



City of Banning

Community Development Department

NOTICE OF PUBLIC HEARING AND SUMMARY OF ORDINANCE 1600

NOTICE IS HEREBY GIVEN in accordance with Government Code Sections 65854, 65090, and 65091 of a public hearing before the City Council of the City of Banning, to be held on Tuesday, February 13, 2024, at 5:00 p.m., or soon thereafter, in the Banning Council Chambers, 99 E. Ramsey Street, Banning, California, to consider adoption of proposed Ordinance 1600:

AN ORDINANCE OF THE CITY OF BANNING, CALIFORNIA, AMENDING THE HIGH DENSITY RESIDENTIAL (HDR) AND VERY HIGH DENSITY RESIDENTIAL (VHDR) ZONING DISTRICTS BY AMENDING THE DEFINITIONS IN SECTIONS 17.08.010.B.8 AND 17.08.010.B.11, BY ADDING NEW PERMITTED AND CONDITIONALLY PERMITTED USES FOR THE VERY HIGH DENSITY RESIDENTIAL ZONE IN SECTION 17.08.020, AND ADDING RESIDENTIAL DEVELOPMENT STANDARDS FOR THE VERY HIGH DENSITY RESIDENTIAL ZONE IN SECTION 17.08.030 (CHAPTER 17.08, ARTICLES I & II); AND AMENDING COMMERCIAL ZONING DISTRICTS (CHAPTER 17.12, ARTICLES I & II) BY ADDING NEW PERMITTED AND CONDITIONALLY PERMITTED USES TO TABLE 17.12.020 OF THE CITY OF BANNING MUNICIPAL CODE (BMC) ALLOWING SPECIAL NEEDS HOUSING AS REQUIRED PURSUANT TO STATE LAW; AND MAKING A DETERMINATION OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

Summary of Ordinance 1600

This is a summary of the above-entitled Ordinance 1600 of the City of Banning. This summary has been prepared and published in accordance with the requirements of Government Code Section 36933.

On February 13, 2024, City staff will recommend that the City Council of the City of Banning introduce and conduct the first reading of Ordinance 1600. On January 9, 2024, the City Council approved the City of Banning 6th Cycle Housing Element update by adoption of Resolution 2024-12. The Housing Plan within the adopted 6th Cycle Housing Element update identifies the City's housing goals, policies, and implementation programs. Ordinance 1600 proposes certain Zoning Text Amendments required under the implementation programs within the 6th Cycle Housing Element update, in compliance with recent changes in California housing laws, and in response to comments received by the State of California Department of Housing and Community Development ("HCD"). Specifically, Ordinance 1600 amends: (1) Banning Municipal Code ("BMC") Section 17.08.010.B.8. to increase the density threshold for the High Density Residential ("HDR") zoning district from 11-18 du/acre to 11-24 du/acre consistent with Program 6 within the Housing Element; (2) BMS Section 17.08.010.B.11 to increase the density threshold for the Very High-Density Residential ("VHDR") zoning district from 19-24 du/acre to 24-30 du/acre consistent with Program 4 within the Housing Element; (3) Table 17.08.020 of BMC Section 17.08.020 to reduce constraints for special needs housing and identify uses allowed within the VHDR zoning district consistent with Program 5 within the Housing Element/Government Code Section 65583 of the State housing laws; (4) Table 17.08.030 of BMC Section 17.08.030 to add residential development standards for the VHDR zoning district, modify the minimum lot size for multi-family residential units on premises within the Low Density Residential ("LDR") zoning district, and modify the maximum density for premises within the HDR zoning district, all consistent with Program 4 within the Housing Element/Government Code Section 65583 of the State housing laws; and (5) Table 17.12.020 of BMC Section 17.12.020 to add "Residential care facility, small, licensed" as a permitted use on premises within

the Downtown Commercial (“DC”) and General Commercial (“GC”) zoning districts and as a use subject to a Conditional Use Permit in the Professional Office (“PO”) zoning district to further reduce constraints for special needs housing consistent with Programs 8 and 9 within the Housing Element/Government Code Section 65583 of the State housing laws.

City staff has evaluated the potential environmental impacts of the adoption of the proposed Zoning Text Amendments pursuant to the California Environmental Quality Act (“CEQA”). City staff has determined that the proposed Zoning Text Amendments contained in proposed Ordinance 1600 are categorically exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty there is no possibility these amendments may have a significant effect on the environment.

On January 10, 2024, the Planning Commission of the City of Banning held a public hearing on the proposed Zoning Text Amendments, at which time all persons interested in the proposed Zoning Text Amendments had an opportunity to and did address the Planning Commission on this matter. Following the receipt of public testimony, the Planning Commission voted 5-0-0 to recommend approval of the proposed Zoning Text Amendments to the City Council by adopting Planning Commission Resolution 2024-02.

To observe the live meeting through your personal computer 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 CEQA determination, the proposed Zoning Text Amendments, and Ordinance 1600 can be obtained by contacting the City's Community Development Department, Planning Division by telephone at (951) 922-3125 or by email at CommunityDev@banningca.gov, 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.banningca.gov>.

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 by mail to the Community Development Department, City of Banning at P.O. Box 998, Banning, California, 92220, or to Sandra Calderon by email at scalderon@banningca.gov.

If you challenge any decision regarding this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City as specified above, at, or prior to, the hearing (Cal. Gov. Code, § 65009).

Submitted by:

Caroline Patton, Deputy City Clerk
City of Banning, California

Dated: **January 30, 2024**
Publish Date: **February 2, 2024 and February 9, 2024**