I. CALL TO ORDER: Chairman Siva

- Pledge of Allegiance: Commissioner Barsh
- Roll Call: Chairman Siva, Commissioner Barsh, Commissioner Ellis, Commissioner Hawkins and Commissioner Shaw

II. PLANNING COMMISSION VICE-CHAIR APPOINTMENT AND REORGANIZATION

III. 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.

IV. 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.

NONE.
V. PUBLIC HEARING

1. GENERAL PLAN AMENDMENT (GPA) NO. 13-2504,
ZONE CHANGE (ZC) NO. 13-2502 AND ORDINANCE NO. 1466 ADOPTING
A GENERAL PLAN AMENDMENT AND ZONE CHANGE TO THE
CURRENT GENERAL PLAN AND ZONING ORDINANCE AND GENERAL
PLAN LAND USE AND ZONING MAPS, RESPECTIVELY RELATED TO
PROVIDING ADEQUATE SITES FOR REGIONAL HOUSING NEEDS
ASSESSMENT (RHNA) FOR CONFORMANCE WITH THE PROPOSED
HOUSING ELEMENT

Staff Report.................................................................Page 2

Order of Procedure:
1. Request staff report / Questions of staff
2. Open public hearing
3. Close public hearing
4. Planning Commission discussion / Questions of staff
5. Motion and Second
6. Discussion on motion
7. Call the question (Roll call vote)

Recommendations:

That the Planning Commission take the following actions:

1. Adopt Resolution No. 2013-09 (Attachment 1) recommending City Council
approval of General Plan Amendment No. GPA 13-2504 and Zone Change No.
ZC 13-3502 related to Housing Element and approving the Initial Study/Mitigated
Negative Declaration in compliance with the California Environmental Quality
Act.

2. ZONE TEXT AMENDMENT (ZTA) NO. 13-97502 AND
ORDINANCE NO. 1467 AMENDING TITLE 17 OF THE BANNING ZONING
CODE REGARDING REGULATIONS FOR EMERGENCY SHELTERS,
TRANSITIONAL AND SUPPORTIVE HOUSING, AGRICULTURAL
EMPLOYEE HOUSING, AND PARKING FOR AFFORDABLE HOUSING
TO BE IN CONFORMANCE WITH THE GENERAL PLAN HOUSING
ELEMENT

Staff Report.................................................................Page 369
Order of Procedure:
1. Request staff report / Questions of staff
2. Open public hearing
3. Close public hearing
4. Planning Commission discussion / Questions of staff
5. Motion and Second
6. Discussion on motion
7. Call the question (Roll call vote)

Recommendations:

That the Planning Commission take the following actions:

1. Adopt Planning Commission Resolution No. 2013-10 (Attachment 1) recommending City Council approval of Zone Text Amendment No. 13-97502 and making findings that the Zone Text Amendment is exempt from the preparation of an environmental document per the California Environmental Quality Act Guidelines Section 15061(b)(3).

VI. PLANNING COMMISSIONER COMMENTS

VII. COMMUNITY DEVELOPMENT DIRECTOR’S COMMENTS

VII. ADJOURNMENT

The City of Banning Planning Commission is hereby adjourned to the regular Planning Commission meeting of August 7, 2013 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 Division (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].
OUTLINE OF PROCEDURES FOR ELECTION OF OFFICERS

Chairperson: Nominations for the office of Chairperson are now open. A second to the nominations is required.

(Commissioners shall nominate the person of their choice)

Chairperson: Are there any further nominations? If not, I will entertain a motion that the nominations be closed.

(Motion is made)

Is there a second?

All those in favor say Aye, those opposed no.

Chairperson: I will take a roll call vote. Please signify your choice for Chairperson when your name is called. The roll call will be in alphabetical order.

<table>
<thead>
<tr>
<th>ROLL CALL VOTE</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Commissioner Barsh</td>
<td>_______</td>
</tr>
<tr>
<td>Commissioner Ellis</td>
<td>_______</td>
</tr>
<tr>
<td>Commissioner Hawkins</td>
<td>_______</td>
</tr>
<tr>
<td>Commissioner Shaw</td>
<td>_______</td>
</tr>
<tr>
<td>Commissioner Siva</td>
<td>_______</td>
</tr>
</tbody>
</table>

Chairperson: The vote is in favor of Commissioner ________ who is our newly elected Chairperson.

Chairperson ________ shall now preside over the election of Vice-chairperson. (Repeat this procedure for Vice-chairperson.)
DATE: July 3, 2013

TO: Planning Commission

FROM: Zai Abu Bakar, Community Development Director

SUBJECT: General Plan Amendment No. GPA 13-2504 and Zone Change No. ZC 13-2502 related to the adoption of the 2008-2013 Housing Element

STAFF RECOMMENDATION:

That the Planning Commission adopt Resolution No. 2013-09 (Attachment 1) recommending City Council approval of General Plan Amendment No. GPA 13-2504 and Zone Change No. ZC 13-3502 and approving the Initial Study/Mitigated Negative Declaration in compliance with the California Environmental Quality Act.

BACKGROUND:

State law requires that each city and county adopt a comprehensive, long-term General Plan to guide development in their city and land outside its boundaries that has relation to its city planning (Govt. Code §65300). The Housing Element is one of the seven (7) required elements of the General Plan along with land use, traffic circulation, safety, parks and recreation, conservation, and noise. State law also requires that the Housing Element be updated on a regular schedule established by the legislature. All jurisdictions within the six-county Southern California Association of Governments (SCAG) region are required to prepare an update to the Housing Element for the “4th Cycle” planning period of 2008-2013. The next Housing Element for the “5th Cycle” will cover the 2013-2021 planning period. The due date for adoption of the 5th cycle Housing Element is October 15, 2013.

State law delegates authority to HCD to review local Housing Elements and issue written findings regarding whether, in HCD’s opinion, the element complies with state law. A finding of substantial compliance from HCD is referred to as “certification” of the Housing Element. Timely certification is important to maximize the City’s eligibility for grant funds, ensure the legal adequacy of the General Plan, maintain local land use control, avoid a “carryover” of

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1 The SCAG region includes Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties.
unmet housing needs to the next planning period, and avoid the requirement to prepare more frequent Housing Element updates in the future.

As mandated by State law, the Housing Element consists of the following major components:

- Analysis of the City’s demographic and housing characteristics and trends;
- Evaluation of land, financial, and administrative resources available to address the City’s housing needs and goals;
- Review of potential constraints, both governmental and non-governmental, to meeting the City’s housing needs;
- A Housing Action Plan for the planning period, including housing goals, policies, and programs; and
- A review of the City’s accomplishments and progress in implementing the prior Housing Element.

The draft 2008-2013 Housing Element was first submitted for HCD review in early 2009 and HCD’s comments were issued on April 3, 2009 (Attachment 4). In October 2009 a revised draft Housing Element was submitted to HCD for review, and on December 3, 2009 a second HCD review letter was issued (Attachment 5). Since that time, staff has been working to address remaining issues identified by HCD, and in January 2013 a third draft Housing Element was submitted to HCD, with additional revisions submitted on March 18, 2013. On April 2nd a letter from HCD was received (Attachment 6) finding that additional revisions will be needed in order for the element to receive certification.

DISCUSSION AND ANALYSIS:

For most cities, the key to obtaining HCD certification is demonstrating sufficient capacity for new housing development equal to the level of need described in the Regional Housing Needs Assessment (“RHNA”). The focus of HCD’s review is on sites where the zoning allows multi-family development at densities appropriate to support affordable housing, which is 20-30 units/acre in most portions of the Inland Empire.

