



City of Banning

Community Development Department

NOTICE OF PUBLIC HEARING AND NOTICE OF INTENT TO ADOPT A CATEGORICAL EXEMPTION FOR CONDITIONAL USE PERMIT 22-8006 TO CONSIDER A PROPOSAL TO AUTHORIZE THE RELOCATION AND CONVERSION OF AN EXISTING STATIC BILLBOARD TO DIGITAL DISPLAY IN THE GENERAL COMMERCIAL (GC) ZONE ON REAL PROPERTY LOCATED AT 3610 WEST RAMSEY STREET, BANNING, CA 92220 (APN 537-090-040).

NOTICE IS HEREBY GIVEN of a public hearing before the City of Banning Planning Commission, to be held Wednesday, September 7, 2022, at 6:30 p.m. in the Council Chambers, City Hall, 99 East Ramsey Street, Banning, California, to consider a Notice of Exemption and Conditional Use Permit (CUP) 22-8006, a proposal to allow for the relocation and conversion of an existing static billboard to digital display in the General Commercial (GC) zone. The Community Development Department has determined that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15302 (Replacement or Reconstruction), and Section 15303 (New Construction or Conversion of Small Structures).

To observe and participate in the online video portion of the meeting, through your personal computer or device, follow this link:

<https://us02web.zoom.us/j/89561454841?pwd=QmhOcDYzb0t0NDYvejZhNUo0R01LZz09>

Meeting ID: 895 6145 4841

Passcode: 092220

Dial in: +1 669 900 9128 US

To observe the live meeting through your personal computer, but not participate with video or oral comments, you may use your computer or smart phone to enter the following or click on the link: <https://banninglive.viebit.com> or on the Banning Government Channel on Cable Television

Information regarding the Notice of Exemption and Conditional Use Permit, can be obtained by contacting the City's Community Development Department, Planning Division at (951) 922-3125, or by going to the City of Banning website at: <https://banningca.gov/Archive.aspx?AMID=60&Type=&ADID=>

All parties interested in speaking either in support of or in opposition to this item are invited to attend the hearing by accessing the videoconference or by sending their written comments by email to scalderson@banningca.gov or by mail to the Community Development Department, Planning Division, City of Banning at 99 E. Ramsey Street, 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 Planning Commission Recording Secretary prior to, at, or during the time the Planning Commission makes its recommendation on the proposal; or, 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

