I. CALL TO ORDER: Chairman Hawkins

➢ Pledge of Allegiance: Commissioner Barsh

➢ Roll Call: Chairman Hawkins, Commissioner Arterberry; Commissioner Barsh; Commissioner Escandel; Commissioner 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 the April 9, 2009 Planning Commission Minutes
IV. PUBLIC HEARINGS

1. **Conditional Use Permit # 09-801:** A Request from Reliant Land Services for AT & T Wireless to establish a monopine at 3724 W. Ramsey Street / APN 537-090-046 and Determine that the project is exempt from the California Environmental Quality Act (CEQA) as stipulated by Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act.

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2. **REQUEST FOR CONTINUATION: Capital Improvement Program (CIP):**
The proposed Capital Improvement Program (CIP) fiscal years 2009-2014 has been referred to the Planning Commission for review as to its consistency and conformance with the City of Banning General Plan (adopted by City Council on January 31, 2006, by Resolution No. 2006-13) any applicable specific plans, and all elements and parts of the plan. The Capital Improvement Program (CIP) is a roadmap that provides direction and guidance for planning, managing, and financing the City’s capital and infrastructure assets. The 5-year CIP is used by the City to review the funding of desired capital improvements that compete for scarce financial resources.

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V. PLANNING COMMISSIONER COMMENTS

VI. COMMUNITY DEVELOPMENT DIRECTOR’S REPORT

1. City Council Actions from previous meetings on Planning-Related Items (Oral Report)

VII. TENTATIVE PROJECTS SCHEDULED FOR AUGUST 4, 2009

None at this time.

VIII. ADJOURNMENT

The City of Banning Planning Commission is hereby adjourned to the regular Planning Commission meeting of August 4, 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

April 7, 2009

A regular meeting of the City of Banning Planning Commission was held on Tuesday, April 7, 2009 at 6:30 p.m., in the Council Chambers, City Hall, 99 East Ramsey Street, Banning, CA, 92220.

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

Staff Present: Senior Planner Clinton
Planning Engineer Guillot
Assistant City Attorney Lopez
Recording Secretary Sorenson

I. CALL TO ORDER

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

II. PUBLIC COMMENT

No one came forward.

III. CONSENT CALENDAR

1. Review of Minutes (March 3, 2009)

ACTION (ESCANDEL / ARTERBERRY): A motion was moved, seconded and carried that item 1 be approved as presented.

(Motion carried 5-0)
IV. PUBLIC HEARINGS

1. Design Review No. 07-7014:
A Request by Green Thumb Produce for the Approval of a 21,000+ Square-Foot Remodel/Expansion on a 4.73 Acre Site in the Highway Serving Commercial (HSC) Zone Located at 2648 W. Ramsey Street (APN 538-190-011 & 040).

Senior Planner Clinton presented the staff report and stated that this is a request for an expansion by Green Thumb Produce to include an approximately 21,000 square foot remodel to their existing facility. They will combine parcels and branch out onto an adjacent parcel and will do a face-lift on the façade. They will re-landscape the entire site, add parking and have a proposal to paint a mural depicting fruits and vegetables that needs to be approved by the mural committee. They will add a sit down restaurant and bakery area, plan to double warehouse and production areas and will screen the roof mounted equipment with parapet walls.

Commissioner Siva inquired if the truck traffic would increase. Ms. Clinton replied that the anticipated truck traffic would not exceed any traffic thresholds.

Bill Dickson, 5700 W. Wilson Street, Banning CA, came forward to discuss the trucks blocking Ramsey Street to back into the drive-way. Commissioner Escandel responded that he noticed the new site plan shows trucks have the ability to turn around on the property. Planning Engineer Guillot stated that the new site plan will have circulation around the building, so the one drive-way that was discussed could be avoided by entering on the west. He suggested that a notation be made to the City Engineer's office that when the grading plan is prepared, that they review the vertical component for large trucks. Assistant City Attorney Lopez offered to propose some language for a condition. Commissioner Siva would like to include a provision for solar panels.

ACTION (ESCANDEL / SIVA): A motion was moved, seconded and carried that the Planning Commission:
1. Adopt a Categorical Exemption in compliance with CEQA Guidelines Section 15332 (In-Fill);

(Motion carried 5 – 0)

ACTION (BARSCH / ARTHERBERRY): A motion was moved, seconded and carried that the Planning Commission:
2. Adopt PC Resolution No. 2009-04 (Attachment 1) approving Design Review No. 07-7014, subject to conditions, as amended to include the following conditions: 1) The applicant shall ensure that all trucks enter the property from the western drive-way approach; 2) Applicant shall prohibit all trucks from blocking any traffic on Ramsey Street while
attempting to enter or exit the site; 3) the applicant shall install solar panels to the extent feasible.

(Motion carried 5 – 0)

2. Zoning Text Amendment No. 09-97501:
Amendment to Municipal Code Section 17.28.040, Pertaining to Industrial Warehousing and Industrial Manufacturing Parking Standards.

Planning Engineer Guillot presented the staff report and stated that staff is proposing updating our parking standards for warehousing and manufacturing uses. He illustrated sample parking calculations and standards from several other cities. Staff suggested using the median standard for warehousing, which is the City of Ontario and for manufacturing, using the City of Banning previous standard. When we adopted the new Code in 2006 this standard was over-looked.

Senior Planner Clinton re-iterated the actual standards: For warehouse parking, for the first 20,000 square feet it would be 1,000 square feet per gross floor area; over 20,000 square feet it would be one space per 2,000 square feet for any portion over the 20,000; for trucks, one tractor trailer space per four high dock doors. For manufacturing uses it would be a flat one space per 600 square feet of building area.

There was discussion and Mr. Guillot provided some examples and calculations for the Commissioners.

Assistant City Attorney Lopez stated that she would like to amend some of the language of the Table in the resolution under Industrial Warehousing for the over 20,000 square feet portion and preferred that it read: 20 spaces plus one space per 2,000 square feet for portions over 20,000 square feet.

There was discussion regarding truck parking. Commissioner Escandel stated he would like to see language to provide for trucks in the Manufacturing section also. He would like the same language as the Warehousing section and would like to have a minimum of two parking spaces for the employees, plus all the other verbiage.

