Westmorland has limited resources for speed enforcement and expensive street improvements traditionally used in traffic calming techniques. However, a number of methods and devices can be implemented with minimal expense and optimal effectiveness.

STOP SIGNS AND SPEED LIMIT SIGNS

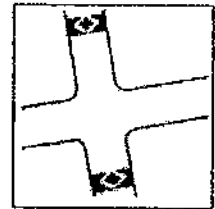
Truck traffic on Center Street has long been an issue for the residents of Westmorland. The noise and vibration levels are unacceptable, especially for those along Center Street. A stop sign has already been placed on Center Street at First Street to allow pedestrians using the Park to safely cross Center Street. This stop sign is beneficial but its placement has created additional impact to the residential uses at that intersection.

The installation of speed limit signs may seem to be a logical solution to remind drivers not to speed, but these signs do not seem to affect people's driving habits. Additionally, signs must be installed within

County rights-of-way in order to effectively slow traffic before it reaches residential areas, but this has not met with support from County Transportation officials. However, there are other equally effective methods that can be utilized to remind people to watch their speeds. Banners (that are tastefully designed and installed) can alert drivers of the posted limit.

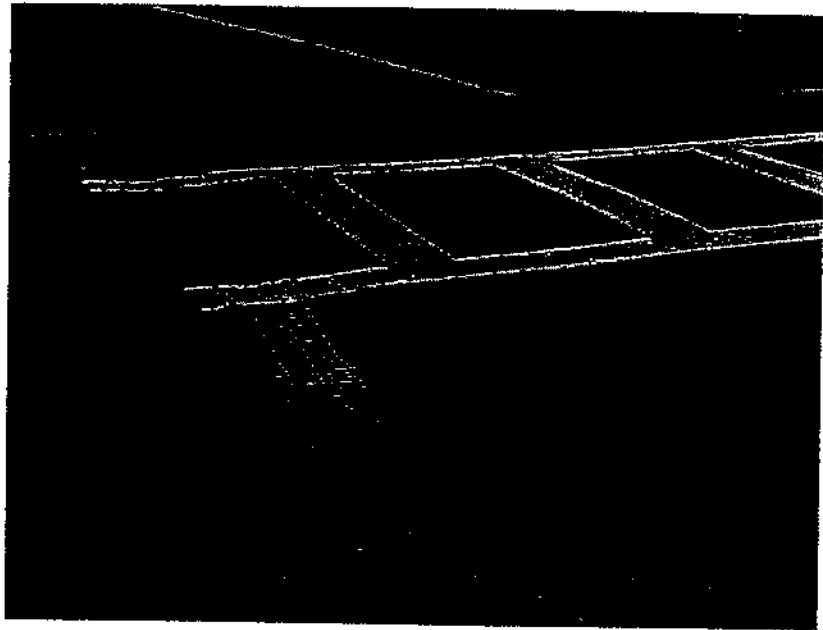
SPEED BUMPS

Speed bumps are a familiar sight in parking lots but have rarely been used in City streets. The effectiveness of speed bumps is highly dependent on its design. Fourteen-foot speed bumps (three inches at its highest point) can functionally reduce speeds for drivers exceeding the posted speed limit by more than 10 miles per hour. The cost of installing a speed bump ranges from \$1,000-\$1,500 for each bump. As with stop signs, there may be an increase in traffic noise from braking and acceleration of vehicles, particularly buses and trucks. Traffic volumes typically decrease slightly after speed bumps are constructed. Traffic on neighboring streets must be monitored for diversion.



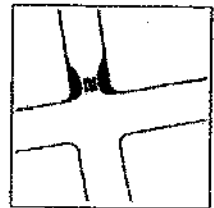
RAISED CROSSWALKS

A variation of the speed bump is the raised crosswalk which is intended to reduce vehicle speeds specifically where pedestrians will be crossing a street. The speed bump is effectively lengthened to accommodate a pedestrian crossing area. Raised cross walks cost approximately \$2,000-5,000 each.



CHOKE POINTS/CURB EXTENSIONS

Choke points or curb extensions are street curbs constructed to extend further towards the traffic lanes. These narrow the street by widening the sidewalk or the landscaped parking strip. Curb extensions effectively improve pedestrian safety by reducing the street crossing distance and improving sight distance. Narrowing of the street influences driver behavior by changing the appearance of the street thus slowing traffic down. Curb extensions can be installed either at intersections or mid-block and typically cost a minimum of \$7,500 - \$10,000.





III. NON-MOTORIZED TRANSPORTATION

A. PEDESTRIAN

In residential communities like Westmorland, pedestrian traffic is an important component of the transportation scheme. Services and facilities are commonly accessible within walking distances, and as such, the destinations should be reached in a safe and efficient manner.

1. SCHOOL ZONES

Elementary aged children are of special concern in the City of Westmorland because of their interaction with motorized vehicles due to the high volume and speeds of traffic on Highway 86. Children residing in the northern portion of town must cross this busy highway to get to school. Ideally, a stop light should be placed near the school but would not be practical. Traffic calming techniques, such as the ones previously discussed can instead be used. Crossing guards and school zone beacons (flashing yellow lights installed above the school zone sign) are effective alternatives.

2. DISABILITY BARRIERS

The Americans with Disabilities Act (ADA) and the Architectural Barriers Act (ABA) both regulate accessibility issues. The 1990 US Census identified 49 individuals over the age of 16 as having some form of mobility impairment. The City has already initiated the placement of handicap returns at several sidewalks. As funds become available, the City will continue to provide the necessary ramps throughout the City. In addition, public facilities like City Hall, the Community Center and schools must be barrier free.

B. BIKEWAYS

Bikeway systems have often been overlooked as an important component of the entire transportation system. As an alternative to motorized transportation, bicycles allow residents to quickly go from one portion of town to the other. Additionally, many school aged children will ride their bicycles to and from school. Streets in the Westmorland are wide enough to accommodate both bicycle and vehicular traffic. In an effort to promote bicycle use, street maintenance efforts should include the right hand portion of roadways where bicycles often travel.

The County of Imperial is currently in the process of preparing and adopting a regional Bike Plan. This will allow regional connectivity between the County's bikeway system and the Cities' individual system. The goal is to allow a logical bikeway system to allow those commuting and riding bicycles for pleasure to easily travel from one City to another.

IV. INFRASTRUCTURE

Infrastructure is an important component of the Circulation Element. Without adequate infrastructure systems in place, physical development in the City would not be possible. The following sections identify major system in the City and the operation and maintenance issues.

A. WATER DISTRIBUTION

In September 1997, the City of Westmorland adopted a Water Distribution System Master Plan identifying specific improvements necessary to sustain the current demand and to respond to the future development of the City of Westmorland and its Sphere of Influence. The Distribution Master Plan is based on 1990 Census data and population projections based on ultimate buildout of the City and its Sphere of Influence through the year 2035. The Distribution Plan adequately addresses these projections and calls for upgrades of the system in three phases.

The primary source of water for the City is derived from the Colorado River and transported to the Imperial Valley via the All-American Canal. The Imperial Irrigation District (IID) provides "raw" water to the City of Westmorland to be treated for distribution. The City is currently in the process of upgrading its water treatment plant to comply with State and Federal regulations. The upgrades will adequately supply water to residents and businesses in the community to the projected buildout.

B. WASTEWATER COLLECTION

There are currently no precise records of locations of the City's wastewater collection system. However, all parcels within the City of Westmorland are service by a wastewater collection system. The City is sloped gently towards the northwest and all sewer lines generally flow to the northwest where the sewer facility is located. The City is in the process of annexing land area to provide for future expansion of the sewer facility.

Furthermore, the City is pursuing a technical assistance grant to conduct a study to locate and identify the wastewater collection system. This study will identify deficiencies in the existing and will outline improvement measures to accommodate future residential and non-residential development in the City.

C. STORM WATER DRAINAGE

Because a significant portion of the City is developed and much of the land area is composed of impermeable surfaces, storm water drainage is an important issue. A curb and gutter systems is usually implemented to address proper storm water drainage, but a lack of

capital funds has restricted such improvements in certain areas of the City. As funds become available, the City will continue to address the need for proper storm water drainage, but in the meantime, the City can require off-site improvements for developments projects which may impact storm water runoff.

D. UTILITIES

The availability of utility systems such as electricity and natural gas are an important factor in community development.

1. ENERGY

a) Electricity

The Imperial Irrigation District (IID), a public utilities district, provides all electrical power to Westmorland and the Imperial County. All developable sites within the City are within reasonable distances to power distribution facilities. There are two electrical substations within Westmorland.

b) Natural Gas

A significant portion of the land uses in the City of Westmorland rely on natural gas for cooling, heating and other uses. The Southern California Gas Company, a private entity, provides services to all areas within the incorporated limits of the City. However, those areas within the City's Sphere of Influence are not serviced by gas lines and must rely on propane gas.

2. TELECOMMUNICATIONS

As the end of the Twentieth Century nears, telecommunications have become an important facet in physical development of all Cities. Telephone services, cable television, and the internet provide vital communication resources over a large area and becomes an important tool for communities that are isolated from many essential services. The tremendous growth of the internet is allowing residents the ability to shop for items not easily obtained in the Imperial Valley and furthermore provides helpful information that is not readily available in the County Public libraries. Fiber-optic lines have been laid throughout Imperial County to link all schools to one another and provide valuable exchange of information for its residents.

V. CIRCULATION POLICIES

GOAL #1: PROVIDE A SAFE AND EFFICIENT STREET NETWORK FOR THE MOBILITY OF PEOPLE AND GOODS

OBJECTIVE 1.1: MAINTAIN A MINIMUM LEVEL OF SERVICE C DURING PEAK HOURS

POLICIES

1. The City shall require new developments to be served by roads of adequate capacity and design standards to provide reasonable access.
2. Roadways classified as either arterials or collectors shall be upgraded to City standards when feasible.
3. The City shall review street improvement standards and evaluate methods for reducing required area of paved streets.

OBJECTIVE 1.2: REDUCE THE ADVERSE IMPACTS OF TRAFFIC AND CIRCULATION SYSTEMS ON ADJACENT SENSITIVE LAND USES

POLICIES

4. The City shall require screening of parking areas.
5. All vehicular ingress and egress patterns between public and private land use shall be reviewed to reduce traffic conflict.

OBJECTIVE 1.3: PRESERVE THE RURAL RESIDENTIAL ATMOSPHERE OF THE CITY

POLICIES

6. The City shall implement traffic calming techniques as discussed in this Circulation Element.
7. The City shall require that future roads and improvements to existing roads be designed to minimized conflicting traffic movements such as turning, curb parking, and frequent stops.

OBJECTIVE 1.4: PROMOTE A PUBLIC TRANSPORTATION SYSTEM THAT PROVIDES SERVICES TO ALL SEGMENTS OF THE CITY'S POPULATION

POLICIES

8. The City shall work with all public transportation and coordinating regional agencies and adjacent Cities in pursuing additional transit routes within the City, to the City and from the City.
9. The City shall create a system of bicycle routes within the street right-of-way to meet the needs of both the local and commuter cyclist. The bikeways shall be designed for the safety of the cyclist.
10. The City shall promote the design and location of future land uses to encourage access by non-automotive means..
11. The City shall provide a system of sidewalks or pathways in residential and commercial areas that provides a safe environment for pedestrian.
12. The City shall remove any physical barriers in the City's sidewalk system to allow improved accessibility for those with mobility impairments.

GOAL #2: PROVIDE AN INFRASTRUCTURE SYSTEM TO SUPPORT EXISTING AND FUTURE DEVELOPMENT OF THE CITY

OBJECTIVE 2.1: MAINTAIN ADEQUATE LEVELS OF SERVICE FOR THE CITY'S WATER DISTRIBUTION AND WASTEWATER COLLECTION SYSTEMS

POLICIES

13. The City shall maintain the water distribution system to provide adequate fire flows and service to residential and non-residential uses.
14. The City shall upgrade the water distribution system in accordance with population growth described in the Water Distribution Systems Master Plan.

15. The City shall perform a study to locate existing wastewater lines and develop a Master Plan for eventual expansion to accommodate population growth.

TABLE OF CONTENTS

INTRODUCTION	1
STATE POLICY	1
COMMUNITY PARTICIPATION	4
RELATIONSHIP TO OTHER ELEMENTS	4
EVALUATION OF ADOPTED HOUSING ELEMENT	5
ACCOMPLISHMENTS AND RESULTS	5
ADEQUATE HOUSING SUPPLY	6
HOUSING COSTS AND AFFORDABILITY	7
MAINTENANCE AND REHABILITATION	7
SPECIAL HOUSING NEEDS	7
ENERGY CONSERVATION	8
IMPLICATIONS FOR NEW ELEMENT	8
EXISTING CONDITIONS AND TRENDS	9
POPULATION	9
POPULATION TRENDS	9
AGE AND GENDER DISTRIBUTION	10
ETHNICITY AND HISPANIC ORIGIN	11
HOUSEHOLD CHARACTERISTICS	12
SPECIAL NEEDS GROUPS	13
EMPLOYMENT TRENDS	15
PRIMARY EMPLOYMENT SECTORS	16
UNEMPLOYMENT	16
HOUSING AVAILABILITY/AFFORDABILITY	17
HOUSING STOCK	17
HOUSING CONDITIONS	18
COST OF HOUSING/OVERPAYMENT	18
OVERCROWDING	19

HOUSING VACANCY	19	
AT RISK HOUSING	19	
HOUSING OPPORTUNITIES		20
SITE OPPORTUNITIES	20	
PUBLIC FACILITIES AND SERVICES	24	
ENERGY CONSERVATION	24	
 <u>HOUSING NEEDS</u>		 <u>25</u>
LOCAL HOUSING NEEDS		25
REGIONAL HOUSING NEEDS		25
 <u>CONSTRAINTS ON HOUSING PRODUCTION</u>		 <u>27</u>
GOVERNMENTAL CONSTRAINTS		27
LAND USE CONTROLS	27	
BUILDING CODE AND ENFORCEMENT	28	
FEES AND EXACTIONS	29	
PERMIT PROCEDURES	30	
INFRASTRUCTURE	30	
STATE AND FEDERAL FUNDING	30	
NON-GOVERNMENTAL CONSTRAINTS		31
FINANCING	31	
LAND COST	31	
CONSTRUCTION COSTS	31	
 <u>ISSUES, GOALS, AND POLICIES</u>		 <u>33</u>
 <u>HOUSING ASSISTANCE PROGRAMS AND PLANS OF ACTIONS</u>		 <u>37</u>
 <u>SUMMARY AND CONCLUSION</u>		 <u>50</u>

INTRODUCTION

The City of Westmorland recognizes and supports the State Legislature's identification of decent housing and suitable living environment as a priority of utmost importance. In pursuing this goal, this Housing Element sets forth the City's strategy to preserve and enhance the community's desirable residential character, expand housing opportunities for all economic segments, and provide guidance and direction for local government decision-making in all matter related to housing. The Housing Element is one of the seven required elements of the General Plan required by State law and is intended to be used as a tool for the provision of adequate housing. The Housing Element must contain specific data relating to the identification and analysis of existing and future housing needs for all segments of the community at all income levels.

STATE POLICY

The Housing Element is mandated and governed by the State of California Government Code Article 10.6 Sections 65580 to 65589.8. Pursuant to Section 65583, the Housing Element must contain:

- a. An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of those needs;
- b. A statement of the community's goals, quantified objectives and policies relative to the maintenance, improvement and development of housing; and
- c. A program which sets forth a five-year schedule of actions the City is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element through the administration of land use and development controls, provision of regulatory concessions and incentives, and the utilization of appropriate Federal and State financing and subsidy programs when available.

The following is a summary of the required components and their respective locations within this Housing Element.

Required Housing Element Component	Section	Page
HOUSING NEEDS ASSESSMENT		
Analysis of population trends in relation to regional trends	Housing Needs Assessment, Population	H-9
Analysis of employment trends in relation to regional trends	Employment Trends	H-14
Projection and quantification of existing and projected housing needs for all income levels	Housing Needs	H-23
Analysis and documentation of housing characteristics, including level of payment compared to ability to pay, overcrowding and housing stock condition	Housing Stock	H-16
An inventory of land suitable for residential development, including vacant sites and potential redevelopment sites, with an analysis of the relationship of zoning and public facilities and services to these sites	Housing Opportunities	H-19
Analysis of governmental constraints upon the maintenance, improvement or development of housing for all income levels	Governmental Constraints	H-25
Analysis of non-governmental constraints upon the maintenance, improvement or development of housing for all income levels	Non-Governmental Constraints	H-28
Analysis of special housing needs such as those of the handicapped, elderly, large families, farm-workers, families with female heads of households and persons and families in need of emergency shelter	Special Need Groups	H-12
Analysis of opportunities for energy conservation in residential developments	Energy Conservation	H-8
Analysis of low-income housing developments at risk of conversions to market rate housing	At Risk Housing	H-18

Required Housing Element Component	Section	Page
GOALS, OBJECTIVES AND POLICIES		
Statement of goals, quantifiable objectives and policies relative to the maintenance, preservation, improvement and development of residential uses		H-30
FIVE-YEAR IMPLEMENTATION PROGRAM		
Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of housing types for all income levels		H-34
Programs to assist in the development of adequate housing to meet the needs of low- and moderate-income households		H-35
Identify and remove governmental constraints to the maintenance, improvement and development of housing		H-38
Conserve and improve the condition of existing affordable housing stock		H-39
Promote housing opportunities for all persons		H-42
Preserve assisted housing development for lower income households		H-35

The City is required to update the Housing Element at least once every five (5) years. The General Plan was first adopted in 1973 and the existing Housing Element was last updated in 1994. Previous revisions of the Element are necessary for the adequate evaluation of the progress in the implementation of past goals, objectives and policies.

The City must also meet its "fair share" of the regional housing need as determined by the Southern California Association of Governments (SCAG). The Regional Housing Needs Assessment (RHNA) delineates the five year housing growth needs by income category.

The City is required to submit this Housing Element to the State Department of Housing and Community Development for additional review and compliance.

COMMUNITY PARTICIPATION

The State requires local governments to make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element. The program of actions contained in this Element describes the efforts undertaken to ensure public participation. These efforts include, but are not limited to, public hearings, citizen advisory groups and special announcements of information. Public hearings were held to solicit participation and input; and notices, hearings and workshops were held both in English and Spanish.

In addition to citizen participation, the City of Westmorland encourages regional coordination in developing, updating and analyzing this Element. Copies of the draft Housing Element was made available to other localities, the Imperial Valley Housing Authority, Campesinos Unidos, Inc., and various other housing organizations.

RELATIONSHIP TO OTHER ELEMENTS

The Housing Element works in conjunction with the goals and objectives of all other elements of the General Plan. State law requires that each of the elements be comprehensive, integrated, consistent with each other, and have a compatible statement of policies. This Housing Element was updated concurrently with the update of the entire General Plan, and every effort was taken to ensure balance and compatibility among all the elements.

In carrying out the responsibilities of this update, the other General Plan elements will build upon policies set forth in this Housing Element. The Land Use Element identifies the general distribution and intensity of residential uses. It also sets standards for residential growth and preserves the quality of life in residential areas. The Conservation, Open Space, Noise and Safety Elements addresses the environmental quality affecting residential areas. The Circulation, Public Facilities and Fiscal Elements establish programs and policies to provide adequate levels of infrastructure and public services to foster residential growth.

EVALUATION OF ADOPTED HOUSING ELEMENT

As part of the five-year update of the Housing Element, local governments, under California Government Section 65588, must review the current Housing Element to assess progress in implementing goals, objectives and policies set forth. The progress should be quantified where possible (e.g. rehabilitation results and number of new construction for low-income housing), or qualitative where necessary (e.g. mitigation of governmental constraints). Any difference in what was planned or projected in the earlier element and what was accomplished must be addressed in this update. This updated element will further incorporate what was learned from the prior element into the Housing Plan. The following is a discussion of the accomplishments and results for the 1994-1999 planning period.

ACCOMPLISHMENTS AND RESULTS

Westmorland's 1994 Housing Element projected the new construction and housing rehabilitation needs of Westmorland through the year 1999. To meet those needs, four types of programs were established to accomplish goals and policies set forth in the Element. They are:

- Database management, reporting and public information programs which involved coordination with SCAG and the IVHA, and dissemination of information to City agencies, decision-makers and the public at-large;
- A housing conservation program which included housing inspection, code enforcement and housing rehabilitation;
- A capital improvements program which provided public housing and publicly assisted housing for special needs groups; and
- Public improvements that provided for needed park and community center facilities and improved environmental quality of those areas most in need.

As a result of the implementation of the action plans and programs during the 1994-1999 period, several important accomplishments were made. A

total of \$1 million were acquired in State Community Development Block Grant (CDBG) funding for housing rehabilitation and reconstruction. This has resulted in the rehabilitation of 7 homes and the reconstruction of 8 homes; a total of 15 households were assisted and alleviated overcrowding conditions in 5 homes by constructing room additions. Over \$800,000 was acquired through the State HOME BEGIN Program which subsidized down-payment costs for low income first time home buyers. More than \$70,000 was acquired through the State CDBG Technical Assistance Program for comprehensive analysis on water system needs and existing housing stock conditions.

ADEQUATE HOUSING SUPPLY

In order to ensure the availability of housing supply, the 1994 Housing Element identified the need for the production of 7 dwelling units per year. Two units per year were to be available for very low income households and two units per year for low income households. The remaining 5 units would be made available for moderate to above-moderate income households¹. The 1994 Element further recommended the rehabilitation of at least four units per year. These objectives have been accomplished and, in some cases, surpassed.

The Element also called for the establishment of an R-3 zone to allow a density of 30 units per acre. This would serve as an incentive to reduce the cost for developers in new housing unit construction. Instead, the City updated the Zoning Ordinance in October 1999 to include development standards for R-4 zoning. The Zoning Map showed an R-4 designation but was not included in the text. The amendment incorporated all of the goals intended for the creation of a R-3 zone without creating the separate R-3 zone itself.

There has only been one proposal received by the City for the development of a multi-family residential project (3 or more units) in any R-2 zones. This project never got past the pre-planning phase because of financial constraints unrelated to the conditional use permit process. The City and the Redevelopment Agency was proposing funding assistance (and to seek State and Federal funding assistance) to aid the project. At

¹ California Statute (commencing with Section 6910 of Title 25 of the California Code of Regulations) defines income categories based on the area's median household income relative to household size. Generally, very low income households make less than 50% of the area median; low income households make between 50% and 80%; moderate income households make between 80% and 120% of the area median; and above-moderate income households make more than 20% of the area median.

this time, however, the developer cannot secure the necessary private funding to proceed with the project.

Because of the low amount of interest in residential development in the City of Westmorland, it is difficult to analyze the extent of constraint placed by land use controls.

HOUSING COSTS AND AFFORDABILITY

Programs set forth by the 1994 Housing Element to promote an adequate supply of affordable housing included State and Federal Programs such as CDBG, HOME, and US Department of Agriculture Rural Development Programs. This aided in the construction of new affordable housing, the utilization of HUD Section 8 rent subsidies, increased funding for the construction of subsidized rental units, and funding for the replacement of dilapidated housing occupied by low or very low income families. The City has successfully utilized CDBG funds for the rehabilitation and replacement of dilapidated homes occupied by income-qualified households. Through the assistance of the Imperial Valley Housing Authority, Section 8 subsidies currently help at least 128 low and very low-income households. HOME funds provided ten families with first time home-ownership benefits.

MAINTENANCE AND REHABILITATION

The 1994 Housing Element also identified the need for the maintenance and rehabilitation of existing housing stock. Implementation actions include the continual identification of housing units in need of repair and the utilization of CDBG funds to identify and rehabilitate these homes. As stated earlier, the City has and continues to rehabilitate homes through the CDBG program.

