



CITY OF BRAWLEY

DEVELOPMENT SERVICES DEPARTMENT

MEMO

DATE: September 25, 2020

TO: Citizens of the City of Brawley

FROM: Gordon R. Gaste, AICP CEP
Development Services Director

RE: CUP 20-01- 525 Main Street/ Medical Clinic Public Hearing

On September 11, 2020 an application was received by the City of Brawley Planning Department from Dr. Stacey Hoyt to provide outpatient individual and group substance abuse treatment. The proposed new location is located at 525 Main Street which is zoned Civic Center Main Street as noted in the Downtown Specific Plan which allows medical clinics only with a Planning Directors Conditional Use Permit (CUP). At this time the permit has **NOT** been approved.

Dr. Hoyt has operated for a number of years at 537 Main Street under Valley Psychological Center only as a hub to process paperwork and one on one counseling for clients she serves. The following is a more detailed description of the project as submitted by the applicant.

Project Description:

The applicant is proposing to move from 537 Main Street to the new location at 525 Main Street. Services offered will include assessment as well as individual and group therapy. The program will be open to anyone voluntarily seeking treatment. Anticipated operating hours will be from 8:00 AM to 6:30 PM Monday through Friday. Clients will be seen by appointment only and loitering will be prohibited. The clinic will not be offering any medication assisting treatment, including methadone. These will be reflected in the conditions of approval.

At this time, the following additional language is proposed to be included in the conditions of approval:

- Applicant and any occupant, tenant, licensee, employee or contractor operating at the site or using this Conditional Use Permit shall not distribute or otherwise provide any medication, drugs, chemicals or compounds of any type, syringes, or any item containing tetrahydrocannabinol (THC) in any concentration.
- Applicant and any occupant, tenant, licensee, employee or contractor operating at the site, may not seek or obtain any methadone treatment or opioid treatment classification, accreditation or licensing from any government agency or other regulatory body for this Assessor's Parcel Number or under this Conditional Use Permit.

- Applicant and any occupant, tenant, licensee, employee or contractor operating at the site of this Assessor's Parcel Number or using this Conditional Use Permit may not provide any methadone distribution or medication assisted opioid treatment.
- No distribution of any tangible thing which could be provided or distributed under any Certification, license or other permission from the State of California Department of Health Care Services or from any other government agency or regulatory body to operate any alcohol and/or drug abuse recovery or treatment facility may be done by applicant or any occupant, tenant, licensee, employee or contractor operating at the site of this Assessor's Parcel Number or using this Conditional Use Permit.

The process to permit a Planning Director's Conditional Use Permit required a Public Hearing at the Development Review Committee, which will be held on October 1, 2020 at 9 AM. Since COVID-19 began the State of California Governor waived specific portion of the Brawley Act via Executive Orders. As we are observing social distancing protocols alternative methods of participation are encouraged to provide public comments via email to Andrea Montano at amontano@brawley-ca.gov or by contacting the Planning Division Office at (760) 344-8822.

This does not mean that we will deny access to any community member who wishes to provide comments in person. We may not be able to accommodate seating for all community members inside the Council Chambers. The meeting will be broadcasted live at www.facebook.com/TheHubatBrawleyEOC. We encourage any community member who wishes to provide comment to follow along.

Here is some basic information on what a Conditional Use Permit is:

A conditional use permit is required in any zone for a use that would not be appropriate without restrictions in order to ensure that it would not be a detriment to the public health, safety, or general welfare to the community. The Planning Department must process all applications received no matter the nature of the application should it be allowed as a Conditional Use Permit in the Downtown Specific Plan.

Processing of any application should not be construed as an automatic approval of the Conditional Use Permit. The staff report presented at the public hearing has general conditions to consider for approval of a conditional use permit. Additional conditions are drafted with input from the community in order to mitigate impacts to the surrounding neighborhood and incorporated into the permit. This is a key reason why Public Hearings for any conditional use permit are required.

If the proposed Conditional Use Permit is approved or denied by the Planning Director at the October 1, 2020 meeting, the applicant, or anyone in opposition, has the right to submit a formal appeal to the Planning Commission within 15 days for a designated fee. Should the Planning Commission vote to approve or deny the permit, the applicant, or anyone in opposition, has the right to submit a formal appeal to the City Council within fifteen days for an additional fee.

The conditions of approval are strictly enforced and any violation that is verified and substantiated could result in the instant revocation of said permit without immediate mitigation.