Regional Housing Needs Assessment (“RHNA”)

State Housing Element law requires that each jurisdiction’s share of the regional housing need be established through the process known as the Regional Housing Need Assessment (RHNA). The RHNA is prepared by the Southern California Association of (SCAG) in consultation with member jurisdictions and sub-regional councils of governments such as the Western Riverside Council of Governments (WRCOG). The RHNA is based on the regional forecast of population growth and new household formation during the planning period, and the number of new housing units needed to accommodate additional household growth at each income level. Each
locality’s RHNA is distributed among the following five income categories, which are based on a household’s annual income compared to the “areawide median income” (AMI):

- Extremely Low (<30% AMI)
- Very Low (31-50% AMI)
- Low (51-80% AMI)
- Moderate (81-120% AMI)
- Above Moderate (120%+ AMI)

Housing affordability is based on the standard of paying no more than 30% of a household’s gross income for housing. Using the area wide median income for Riverside County and state affordability standards, the maximum rents and housing prices for the five income categories are as follows:

<table>
<thead>
<tr>
<th>Income Categories and Affordable Housing Costs</th>
<th>Riverside County</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013 Riverside County Area Wide Median Income = $65,000</td>
<td>Income Limits</td>
</tr>
<tr>
<td>Extremely Low (&lt;30% AMI)</td>
<td>$20,100</td>
</tr>
<tr>
<td>Very Low (31-50% AMI)</td>
<td>$33,500</td>
</tr>
<tr>
<td>Low (51-80% AMI)</td>
<td>$53,600</td>
</tr>
<tr>
<td>Moderate (81-120% AMI)</td>
<td>$78,000</td>
</tr>
<tr>
<td>Above Moderate (120%+ AMI)</td>
<td>$78,000+</td>
</tr>
</tbody>
</table>

Assumptions:
- Based on a family of 4
- 30% of gross income for rent or PITI
- 5% down payment, 4% interest, 1.25% taxes & insurance

Source: Cal. HCD; J.H. Douglas & Associates

The RHNA allocation for the City of Banning in the 2008-2013 planning period is 3,841 units, with the income distribution as shown in the following table.

<table>
<thead>
<tr>
<th>2008-2013 Regional Housing Growth Needs</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Banning</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Extremely Low</th>
<th>Very Low</th>
<th>Low</th>
<th>Moderate</th>
<th>Above Moderate</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>436</td>
<td>437</td>
<td>618</td>
<td>705</td>
<td>1,645</td>
<td>3,841</td>
</tr>
</tbody>
</table>

Source: SCAG 2007
Planning Commission Hearing
July 3, 2013
Page 4

**RHNA Carryover from the Prior Planning Period**

HCD’s review letter notes that because Banning did not have a certified Housing Element from the prior planning period, a portion of the City’s prior lower-income RHNA (588 units) must be “carried over” and added to the RHNA for the 2008-2013 planning period. The result is a total lower-income RHNA need of 2,079 units that must be accommodated during the 2008-2013 period.

**Appropriate Zoning to Accommodate the RHNA**

It is important to note that the RHNA establishes a planning goal, and not a mandate or quota to build or issue permits for the number of housing units allocated through the RHNA process. Rather, cities are required to demonstrate that there are adequate sites with appropriate zoning available for development commensurate with the RHNA, if property owners and developers choose to pursue such development opportunities.

Under State law, zoning that allows residential development at a density of at least 30 units/acre is automatically considered suitable for lower-income housing in metropolitan areas such as Riverside County (this is referred to as the “default density”). However, the law also recognizes that in some areas, lower densities may be appropriate due to lower land cost or local market conditions. In other Inland Empire cities such as San Jacinto and Yucaipa, HCD has found that densities in the range of 20-24 units/acre are sufficient to enable development of lower-income housing. Regardless of density, deed-restricted affordable housing requires public subsidies, and the level of funding for affordable housing is extremely limited. As a result, very few income-restricted affordable housing projects are built each year, and with the statewide elimination of redevelopment agencies it will make it even less likely that new affordable housing will be developed in the near term. The purpose of state law in stipulating minimum densities is to reduce constraints on affordable housing development due to local land use regulations to the greatest extent feasible.

The highest residential density category in the Banning General Plan and zoning is the *High Density Residential (HDR)* designation, which allows 11-18 units/acre. HCD has indicated that this density is not sufficient to accommodate the City’s very-low- and low-income RHNA allocations. Therefore, revisions to density limits are needed to provide sufficient capacity to accommodate this portion of the RHNA. In its latest letter, HCD indicated that a density of at least 20 units/acre would be sufficient to meet this requirement.

**Proposed Rezoning to Accommodate the RHNA and Obtain Housing Element Certification**

Staff proposes a three-part strategy to provide the additional capacity needed to accommodate the City’s lower-income RHNA allocation:

1. Amend the development standards in the Downtown Commercial (D-C) zoning district to increase the allowable density for residential or mixed-use developments
from 18 units/acre to 20 units/acre for developments with 16 units or more when 50% of units in the development are reserved for lower-income households. Parcels in the D-C zone are shown in Attachment 7. The following parcels would currently qualify for this increased density based on meeting the minimum parcel size that can accommodate at least 16 units:

<table>
<thead>
<tr>
<th>APN</th>
<th>Address</th>
<th>Parcel size (acres)</th>
<th>Potential Units (current)</th>
<th>Potential Units (proposed)</th>
<th>Net increase (units)</th>
</tr>
</thead>
<tbody>
<tr>
<td>541-146-012</td>
<td>E RAMSEY ST</td>
<td>0.8</td>
<td>13</td>
<td>16</td>
<td>3</td>
</tr>
<tr>
<td>541-190-004</td>
<td>E RAMSEY ST</td>
<td>1.3</td>
<td>20</td>
<td>25</td>
<td>5</td>
</tr>
<tr>
<td>541-190-010</td>
<td>E RAMSEY ST</td>
<td>2.2</td>
<td>34</td>
<td>43</td>
<td>9</td>
</tr>
<tr>
<td>Totals</td>
<td></td>
<td>4.3</td>
<td>67</td>
<td>84</td>
<td>17</td>
</tr>
</tbody>
</table>

This amendment would create the potential capacity for 84 lower-income units.

2. Establish a new High Density Residential-20 (“HDR-20”) zoning district allowing multi-family residential development by-right at a minimum density of 20 units/acre when 50% of units in the development are reserved for lower-income households, and change the zoning designation for the following properties from HDR to HDR-20 (Attachment 8):

<table>
<thead>
<tr>
<th>APN</th>
<th>Parcel Size (acres)</th>
<th>Current Capacity @ 18 units/acre</th>
<th>Proposed Capacity @ 20 units/acre</th>
<th>Net Potential Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>537-120-034</td>
<td>21.12</td>
<td>380</td>
<td>422</td>
<td>42</td>
</tr>
<tr>
<td>540-083-002</td>
<td>3.02</td>
<td>54</td>
<td>60</td>
<td>6</td>
</tr>
<tr>
<td>541-110-013</td>
<td>1.73</td>
<td>31</td>
<td>34</td>
<td>3</td>
</tr>
<tr>
<td>532-090-004</td>
<td>0.9</td>
<td>1,004</td>
<td>1,116</td>
<td>112</td>
</tr>
<tr>
<td>419-140-009</td>
<td>3.31</td>
<td>59</td>
<td>66</td>
<td>7</td>
</tr>
<tr>
<td>534-161-010</td>
<td>0.9</td>
<td>16</td>
<td>18</td>
<td>2</td>
</tr>
<tr>
<td>537-110-008</td>
<td>9.76</td>
<td>175</td>
<td>195</td>
<td>20</td>
</tr>
<tr>
<td>541-110-009</td>
<td>1.58</td>
<td>28</td>
<td>31</td>
<td>3</td>
</tr>
<tr>
<td>Totals</td>
<td>57.2</td>
<td>1,747</td>
<td>1,942</td>
<td>195</td>
</tr>
</tbody>
</table>

These zoning amendments would create capacity for 1,942 lower-income units.