SPECIAL HOUSING NEEDS

In accordance with provisions set forth by State law, the 1994 Housing Element addresses the needs of all social and economic segments of the population. This population includes but is not limited to low income households, the elderly, handicapped, large families, etc. To that extent, the City of Westmorland has adopted the 1997 Uniform Building Code which has provisions for handicapped accessibility, and the City, through CDBG funding, actively renovates homes for the removal of architectural

barriers. Furthermore, the City continues to provide increased housing opportunities for large families in the form of room additions in single-family residences. The City has not, however, enacted a homeless shelter ordinance to allow homeless shelter facilities in the R-3 zone as set forth in the 1994 Housing Element. The City, however, continues to be an active participant in the County's Regional Homeless Task Force.

ENERGY CONSERVATION

In order to promote the conservation of energy resources, certain programs of action were outlined in the 1994 Housing Element. The City continues to support the Uniform Building Code's accommodation of the latest technology in building material to foster energy conservation. Furthermore, the City's CDBG Program Guidelines reinforce this requirement.

IMPLICATIONS FOR NEW ELEMENT

The success of several key accomplishments during the 1994-1999 planning period have lasting effects upon the residents of Westmorland and the existing housing stock. However, the shortfalls in the production of new affordable housing have important implications for the next five year period. This Housing Element will examine the reasons those goals and objectives were not met and determine its applicability to the next five years.

The achievements of CDBG funding have been fundamental in providing adequate housing for all segments of the community and in relieving overcrowding conditions. However, the lack of funding availability from private non-governmental sources and the highly competitive nature of housing grants can limit the provision of housing. The City should continue to seek grant assistance and subsidies as much as possible. Reducing the City's reliance on these grants can be accomplished by utilizing self-sustaining revenue mechanisms such as the Revolving Loan Fund.

EXISTING CONDITIONS AND TRENDS

Demographic, household, and employment characteristics are important indicators of the type of housing needed in Westmorland. Changes in population and age distribution affect the number of housing units needed; ethnicity, household size and other household attributes are indicative of the housing types needed; and employment characteristics and income levels relate directly to housing affordability.

POPULATION

POPULATION TRENDS

The State Department of Finance provides municipalities with yearly estimates on population and housing stock. These estimates are based on construction activity, electrical hookups and other variables. Actual figures are only available every ten years through the Federal Census. Official State estimates were used for the preparation of this Housing Element, but actual figures should be available from the 2000 Census by the time this Element is again due for an update.

Historically, there has been relatively little growth in Westmorland's population since the 1950s (as shown in Figure 1). There was a significant decrease in the population from 1960 to 1970, but the population has been stable since 1980. Current estimates by the Department of Finance showed that Westmorland had 1,718 residents as of January 1, 1998. Official State estimates since 1990 (Figure 2) show that Westmorland has experienced an average annual growth rate of 0.5%. This

Figure 1. Population Trend

Source: US Census

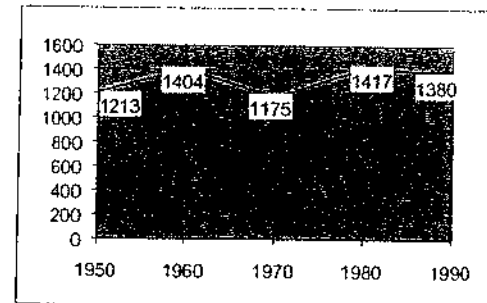
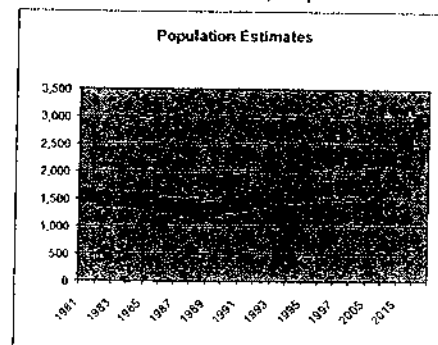


Figure 2. Population Estimates

Source: State of California, Department of Finance



increase is expected to continue for the next ten years.

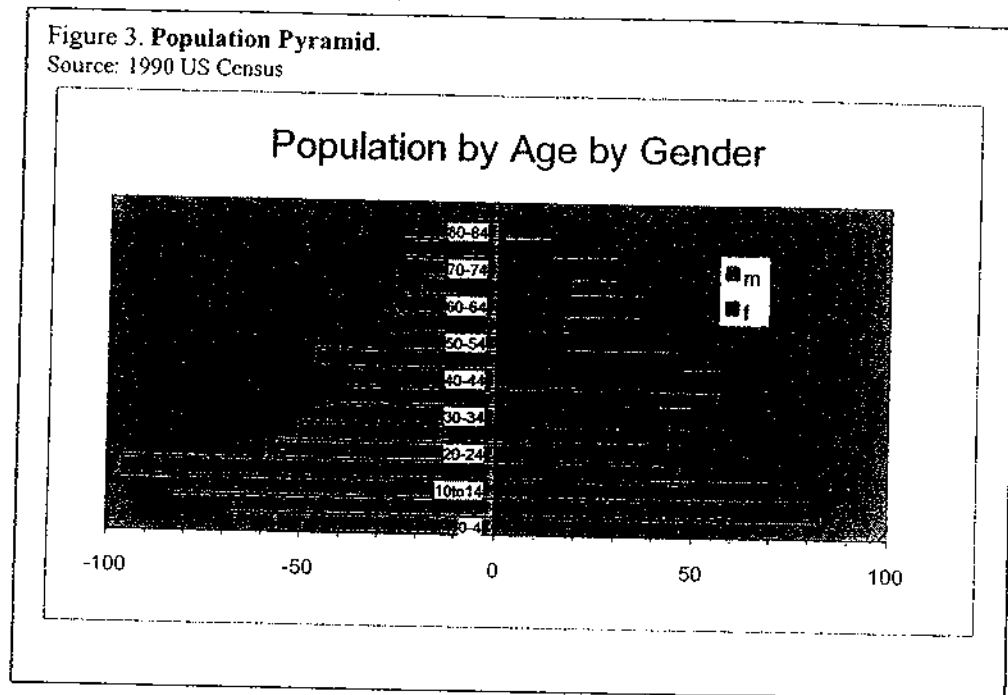
Population projections for the next twenty years are used in determining the need for additional housing units. The Southern California Association of Governments (SCAG) population forecast (adopted in April 1998) and the California Department of Finance population estimates show that there will be a steady increase through the next twenty years. The population for the year 2005 is projected to be 1,918 and the year 2010 will see a population of 2,570.

Unlike natural population growth experienced in many urban and suburban areas, population increase in rural areas such as Westmorland is highly dependent on specific issues. The sharp growth in population identified by SCAG is relative to the development of a new port of entry into the country from Mexico and the collaborative results of the North American Free Trade Agreement (NAFTA). A major transportation corridor and truck route to the Los Angeles area from the US-Mexico border (and vice versa) passes through the City of Westmorland. The new port of entry is not only expected to boost traffic flow, but its residual effects in associated increases in needs for services have corollary impacts on housing demand.

AGE AND GENDER DISTRIBUTION

The need for additional housing is further reflected in age and gender distribution of the population. The population pyramid on the next page (Figure 3) shows that a significant portion of the population is under the age of 20. More than 40% of the City's residents is within the 20-year-old age group; this is somewhat consistent with the County's 37.8%. The segment of the population over the age of 20 is proportional to that of the under-20-year-old segment. This indicates that the working age group stays in the City of Westmorland. Since these figures are based on the 1990 census, those within the ages of 10 and 20 have since reached working age. Thus, the current need for additional housing is greater.

Figure 3. Population Pyramid.
Source: 1990 US Census



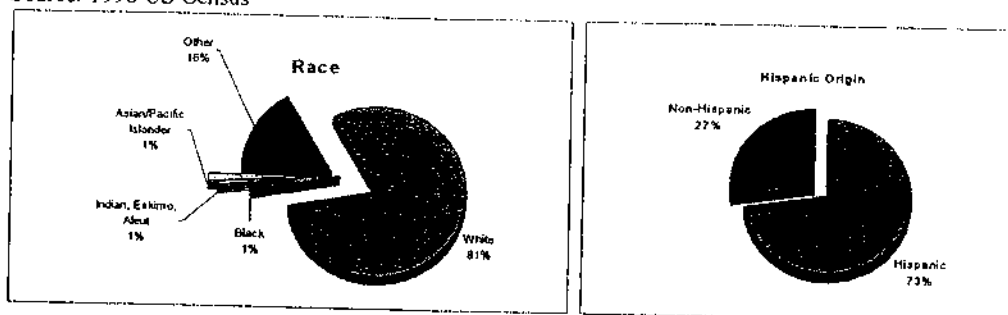
RACE AND HISPANIC ORIGIN

The racial and ethnic composition of the City's population is directly related to housing needs based on unique characteristics exhibited by different groups. For the purposes of ensuring equal housing opportunity for all persons, the terminology used in this document conforms to that used in the 1990 US Census.

Racial identity is defined by common physical traits as reported in the 1990 Census; racial composition is thus categorized as Black, White, Indian/Eskimo/Aleut, Asian/Pacific Islander and Others. As shown in Figure 4, most of the City's population is comprised of Whites (81%), followed by Other (16%), Blacks (1.4%), Asians/Pacific Islanders (1.3%), and Indians, Eskimos, and Aleuts (less than 1%).

The term Hispanic origin, as used in this document, does not refer to a category of race. Rather, it is a separate category that can apply to each of the racial categories discussed above (i.e., White-Hispanic, White-Non-Hispanic, Black Hispanic, Black-Non-Hispanic, etc.). A significant portion of Westmorland's population has historically been and continues to

Figure 4. Race and Hispanic Origin
Source: 1990 US Census



be of Hispanic origin. The 1990 Census shows that 1,002 of the total residents are of Hispanic descent; 995 are Mexican.

HOUSEHOLD CHARACTERISTICS

Household Size

According to the 1990 US Census, there are 397 households in the City of Westmorland. A significant portion of the households (23.7%) are in 5- or more person households and an equal amount (23.7%) are in 2- person households. The prevalence of larger sized households suggests the possibility of overcrowding.

Household Size

1 person	62	15.6%
2 persons	94	23.7%
3 persons	73	18.4%
4 persons	74	18.6%
5+ persons	94	23.7%

Household Income

Household income is indicative of housing affordability and the supply of affordable housing must be proportional to income categories for all segments of the population. Those with higher incomes have more discretionary income to spend on housing while those in the low and moderate income groups are more limited in the housing they can afford. The City's median household income was \$21,359 in 1990, compared to the County's median household income of \$22,442. Nearly half of the

population (43.3%) was within the low- to very low-income categories (income less than 80% of the City's median, as defined by the US Department of Housing and Urban Development and the California Department of Housing and Community Development).

Household Tenure

The ratio between owner and renter occupied units is almost one to one. In 1990, 213 households (52.2%) were owner-occupied units. While another 195 households (47.8%) were renter-occupied units.

SPECIAL NEEDS GROUPS

Certain segments of the population may have difficulties in finding decent, affordable housing due to special needs. These special-needs groups are often low-income and include the elderly, handicapped, large families, female-headed households, farm-workers and the homeless.

Elderly

Because of limited fixed income, physical disabilities and dependence, the special needs of the elderly (those over the age of 65) include close proximity to retail, medical and other services and special housing maintenance. The 1990 US Census showed that there were 125 elderly persons in the City (9% of the population) and 87 of the elderly were heads of households (22% of the households). Eight years have passed since the 1990 census and there is now an estimated 149 elderly residents (based on current death rate and estimated rate of out-migration). This segment of the population may continue to fluctuate within the next five years as people continue to age, die or relocate.

Out of the 98 householders over the age of 65, 63 (64.3%) are owners and 35 (35.7%) are renters.

There is currently only one senior citizen housing complex in the City of Westmorland. This complex has only 15 units, but the need for additional senior housing is not apparent. The City's population is largely comprised of Hispanic families, and as such, it is typical for the elderly to live with their adult children as part of a nuclear family.

Handicapped

Those with physical disabilities, especially those with mobility impairments have special needs not typically met in housing of conventional design. There are 143 disabled persons and 42 persons are unable to work (1990 US Census). This accounts for 10% of the City's

population. Title 24 of the California Administrative Code requires that a specified number of units must be handicapped accessible on residential projects consisting of five or more units. The Americans with Disabilities Act (ADA) and the Architectural Barriers Act (ABA) further address the provision of affordable, barrier-free housing. Currently, only the Arredondo apartments and the senior housing complex are available for the handicap. However, the City makes grants available through the State Community Development Block Grant (CDBG) to improve handicap accessibility in single-family residences.

Large Families

Nuclear families are typical in Hispanic households, and, as is reflective of the large Hispanic population, there is a prevalence of large families in the City. As stated earlier, there are 94 large family households (those with 5 or more persons); this accounts for 23.6% of all the households. The needs of large households are often unmet because of the lack of adequately sized affordable housing units. Thus, large families are more susceptible to overcrowding.

This need is currently being addressed through the construction of additional bedrooms by utilizing CDBG funds in situations where overcrowding exists. The Imperial Valley Housing Authority also provides assistance in the form of Section 8 subsidies for larger low-income families. Furthermore, construction of new, larger size housing units are also available to qualified families through the US Department of Agriculture Rural Development (formerly known as FmHA -- Farmers Home Administration) loan program.

Female-Headed Households

Single-parent households require nearby access to day care, health care and other similar facilities. Female-headed households are more likely to have lower incomes. These factors contribute to added difficulties in acquiring adequate housing. The 1990 US Census shows that there are 88 female-headed households which is a 28% increase from 1980. The Imperial County Welfare Department estimates that approximately 95% of these households receive TANF (Temporary Aid to Needy Families; formerly AFDC -- Aid to Families with Dependent Children) welfare assistance. The Imperial County Housing Authority provides assistance and subsidies to income-qualified female-headed and single-parent households. The City also provides grants and low-interest loans to assist these households.

Farm-workers

The City of Westmorland is surrounded by large expanses of agricultural land. As such, agriculture is the primary employment sector in Westmorland. The Census shows that 112 persons (27.2%) of the City's population were employed in agriculture, forestry, and fishing occupations, but this does not include the migrant farm workers who commute regularly from other parts of the region.

There were 95 persons (23.1%) who had occupations directly related to farm work; they would be the ones classified as farm-workers.

Because of the seasonal nature of agriculture, the average annual income of farm-workers are between \$10,000 and \$13,000, according to the State Employment Development Department. The low and very low-income levels of these farm-workers qualifies them for IVHA Section 8 rent subsidies.

Transitional Housing, Emergency Shelters and Homelessness

Because of the small size of Westmorland, transitional housing and emergency shelter is not directly addressed by the City. The City is part of a Valley Wide Task Force "Continuum of Care" which addresses homeless issues through a network of assistance programs and facilities throughout the Imperial Valley. These services include psychiatric counseling, legal assistance, substance abuse programs, and employment training. Furthermore, the IVHA provides rental assistance and temporary shelter in facilities within the City of Westmorland. The Westmorland Police Department and the Imperial County Department of Social Services have not observed nor have assisted any homeless families or individuals during the 1994-1999 planning period. There are no estimated homeless persons in the City of Westmorland.

In the case of an emergency, the senior housing center, and other assisted living units, such as County Housing Authority housing, may be used as a shelter. Any of the lots in a residential zone may be utilized. The relatively small size of the City allows for the easy access to any facility such as this.

EMPLOYMENT TRENDS

Employment trends identify the prevalence of increasing or decreasing income levels and unemployment rates, thus reflecting housing affordability. The availability of employment opportunities within city

limits also affect the population as people move to locations where they can find jobs.

PRIMARY EMPLOYMENT SECTORS

As with many cities in Imperial County, Westmorland's economic base is primarily derived from agriculture and agricultural related industries. This accounts for 27.2% of the City's labor force. Although lower than the County's 37%, it is still a major indicator of the community's economic situation. Technical, sales and administrative support occupations comprise 24.6% of the City's labor force and another 18.2% of the labor force is employed as operators, fabricators, assemblers and inspectors.

The predominance of agricultural employment and the lack of employment availability in the City of Westmorland is reflective of the travel time to work. According to the 1990 US Census, 28.7% of the labor force worked within the City of Westmorland and 18.1% spent more than 30 minutes commuting to work. Those working outside city limits are prone to relocating to where the jobs are and where the availability of affordable housing may be greater.

In an effort to improve the economic base and to improve Westmorland's overall well-being, the City is actively recruiting major employers. The City has initiated a Business Loan Assistance Program through the State Economic Development Block Grant. Low interest loans are available to businesses for the creation jobs. To date, 8 full-time equivalent jobs have been created as a result of this program. The jobs created do not necessarily have to be filled by residents of Westmorland, so there exists a possibility of population increase.

UNEMPLOYMENT

As with many cities in the Imperial Valley, unemployment is one of the biggest concerns in the City of Westmorland. Imperial County as a whole has a significantly higher unemployment rate than the rest of the State and the Nation. In 1997, the County's unemployment rate was 26.5%², which is more than four times the State unemployment rate (6.3%³) and more than five times the Nation's unemployment rate (4.7%⁴). The problem of

² Source: State of California Employment Development Department

³ Source: State of California Employment Development Department, Labor market Information

⁴ Source: US Bureau of Labor Statistics

unemployment is further compounded by seasonal employment due to the cyclical nature of the agriculture industry.

HOUSING AVAILABILITY/AFFORDABILITY

In June 1998, The City of Westmorland, through a private consulting firm, undertook a housing condition survey of all the residential units within city limits. The results of this survey, along with data from the 1990 US Census were used to determine the availability and affordability of existing housing stock.

HOUSING STOCK

The housing condition survey resulted in an actual count of 648 residential units⁵ in the City, compared to the 432 housing units reported by the 1990 US Census. This suggests an increase in the number of residential units in the past 8 years, but the survey only identified 159 newly constructed homes. The discrepancy may be attributed to the Census's exclusion of 2 motels converted into apartment complexes and the use of mobile homes/travel trailers and other secondary dwelling units as separate dwelling units.

The survey also revealed that 20% of the residential units are subsidized housing: 62 units are operated by the Imperial Valley Housing Authority (IVHA) and another 68 units (the Arredondo apartments) are privately owned subsidized housing.

Westmorland's housing stock is predominantly single-family residences, accounting for 63% of the units in the City. An additional 22% of the dwelling units are multi-family residences, which includes two motel conversions, the IVHA units, a senior housing complex and the Arredondo apartments. The remaining 11% are residences comprising between 2 and 4 unit complexes.

⁵ Every attempt was made to count all residential units but there may be some that were overlooked. Units that are not easily identified and consequently not counted may include second units that are attached to single family homes, structures intended primarily for non-residential use which may contain housing units such as caretaker's facilities.

HOUSING CONDITIONS

Throughout a period of four months beginning in June 1998, all residential units were inventoried and evaluated based on guidelines set forth by the State of California Department of Housing and Urban Development: each residence was assigned a numerical value based on the condition of the foundation, roofing, siding/stucco, windows and electrical systems. The numerical value was used to determine whether a residence was in sound condition or needed minor, moderate or substantial repair, or dilapidated. The primary purpose of the housing condition survey was to assess and identify residential units needing repair. Most of the residences (59%) were in sound condition and needed no repair. Of the entire housing stock, only 7.5% were considered dilapidated or needed substantial repairs.

COST OF HOUSING/OVERPAYMENT

According to the 1990 US Census, the median housing value in Westmorland is \$60,800 and the median gross rent is \$306. This is relatively lower than the County's median housing value of \$72,100 and the median gross rent of \$394. This would indicate that although housing costs are low, they are not necessarily affordable when compared with household incomes. The cost of housing is actually high and many households are overpaying.

Overpayment occurs when a household devotes more than 30% of their income towards housing costs thereby leaving limited funds available for food, clothing and healthcare. According to the 1990 US Census, overpayment only occurred in 24.7% of all the households. However, among households with incomes less than \$20,000, 45.7% were overpaying. Furthermore, the proportion of overpayment for renter-occupied households with incomes less than \$20,000 is even greater at 51.6%.

All Households				
Income range	less than 30%	more than 30%	total	overpaid
less than \$20,000	102	86	188	45.7%
\$20,000 to \$50,000	149	10	159	6.3%
more than \$50,000	42	0	42	0%
	293	96	389	24.7%

Owner-Occupied				
Income range	less than 30%	more than 30%	total	overpaid
less than \$20,000	42	22	64	34.4%
\$20,000 to \$50,000	88	8	96	8.3%
more than \$50,000	34	0	34	0%

Renter-Occupied Income range	less than 30%	more than 30%	total	overpaid
less than \$20,000	60	64	124	51.6%
\$20,000 to \$50,000	61	2	63	3.2%
more than \$50,000	8	0	8	0%

OVERCROWDING

The California Department of Finance shows that there was an average of 3.54 persons per household in 1990. The 1990 Census shows that a majority (37.7%) of the housing units have three bedrooms and a significant portion (28.1%) of the residences have two bedrooms. Dwelling units with four or more bedrooms represent only 17.6% of the existing housing stock and those residences with only one or no bedrooms account for 24.7%. With the high incidence of larger family households of 4 or more persons, this lack of larger size housing may be indicative of overcrowding.

There were 81 households (19.9%) with more than one person per room. Out of 81 overcrowded households, 32 (39.5%) households were owner-occupied, while 49 (60.5%) were renter-occupied.

HOUSING VACANCY

According to the State Department of Finance, the vacancy rate in the City of Westmorland for 1998 was 5.72%. This was a slight increase from the 1994 vacancy rate of 5.60%. The Department of Finance further shows that there are 29 unoccupied housing units, but this does not necessarily indicate housing availability. The housing conditions survey identified at least 10 dilapidated, uninhabitable homes, which may have been included in the Department of Finance's estimate of vacant housing units. Furthermore, there are indeed several new homes that have remained vacant for an extended period of time, but many of these homes are higher priced and are not necessarily available to low income families.

AT RISK HOUSING

Cities are required to identify, analyze and propose programs to preserve low income rental housing units that are at risk of converting to market rate housing units. There are currently 128 subsidized housing units in

Westmorland; 62 units are owned and operated by the IVHA and are at no risk of conversion.

The remaining 66 units are part of the privately owned and privately managed Arredondo apartments. These apartments were constructed with the assistance of a loan through the Farmer's Home Administration (now known as USDA Rural Development) Section 515 Rental Housing Program. The mortgage loan was issued in 1987 for Phase 1 and 1989 for Phase 2. The loan is subject to a fifteen-year restrictive prepayment provision, thus the Arredondo apartments may be at risk in the year 2002. Mitigation measures are addressed later in this document.

