I. CALL TO ORDER: Chairman Bill Dickson

➢ Pledge of Allegiance: Vice-Chair Bill Escandel

➢ Roll Call: Matthew Bassi, Interim Community Development Director
  
  Vice-Chair Bill Escandel; Commissioner Harold Barsh; Commissioner Buddy Hawkins; Commissioner Kevin Siva

II. PUBLIC COMMENTS:

At this time, the general public is invited to address the Planning Commission concerning any items that are not listed on the agenda, which are not public hearings or other items under the jurisdiction of the Planning Commission. Comments from the public of any non-agenda items will be limited to three (3) minutes in accordance with City policy.

III. CONSENT CALENDAR ITEMS:

Note: All items listed on the Consent Calendar may be enacted by a single motion without separate discussion. If a discussion or a separate vote on any item is desired by a Planning Commissioner, that item may be removed from the Consent Calendar and considered separately. All remaining items not removed from the Consent Calendar by a Planning Commissioner shall be voted on prior to discussion of the item(s) requested to be pulled.

1. Approval of Planning Commission Minutes

➢ November 5, 2008
IV. PUBLIC MEETING ITEMS:


   **Recommendation:**
   That the Planning Commission receive and file and direct staff to present the Draft 2008 – 2014 Housing Element to the City Council.

V. PUBLIC HEARING ITEMS:

1. **Design Review No. 07-7014 (Continued from November 5, 2008)**
   Planning Commission review of a request to remodel and expand Green Thumb Produce located at 2648 W. Ramsey Street (APN 538-190-011 & 040).

   **Recommendation:**
   Staff recommends that the Planning Commission table this item for a future meeting.

2. **Zone Text Amendment No. 08-97511**
   Planning commission review of a City-initiated Zone Text Amendment revising Section 17.36.170 (Murals) of the Banning Municipal Code.

   **Recommendation:**
   Staff recommends that the Planning Commission table this item for a future meeting.
VI. PLANNING COMMISSIONER COMMENTS

VII. COMMUNITY DEVELOPMENT DIRECTOR’S REPORT

1. City Council Actions from previous meetings on Planning-Related Items

VIII. TENTATIVE PROJECTS SCHEDULED FOR JANUARY 6, 2009

1. Design Review No. 08-703 – CR&R Truck Repair Facility located on Juarez Street between Westward and Barbour.

2. Zone Text Amendment No. 08-97508 – Code amendment to address churches in the HSC zone & lot coverage requirements in the VLDR zone.

3. Zone Text Amendment No. 08-97502 – Code amendment to address RV Parking & Storage Containers in certain residential zones.

IX. ADJOURNMENT

The City of Banning Planning Commission is hereby adjourned to the regular Planning Commission meeting of January 6, 2009 starting at 6:30 p.m. in the City Council Chambers.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department (951) 922-3125. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA title II]
City of Banning

PLANNING COMMISSION MINUTES

November 5, 2008

A special meeting of the City of Banning Planning Commission was held on Wednesday, November 5, 2008, at 6:30 p.m., in the Council Chambers, City Hall, 99 East Ramsey Street, Banning, CA, 92220.

Commissioners Present: Chairman Dickson
Commissioner Barsh
Commissioner Escandel
Commissioner Hawkins
Commissioner Siva

Staff Present: Interim Community Development Director Bassi
Deputy City Attorney Christy Lopez
Senior Planner Clinton
Redevelopment Manager Jansons
Recording Secretary Sorenson

I. CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Chairman Dickson.

II. PUBLIC COMMENTS

No one came forward.

III. CONSENT CALENDAR

1. Review of Minutes (October 7, 2008)

ACTION (ESCANDEL / BARSH): A motion was moved, seconded and carried that the minutes of October 7, 2008 be approved as presented.

(Motion carried 5 -0)
At this time, Interim Director Bassi introduced our new legal counsel, Christy Lopez, from the firm of Aleshire and Wynder, LLP. Mr. Bassi also introduced John Jansons, our new Redevelopment Manager.