3. Create a new Very High Density Residential (“VHDR”) General Plan land use category and zoning district, allowing densities of 19-24 units/acre and 20 units/acre by-right when 50% of units in the development are reserved for lower-income households, and apply this designation to the following three properties totaling approximately 44 acres (see Attachment 9):

<table>
<thead>
<tr>
<th>APN</th>
<th>Parcel Size (acres)</th>
<th>Existing Zoning</th>
<th>Allowable Density (units/acre)</th>
<th>Potential Units (current)</th>
<th>Proposed Zoning</th>
<th>Proposed Density (units/acre)</th>
<th>Potential Units (proposed)</th>
<th>Net Potential Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>537-190-018</td>
<td>26.0</td>
<td>MDR</td>
<td>10</td>
<td>250</td>
<td>VHDR-20</td>
<td>20</td>
<td>320</td>
<td>290</td>
</tr>
</tbody>
</table>
The General Plan and zoning amendments for these properties would create capacity for 887 lower-income units.

Summary. If approved, these amendments would create additional capacity for a total of 2,913 units at a density of 20 units/acre. While this would be substantially more potential than the minimum of 2,079 units required under the RHNA, the excess capacity would enable the City to still meet its RHNA obligation if some properties were developed at lower densities or were determined to be unsuitable for high-density development.

Revisions to the Draft Housing Element

The Draft Housing Element (Attachment 3) has been extensively revised to address concerns raised in HCD’s letter of April 2, 2013. At the time this report was prepared, HCD had not indicated that the revised element fully addresses their concerns, therefore staff suggests that the Planning Commission recommend approval of the Housing Element with the understanding that additional revisions may be necessary in order to obtain State certification. At this point, the critical component of obtaining Housing Element certification is completion of the zone changes described above.

Other Implementation Actions Required to Obtain Housing Element Certification

Other Housing Element implementation actions such as Code amendments for emergency shelters, transitional housing and supportive housing will be required prior to submittal of the draft 2013 Housing Element to HCD. These items are included in a separate staff report for Planning Commission review and recommendation to the City Council.

CONCLUSION:

Adoption of the proposed Housing Element and related amendments to the General Plan Land Use Element, Zoning Ordinance and Zoning Map are required in order to ensure consistency with state law. The sites proposed for rezoning have been identified and refined based on extensive review by the City Council, the Planning Commission and interested residents over the past several months. The proposed zone changes have been reviewed pursuant to the California Environmental Quality Act, and mitigation measures and other requirements have been identified to reduce or eliminate potential impacts on surrounding properties and the community at large.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

An Initial Study/Mitigated Negative Declaration (Attachment 11) has been prepared for the proposed actions in compliance with CEQA. The IS/MND was posted for public review on June 7,
Planning Commission Hearing
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2013 and no public comments have been received as of the date this report was prepared. The IS/MND determined that the proposed amendments would not have a significant effect on the environment. Staff recommends that the Planning Commission adopt the findings as set forth in the draft Resolution and recommend City Council approval of the IS/MND.

PUBLIC COMMUNICATION

The proposed was advertised in the Press Enterprise on June 3, 2013 and in the Record Gazette newspaper on June 7, 2013. As of the date of this report, staff has received approximately twenty phone and counter inquires mainly related to the proposed changes in density. The Department has also received one written comment (Attachment 14) and one verbal comment opposing the proposed change (Attachment 14).

PREPARED BY:  

John Douglas, AICP
Consultant

RECOMMENDED BY:  

Zak Abu Bakar
Community Development Director

Attachments:

1. Draft Planning Commission Resolution No. 2013-09
2. Draft Ordinance No. 1466
3. 2008-2013 Housing Element Update
4. HCD review letter of April 3, 2009
5. HCD review letter of December 3, 2009
6. HCD review letter of April 2, 2013
7. Proposed Downtown Overlay Zone map
8. Proposed Parcels to be Rezoned to HDR-20
9. Proposed Parcels to be Rezoned to VHDR-20
10. Existing Zoning Map and Apartment Locations
11. Draft Initial Study/Mitigated Negative Declaration
12. Public Hearing Notices
13. Mailing Labels
14. Public Communication
ATTACHMENT 1

DRAFT PLANNING COMMISSION
RESOLUTION NO. 2013-09
RESOLUTION NO. 2013-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BANNOING, CALIFORNIA RECOMMENDING CITY COUNCIL APPROVAL OF GENERAL PLAN AMENDMENT NO. 13-2504 AND ZONE CHANGE NO. 13-3502 IN COMPLIANCE WITH THE CITY OF BANNOING HOUSING ELEMENT

WHEREAS, California Government Code Section 65302(c) mandates that each city shall include a Housing Element in its General Plan. The Housing Element is required to identify and analyze existing and projected housing needs and include statements of the City’s goals, policies, quantified objectives, and scheduled programs for the preservation, improvement, and development of housing. The City in adopting its Housing Element, must consider economic, environmental, and fiscal factors, as well as community goals as set forth in the General Plan; and

WHEREAS, many of the policies and programs contained in the Housing Element are intended to facilitate the preservation, maintenance and improvement of the City’s existing housing stock. These programs would not change development patterns or result in any physical environmental impacts. However, under State law each jurisdiction is also required to demonstrate that local land use plans and zoning regulations provide development opportunities to accommodate the jurisdiction’s assigned fair share of the region’s new housing needs. The process by which fair share housing needs are determined is called the “Regional Housing Needs Assessment” (RHNA). The RHNA is prepared by the Southern California Association of Governments (SCAG). Once the RHNA allocations are adopted by SCAG and accepted by HCD, they become final and no changes or judicial review are permitted under State law; and

WHEREAS, the RHNA identifies Banning’s share of the regional housing need for the January 2006 through June 2014 projection period as 3,841 units. This total includes 873 very-low-income units, 618 low-income units, 705 moderate-income units, and 1,645 above-moderate-income units. In addition, the City must identify adequate sites to accommodate a RHNA carryover from the previous planning cycle of 598 lower-income units. State law requires the City to demonstrate the availability of adequate sites with appropriate zoning to accommodate the need for various types of housing units commensurate with the RHNA; and

WHEREAS, under State law, a density of at least 20 housing units per acre is considered necessary to facilitate the production of housing affordable to lower-income households in Banning. The Banning General Plan and Zoning Ordinance currently allow a maximum residential density of 18 units/acre in the High Density Residential (HDR) district. As a result, the City’s current land use regulations and inventory of developable land do not provide sufficient capacity to accommodate the State-mandated lower-income portion of the RHNA. General Plan Amendment No. 13-2504 and Zone Change No. 13-3502 would provide sufficient additional capacity for lower-income housing in compliance with the City’s RHNA allocation for the 2008-2013 planning period; and
WHEREAS, in accordance with Government Code §65854, on the 3rd and 7th day of June 2013, the City gave public notice as required under Chapter 17.68 of the Zoning Ordinance by advertising in the Press Enterprise and Record Gazette newspapers of the holding of a public hearing regarding General Plan Amendment No. 13-2504 and Zone Change No. 13-3502; and

WHEREAS, on the 3rd day of July 2013, the Planning Commission held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the proposed amendment, and at which time the Planning Commission considered General Plan Amendment No. 13-2504 and Zone Change No. 13-3502; and

WHEREAS, at this public hearing the Planning Commission analyzed the proposed project together with the Initial Study/Mitigated Negative Declaration in compliance with California Environmental Quality Act (CEQA) Section 15162.

NOW THEREFORE, the Planning Commission of the City of Banning does hereby finds, determines, and resolves as follows:

SECTION 1. ENVIRONMENTAL FINDINGS.