HOUSING OPPORTUNITIES

SITE OPPORTUNITIES

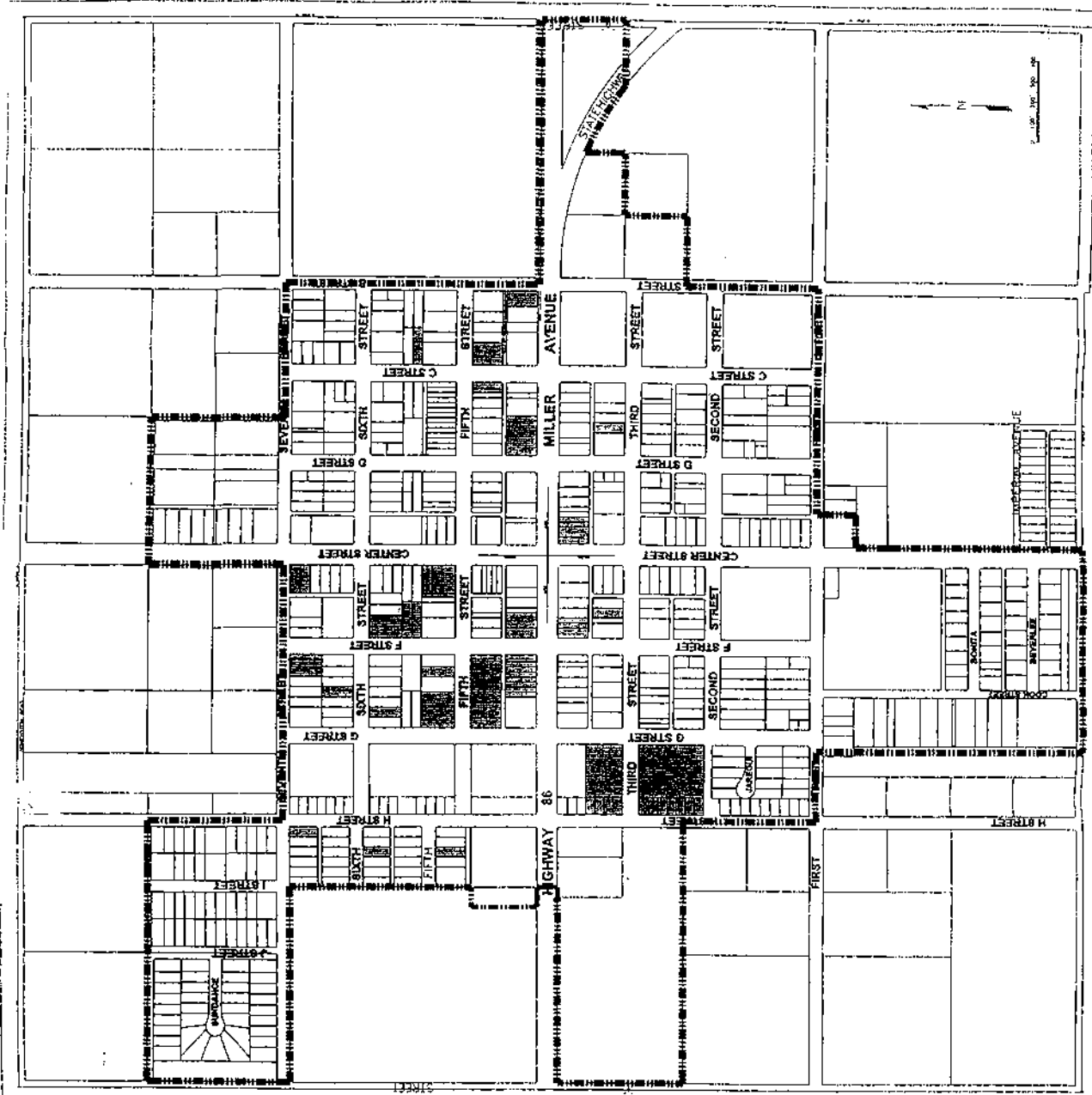
All vacant lots in Westmorland were inventoried and compared with the zoning map to determine sites available for future development. There are limited housing development opportunities within the incorporated area: 20 vacant R-1 parcels and 39 vacant R-2 parcels for a total of 59 vacant parcels. The City's residential current zoning designations are R-1 (single family), R-2 (low-density multi-family). Densities of 6.2 units per acre are allowed on R-1 designations. Multi-family dwelling units up to 3 units per lot are allowed on R-2 zones, but a conditional use permit is required for developments exceeding 4 units. R-4 zones allow up to 30 dwelling units per acre.

As shown in the following table and accompanying map, there is approximately 7.8 acres of land available for residential development. The largest contiguous area is only 1.23 acres located on Fifth Street between "F" and "G" Streets. This is zoned for multi-family uses, but, as stated earlier, any development exceeding four units would require a conditional use permit under the current Zoning Ordinance. The City will create a new zoning designation that will allow high-density multi-family units without the restriction of a Conditional Use Permit. There are currently no vacant sites large enough for high-density multi-family residential development, but the 1.23-acre site mentioned above will be rezoned as the need arises. In addition, the City will annex areas within the Sphere of Influence that can support an R-4 or R-4x designation.

	APN	Lot Size	Zoning
1	035-431-36	0.44 ac	R-1
2	035-401-01-9/6	0.51 ac	R-2
3	035-372-13	0.09 ac	R-1
4	035-372-12	0.09 ac	R-1
5	035-372-09	0.17 ac	R-1
6	035-323-05	0.28 ac	R-1
7	035-323-10	0.18 ac	R-1
8	035-313-10	0.19 ac	R-1
9	035-313-12	0.21 ac	R-1
10	035-311-16	0.08 ac	R-2
11	035-283-19	0.21 ac	R-2
12	035-283-18	0.21 ac	R-2
13	035-283-1	0.21 ac	R-2
14	035-283-2	0.21 ac	R-2
15	035-283-4	0.21 ac	R-2
16	035-282-2	0.19 ac	R-2
17	035-282-17	0.10 ac	R-2
18	035-282-18	0.10 ac	R-2
19	035-282-19	0.10 ac	R-2
20	035-282-20	0.10 ac	R-2
21	035-282-21	0.10 ac	R-2
22	035-282-14	0.10 ac	R-2
23	035-282-13	0.10 ac	R-2
24	035-272-11	0.12 ac	R-2
25	035-272-10	0.08 ac	R-2
26	035-272-9	0.09 ac	R-2
27	035-272-8	0.09 ac	R-2
28	035-272-7	0.09 ac	R-2
29	035-272-6	0.09 ac	R-2
30	035-272-5	0.09 ac	R-2
31	035-272-4	0.17 ac	R-2
32	035-272-3	0.17 ac	R-1
33	035-272-2	0.17 ac	R-2
34	035-272-1	0.17 ac	R-2
35	035-293-4	0.16 ac	R-2
36	035-293-5	0.16 ac	R-2
37	035-292-5	0.22 ac	R-1
38	035-292-9	0.18 ac	R-1
39	035-281-6	0.10 ac	R-1
40	035-260-10	0.17 ac	R-1
41	035-271-1-1	0.09 ac	R-1
42	035-271-1-2	0.09 ac	R-1
43	035-271-1-3	0.09 ac	R-1
44	035-271-1-4	0.09 ac	R-1
45	035-250-6	0.16 ac	R-1
46	035-250-9	0.16 ac	R-1

The total vacant lot acreage is 7.35 acres. The total R-1 vacancy equals to 3.17 acres and 19 units. The R-2 vacancies equal 4.18 acres or up to 80 units maximum. All vacant residential sites identified within the City of Westmorland are served by sewer, water, gas, electricity and telephones lines.

VACANCY MAP



VACANT PARCELS

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CITY OF WESTMORLAND
HOUSING ELEMENT
VACANT PARCEL MAP

PUBLIC FACILITIES AND SERVICES

Adequate levels of service for infrastructure and other public services is an important factor in identifying sites available for housing development. In September 1997, a Water Distribution System Master Plan was developed to identify specific improvements needed to meet future development of the City. The Plan projected a population of 8,215 residents by the year 2035, including the ultimate annexation and build-out of the current Sphere of Influence.

ENERGY CONSERVATION

The cost of energy is a major concern because of the extreme high temperatures experienced in desert climates. In order to maximize energy efficiency, Title 24 of the California Code of Regulations requires energy calculation for all new construction. This addresses insulation values, sizes of heating and cooling systems, energy consumption, size and orientation of fenestration, etc.

In older homes, energy costs are one of the largest household expense. Upgrading insulation, weather stripping and other weather protection measures can significantly reduce energy expenses thereby increasing a household's available income. However, the consolidated costs of energy improvements is out of reach for most low income households. The City makes loans and grants available to low income-qualified households for energy-efficiency improvements. Improvements done under the program include:

- Dual glazed windows;
- Fluorescent lights;
- Insulation blanketing for water heaters;
- Night set-back type thermostat for heating, ventilation and air-conditioning (HVAC) systems;
- Installation of energy conserving HVAC systems; and
- R-30 insulation in ceilings, R-19 insulation in exterior walls and R-30 insulation in raised floors.

HOUSING NEEDS

Westmorland must target its housing programs to those exhibiting the greatest need so that adequate housing is available for all segments of the community. To that extent, the City recognizes the importance of housing for low and very low income groups, especially those special needs group discussed previously. The following section outlines the existing and projected housing needs of the City of Westmorland based on population and employment trends.

LOCAL HOUSING NEEDS

The Housing Conditions Survey (discussed in a previous section) shows that there is a high incidence of substandard housing and that there is a need for rehabilitation programs to preserve the existing housing stock. Nearly 41% of all the housing stock needs varying degrees of rehabilitation and 7.5% were dilapidated.

The demand for housing is expected to increase as economic development and job creation programs begin to yield results. There is currently very little employment base in the City of Westmorland. However, there exists a great potential for an increase in the availability of jobs because of the City's strategic location along State Highway 86, a major thoroughfare connecting Imperial County to Los Angeles and Riverside Counties. Westmorland's existing housing stock will not be able to accommodate any significant increase in demand for new housing, therefore, the need for the creation of new homes is directly proportional to the economic development of the City.

REGIONAL HOUSING NEEDS

The City must also address its "fair share" of the region's housing needs as delineated in SCAGs regional housing needs assessment (RHNA). Due to lack of funding, however, the latest RHNA has only been recently released and spans over a seven and a half year period. The RHNA takes into account unmet housing needs and anticipated housing demand generated by employment growth and population increase. A major function of the RHNA is to assure a fair distribution of housing among

cities, subregions, and counties. The RHNA also assures a mix of newly built housing that is affordable to low and moderate income households is equitably shared and located in proximity to jobs. As shown in the following table, Westmorland's fair share of the regional housing is 115 units to be created by the year 2005.

Income Category	Number of units
Very low	37
Low	15
Moderate	26
High	38
Total	115

The recent construction of two State Prisons (Centinela and Calipatria Correctional Facilities) in the Imperial Valley has resulted in the creation of employment opportunities. Many of the Westmorland's residents work at the prisons, and wages are typically higher than other local industries. As their wages increase and households progress economically, their housing needs will reflect increased amenities. Unless these amenities are provided for in Westmorland's housing stock, families will likely relocate to other cities where such housing is available.

Overall physical development throughout Imperial County is expected to increase significantly within the next ten years. The establishment of the new port of entry from Mexico and the effects of NAFTA will result in notable growth. The creation of employment centers near the City of Westmorland will have tremendous impacts on housing needs. As such, the City must respond with a proportional increase in the number of units if the population increase exceeds current trends.

CONSTRAINTS ON HOUSING PRODUCTION

The availability and production of affordable housing is constrained by factors in both the public and private sectors. Recognizing and understanding the source of these constraints are important in the City's commitment to housing for all segments of the population.

GOVERNMENTAL CONSTRAINTS

Policies enacted by the City have a significant impact on the maintenance, improvement and development of all types of housing. Many of these policies are intended to improve the overall quality of housing, but land use controls, building and zoning codes, exaction fees, permit procedures, availability of infrastructure, and State and Federal funding programs may sometimes act as constraints in housing development.

LAND USE CONTROLS

General Plan/Land Use Element

Westmorland's General Plan was adopted in June 1973 and has yet to be updated. This Housing Element update is being done concurrently with the update of the General Plan. Because of the complex nature of the General Plan, the adoption of this Housing Element update will likely occur prior to the adoption of the General Plan. However, the Land Use Element will be updated accordingly to complement and enhance the goals, objectives and policies set forth in this Housing Element. The update of the General Plan and Land Use Element will minimize any constraints on the development of affordable housing. The adopted General Plan allows for a variety of residential uses and densities including single family units, multiple family units and mobile home parks.

Zoning Ordinance

Property development standards are set forth in Westmorland's Zoning Ordinance to maintain a level of quality for all types of housing. As summarized in the following table, the City's zoning requirements are typical and reasonable. This does not place an undue constraint on affordable residential development.

The following table summarizes the property development standards for the various residential zoning designations.

Zone	Setbacks			Density	Lot Coverage
	Front	Side	Rear		
R-1	20'	5' or 8'	20'	1-4 du/ac	50%
R-2	20'	5' or 8'	20'	1-21 du/ac	50%
R-4	15'	5' or 8'	20'	1-30 du/ac	50%

The updated Zoning Ordinance requires a Conditional Use Permit for all developments exceeding four (4) dwelling units within a parcel. This allows the City greater control in mitigating any environmental impacts, but this may be a constraint upon developers. In the past five years, there has only been the one proposal mentioned previously on page H-7.

It is difficult to ascertain the extent to which the conditional use permit process constrains multi-family development because of the low amount of interest in residential development. The City's policies are not more stringent than those of other jurisdictions in the region. However, the City has the option of waiving Planning Permit Fees if it will help multi-family residential development.

The City has not adopted a second unit ordinance but approves and allows the creation of second units pursuant to Code of California Regulations (CCR) §65852.1 et seq. This is evident in the number of second dwelling units identified in the Housing Conditions Survey. Furthermore, the Zoning Ordinance has neither provisions for density bonuses nor incentives for low-income housing or homeless shelters as required by Article 10.6 commencing with §65583 CCR. The updated Zoning Ordinance should rectify these issues.

BUILDING CODE AND ENFORCEMENT

The City of Westmorland has adopted the 1997 edition of the Uniform Building Code (UBC) which is the minimum requirement necessary to protect the public health, safety and general welfare. As such, there is no undue constraint on the development or rehabilitation of all types of housing. The City has contracted the enforcement of Building Codes with the County of Imperial. Fees are regulated by the County and are reasonable and comparable to other rural municipalities.

FEES AND EXACTIONS

Fees and exactions are typically imposed upon developers to offset the cost of processing permits and providing governmental services. The developer, in turn, offsets these costs by increasing the prices on housing units. Fees and exactions in the City of Westmorland are reasonable and relatively lower than some of the surrounding communities. Thus, the impact on housing affordability is minimal, if any. The following table summarizes the fee schedule for residential developments in the City of Westmorland.

Planning Fees

Zone Change	\$175.00+ consultant cost
Conditional Use Permit	\$175.00
Variance	\$175.00
General Plan Amendment	\$250.00 + consultant cost
Environmental Assessment	\$150.00
Lot Line Adjustment, Lot Combination/Merger	\$150.00
Tentative Parcel Map	\$200.00
Tentative Tract Map	\$300.00 + \$5 / lot
Final Parcel Map	\$150.00
Final Tract Map	\$200.00 + \$5 / lot
Site Plan Review	
Single Family	\$100.00
Multi-Family	\$150.00 + 10/unit
Planned Unit Development	\$1,250.00

Development Fees

Sewer Capacity	\$2,000.00
Water Capacity	\$2,000.00

Impact Fees

Fire Department	None
Police Department	None
Parks and Recreation	None
Westmorland Union Elementary	\$1.27 / sq. ft.
Brawley Union High School	\$0.59 / sq. ft.

PERMIT PROCEDURES

The evaluation and review process followed by any city for local processing and permit procedures can ultimately contribute to the cost of housing. "Holding" costs incurred by developers are typically reflected in the cost of the housing units thereby affecting housing affordability. Both zoning and building permit applications for single family developments can typically be processed in less than two months. This is comparable to permit processing times in other cities throughout Imperial County and therefore does not severely constrain housing affordability. The City of Westmorland encourages development by streamlining development processes whenever possible.

INFRASTRUCTURE

The availability of off-site and on-site improvements such as streets, curbs, gutters, sidewalks, water lines and wastewater lines can affect the cost of residential development. The cost of infrastructure is typically borne by the developer and thus affects housing affordability. The City is currently upgrading its water and wastewater facilities to comply with new Federal regulations to provide adequate service to all sites in the City of Westmorland. The water and wastewater plants are set to be completed by the end of this year. In the past, the City has utilized various funding mechanisms to assist any residential development. The City also has the option of waiving the Development Impact Fee related to infrastructure.

STATE AND FEDERAL FUNDING

Although not necessarily a constraint, the lack of State and Federal funding can have a significant impact on the quality and availability of affordable housing. State and Federal funds continue to be widely used in the community to assist lower-income households with decent housing. The amount of public funds has been steadily decreasing over the past several years. The City of Westmorland relies heavily on these funds, particularly the State Community Development Block Grant Program. The lack of public funding or the decrease in funding levels can severely constrain the production or retention of affordable housing within the next five years. The City will continue to pursue State and Federal funds, but to circumvent the problem of decreasing funds, the City should seek private funding sources while continuing joint ventures with IVHA and USDA. Furthermore, the City can utilize self-sustaining mechanisms of the revolving loan fund to fund housing programs.

NON-GOVERNMENTAL CONSTRAINTS

FINANCING

The market interest rate is a significant factor in attaining affordable housing. Typical interest rates of 12% make it difficult for moderate and upper income households to afford homeownership, while lower income households have difficulty qualifying for conventional loans with below-market interest rates of 8.5% to 9.5%. Local governments have no control over interest rates determined by national policies and economic conditions. However, the City of Westmorland can identify, promote and implement government insured loan programs to increase homeownership opportunities for lower income households or implement subsidy programs. Such programs could reduce down-payment requirements to less than the 10%-20% required through conventional financing. The City can also offer interest rate write-downs through State Programs or the redevelopment agency⁶ to extend the availability of affordable housing. The USDA RDA Section 502 Program provides Federal subsidies to bring the effective interest rate down to as low as 1%.

LAND COST

The cost of raw, undeveloped land has a direct correlation to the cost of a new home. As mentioned in previous sections, there is approximately 7.8 acres of vacant sites available for residential use. The market value of undeveloped land has been relatively stable within the past several years and does not appear to be a constraint on the construction of affordable housing. However, as an incentive to promote private development of all forms of housing, especially low income housing, the City along with the Rural Development Agency could utilize funding for land write-downs. Sites can be acquired at market value and sold to private developers, through write-downs, at a lower cost.

CONSTRUCTION COSTS

The single largest cost in housing production is the cost of building materials and actual construction. This accounts for approximately 40%-50% of the sales prices of new homes. Because of the unavailability of materials, construction costs are constantly fluctuating but typically range from \$45-\$60 per square foot for low to moderately priced new single

⁶ The City is currently in the process of forming a redevelopment agency. It may be a couple of years before sufficient funds are available from the agency for housing assistance.

family homes. Multi-family construction exceeding 15 units begin at \$42 per square foot and decreases as the number of units increase based on the economy of scale. Construction costs for single family residences can be reduced with the use of pre-manufactured homes such as modular homes or mobile. Lower housing costs can be further achieved by reducing amenities and quality of building materials without compromising the safety and structural integrity of the house.

ISSUES, GOALS, AND POLICIES

The Housing Plan presented in this section of the Housing Element summarizes the issues and sets forth goals and objectives to address the housing needs of all economic segments of the community. The purpose of this section is to establish general and specific guidelines for City actions to meet the requirements of State law and work for the statewide goal of providing "a decent home and a satisfying environment" for all residents of the community.

ISSUES

- Affordable housing still remains a primary concern. Although the City of Westmorland has more than its fair share of the region's low income housing, the local need is still not being met due to the dropping income levels. The high incidence of overpayment (47.5%, as reported in the 1990 Census) amongst the low to very low-income households is further compounded by the ratio of owner-occupied housing to renter-occupied housing.
- There has been a notable deterioration in a majority of the City's housing stock, and as such, there is a continuous need for rehabilitation or reconstruction. Many of the dilapidated homes are abandoned and continue to serve as a deterrent to any form of development thus affecting housing production.
- A number of new homes continue to remain vacant and unsold; however, there still remains a shortage of housing. This suggests a mismatch of income levels and the cost of housing.
- Seasonal farm labor comprises a significant portion of the work force, but the housing needs continue to not be addressed. The need for temporary housing should be analyzed since this segment of the work force typically commutes from great distances.
- The 1994 Housing Element called for the creation of an R-3 zone to address the need for higher density multi-family rental units. Since this goal was not implemented, it continues to be a priority.
- Housing diversity has long been overlooked as an important factor. There needs to be a balance with low-cost housing and higher-priced

housing. This provides a good supply of higher-cost housing as people's household incomes increase.

GOALS AND POLICIES

GOAL #1: Improve and conserve the existing affordable housing stock.

POLICIES:

1. The City shall continue to pursue grants to fund the housing rehabilitation program for target income groups (TIG) and initiate a continuous prevention program to prevent deterioration of all affordable housing units.
2. The City shall launch a program to better target the housing needs by monitoring housing conditions and affordable housing units at risk.
3. The City shall continue to collaborate with the Imperial Valley Housing Authority to maintain or increase the number of units available through Section 8 subsidies.
4. The City shall develop an approach to comply with redevelopment law in utilizing a minimum of twenty percent (20%) of Redevelopment Agency funds to create and/or maintain affordable housing for people of low or moderate incomes.

GOAL #2: Encourage and promote the development of units for all income levels of the community.

POLICIES:

1. The City shall actively encourage density bonus and other regulatory incentives for single and multi-family units, which provide affordable housing for lower income households.
2. The City shall actively facilitate and assist developers in the creation of affordable housing.
3. The City shall ensure adequate opportunities for the placement of pre-manufactured homes.

4. The City shall adopt a second-unit ordinance within this five-year planning period to further the availability of affordable housing and minimize overcrowding conditions.
5. The Planning Commission shall periodically review and update the Zoning Ordinance so as to accommodate the siting of affordable housing units.
6. The City shall continue to pursue and maximize all funding mechanisms such as the use of Federal and State "below market rate" programs and other incentive funding and subsidies for affordable housing.
7. The City shall continue to provide flexibility in zoning regulations and development review process to promote housing affordability.
8. The City shall pursue adequate housing opportunities for persons and families with above-median housing incomes.

GOAL #3: Promote equal housing opportunities for all persons in the community regardless of race, religion, sex, marital status, ancestry, national origin or color, and eliminate any housing discrimination.

POLICIES:

1. The City shall continue to accommodate large families by providing financial assistance for room additions.
2. The City shall publicly promote and enforce the Fair Housing Laws to protect against arbitrary housing discrimination by the placement of bilingual posters and/or brochures. The information shall be posted at City Hall and other public places. The City may contact the Imperial Valley Housing Authority for more informational resources.
3. The City shall adopt and enforce an anti-discriminatory ordinance to protect the rights of all persons in retaining or obtaining housing.
4. The City shall assist private sector and public agencies that are capable of producing or assisting in the production of housing for special needs households.

GOAL #4: Identify and correct any infrastructure deficiencies in residential or potential residential development areas.

POLICIES:

1. The City shall work with the Redevelopment Agency in creating an infrastructure improvement analysis to prioritize the needs of all residential areas.
2. The City shall require the review of service availability and service capacity prior to granting development approval on any project. This may entail the adoption of a Service Area Plan.
3. The City shall provide land write-downs for developers wishing to upgrade the existing infrastructure to adequate levels for the construction of housing units.

GOAL #5: Provide a means by which the citizens of the community may furnish a meaningful contribution to the realization of the overall housing goals.

POLICIES:

1. The City shall promote and encourage citizen participation in the planning and monitoring of the Housing Element and housing policies.
2. The City shall conduct community education and outreach programs to generate more knowledge, interest and ability for citizens to participate in planning issues relating to the accomplishment of housing goals.
3. The City shall continue to publicize all public meeting issues in both English and Spanish to increase community awareness and participation.

HOUSING ASSISTANCE PROGRAMS AND PLANS OF ACTIONS

In implementing the goals and policies of this Housing Element, the housing assistance programs and action plans identified in this section will outline specific actions to achieve those goals and policies. The housing programs include both the current and projected programs that will address the City's unmet housing needs. Each action plan identified in this section includes a description of the housing assistance program, program objectives, funding source, program implementer and implementation time frame.

ACTIONS FOR IDENTIFYING ADEQUATE SITES

It is important for cities to identify adequate sites with appropriate zoning and development standards that will be made available for a range of housing types. Identifying these sites is a key element in satisfying the housing needs of the community.

Inventory and Identification of Adequate Sites

An inventory of all vacant sites was conducted as part of this Housing Element update. When combined with a water distribution and sewer facilities map, this information can be a valuable tool in identifying sites suitable for housing development. Furthermore, the Land Use Element of this General Plan, the Zoning Ordinance, and other regulatory planning actions can serve to promote the availability of adequate sites.

OBJECTIVE: Facilitate the identification of the local housing needs and to provide useful information to potential developers of affordable housing.

PLAN OF ACTION: The City shall utilize its set-aside funds from the Redevelopment Agency to assist the provision of necessary off-site infrastructure for housing projects, especially for multi-family developments.

The City shall utilize its CDBG Revolving Loan Funds (RLF) to assist in the installation of on-site infrastructure improvements for housing development projects.

FUNDING SOURCE: City of Westmorland for staff time

PROGRAM IMPLEMENTOR: City of Westmorland Planning Commission.

TIME FRAME: As proposals materialize the City will actively facilitate the necessary infrastructure through the year 2007.