Assistant City Attorney Lopez stated that she wanted to make it clear for the record what the proposed amendments are to the resolution. Subparagraph A, which deals with the Industrial Warehousing provisions, the first line would now read: one space per 1,000 square feet of gross floor area, with a minimum requirement of two parking spaces per site; Over 20,000 square feet would now read: 20 spaces plus one space per 2,000 square feet for portions over 20,000 square feet; and the trucks line would remain unchanged. As to Subparagraph B, addressing Industrial Manufacturing, there would be a new line added and the line would be labeled “Trucks”, under the first column and it would read: one tractor trailer space per four high dock doors.

Planning Commission Meeting
April 7, 2009
There was more discussion about the language and the new amendment would read: For one to 20,000 square feet it would read 2 parking spaces plus one space per 1,000 square feet of gross floor area; over 20,000 square feet it would be 22 spaces plus one per 2,000 square feet; the trucks line would remain the same. With regards to Industrial Manufacturing uses, it would now read: 2 parking spaces plus one space per 600 square foot of building area and then there would be a “Trucks” line added: one tractor trailer space per four high dock doors.

ACTION (ESCANDEL / BARSH): A motion was moved, seconded and carried that the Planning Commission:
1. Adopt a Categorical Exemption in compliance with CEQA Guidelines Section 15061(b)(3); and

2. Adopt PC Resolution No. 2009-05 (Attachment 1) approving Zone Text Amendment No. 09-97501, as amended to include the following language: For one to 20,000 square feet it would read 2 parking spaces plus one space per 1,000 square feet of gross floor area; over 20,000 square feet it would be 22 spaces plus one per 2,000 square feet; the trucks line would remain the same. With regards to Industrial Manufacturing uses, it would now read: 2 parking spaces plus one space per 600 square foot of building area and then there would be a “Trucks” line added: one tractor trailer space per four high dock doors.

(Motion carried 5 – 0)

V. COMMUNITY DEVELOPMENT DIRECTOR’S REPORT

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

Senior Planner Clinton stated that the City Council approved a 10 month, 15 day extension for the freeway oriented signs, so that will be good until the middle of February.

VI. PLANNING COMMISSIONER COMMENTS

Commissioners Siva and Arterberry thanked the City for the opportunity to attend the League of California Cities Planner’s Institute in Anaheim in March.
VII. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 7:20 p.m. to the May 5, 2009 meeting.

Respectfully submitted,

[Signature]
Gini Sorenson
Recording Secretary
DATE: July 7, 2009

TO: Mr. Chairman and Members of the Planning Commission

FROM: City of Banning Planning Division

SUBJECT: Conditional Use Permit No. 09-801: A Request by Reliant Land Services for AT&T Wireless To Construct A Telecommunications Facility on a 400 Square Foot Lease Area Within An Approximately 0.4 acre (17,600 Square Foot) Site In The General Commercial (GC) Zone Located at 3724 W. Ramsey Street (APN No. 537-090-046).

STAFF RECOMMENDATION

The Planning Division recommends the Planning Commission take the following actions:

1. Adopt a Categorical Exemption in compliance with CEQA Guidelines Section 15332 (In-Fill); and

2. Adopt PC Resolution No. 2009-07 (Attachment 1) approving Conditional Use Permit No. 09-801 subject to conditions.

PROJECT/APPLICANT INFORMATION

Project Location: 3724 W. Ramsey Street
APN Information: 537-090-046
Project Applicant: Reliant Land Services for AT&T Wireless
Property Owner: Chad & Shawn Ware
Redevelopment Area: Yes
Specific Plan: No
PROJECT BACKGROUND AND DESCRIPTION

Project Description:

Applicant is requesting approval to construct a 55 ft tall mono-pine (antenna is at 50 feet) and a 12 foot by 20 foot, 10.5 foot tall equipment shelter within a 400 square foot lease area on a 17,600 square foot (0.4 acre) lot. The site was formerly used as a recreational vehicle sales lot but is now vacant. The site is flat, partially paved and contains a 1200 square foot one-story building. There are no trees or landscaping on the lot.

Surrounding Land Use Information

The project is located in the General Commercial (GC) Zone. The project site is located north of the Interstate 10 freeway on the south side of Ramsey Street, west of Sunset Avenue. North of the site is the Stagecoach Mobile Home Park and an antique store. West of the site is A-1 Used Appliances. East of the site is a single family home. South of the site is the I-10 freeway. The nature of the surrounding uses, Zoning and General Plan land use designations are delineated for Planning Commission consideration in the following table.

<table>
<thead>
<tr>
<th>Subject Site</th>
<th>Existing Land Use</th>
<th>Zoning Designation</th>
<th>General Plan Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Stagecoach Mobile Home Park, &amp; Antique Store</td>
<td>Mobile Home Park/General Commercial</td>
<td>Mobile Home Park/General Commercial</td>
</tr>
<tr>
<td>South</td>
<td>Interstate 10 freeway</td>
<td>General Commercial (south of freeway)</td>
<td>General Commercial (south of freeway)</td>
</tr>
<tr>
<td>East</td>
<td>Single Family Home</td>
<td>General Commercial</td>
<td>General Commercial</td>
</tr>
<tr>
<td>West</td>
<td>A-1 Used Appliances</td>
<td>General Commercial</td>
<td>General Commercial</td>
</tr>
</tbody>
</table>

PROJECT ANALYSIS

Zoning Analysis:

The site is located in the General Commercial (GC) zone. This zone permits telecommunications antennas subject to a conditional use permit. Below is a chart showing the minimum development standards for the General Commercial (GC) zone and those standards at section 17.24.060 regulating antenna, and how the proposed project meets these standards.
<table>
<thead>
<tr>
<th>Development Standards</th>
<th>Required</th>
<th>Provided</th>
<th>Compiles With Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Setback</td>
<td>10 feet</td>
<td>129 feet to equipment shelter</td>
<td>Yes</td>
</tr>
<tr>
<td>Side Setback</td>
<td>0 feet</td>
<td>0 feet to edge of the mono-pine canopy</td>
<td>Yes</td>
</tr>
<tr>
<td>Rear Setback</td>
<td>0 feet</td>
<td>0 feet to edge of the mono-pine canopy</td>
<td>Yes</td>
</tr>
<tr>
<td>Lot Coverage (%)</td>
<td>35% (maximum)</td>
<td>8%</td>
<td>Yes</td>
</tr>
<tr>
<td>Required Parking</td>
<td>One space for maintenance truck</td>
<td>One space for maintenance truck</td>
<td>Yes</td>
</tr>
<tr>
<td>Antenna Height Top of Tree</td>
<td>35 feet maximum. More height permitted subject to CUP</td>
<td>50 feet 55 feet</td>
<td>Yes, if CUP is approved for additional height.</td>
</tr>
<tr>
<td>Minimum Lot Size</td>
<td>6,000 square feet</td>
<td>17,600 square feet</td>
<td>Yes</td>
</tr>
</tbody>
</table>

**Site Plan Analysis:**

The site will be accessed by an access easement from the existing driveway that is required by the proposed conditional use permit to be paved and will also be required to be a minimum of 15 feet in width.

