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# City of Banning

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## COMMUNITY DEVELOPMENT DEPARTMENT

### **NOTICE OF INTENT TO ADOPT A CATEGORICAL EXEMPTION AND NOTICE OF PUBLIC HEARING FOR ZONING TEXT AMENDMENT (ZTA) NO. 18-97501 AMENDING TITLE 17 "ZONING" OF THE BANNING MUNICIPAL CODE TO ADD CHAPTER 17.53, "CANNABIS CONDITIONAL USE PERMITS" TO ALLOW INDOOR COMMERCIAL CANNABIS CULTIVATION, MANUFACTURING LEVEL 1, AND TESTING LABORATORY FACILITIES IN THE INDUSTRIAL ZONING DISTRICT WITH APPROVAL OF A CANNABIS CONDITIONAL USE PERMIT AND MAKING OTHER AMENDMENTS RELATED TO CANNABIS BUSINESSES**

**NOTICE IS HEREBY GIVEN** of a public hearing before the City of Banning Planning Commission to be held on Wednesday, June 6, 2018, at 6:30 p.m. in the Council Chambers, City Hall, 99 East Ramsey Street, Banning, California, to consider proposed Zoning Text Amendment (ZTA) No. 18-97501 to amend Title 17 of the Banning Municipal Code to add Chapter 17.53 "Cannabis Conditional Use Permits" to allow Indoor Commercial Cannabis Cultivation, Manufacturing Level 1, and Testing Laboratory facilities in the Industrial Zoning District with approval of a Cannabis Conditional Use Permit and making other amendments related to cannabis businesses.

City staff has determined that the proposed Zoning Text Amendment is not subject to the California Environmental Quality Act ("CEQA") pursuant to the State CEQA Guidelines Section 15060(c)(3) because it is not a project as defined by the CEQA Guidelines Section 15378. Adoption of the Zoning Text Amendment does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. The Zoning Text Amendment is also exempt from review under the CEQA under State CEQA Guidelines Section 15061(b)(1) which exempts a project from CEQA if the project is exempt by statute. Business and Professions Code section 26055(h) provides that Division 13 (commencing with Section 21000) of the Public Resources Code does not apply to the adoption of an ordinance, rule, or regulation by a local jurisdiction that requires discretionary review and approval of permits, licenses, or other authorizations to engage in commercial cannabis activity. The Zoning Text Amendment provides that discretionary review for applications for cannabis conditional use permits will be required to include any applicable environmental review pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code.

Information regarding the Categorical Exemption, Zoning Text Amendment, and all relevant materials can be obtained by contacting the City's Community Development Department at (951) 922-3125, or by visiting the City Hall located at 99 East Ramsey Street, Banning during regular business hours. You may also go to the City of Banning website at <http://www.ci.banning.ca.us/>.

All parties interested in speaking either in support of or in opposition of this item are invited to attend the hearing, or to send their written comments to the Community Development Department, City of Banning at P.O. Box 998, Banning, California, 92220.

If you challenge any decision regarding the above proposal in court, you may be limited to raising only those issues you or someone else raised in written correspondence delivered to the City Clerk at, or prior to, the time the Planning Commission makes its decision on the proposal; or, that you or someone else raised at the public hearing or in written correspondence delivered to the hearing body at, or prior to, the hearing (California Government Code, Section 65009).

BY ORDER OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF BANNING, CALIFORNIA

Patty Nevins  
Community Development Director

Dated: May 22, 2018  
Publish: May 25, 2018

**CITY OF BANNING  
GENERAL PLAN WITH ZONING OVERLAY**