PROGRAMS FOR THE DEVELOPMENT OF AFFORDABLE HOUSING UNITS

While residential land costs in the City of Westmorland are generally lower than in the nearby communities, homeownership opportunities for the low and very-low income households remains limited. Furthermore, above-average rental rates in the City continues to limit the supply of adequate rental housing supply, especially for low income families and larger households. The following plans of actions attempt to address the need for additional housing.

CDBG Housing Rehabilitation Program

The City shall continue to utilize CDBG funding in conjunction with existing RLF monies. The Redevelopment Agency, in conjunction with the CDBG Program, can help support housing rehabilitation. CDBG funding will assist in approximately six (6) new housing projects a year. The CDBG program will also look at public works projects in order to support new housing.

OBJECTIVE: To rehabilitate approximately 24 homes in need of repair or improvements between the 2001-2005 planning period.

PLAN OF ACTION: Apply for CDBG funding annually and work with the Redevelopment Agency for the implementation of the Housing Rehabilitation Program.

FINANCING: Redeveloping Agency Set Aside and CDBG funding.

RESPONSIBLE OFFICIAL: City of Westmorland Planning Staff.

TIME FRAME: June 2001 through July 2005.

Density Bonus

Pursuant to the State Density Bonus Law (Government §65915), the City of Westmorland shall grant a density bonus of at least twenty-five percent (25%) and an additional incentive to ensure that the housing development will be produced at a reduced cost. Westmorland also has the option of providing other incentives of equivalent financial value based upon the land cost per dwelling unit. The developer must allocate at least twenty percent (20%) of the units in a housing project to lower income households, ten percent (10%) for very low-income households, or at least fifty percent (50%) for senior citizens. The City of Westmorland shall ensure continued affordability of all lower income density bonus units for a minimum 30-year period. One of the incentives will be the waiver of the Conditional Use Permit requirement for projects that include affordable units for very low- to low-income households.

OBJECTIVE: To increase the number of housing units through the provision of incentives to private residential developers.

PLAN OF ACTION: The City shall adopt its own density bonus ordinance to facilitate and create incentives for the production of affordable housing; including waiving the Conditional Use Permit requirement for affordable housing. In order to promote the Density Bonus, a marketing brochure will be developed and distributed to housing developers and will include an outline of the available funding, the Density Bonus and list the benefits of locating in Westmorland.

FUNDING SOURCE: City of Westmorland for staff time.

PROGRAM IMPLEMENTOR: City of Westmorland

TIME FRAME: By the June 2003.

HOME Program

The HOME Program was created under the National Affordable Housing Act of 1990. HOME funding is administered through the State HCD to assist local jurisdictions in the acquisition, construction, reconstruction and/or rehabilitation of affordable housing. Applications for funding are limited to \$1,000,000 annually.

OBJECTIVE: Assist low-income households in the acquisition and preservation of affordable homes.

PLAN OF ACTION: Apply for HOME funds and begin the design of an implementation program.

FUNDING SOURCE: US Department of Housing and Urban Development, State Department of Housing and Community Development

PROGRAM IMPLEMENTOR: City of Westmorland

TIME FRAME: Application and implementation will occur during the FY 2003.

Federal Housing Administration

Many low income families do not readily qualify for private home loans because of the high risk involved. The Federal Housing Administration (FHA) increases the possibility of home ownership by providing federal guarantees on loans made by private lending institutions to qualified low income home buyers.

OBJECTIVE: Increase home ownership opportunities to low income families through developer incentives.

PLAN OF ACTION: Encourage and promote FHA participation to developers and the general public. A marketing brochure will be developed and distributed to housing developers and will include an outline of the available funding, the Density Bonus and list the benefits of locating in Westmorland.

FUNDING SOURCE: Federal Housing Administration

PROGRAM IMPLEMENTOR: City of Westmorland

TIME FRAME: through 2005.

Veterans Administration (VA) Loan Program

The VA provides government guaranteed home loans to eligible veterans. Those who are eligible can provide a down payment of as low as \$0, plus closing costs and move into a new home. This program can stimulate the production and sale of new low to moderate income housing in the City. The VA guarantees 25% of the loan amount.

OBJECTIVE: Increase home ownership opportunities to low income veterans.

PLAN OF ACTION: Publicize VA opportunities through postings or mailers.

FUNDING SOURCE: Veterans Administration

TIME FRAME: Indefinite, beginning 1999

USDA Rural Development, Section 502 Home-Ownership Program

The US Department of Agriculture, Rural Development (formerly the Farmer's Home Administration) provides direct loans for the purchase, relocation or rehabilitation of ownership housing to lower income households. Interest rates are as low as 1% and down payments as low as 0% of the cost.

OBJECTIVE: Increase opportunity awareness to potential low income home buyers and potential housing assistance organizations.

PLAN OF ACTION: Distribute information on program benefits and provisions with the developer fee invoices or public notices. A marketing brochure will be developed and distributed to housing developers and will include an outline of the available funding, the Density Bonus and list the benefits of locating in Westmorland.

SOURCE OF FUNDING: USDA Rural Development

PROGRAM IMPLEMENTOR: City of Westmorland

TIME FRAME: Continually through the year 2005.

PROGRAMS TO REMOVE GOVERNMENTAL CONSTRAINTS ON THE MAINTENANCE, IMPROVEMENT AND DEVELOPMENT OF HOUSING

Certain local policies that hinder housing development have been identified in this Housing Element. The removal of those constraints will significantly aid in the provision of decent housing for the residents of Westmorland, but housing goals must be balanced with the other responsibilities of local policies in preserving the public's health, safety and general welfare.

Relieving Governmental Constraints on Affordable Housing

The City recognizes the need for affordable housing and will continually strive to relieve constraints. While many existing units may be vacant or extremely dilapidated, due to the lack of space in Westmorland, the conditional use permit constraints on multifamily units may need modification in order to accommodate low-income families.

OBJECTIVE: To relieve constraints on affordable housing in a fair and responsible way.

PLAN OF ACTION: The City will consider the conditional use permit process in order to responsibly address perceived constraints on affordable housing.

SOURCE OF FUNDING: City of Westmorland.

RESPONSIBLE OFFICIAL: Westmorland City Council and Planning Staff.

TIME FRAME: June 2001 through July 2005.

Modular/Mobile Home and Innovative Building Techniques

Several construction techniques such as modular construction, mobile homes and pre-fabricated systems can significantly lower the cost of new home construction. This, in turn, lowers the cost of buying a new home to a level that is affordable to families priced out of the current housing market. The City of Westmorland has adopted the latest edition of the Uniform Building Code, which allows for the use of many cost-cutting construction methods. Low-cost residential building patterns such as town homes and condominiums can be a viable alternative to higher density residential development.

OBJECTIVE: Increase opportunities for home ownership by allowing a variety of housing construction methods.

PLAN OF ACTION: Continue to allow flexible construction methods.

SOURCE OF FUNDING: No public funds required.

PROGRAM IMPLEMENTOR: City of Westmorland

TIME FRAME: By the year 2005.

Housing Diversity

By making certain changes in the City's zoning ordinance, Westmorland will allow for more diversity in its housing stock.

OBJECTIVE: Increase opportunities for housing diversity.

PLAN OF ACTION: Modify and provide additional zoning designations in order to create higher housing diversity. The City's zoning ordinance will reorganize residential zones to follow this table:

Zone	Dwelling Units Per Acre	Notes:
R-1	1 to 6	Single Family Residential
R-2	7 to 10	Low-Density Multi-Family Residential
R-3	10 to 21	Medium-Density Multi-Family Residential
R-4	22 to 35	High-Density Multi-Family Residential CUP required for more than 4 units
R-4x	22 to 35	High-Density Multi-Family Residential CUP not required for any multi-family dwelling
-RV	20 to 36	RV Park, Motor home Park overlay

Once the Zoning Ordinance is modified, the City will actively rezone or zone newly annexed lands to represent every type of zone (especially R-4x). This will ensure the diversity of zoning designations.

The City will annex 26.7 acres (See Vacancy Map) for the sole purpose of zoning R-4 and R-4x land uses. The annexation will occur on the northeast section of the Sphere of Influence abutting the current City Limits. Lots will be apportioned in an efficient and reasonable manner so as to accommodate R-4 and R-4x land uses such as apartment complexes.

The annexation area has the potential to accommodate approximately 400 households.

The City has recently upgraded its water and sewer facilities. The water plant is running at [To be determined]%. The maximum usage of the annexed lands would cause the City's water capacity to run at [To be determined]%. The new wastewater plant is running at [To be determined]%. The maximum usage of the annexed lands would cause the City's wastewater capacity to run at [To be determined]%. Potential developers would be required to furnish their project with adequate sewer, water and electricity.

SOURCE OF FUNDING: City of Westmorland General Funds

PROGRAM IMPLEMENTOR: City of Westmorland Planning Commission

TIME FRAME: Zoning Ordinance change by June 2003. Annexation of a sufficient R-4x zoned land by December 2003.

PROGRAMS TO PRESERVE AND IMPROVE EXISTING AFFORDABLE AND ASSISTED HOUSING STOCK

In order to meet the housing needs of all socioeconomic segments of the community, Westmorland must preserve and improve the conditions of existing housing units available to lower income households.

USDA Section 504 and State CDBG Housing Rehabilitation Programs

There are approximately \$500,000 available annually through the State Community Development Block Grant Program. The USDA Rural Development Services also has a similar program. These funds are directly available for the preservation and improvement of residences occupied by low and very low income households. Funds can also be utilized for the removal of architectural barriers to make residences accessible to individuals with disabilities.

QUANTIFIED OBJECTIVE: Rehabilitate approximately 35 homes in need of repair or improvements.

PLAN OF ACTION: Apply for CDBG funding annually and actively promote the program. A marketing brochure will be developed and distributed to housing developers and will include an outline of the available funding, the Density Bonus and list the benefits of locating in Westmorland.

SOURCE OF FUNDING: USDA Rural Development and State CDBG

PROGRAM IMPLEMENTOR: City of Westmorland

TIME FRAME: Annually through the fiscal year 2005.

Redevelopment Agency Set-Aside Funds

Redevelopment law requires that twenty percent (20%) of tax increment revenues be reserved ("set-aside") for the improvement of the quality and/or quantity of housing available to very low, low, and moderate income households. Monies can be used to bring deteriorating and substandard structures to current design standards and building code requirements.

QUANTIFIED OBJECTIVE: Utilize Redevelopment Agency funds in conjunction with CDBG funds to rehabilitate a total of approximately 35 eligible homes. Approximately \$125,000 total will be available through this next planning period.

PLAN OF ACTION: Implement a Housing Rehabilitation Program.

SOURCE OF FUNDING: Redevelopment Agency

PROGRAM IMPLEMENTOR: Westmorland Redevelopment Agency

TIME FRAME: Upon the generation of sufficient revenue through the year 2005.

Section 8 Rental Assistance/USDA Section 515 Rental Housing Program

Rental subsidies through the Section 8 Rental Assistance Certificate Program are made available to low income families who spend more than thirty percent (30%) of their income on housing. The program only pays for that portion of the actual rent that is above and beyond 30% of the

household's income. The Imperial Valley Housing Authority (IVHA) currently provides Section 8 assistance to 62 families in the City of Westmorland. Additionally, the USDA Section 515 program provides long term financing and rental assistance payments on behalf of lower income households.

QUANTIFIED OBJECTIVE: Maintain or increase rental assistance to at least 62 households in Westmorland.

PLAN OF ACTION: Work with IVHA to identify local housing units with "fair market rent" and assist eligible households in need of affordable housing.

SOURCE OF FUNDING: US Department of Housing and Urban Development (HUD)

PROGRAM IMPLEMENTOR: Imperial Valley Housing Authority and the City of Westmorland

TIME FRAME: Through the year 2004

Monitor Units At-Risk

The City of Westmorland can create a program that actively monitors projects (particularly the Arredondo Apartments) in which owners have provided notice to out of their Section 8 contracts. The City will inform the owner(s) of the City's interest in working with the owner(s) and non-profit organization to preserve and retain the at-risk affordable housing units. The Imperial Valley Housing Authority (IVHA) and the California Coalition for Rural Housing can provide technical assistance and inform tenants of available options.

OBJECTIVE: Monitor and preserve at-risk housing units.

PLAN OF ACTION: Create and update annually a list of at-risk structures and establish a coordinated effort with IVHA and the California Coalition for Rural Housing.

SOURCE OF FUNDING: CDBG and City of Westmorland

PROGRAM IMPLEMENTOR: City of Westmorland

TIME FRAME: Immediate identification and continuous monitoring through the year 2005.

PROGRAMS TO PROMOTE EQUAL HOUSING OPPORTUNITY

In order to ensure that all citizens have equal access to the City's housing programs, housing opportunities must be available to all persons regardless of race, religion, gender, household size, marital status, ancestry, national origin, color, age, or physical disability.

Informational Materials

The protection of the citizenry against discrimination through the dissemination of housing information.

OBJECTIVE: Protect against arbitrary housing discrimination.

PLAN OF ACTION: The City shall publicly promote and enforce the Fair Housing Laws and the distribution and placement of bilingual posters and/or brochures. The information shall be posted throughout the City.

SOURCE OF FUNDING: City of Westmorland

PROGRAM IMPLEMENTOR: City of Westmorland

TIME FRAME: Through the year 2005.

Disabled Citizen's Zoning Modification

OBJECTIVE: Making Americans with Disabilities Act accessible dwelling units available to those who in need.

PLAN OF ACTION: The City shall adopt and enforce a zoning ordinance modification to all residential zoning designations requiring at least one (1) ADA-accessible/compliant dwelling unit to every eight (8) dwelling units in any multi-family complex. The City shall analyze its zoning and development standards to determine what constraints may be present and find solutions that will remove the constraint(s).

SOURCE OF FUNDING: City of Westmorland

PROGRAM IMPLEMENTOR: City of Westmorland

TIME FRAME: The City will perform the analysis and complete the analysis by July 2004. Zoning modification by December 2004.

Anti-discriminatory Ordinance

OBJECTIVE: Further protection of the rights of all persons in retaining or obtaining housing.

PLAN OF ACTION: The City shall adopt and enforce a Housing Anti-Discriminatory Ordinance to protect against discrimination in housing and to aid in retaining and obtaining housing. When applying for or engaged in any of the City's housing programs or housing opportunities, this ordinance would make illegal any type of discrimination against any and all person on the basis of race, religion, gender, household size, marital status, ancestry, national origin, color, age or physical disability.

SOURCE OF FUNDING: City of Westmorland

PROGRAM IMPLEMENTOR: City of Westmorland

TIME FRAME: By June 2003.

Citizen Participation

Community input and feedback is one of the most important tools in promoting equal housing opportunity for all socioeconomic segments of Westmorland. Proper facilitation of public participation can effectively identify major issues, concerns and opportunities for all persons; this can lead to equal housing opportunity. There is a fairly frequent report by the senior citizen's committee that helps in public participation and it is encouraged.

OBJECTIVE: Maximize citizen participation to promote equal housing opportunities and the implementation of this Housing Element.

PLAN OF ACTION: Westmorland will initiate periodic workshops to evaluate the implementation of housing programs. These workshops will include presentations to various local community groups and should be

held in both English and Spanish. Encourage the continuance of the annual public hearing about housing issues in Westmorland.

The City will also actively pursue the direct participation of appropriate non-profit and housing advocate organizations in the preparation of adopting this Element. These organizations will also be instrumental in future evaluations and updates of the Housing Element.

SOURCE OF FUNDING: City of Westmorland

PROGRAM IMPLEMENTOR: City of Westmorland

TIME FRAME: Through the year 2005.

SUMMARY AND CONCLUSION

This Housing Element was prepared to identify the existing and projected housing needs. Several action plans were outlined to serve as a framework for achieving the City's goal of providing decent housing and an adequate living environment for all segments of the community. The City is not limited to those action plans identified in this document, but a continuous search for other available resources can be equally effective.

It is important to note that while the primary focus of this Element was affordable housing, a successful housing program will depend on a balance of all levels of housing. High-end housing can have a positive effect on affordable housing and vice-versa. A diverse housing stock is essential.

Finally, this Element is intended to be use a planning tool by the City and the general public. Active participation and continual re-evaluation of this document is necessary to accomplish those goals identified in this Housing Element.

RESOLUTION 02-12

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTMORLAND TO
ADOPT A HOUSING ELEMENT IN COMPLIANCE WITH STATE LAW.**

WHEREAS, the City of Westmorland intends to participate in the State Department of Housing and Community Development's Community Development Block Grant (CDBG) Program.

WHEREAS, the City of Westmorland in order to maintain its eligibility for CDBG funds, wishes to fully comply with State Law in regard to the Housing Element by adopting the draft Housing Element.

WHEREAS, the City of Westmorland has duly noticed and held a public hearing in compliance with State Law.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Westmorland wishes to adopt the draft Housing Element as presented in Exhibit "A".

PASSED, APPROVED, AND ADOPTED at a Regular meeting of the City Council of the City of Westmorland held on the 21st day of August 2002.

Larry Ritchie, MAYOR
CITY OF WESTMORLAND

ATTEST:

Sally Traylor, City Clerk

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL) SS
CITY OF WESTMORLAND)

I, Sally Traylor, City Clerk of the City of Westmorland, State of California do hereby certify that the foregoing Resolution 02-012 was passed and adopted on August 21, 2002 by the City Council of the City of Westmorland by the following vote:

Ayes _____ Noes _____ Absent _____

Sally Traylor, City Clerk

I. INTRODUCTION

The Conservation and Open Space Element establishes a management plan for protection of natural, cultural and historic resources to prevent waste, destruction or neglect. Such sources include water and its hydraulic forces, wildlife, soils, and minerals. This Conservation Element identifies the location of available resources and outlines strategies for the sustainable utilization of these finite resources.

Certain provisions found in the Land Use and Open Space Elements overlap with issues discussed in this Conservation Element. The Conservation Element differs, however, in its orientation towards the managed production and conservation of resources.

II. NATURAL RESOURCES

The City of Westmorland does not contain forests, harbors, wildlife, or natural water sources. While Westmorland has no areas traditionally thought of rich in biological resources, the City is surrounded by vast expanses of agricultural land that is the habitat for different wildlife and agricultural land that is rich in soils for crop reproduction. Consequently, water sources are of extreme importance.

A. WATER SOURCES

Raw water originates from the Colorado River and is distributed by the Imperial Irrigation District (IID) through a network of canals. The City purchases raw water from the District and provides treated water services to the local community for domestic use as well.

The City's current water system, although in plans to be upgraded, has enough capacity to support the existing and projected population growth of the community. The amount of water supply has never been an issue as much as the treatment of the water itself.

B. AGRICULTURE/SOIL RESOURCES

Westmorland is a rural community surrounded by large areas of agriculture uses. The protection of farmland is of extreme importance for the City of Westmorland because any urban sprawl or expansion of development can result in wasted, destroyed, or neglected farmland.

SOIL CLASSIFICATION

There are different soil categories and different levels of importance given to land for agricultural purposes. The Department of Agriculture Soil Conservation Service puts out a series of maps that classify farmland based on modern soil surveys. All other land not meeting farming importance may be designated for nonagricultural uses and is usually permanently committed by local elected officials without the option of reversing.

SOIL CONSERVATION

Maps put out by the U.S. Department of Agriculture and Soil Conservation Service identifying important soils for farming are intended for information and guidance only. They are not intended as a state prescription for local land use. The maps use eight classifications ranging from "Prime Farmland" to "Land Committed to Non-agricultural Use."

Prime farmland is land with the best combination and chemical characteristics for the production of agricultural crops. It is followed by other land classifications such as "Farmland of Statewide Importance", "Unique Farmland", "Farming of Local Importance", and "Grazing Land." Most of the areas just outside the City of Westmorland but within the sphere of influence have been classified as Prime Farmland as of 1997 the last designations mapped out. This suggests that any expansion of growth be done in a contiguous, well planned, need basis.

The "Land Committed to Nonagricultural Use" must be designated in the adopted, local general plan for future non-agricultural development. This is mostly limited to the incorporated limits of the City of Westmorland. Any expansions of these areas would need approval from the Local Agency Formation Commission or the County Board of Supervisors and farm land conservation may be one of the issues taken under consideration. The County Board of

Supervisors and City Council, however, will have the final authority to designate land in this category.

C. ENERGY CONSERVATION

Energy is a finite resource that serves an essential component of all economic and development activity. In the Imperial Valley, these resources include fossil fuels (such as oil, gas, natural gas, and petroleum), the hydraulic forces of water, biomass and geothermal fluids among others. The Imperial Irrigation District was formed in 1936 to provide water to the agricultural fields in the valley, but as a byproduct of the extensive canal system, hydroelectric power was made available to the residents of Imperial County. However, the average consumption of electricity by residential customers in about thirty percent higher than the national average and is the highest in the southwest. This is predominantly due to the extensive use of air conditioning systems. Recent technological advances in construction practices allow for more efficient use of energy resources in cooling of residences. These techniques can be used to minimize the use of these finite resources.

III. COMMUNITY/HISTORIC SOURCES

Westmorland was founded in 1910 and incorporated in 1934. Most of the impetus development occurred between 1915 and 1925. By 1930 the US Census Bureau showed a population of 1,299 within the town's limits and 3,500 including the surrounding areas. The City, during the 1920's was known for it's lively downtown which was full of nightlife. Buildings that were unique in architectural design and style (much like the Western Style this plan is attempting to restore) are now virtually non-existent due to fires occurring in the 1940's, and additional abandonment and neglect. It is important not only to recognize buildings which have historic value to the community, but to encourage preservation and restoration.

A. INVENTORY OF HISTORIC BUILDINGS

There are very few historic buildings remaining in the City, nonetheless, these structures need to be preserved and enhanced. City Hall and the Police Station is the only public building having historic value within the community. The city hall was built in 1934 using WPA labor shortly after the City's incorporation. The structure was built using adobe material. Currently, the building is infested with termites and the preservation of the structure is at risk.

Other private buildings remaining which have a historic value are scattered throughout the City. The Town Pump, built in the 1930s, has regional recognition as a fine steakhouse. The design and style are of western ranchero.

The community also holds several older homes dating back to the 1930's in bungalow style architecture. Although the homes are not located in any one section of town, preservation and restoration should be largely encouraged.

IV. STATE AND FEDERAL REGULATIONS

A. CEQA/NEPA

CEQA and NEPA are the acronyms for California Environmental Quality Act and the National Environmental Protection Act. Legislature enacted CEQA in 1970; one year after Congress enacted its predecessor statute NEPA. Like NEPA, CEQA's purpose is to force public agency decision-makers to consider and document any environmental implications resulting from any proposed projects. Unlike NEPA, CEQA is not merely a procedural statute, but rather contains substantive provisions by which agencies must comply.

One of the best known aspects of CEQA is its requirement that public agencies must prepare an environmental impact report (EIR) whenever the approval of a proposed project may cause significant or adverse effects to the environment. The City of Westmorland ensures that all projects, which are not considered ministerial or exempt from review, prepare an initial study and determine whether the project is a negative

declaration (finding it will have no significant impact), a mitigated negative declaration (finding it will have some impacts which will be mitigated) or requiring an extensive EIR.

B. US FISH AND WILDLIFE SERVICE

Protection of fish, wildlife, and plants has become increasingly important, particularly in the state of California. The Endangered Species Act was the first legislation passed by Congress (1966). The species must be threatened or endangered of extinction. An official list of endangered species has been prepared under direction of this legislation. In California alone, there are over 100 current federally listed species, 50 more proposed for listing and hundreds more are under consideration for listing.

Where Westmorland is concerned, only developments of significant magnitude on existing vacant land would be considered as possibly having an impact. There are currently, however, no known endangered species in the vicinity of the Westmorland community.

V. CONSERVATION POLICIES

GOAL #1

CONSERVE WATER RESOURCES.

OBJECTIVE 1.1

Support regional efforts to protect water availability.

Policies

- 1.1.1. Encourage and support local water conservation programs of the Imperial Irrigation District.