Adam Rush, M.A., AICP
Community Development Director

Dated: August 23, 2022
Publish: August 26, 2022

CITY OF BANNING



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5/12/2022

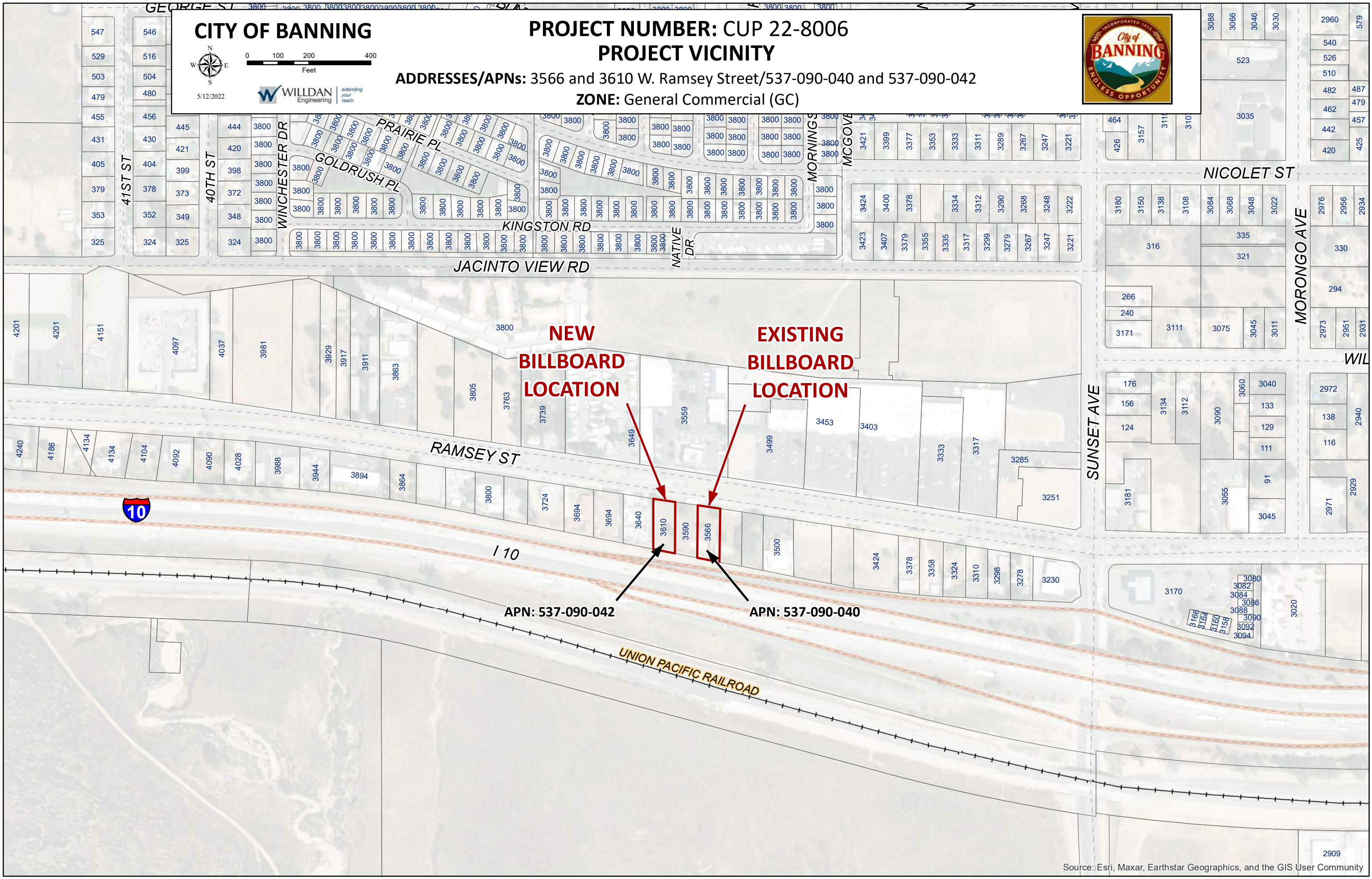
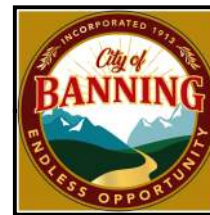
WILLDAN
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PROJECT NUMBER: CUP 22-8006

PROJECT VICINITY

ADDRESSES/APNs: 3566 and 3610 W. Ramsey Street/537-090-040 and 537-090-042

ZONE: General Commercial (GC)





**CITY OF BANNING
PLANNING COMMISSION STAFF REPORT**

TO: PLANNING COMMISSION

FROM: Emery J. Papp, Senior Planner

MEETING DATE: September 7, 2022

SUBJECT: Resolution 2022-14, approving a CEQA Exemption and Conditional Use Permit No. 22-8006 (CUP 22-8006) to authorize the relocation and conversion of an existing static billboard to digital display in the General Commercial (GC) zone on real property located at 3610 West Ramsey Street, Banning, CA 92220 (APN 537-090-040, 042)

RECOMMENDED ACTION:

Planning Commission adopt PC Resolution 2022-14 approving the following:

1. Make a determination under CEQA Guidelines that the project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15302 (Replacement or Reconstruction) and Section 15303 (New Construction or Conversion of Small Structures); and
2. Approve Conditional Use Permit 22-8006 to authorize the relocation and conversion of an existing static billboard to digital display in the General Commercial (GC) zone on real property located at 3610 West Ramsey Street, in the General Commercial (GC) General Plan Designation and GC Zoning District subject to the recommended Conditions of Approval.

APPLICANT INFORMATION:

Project Location: 3610 W. Ramsey Street

APN Information: 537-090-040, 042

Project Applicant: Lamar Outdoor Advertising
77-583 El Duna Court, Suite J
Palm Desert, CA 92211

Property Owner: TLC Properties, Inc.
77-583 El Duna Court, Suite J
Palm Desert, CA 92211

REQUEST:

The Applicant, Lamar Outdoor Advertising, has requested approval of a Conditional Use Permit to authorize the relocation and conversion of an existing static billboard to digital display in the General Commercial (GC) Zoning District on real property located at 3610 W. Ramsey Street, in the City of Banning, CA. Approval of the Conditional Use Permit shall be contingent upon the City Council approval of a Relocation Agreement.

BACKGROUND AND DESCRIPTION:

An existing single-face, static billboard is located on one of four parcels slated for a future hotel project (DR 22-7002) on a 1.6-acre site located at 3610 W. Ramsey Street. The existing billboard is located on parcel number 537-090-040 (**Figure 1**) and is proposed to be relocated to parcel number 537-090-042 to facilitate development of the future hotel.