IV. PUBLIC HEARING:

1. Request for Continuation - Design Review #07-7014: A request to remodel and expand Green Thumb Produce; a retail / wholesale market located at 2648 W. Ramsey Street (APN 538-190-011 & 040).

ACTION (ESCANDEL / DICKSON): A motion was moved, seconded and carried that the Planning Commission continue this project to the December 2, 2008 meeting.

(Motion carried 5 – 0)

3. ZTA No. 08-97511: A City initiated Zone Text Amendment revising Section 17.36.170 (Murals) to change the review and approval authority for Murals proposed in the City of Banning.

At this time, Director Bassi requested that this item be taken out of order and open the public hearing and continue this item to the December 2, 2008 Planning Commission meeting, as staff needs to do more research and have discussion with the City Manager and City staff before bringing this matter to the Commission.

ACTION (BARSH / HAWKINS): A motion was moved, seconded and carried that the Planning Commission continue this project to the December 2, 2008 meeting.

(Motion carried 5 – 0)

2. ZTA No. 08-97509: A City initiated Zone Text Amendment to adopt development regulations and operational standards for wireless communication facilities in the City of Banning.

Interim Director Bassi presented the staff report and stated that the draft ordinance establishes a new chapter in the Zoning Code, Chapter 17.41 to address wireless communication facilities. The purpose of the zone text amendment is four-fold - first to transfer the City’s current wireless policy guidelines into the Zoning Ordinance; second is to codify the guidelines into law, rather than guidelines; third is to create minor and major wireless facility application categories; and fourth is to create a streamlined review process for certain wireless facility types.

Director Bassi pointed out for the public record that approximately 98% of the information in the wireless guidelines that was adopted in 1996 and amended in 2000,
is included in this ordinance. Mr. Bassi discussed the review process and the major and minor permits. He mentioned the public outreach to various wireless carriers. Staff recommended approval.

Leslie Dagel, representative from Verizon Wireless, came forward to state that she appreciated that staff took the time to reach out to the wireless carriers. She said she felt this ordinance is very workable in terms of getting the cell sites in. The only item she would want to tweak would be in the right-of-way with the other phone companies, that the Public Works Department administers the right-of-way and not the Planning Department. Commissioner Escandel and Ms. Dagel discussed several items.

Sean Scully, 4419 W. 233rd Street, Torrance CA, came forward to speak. Mr. Scully is on the California Wireless Association Regulatory Commission and he had some questions on the minor and major permit differentiations and the criteria for stealthning. Mr. Bassi responded about the differences and said the word “concealment” (that was used in the ordinance) meant stealthning. Mr. Scully said the only area of concern that the wireless industry has with this ordinance, is the area of co-location.

**ACTION (HAWKINS / BARSH):** A motion was moved, seconded and carried that the Planning Commission adopt PC Resolution No. 2008-20, recommending City Council approval of Zone Text Amendment No. 08-97509 and adoption of Ordinance 1396 establishing development regulations and operational standards for Wireless Communication Facilities.

(Motion carried 5 – 0)

**V. PLANNING COMMISSIONER’S COMMENTS**

Commissioner Escandel congratulated Chairman Dickson on his election to the Water Board.

**VI. DIRECTOR’S REPORT**

1. **Receive and file: Draft Housing Element**

   Senior Planner Clinton presented a brief over-view of the draft element. She also mentioned that we had a workshop on the element and then sent out a questionnaire in the utility bills regarding input for the draft element. Staff will bring back the element in December after the Commissioners have had an opportunity to review it.

2. **City Council Actions on Planning-Related Items**

   Interim Director Bassi stated that he had no items to report. Chairman Dickson stated that he would like a report on the actions that the Council took
on Planning Commission projects. He also would like more interaction with the
City Council and felt that more joint meetings would be good. As a point of
clarification, Mr. Dickson stated a memo or punch list with projects and the
Council actions would be fine.

