



City of Banning

Community Development Department

NOTICE OF PROPOSED ADOPTION OF ORDINANCE NO. 1592, AN ORDINANCE OF THE CITY OF BANNING, CALIFORNIA, APPROVING (1) A NOTICE OF EXEMPTION PURSUANT TO STATE CEQA GUIDELINES SECTION 15060(C)(3), BECAUSE THE PROPOSED AMENDMENTS ARE NOT A PROJECT AS DEFINED BY CEQA GUIDELINES SECTION 15378, (2) A GENERAL PLAN AMENDMENT (GPA 23-2501), AND (3) AN AMENDMENT TO THE OFFICIAL ZONING MAP (ZC 23-3501), PROPOSING A CHANGE TO THE LAND USE AND ZONING FOR A 1.74-ACRE PROPERTY, LOCATED AT 725 SUNRISE AVENUE, FROM LOW DENSITY RESIDENTIAL (0-5 DU/AC) TO PUBLIC FACILITIES-GOVERNMENT (PF-G) TO ACCOMMODATE A FUTURE ABOVE-GROUND POTABLE WATER RESERVOIR, OWNED AND OPERATED BY THE CITY OF BANNING.

NOTICE IS HEREBY GIVEN of a Public Hearing before the City of Banning City Council, to be held on Tuesday, June 27, 2023, at 5:00 p.m. in the Council Chambers, City Hall, 99 East Ramsey Street, Banning, California, and by video conference call, to consider the first reading and introduction of proposed Ordinance No. 1592, An Ordinance of the City of Banning, California, Approving An Amendment to the Official Zoning Map (ZC 23-3501) to consider amending the zoning district classification from Low Density Residential (LDR) to Public Facilities-Government (PF-G), for a 1.74-acre parcel (APN: 538-040-006). The zoning map change includes a proposed amendment to the existing General Plan Land Use (GPA 23-2501) designation from Low Density Residential (LDR) to Public Facilities-Government (PF-G), and consideration of the Notice of Exemption (NOE), collectively known as "the Project", which proposes to accommodate a future above-ground potable water reservoir, owned and operated by the City of Banning.

The Planning Division staff finds and determined that the proposed General Plan Amendment and Zone Map Change are not subject to the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15060(c)(3), because the proposed Amendments are not a Project as defined by CEQA Guidelines Section 15378. The Planning Division staff further find and determine that Amendments are exempt from review under CEQA and 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 the construction and operation of a public facility.

On June 7, 2023, the Planning Commission of the City of Banning held a public hearing on the Project, at which time all persons interested in the proposed Project had the opportunity to and did address the Planning Commission on this matter. Following the opening of the public hearing, the Planning Commission closed the public hearing with no testimony given. Following a discussion of the Project, the Planning Commission voted 4-0-1, with Commissioner Lopez absent, to recommend approval of the Project to the City Council.

The Planning Commission has reviewed staff's determinations of exemption from CEQA and hereby recommends that the City Council, based on its own independent judgement, concur with staff's determination of exemption. If adopted, the Ordinance will approve the proposed zoning map change to the City's Zoning Ordinance and Map. The Ordinance contains the City Council's findings required by Government Code 65853 through 65857, and 65009, as described above, and finds that the Amendment complies with said codes and was posted on the Department's website at least 30 days prior to conducting a public hearing concerning the Amendment. This summary has been prepared and published in accordance with Government Code Section 36933. Notice is hereby given that a certified copy of the full text of Ordinance No. 1592 is available for public

review upon request in the City Clerk's Office, located at 99 E. Ramsey Street, Banning, California 92220 during regular business hours (Monday through Friday 8 a.m. to 5 p.m.), or via email at cpatton@banningca.gov.

<https://us02web.zoom.us/j/81007280759?pwd=d0JCK0oyeGhOQk5Cek1kd3FJUmlsQT09>

Meeting ID: 810 0728 0759
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 Project can be obtained by contacting the City's Community Development Department, Planning Division at (951) 922-3125 or by emailing the Department at CommunityDev@banningca.gov.

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 scaldron@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 City Clerk (or designee) prior to, at, or during the time the City Council acts on the proposed Project; or, you or someone else raised at the public hearing or in written correspondence delivered to the City Council at, or prior to, the hearing (Cal. Gov. Code, § 65009).

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

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

Dated: June 12, 2023
Publish: June 16, 2023