**Parking Analysis:**

The only parking required will be a space for the service truck which will service the site by parking at the end of the paved access easement.

**Architectural Analysis:**

The proposed 55 foot mono-pine will be located adjacent to the freeway in the southwest corner of the subject property. The 12 foot by 20 foot equipment shelter is 10 feet in height and is a prefabricated building with stucco siding (per conditions of approval). Staff is proposing a condition that a cornice treatment be applied to the building’s roofline and that the surrounding wall be split-face block or stuccoed to match the building. No chain-link will be permitted. The zoning ordinance states that no antenna may be visible from a federal or state highway. To this end “socks” simulating pine boughs will be placed on the antennae rather than having an exposed metal array. Staff has included photos of a similar AT&T installation in Moreno Valley and has included a condition that the project when built must meet the conditions and must be of equivalent or better quality than the photo-simulations provided to the staff and commission. There are many mono-pine installations along the I-10 corridor that are of varying quality. Staff is of the opinion that this proposal will be compatible with the visual character of the I-10 corridor.
In terms of setbacks, the outermost edge of tree canopy is proposed to end at the lot line in the rear and on the west side. The edge of the antenna array is five feet from the rear property line and 3.5 feet from the western property line. The equipment shelter is proposed at two feet from the west property line. This is consistent with the required setbacks and less intrusive than placing the facility in a more central area of the property. It is also at the furthest possible point from any of the existing residential properties near the site.

Landscaping/Grading Analysis:
The site is graded with asphalt and gravel parking areas. Gravel parking is no longer permitted. The applicant will need to provide parking on a paved surface. Staff is recommending four additional pines of similar type canopy size and ultimate height be planted, to help to blend the facility in with the surroundings. Currently the site has no landscaping.

ENVIRONMENTAL DETERMINATION

The Planning Commission, in light of the whole record before it, including but not limited to, the City’s Local CEQA Guidelines, the recommendation of the Planning Division as provided in this Staff Report dated July 7, 2009 and documents incorporated herein by reference, and any other evidence (within the meaning of Public Resources Code § 21080(e) and § 21082.2) within the record or provided at the public hearing of this matter, hereby finds and determines as follows:

1. California Environmental Quality Act (CEQA):

   (a) The project is Categorically Exempt from CEQA in accordance with Section 15332 ("In-Fill Development") in that the staff report submitted by the Planning Division and other findings made in this Resolution demonstrate that 1) CUP No. 09-801 is consistent with the General Commercial (GC) General Plan designation and all applicable General Plan polices as well as with applicable zoning designations; 2) Conditional Use Permit No. 09-801 is located within the boundaries of the City of Banning; 3) the area within Conditional Use Permit No. 09-801 comprises less than five (5) acres and has no value as habitat for endangered, rare or threatened species; 4) there is no substantial evidence in the record that CUP No. 09-801 will result in significant effects related to traffic, noise, air quality, or water quality; and 5) the site is and can be adequately served by all required utilities and public services.

   (b) None of the exceptions to the Categorical Exemptions contained in CEQA Guidelines Section 15300.2 prevent CEQA Guidelines Section 15322 from exempting the project for the following reasons:

      (i) The project is not a Class 3, 4, 5, 6, or 11 project, and therefore is not subject to the exception pertaining to projects located in particularly sensitive environments.

      (ii) The nature of the project is such that significant cumulative impacts will not occur from successive projects of this type occurring in the same location over time. The General Commercial (GC) zoning standards regulates the land use around the site. There is a retail store to the west; an interstate freeway (I-10) to
the south; and a single-family home to the east. To the north are a mobile home park and a retail store. This is a long-established, freeway-adjacent, commercial area along Ramsey Street, the City's major commercial corridor.

(iii) There is no reasonable possibility that unusual circumstances will cause the project to have a significant effect on the environment because the telecommunications facility is not in itself a hazardous use, the City's utilities and roads are adequate to serve the project and the surrounding properties are not environmentally sensitive properties.

(iv) The project will not result in damage to scenic resources within a designated state scenic highway because there is no designated state scenic highway in the project area.

(v) The project site has not been listed as a hazardous waste and substance facility or site by the Department of Toxic Substances Control pursuant to California Government Code Section 659625.

(vi) The project will not cause a substantial adverse change to the significance of a historical resource. The site was developed as a vehicle sales lot and a historical resource or its immediate surroundings will not be demolished, destroyed, relocated, or altered such that the significance of the historical resource would be materially impaired.

2. 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.

REQUIRED FINDINGS FOR CONDITIONAL USE PERMIT NO. 09-801:

The Zoning Ordinance requires that each Conditional Use Permit application meet certain findings in Section 17.52.050 in order to be approved by the Planning Commission. The following findings are provided for Commission consideration:

Finding No. 1: The proposed project is consistent with the General Plan.

Findings of Fact: The project is consistent with the General Plan Land Use Element Policy which states: "The land-use map shall provide for sufficient lands to provide a large range of products and services to the City and the region while carefully considering compatibility with adjacent residential lands". The land-use designation of General Commercial (GC) allows telecommunications facilities as a conditional use. The project will provide a service to users of telecommunication devices and will be designed to minimize its visual impact to surrounding land uses through its design as a mono-pine, and its equipment cabinet which will be architecturally treated to be compatible with commercial buildings in the neighborhood.
Finding No. 2: The proposed use as a telecommunications facility is conditionally permitted within the subject land use district.

Findings of Fact: The land-use designation of General Commercial (GC) allows telecommunications facilities as a conditional use. The proposed project conditioned to meet all local standards pertaining to development and use, including providing sufficient parking, setbacks and screening from adjacent uses through the use of a perimeter wall pine trees and simulated pine tree structure.

Finding No. 3: The proposed use would not impair the integrity and character of the land use district in which it is to be located.