An Initial Study/Mitigated Negative Declaration was prepared in accordance with the California Environmental Quality Act and City of Banning Environmental Review Guidelines.

Based on the Environmental Checklist prepared for the project and supporting environmental analysis and pursuant to Section 15162 of the CEQA Guidelines, the Planning Commission has determined, on the basis of substantial evidence in the light of the whole record, that:

(a) The proposed General Plan and Zoning Code amendments do not propose substantial changes to the project which would require major revisions to the General Plan Final EIR due to new or substantially more severe significant environmental effects than previously analyzed in the FEIR; and

(b) There have been no substantial changes in circumstances under which the project will be undertaken that will require major revisions to the General Plan Final EIR due to new or substantially more severe significant environmental effects than previously analyzed in the FEIR; and

(c) No new information of substantial importance as described in subsection (a)(3) of Section 15162 has been revealed that would require major revisions to the General Plan Final EIR or its conclusions.

Potential environmental impacts resulting from the adoption of the proposed General Plan and Zoning Code amendments have been evaluated and, except for those previously determined to be significant and unavoidable in the FEIR, the impacts would be less than significant or reduced to a level considered less than significant with mitigation. Additionally, all appropriate project
design features and mitigation measures will be incorporated in future development projects, as required by applicable development regulations and mitigation measures.

On the basis of all of the evidence in the record, the Planning Commission finds that the Initial Study/Mitigated Negative Declaration reflects the independent judgment of the Planning Agency and hereby recommends its approval by the City Council.

SECTION 2. REQUIRED FINDINGS FOR GENERAL PLAN AMENDMENT NO. 13-2504:

Finding No. 1: That the proposed amendment is internally consistent with the General Plan.

Facts in Support of Finding: The Housing Element is required to demonstrate the availability of adequate sites for residential development commensurate with the Regional Housing Needs Assessment (RHNA) for the 2008-2013 planning period. The proposed amendment to the General Plan Land Use Element would ensure consistency with the proposed Housing Element and the RHNA by designating sufficient sites for housing development at appropriate densities to accommodate the projected needs of lower-income households in Banning.

Finding No. 2: That the proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

Facts in Support of Finding: The proposed amendments to the Housing and Land Use Elements of the General Plan would encourage and facilitate the maintenance, improvement and development of housing needed to serve the City’s current and projected population during the 2008-2013 planning period, as required by State law. Further, the Initial Study/Mitigated Negative Declaration prepared for the proposed amendments concluded that the proposed amendments would not result in any new significant environmental impacts.

Finding No. 3: That the proposed amendment would maintain the appropriate balance of land uses within the City

Facts in Support of Finding: State law requires each city to identify adequate sites for housing development commensurate with the Regional Housing Needs Assessment (RHNA). The proposed amendments to the Housing and Land Use Elements would ensure an appropriate balance of land uses by designating sufficient sites for housing consistent with the RHNA for the 2008-2013 planning period.

Finding No. 4: That the proposed parcels that are subject to the amendment are physically suitable including but not limited to access, provisions of utilities, compatibility with adjoining land uses, and absence of physical constraints for the requested land use designations and the anticipated land use development.
Facts in Support of Finding: Pursuant to CEQA, an Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared for the proposed Housing and Land Use Element amendments. The IS/MND concluded that with the mitigation measures identified in the General Plan EIR and the IS/MND, development of the sites proposed for redesignation to higher densities would not result in new significant impacts regarding access, utilities, land use compatibility or other potential environmental effects.

SECTION 3. REQUIRED FINDINGS FOR ZONE CHANGE ZONE CHANGE NO. 13-3502:

Finding No. 1: The proposed Zone Change is consistent with the General Plan, as amended.

Facts in Support of Finding: The proposed amendments to the Housing and Land Use Elements would demonstrate the availability of adequate sites for residential development commensurate with the Regional Housing Needs Assessment (RHNA) for the 2008-2013 planning period. The proposed amendment to the Zoning Ordinance and Map would ensure consistency with the proposed Housing and Land Use Elements and the RHNA by designating sufficient sites with appropriate zoning for housing development at densities necessary to accommodate the projected needs of lower-income households in Banning.

Finding No. 2: The proposed Zone Change would not be detrimental to the environment, or to the public interest, health, safety, convenience, or welfare of the City

Facts in Support of Finding: Pursuant to CEQA, an Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared for the proposed Housing and Land Use Element amendments. The IS/MND concluded that with the mitigation measures identified in the General Plan EIR and the IS/MND, development of the sites proposed for redesignation to higher densities would not result in new significant environmental effects. Further, the any future development on rezoned sites must comply with applicable development standards and environmental requirements designed to protect the health, safety and welfare of the community and its residents.

Finding No. 3: The subject property is physically suitable for the requested land use designation(s) and the anticipated development(s).

Facts in Support of Finding: Pursuant to CEQA, an Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared for the proposed zoning amendments. The IS/MND concluded that with the mitigation measures identified in the General Plan EIR and the IS/MND, development of the sites proposed for rezoning to higher densities would not result in new significant impacts regarding access, utilities, land use compatibility or other potential environmental effects.
Finding No. 4: The proposed Zone Change shall ensure development of desirable character which will be compatible with existing and proposed development in the surrounding neighborhood.

Facts in Support of Finding: Pursuant to CEQA, an Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared for the proposed zoning amendments. The IS/MND concluded that with the mitigation measures identified in the General Plan EIR and the IS/MND, development of the sites proposed for rezoning to higher densities would not result in new significant impacts to the surrounding properties or the community in general. Further, zoning amendments to allow higher densities are required by State law to ensure consistency with the Regional Housing Needs Assessment.

SECTION 4. PLANNING COMMISSION ACTIONS.

The Planning Commission recommends that City Council takes the following actions:

1. Approve General Plan Amendment No. 13-2504 adopting the 2008-2013 Housing Element and making the following changes to the Land Use Element of the General Plan:

   a. Amend the High Density Residential land use category on p. III-7 as follows:

      High Density Residential (HDR) (11-18 du/acre)
      Allows condominiums and townhomes, as well as apartments with the provision of common area amenities and open space. Duplex and multi-plex development is the most prevalent type of development in this designation. The clustering of condominiums and townhomes may be appropriate with the provision of common area amenities and open space. Allowable base density may be increased to 20 du/acre for developments that reserve at least 50% of units for lower-income households. Mobile home parks and subdivisions may also be appropriate, with the approval of a conditional use permit. Home occupations are permitted.

   b. Establish a new Very High Density Residential ("VHDR") General Plan land use category, allowing residential development at densities of 19-24 units/acre, as follows:

      Very High Density Residential (HDR) (19-24 du/acre)
      Allows condominiums and townhomes, as well as apartments with the provision of common area amenities and open space. Duplex and multi-plex development is the most prevalent type of development in this designation. The clustering of condominiums and townhomes may be appropriate with the provision of common area amenities and open space. Allowable base density may be increased to 20 du/acre for developments that reserve at least 50% of units for lower-income households. Home occupations are permitted.

   c. Amend General Plan Land Use Element Exhibit III-2 to change the land use
designation for the following parcels to VHDR:

537-190-018
537-190-021
537-190-020

2. Adopt Ordinance No. 1466 (Attachment 2) approving Zone Change No. 13-3502 based on the findings as referenced herein.

PASSED, APPROVED AND ADOPTED this 3rd day of July, 2013.