VII. FUTURE PROJECTS

There was no discussion; items were just for information purposes.

VIII. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting
was adjourned at 7:13 p.m. to the December 2, 2008 meeting.

Respectfully submitted,

[Signature]
Gini Sorenson
Recording Secretary
DATE: December 2, 2008

TO: Chairman and Members of the Planning Commission

FROM: City of Banning Planning Division

SUBJECT: General Plan Conformity Finding for Mt. San Jacinto Community College:
Planning Commission Consideration of a General Plan Conformity finding for the Mt. San Jacinto Community College District for the Property Located at Southeast Corner of Westward Avenue and Sunset Avenue (APN 537-140-001)

RECOMMENDATION

The Planning Division recommends Planning Commission adopt Resolution No. 2008-24 (Attachment 1) making a finding of General Plan Conformity for the Mt. San Jacinto Community College District on property located at the southeast corner of Westward and Sunset Avenues.

PROJECT DESCRIPTION

On October 13, 2008, the Planning Division received a letter from the Mt. San Jacinto Community College (MSJCC) District (Attachment 2). Mr. George Kozitza, Vice-President, Business Services has requested a General Plan Conformity Finding from the City of Banning in compliance with state law. The MSJCC is proposing to purchase a 1.5 acre site located at the southeast corner of Westward and Sunset Avenues (Attachment 3) as part of their future San Gorgonio Pass Educational Center project.

PROJECT ANALYSIS

General Plan Consistency

The state Public Resources Code (Section 21151.2) and Government Code (Section 65402.a) mandate that when city agencies receive a request for general plan conformity that a finding be made within 40 days of the request. Since the City of Banning has received such a request from the MSJCC, staff is bringing this item to the Planning Commission for consideration. In researching the proposed request, staff believes that the Commission can make a “Finding of
General Plan Conformity Finding
Mt. San Jacinto Community College
Page 2 of 3

General Plan Conformity” for the MSJCC. Staff offers the Commission the following analysis related to the General Plan.
As stated in the General Plan Land Use Element:

“Land uses for public facilities include such governmental functions as City offices and facilities and fire stations and the airport. Others include such uses as schools, hospitals and libraries. The land use plan identifies public facilities if they are currently owned by a public entity or proposed to be dedicated to a public entity in a Specific Plan. In the future as additional facilities are acquired, the General Plan land use map will be amended to reflect these acquisitions”. Although the subject property has a Very Low Density Residential (VLDR) land use designation, when the property is acquired by the MSJCC District the land use map will be amended to reflect this acquisition as stipulated above in the General Plan Land Use Element. The Land Use Element also states “maintenance of the City’s existing relationships with the school districts, the County fire department and other agencies is critical in assuring that sufficient land is made available for the future development of public facilities in the City…”

As stated in the General Plan Public Facilities Element, it the goal of the City to have “Sufficient and appropriately located public facilities to serve the needs of the City’s residents, businesses and visitors”. Policy 3 of the Schools and Libraries Element states that “schools and libraries shall be protected from excessive noise and traffic conditions, incompatible land uses and the threat of on-site disturbance to the greatest extent possible”.

Certainly the MSJCC District’s acquisition of the subject site, which is bounded on two sides by the future campus and on the other two sides by arterial streets, creates a more compatible land use, improves the general appearance of the entry to the campus and improves traffic and pedestrian access to the campus. By improving neighborhood compatibility, safe access and by enhancing the identity and visibility of the college from the intersection, this proposal is in conformance with the General Plan.

RECOMMENDATION:

The Planning Division recommends Planning Commission adopt Resolution No. 2008-24 making a finding of General Plan Conformity for the Mt. San Jacinto Community College District.