Facts of Fact: The proposed use will not impair the integrity and character of the General Commercial land use district in which it is to be located because it is surrounded by retail and residential uses on three sides and the I-10 freeway corridor to the south. The project is required to be landscaped with trees and a simulated pine tree (cell tower) and screened with a split-face or stucco block wall to current standards. The architecture as proposed is compatible with the existing structure on the property and surrounding development.

Finding No. 4: The subject site is physically suitable for the type and intensity of land use being proposed.

Findings of Fact: The subject site is currently developed with a retail/office structure. The 0.4 acre land area is of adequate size to accommodate the expansion which is on a 400 square foot lease area. The site has adequate parking and landscape areas. There is adequate access from Ramsey Street.

Finding No. 5: 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.

Finding of Fact: The site will be served by the public and private utilities, including the City’s water and electrical utilities. The project is on a private septic system. The site will be accessed and served from Ramsey Street, an existing developed roadway with existing utilities. The subject site is currently connected to these utilities.

Finding No. 6: There will not be significant harmful effects upon environmental quality, natural resources or neighborhood characteristics.

Finding of Fact: There is no evidence that the proposed project will have the potential for any adverse effect on wildlife resources or the habitat upon which wildlife depends. The site was found to contain no suitable habitat for threatened or endangered species. There is no evidence that vernal pool complex, similar bodies of water, or conditions suitable for forming such bodies of water exist on the site. The site and surrounding neighborhood is currently developed. The parcel is flat (unable to support bodies of water).
Finding No. 7: 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.

Finding of Fact: The construction of the wireless facility will not be detrimental to the City’s health, safety, and welfare in that it complies with the Zoning Code development standards. It is a conditionally permitted use in the zone. The project is consistent with the general plan land use, community design and circulation elements. The project will not generate excessive noise or traffic. There is adequate parking and screening from adjacent uses.

PUBLIC COMMUNICATION:

The proposed project was advertised in the Record Gazette newspaper, and notices were mailed to all property owners within a 300-foot radius of the site on June 26, 2009. As of the date of this report, staff has not received any verbal or written comments for or against the proposed project.

Respectfully Submitted,

Kim Clinton, AICP
Interim Community Development Director

PC Attachments:

1. Resolution No. 2009-07 (With Conditions of Approval)
2. Vicinity Map
3. Project Plans
4. Colored Version (Under Separate Cover)
PC ATTACHMENT 1

RESOLUTION NO. 2009-07
RESOLUTION NO. 2009-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BANNING, CALIFORNIA APPROVING CONDITIONAL USE PERMIT NO. 09-801 TO CONSTRUCT A TELECOMMUNICATIONS FACILITY WITHIN A 400 SQUARE FOOT LEASE AREA ON A 0.4 ACRE LOT IN THE GENERAL COMMERCIAL ZONE (APN 537-090-046).

WHEREAS, an application for a telecommunications facility has been duly filed by:

<table>
<thead>
<tr>
<th>Project Applicant:</th>
<th>Reliant Land Services for AT&amp;T Wireless</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Owner:</td>
<td>Chad &amp; Shawn Ware</td>
</tr>
<tr>
<td>Project Location:</td>
<td>3724 W. Ramsey Street</td>
</tr>
<tr>
<td>APN Number:</td>
<td>537-090-046</td>
</tr>
<tr>
<td>Lot Size</td>
<td>0.4 acres (400 square foot lease area)</td>
</tr>
</tbody>
</table>

WHEREAS, the Planning Commission has the authority per Chapter 17.52 of the Banning Municipal Code to take action on Conditional Use Permit No. 09-801 to construct a telecommunications facility in the General Commercial Zone (GC).

WHEREAS, on June 26, 2009 the City gave public notice by advertising in the Record Gazette, a newspaper of general circulation within the City of Banning, and by mailing notices to property owners within 300 feet of the project of the holding of a public hearing at which the project would be considered; and

WHEREAS, on July 7, 2009 the Planning Commission held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Amendment to the Conditional Use Permit and at which the Planning Commission considered the Amendment to the Conditional Use Permit; and

WHEREAS, the Community Development Director has reviewed the project’s potential effects on the environment and has recommended that the project is categorically exempt from the California Environmental Quality Act (“CEQA”) under CEQA Guidelines Section 15332 “In-fill Development” and the exceptions to the categorical exemptions contained in CEQA Guidelines Section 15300.2 are not applicable to the project.

NOW THEREFORE, the Planning Commission of the City of Banning does resolve, Determine, Find and Order as follows:

SECTION 1. ENVIRONMENTAL FINDINGS.
The Planning Commission, in light of the whole record before it, including but not limited to, the City’s Local CEQA Guidelines and Thresholds of Significance, the recommendation of the Interim Community Development Director as provided in the Staff Report dated July 7, 2009 and documents incorporated therein by reference, and any other evidence (within the meaning of Public Resources Code § 21080(e) and § 21082.2) within the record or provided at the public hearing of this matter, hereby finds and determines as follows:

1. **CEQA:**

   (a) The project is exempt from CEQA under CEQA Guidelines Section 15332 in that the staff report submitted by the Planning Department and other findings made in this Resolution demonstrate that:

   The Conditional Use Permit #09-801 is consistent with the General Commercial General Plan designation and all applicable General Plan polices as well as with applicable zoning designations; Conditional Use Permit #09-801 is located within the boundaries of the City of Banning; the area within Conditional Use Permit #09-801 comprises less than five acres and has no value as habitat for endangered, rare or threatened species; there is no substantial evidence in the record that Conditional Use Permit #09-801 will result in significant effects related to traffic, noise, air quality, or water quality; and the site is or can be adequately served by all required utilities and public services. As such, the project meets the criteria for application of a Class 32 Categorical Exemption under the CEQA Guidelines.

   (b) None of the exceptions to the categorical exemptions contained in CEQA Guidelines Section 15300.2 prevent CEQA Guidelines Section 15322 from exempting the project for the following reasons:

   (i) The project is not a Class 3, 4, 5, 6, or 11 project, and therefore is not subject to the exception pertaining to projects located in particularly sensitive environments.

   (ii) The nature of the project is such that significant cumulative impacts will not occur from successive projects of this type occurring in the same location over time. The General Commercial (GC) zoning standards regulate the land use around the site. The site is surrounded by retail and residential development. There is no reasonable possibility that unusual circumstances will cause the project to have a significant effect on the environment. The project will not result in damage to scenic resources within a designated state scenic highway because there is no designated state scenic highway in the project area.