- 1.1.2. Adopt and enforce an Ordinance which prohibits the overwatering of lawns and plants, thereby preventing the flow of water into the street gutter.
- 1.1.3. Develop a program for voluntary local water conservation, such as a pamphlet to be distributed to City residents, which outlines water conservation steps.
- 1.1.4. Encourage efficient management of irrigation water delivery and encourage tailwater recovery programs on farms and ranches.

GOAL #2

CONSERVE AND PROTECT AREAS WHICH HAVE SPECIAL AGRICULTURAL POTENTIAL.

OBJECTIVE 2.1

Preserve prime agricultural farmland by directing growth to areas having land of lesser agricultural importance.

Policies

- 2.1.1. The City shall restrict from annexations to the north, east, and south-east of the Westmorland Township unless proposed development is intended for the greater public benefit.
- 2.1.2. The City shall encourage and promote new development opportunities to the west and south-west of the Westmorland Township where prime agricultural farmland will not be threatened.

GOAL #3

**MAINTAIN WESTMORLAND'S HISTORY ALIVE THROUGH
HISTORIC PRESERVATION.**

OBJECTIVE 3.1

Preserve and restore all buildings public and private which have a historic value.

Policies

- 3.1.1 The City shall seek funds to restore and preserve the historic City Hall.
- 3.1.2 The City, through the Redevelopment Agency, shall offer a historic preservation plan for all private structures, within the redevelopment zone, wishing to be restored.

TABLE OF CONTENTS

INTRODUCTION 1

COMMUNITY HAZARDS 1

SEISMIC ACTIVITY	1
SOILS	3
BUILDING SAFETY	3
FLOODING	4

EMERGENCY PREPAREDNESS 5

POLICE	5
FIRE	5
EVACUATION ROUTES	5
MULTI-HAZARD PLANNING	5

SAFETY POLICIES 6

I. INTRODUCTION

The Safety Element's purpose is to reduce deaths, injuries, property damage, and economic and social dislocation resulting from natural hazards. It is the primary tool for identifying hazards such as flooding, mudslides, soil creep, tsunamis, seiches, land subsidence, earthquakes, avalanches, other geologic phenomena, urban and wildland fires and building collapse.

Westmorland's relatively remote location in a desert community makes the City less prone to many geologic hazards but it is not immune from other types of natural hazards. In June 1999, a small tornado hit small sections of the City and caused considerable damage to several residences and public facilities. This Safety Element will plan for such events.

II. COMMUNITY HAZARDS

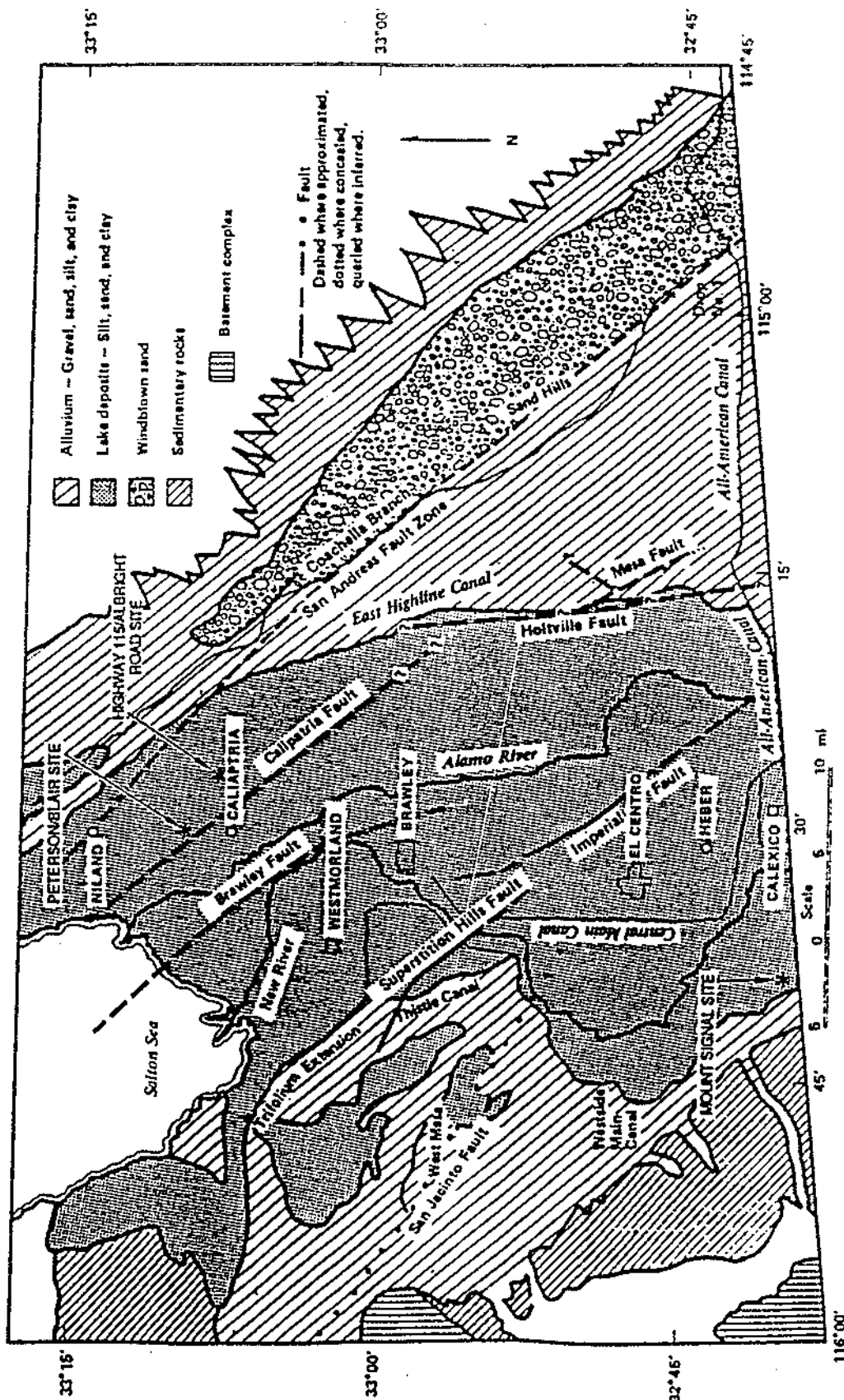
A. SEISMIC ACTIVITY

One of the primary structural features of the Imperial Valley includes a series of parallel transform faults including major faults such as the San Andreas, San Jacinto and Elsinore zones. The map on the following page illustrates known fault systems in the area.

The San Jacinto fault system is the most seismically active fault system in the valley and is located to the west of Westmorland. Most of the 17 moderate earthquakes that have occurred in this region have originated from the San Jacinto system. The most destructive of seismic events was the Imperial Earthquake of 1940 which resulted in nine deaths and extensive structural damage. Although Westmorland only experienced relatively minor loss, there was a horizontal displacement of 3-14 feet throughout the County offsetting roads, canals, fences, etc.

In more recent times, the Westmorland Earthquake of April 26, 1981 registered 5.6 on the Richter Scale with the epicenter located five miles due north of Westmorland. Damage was not significant, but numerous aftershocks followed the initial ground shaking in swarm-

This page reserved for Figure S-1 (Earthquake Faults)



SOURCE: LLL 1975, 1976; Jennings 1976; Crowell and Sylvester 1979; Fuis et al. 1984

EARTHQUAKE FAULT MAP WESTMORLAND GENERAL PLAN SAFETY ELEMENT

FIGURE
S-1

like patterns which further weakened many of the buildings. Beginning on November 23, 1987, a series of 23 measurable shocks (measuring at least 2.5 on the Richter Scale with the main shock being 6.0) shook the Imperial Valley through December 1, 1987. The epicenter of the first main shock was located 20 miles southwest of Westmorland followed by a second shock located 14 miles southwest of the City on a previously unknown cross fault at the southern edge of the Salton Sea.

Seismic activity is inherent and damage from earthquakes is unavoidable, but there are two factors that must be considered in trying to minimize any adverse impacts.

1. SOILS

The geological subsurface composition (soils) of a given area determines the results of ground shaking. Several deep wells have been drilled in Imperial County showing non-marine sand and clays from top to bottom with some lacustrine beds in the uppermost 3,000 feet. A more detailed analysis of Westmorland's soil composition is included in the Conservation Element. Local soil is susceptible to trapping moisture within subgrade levels which increases the potential for liquefaction.

The Imperial Quake of 1940 occurred on an undiscovered fault which had been concealed by alluvium. As Figure S-1 on the preceding page shows, there are several known fault systems in areas of alluvium composition which could potentially be concealing many more faults.

2. BUILDING SAFETY

Improper building design can lead to tremendous property damage and danger to human life during earthquakes. The latest edition of the Uniform Building Code (as adopted by the City of Westmorland and administered by contract by the County of Imperial Building Department) contains numerous seismic provisions for new construction activity, but most of the structures in the City of Westmorland were built prior to seismic requirements. There are, however, no buildings that exceed thirty feet (30') in height nor are there any unreinforced masonry structures.

The City of Westmorland is located in a seismic zone 4 where fault lines are generally shallow, extending into the earth's crust four to ten

miles. Earthquakes associated with shallow faults are more destructive. Building design must take this into account in minimizing structural damage. As such, foundation systems and seismic bracing required for all new construction must be able to withstand these types of forces.

B. FLOODING

The Salton Sea (located northwest of Westmorland) was a dry lake bed from the late 17th to the mid 19th centuries. In order to sustain development and life in the dry desert climate of the Imperial Valley, water had to be brought over from the Colorado River. Canals were built in Mexico to feed water to the Alamo and New Rivers (tributaries to the Salton Sea). In the spring of 1905, violent winter storms from the Pacific resulted in the overflowing of the Colorado River and flooding of the Imperial Valley for a period of approximately two years. In 1940, the All-American canal was completed on the US side of the international border to continue water supply from the Colorado River into the Imperial Valley. Dams, including Hoover and Imperial Dams have been built along the Colorado River to provide an effective and efficient flood management and water storage system.

The area of the Salton Sea surface is very sensitive to the elevation and minor changes in lake level can submerge a large area. Precise geodetic surveys since 1972 also show that the land surface of the Imperial Valley is sinking at an average rate of one-half inch per year relative to the surrounding bedrock hills. While Westmorland is located a significant distance from the Salton Sea and is not prone to annual changes in lake levels, failure of any of the dam systems can result in flooding of Westmorland. Prolonged periods of heavy rain can also contribute to flooding conditions, but overall flood risk seems to be minimal, as the Alamo River and New River floodplains are located many miles east of the City.

Localized flooding of City streets will occur during periods of severe storms, but flood waters are mostly contained within the streets thus not impacting dwelling units. New construction projects are required to address grading and proper drainage of storm runoff, thereby minimizing flood water breach.

III. EMERGENCY PREPAREDNESS

A. POLICE

The Westmorland Police Department is located with the City Hall Building and has an authorized sworn force strength of four officers including one Police Chief. There are two officers available during all shifts serving a 1.5 square mile area and a population of 1,712 persons. Additional police assistance is available from the County of Imperial Sheriff's Department through a mutual-aid agreement. The current police force is sufficient to respond to emergency situations, but as the City grows, additional officers will be needed.

B. FIRE

The City of Westmorland is protected from hazards by a volunteer fire department. Additional assistance is provided by the Imperial County Fire Department. There are currently no local provisions for development activity to meet fire suppression requirements such as the placement of fire hydrants within a given distance to a development or minimum water flows to maintain a constant stream of water in fighting fires.

C. EVACUATION ROUTES

The Imperial County Department of Emergency Services developed evacuation routes for major disasters. These routes are to be used to quickly move the population a safe distance away from the City in the following events:

1. National emergency due to eminent nuclear attack;
2. Severe earthquake which created hazardous conditions; and
3. Toxic materials spill on highway which created toxic fumes.

All evacuation of the City would be done through a coordinated effort with local and County officials.

D. MULTI-HAZARD PLANNING

In the event that more than one hazard were to occur simultaneously, the City is able to respond through a coordinated effort with local and

County officials. The Imperial Valley Emergency Communications Authority (IVECA) was established to develop, operate and maintain a single-site facility to provide emergency call receiving and dispatching services for all emergency service agencies in the entire County.

IV. SAFETY POLICIES

GOAL #1: PROTECT THE PUBLIC FROM NATURAL AND MAN-MADE HAZARDS

OBJECTIVE 1.1: ENSURE PUBLIC SAFETY FROM GEOLOGIC HAZARDS

POLICIES

1. Map areas with geologic hazards.
2. Prevent issuance of building permits in areas with severe geologic hazards.
3. Require all buildings to be engineered to prevent collapse during earthquakes in accordance with the requirement of the Uniform Building Codes.

OBJECTIVE 1.2: ENSURE PUBLIC SAFETY FROM FLOODING HAZARDS

POLICIES

1. Map flood hazard areas.
2. Prevent issuance of building permits for residences in flood hazard areas.
3. Require storm drains, catch basins, retention basins and other flood control facilities in new development to control flooding during periods of severe storms.
4. Encourage the formation of a County wide Flood Control District to deal County wide flooding issues.

OBJECTIVE 1.3: ENSURE PUBLIC SAFETY FROM MUDSLIDES, LANDSLIDES, SUBSIDENCE AND LIQUEFACTIONS

POLICIES

1. Map areas where soils are prone to movement.
2. Require a soils report for all subdivisions that includes mitigation measures to protect the public against the hazards of soil subsidence.
3. Prevent issuance of building permits for construction in areas with unstable soil which may be susceptible to mudslides, landslides and liquefaction during earthquakes.

OBJECTIVE 1.4: PROTECT THE PUBLIC FROM INJURY DUE TO HAZARDOUS MATERIALS SPILLS

POLICIES

1. Develop and implement an emergency response plan for hazardous materials spills.
2. Map areas with potential for hazardous materials movement or storage.
3. Coordinate with the county Emergency Services Department to mitigate the affects of a spill and for evacuation of residences.
4. Ensure residential units are not constructed in close proximity to hazardous materials areas or sites.
5. Require that a Conditional Use Permit be obtained for all land uses which may involve hazardous materials.
6. Identify toxic disposal or leakage sites and pursue expeditious cleanup of these sites through actions by appropriate County, State and Federal agencies.
7. Ensure that hazardous materials used in business and industry are properly stored and handled and that information on their storage, handling and use is available to the Fire Department,

Public Works Department and other safety oriented departments/agencies.

OBJECTIVE 1.5: PROTECT THE PUBLIC FROM WILDFIRES, STRUCTURE FIRES AND OTHER FIRES.

POLICIES

1. Implement zoning and subdivision regulations which require street widths, access areas and maneuvering areas sufficient to allow fire protection and emergency vehicles access to structures.
2. Implement fire-flow requirements for new developments and improve water availability to those sections of the City with inadequate fire flow protection.
3. Incorporate design elements in development projects that enhance fire protection capability. Such items would include smoke alarms, fire sprinklers, fire resistive materials and other appropriate features.
4. Continue and enhance as necessary the provisions of mutual aid agreements for fire protection.
5. Ensure that abandoned and vacant structures/sites are kept free from excessive weeds, brush, trash and other combustible materials thereby reducing fire hazards.
6. Vigorously enforce the provisions of the Uniform fire Code and national Electrical Code to ensure structures do not become fire hazards.

I.	INTRODUCTION	1
A.	RELATIONSHIP TO OTHER ELEMENTS AND PLANNING DOCUMENTS	1
II.	NOISE SENSITIVE USES	1
A.	PUBLIC FACILITIES	2
1.	SCHOOLS	2
2.	CHURCHES	2
B.	HABITABLE DEVELOPMENT	3
1.	RESIDENTIAL DEVELOPMENT	3
2.	HOTELS/MOTELS	3
III.	IDENTIFICATION/PPRAISAL OF MAJOR NOISE GENERATORS	3
A.	TRANSITORY NOISE SOURCES	4
1.	HIGHWAY 86	4
2.	SECONDARY ARTERIALS	4
B.	STATIONARY NOISE SOURCES	5
IV.	NOISE CONTOURS/APPRaisal OF LOCAL NOISE GENERATORS	5
A.	EXISTING NOISE ISSUES IN THE COMMUNITY	6
B.	PROJECTED NOISE ISSUES IN THE COMMUNITY	7
V.	ATTENUATION/ABATEMENT	8
A.	COMPATIBILITY BETWEEN LAND USES	8
B.	BUFFER ZONES	8
C.	BUILDING DESIGN/SITING TECHNIQUES	9
D.	REGULATING HOURS OF OPERATION	9
VI.	DEVELOPMENT POLICIES	10

I. INTRODUCTION

The requirement of local entities to prepare noise elements was first enacted in 1971. In 1976, the Department of Health Services issued guidelines for noise elements and noise abatement ordinances. There have been several revisions, and requirement changes over the years, but the underlying purpose has remained the same and that is to limit community exposure to hazardous noise levels.

Noise is defined under this element as "unwanted sound," and is an undesirable by-product that permeates in the built environment and causes disturbance. Physical health, psychological stability, social cohesion, property values, and economic productivity are all affected by excessive amounts of noise. The purpose of the Noise Element is to identify and appraise such noise problems in the community.

A. RELATIONSHIP TO OTHER ELEMENTS AND PLANNING DOCUMENTS

The Noise Element plays a major role in influencing and determining the goals, objectives, and policies of the Land Use Element for the ultimate product of compatible, noise sensitive land uses. The Noise Element will further serve as a valuable tool for future development to minimize the impact of excessive noise levels and to preserve the rural residential nature of the Westmorland community.

The Noise Element and Land Use Element must be thoroughly consistent with one another. The respective goals and objectives of each element must hence be carried out in local zoning implementations.

II. NOISE SENSITIVE USES

It must be recognized that some land uses are more sensitive to noise levels than other land uses. Schools, churches, and residential land uses are considered the highest noise sensitive land uses within any community. These uses should never be, and rarely are, located next

to industrial sites, railroad tracks, freeways, highways, or airports. These uses should rather be placed in noise sensitive locations away from high volume traffic streets and typically among one another.

The impacts that high noise levels can have on these uses and the community are almost as important as these uses themselves. Excessive background noise can impair education, family lifestyles, occupational efficiency and the quality of recreation and leisure. It goes unsaid as to how their compatibility to surrounding land uses or potential new development should be closely planned and regulated.

A. PUBLIC FACILITIES

1. SCHOOLS

Educational facilities are one of the highest noise sensitive land uses in any community. Background noise levels affect performance and learning process through distraction, reduced accuracy, increased fatigue, annoyance, irritability, and the inability to concentrate. Although unusual for an educational facility, in a town the size of Westmorland, to locate off of a high traffic highway, this very situation exists in the community.

The Westmorland school system is located off of Highway 86 a major traffic route for the entire region. The school district has had to make development arrangements where classrooms and buildings are located a considerable distance from the busy highway. It is almost a certainty that complying to noise abatement standards as set by the State of California in structural construction are followed as a noise mitigation measure.

2. CHURCHES

Churches and places of worship are also sensitive to noise intrusion. As ambient noise levels affect the perceived amenity or livability of a development, so too can the increasing noise impacts affect and impair the general welfare of a community. This is particularly seen as reduction in the area's desirability as a place to live, shop, or work.

Churches and places of worship can be allowed most anywhere under a conditional use permit or as permitted uses. Good planning practices and emphasis on noise sensitivity, however, should always be considered for land use compatibility.

B. HABITABLE DEVELOPMENT

1. RESIDENTIAL DEVELOPMENT

Residential land uses are also noise sensitive. Single family residential was once considered as the most sensitive in residential uses because they were typically associated with outdoor recreational uses in backyards. Requirements for multifamily housing development, however, has also increased in the demand for patios and outdoor tot-lots and open recreational amenities. This reflects noise sensitivity at levels inside the structures as well as outside the developments.

Late night noise generation can further disturb the rest and sleep of community members when residential developments are constructed next to land uses that emit high noise levels. Excessive (frequent and high) noise levels have been shown to cause behavioral problems.

2. HOTELS/MOTELS

Hotels and Motels are also noise sensitive land uses. These uses, however, are generally located off of major freeways and highways. Mitigation measures for these types of habitable land uses are applied at the construction level to ensure that the rest and sleep of the clients will not be disturbed.

III. IDENTIFICATION AND APPRAISAL OF MAJOR NOISE GENERATORS

The first step prior to mitigating noise impact is in the identification of the noise sources. There are two major types of noise sources-transitory, or movable, noise sources and stationary, or stable, noise source. Acceptable noise levels vary from one to the other as do abatement or mitigation measures.

A. TRANSITORY NOISE SOURCES

Transitory noise sources as movable or *transient* noise generators are very difficult to abate or mitigate. These type of noise generators mostly result from excessive automobile traffic, heavy truck traffic, and aircraft. These should all be of some concern for the Westmorland community with the exception of aircraft. Although aircraft in the form of crop dusting to the agricultural outskirts of the community may cause high levels of noise exposure, the uses are occasional and therefore not considered a noise hazard. Noise sources of particular concern for the Westmorland community are derived from vehicular traffic.

1. HIGHWAY 86

The vehicular noise off of Highway 86 is of particular concern for the City of Westmorland. The existing traffic levels are not only high but significantly increasing as the regional economy progresses. Since loudness of noise is not only a function of sound intensity, but also of sound frequency, highway generated noise has the highest degree of weight in frequency. Highway traffic is given an A level of frequency under the A, B, and C level designations.

2. SECONDARY ARTERIALS

South Center Street is a secondary arterial that is used as a major traffic route for the region. South Center Street is a major traffic route for heavy freight trucks (more than two axles). These heavy trucks not only emit high motor noises, but significantly increase the noise levels by the braking and slowing down at designated stop signs or residential right of ways. The City should consider restricting heavy truck traffic from using Center Street. Possible mitigation can be made in coordination with the County of Imperial to reroute the freight traffic east of town. Because this high volume street dissects through neighborhood residential development it can be identified as a major noise generator.

B. STATIONARY NOISE SOURCES

Stationary noise sources are primarily caused by poor planning practices resulting in the creation of incompatible land uses or legal non-conforming land uses that have not transitioned over. Most of the stationary noise sources with commercial or industrial land uses is the operation of machinery such as compressors, auto body work, or loud entertainment.

IV. NOISE CONTOURS AND APPRAISAL OF LOCAL NOISE GENERATORS

Noise contours are lines drawn about a noise source which indicate constant energy levels of noise exposure. CNEL (community noise equivalent level) and Ldn (day-night average level) are the measures used to describe community exposure to noise. These guidelines rank noise and land use compatibility in terms of *normally acceptable*, *conditionally acceptable*, *normally unacceptable*, and *clearly unacceptable* levels and ranked by decibals-A weighted ("A" being highest frequency). The guidelines show that 60 and 65 dBA CNEL are the highest threshold noise levels considered normally acceptable for the most sensitive land uses such as residential land uses.

It is important to consider not only the duration of noise but also the time of day that the noise is being generated. Late night noise generation will be significantly more unacceptable than day time noise generation. The State of California Department of Health Services has model noise ordinance standards which should be adopted by the City of Westmorland. These standards are designed to protect residential areas from stationary noise sources on private properties and cannot be applied to mobile noise sources (but can be a good measure).

Model Noise Ordinance Standards

Maximum Time of Exposure	Noise Metric*	7 a.m. - 10 p.m. Noise Not to Exceed	10 p.m. - 7 a.m. Noise Not to Exceed
30 min-hour	L50	50 dBA	45 dBA
15 min-hour	L25	55 dBA	50 dBA
05 min-hour	L8.3	60 dBA	55 dBA
01 min-hour	L1.7	65 dBA	60 dBA

*L(x) = noise level exceeded x percent of the time.

Since compatibility will differentiate between the different land uses, a general noise compatibility criteria has been designed and is detailed in the following matrix.