Kevin Siva, Chairman
Banning Planning Commission

APPROVED AS TO FORM AND LEGAL CONTENT:

Lona N. Laymon
Aleshire & Wynder, LLP
Assistant City Attorney
City of Banning, California

ATTTEST:

Holly Stuart, Recording Secretary
City of Banning, California

CERTIFICATION:

I, Holly Stuart, Recording Secretary of the Planning Commission of the City of Banning, California, do hereby certify that the foregoing Resolution, No. 2012-09, was duly adopted by the Planning Commission of the City of Banning, California, at a regular meeting thereof held on the 3rd day of July 2013, by the following vote, to wit:

AYES:
NOES:

ABSENT:

ABSTAIN:

Holly Stuart, Recording Secretary
City of Banning, California
ATTACHMENT 2

DRAFT ORDINANCE NO. 1466
ORDINANCE NO. 1466

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA ADOPTING ZONE CHANGE NO. 13-3502 TO THE ZONING ORDINANCE AND ZONING MAP IN CONFORMANCE WITH THE GENERAL PLAN HOUSING ELEMENT

WHEREAS, California Government Code Section 65302(c) mandates that each city shall include a Housing Element in its General Plan. The Housing Element is required to identify and analyze existing and projected housing needs and include statements of the City's goals, policies, quantified objectives, and scheduled programs for the preservation, improvement, and development of housing. The City in adopting its Housing Element, must consider economic, environmental, and fiscal factors, as well as community goals as set forth in the General Plan; and

WHEREAS, many of the policies and programs contained in the Housing Element are intended to facilitate the preservation, maintenance and improvement of the City's existing housing stock. These programs would not change development patterns or result in any physical environmental impacts. However, under State law each jurisdiction is also required to demonstrate that local land use plans and zoning regulations provide development opportunities to accommodate the jurisdiction's assigned fair share of the region's new housing needs. The process by which fair share housing needs are determined is called the "Regional Housing Needs Assessment" (RHNA). The RHNA is prepared by the Southern California Association of Governments (SCAG). Once the RHNA allocations are adopted by SCAG and accepted by HCD, they become final and no changes or judicial review are permitted under State law; and

WHEREAS, the RHNA identifies Banning's share of the regional housing need for the January 2006 through June 2014 projection period as 3,841 units. This total includes 873 very-low-income units, 618 low-income units, 705 moderate-income units, and 1,645 above-moderate-income units. In addition, the City must accommodate a RHNA carryover from the previous planning cycle of 598 lower-income units. State law requires the City to demonstrate the availability of adequate sites with appropriate zoning to accommodate the need for various types of housing units commensurate with the RHNA; and

WHEREAS, under State law, a density of at least 20 housing units per acre is considered necessary to facilitate the production of housing affordable to lower-income households in Banning. The Banning General Plan and Zoning Ordinance currently allow a maximum residential density of 18 units/acre in the High Density Residential (HDR) district. As a result, the City's current land use regulations and inventory of developable land do not provide sufficient capacity to accommodate the State-mandated lower-income portion of the RHNA. Therefore, in order to provide adequate sites to accommodate the City's fair share need for lower-income housing in compliance with State law and the General Plan Housing Element, amendments to the City's zoning regulations are required; and
WHEREAS, in accordance with Government Code §65854, on the 3rd and 7th day of June 2013, the City gave public notice as required under Chapter 17.68 of the Zoning Ordinance by advertising in the Press Enterprise and Record Gazette newspapers of the holding of a public hearing regarding Zone Change No. 13-3502; and

WHEREAS, on the 3rd day of July 2013, the Planning Commission held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the proposed amendment, and at which time the Planning Commission considered Zone Change No. 13-3502; and

WHEREAS, at this public hearing, the Planning Commission has analyzed this proposed project together with the Initial Study/Mitigated Negative Declaration in compliance with California Environmental Quality Act Section 15162;

NOW THEREFORE, the City Council of the City of Banning does make the following findings and based thereon and the administrative record does ordain as follows:

SECTION 1. ENVIRONMENTAL FINDINGS.

An Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program were prepared in accordance with the California Environmental Quality Act (“CEQA”), the State CEQA Guidelines Sections 15000 through 15387, and the City of Banning Environmental Review Guidelines. City Council Resolution No. 2013-___ as referenced herein provides environmental findings for the Project.

SECTION 3. REQUIRED FINDINGS FOR ZONE CHANGE NO. 13-3502:

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

Facts in Support of Finding: The proposed amendments to the Housing and Land Use Elements would demonstrate the availability of adequate sites for residential development commensurate with the Regional Housing Needs Assessment (RHNA) for the 2008-2013 planning period. The proposed amendments to the Zoning Ordinance and Map are required to ensure consistency with the Housing and Land Use Elements of the General Plan and the RHNA by establishing zoning regulations on sufficient sites to accommodate housing development at densities necessary to meet the projected needs of lower-income households in Banning.

Finding No. 2: The proposed Zone Change would not be detrimental to the environment, or to the public interest, health, safety, convenience, or welfare of the City.

Facts in Support of Finding: Pursuant to CEQA, an Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared for the proposed zoning amendments. The IS/MND concluded that with the mitigation measures identified in the General Plan EIR and the IS/MND, development of the sites
proposed for redesignation to higher densities would not result in new significant environmental effects. Further, the any future development on rezoned sites must comply with applicable development standards and environmental requirements designed to protect the health, safety and welfare of the community and its residents.

Finding No. 3: The subject property is physically suitable for the requested land use designation(s) and the anticipated development(s).

Facts in Support of Finding: Pursuant to CEQA, an Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared for the proposed zoning amendments. The IS/MND concluded that with the mitigation measures identified in the General Plan EIR and the IS/MND, development of the sites proposed for rezoning to higher densities would not result in new significant impacts regarding access, utilities, land use compatibility or other potential environmental effects.

Finding No. 4: The proposed Zone Change shall ensure development of desirable character which will be compatible with existing and proposed development in the surrounding neighborhood.

Facts in Support of Finding: Pursuant to CEQA, an Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared for the proposed zoning amendments. The IS/MND concluded that with the mitigation measures identified in the General Plan EIR and the IS/MND, development of the sites proposed for rezoning to higher densities would not result in new significant impacts to the surrounding properties or the community in general. Further, zoning amendments to allow higher densities are required by State law to ensure consistency with the Regional Housing Needs Assessment.

SECTION 3. CITY COUNCIL ACTIONS.

The City Council hereby takes the following actions:

1. Zoning Code Section 17.12.050.H.2 is amended to read as follows:

   "2. Multi-family residential uses shall be permitted at a density of up to 18 dwelling units per acre. Multi-family or mixed-use developments with a minimum of 16 units and that reserve at least 50% of the units for lower-income households shall be permitted at a density of up to 20 dwelling units per acre. Multi-family residential uses are prohibited on the ground floor on Ramsey Street and San Gorgonio within the Downtown Commercial district. Multi-family uses on Ramsey Street and San Gorgonio must occur above commercial uses. In the balance of the district, multi-family uses may occur on any level."

Ord No. 1466
3

20
2. Zoning Code Section 17.08.010.B is hereby amended to add a new High Density Residential-20 ("HDR-20") zoning district and to renumber the remaining section as follows:

"9. High Density Residential-20 (HDR-20) (20 du/acre). Allows condominiums and townhomes, as well as apartments with the provision of common area amenities and open space by-right at a minimum density of 20 dwelling units per acre when at least 50% of the units are reserved for lower-income households. The clustering of condominiums and townhomes is appropriate with the provision of common area amenities and open space. Home Occupations may be appropriate with approval of a Home Occupation permit."

3. Zoning Code Table 17.08.020 is amended to add the following footnote to the HDR section:

"*Housing developments in the HDR-20 district are permitted at a density of 20 dwelling units per acre when at least 50% of the units are reserved for lower-income households. Development standards for qualifying developments shall be as provided for the HDR district in Chapter 17.24.""