   (v) The project site has not been listed as a hazardous waste and substance facility or site by the Department of Toxic Substances Control pursuant to California Government Code Section 659625.
(vi) The project will not cause a substantial adverse change to the significance of a historical resource. An historical resource or its immediate surroundings will not be demolished, destroyed, relocated, or altered such that the significance of the historical resource would be materially impaired as there are no known historic resources on the site.

2. Multiple Species Habitat Conservation Plan (MSHCP). The project is found to be consistent with MSHCP. The project is located outside of any MSHCP criteria area and mitigation is provided through payment of the MSHCP Mitigation Fee.

SECTION 2. REQUIRED FINDINGS.

Pursuant to Banning Municipal Code Chapter 17.52 and in light of the record before it including the staff report dated July 7, 2009, all evidence and testimony heard at the public hearing of this item, the Planning Commission hereby finds as follows:

Finding No. 1: The proposed project is consistent with the General Plan.

Findings of Fact: The project is consistent with the General Plan Land Use Element Policy which States: "The land-use map shall provide for sufficient lands to provide a large range of products and services to the City and the region while carefully considering compatibility with adjacent residential lands. The land-use designation of General Commercial (GC) allows telecommunications facilities as a conditional use. The project will provide a service to users of telecommunication devices and will be designed to minimize its visual impact to surrounding land uses through its design as a mono-pine, and its equipment cabinet which will be architecturally treated to be compatible with commercial buildings in the neighborhood.

Finding No. 2: The proposed use as a telecommunications facility is conditionally permitted within the subject land use district.

Finding No. 3: The proposed use would not impair the integrity and character of the land use district in which it is to be located.

Facts of Fact: The proposed use will not impair the integrity and character of the General Commercial land use district in which it is to be located because it is surrounded by retail and residential uses on three sides and the I-10 freeway corridor to the south. The project is required to be landscaped with a simulated pine tree and screened with a split-face or stucco.
block wall to current standards. The architecture is compatible with the surrounding development.

Finding No. 4: The subject site is physically suitable for the type and intensity of land use being proposed.

Findings of Fact: The subject site is currently developed with a retail/office structure. The 0.4 acre land area is of adequate size to accommodate the expansion which is on a 400 square foot lease area. The site has adequate parking and landscape areas. There is adequate access from Ramsey Street.

Finding No. 5: 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.

Finding of Fact: The site will be served by the public and private utilities, including the City's water and electrical utilities. The project is on a private septic system. The site will be accessed and served from Ramsey Street, an existing developed roadway with existing utilities. The subject site is currently connected to these utilities.

Finding No. 6: There will not be significant harmful effects upon environmental quality, natural resources or neighborhood characteristics.

Finding of Fact: There is no evidence that the proposed project will have the potential for any adverse effect on wildlife resources or the habitat upon which wildlife depends. The site was found to contain no suitable habitat for threatened or endangered species. There is no evidence that vernal pool complex, similar bodies of water, or conditions suitable for forming such bodies of water exist on the site. The site and surrounding neighborhood is currently developed. The parcel is flat (unable to support bodies of water).

Finding No. 7: 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.

Finding of Fact: The construction of the wireless facility will not be detrimental to the City's health, safety, and welfare in that it complies with the Zoning Code development standards. It is a conditionally permitted use in the zone. The project is consistent with the general plan land use, community design and circulation elements. The project will not generate excessive noise or traffic. There is adequate parking and screening from adjacent uses.

SECTION 3: PLANNING COMMISSION ACTIONS

The Planning Commission hereby takes the following actions:

1. Notice of Exemption. In accordance with Public Resources Code Section 21152(b) and CEQA Guidelines Section 15062 the Planning Commission hereby approves a categorical exemption under CEQA Guidelines Section 15332 and directs the
Planning Director to prepare and file with the Clerk for the County of Riverside a notice of exemption as provided under Public Resources Code Section 21152(b) and CEQA Guidelines Section 15062.

2. Approve Conditional Use Permit. CUP #09-801 is hereby approved subject to the Conditions of Approval attached hereto and incorporated herein by reference as Attachment “1”.

PASSED, APPROVED AND ADOPTED this 7th day of July, 2009.

Buddy Hawkins, Chairman
Banning Planning Commission

APPROVED AS TO FORM AND LEGAL CONTENT:

Christy Marie Lopez
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. 2009-07 was duly adopted by the Planning Commission of the City of Banning, California, at a regular meeting thereof held on the 7th day of July, 2009 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Virginia Sorenson, Recording Secretary
City of Banning, California
CONDITIONS OF APPROVAL

PROJECT #: Conditional Use Permit #09-801

SUBJECT: Telecommunications Facility

APPLICANT: Reliant Land Services for AT&T Wireless

LOCATION: 3724 W. Ramsey Street

APPLICANT SHALL CONTACT THE PLANNING DIVISION, (951) 922-3125, FOR COMPLIANCE WITH THE FOLLOWING CONDITIONS:

A. General Requirements

1. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, lawsuits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively “Actions”), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City’s defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.

2. A Conditional Use Permit shall be exercised by the commencement of construction within two (2) years from the date of approval or the Conditional Use Permit shall become null and void. In addition, if after commencement of construction, work is discontinued for a period of one year, the Conditional Use Permit shall become null and void. Projects may be built in

1 "ATTACHMENT 1"
phases if pre-approved by the review authority. Extension: The Community Development Director may, upon an application being filed 30 days prior to expiration and for good cause, grant one time extension not to exceed 12 months. Upon granting of an extension, the Community Development Director shall ensure that the Conditional Use Permit complies with all current Ordinance provisions.

3. The issuance of these Conditions of Approval do not negate the requirements of the Engineering/Public Works Department or submittal, review, and approval of: Street improvement plans, signing and striping plans, grading plans, storm drain improvement plans, street lighting plans, water, sewer, and electrical improvement plans, or other plans as deemed necessary by the City Engineer.

4. A copy of the signed Resolution of Approval or Community Development Director's letter of approval, and all Standard Conditions, shall be included in legible form on the grading plans, building and construction plans, and landscape and irrigation plans submitted for plan check.

5 Prior to the issuance of building permits a copy of the lease agreement with the property owner shall be filed with the City.

B. Site Development

1. The site shall be developed and maintained in accordance with the approved plans which include site plans, architectural elevations, exterior materials and colors, landscaping, sign program, grading plans on file in the Planning Division, the conditions contained herein, and Development Code regulations.

2. Prior to any use of the project site or business activity being commenced thereon, including any operation of the wireless telecommunications facility, all Conditions of Approval shall be completed to the satisfaction of the Community Development Director.

