



City of Banning

99 E. Ramsey Street • P.O. Box 998 • Banning, CA 92220-0998 • (951) 922-3125 • Fax (951) 922-3128

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF A PUBLIC HEARING AND NOTICE OF INTENT TO ADOPT A CATEGORICAL EXEMPTION FOR ZONE TEXT AMENDMENT (ZTA) NO. 18-97505 AMENDING ZONING ORDINANCE 1531 (TITLE 17 OF THE BANNING MUNICIPAL CODE) TO DELETE THE 600-FOOT SEPARATION REQUIREMENT BETWEEN CANNABIS RETAILERS IN CONNECTION WITH THE ISSUANCE OF CANNABIS RETAIL CONDITIONAL USE PERMITS

NOTICE IS HEREBY GIVEN of a public hearing before the City Council of the City of Banning, to be held on Tuesday, December 11, 2018, at 5:00 p.m. in the Council Chambers, Banning City Hall, 99 East Ramsey Street, Banning, California, to consider Zone Text Amendment (ZTA) No. 18-97505 pursuant to Chapter 17.116 (Zoning Ordinance Amendments) of the City of Banning Municipal Code. The proposed amendment seeks to amend Chapter 17.54, added by Ordinance 1531 (effective January 1, 2019), to delete the 600-foot separation requirement between cannabis retailers. On October 3, 2018, the Planning Commission considered Ordinance 1531 and recommended eliminating the 600-foot separation requirement between cannabis retailers. At the October 23, 2018 City Council meeting, the City Council conducted first reading of Ordinance 1531, and added the 600 foot separation requirement between cannabis retailers, that had been removed by the Planning Commission. On November 13, 2018, the City Council adopted Ordinance 1531 with the 600 foot separation requirement between cannabis retailers. Staff is now recommending amending Chapter 17.54 to eliminate this separation requirement between cannabis retailers.

Staff has determined that the zoning text amendment is categorically exempt pursuant to California CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the proposed amendment may have a significant effect on the environment. Eliminating the separation requirement between cannabis retailers will not increase the number of cannabis retailers that will be permitted to operate in the City. All cannabis retailers will be required to comply with CEQA before they are permitted to operate in the City. Information regarding the Categorical Exemption and Zone Text Amendment (ZTA) No. 18-97505 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. 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 said 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 City Council makes its decision 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 INTERM COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF BANNING, CALIFORNIA

MARYANN MARKS
Interim Community Development Director

Dated: December 26, 2018
Publish: December 30, 2018

HIGHWAY SERVING COMMERCIAL (HSC) ZONE