4. A new Very High Density Residential ("VHDR") zoning district is hereby added to Zoning Code Section 17.08.010.B as follows:

"10. Very High Density Residential (VHDR) (19-24 du/acre). Allows condominiums and townhomes, as well as apartments with the provision of common area amenities and open space. The clustering of condominiums and townhomes is appropriate with the provision of common area amenities and open space. Home Occupations may be appropriate with approval of a Home Occupation permit."

5. Zoning Code Table 17.08.020 is amended to add the following footnote to the new VHDR section:

"**Housing developments in the VHDR district are permitted at a minimum density of 20 dwelling units per acre by-right when at least 50% of the units are reserved for lower-income households."

6. The Zoning Map is hereby amended to change the designation for the following parcels to HDR-20 (Exhibit 5):

"537-120-034  419-140-059
540-083-002  534-161-010
541-110-013  537-110-008
532-080-004  541-110-009"
7. The Zoning Map is hereby amended to change the designation for the following parcels to VHDR:

"537-190-018
537-190-021
537-190-020"

SECTION 4. PUBLICATION

The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen (15) days of its adoption cause it, or a summary of it, to be published in the Record Gazette, a newspaper published and circulated in the City. Thereupon, this Ordinance shall take effect thirty (30) days after the adoption and be in effect according to the law.

PASSED, APPROVED AND ADOPTED this ____ day of ________, 2013.

Deborah Franklin, Mayor
City of Banning

APPROVED AS TO FORM:

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

ATTEST:

Marie Calderon, City Clerk
City of Banning, California

CERTIFICATION:

I, Marie Calderon, City Clerk of the City of Banning, California, do hereby certify that the foregoing Ordinance No. 1466 was duly introduced at a regular meeting of the City Council of the City of Banning, held on the ____ day of ________, 2013 and was duly adopted at a regular
meeting of said City Council held on the ___ day of _______ 2012, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____________________________________
Marie Calderon, City Clerk
City of Banning, California
ATTACHMENT 3

2008-2013 HOUSING ELEMENT UPDATE
CITY OF BANNING

DRAFT

2008-2014 GENERAL PLAN
HOUSING ELEMENT UPDATE

Issued by:
City of Banning
Community Development Department
99 East Ramsey Street
Banning CA, 92220

Date: March 13, 2013
CITY OF BANNING

HOUSING ELEMENT 2008-2014
OF THE GENERAL PLAN

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CITY OF BANNING

HOUSING ELEMENT 2008-2014
OF THE GENERAL PLAN

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HOUSING ELEMENT

CHAPTER 1.0

INTRODUCTION TO THE HOUSING ELEMENT

The Housing Element is an integral component of the City's General Plan. It addresses existing and future housing needs of all types for persons of all economic groups in the City. The Housing Element is a tool for use by citizens and public officials in understanding and meeting the housing needs in City of Banning.

Recognizing the importance of providing adequate housing in all communities, the state has mandated a Housing Element within every General Plan since 1969. It is one of the seven elements required by the state. Article 10.6, Section 65580 – 65589.8, Chapter 3 of Division 1 of Title 7 of the Government Code sets forth the legal requirements of the Housing Element and encourages the provision of affordable and decent housing in all communities to meet statewide goals. Specifically, Section 65580 states the element shall consist of "... an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources and scheduled programs for the preservation, improvement, and development of housing." The element must also contain a five-year housing plan with quantified objectives for the implementation of the goals and objectives of the Housing Element. The contents of the element must be consistent with the other elements of the General Plan.

Meeting the housing needs established by the State of California is an important goal for the City of Banning. As the population of the State continues to grow and scarce resources decline, it becomes more difficult for local agencies to ensure the provision of adequate housing opportunities while maintaining a high standard of living for all citizens in the community. State law recognizes that housing needs may exceed available resources and, therefore, does not require that the City's quantified objectives be identical to the identified housing needs. This recognition of limitations is critical, especially during this period of financial uncertainties in both the public and private sectors. Section 65583(b)(2) states:

"It is recognized that the total housing needs... may exceed available resources and the communities' ability to satisfy this need... Under these circumstances, the quantified objectives need not be identical to the identified existing housing needs. The quantified objectives shall establish the maximum number of housing units by income category that can be constructed, rehabilitated, and conserved over a five-year time period."

This Housing Element (2008-2014) was created in compliance with state General Plan law pertaining to Housing Elements and is scheduled to be adopted by the City of Banning City Council subsequent to review and approval of the State of California Housing and Community Development, Division of Housing Policy Development.
1.1 ORGANIZATION

The City of Banning’s Housing Element is organized into four (4) primary sections:

Section 1.0 Introduction to the Housing Element: This section includes a review of the current Housing Element, background, the purpose behind the element, and a community profile.

Section 2.0 Existing Conditions and Demographic Data: This section includes a summary of existing conditions, an inventory of resources, housing cost and affordability, at-risk units, the City of Banning’s Regional Housing Needs Assessment (RHNA), land suitable for development, and a section discussing constraints, efforts and opportunities.

Section 3.0 Housing Needs, Issues and Trends: This section includes a discussion of state issues and policies, regional housing policies, and housing issues.

Section 4.0 Housing Program: This section identifies housing goals, policies and action programs. Funding sources are identified and schedules for implementation of the action programs are included. In addition, a quantified objectives summary is provided.

1.2 PURPOSE

The State of California has declared that “the availability of housing is of vital statewide importance and the early attainment of decent housing and a suitable living environment for every California family is a priority of the highest order.” In addition, government and the private sector should make an effort to provide a diversity of housing opportunities and accommodate regional housing needs through a cooperative effort, while maintaining a responsibility toward economic, environmental, fiscal factors and community goals within the General Plan.

Further, state Housing Element law, Section 65583(a) requires “An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs.” The law requires:

1) An analysis of population and employment trends and documentation of projections and a quantification of the locality’s existing and projected housing needs...These existing and projected needs shall include the locality’s share of the regional housing need...;
2) An analysis and documentation of household characteristics...;
3) An inventory of suitable land for residential development...;
4) An analysis of potential and actual governmental and non-governmental constraints on the improvement, maintenance and development of housing for all income levels...;
5) An analysis of special housing needs...;
6) An analysis of opportunities for energy conservation;
7) An analysis of existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years...;
The purpose of these requirements is to develop an understanding of the existing and projected housing needs within the community and to set forth policies and schedules, which promote preservation, improvement and development of diverse types and costs of housing throughout the City of Banning.

1.3 RELATIONSHIP TO OTHER ELEMENTS

State law requires that "...the General Plan and elements and parts thereof comprise an integrated, internally consistent, and compatible statement of policies..." The purpose of requiring internal consistency is to avoid policy conflict and provide a clear policy guide for the future maintenance, improvement and development of housing within the City.

This Housing Element is part of a comprehensive City of Banning General Plan. All elements of the City of Banning General Plan have been reviewed for consistency and the Housing Element was prepared to assure consistency with the remaining elements.

1.4 CITIZEN PARTICIPATION

In the past, the City of Banning has made diligent efforts to solicit public participation pertaining to the development of the General Plan and Zoning Ordinance. These processes included community workshops, public review, and citizen participation. Other public meetings include the City Council meeting twice a month. All members of the community have had access to the participation process. A public participation mailing list is attached as Appendix A.