3. Permanent electric connections to the facility and operation of the facility for telecommunications purposes shall not commence until such time as all Uniform Building Code and State Fire Marshal regulations have been complied with. Prior to operation of the facility, plans shall be submitted to the City of Banning Fire Marshal and the Building and Safety Division to show compliance. The buildings shall be inspected for compliance prior to the operation of the facility.

4. Revised site plans, landscape plans and building elevations incorporating all Conditions of Approval shall be submitted for Community Development Director for review and approval prior to the issuance of building permits.

5. All site, grading, landscape, irrigation, and street improvement plans shall be coordinated for consistency prior to issuance of any permits (such as grading, tree removal, encroachment, building, etc.) or prior to final map approval in the case of a custom lot subdivision, or approved use has commenced, whichever comes first.

6. Prior to electrification of the project, the parking lot shall be landscaped, with a minimum of four fast-growing pine trees similar to the mono-pine in terms of ultimate height and branch
structure. These trees shall be a minimum of fifteen feet in height at planting time and shall be placed so as to blend in with and partially screen the mono-pine from Ramsey Street and adjacent residential properties. Plans for this renovation shall be submitted for approval to the Community Development Director prior to building permit issuance for the new structures.

7. Approval of this request shall not waive compliance with all sections of the Development Code, all other applicable City Ordinances, and applicable Community or Specific Plans in effect at the time of building permit issuance.

8. A detailed on-site lighting plan, including a photometric diagram, shall be reviewed and approved by the Community Development Director and Police Department (922-3125) prior to the issuance of building permits. Such plan shall indicate style, illumination, location, height, and method of shielding so as not to adversely affect adjacent properties. All new lighting and lighting to be relocated shall be located and shielded so as to read 0 lumens at the property line. A photometric plan of the site shall be submitted for approval by the Community Development Director.

9. All ground-mounted utility appurtenances such as transformers, AC condensers, etc., shall be located out of public view and adequately screened through the use of a combination of concrete or masonry walls, berming, and/or landscaping to the satisfaction of the Community Development Director.

10. The developer shall submit a construction access plan and schedule for the development of the wireless telecommunications facility for Community Development Director and City Engineer approval; including, but not limited to, public notice requirements, special street posting, phone listing for community concerns, hours of construction activity, dust control measures, and security fencing.

11. Six-foot decorative block walls (either stucco or split face) shall be constructed along the project perimeter. If a double wall condition would result, the developer shall make a good faith effort to work with the adjoining property owners to provide a single wall. Developer shall notify, by mail, all contiguous property owners at least 30 days prior to the removal of any existing walls/fences along the project's perimeter. No chain link shall be permitted.

12. Trash collection shall occur between the hours of 8:00 and 6:00 only.

13. Graffiti shall be removed within 72 hours or within 24 hours of notice from the City.

14. The entire site shall be kept free from trash and debris at all times and in no event shall trash and debris remain for more than 24 hours.

15. Detailed plans shall be included in the landscape and irrigation plans to be submitted for Planning Division approval prior to the issuance of building permits.

16. The lighting fixture design shall compliment or be consistent with the architectural program.

**C. Building / Mono-Pine Design**

1. All roof appurtenances, including air conditioners and other rooftop mounted equipment and/or projections shall be shielded from view and the sound buffered from adjacent properties and...
streets as required by the Planning Division. Such screening shall be architecturally integrated with the enclosure design and constructed to the satisfaction of the Community Development Director. Details shall be included in building plans.

2. The mono-pine structure shall completely conceal antennas and antenna structures utilizing socks and other approved stealth shielding material. Quality and appearance of the mono-pine shall be of the same quality and appearance as reflected in the applicant's statements and exhibits presented to the Planning Commission or the Conditional Use Permit shall be revoked.

3. Provide for the following design features on the equipment shelter, to the satisfaction of the Community Development Director:

   a. Architecturally integrate features of the design of the existing retail building, utilizing stucco walls painted to match main building, including cornices and include any additional detailing similar to that of the existing building.

D. Parking and Vehicular Access (indicate details on building plans)

1. All parking spaces shall be a minimum of 9 feet wide by 19 feet long. When a side of any parking space abuts a building, wall, support column, or other obstruction, the space shall be a minimum of 11 feet wide.

2. All parking lot landscape islands shall have a minimum outside dimension of 6 feet and shall contain a 12-inch walk adjacent to the parking stall (including curb).

3. All parking spaces shall be striped per City standards and all driveway aisles, entrances, and exits shall be striped per City standards.

4. Plans for any security gates shall be submitted for the Community Development Director, City Engineer, and City of Banning Fire Marshal review and approval prior to issuance of building permits.

E. Landscaping

1. A detailed landscape and irrigation plan, including slope planting, shall be prepared by a licensed landscape architect and submitted for Community Development Director review and approval prior to the issuance of building permits.

2. At minimum, trees shall be 36-inch box or larger and shall be a minimum of 15 feet tall at time of planting. Trees shall be planted in areas of public view. All private slopes of 5 feet or more in vertical height and of 5:1 or greater slope, but less than 2:1 slope, shall be, at minimum, irrigated and landscaped with appropriate ground cover for erosion control. Slope planting required by this section shall include a permanent irrigation system to be installed by the developer prior to operation of the facility.

3. For the project property owners are responsible for the continual maintenance of all landscaped areas on-site, as well as contiguous planted areas within the public right-of-way. All landscaped areas shall be kept free from weeds and debris and maintained in healthy and

"ATTACHMENT 1"
thriving condition, and shall receive regular pruning, fertilizing, mowing, and trimming. Any damaged, dead, diseased, or decaying plant material shall be replaced within 30 days from the date of damage or within 10 days within date of notice from City.

4. Tree maintenance criteria shall be developed and submitted for Community Development Director review and approval prior to issuance of building permits. These criteria shall encourage the natural growth characteristics of the required or selected tree species.

5. Landscaping and irrigation shall be designed to conserve water through the principles of Xeriscape.

Other Agencies

BUILDING AND SAFETY CONDITIONS:

APPLICANT SHALL CONTACT THE BUILDING AND SAFETY DIVISION, (951) 922-3120, FOR COMPLIANCE WITH THE FOLLOWING CONDITIONS:

F. General Requirements

1. Submit four complete sets of plans including the following:
   a. Site/Plot Plan;
   b. Foundation Plan;
   c. Floor Plan;
   d. Ceiling and Roof Framing Plan;
   e. Electrical Plans (2 sets, detached) including the size of the main switch, number and size of service entrance conductors, panel schedules, and single line diagrams; and
   f. Plumbing and Sewer Plans, including isometrics, underground diagrams, water and waste diagram, sewer or septic system location, fixture units, gas piping, and heating and air conditioning.