In addition to relocating the existing billboard, the Applicant proposes to convert the sign face from a static display to a digital display. The initial project submittal included a static billboard on the reverse side of the new digital billboard sign face. Pursuant to Banning Municipal Code requirements for relocation and conversion of billboards, Applicant agreed to erect a new dual face digital display billboard on parcel number 537-090-042.

The CUP being considered for this project includes the construction of a 50-foot tall, dual face, free-standing, freeway-oriented, digital billboard sign at the southwest corner of the property, which is adjacent to Interstate 10 West. Each digital display sign face will measure 48 feet wide by 14 feet high.

The property is bounded by Ramsey Street to the north, Interstate 10 to the south and commercial properties to the east and west (**Figure 2**). The project site is located within the General Commercial (GC) zone (**Figure 3**), wherein freeway-oriented billboard signs are permitted upon approval of a Conditional Use Permit, and subject to a Relocation Agreement to be approved by the City Council. Consideration of the Relocation Agreement is scheduled for September 27, 2022.

Figure 1. Vicinity Map

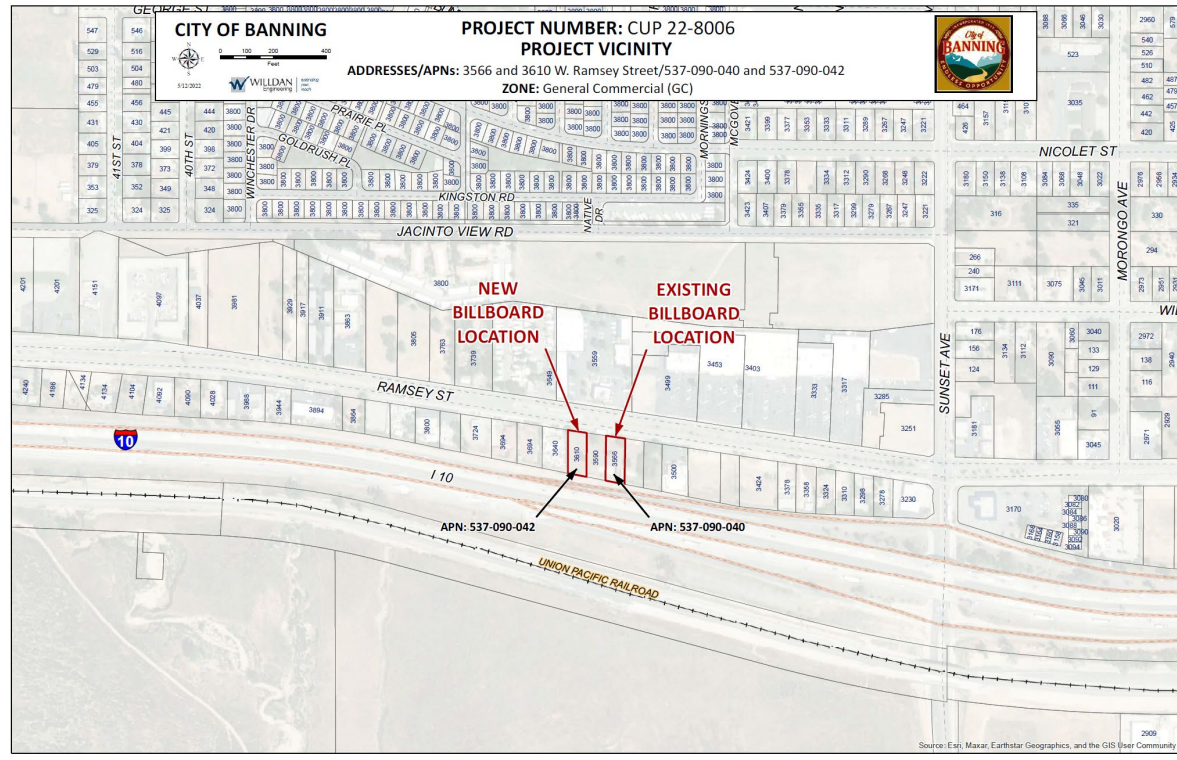
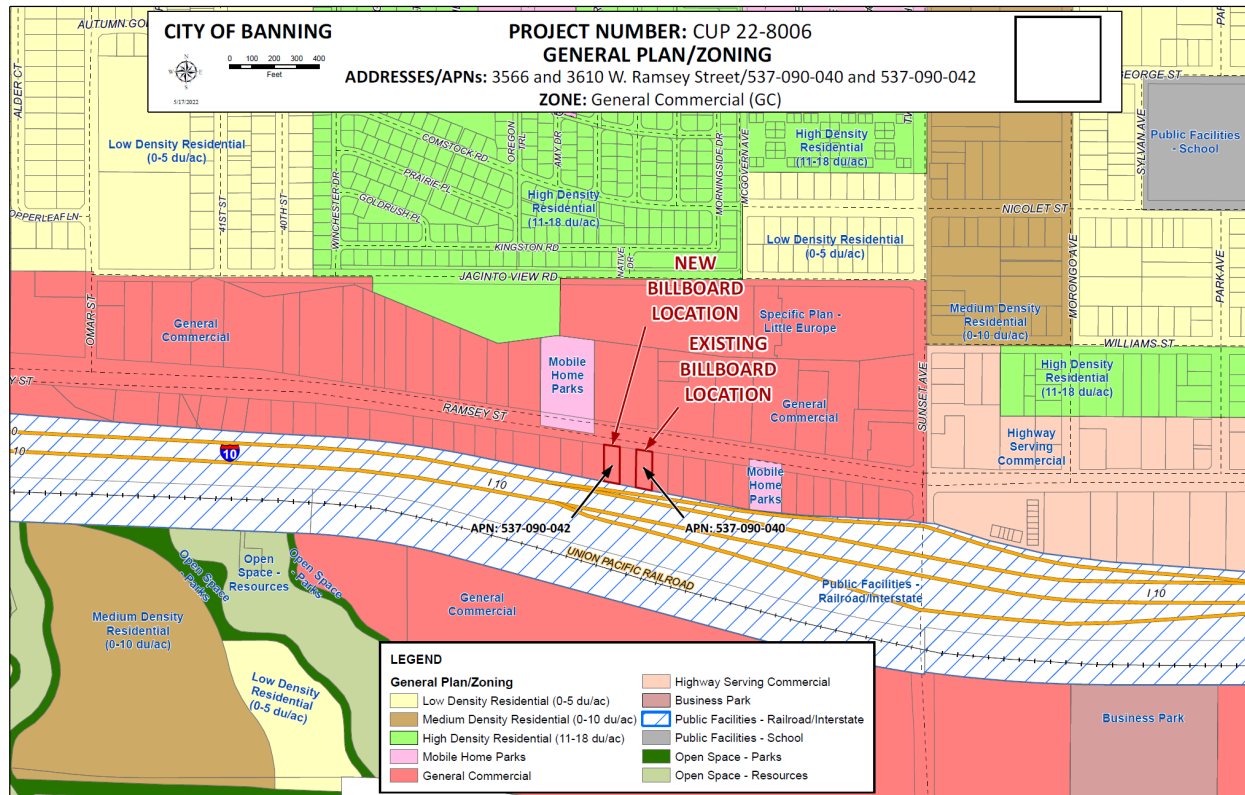