Public participation for the 2008-2014 Housing Element update has included a joint workshop with the City Council and Planning Commission conducted on May 27, 2008. Members of the community were invited to address concerns and give input on the contents of the Housing Element. A Housing Element questionnaire insert was mailed to all City utility customers soliciting comment on housing activities and housing policies; notices were mailed during the months of July and August, 2008, and approximately 60 questionnaires were returned to the City; all responses were considered by the City and incorporated, where possible into the Housing Element. A synopsis of the questionnaires is found as Appendix B attached to this document. Notices were posted in both English and Spanish in the local newspaper, at the City Hall, the post office, at the public schools, and at affordable housing complexes in the City. The Public Review Draft, dated December 2008, was made available to the community for a 60-day review period, from February 1, 2009 to April 1, 2009, following the City Council meeting held on January 27, 2009. Copies of the draft were made available in officially recognized public forums/facilities, and include the Senior/Community Center, the City Library, and City Hall. Copies were mailed to local service providers and individuals representing all economic segments of the population including non-profit organizations, city officials, and city organizations.
On May 2, 2012 the Planning Commission held an additional public meeting to review the potential rezoning of properties. That meeting was noticed in Record Gazette, a local newspaper and mailed to property owners within 300' radius of the properties to be rezoned.

The City will continue to strive to involve the public throughout the housing element process by consistently and conscientiously reaching out to members of the public. The City will continue to make the Housing Element available on the web site for review by the General Public.

Staff continues to consider all comments received by the public from all sources; any specific concerns related to development standards or any other City policy or approval process which may have an effect on affordable housing or target populations, have been and will continue to be thoroughly considered by staff in assembling the final draft of the housing element. Where appropriate, comments have been incorporated into the document. As this is a living document, the City will remain open to dialogue with all members of the public, as well as public and private agencies, after the document is adopted by the City Council and certified by the State of California.

1.5 REVIEW OF THE PREVIOUS HOUSING ELEMENT

State law requires the City of Banning to review its Housing Element in order to evaluate:

a. “The effectiveness of the Housing Element in attainment of the community’s housing goals and objectives.” The effectiveness of the Housing Element should be quantified where possible and may be qualitative where necessary.

b. “The progress of the City and/or County in implementation of the Housing Element.” An analysis should be performed to determine where the previous housing element met, exceeded, or fell short of what was anticipated.

c. “The appropriateness of the housing goals, objectives and policies in contributing to the attainment of the state housing goal.” Describe how goals, objectives, and policies are being changed or adjusted as necessary.

The remainder of this section fulfills this state requirement.

1.5.a. EFFECTIVENESS OF PREVIOUS HOUSING ELEMENT

The State periodically establishes an overall goal for construction of new housing units and makes an assignment of gross allocations of housing unit goals to regional governments, which in turn allocate the housing unit goals to counties and cities. The document produced by regional governments is referred to as the “Regional Housing Needs Assessment” (RHNA). In 2006, the Southern California Association of
Governments (SCAG) prepared a RHNA for Riverside County, including the Western Riverside Council of Governments (WRCOG) sub-region that covered the time period from 2006-2014. The 2008-2014 RHNA is discussed in Section 2.2, New Construction Needs.

The effectiveness of City of Banning's Housing Programs in meeting regional housing needs can be measured by the level of achievement in constructing new housing units. Many uncontrollable factors influence the City's effectiveness. Over the 1998-2005 Housing Element period, as well as during subsequent years, factors such as market fluctuations, available programs, the willingness of lenders, developer qualifications and the political climate, all combined to create 2,540 new housing units in the City of Banning, almost all of which have been affordable to above moderate households.
TABLE III-21
CITY OF BANNING
ACHIEVEMENT OF JANUARY 1998-JUNE 2005 RHNA NEW CONSTRUCTION GOAL

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Extremely Low</td>
<td>240</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Very Low</td>
<td>241</td>
<td>69</td>
<td>28.6%</td>
</tr>
<tr>
<td>Low</td>
<td>285</td>
<td>99</td>
<td>34.7%</td>
</tr>
<tr>
<td>Moderate</td>
<td>409</td>
<td>544</td>
<td>133.0%</td>
</tr>
<tr>
<td>Above Moderate</td>
<td>604</td>
<td>1,828</td>
<td>302.6%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1,779</td>
<td>2,540</td>
<td>142.8%</td>
</tr>
</tbody>
</table>

Source: City of Banning 1998 Housing Element Housing Needs Assessment; Laurin Associates

The period of 1998-2005 was a period of moderate to rapid growth for the City of Banning. The majority of the construction that took place during this time period was in the above moderate category.

While the City has installed mechanisms to allow for low and very low-income housing, due to lack of developer interest and market factors beyond the City's control, the City did not meet the RHNA affordable housing goals. The City achieved approximately 25.8 percent of the RHNA goals for extremely low, very low, and low income households. The City implemented its affordable housing strategy as outlined in the 1998-2005 Housing Element, but due to the rise in the market value of single family housing and the demand for condominium style housing, developers only produced housing affordable to the moderate and above moderate income households. The City has retained the minimum number of housing choice vouchers and several multi-family complexes have maintained their affordability, most recently, the Westview Terrace Apartments.

Westview Terrace was an at risk project that was to convert to market rate project. The Community Redevelopment Agency entered into an Owner Participation Agreement with the owner of the property Banning Leased Housing Associates I, Limited Partnership on March 22, 2011 and purchased affordable covenants as follows:

- Forty-three (43) units are restricted to extremely low income tenants
- Thirty-one (31) units are restricted for low income tenants.
- One (1) unit is unrestricted as a unit housing the Site Manager

1.5.b. PROGRESS OF CITY OF BANNING'S HOUSING PROGRAM

Housing Goals (from prior Housing Element):

1. Provide housing opportunities for all segments of the community to meet current and future needs.
2. Maintain and improve the quality of the existing housing stock and preserve existing residential neighborhoods.
3. Ensure that new housing is compatible with existing development and the natural environment.
4. Promote equal housing opportunity for all Banning residents.

The following table provides an overview of the housing and housing related policies and action plans in the 1998-2003 Housing Element and its progress on implementation.
### TABLE III-22
1998-2003 CITY OF BANNING HOUSING ELEMENT
POLICY OBJECTIVES