Respectfully submitted,

Matthew C. Bassi
Interim Community Development Director
PC Attachments:

1. PC Resolution No. 2008-24
2. MSJCC Correspondence Letter (dated October 13, 2008)
3. Aerial Photograph of Subject Site

G:\General Plan Conformity Requests\MSJCC Gen Plan Conformity rept 12-2-08.doc
ATTACHMENT 1

PC RESOLUTION NO. 2008-24
RESOLUTION NO. 2008-24

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF BANNING, CALIFORNIA MAKING A
FINDING OF GENERAL PLAN CONFORMITY FOR THE
MT. SAN JACINTO COMMUNITY COLLEGE DISTRICT
PROPERTY OF 1.5 ACRES LOCATED AT SOUTHEAST
CORNER OF WESTWARD AVENUE AND SUNSET
AVENUE (APN 537-140-001)

WHEREAS, the applicant, Mount San Jacinto Community College, has requested Planning Commission consideration of a General Plan Conformity Finding for the Mt. San Jacinto Community College District property of 1.5 acres located at southeast corner of Westward Avenue and Sunset Avenue; and

WHEREAS, the proposed request from Mount San Jacinto Community College is in compliance with the state Public Resources Code (Section 21151.2) and Government Code (Section 65402.a) that mandates that the City of Banning make a General Plan conformity finding within 40 days of such request; and

WHEREAS, the Planning Commission has analyzed the request by San Jacinto Community College, and has carefully considered all pertinent documents and the staff report offered in this case as presented at the Planning Commission meeting of December 2, 2008.

NOW THEREFORE, the Planning Commission of the City of Banning does hereby find, determine, and resolve as follows:

SECTION 1. Pursuant to Article 19, Section 15061(b)(3) of the Guidelines for Implementation of the California Environmental Quality Act (CEQA), the Planning Commission determines that this project is exempt from further CEQA review and documentation. Section 15061(b)(3) exempts projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 2. In support of the General Plan Conformity Assessment finding, the Planning Commission hereby finds and determines that the purchase of the 1.5 acre property by Mount San Jacinto Community College for future use as part of the San Gorgonio Pass Educational Center project meets the following goals/policies of the General Plan:

1) "Land uses for public facilities include such governmental functions as City offices and facilities and fire stations and the airport. Others include such uses as schools, hospitals and libraries. The land use plan identifies public facilities if they are currently owned by a public entity or proposed to be dedicated to a public entity in a Specific Plan. In the future as additional facilities are acquired, the General Plan land use map will be amended to reflect these acquisitions". Although the subject property has a Very Low Density Residential (VLDR) land use designation, when the property is acquired by the MSJCC District the land use map will
be amended to reflect this acquisition as stipulated above in the General Plan Land Use Element. The Land Use Element also states “maintenance of the City’s existing relationships with the school districts, the County fire department and other agencies is critical in assuring that sufficient land is made available for the future development of public facilities in the City…”

2) “Sufficient and appropriately located public facilities to serve the needs of the City’s residents, businesses and visitors”. Policy 3 of the Schools and Libraries Element states that “schools and libraries shall be protected from excessive noise and traffic conditions, incompatible land uses and the threat of on-site disturbance to the greatest extent possible”.

SECTION 3. The Secretary shall certify to the adoption of this Resolution and forward the original to the City Clerk.

SECTION 4. The Planning Commission hereby takes the following actions:

1. Adopt Resolution No. 2008-24 making a finding of General Plan Conformity for the Mt. San Jacinto Community College District on property located at the southeast corner of Westward and Sunset Avenues (APN 537-140-001).

PASSED, APPROVED AND ADOPTED this 2nd day of December, 2008.