2. Submit two sets of structural calculations, energy conservation calculations, and a soils report. Architect's/Engineer's stamp and "wet" signature are required prior to plan check submittal.

3. Separate permits are required for fencing and/or walls.

4. Contractors must show proof of State and City licenses and Workers' Compensation coverage to the City prior to permit issuance.

5. The wireless telecommunications company shall not be in operation prior to posting the Certificate of Occupancy issued by the Building and Safety Division.

6. Approval of the Community Development Director shall be required prior to issuance of the Certificate of Occupancy to ensure that project was designed and constructed consistent with all photos or other depictions or representations submitted or made by applicant to the City or Planning Commission.
G. Site Development

1. Plans shall be submitted for plan check and approved prior to construction. All plans shall be marked with the project file number (i.e., CUP 09-801). The applicant shall comply with the latest adopted Uniform Building Code, Uniform Mechanical Code, Uniform Plumbing Code, National Electric Code, Title 24 Accessibility requirements, and all other applicable codes, ordinances, and regulations in effect at the time of permit application. Please contact the Building and Safety Division for availability of the Code Adoption Ordinance and applicable handouts.

2. Prior to issuance of building permits for a new commercial or industrial development or addition to an existing development, the applicant shall pay development fees at the established rate. Such fees may include, but are not limited to: Transportation Development Fee, Drainage Fee, School Fees, Permit and Plan Checking Fees. Applicant shall provide a copy of the school fees receipt to the Building and Safety Division prior to permit issuance.

3. Street addresses shall be provided by the Building Official, prior to issuance of building permits.

4. For projects using septic tank facilities, written certification of acceptability, including all supportive information, shall be obtained from the Riverside County Department of Environmental Health and submitted to the Building Official prior to the issuance of Septic Tank Permits, and prior to issuance of building permits.

5. Construction activity shall not occur between the hours of 8:00 p.m. and 6:30 a.m. Monday through Saturday, with no construction on Sunday or holidays.

6. The following is required for side yard use for increase in allowable area:
   a. Provide a reduced site plan (8 ½" x 11") which indicates the non-buildable easement.
   b. Recorded "Covenant and Agreement for the Maintenance of a Non-Buildable Easement," which is signed by the appropriate property owner(s).
   c. Sample document is available from the Building and Safety Division.

H. New Structures

1. Provide compliance with the Uniform Building Code for the property line clearances considering use, area, and fire-resistance.

2. Provide compliance with the Uniform Building Code for required occupancy separation(s).

3. Roofing material shall be installed per the manufacturer's "high wind" instructions.

4. Provide draft stops in attic areas, not to exceed 3,000 square feet, in accordance with UBC Table 5-A.

5. Provide draft stops in attics in line with common walls.

6. Roofing materials shall be Class "A."
7. Exterior walls shall be constructed of the required fire rating in accordance with UBC Table 5-A.

8. Openings in exterior walls shall be protected in accordance with UBC Table 5-A.

9. Provide smoke and heat venting in accordance with UBC Section 906.

10. Provide method of airborne and impact sound transmission control between dwelling units.

1. **Grading**

   1. Grading of the subject property shall be in accordance with the Uniform Building Code, City Grading Standards, and accepted grading practices. The final grading plan shall be in substantial conformance with the approved grading plan.

   2. A soils report shall be prepared by a qualified engineer licensed by the State of California to perform such work.

   3. A geological report shall be prepared by a qualified engineer or geologist and submitted at the time of application for grading plan check.

   4. The final grading plans shall be completed and approved prior to issuance of building permits.

   5. As a custom-lot subdivision, the following requirements shall be met:

      a. Surety shall be posted and an agreement executed guaranteeing completion of all on-site drainage facilities necessary for dewatering all parcels to the satisfaction of the Building and Safety Division prior to final map approval and prior to the issuance of grading permits.

      b. Appropriate easements for safe disposal of drainage water that are conducted onto or over adjacent parcels, are to be delineated and recorded to the satisfaction of the Building and Safety Division prior to issuance of grading and building permits.

      c. On-site drainage improvements, necessary for dewatering and protecting the subdivided properties, are to be installed prior to issuance of building permits for construction upon any parcel that may be subject to drainage flows entering, leaving, or within a parcel relative to which a building permit is requested.

      d. Final grading plans for each parcel are to be submitted to the Building and Safety Division for approval prior to issuance of building and grading permits. (This may be on an incremental or composite basis).

      e. All slope banks in excess of 5 feet in vertical height shall be seeded with native grasses or planted with ground cover for erosion control upon completion of grading or some other alternative method of erosion control shall be completed to the satisfaction of the Building Official. In addition a permanent irrigation system shall be provided.

6. A separate grading plan check submittal is required for all new construction projects and for existing buildings where improvements being proposed will generate 50 cubic yards or more of combined cut and fill. The Grading Plan shall be prepared, stamped, and signed by a California Registered Civil Engineer.

"ATTACHMENT 1"
ENGINEERING CONDITIONS:

APPLICANT SHALL CONTACT THE ENGINEERING DIVISION, (951) 922-3130, FOR COMPLIANCE WITH THE FOLLOWING CONDITIONS:

The Department of Public Works recommends the Conditions of Approval listed herein for CUP# 09-801. Unless stated otherwise, all conditions shall be completed by the applicant at no cost to any government agency.

The following conditions of approval shall be completed prior to issuance of a building permit:

1. Submit a site plan to the City Engineer for review and approval showing drainage patterns (existing and proposed contours, flow lines, etc.), elevations and any required cut or fill. The plan shall provide for positive drainage away from, and around existing and proposed structures in accordance with City of Banning standard plans and specifications dated January 1, 1983. All drainage from the property shall drain to the public right-of-way, or owner shall obtain drainage easement acceptance letter from downstream property owners.

2. Grading and excavations in the public right-of-way shall be supplemented with a soils and geology report prepared by a professional engineer or geologist licensed by the State of California.

3. Offer to dedicate to the City of Banning an additional 5 feet of right-of-way in order to meet the City of Banning master planned half street width of 55 feet fronting Ramsey Street.