NOISE COMPATIBILITY STANDARDS					
Land Use Category	CNEL, dBA				
	50-55	55-60	60-65	65-70	70-75
Residential Single Family	1	0	-1	-2	-2
Multifamily Housing	2	1	0	-2	-2
Public Schools and Libraries	1	0	-2	-2	-2
Public Churches and Halls	1	0	0	-1	-2
Commercial Offices	2	1	0	0	1
Recreational Grounds (outdoor)	2	1	1	0	-1
General Manufacturing	2	2	2	1	1

2 = Clearly Acceptable
 1 = Normally Acceptable
 0 = Marginally Acceptable
 -1 = Normally Unacceptable
 -2 Clearly Unacceptable

A. EXISTING NOISE ISSUES IN THE COMMUNITY

The City of Westmorland's noise impacts are primarily generated from vehicular traffic. Standards have been set to determine impact zones from a distance of a roadway noise source. This noise impact zone is the area that is likely to be exposed to significant noise greater than 60 dBA.

Roadway Noise Impact Zones City of Westmorland	
Roadway or Classification	Distance in feet from centerline
Highway 86	1,100
South Center Street	750
Secondary Arterials	150
Collector Streets	150

For the purpose of this General Plan, a preliminary inventory of land areas/uses currently exposed to high levels of noise has been identified in the following table. A detailed community noise exposure inventory should be developed in the future identifying areas that are or may be at risk of being exposed to unacceptable noise levels resulting from either transitory or stationary sources. Once a thorough

inventory is in place, the severity of the problem can be determined by the number of persons exposed and the level of exposure that exists.

A contour map is also included and referenced as _____. The map identifies the unacceptable noise level sources and delineates the impacted areas. The map is intended to be used as a guide for establishing a pattern of land use development that minimizes the exposure of community residents to excessive noise levels.

Existing Noise Exposure and Noise Sources

Location	Sources	Analysis
114 North Center	Welding Shop	Legal Nonconforming use in neighborhood commercial
South Center	Truck Route	Highly used truck route among residential land uses
196 East Main 235 West Main	Highway Traffic	High occupancy apartment units off of busy highway
200 & 300 Block W. Main	Highway Traffic	Legal non-conforming residential units off of busy highway

The Holt Group, field survey September 1999

B. PROJECTED NOISE ISSUES IN THE COMMUNITY

Growth in the region will affect the noise levels in the City of Westmorland significantly. As the traffic on Highway 86 increases and decisions are made as whether to reroute truck traffic, it will be increasingly important for the City of Westmorland to analyze and quantify noise levels and the extent of noise exposure through actual measurements. Technical data relating to mobile sources of noise must be collected and synthesized into local or regional noise control policies and programs that minimize the exposure of community residents.

V. ATTENUATION/ABATEMENT

As a prerequisite to the formation of an effective noise control program, the City must locate and document the extent of local noise problems, namely major noise source locations. Once these areas have been identified, more specific policies can be designed to meet the goals of the Noise Element for that particular problem. Generally speaking, the objectives can be carried out and accomplished in a variety of ways ranging from the development of land use compatibility to building and design standards in structures. The methods, however, may have different levels of impact to limiting the community's exposure to excessive noise levels.

A. COMPATIBILITY BETWEEN LAND USES

The best method to limit the exposure of residents to excessive noise levels is through a well designed and carried out land use compatibility plan. Land uses, particularly the land uses most sensitive to noise levels, should be encouraged in residential areas and areas with low traffic levels. Land uses that emit hazardous noise levels should be prohibited from residential and neighborhood servicing land uses.

B. BUFFER ZONES

Another technique to reduce excessive noise impact is through buffer zones. Buffer zones can either be physically constructed forms such as masonry walls, or they can be open spans of landscaping and vegetation. Both methods can prove to be useful in lessening the noise impacts to the surrounding land uses. Most noise barriers are relatively easy to design and inexpensive to develop.

C. BUILDING DESIGN/SITING TECHNIQUES

Still another method for controlling the community exposure to excessive noise levels is through building construction standards. Residential structures near high traffic volume streets, and other structures designed for noise-sensitive land uses may be constructed with materials and techniques that provide significant noise attenuation.

The California Administrative Code includes noise insulation standards which detail specific requirements for new multi-family structures, motels, apartments, condominiums and other attached dwellings that are located within the 60 CNEL contour. These standards should be of particular concern in Westmorland for any residential development along Center Street/Forrester Road. It should be noted, however, that using innovative construction techniques may help lessen the transmission of noise to the interior of the buildings. This method will still expose community members to high noise levels when they are outside.

D. REGULATING HOURS OF OPERATION

Regulating hours of operation has grown to be a widely used mitigation effort by many decision makers in an effort to accommodate to the needs of all parties affected. Many communities, for example regulate the times that establishments can play loud music. Other communities regulate the entire operation hours of noise generating businesses such as auto body shops, mills, machine shops, and the like.

The only problem encountered under these mitigation measures is the regulatory costs and burden. Small towns, similar to Westmorland, find it difficult to hire code enforcement officers or to follow up on permits to ensure that the noise generating business is complying. This mitigation measure may be too costly or too time consuming.

VI. DEVELOPMENT POLICIES

GOAL #1 MAINTAIN THE QUIET RURAL NATURE OF THE COMMUNITY THROUGH THE USE OF NOISE SENSITIVE LAND USE COMPATIBILITY PLANNING PRACTICES.

OBJECTIVE 1.1 Establish acceptable noise levels for various noise-sensitive land uses.

Policies

- 1.1.1 The City shall establish maximum acceptable noise levels for educational institutions including public libraries.
- 1.1.2 The City shall establish maximum acceptable noise levels for churches and places of worship.
- 1.1.3 The City shall establish maximum acceptable noise levels for development.

OBJECTIVE 1.2 Maintain and accomplish noise compatible land uses through City plans and programs.

Policies

- 1.2.1. Analyze and inventory the land uses exposed or at the risk of being exposed to high noise levels.
- 1.2.2. The City shall implement a program for the conversion of legal nonconforming land uses and illegally operating nonconforming uses.

ORDINANCE NO. 04-02

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WESTMORLAND,
STATE OF CALIFORNIA, AMENDING ARTICLE III – ZONES, SECTION 3.01 – SINGLE
FAMILY (R-1) ZONE, SUBSECTION (D) PROPERTY DEVELOPMENT STANDARDS (I) TO
CHANGE THE LOT AREA MINIMUM TO SIX THOUSAND (6,000) SQUARE FEET FROM
(7,000) SQUARE FEET.**

THE CITY COUNCIL OF THE CITY OF WESTMORLAND, CALIFORNIA, does hereby
ordain as follows:

SECTION 1. The City of Westmorland hereby amends Article III – Zones, Section 3.01 – Single Family (R-1) Zone, subsection (d) Property Development Standards (i) to change the Lot Area Minimum to six thousand (6,000) square feet from (7,000) square feet of Ordinance 99-11. Lot width minimum shall be 50 feet; lot depth minimum shall be 120 feet. The second lot dimension shall be such that the 6,000 square foot lot minimum is satisfied. Any legal lot/parcel existing prior to adoption of this ordinance may be used as a building site, except no building permit shall be issued for a lot size of less than 4,000 square feet. Each building site shall have a minimum 20-foot wide vehicular access to a street.

SECTION 2. All ordinances in conflict herewith are hereby repealed and cancelled in their entirety.

SECTION 3. The City Clerk shall, within 15 days of its passage, cause this Ordinance to be posted in at least three (3) public places within the City of Westmorland. This Ordinance shall become effective thirty (30) days after the date of its final passage and adoption.

PASSED, APPROVED, AND ADOPTED at a Regular meeting of the City Council of the City of Westmorland held on the 2nd day of June 2004.

/s/ Lawrence Ritchie

Larry Ritchie, MAYOR

CITY OF WESTMORLAND

ATTEST:

/s/ Sally Traylor

Sally Traylor, City Clerk

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL) SS
CITY OF WESTMORLAND)

Introduction and 1st Reading

I, **Sally Traylor**, City Clerk of the City of Westmorland, California, **DO HEREBY CERTIFY**, that the foregoing Ordinance No. 04-02 was approved for 1st Reading by the City Council of the City of Westmorland at a regular meeting held on the 19th day of May 2004.

Adoption

I, Sally Traylor, City Clerk of the City of Westmorland, California, **DO HEREBY CERTIFY**, that the foregoing Ordinance No. 04-02 was approved for adoption by the City Council of the City of Westmorland at a regular meeting held on the 2nd day of June 2004, and that it was so adopted by the following vote:

Ayes: 3Nays: 1Absent: 1

Date Posted: June 4, 2004

/s/ Sally Traylor

Sally Traylor, City Clerk

This is a true and correct copy of Ordinance No. 04-02. This Ordinance No. 04-02 was posted pursuant to law.

**CITY OF WESTMORLAND
ZONING ORDINANCE**

DRAFT

TABLE OF CONTENTS

<u>ARTICLE I. PURPOSE AND INTRODUCTORY PROVISIONS</u>		3
SECTION 1.01	PURPOSE	3
SECTION 1.02	GENERAL PROVISIONS	3
SECTION 1.03	DEFINITIONS.	3
SECTION 1.04	COMPLIANCE WITH THE ORDINANCE	8
SECTION 1.05	SEVERABILITY.	8
<u>ARTICLE II. ESTABLISHMENT OF ZONES.</u>		9
SECTION 2.01	CLASSIFICATION OF ZONES.	9
SECTION 2.02	LOCATION OF ZONES.	9
SECTION 2.03	ZONING MAP.	9
SECTION 2.04	ZONE BOUNDARIES.	9
SECTION 2.05	NEWLY ANNEXED TERRITORY.	9
<u>ARTICLE III. ZONES</u>		9
SECTION 3.01	SINGLE FAMILY (R-1) ZONE.	9
SECTION 3.02	LOW/MEDIUM DENSITY MULTI-FAMILY (R-2) ZONE.	11
SECTION 3.03	HIGH DENSITY MULTI-FAMILY (R-4) ZONE	13
SECTION 3.04	RV PARK (-RV) OVERLAY ZONE.	14
SECTION 3.05	COMMERCIAL (C) ZONE.	16
SECTION 3.06	INDUSTRIAL (I) ZONE.	18
SECTION 3.07	OPEN SPACE (OS) ZONE	19
<u>ARTICLE IV. SUPPLEMENTARY PROVISIONS</u>		20
SECTION 4.01	MAINTENANCE OF MINIMUM ORDINANCE REQUIREMENTS.	20
SECTION 4.02	ACCESS.	20
SECTION 4.03	EXCEPTIONS AND MODIFICATIONS.	20
SECTION 4.04	ACCESSORY USES.	20
SECTION 4.05	OFF STREET PARKING REQUIREMENTS.	20
SECTION 4.05	VEHICULAR ACCESS	21

SECTION 4.06	OFF-STREET LOADING.	21
SECTION 4.07	FENCES, WALLS AND HEDGES.	21
SECTION 4.08	SIGNS.	22
SECTION 4.09	HOME OCCUPATION REGULATIONS.:	22
SECTION 4.10	MOBILE HOME PARK DEVELOPMENT STANDARDS.	23
SECTION 4.11	ENVIRONMENTAL.	27
SECTION 4.12	ENVIRONMENTAL	27

ARTICLE V. PROCEDURES

27

SECTION 5.01	CLASSIFICATION OF USE	27
SECTION 5.02	CONDITIONAL USE PERMITS.	28
SECTION 5.03	NONCONFORMING USES	30
SECTION 5.04	VARIANCES	31
SECTION 5.05	ZONING MAP AND TEXT AMENDMENTS	33
SECTION 5.06	ENFORCEMENT.	35

CITY OF WESTMORLAND ZONING ORDINANCE

It is declared that in the adoption of this Ordinance and of the respective zones set forth in this Ordinance, the City Council has given due and special consideration to the peculiar suitability of each and every such zone created for the particular uses enumerated therefor, the area requirements, density of land occupancy and the necessary, proper and comprehensive groupings and arrangements of the various industries, businesses and population of the city and in relation with established plans in the adjoining areas of the city in accordance with a well-considered plan of land use for the development of the entire city.

Article I. PURPOSE AND INTRODUCTORY PROVISIONS

SECTION 1.01 PURPOSE

The purpose of this Zoning Ordinance is to classify, designate, regulate and restrict the use of land, buildings and other structures so as to ensure that the goals and objectives of the Westmorland General Plan are realized, and to ensure the protection and enhancement of the public health, safety and general welfare. This Ordinance is further intended to provide economic and social advantages resulting from an orderly planned use of land resources, and to encourage, guide and provide a definite plan for the future growth and development of the City.

SECTION 1.02 GENERAL PROVISIONS

(a) Provisions To Be Construed As Minimal Requirements.

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. Anything not expressly incorporated by reference in this Ordinance is hereby prohibited.

(b) Effect On Other Ordinances.

The provisions of this Ordinance shall not be deemed or construed to repeal, amend, modify, alter or change any other ordinance or any part thereof not specifically repealed, amended, modified, altered or changed in the provision codified in this Ordinance, except in such particulars or matters as this Ordinance is more restrictive than such other ordinances or part thereof; and that in all particulars wherein this title is not more restrictive, each such other ordinance shall continue and shall be in full force and effect.

(c) Exercise Of Powers Granted By Title.

Whenever a power is granted to, or a duty imposed upon, a public officer by this Ordinance, the power may be exercised or the duty may be performed by the Planning Commission, a deputy of the chairperson, or a person authorized pursuant to law or ordinance by the Planning Commission, unless this title expressly provides otherwise.

SECTION 1.03 DEFINITIONS.

For the purpose of carrying out the intent of this ordinance, words, phrases and terms used in this document and in the implementation of this ordinance are defined as follows:

Abut:

"Abut" means two adjoining parcels of property with a common property line, including two or more lots adjoining only at a corner, except where such common property line is located in a public street right-of-way.

Access

"Access" means the way by which pedestrians and vehicles shall have safe, adequate and useable ingress and egress to a property or use.

Accessory building or structure

"Accessory building" or "accessory structure" means a detached subordinate building or structure, the use of which is incidental to that of the predominant use of the land, and which is located in the same or less restrictive zone on the same lot or parcel with the predominant building, structure or use.

Apartment.

"Apartment" means any building, or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of three or more families living independently of each other and doing their own cooking in the building.

Alley

"Alley" means any dedicated way, intended for vehicular service to the rear or side of property served by a street.

Automobile storage space.

"Automobile storage space," when required by this title, means any permanently maintained space of not less than one hundred forty-four square feet of usable area and not less than nine feet wide at any place, on the same lot or parcel of land as is located the structure it is designed to serve, so located and arranged as to permit the storage of, and be readily accessible under its own power to, a passenger automobile of average size.

Building.

"Building" means any structure that is completely roofed and enclosed on all sides which is built for the support, shelter or enclosure of persons, animals, chattels or property of any kind and having a fixed base on or fixed connection to the ground and as defined by the Uniform Building Code.

City

"City" means the City of Westmorland.

Commission.

"Commission," as used in this document, means the Planning Commission of the City of Westmorland.

Council

"Council" means the City Council of the City of Westmorland.

Density.

The number of dwelling units allowed within a given square footage. Density shall be based upon lot size and shall be determined by dividing the net usable area of the parcel to be subdivided or parcelized by the required lot area. "Net usable area" is that area of a parcel exclusive of streets, alleys and similar public rights-of-way.

Detached living quarters.

"Detached living quarters" means living quarters within a detached accessory building located on the same premises as the main building, for use by temporary guests of the occupants of the premises. Such accessory building shall have no plumbing or plumbing facilities of any kind except for space heating, air conditioning, toilet or bath.

Dwelling unit.

"Dwelling unit" means a building or portion thereof either designed for or occupied for residential purposes by one person living alone or a group of two or more persons living together whether related to each other by birth or not, but not including hotels, boarding and lodging houses, and trailers (unless the trailer meets building code requirements for dwelling unit).

Dwelling, Single Family

A Single Family Dwelling unit is a detached building designed for occupancy by one family only.

Dwelling, Two or more units

A multi-family dwelling unit is a detached building, or portion thereof designed for occupancy by two or more families.

Flag lot.

"Flag lot" means a lot which does not abut or have access to a public road, other than by a narrow right-of-way which is part of the otherwise wider lot and which constitutes a significant portion of all of the width of the lot where the right-of-way is located.

Floor area ratio.

"Floor area ratio" means the numerical value obtained through dividing the gross floor area of the building or buildings located upon a lot or parcel of land by the total area of such lot or parcel of land.

General Plan

As used in this document, the General Plan means The General Plan of the City of Westmorland.

Grade (ground level).

"Grade" or "ground level" means the average grade of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of sidewalks, the aboveground level shall be measured at the sidewalks.

Habitable building.

"Habitable building" means a building or a portion thereof either designed, built, rented, leased, used or occupied as living quarters of one person living alone or a group of two or more persons living together, and includes detached living quarters, trailers and mobile home units.

Height.

"Height" means the vertical distance from the grade to the highest point of the coping of a flat roof or to the average height of the highest gable of a pitch or hip roof. In calculating the height, roof structures which comply with Chapter 36 of the building code shall not be considered.

Home occupation

"Home occupation" means a lawful occupation carried on by residents of a dwelling as an accessory use within the same dwelling.

Incidental use.

"Incidental use" means a minor use incidental in all respects to the primary use permitted on the premises. An incidental use shall not be the only use of a parcel or commercial space

Indoor recreation facility.

"Indoor recreation facility" means a building or structure in which a sports or recreational use is conducted. Such uses include a bowling alley, skating rink, health club, racket club and theater but do not include arcades.

Lot

"Lot" means a parcel or tract of land duly recorded and having its frontage upon a publicly dedicated street or, publicly dedicated easement accepted by the city and as defined by the Subdivision Map Act.

Lot area

"Lot area" means the total horizontal area within the lot lines of a lot.

Lot coverage

"Lot coverage" means the percentage of total building site area covered by a roof structure, open or enclosed excluding uncovered steps, patio and terraces.

Lot line

"Lot line" means the property line bounding a lot.

Lot, nonconforming.

"Nonconforming lot" means any lot having a minimum square footage of not less than seven thousand square feet or the minimum required by the underlying zoning designation, and which was legally created prior to the effective date of the ordinance codified in this section, but which does not conform to the lot area and lot width standards for the zone within which the lot is located. Such lot may be developed for such uses and be subject to the same development standards as apply to the remainder of the properties in the zone.

Lot width

"Lot width" means the average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line.

Lot, through.

"Through lot" means a lot having frontage on two parallel or approximately parallel streets/right-of-ways.

Manufactured housing.

"Manufactured housing" means and includes "manufactured housing," "mobile homes" and "factory-built housing" as such terms are defined in Division 13, Part 2.1, Chapter 1 and Division 13, Part 6, Chapter 2 of the Health and Safety Code. The term "manufactured housing" shall not include "commercial coaches," "recreational vehicles," or "travel trailers" as such are defined in Division 13, Part 2.1, Chapter 1 of the Health and Safety Code of the State.

Motel

"Motel" means a group of attached or detached buildings containing guest rooms or dwelling units, some or all of which have a separate entrance leading directly from the outside of the building with

garage attached or automobile storage space conveniently located on the lot or parcel of land and which is designed, used or intended to be used wholly or in part for the accommodation of automobile transients. Motels include auto courts, motor lodges and tourist courts.

Natural catastrophe.

For the purposes of this ordinance, "natural catastrophe" means damage or destruction to structural improvements and property occurring from fire, earthquake, flood or other act of God. A natural catastrophe shall not include destruction or damage incurred by demolition or other intentional act.

Nonconforming Use or Structure

A non-conforming use or structure is a lawful existing use or structure at the time this Ordinance or any amendment thereto becomes effective, which does not conform to the requirements of the zone in which it is located, except that this ordinance or amendment thereto may provide for the abatement and amortization of nonconforming structures.

Parcel of land.

"Parcel of land" means a contiguous quantity of land, in the possession of, or owned by, or recorded as the property of, the same claimant or person.

Person.

"Person" means any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, syndicate, this and any other county, city and municipality, district or other political subdivision, or any other group or combination acting as a unit, other than the city.

Residence.

"Residence" means a building designed as living quarters for persons doing their own cooking in such building, which either complies with, or was erected before the effective date of the requirements for group 1 occupancies in the city building code.

Room.

"Room" means an unsubdivided portion of the interior of a building excluding bathrooms, kitchens, closets, hallways and service porches.

Setback

"Setback" shall mean the required yard. See "yard".

Stand.

"Stand" means a structure for the display and sale of products with no space for customers within the structure itself.

Story

"Story" means that portion of a building included between the surface of any floor and the surface of the floor above it.

Street

"Street" means any public thoroughfare or right of way which affords the principle means of access to abutting property. The word "street" shall include all major and secondary highways, traffic collector streets and local streets.

Structure.

"Structure" means anything constructed or built, any edifice or building of any kind, or any piece of work artificially built or composed of parts joined together in some definite manner, which is located on the ground or is attached to something located on the ground.

Use.

"Use" means the purpose for which land or a structure is designed, arranged or intended, or for which it is occupied or maintained. For the purposes of carrying out the intent of this Ordinance, the term "use" includes construction, establishment, maintenance, alteration, moving onto, enlargement and occupation. Wherever this chapter prohibits the "use" of any premises for any purpose, such premises and any building, structure or improvement on such premises shall not be used, occupied, altered or improved for such purpose, and no building, structure or improvement on such premises shall be erected, constructed, established, maintained, allowed to remain, altered, moved onto, or enlarged which is designed, arranged or intended to be occupied or used for such purpose.

Yard

"Yard" means any open space on the same lot with a building or dwelling which open space is unoccupied and unobstructed from the ground upward except as otherwise permitted by this Ordinance.

Yard, Front

"Front yard" means a yard extending across the front of a lot between side lot lines and measured horizontally at right angles to the front lot line from the front lot line to the nearest point of a main building or other structure. On corner lots the commission shall determine which is the front yard. In the absence of such determination, the front yard shall be provided on the roadway upon which the front of the building faces.

Yard, Rear

"Rear yard" means a yard between side lot lines and measured horizontally at right angles to the rear lot line from the rear lot line to the nearest point of a main building or other primary structures.

Yard, Side

"Side yard" means a yard between the front and rear yards measured horizontally at right angles from the side lot line to the nearest point of a main building or other primary structures.

SECTION 1.04 Compliance with the Ordinance. Land may be used and a structure or part of a structure may be constructed, reconstructed, altered, or occupied or used only as this Ordinance permits.

SECTION 1.05 Severability. The provisions of this ordinance are severable. If a section, sentence, clause or phrase of this Ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this Ordinance.

Article II. Establishment of Zones.

SECTION 2.01 Classification of Zones. For the purposes of this Ordinance, the following zones are hereby established:

- R-1 Single Family Zone
- R-2 Low/Medium Density Multi Family Zone
- R-2-T Mobile Home Park Zone
- R-4 High Density Multi Family Residential
- C Commercial Zone
- I Industrial Zone
- OS Open Space Zone

SECTION 2.02 Location of Zones. The boundaries for the zones listed in this Ordinance are indicated on the Westmorland Zoning Map which is hereby adopted by reference and as amended. The boundaries shall be modified and amended in accordance provisions set forth by this Ordinance.

SECTION 2.03 Zoning Map. A zoning map or zoning map amendment adopted by Section 2.2 of this Ordinance shall be prepared by authority of the Planning Commission or be a modification by the City Council or a map or a map amendment so prepared. The map or map amendment shall be dated with the effective date of the ordinance that adopts the map or map amendment. A certified print of the adopted map or map amendment shall be maintained in the Office of the City Clerk as long as this Ordinance remains in effect.

SECTION 2.04 Zone Boundaries. Where indicated zone boundaries are approximately street, alley or lot lines, said lines are determined to be the boundaries of the zone. In case any uncertainty exists, the City council shall determine the location of boundaries.

SECTION 2.05 Newly Annexed Territory. Territory annexed to the City of Westmorland shall be in the Single Family Zone (R-1). Such zoning may be temporary and the Planning Commission shall recommend to the City Council within a period not to exceed one (1) year a final zoning plan for the annexed territory. The City Council has the authority to pre-zone the annexed territory, and in which case, that pre-zoning designation shall apply.

Article III. ZONES

SECTION 3.01 SINGLE FAMILY (R-1) ZONE.