______________________________
William Dickson, Chairman
Banning Planning Commission

APPROVED AS TO FORM AND
LEGAL CONTENT:

______________________________
David J. Aleshire, City Attorney
Aleshire & Wynder, LLP
City of Banning, California
CERTIFICATION:

I, Virginia Sorenson, Recording Secretary of the Planning Commission of the City of Banning, California, do hereby certify that the foregoing Resolution, No. 2008-24, was duly adopted by the Planning Commission of the City of Banning, California, at a regular meeting thereof held on the 2nd day of December, 2008, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

_________________________________
Virginia Sorenson, Recording Secretary
City of Banning, California

G:\General Plan Conformity Requests\MSJCC Gen Plan Conformity reso 12-2-08.doc
ATTACHMENT 2

MSJCC CORRESPONDENCE letter
(Dated 10/13/08)
October 13, 2008

Mr. George Hansen, Director
City of Banning
Community Development Department
99 East Ramsey Street
Banning, CA 92220

Subject: Notice of Proposed Property Acquisition and Future Development of San Gorgonio Pass Educational Center and Request for General Plan Conformity Finding (Public Resources Code Section 21151.2 and California Government Code Section 65402.a)

Dear Mr. Hansen:

LSA Associates, Inc. (LSA) presently serves as environmental consultant to the Mt. San Jacinto Community College District (District) and is assisting the District with the California Environmental Quality Act (CEQA) environmental analysis for the proposed San Gorgonio Pass Educational Center located in the City of Banning, California.

The District’s proposed acquisition parcel is 1.5 acres and is located on the southeastern corner of Westward Avenue and Sunset Avenue in the City of Banning. This parcel is bound on the east and south by a 48.6-acre parcel that is currently owned by the District and is planned for the future San Gorgonio Pass Educational Center. The acquisition of the 1.5 acre site would “square off” the District’s previous acquisition and would create a rectangular corner for the proposed campus at Westward Avenue and Sunset Avenue.

It is LSA’s understanding that the Banning General Plan designates this site as Very Low-Density Residential. The District anticipates utilizing 1.5 acre site for use as an entryway, visitor information center, and pedestrian mall for the San Gorgonio Pass Educational Center. The anticipated uses on the 1.5-acre acquisition parcel would not result in additional students or staff to the future educational center.

Pursuant to Government Code Section 65402.a and Public Resources Code Section 21151.2, the District hereby notifies the City of Banning Community Development Department/Planning Commission of the proposed acquisition and requests that the Development Services Department investigate the proposed site and submit written findings to the District within 40 days as to the conformity of the proposed project with the currently adopted City General Plan. The City’s previous General Plan Conformity Finding for the District’s existing 48.6-acre educational center site, which bounds the 1.5 acre acquisition site, is attached for the City’s review.
LSA appreciates your prompt attention to the request for this review. If you have any questions or need additional information, please call me at (949) 553-0666. Also, do not hesitate to contact Jeanne O’Dell, Director of Facilities Planning/Construction, Mt. San Jacinto Community College District, at (951) 487-3102.

Sincerely,

George Kozitza, Ed.D.
Vice President, Business Services

cc: Jeanne O’Dell, Director of Facilities Planning/Construction, Mt. San Jacinto Community College District
ATTACHMENT 3

AERIAL PHOTOGRAPH OF PROJECT SITE
This map represents a visual display of related geographic information. Data provided hereon is not a guarantee of actual field conditions. To be sure of complete accuracy, please contact BANNING staff for the most up-to-date information.
DATE: December 2, 2008

TO: Chairman and Members of the Planning Commission

FROM: City of Banning Planning Division

SUBJECT: General Plan Conformity Finding for the Smith Correctional Facility:
Planning Commission Consideration of a General Plan Conformity finding for the
Smith Correctional Facility on Property Located on the Southside of Wesley Street approximately 745 feet west of Hargrave Avenue (APN: 543-140-004).

RECOMMENDATION

The Planning Division recommends Planning Commission adoption of Resolution No. 2008-25 (Attachment 1) making a finding of General Plan Conformity for the Smith Correctional Facility on property located on the southside of Wesley Street approximately 745 feet west of Hargrave Avenue.