Figure 2. Aerial Map



Figure 3. General Plan/Zoning Map



Surrounding Land Use

The site consists of vacant, undeveloped, parcels located on the south side of West Ramsey Street, at 3610 West Ramsey Street. There is an existing Billboard located on parcel 537-090-040, to be relocated to parcel 537-090-042. To the north, east, and west there are developed General Commercial zoned properties. South of the site is Interstate 10 and the Union Pacific Railroad.

The nature of the surrounding uses, zoning classifications, and General Plan land use designations are delineated for Planning Commission consideration in the following table and Figures 2 and 3:

Table 1. Land Use Summary Table

	Existing Land Use	Zoning Designation	General Plan Designation
Subject Site	Vacant	General Commercial (GC)	GC
North	Developed	GC	GC
South	Developed	Public Facilities, Railroad/Interstate (PF-R/I)	PF-R/I
East	Developed	GC	GC
West	Developed	GC	GC

ANALYSIS:

Zoning

The site is located within the General Commercial (GC) Zoning District; wherein the relocation of existing, free-standing freeway-oriented billboard signs are authorized, subject to the approval of a Conditional Use Permit (CUP) by the Planning Commission, pursuant to Section 17.52 of the Banning Municipal Code BMC), and subject to approval of a Relocation Agreement by the City Council pursuant to Section 17.36.110 BMC. A Relocation Agreement is scheduled for review by the City Council on September 27, 2022. The underlying use for the site is a future hotel being considered by the Planning Commission under CUP 22-8005.

Conditional Use Permit

Banning Municipal Code Section 17.52.010 discusses the purpose of Conditional Use Permits and why they are issued: Conditional uses are unique and their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location. At the time of application, a review of the location, design, configuration, and potential impact of the proposed use shall be conducted by comparing the use to established development standards and design guidelines.