- (a) **Intent.** It is the intent of the R-1 residential zone to provide for the development of low density single family homes on lots, not less than seven thousand (7,000) square feet in area, and the protection of these zones from incompatible uses.

(b) **Permitted Uses.** The following uses shall be permitted in an R-1 zone.

- (i) Single family dwellings
- (ii) Detached second dwelling units on lots with land area exceeding 15,000 square feet, subject to the following provisions:
 - 1) The second residential dwelling unit shall be separated from the primary residential unit a minimum of twenty feet (20'); and
 - 2) All provisions outlined in Section 3.01(c)(2) through Section 3.01(c)(6) of this Ordinance.
- (iii) Accessory buildings and structures incidental to the above use.

(c) **Conditional Uses.** The following shall be permitted in an R-1 zone subject to a Conditional Use Permit:

- (i) Second dwelling units subject to the following provisions and in accordance with California Government Section §65852.1 et seq.
 - 1) Second residential dwelling units shall be conditionally permitted on R-1 zoned parcels with an existing single-family residence, or if the lot is vacant and is to be developed in conjunction with the construction of the primary single family residence.
 - 2) Attached and detached secondary dwelling units shall not exceed fifty percent of the floor area of the primary residence, or one-thousand square feet, whichever is less.
 - 3) In addition to the required parking for the primary residence, a minimum of one (1) off-street parking space shall be provided. Direct access to the second unit shall be provided from a public right-of-way.
 - 4) All development standards shall apply to both the primary residence and the second unit as a whole. This includes, but is not limited to, lot coverage maximum, setback requirements, and infrastructure requirements.
 - 5) Second dwelling units shall not be separately sold or subdivided, and the owner of the subject property shall be occupant of either unit.
 - 6) Second units may be rented subject to Council approval, provided that the second unit be rented to "low" and "very-low" income households as defined by the most currently published State Housing and Community Development (HCD) income limits for Imperial County. The property owner shall enter into and record an affordable housing contract with City for as long as the second unit exists and shall run with the land.

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- (ii) Churches
 - (iii) Education institutions
 - (iv) Public service buildings including libraries
 - (v) Public parks and recreational facilities
 - (vi) Public utility structures
 - (vii) Home occupations
- (d) **Property Development Standards.** The following property development standards shall apply to all land and buildings in an R-1 zone:
- (i) Lot Area Minimum: seven thousand ⁶(7,000) square feet
 - (ii) Lot Width Minimum: fifty (50) feet
 - (iii) Lot Depth Minimum: one hundred forty ²(140) feet
 - (iv) Front Yard Minimum: twenty (20) feet. A carport, subject to Planning Commission review and approval, may encroach within the front yard setback, provided that it is an open-frame structure and does not obstruct visual lines of sight from the roadway(s).
 - (v) Side Yard Minimum: five (5) feet, except that on a corner lot the side yard on the street side shall be a minimum of eight (8) feet.
 - (vi) Rear Yard Minimum: twenty (20) feet.
 - (vii) Building Height Maximum: thirty-five (35) feet.
 - (viii) Lot Coverage Maximum: fifty percent (50%).
 - (ix) Off-Street Parking Requirements: see Section 4.5
 - (x) Fences, Walls and Hedges: see Section 4.7
 - (xi) Signs: see Section 4.8

SECTION 3.02 LOW/MEDIUM DENSITY MULTI-FAMILY (R-2) ZONE.

- (a) **Intent.** It is the intent of the R-2 residential zone to provide for multi-family residential development at low and medium densities on lots not less than seven thousand (7,000) square feet in area, and the protection of these zones from incompatible uses.
- (b) **Permitted Uses.** The following uses shall be permitted in an R-2 zone:

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- (i) Any use permitted in the R-1 zone.
 - (ii) Two and three family residential dwellings
 - (iii) Accessory buildings and structures incidental to the above use.
- (c) **Conditional Uses.** The following shall be permitted in an R-2 zone subject to a Conditional Use Permit (see Section 5.02):
- (i) Four or more family residential dwellings, but less than fifteen.
 - (ii) Churches
 - (iii) Educational institutions
 - (iv) Public service building including libraries
 - (v) Public parks and recreational facilities
 - (vi) Public utility structures.
 - (vii) Home occupations
- (d) **Property Development Standards.** The following property development standards shall apply to all land and buildings in an R-2 zone:
- (i) **Density:** No lot shall contain less than two thousand (2,000) square feet per dwelling unit.
 - (ii) **Lot Area Minimum:** seven thousand (7,000),square feet.
 - (iii) **Lot width Minimum:** fifty (50) feet
 - (iv) **Lot Depth Minimum:** one hundred forty (140) feet
 - (v) **Front Yard Minimum:** twenty (20).feet.
 - (vi) **Side Yard Minimum:** five (5) feet, except that on a corner lot the side yard on the street side shall be a minimum of eight (8) feet.
 - (vii) **Rear Yard Minimum:** twenty (20) feet.
 - (viii) **Building Height Maximum:** thirty-five (35) feet
 - (ix) **Lot Coverage Maximum:** fifty percent (50%).
 - (x) **Off-Street Parking Requirements:** see Section 4.5

(xi) **Fences, Walls and Hedges:** see Section 4.7

(xii) **Signs:** see Section 4.8

SECTION 3.03 HIGH DENSITY MULTI-FAMILY RESIDENTIAL (R-4) ZONE

(a) **Intent.** It is the intent of the R-4 residential zone to provide for the development of high density multi-family homes, and the protection of these zones from incompatible uses.

(b) **Permitted Uses.** The following uses shall be permitted in an R-1 zone.

(i) Single family dwellings.

(ii) Mobile home parks, subject to Section 4.10 (Mobile Home Park Development Standards) of this Zoning Ordinance.

(iii) Accessory buildings and structures incidental to the above use.

(c) **Conditional Uses.** The following shall be permitted in an R-1 zone subject to a Conditional Use Permit:

(i) Multi-family dwellings up to four units.

(ii) Four or more family residential dwellings.

(iii) Churches.

(iv) Educational institutions.

(v) Public service building including libraries.

(vi) Public parks and recreational facilities.

(vii) Public utility structures.

(viii) Home occupations

(d) **Property Development Standards.** The following property development standards shall apply to all land and buildings in an R-4 zone:

(i) **Density:** No lot shall contain less than fifteen hundred (1,500) square feet per dwelling unit.

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- (ii) **Lot Area Minimum:** seven thousand five hundred (7,500),square feet.
 - (iii) **Lot width Minimum:** fifty (50) feet
 - (iv) **Lot Depth Minimum:** one hundred forty (140) feet
 - (v) **Front Yard Minimum:** fifteen (15).feet.
 - (vi) **Side Yard Minimum:** five (5) feet, except that on a corner lot the side yard on the street side shall be a minimum of eight (8) feet.
 - (vii) **Rear Yard Minimum:** twenty (20) feet.
 - (viii) **Building Height Maximum:** thirty-five (35) feet
 - (ix) **Lot Coverage Maximum:** fifty percent (50%).
 - (x) **Off-Street Parking Requirements:** see Section 4.5
 - (xi) **Fences, Walls and Hedges:** see Section 4.7
 - (xii) **Signs:** see Section 4.8.

SECTION 3.04 RECREATIONAL VEHICLE PARK (-RV) OVERLAY ZONE.

- (a) **Purpose and Intent.** The Recreational Vehicle Park Overlay Zone is intended to allow recreational vehicle parks in areas suitable for such use subject to restrictions otherwise required by the provisions of this Ordinance. Whenever the Recreational Vehicle Park (-RV) Overlay Zone is placed on the official zoning map, the designation -RV shall be indicated after the zoning area over which it is placed (e.g., C-RV). The regulations of the -RV Overlay Zone shall apply in addition to the regulations of the principal zone of the area to which it is applied. Whenever a use is permitted in the -RV Zone, the use shall be permitted in addition to the uses otherwise allowed in the area over which it is placed. In the event that regulations of the underlying zone conflict with the provisions of the overlay zone, the more stringent regulation shall apply.
- (b) **Definitions.**
 - (i) **Recreational vehicle.** Recreational vehicle is a motor home, travel trailer, truck camper, or camping trailer with or without motive power designed for human habitation for recreational or emergency occupancy.
 - (ii) **Recreational vehicle park.** Recreational vehicle park is any property where one or more lots are rented to users of recreational vehicles and which are occupied for temporary purposes.
 - (iii) **Recreational vehicle site.** A plot of ground within a recreational vehicle park for one recreational vehicle, automobile and camping party.

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- (c) **Permitted Uses.** All uses permitted by this overlay zone are subject to a Conditional Use Permit in accordance with provisions set forth in Section 5.02 of this Ordinance.
- (i) Recreational vehicle parks which includes any lot or parcel where two or more recreational vehicles are stored and/or occupied as temporary residences, regardless of whether or not a fee is charged for such accommodations.
 - (ii) Accessory uses limited to a permanent residence for the manager, vending machines and recreational facilities for the exclusive use of the park occupants.
 - (iii) Any commercial activity which is related to and necessary for the operation of the park. No signs advertising the presence of such commercial activity shall be visible from a public street.
- (d) **Property Development Standards.** The following property development standards shall apply to all land and buildings in the -RV overlay zone:
- (i) **Lot Area Minimum:** one and a half acres.
 - (ii) **Lot Width Minimum:** one-hundred fifty (150) feet.
 - (iii) **Lot Depth Minimum:** none
 - (iv) **Site Size.** Each recreation vehicle site shall have a minimum site size of twelve-hundred square feet (1,200 sf).
 - (v) **Front Yard Minimum:** fifteen feet (15').
 - (vi) **Side Yard:** No minimum except as provided in the Building Code for separation of structures, and a minimum of ten feet (10') on the street side of a corner lot, and a minimum of twenty feet (20') of landscaped area shall be provided on a side adjoining any "R" zone.
 - (vii) **Rear Yard:** No minimum except as provided in the Building Code for separation of structures and a minimum of twenty feet (20') of landscaped area shall be provided upon that portion of a lot abutting any "R" zone.
 - (viii) **Separation.** Recreational vehicle parking pads shall be located to maintain a ten-foot separation between recreational vehicles.
 - (ix) **Building Height Maximum:** thirty-five (35) feet.
 - (x) **Lot Coverage Maximum:** eighty percent 80%.
 - (xi) **Landscaping.** All required yards shall be landscaped.
 - (xii) **Required Facilities.**

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- 1) A recreation area of at least five thousand (5,000) square feet shall be provided in addition to the required landscaping. Recreation equipment, such as a pool, playground, and picnic tables, and a service building, including toilets, showers, and laundry, can be located within the recreation area.

- 2) **Sanitation Facilities.**

- a) A minimum of one toilet and one lavatory for each sex shall be provided for the exclusive use of the park occupants. An additional toilet and lavatory for each sex shall be provided for each fifteen (15) sites or fraction thereof which is not provided with a water connection and a three-inch drain inlet for connection to a vehicle equipped with a toilet.
 - b) A minimum of one shower for each sex and one washer and dryer is required.
 - c) Trailer sanitation stations designed to receive the discharge of sewage holding tanks for self-contained vehicles shall be installed in an accessible location in every recreational vehicle park in which there are sites not provided with drain inlets designed to receive the discharge of toilets. Trailer sanitation stations shall be provided on the basis of one station for each one hundred (100) such sites or fraction thereof.
 - d) Trash containers shall be located within three hundred (300) feet of every recreational vehicle site and enclosed with a masonry fence six feet in height.
- (xiii) **Off-Street Parking Requirements:** One visitor parking space shall be provided for every fifteen (15) recreational vehicle sites or fraction thereof.
- (xiv) **Fences, Walls, and Hedges:** see Section 4.7
- (xv) **Signs:** see Section 4.8

SECTION 3.05 COMMERCIAL (C) ZONE.

- (a) **Intent.** It is the intent of the Commercial (C) zone to provide areas within the community which are primarily retail and service business in character, and to provide as a conditional use for more intense uses which are customarily accomplished at the commercial place of business. The Commercial (C) zone is intended to accommodate general commercial, office and other highway-oriented businesses and transportation-related service facilities which serve city-wide and transportation corridor-related needs. Primary uses in the Commercial (C) Zone should be directed towards the provision of goods and services to the residents of Westmorland.
- (b) **Permitted Uses.** Buildings, structures and land shall be used and buildings and structures shall hereafter be erected, structurally altered or enlarged only for the following uses, plus such other uses

as the Planning Commission determines to be similar or not more obnoxious or detrimental to the public health, safety and welfare. The following uses shall be permitted in a (C) zone.

- (i) Retail uses engaged in selling merchandise for personal and/or household consumption, and rendering services incidental to the sale of such goods.
 - (ii) Financial and professional services and offices uses which are conducted in office buildings or clinics.
 - (iii) Commercial recreation uses whose primary function is to provide amusement or entertainment.
 - (iv) Private nonprofit institutions and organizations.
 - (v) Hotels and Motels.
 - (vi) Parking lots.
 - (vii) Transportation terminals.
- (c) **Conditional Uses.** The following shall be permitted in a C zone subject to a Conditional Use Permit (see section 5.02):
- (i) Automobile repairing, painting or washing related uses.
 - (ii) Churches
 - (iii) Educational institutions
 - (iv) Heavy agricultural machinery and equipment sales and rentals.
 - (v) Public service buildings including libraries
 - (vi) Public parks and recreational facilities
 - (vii) Public utility structures
 - (viii) Wholesale distributors.
 - (ix) Storage of empty bee hives and equipment pertaining to bees.
- (d) **Property Development Standards.** The following property development standards shall apply to all land and buildings in a C zone:
- (i) **Lot Area Minimum:** seven thousand five hundred (7,500) square feet.
 - (ii) **Lot Width Minimum:** fifty (50) feet.

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- (iii) **Lot Depth Minimum:** one hundred fifty (150) feet.
 - (iv) **Front Yard Minimum:** Ten feet (10').
 - (v) **Side Yard:** No minimum except as provided in the Building Code for separation of structures, and a minimum of ten feet (10') on the street side of a corner lot, and a minimum of fifteen feet (15') shall be provided on a side adjoining any "R" zone.
 - (vi) **Rear Yard:** No minimum except as provided in the Building Code for separation of structures and a minimum of ten feet (10') shall be provided upon that portion of a lot abutting or across a rear street from any "R" zone. Where there is an alley or other right-of-way separating the commercial use from the "R" zone, the minimum rear yard shall be ten feet (10') or as required by the Planning Commission.
 - (vii) **Building Height Maximum:** thirty-five (35) feet.
 - (viii) **Lot Coverage Maximum:** eighty percent 80%.
 - (ix) **Off-Street Parking Requirements:** see Section 4.5
 - (x) **Off-Street Loading Requirements:** see Section 4.6
 - (xi) **Fences, Walls, and Hedges:** see Section 4.7
 - (xii) **Signs:** see Section 4.8

SECTION 3.06 INDUSTRIAL (I) ZONE.

- (a) **Intent.** It is the intent of the Industrial (I) zone to provide for wholesale and warehousing uses as well as those industrial uses that include manufacturing assembly or processing and which require large storage areas.
- (b) **Permitted Uses.** The following uses shall be permitted in an I zone:
 - (i) Any of the following uses provided that such operations, manufacturing, assembly or processing are not obnoxious or offensive by reason of emission of odor, dust, gas, fumes, smoke, glare, wastes, noise, vibrations, disturbances or other similar causes which may impose hazard to life or property.
 - (ii) Wholesale and warehouse uses which include establishments or places of business primarily engaged in selling merchandise to retailers, to industrial, commercial, institutional, or professional users or to other wholesalers. The function of bulk storage and related uses is also included in this classification.
 - (iii) Manufacturing which includes establishments primarily engaged in assembly, processing, packaging or treatment of various food stuffs or natural or person-made materials.
 - (iv) Storage of empty bee hives and equipment pertaining to bees.

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- (v) Tractor/Truck repairing, painting or washing related uses.
 - (c) **Conditional Uses.** The following shall be permitted in an I zone subject to a Conditional Use Permit (see Section 5.02):
 - (i) Establishments or enterprises involving large assemblages of people or automobiles.
 - (ii) Commercial storage of oil, gasoline or petroleum products.
 - (d) **Property Development Standards.** The following property development standards shall apply to all land and buildings in an I zone.
 - (i) **Lot Area Requirements:** none
 - (ii) **Front Yard Minimum.** fifteen feet (15').
 - (iii) **Side Yard:** A minimum of ten (10) feet on the street side of a corner lot. Also, a minimum of fifteen feet (15') shall be provided on a side adjoining any "R" Zone.
 - (iv) **Rear Yard:** A minimum of twenty-five (25) feet shall be provided upon that portion of a lot abutting or across a rear street from any "R" zone.
 - (v) **Building Height Maximum:** fifty (50) feet.
 - (vi) **Off-Street Parking Requirements:** see Section 4.5
 - (vii) **Off-Street Loading Requirements:** see Section 4.6
 - (viii) **Fences, Walls, and Hedges:** See Section 4.8
 - (ix) **Signs:** see Section 4.7

SECTION 3.07 OPEN SPACE (OS) ZONE

- (a) **Intent.** It is the intent of the Open Space (OS) zone to provide open space for the preservation of natural resources, managed production of resources, open space for outdoor recreation, and for the protection of public health and safety.
- (b) **Permitted Uses.** The following uses shall be permitted in an OS Zone.
 - (i) Agricultural land and areas of economic importance for the production of food or fiber.
 - (ii) Areas required for the preservation of plant and/or animal life.
 - (iii) Areas which require special management or regulation because of hazardous conditions.
 - (iv) Open space for outdoor recreation, including parks and utility easements.

(c) Conditional Uses: The following shall be permitted in an OS zone subject to a Conditional Use Permit (see Section 5.02):

- (i) Commercial recreation facilities
- (ii) Residential uses on parcels with a minimum of ten (10) acres.
- (iii) Public utility structures.
- (iv) City Hall, Fire Station and/or Police Department.

Article IV. SUPPLEMENTARY PROVISIONS

SECTION 4.01 MAINTENANCE OF MINIMUM ORDINANCE REQUIREMENTS. No lot area, yard or other open space existing prior to the effective date of this ordinance shall be reduced below the minimum required for it by this ordinance.

SECTION 4.02 ACCESS. Every building hereafter erected shall be on a lot adjacent to a public street, and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection and required off street parking.

SECTION 4.03 EXCEPTIONS AND MODIFICATIONS. The following exceptions and modifications to yard and height requirements are hereby authorized.

- (a) Yard Requirements. If there are buildings on both adjacent lots which are within one hundred (100) feet of the intervening lot, and the buildings have front yards of less than the required setback for the zone, the setback of the front yard for the intervening lot shall not exceed the average setbacks of the front yards of the adjacent lots. Where a building on an adjacent lot as above has a front yard setback of less than that required by the zone, the front yard shall not exceed a setback distance of halfway between that on the adjacent front yard and that required by the zone.
- (b) HEIGHT REQUIREMENTS. Vertical projections such as chimneys, spires, domes, towers, aerials, flagpoles and similar objects not used for human occupancy are not subject to the building height limitations of Ordinance

SECTION 4.04 ACCESSORY USES. No attached accessory structure shall be erected in any required yard except for open-sided canopy or roof structures, and no detached accessory structure shall be erected within five feet (5') of any other structure.

SECTION 4.05 OFF STREET PARKING REQUIREMENTS. For each main building, dwelling, commercial, industrial establishment or other structure hereafter erected, converted, reconstructed or enlarged there shall be provided and maintained off-street parking facilities to accommodate the motor vehicles used by the occupants, customers, clientele, and employees of such building or structure. Each required parking space shall be not less than nine (9) feet wide and twenty (20) feet long. In addition,

vehicular access to a public right-of-way shall be provided. The number of parking spaces for each type of use shall not be less than that stated as follows:

- (a) **Residential Dwellings.** For every dwelling, multiple dwelling or other structure erected or intended to be used as a dwelling, there shall be provided on the same lot or parcel of land at least one and one half (1 1/2) parking spaces for each dwelling unit. A full parking space shall be provided in each instance where a fractional space would otherwise be required by the terms herein.
- (b) **Commercial and Industrial Buildings.** For all office and commercial buildings at least one (1) parking space shall be provided for each two hundred and fifty (250) square feet of floor space or fraction thereof in said building. Each such parking space shall be on the same lot or within five hundred feet (500') of the building.
- (c) **Group Occupancies.** For each guest room in rooming, lodging, clubs, and dormitories, there shall be provided one (1) parking space. Each such parking space shall be on the same lot or parcel of land or contiguous hereto.
- (d) **Hotels, Motels and Tourist Courts.** For hotels, motels, and tourist courts at least one (1) parking space shall be provided for each living or sleeping unit on the same lot or parcel of land or contiguous thereto.
- (e) **Public Assembly Uses.** For places of public assembly, including churches and theaters, at least one (1) parking space shall be provided for every three (3) seats provided in the assembly place. Each such parking space shall be on the same lot or within five hundred (500) feet of the building.
- (f) **Mobile Home Parks.** For each mobile home space, there shall be provided at least two (2) parking spaces. In addition, guest parking space shall be provided at the ratio of one (1) space for each eight (8) mobile home sites in the park.
- (g) **Parking for All Other Uses.** Parking for all other uses permitted, but not enumerated in this section, shall be furnished as required by the Planning Commission.

SECTION 4.06 OFF-STREET LOADING. On the same premises with every building, structure or part thereof erected or occupied for manufacturing storage, warehouse, department store, wholesale or retail market, hotel, restaurant, hospital, laundry plant or other uses similarly involving the receipt or distribution of materials or merchandise carried by vehicle there shall be provided and maintained on the lot adequate space for standing loading and unloading service in order to avoid undue interference with the public use of the streets or alleys. Such off-street loading facilities shall be located on the same site with the use for which it is required. The facilities shall not occupy required front yard space nor shall facilities be located closer than fifty (50) feet to any lot in any residential zone.

SECTION 4.07 FENCES, WALLS AND HEDGES. A fence, wall, or hedge within a front yard or a street side yard shall not exceed an elevation of four feet above a street curb elevation. A fence, wall, or hedge not more than six (6) feet as measured from the highest grade, may be maintained along the side or rear lot lines, provided that such fence, wall, or hedge does not extend into a required front yard. In the Industrial (I) Zone, all improved property shall be fenced as stated above, however, where such a use forms a common side or rear boundary with a residential zone, a solid masonry wall not less than six (6) feet in height shall be erected along the property line.

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- (a) **Minor Deviation from Standards.** A fence not more than six feet (6') in height may be constructed along the property line abutting a street upon request by the owner and approved by the Planning Commission based on the following findings:

- (i) The installation of such a fence or wall is necessary to protect the public health, safety and welfare from noise, vibration, odor, etc.
- (ii) The height and location of the fence does not create a traffic hazard by blocking lines-of-sight from public rights-of-way and does is not otherwise detrimental to the public health, safety and general welfare.

SECTION 4.08 SIGNS. Signs shall be permitted as provided below:

(a) Signs in Residential Zones.

- (i) Name plates on single family units shall be permitted provided that the area of the sign not exceed two (2) square feet in area.
- (ii) The name of the development and related information shall be permitted provided that the area of the sign not exceed one (1) square foot of area for each apartment unit.
- (iii) Not more than two "For Rent" and "For Sale" signs shall be permitted provided that the area of the sign(s) not exceed six (6) square feet in area.

(b) Signs in Commercial Zones.

- (i) Business signs indicating the name and the nature of the occupancy shall be permitted provided the total sign area not exceed two (2) square feet per foot of building frontage facing a street. Such signs shall be affixed to the building surface unless otherwise allowed by conditional use permit.
- (ii) Illumination of signs shall not create a nuisance to adjoining residential zones.

(c) Signs in Industrial Zones.

- (i) Signs indicating the name and the nature of the occupancy shall be permitted provided the total sign area not exceed three (3) square feet per foot of building frontage facing a street.
- (ii) No sign shall be located within fifty (50) feet of a Residential Zone.
- (iii) Illumination of sign shall not create a nuisance to adjoining zones.

SECTION 4.09 HOME OCCUPATION REGULATIONS. Home occupations shall be allowed in residential zones subject to the following regulations:

- (a) No persons other than residents of the dwelling unit shall be employed in the conduct of a home occupation.