PROJECT DESCRIPTION

On November 12, 2008, the Planning Division received a letter from the County of Riverside - Smith Correctional Facility (Attachment 2). Mr. Burt Presnell, Principal Real Property Agent, has requested a General Plan Conformity Finding from the City of Banning in compliance with state law. The County is proposing to purchase a 1.59 ± acre site on the southside of Wesley Street approximately 745 feet west of Hargrave Avenue (Attachment 3). The County has stated that the property will remain in its current residential land use. In the future (no date indicated), the property will be used as part of a “buffer zone”.

PROJECT ANALYSIS

General Plan Consistency:

The state Public Resources Code (Section 21151.2) and Government Code (Section 65402.a) mandate that when city agencies receive a request for general plan conformity that a finding be made within 40 days of the request. Since the City of Banning has received such a request from the County of Riverside, staff is bringing this item to the Planning Commission for consideration. In researching the proposed request, staff believes that the Commission can make
a "Finding of General Plan Conformity". Staff offers the Commission the following analysis
related to the General Plan.

The General Plan Land Use Element designation for the subject property is Very Low Density
Residential. This designation allows detached single-family homes at a density of 0 - 2 units per
acre. The site is 1.59 acres in size and currently contains one (1) single family residence. As
indicated by the Mr. Presnell, the site will remain intact for the foreseeable future. Ultimately,
the County intends to raze the house and use the property as a "buffer" between the existing
neighborhoods and the county facility. Given this, the property is in conformance with the City
of Banning General Plan.

RECOMMENDATION

The Planning Division recommends Planning Commission adoption of Resolution No. 2008-25
making a finding of General Plan Conformity for the Smith Correctional Facility on property
located on the southside of Wesley Street approximately 745 feet west of Hargrave Avenue.

Respectfully submitted,

Matthew C. Bassi
Interim Community Development Director

PC Attachments:

1. PC Resolution No. 2008-25
2. County of Riverside Letter (dated November 12, 2008)
3. Aerial Photograph of Subject Site

G:\General Plan Conformity Requests\Smith Correctional Fac PC rept 12-2-08.doc
ATTACHMENT 1

PC RESOLUTION NO. 2008-25
RESOLUTION NO. 2008-25


WHEREAS, the applicant, County of Riverside (Smith Correctional Facility), has requested Planning Commission consideration of a General Plan Conformity Finding for a 1.59 acre site located on the southside of Wesley Street approximately 745 feet west of Hargrave Avenue; and

WHEREAS, the proposed request from the County of Riverside (Smith Correctional Facility) is in compliance with the state Public Resources Code (Section 21151.2) and Government Code (Section 65402.a) that mandates that the City of Banning make a finding of General Plan Conformity within 40 days of such request; and

WHEREAS, the Planning Commission has analyzed the request by the County of Riverside (Smith Correctional Facility) and has carefully considered all pertinent documents and the staff report offered in this case as presented at the Planning Commission meeting of December 2, 2008.

NOW THEREFORE, the Planning Commission of the City of Banning does hereby find, determine, and resolve as follows:

SECTION 1. Pursuant to Article 19, Section 15061(b)(3) of the Guidelines for Implementation of the California Environmental Quality Act (CEQA), the Planning Commission determines that this project is exempt from further CEQA review and documentation. Section 15061(b)(3) exempts projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 2. In support of the General Plan Conformity Assessment finding, the Planning Commission hereby finds and determines that the purchase of the 1.59 acres property by County of Riverside (Smith Correctional Facility) meets the following goals/policies of the City of Banning General Plan:

1) The General Plan Land Use Element designation for the subject property is Very Low Density Residential. This designation allows detached single-family homes at a density of 0 - 2 units per acre. The site is 1.59 acres in size and currently contains one (1) single family residence. As indicated by the Mr. Presnell, the site will remain intact for the foreseeable future. Ultimately, the County intends to raze the house and use the property as a “buffer” between the existing neighborhoods and the county facility. Given this, the property is in conformance with the City of Banning General Plan.
SECTION 3. The Secretary shall certify to the adoption of this Resolution and forward the
original to the City Clerk.