This review shall determine whether the proposed use should be permitted by weighing the public need for the benefit to be derived from the use, against any negative or undesirable impacts which it may cause. Limits which the Planning Commission might want to impose, could include restrictions on the hours of business operation; restrictions on the number of clients or patients which the business may service at any one time; increased visual and sound barriers; improved technologies or equipment which lessen any noise, light or odor emitted by the business or other use; as well as any other

conditions which could help make the use more compatible with the neighborhood in which it is proposed to be located.

The Planning Commission may approve and/or modify a Conditional Use Permit application in whole or in part, with or without conditions, only if all the following findings are made:

- A. The proposed use is consistent with the General Plan;
- B. The proposed use is conditionally permitted within the subject land use district and complies with all of the applicable provisions of this Ordinance;
- C. The proposed use would not impair the integrity and character of the land use district in which it is to be located;
- D. The subject site is physically suitable for the type and intensity of land use being proposed;
- E. There are adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety;
- F. There will not be significant harmful effects upon environmental quality; natural resources; or neighborhood characteristics.
- G. The proposed location, size, design, and operating characteristics of the proposed use will not be detrimental to the public interests, health, safety, convenience, or welfare of the City.

In addition to the above findings for a Conditional Use Permit, the Planning Commission, pursuant to Section 17.36.110.g of the Banning Municipal Code, must also make the following supplemental findings prior to approval of the Conditional Use Permit for a freeway-oriented freestanding sign, without consideration of the message content of the proposed signs:

- i. The elevation of the freeway in relation to the elevation of the abutting properties justifies the height requested, as it is minimum necessary to function.
- ii. The number and spacing of freeway signs will not cause unnecessary confusion, clutter, or other unsightliness in the general location.
- iii. The use identified, as well as its type, size, and intensity, justifies the size, design and location of the sign requested.
- iv. The needs of the traveling public for identification and directional information justifies the sign requested.

Findings A through G (referenced above) for the Conditional Use Permit, and supplemental findings, for the freeway-oriented sign, are made and can be found in the attached PC Resolution 22-14.

Parking Requirements

There is no parking requirement for free standing billboard signs and the existing site will contain adequate parking to accommodate the future hotel patrons and maintenance of the proposed sign.

Conclusion

Staff recommends approval of the proposed 50-foot, dual face, internally illuminated, free-standing, freeway-oriented billboard sign as the proposed project is consistent with the requirements of the General Plan and Banning Municipal Code including height, sign area, and location, while not adversely affecting the environment. All the Conditional Use Permit findings and supplemental findings can be made, and the project adequately meets performance standards and guidelines as discussed in the staff report, PC Resolution 22-14, and the Project Plans. Conditions of Approval have been included which will ensure construction of the proposed sign shall substantially conform to the approved plans and specifications, and that the sign will be maintained and operated for its intended purpose.

ENVIRONMENTAL DETERMINATION:

California Environmental Quality Act (CEQA)

In accordance with §15302 (Replacement or Reconstruction) a Class 2 Categorical Exemption and §15303 (New Construction or Conversion of Small Structures) a Class 3 Categorical Exemption of the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the project is exempt from environmental review. A Class 2 Categorical Exemption consists of replacement or reconstruction of existing structures having the same purpose and capacity as the structure replaced, and a Class 3 Categorical Exemption consists of construction and location of limited numbers of new, small facilities or structures.

Findings for the project are made and can be found in the attached Resolution.

MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP):

The project is found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area and mitigation is provided through payment of the MSHCP Mitigation Fee.

PUBLIC NOTICE

Notice of the proposed Conditional Use Permit 22-8006 was mailed to all property owners within 300-feet of the project site on August 24, 2022; and was advertised in the Record Gazette newspaper and posted in two public places on August 26, 2022, in accordance with State law and the Banning Municipal Code.

PUBLIC COMMUNICATION

As of the date of this report, staff has not received any written comments either for, or against the project.

Reviewed by:

Adam B. Rush, AICP

Adam B. Rush, M.A., AICP
Community Development Director

Attachments:

1. <https://www.banningca.gov/DocumentCenter/View/11292/PC-Resolution-2022-14-with-COAs>
2. <https://www.banningca.gov/DocumentCenter/View/11277/CUP-22-8006-Project-Plans>
3. <https://www.banningca.gov/DocumentCenter/View/11278/CUP-22-8006-Public-Hearing-Notice>
4. <https://www.banningca.gov/DocumentCenter/View/11280/CUP-22-8006-NOE>