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- (b) A home occupation shall be conducted in a dwelling and shall be clearly incidental and secondary to its use for dwelling purposes.
 - (c) There shall be no external alteration of the dwelling in which a home occupation is conducted, and the existence of a home occupation shall not be apparent beyond the boundaries of the site, except for a name plate no larger than two feet square.
 - (d) A home occupation shall not create any radio or television interference or create noise audible beyond the boundaries of the site. Also, no equipment shall be used that makes dust, odor, smoke, vibration or other adverse conditions which are detrimental to adjoining dwellings.
 - (e) There shall be no outdoor storage of materials or supplies.

SECTION 4.10 MOBILE HOME PARK DEVELOPMENT STANDARDS.

- (i) **Size of Mobile Home Park.** No parcel of land containing less than three and one half (3 1/2) acres may be used for the purpose permitted in R-2-T Zone.
- (ii) **Density.** There shall be a minimum of five thousand (5,000) square feet of gross area for each mobile home space. The total area may include access roadways, accessory building space and recreational areas.
- (iii) **Building Height.** Building height for any structure shall be limited to fifteen (15) feet. Structures not more than 35 feet in height may be permitted subject to a Conditional Use Permit.
- (iv) **Mobile Home Park. Measurement of Yards.** Yards shall be measured perpendicular to the property line or from a future street or highway right-of-way line, as shown on the General Plan.
- (v) **Mobile Home Park Space Requirements.** Mobile home spaces shall observe the following requirements:
 - 1) The minimum size of an individual mobile home space shall be twenty-seven hundred (2,700) square feet with a minimum width of forty-five (45) feet and a minimum depth of sixty (60) feet.
 - 2) No mobile home space shall be located closer than twenty (26) feet from the exterior property line of the mobile park when said line abuts a public street.
 - 3) No mobile home space shall be closer than five (5) feet from any other portion of the property line of said mobile home park.
 - 4) There shall be a minimum front yard of three (3) feet extending for the full width of the mobile home space and measured from the edge of the pavement or back of the curb of an interior street. The trailer tongue may encroach into the required front yard set back.

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- 5) There shall be a minimum side yard of three (3) feet and a minimum rear yard of three (3) feet. Where a side or rear yard abuts an access road, public parking area, or walk, said yards shall not be less than ten (10) feet in width.

(vi) Distance Between Mobile homes.

- 1) There shall be not less than ten (10) feet between mobile homes.
- 2) Where residential mobile homes are located near any permitted building, other than another residential mobile home, ramada or cabana, the minimum space between the mobile home and said building shall be fifteen (15) feet.

(vii) Patio and Skirting.

- 1) A cement concrete patio or other metal or wood deck having a minimum area of three hundred (300) square feet, shall be installed as part of each mobile home space.
- 2) The area between the ground level and the floor of a mobile home shall be screened from view by an opaque skirt entirely around the mobile home. The skirt shall be specifically designed for mobile home usage.

(viii) Tenant Storage. Tenant storage may be provided for in any manner consistent with the requirements of the California Department of Housing & Community Development, Division of Codes and Standards.

(ix) Access Roads.

- 1) Access roads within a mobile home park shall be paved to a width of not less than twenty-five (25) feet.
- 2) Portland cement concrete curbs and gutters shall be installed on both sides of all access roads.
- 3) Access roads, with paved width of less than thirty-two (32) feet shall not be used for automobile parking at any time.
- 4) Access roads, with paved width of less than forty (40) feet shall not be used for automobile parking on more than one side at any time.
- 5) Access roads around the recreational area shall be paved to a minimum width of thirty-six (36) feet with off-street parking provisions and no on-street parking shall be permitted around the recreational area.
- 6) All access roads shall be adequately lighted.
- 7) Each mobile home shall have frontage on an access road. A minimum fifteen (15) foot wide unobstructed access shall be provided to approved access road for the movement of mobile home service vehicles.

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- (x) **Sanitary Sewer.** Each mobile home space shall be provided with a connection to a sewer line. Mobile homes that cannot be connected to a sanitary sewer system shall not be permitted to be used for human habitation. The sewer system and connection plans shall be subject to the approval of the County Health Department.
- (xi) **Electrical Service.**
- 1) All electrical, telephone and television services within the mobile home park shall be underground.
 - 2) All services to the individual spaces shall be a minimum of 100-AMP service.
- (xii) **Management Office.** Each mobile home park shall maintain a management office with a gross floor area of not less than two hundred (200) square feet. The office may include space for usual office furniture and supplies and shall contain a lavatory and water closet. Suitable facilities shall be provided for mail distribution.
- (xiii) **Park Storage.** Storage space for supplies, maintenance materials, and equipment shall be provided in a separate building or in a building with other facilities.
- (xiv) **Laundry-Facilities.**
- 1) Laundry facilities equipped with washing machines and dryers shall be provided.
 - 2) Outside drying yards shall be enclosed with a six (6) foot high solid fence.
- (xv) **Accessory Structures.** No accessory building shall be constructed as a permanent part of the mobile home. Accessory structures such as cabana, ramada, patio, carport, and/or storage cabinet are permitted.
- (xvi) **Trash Enclosures.** One (1) standard trash enclosure shall be provided for every fifteen (15) mobile home units.
- (xvii) **Offsite Improvements.**
- 1) All mobile home parks shall connect to City water and sewer facilities. Extension from existing facilities shall be borne by developer.
 - 2) All streets abutting park shall be improved to city standards.
 - 3) All plans shall be approved prior to issuance of a building permit.

(xviii) **Recreational Vehicle Storage Yard.** Recreational vehicle storage yards may be provided and shall conform to the following standards. No recreational vehicle, travel trailers, boat and trailer or accessories shall be kept on the mobile home space, but shall be stored as provided herein, except that one recreational vehicle or travel trailer which is the primary residence of the occupant of the space may be permitted.

- 1) The area shall be graded and graveled or surfaced with asphalt concrete.
- 2) The storage yard shall be enclosed by a six (6) foot high fence and landscaped to shield the interior of the area from view on all sides. The wall or fence shall be broken only by a solid gate.
- 3) No sewer connection other than a standard trailer sanitation station shall be permitted within the storage yard.
- 4) The storage yard shall not be used for living purposes.

(xix) **Submittal Requirements.**

- 1) Six (6) copies of plot plan providing sufficient detail of proposed park shall be submitted to determine sufficiency of plans, along with a written statement of intent to comply with the standards of this ordinance.
- 2) Upon approval the application shall be submitted to the Planning Commission for review and approval. The plans must delineate all property lines, right-of-ways, easements, setbacks, location of accessory structures, offsite improvements, other information that illustrates compliance with the provisions of this zoning ordinance and other information deemed necessary by Planning Staff. The Planning Commission may approve, approve with conditions or disapprove the project. The Planning Commission shall recommend to the City Council that a conditional use permit be issued or that the application be denied.

(xx) **Establishment and Enlargement.** No mobile home park, as defined herein, shall be established and maintained in the City of Westmorland, nor shall any mobile home park already existing in the City of Westmorland be enlarged unless such mobile park shall be established, maintained or enlarged in compliance with all provisions of this ordinance and shall further comply with the provisions of Chapter 5, Title 25 of the California Administrative Code.

(xxi) **Off-Street Parking Requirements:** see Section 4.5.6

(xxii) **Fences, Walls, and Hedges:**

- 1) Each mobile home park shall be entirely enclosed at its exterior boundaries by a fence or wall six (6) feet in height, and by screen landscaping not less than six (6) feet in height. Said wall or fence shall run along and be contiguous to the boundary line or property line except where abutting a front street. The minimum height of fence along any public street shall be four (4) feet.

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- 2) The type of fence or wall shall be set forth by the Planning Commission at time of review of Plot Plan and issuance of Conditional Use Permit.

- 3) Also see Section 4.7

(xxiii) **Signs:** see Section 4.8

SECTION 4.11 APPLICATION OF ENVIRONMENTAL GUIDELINES. In accordance with the California Environmental Quality Act of 1970 (and as amended), an environmental review shall be initiated for any actions that are not Categorically and/or Statutorily Exempt.

SECTION 4.12 ENVIRONMENTAL REVIEW PROCEDURES. Procedures as they may be established by the City Council shall govern the preparation and review of environmental assessments, and where such environmental reports are required, procedural timing for zoning actions may be adjusted accordingly.

Article V. PROCEDURES

SECTION 5.01 CLASSIFICATION OF USE

- (a) **Purpose.** The City of Westmorland recognizes that in the development of this document, not all land use types can be listed nor can all future uses be anticipated, or a use may have been omitted from the list of those specified as permissible in the various zoning designations, or ambiguity may arise concerning the appropriate classification of a particular use within the meaning and intent of this Ordinance.
- (b) **Procedure for Approval.** Any person seeking to establish a use that is not expressly permitted in this Zoning Ordinance but is similar to any permitted use may submit a request for a "Classification of Use" by the Planning Commission. The applicant shall file an application with the City of Westmorland in a format prescribed by the City Council and pay the necessary fees. After receipt of the application, the Planning Commission shall review the request at its next regularly scheduled meeting. The Planning Commission may approve, or approve with conditions, or deny the request. The decision of the Commission may be appealed to the City Council subject to the City's appeal procedure.
- (c) **Findings.** In approving an unclassified use, the Planning Commission must make the following findings and that the following conditions exist:
 - (i) That the subject use and its operation is consistent with the goals, objective and policies of the General Plan;
 - (ii) That the subject use and its operation is consistent with the purposes and intent of the zone in which the use is proposed to be located;

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- (iii) That the subject use and its operation is a compatible use in all areas of the city where the zoning is applied;
 - (iv) That the subject use is similar to one or more uses permitted in the zone within which it is proposed to be located. A use shall be deemed to be similar only where the size, scale, design and impact of the uses are comparable. A use shall not be deemed to be similar when the operation of the use involves greater impacts in terms of traffic, parking, noise, glare, odor, refuse or other environmental considerations; generates greater demand for public services; does not have comparable hours of operation; is significantly more intensive in the number of employees, patrons and other users of the facility; and is not complementary to other uses in the zone;
 - (v) That the subject use and its operation will not adversely affect other permitted uses in the zone within which the use is proposed to be located;
 - (vi) That the subject use will be so designed, located and operated that the public health, safety and general welfare will be protected; and
 - (vii) That the subject use and operation is not more obnoxious or detrimental to the public health, safety and general welfare than such other permitted uses.

SECTION 5.02 CONDITIONAL USE PERMITS.

- (a) **Intent.** Uses permitted subject to conditional use permit are those uses necessary for the development of the community, having inherent qualities or characteristics which, unless provided for, would cause such uses to be incompatible or inharmonious with adjacent or nearby permitted uses. The procedures specified in this section are intended to provide a means whereby the Planning Commission may modify such uses to the extent that they can be made compatible and harmonious with the adjacent uses.
- (b) **Special Conditions.** In permitting a new conditional use or the alteration of an existing conditional use, the Planning Commission may by resolution impose, in addition to those standards and requirements expressly specified by this ordinance, additional conditions which the Planning Commission considers necessary to protect the public health, safety and general welfare. These conditions may include but are not limited to the following:
 - (i) Regulations of use
 - (ii) Special yards, spaces and buffers
 - (iii) Special fences, solid fences and walls
 - (iv) Surfacing of parking areas
 - (v) Requiring street, service road or alley dedication and improvements or appropriate bonds
 - (vi) Regulation of points of vehicular ingress and egress

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- (vii) Regulation of signs
 - (viii) Requiring maintenance of the grounds
 - (ix) Regulating noise, vibration, odors
 - (x) Regulations of hours for certain activities
 - (xi) Time period within which the proposed use shall be developed
 - (xii) Duration of use
 - (xiii) Requiring the dedication of access rights
 - (xiv) And any other such conditions as will make possible the development of the City in an orderly and efficient manner.
- (c) **General Conditions.** The Planning Commission shall, in addition to any special conditions, impose the following general conditions upon every Conditional Use Permit granted:
- (i) The right to use and occupy the subject property shall be contingent upon the fulfillment of all general and special conditions imposed by the conditional use permit procedure.
 - (ii) That all of the special conditions shall constitute restrictions running with the land and shall be binding upon the owner of the land, his successors or assigns.
 - (iii) That in the case of a use existing prior to the effective date of this ordinance and classified in this ordinance as a conditional use, any change in the use or in lot area or any alteration of structure shall conform with the requirements for the conditional use.
- (d) **Administrative Provisions.** The following provisions shall apply in obtaining conditional use permits:
- (i) **Application and Filing Fee:** Application for a conditional use permit giving such information as may be prescribed by the Planning Commission, shall be made upon forms provided by the City Clerk.
 - (ii) **Planning Commission Hearing:**
 - 1) Upon receipt of the application in proper form and application fee, the City Clerk shall place the item on the Planning Commission Agenda for public hearing not more than thirty (30) days after the date of the filing of the application, or sixty (60) days if an Environmental Impact Report is required.
 - 2) Notice of such hearing for the time and in the manner as established by resolution of the City Council which shall be mailed at least ten (10) days prior to the public hearing to all property owners whose names and addresses appear on the latest adopted tax roll as owning property within a distance of three hundred (300) feet from the exterior boundaries of

applicants property, and by the posting of said notice in three conspicuous places on or close to the property at least ten (10) days prior to the hearing.

- (iii) **Action by the Planning Commission:** Within thirty (30) days after the conclusion of the public hearing, the Planning Commission shall approve, conditionally approve, or deny the conditional use permit application based upon its findings along with any general and special conditions in Section 5.02(b) above as they might apply. Notice of the action shall be mailed to the applicant.

The findings of the Commission shall be that the establishment, maintenance or operation of the use or building applied for will or will not, under the circumstances of the particular case, be detrimental to the public health, safety and the general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to the property and improvements in the neighborhood.

- (iv) **Appeals to the City Council:** The decision of the Planning Commission is final unless an appeal is made in writing to the City Council within ten (10) days of such action. Following a public hearing, notice of which shall be given in the manner prescribed above, the Council may by resolution reverse or affirm, wholly or in part, or may modify any decisions, determination or requirement of the Planning Commission. The Council shall also make a written finding of fact setting forth where the Planning Commission findings were in error.

(v) Revocation of Conditional Use Permits:

- 1) The Planning Commission may by resolution and after a public hearing with notice in accordance with provisions set forth above revoke any conditional use permit for non-compliance with any of the conditions set forth in the resolution granting the application. Written notice of intention to revoke shall be mailed to the applicant not less than thirty (30) days before the Planning Commission action.
- 2) If an established time limit for development expires or if the time limit for the duration of the carrying on of the use has been established as one of the conditions then said permit shall be considered to be revoked upon such date of expiration without any notification to the owners.
- 3) The revocation of a conditional use permit shall have the effect of denying all rights granted by the conditional use permit.

SECTION 5.03 NONCONFORMING USES

- (a) **Intent.** Where buildings or lots legally existing on the effective date of the ordinance adopting these regulations are not in conformity with the provisions of these regulations, it is the intent of this section to declare such to be nonconforming and to encourage these nonconforming buildings and uses to be brought to or toward conformity as rapidly as possible; all for the purpose of protecting the public health, safety and general welfare.

(b) **Nonconforming Uses**

- (i) Nonconforming uses shall be those in any zone which are not provided for in the permitted uses or conditional uses section of each zone. A nonconforming use may not be expanded or extended within an existing building and no structural alterations except those required by law shall be made herein. A nonconforming structure which conforms with respect to use may be altered or extended if the alteration or extension does not cause the structure to deviate further from the standards of this ordinance.
 - (ii) If a nonconforming use of land is discontinued for a period of one hundred eighty (180) days, any further use of the property shall conform to this Ordinance.
 - (iii) If a nonconforming use is replaced by another use, the new use shall conform to this ordinance.
- (c) **Removal, or Razing of Structure.** The right to operate and maintain a nonconforming use shall terminate when the structure or structures housing such uses are removed or razed to the extent of fifty percent (50%) of the structure's fair market value as determined by the last equalized assessment roll of the County of Imperial.
- (d) **Destruction, Damage or Obsolescence of Structure.** The right to operate and maintain a nonconforming use shall terminate when structure or structures housing such use is (are) damaged or destroyed from any cause whatsoever as to become obsolete or become(s) obsolete under any municipal ordinance.

SECTION 5.04 VARIANCES

- (a) **Intent.** When practical difficulties, unnecessary hardships or results inconsistent with the general intent and purpose of these regulations occur through the strict application of the provisions herein to a parcel or a group of parcels affected by a unique problem, the Planning Commission shall have the power to grant, upon such terms and conditions as it deems necessary and proper, variances from the strict provisions of these regulations. A variance shall not be granted to permit a use not permitted in the zone by this Ordinance.
- (b) **General Conditions.** The Planning Commission may impose the following general conditions upon a variance:
- (i) The Planning Commission, in approving a variance, may set force in its decision reasonable terms and conditions which it deems necessary to protect the health, safety, and general welfare of the community and to assure the intent and purposes of these regulations.
 - (ii) Every variance from the provisions of these ordinance regulations shall become void one hundred eighty (180) days after the effective date such variance is granted unless

construction has commenced. The Planning Commission, however, may, by request, extend authorization for an additional period not to exceed one year.

(c) **Administrative Provisions.** The following provisions shall apply in obtaining variances:

(i) **Application and Filing Fee:** Application for variance, giving such information as may be prescribed by the Planning Commission, shall be made upon forms provided by the City Clerk. The Clerk shall charge and collect the filing fee for each such application as determined by resolution of the City Council.

(ii) **Planning Commission Hearing:**

- 1) Upon receipt of the application in proper form, the City Clerk shall place the item on the Planning Commission Agenda for public hearing not more than thirty (30) days after the filing of the application, or sixty (60) days if an Environmental Impact Report is required.
- 2) Notice of such hearing for the time and in the manner as established by resolution of the City Council which shall be mailed at least ten (10) days prior to the public hearing to all property owners whose names and addresses appear on the latest adopted tax roll as owning property within a distance of three hundred (300) feet from the exterior boundaries of applicants property, and by the posting of said notice in three conspicuous places on or close to the property at least ten (10) days prior to the hearing.

(iii) **Action by the Planning Commission:** Within thirty (30) days after the conclusion of the public hearing, the Planning Commission may grant the requested variance in whole or in part, or deny the application for variance based upon its findings with or without conditions. The Commission, in granting a variance, shall make a finding that in the evidence presented, all four of the following conditions exist in reference to the property being considered:

- 1) Because of unique circumstances applicable to subject property including size, shape, topography, location, or surroundings, the strict application of the zoning ordinance would deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.
- 2) Any variance granted shall be subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.
- 3) The granting of the variance will not be materially detrimental to the public health, safety, convenience, or welfare or injurious to property and improvements in the same vicinity and zone in which subject property is situated.
- 4) The granting of such variance will not adversely affect the General Plan for the City.

(iv) **Appeals to the City Council:** Appeal from any action of the Planning Commission on an application for variance may be made in writing to the City Council within ten (10) days of such

action following public hearing. The Council may by resolution reverse or affirm, wholly or in part, or may modify any decision, determination or requirement of the Planning Commission. The Council shall also make a written finding of fact setting forth where the Planning Commission findings were in error.

(v) Revocation of Variances:

- 1) The Planning Commission may by resolution and after a public hearing with notice revoke any variance for noncompliance with any of the conditions set forth in the resolution granting the variance. Written notice of intention to revoke shall be mailed to the applicant not less than thirty (30) days before the Planning Commission action.
- 2) The revocation of a variance shall have the effect of denying all rights granted by that variance.

SECTION 5.05 ZONING MAP AND TEXT AMENDMENTS

(a) General Conditions. The Planning Commission shall consider whether the following conditions exist:

- (i) That the proposed zoning amendment is in conformity with the General Plan of the City.
- (ii) That in the case of a zoning map amendment, the subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the Planning Commission and the City Council.

(b) Administrative Provisions. The following provisions shall apply in obtaining zoning map and text amendments:

(i) Initiation:

- 1) The Planning Commission may initiate proceedings by motion and then hold public hearings.
- 2) The City Council may initiate proceedings by submitting the matter to the Planning Commission for public hearings.
- 3) In the case of a zoning map amendment, the owner of a property or a duly authorized agent may initiate proceedings by filing an application form provided by the City Clerk giving such information as may be prescribed by the Planning Commission. The City Clerk shall charge and collect the filing fee for each such application as determined by resolution of the City Council.

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- (ii) **Staff Investigation:** A city official, as may be designated by the City Council, shall investigate the proposed ordinance amendment in order to provide information necessary to assure action consistent with the intent of this ordinance and the General Plan and report the findings to the Planning Commission.
- (iii) **Planning Commission Hearing:**
- 1) The City Clerk shall place the matter on the Planning Commission Agenda for public hearing not more than thirty (30) days after the date of the initiating motion by the Planning Commission or City Council or upon receipt of an application in proper form. An additional thirty (30) days will be allowed if an Environmental Impact Report is required.
 - 2) Notice of such hearing shall be given both by mail or delivery at least ten (10) days prior to the public hearing to all property owners whose names and addresses appear on the latest adopted tax roll as owning property within a distance of three hundred (300) feet from the exterior boundaries of applicants property and the posting of said public notice at three conspicuous places in the City.
- (iv) **Action by the Planning Commission:** Within thirty (30) days after the conclusion of the public hearing, the Planning Commission shall file its recommendation together with a report of findings, hearings, and other supportive data. In the case of a zoning map amendment notice of the action shall be mailed to the applicant within ten (10) days.

The Planning Commission may reduce but shall not enlarge the area of any proposed zone change in any way, unless proper notice and publication of the enlarged area is made.

(v) **Action by the City Council:**

- 1) In the case of a zoning map amendment, if the Planning Commission recommends against such an amendment, the City Council shall not be required to take any further action unless an interested party requests such a hearing by filing a written request with the City Clerk within ten (10) days after the Planning Commission files its decisions and recommendations. In this event, a public hearing shall be held and notice given.
- 2) In all other cases where recommendations have been made on proposed zoning map and text amendments, the City Council shall, not more than thirty (30) days after publication of legal notice of a public hearing hold said public hearing. Such notice shall be given as provided above.
- 3) The City Council may adopt by ordinance or reject the amendment recommended by the Planning Commission after holding at least one public hearing. The Council may modify the amendment recommended by the commission, provided the proposed modification has been referred back to the Planning Commission for its further recommendations or in the case of a zoning map amendment where the area of the proposed zone change is reduced, proper notice and publication is made.

SECTION 5.06**ENFORCEMENT.**

- (a) **Enforcement.** The City Council, the City Attorney, the Police Chief, the Building Inspector, the City Clerk and all officials charged with the issuance of licenses or permits shall enforce the provisions of this ordinance. Any permit, certificate, or license issued in conflict with the provisions of this ordinance shall be void.
- (b) **Actions Deemed a Nuisance.** Any building or structure hereafter erected or maintained for any use of property contrary to the provisions of this ordinance shall be declared to be unlawful and a public nuisance.
- (c) **Remedies.** All remedies concerning this ordinance shall be cumulative and not exclusive. Conviction and punishment of any person hereunder shall not relieve such persons from the responsibilities of correcting prohibited conditions or removing prohibited buildings, structures, or improvements, and shall not prevent the enforced correction or removal thereof.

SECTION 106 — PERMITS

106.1 Permits Required. Except as specified in Section 106.2, no building or structure regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the building official.

106.2 Work Exempt from Permit. A building permit shall not be required for the following:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet (11.15 m²).
2. Fences not over 6 feet (1829 mm) high.
3. Oil derricks.
4. Movable cases, counters and partitions not over 5 feet 9 inches (1753 mm) high.
5. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
6. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2:1.
7. Platforms, walks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below.
8. Painting, papering and similar finish work.
9. Temporary motion picture, television and theater stage sets and scenery.
10. Window awnings supported by an exterior wall of Group R, Division 3, and Group U Occupancies when projecting not more than 54 inches (1372 mm).
11. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons (18 927 L).

Unless otherwise exempted, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