SECTION 4. The Planning Commission hereby takes the following actions:

1. Adoption of Resolution No. 2008-25 making a finding of General Plan Conformity for the
Smith Correctional Facility on property located on the southside of Wesley Street
approximately 745 feet west of Hargrave Avenue (APN: 543-140-004).

PASSED, APPROVED AND ADOPTED this 2nd day of December, 2008.

William Dickson, Chairman
Banning Planning Commission

APPROVED AS TO FORM AND LEGAL
CONTENT:

David J. Aleshire, City Attorney
Aleshire & Wynder, LLP
City of Banning, California

CERTIFICATION:

I, Virginia Sorenson, Recording Secretary of the Planning Commission of the City of Banning,
California, do hereby certify that the foregoing Resolution, No. 2008-25, was duly adopted by the
Planning Commission of the City of Banning, California, at a regular meeting thereof held on the 2nd
day of December, 2008, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

Virginia Sorenson, Recording Secretary
City of Banning, California

G:\General Plan Conformity Requests\Smith Correctional Fac PC reso 12-2-08.doc

PC RESOLUTION NO. 2008-25
Page 2 of 2
ATTACHMENT 2

COUNTY OF RIVERSIDE CORRESPONDENCE
(dated November 12, 2008)
November 12, 2008

Mathew Bassi, Planning Director
City of Banning
99 E. Ramsey Street
P.O. Box 998
Banning, California 92220

Re: Request for a Finding of Conformity to the General Plan under Government Code 65402

Dear Mr. Bassi:

The County of Riverside is proposing to acquire a 1.59 +/- acre site (Assessor's Parcel Number 543-140-004) near the intersection of Wesley Street and San Gorgonio Avenue in the City of Banning for the purpose of developing a buffer zone as a part of the expansion of the existing Larry Smith Correctional Facility.

This notice is being sent pursuant to Government Code Section 65402 (attached) regarding the County's acquisition of this real property. Per this section, the City of Banning must make a Finding of Conformity of the project to the City's General Plan within forty (40) days of this request for consideration. The planning agency must render a report as to conformity with the General Plan or part thereof within forty (40) days after the matter has been submitted for consideration. Failure to report within the forty (40) days shall indicate a Finding of Conformity with the General Plan.

Should you have any questions, please feel free to contact me at (951) 955-9275. Thank you for consideration of this request.

Sincerely,

[Signature]

Burt Presnell, Principal Real Property Agent
Real Estate Division

BP:jw
Attachment

cc: File Copy
ATTACHMENT 3

AERIAL PHOTOGRAPH OF THE SUBJECT PROPERTY
CITY OF BANNING
PLANNING COMMISSION REPORT

DATE: December 2, 2008

TO: Chairman and Members of the Planning Commission

FROM: City of Banning Planning Division

SUBJECT: 2008-2014 Draft Housing Element

BACKGROUND:

The Planning Commission received the draft for review in the November 5, 2008 packet. A brief history, outline of the Housing Element's contents and discussion of some of the action items were presented to the Commission in a staff report at the November 5th meeting. No one from the public came forward to comment on the draft at that meeting.

The purpose of this meeting is to receive comments from the Commission and to give the Commission an opportunity to forward its comments to the City Council.

After City Council review, the draft Housing Element will be sent to the State of California Office of Housing and Community Development (HCD) for their review. After the HCD comments are completed and incorporated into the draft, the Planning Commission and City Council will hold a public hearing to adopt the updated Housing Element. The approved Housing Element will then go back to HCD for certification.

RECOMMENDATION:

That the Planning Commission receive and file and direct staff to present the Draft 2008-2014 General Plan Housing Element to the City Council.

Respectfully submitted, 

Reviewed by:

Kim Clinton, AICP
Senior Planner

Matthew C. Bassi
Interim Community Development Director
CITY OF BANNING
PLANNING COMMISSION REPORT

DATE: December 2, 2008

TO: Chairman and Members of the Planning Commission

FROM: City of Banning Planning Division

SUBJECT: Design Review No. 07-7014:
A request by Mr. Lonnie Saverino (applicant) to remodel and expand Green Thumb Produce; a retail/wholesale market located at 2648 W. Ramsey Street (APN No. 538-190-011 & 040).