4. The applicant shall identify and include in its improvement plans those routine structural and non-structural Best Management Practices (BMP's) as outlined in Supplement “A” to the Riverside County Drainage Area Management Plans and any attachments (see Riverside County Flood Control and Water Conservation District stormwater quality web site at http://floodcontrol.co.riverside.ca.us/districtsite for more information).

5. Obtain a grading permit, or provide a statement to the City declaring exemption from grading permit requirements in accordance with the Uniform Building Code Excavation and Grading regulations for private property.

6. Submit a copy of the Title Report to the City Engineer prior to site plan review and approval.

7. Submit detailed drawings showing the existing and proposed utility connections (water, sewer, electric, etc.) to the City Engineer for review and approval. Construct all necessary infrastructures to provide utilities to the proposed project. Contact the Public Works Department prior to any utility construction as a Public Works Permit may be required.

8. Pay all applicable water and sewer connection, frontage, and water meter fees, as outlined in the City of Banning, Ordinance Numbers 1320 and 1321. Pay all other applicable plan check fees.

The following conditions of approval shall be completed prior to issuance of a certificate of occupancy:

“ATTACHMENT 1”
9. Obtain a Public Works Permit prior to commencement of any work within the public right-of-way. The contractor working within the public right-of-way shall submit proof of a Class "A" State Contractor's License, City of Banning Business License, and Liability Insurance. Any existing public improvements that are damaged during construction, or public improvements not accepted by the City's representative in the field, shall be removed and replaced as determined by the City Engineer.

10. Place the property address numbering in a conspicuous place in accordance with Section 21-21 of the Banning Municipal Code.

11. Any public improvements damaged during the course of construction shall be replaced to the satisfaction of the City Engineer, or his/her designee.

12. Ensure that the disposal of construction debris is conducted at a certified recycling site. It is recommended that the developer contact the City's franchised solid waste hauler (Waste Management) for disposal of construction debris.

Note: All required Plans and applicable Fees must be submitted to the Public Works Department prior to the Engineering Division's approval of the Building Permit.

FIRE CONDITIONS:

The following are the minimum Fire Department requirements. There may be additional requirements when the project specifics are defined and the final proposal is submitted for approval.

FIRE DEPARTMENT DEVELOPER FEES:

Fees are increased annually and may be different at the time of construction. The fee schedule at the time of plan submittal shall apply.

(See attached)

Plan Check and Inspection: $134.00 per hour

CODE COMPLIANCE:

All Plans, Specifications and Construction shall comply with and conform to the current edition of the California Fire Code (CFC), California Building Code (CBC), and other state and local laws as applicable.

Special Requirements for this project:

"ATTACHMENT 1"
Fire Department access shall be provided to within 150 feet of all portions of the facility. The road shall be considered “all weather” accessible for a fire truck.

Emergency power supply systems such as generators and batteries may require a Hazardous Materials Management Permit. Secondary containment for the batteries and generator may be required and ventilation may be required for the batteries.

Contact:
   a. Chris Cox, Fire Inspector

   (951) 922-3210
   P.O. Box 998
   Banning, CA 92220
   ccox@ci.banning.ca.us

   WORK BEGUN WITHOUT A PERMIT OR WITHOUT AN APPROVED SET OF PLANS AT THE JOB SITE WILL RESULT IN A TRIPLE FEE AND/OR THE WORK STOPPED.

   NOTE: More specific requirements may be presented when detailed plans are submitted, especially building plans.

   WATER/WASTEWATER CONDITIONS:

   APPLICANT SHALL CONTACT THE WATER & WASTEWATER UTILITY COMPLIANCE WITHIN THE FOLLOWING CONDITIONS:

   FEES

   Water Connection Fees shall be paid per EDU (EDU is based upon meter size and number of fixture units) and Water Meter Installation charges shall all be paid at the time of issuance of building permits in accordance with the fee schedule in effect at the time the fees are paid.

   Sewer Connection Fees, if applicable, shall be paid per EDU and shall be paid at the time of issuance of building permits in accordance with the fee schedule in effect at the time the fees are paid.

   Per application submitted, applicant is responsible to ensure that no conflict will arise from existing City-owned radio and future microwave SCADA System. Please contact Perry Gerdes at (951) 849-3273.

   ELECTRICAL CONDITIONS:

   APPLICANT SHALL CONTACT ELECTRICAL OPERATIONS DEPARTMENT IN COMPLIANCE WITH THE FOLLOWING CONDITIONS:

   The customer shall be responsible for:
1. Submitting detailed plans indicating lot lines, streets, easements, building layout, anticipated loading information, etc. These plans are required in electronic format. We currently use AutoCad2006. Plans should consist of a plot plan, site plan, one line diagram of proposed electrical main service panel and a sheet showing load calculations by an electrical engineer. Additional sheets may be required upon request.

2. Submitting electrical information included service voltage and panel size, load schedule showing the largest motor load, and electrical one line diagram.

3. Paying required fees - electrical permit, plan check fee, inspection fees, meter fee and cost of electrical apparatus for completing the underground line extension.

4. Granting easement for electric facilities installation/maintenance, etc.

5. All trenching, backfill, and compaction.

6. All conduits, vaults, and other materials associated with their installation (except primary cables and their terminations).

The City Electric Department shall be responsible for:
1. Reviewing plans submitted by customer.
2. Design an electrical utility plan for the installation of structures and conduit by developer.
PC ATTACHMENT 2

VICINITY MAP
PC ATTACHMENT 3

PROJECT PLANS
**SITE NUMBER:** RS0002D  
**SITE NAME:** BANNING RV RENTAL  
**SITE ADDRESS:** 3724 RAMSEY ST. BANNING, CA 92220

### DRAWING INDEX

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### VICINITY MAP

![Vicinity Map](image)

### SITE QUALIFICATION PARTICIPANTS

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DATE: July 7, 2009

TO: Mr. Chairman and Members of the Planning Commission

FROM: City of Banning Planning Division

SUBJECT: Resolution No. 2009-06, Finding that the Five-Year Capital Improvement Program (CIP) for the Period 2009-2013 is Consistent with the General Plan in Accordance with Government Code §65401

REQUEST TO CONTINUE

Attachment “1” the Five-Year Capital Improvement Program (CIP) for the period 2009-2013 document was not able to be completed; therefore, it is requested that this item be continued until the document is complete.

Respectfully Submitted,

[Signature]
Brian Guillot
Assistant Planner