BACKGROUND/DESCRIPTION:
The Planning Commission was originally scheduled to review this application at their October 7, 2008 meeting; however, the applicant requested a continuance to November 5, 2008. The continuance was granted by the Commission as the applicant had decided to revise the development plans and architecture. At the November 5, 2008 meeting, the applicant requested another continuance for the same reasons. As of the date of this report, the applicant has not completed the revisions to their development plans, nor have they submitted any revised plans for staff’s review. Depending on the significance and complexity of the revisions, the development plans may need to be redistributed to other City departments for a final review.

Since staff has not received any revised development plans since the original request to continue the project, it would be prudent at this time to table this item. Once the revised development plans are submitted and reviewed by City staff, the project will then be rescheduled for the earliest Commission meeting. The applicant has been contacted regarding staff’s recommendation and is in concurrence.

RECOMMENDATION:
Staff recommends that the Planning Commission table this item for a future meeting.
Respectfully submitted,

Matthew C. Bassi
Interim Community Development Director
CITY OF BANNING
PLANNING COMMISSION REPORT

DATE: December 2, 2008

TO: Chairman and Members of the Planning Commission

FROM: City of Banning Planning Division

SUBJECT: Zone Text Amendment #08-97511:
Staff recommendation for Planning Commission to adopt PC Resolution No. 2008-23 (Attachment 1) recommending City Council adoption of Ordinance No. 1401 to amend Section 17.36.170 of the Banning Zoning Ordinance related to Murals.

BACKGROUND/DESCRIPTION:

The Planning Commission was originally scheduled to review this zone text amendment at their November 5, 2008 meeting. However, staff requested a continuance to the December 2, 2008 meeting to allow time to discuss the proposed amendment with the new City Attorney. Staff is continuing its discussions with the City Attorney and we are not prepared at this time to bring the amendment to the Commission for review. As this is a city-initiated zone text amendment, staff would like to table this item and reschedule it for a future Commission agenda once our research and discussion with the City Attorney are completed.

RECOMMENDATION:

Staff recommends that the Planning Commission table this item for a future meeting.

Respectfully submitted,

Matthew C. Bassi
Interim Community Development Director

G:\ZTA #08-97511 Mural Ordinance Amendment\PC Staff Report 12-2-08.doc

City of Banning Planning Division
Planning Commission Meeting of December 2, 2008
DATE: December 2, 2008

TO: Chairman and Members of the Planning Commission

FROM: Matthew C. Bassi, Interim Community Development Director

SUBJECT: City Council Actions from the November 14, 2008 Meeting

Below is a list of the projects and the actions taken by the City Council on Community Development Department/Planning Division related items.

Projects:

➤ Holiday Inn Express Hotel - City Council review of a proposed Deferral Agreement to defer Development Impact Fees beyond the issuance of a Certificate of Occupancy.

   City Council Decision – The item was continued to the December 10, 2008 Council meeting.

No other planning items from the Community Development Department were scheduled for the November 14, 2008 City Council meeting.

Future Projects tentatively Scheduled for the December 10, 2008 City Council meeting:

➤ Neighborhood Stabilization Program - Briefing by CD Staff on this newly created federal/state funding program related to address abandoned and foreclosed homes.

➤ Facade Grant Program – Briefing by the CD Staff on revisions being proposed to the CRA façade grant program.

➤ Holiday Inn Express Hotel – City Council review of a proposed Deferral Agreement for development impact fees.

Respectfully submitted,

Matthew C. Bassi
Interim Community Development Director

G:\OTHER\Staff\Matt Bassi - Interim\Planning Commission Items\PC Briefing Memo 12-2-08.doc

City of Banning Planning Division
Planning Commission Meeting of December 2, 2008