#### A. Housing Opportunities (Goal 1)

<table>
<thead>
<tr>
<th>Supporting Policy, Action, or Program</th>
<th>Original Implementation Date / Responsible Agency</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Provide a variety of residential development opportunities in Banning, ranging from very low density to high density development as described in the Community Development Element and Plan Map in accordance with the Regional Housing Needs Assessment.</td>
<td></td>
<td>This is addressed through the General Plan Land Use and Zoning Ordinance.</td>
</tr>
<tr>
<td><strong>Program 1.a Land Use Element/Zoning Ordinance</strong>&lt;br&gt;1,780 dwelling units through June 30, 2005, distributed as follows: 481 very low-income, 289 low-income, 405 moderate-income, and 605 above moderate-income.</td>
<td>January 1, 1998 - June 30, 2005.</td>
<td>2255 units were constructed. However, a majority were above moderate income. Objectives for all other income groups were not met.</td>
</tr>
<tr>
<td><strong>Program 1.b Shared Housing</strong>&lt;br&gt;The County shared housing programs assists low-income individuals 18 years of age and older in locating roommates to share housing in the community; the majority of the applicants are senior citizens.</td>
<td>Current and Ongoing.</td>
<td>Current and Ongoing, 2008-2014.</td>
</tr>
<tr>
<td>2. Encourage both the private and public sectors to produce or assist in the production of high quality housing to meet the needs of the handicapped, the elderly, large families, female-headed households and homeless.</td>
<td>None.</td>
<td>Addressed in 2008-2014 Housing Element.</td>
</tr>
<tr>
<td>3. Promote the development of low- and moderate-income, and senior housing by allowing developers density bonuses or other financial incentives for providing units for low- and moderate-income residents. Provide rental assistance vouchers, as available, for some or all of the affordable units provided.</td>
<td></td>
<td>The Density Bonus Ordinance and Incentives was adopted by the City Council on February 26, 2013.</td>
</tr>
<tr>
<td><strong>Program 3.a Density Bonus</strong>&lt;br&gt;Density bonus granted to a developer if they allocate at least 20% of the units in a housing project to lower income households, 10% for very low-income households, or at least 50% for “qualifying residents.”</td>
<td>Adopted in 1991, Current and Ongoing. Planning Department and Redevelopment Agency.</td>
<td>Update to current State Law Requirement in 2008-2014 Housing Element.</td>
</tr>
<tr>
<td><strong>Program 3.b Mortgage Revenue Bond Financing</strong>&lt;br&gt;The Riverside County Multi-Family Bond Program makes financing available to Developers for the construction of multi-family residential rental units in the County. The Single Family Residential Mortgage Revenue Bond Program is designed to provide mortgage loans to first-time homeowners whose incomes do not exceed maximum Federal limits.</td>
<td>Redevelopment Agency. One Project each in 2003 and 2004.</td>
<td>Continuous and Ongoing, 2008-2014. Coordination for this program was transferred to the Community Development Department after the dissolution of the Redevelopment Agency.</td>
</tr>
<tr>
<td>Program 3.c Mortgage Credit Certificate Program</td>
<td>Redevelopment Agency, Current and Ongoing.</td>
<td>Completion of two (2) home ownership assistance projects ($20,000 each); currently processing five (5) more. Continuous and Ongoing, 2008-2014. Coordination for this program was transferred to the Community Development Department after the dissolution of the Redevelopment Agency.</td>
</tr>
<tr>
<td>Program 3.d Affordable Housing Development with a Nonprofit Partner</td>
<td>Redevelopment Agency, Establish partner by December 2001.</td>
<td>Copeland House: Live/Work housing project was developed with redevelopment assistance in the downtown area. Coordination for this program was transferred to the Community Development Department after the dissolution of the Redevelopment Agency.</td>
</tr>
<tr>
<td>Program 3.e Section 8 Rental Assistance Payment/Housing Voucher</td>
<td>Redevelopment Agency, Current and Ongoing.</td>
<td>Continuous and Ongoing, 2008-2014. Coordination for this program was transferred to the Community Development Department after the dissolution of the Redevelopment Agency.</td>
</tr>
<tr>
<td>4. Require that housing constructed expressly for low-and moderate-income households not be concentrated in any single portion of the city.</td>
<td>None.</td>
<td>Implementation On-Going</td>
</tr>
<tr>
<td>5. Continue to coordinate with local social service providers, such as HELP, to address the needs of the City’s homeless population. Permit the development of emergency shelters in commercial and industrial zones, and transitional housing in residential zones in locations close to services, subject to a Conditional Use Permit.</td>
<td>None.</td>
<td>Continue to work with the County of Riverside Social Services Agency.</td>
</tr>
<tr>
<td>6. Encourage the development of residential units, which are accessible to handicapped persons or are adaptable for conversion to residential use by handicapped persons.</td>
<td>None.</td>
<td>Addressed in 2008-2014 Housing Element.</td>
</tr>
<tr>
<td>7. Locate higher density residential development in close proximity to public transportation, services and recreation.</td>
<td>None.</td>
<td>Implementation On-Going</td>
</tr>
<tr>
<td>8. Permit the development of childcare facilities concurrent with new housing development.</td>
<td>None.</td>
<td>Implementation On-Going and is addressed in the Zoning Code.</td>
</tr>
<tr>
<td>9. Monitor all regulations, ordinances, departmental processing procedures and fees related to the rehabilitation and/or construction of dwelling units to assess their impact on housing costs.</td>
<td>Continuous and Ongoing.</td>
<td>Addressed in 2008-2014 Housing Element.</td>
</tr>
</tbody>
</table>

Community Development III - 110
### Program 9.a Efficient Processing

The City will provide a one-stop process for a developer with an affordable housing project. A designated individual within the Planning Department will act as the project manager, or liaison, for the participating City departments and the applicant.


### Program 9.b Development Fees

The City charges various fees and assessments to cover the costs of processing permits and providing services and facilities. Maintain fees at a level commensurate with the services and facilities needed to meet community standards.

Planning Department, Current and ongoing. Continuous and ongoing, 2008-2014.

### Program 9.c Zoning Ordinance

1. Amend the Zoning Ordinance to eliminate occupancy restrictions relating to family status as long as the secondary unit meets minimum development standards. 2. Amend the Zoning Ordinance to allow for reduced parking for any affordable housing development. 3. Amend the Zoning Ordinance to allow mixed-use residential/commercial structures without limiting housing to one unit occupied by an owner or operator of the business.

Planning Department. 
Adopted by December 2001. Action #1 was implemented. The Zoning Ordinance adopted on January 31, 2006 removed this restriction. Action Item #2 was adopted through density bonus ordinance, which was adopted by the City Council on March 12, 2013. Action #3 was implemented on January 31, 2006 which allows mixed-used residential and commercial in the Downtown area.

### 10.) Encourage the use of energy conservation devices and passive design concepts which make use of the natural climate to increase energy efficiency and reduce housing costs.


### 11.) Provide opportunities for move-up housing in Banning.

None. Implementation On-Going

## B. Maintenance and Preservation (Goal 2)

1. Correct housing deficiencies through the development of a residential rehabilitation program.

There is no funding after elimination of Redevelopment Agency. Actively monitoring County, State, Federal funding availability.

### Program 1.a Home Improvement Program

Riverside County Community Development Department administers a Home Improvement Program to provide loans to eligible lower income families for necessary home repair and rehabilitation work.

Redevelopment Agency. Five (5) completed Exterior Rehabilitation Assistance (ERA) projects ($10,000 each); currently processing 15 more applications. This program was eliminated with the dissolution of the RDA.

2. Continue to utilize the City’s code enforcement program to bring substandard units into compliance with City codes and to improve overall housing in Banning.

On-going

### Program 2.a Code Enforcement

Bring Substandard housing units to compliance with City codes.


3. Minimize the displacement impacts occurring as a result of residential demolition.


4. Promote increased awareness among property owners and residents of the importance of property maintenance to long-term housing quality.

On-going
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>5.</strong> Encourage the use of rehabilitation funds for room additions to alleviate overcrowding, and for accessibility improvements to address the needs of the handicapped.</td>
<td>None.</td>
<td>Addressed in 2008-2014 Housing Element.</td>
</tr>
<tr>
<td><strong>6.</strong> Educate property owners on the benefits of home repair and remodeling using design and materials consistent with the historic character of the residence.</td>
<td>None.</td>
<td>Addressed in 2008-2014 Housing Element.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C. Environmental Sensitivity, (Goal 3)</th>
<th>Implementation On-going</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1.</strong> Ensure that multi-family development is compatible in design with single-family residential areas.</td>
<td>None.</td>
</tr>
<tr>
<td><strong>2.</strong> Regularly examine new residential construction methods and materials, and upgrade the City's residential building standards as appropriate</td>
<td>None.</td>
</tr>
<tr>
<td><strong>3.</strong> Prohibit new residential development to front on major arterial highways without adequate setbacks and buffering.</td>
<td>None.</td>
</tr>
<tr>
<td><strong>4.</strong> Prohibit housing development in areas subject to significant geologic, flooding, flows and, noise and fire hazards.</td>
<td>None.</td>
</tr>
<tr>
<td><strong>5.</strong> Accommodate new residential development, which is coordinated with the provision of infrastructure and public services.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Program 5a Site Suitability Criteria</th>
<th>Planning Department, Current and Ongoing.</th>
<th>Continuous and Ongoing, 2008-2014.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>6.</strong> Encourage the use of energy conservation devices and passive design concepts, which make use of the natural climate to increase energy efficiency and reduce housing.</td>
<td>None.</td>
<td>Addressed in 2008-2014 Housing Element.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>D. Fair Housing, (Goal 4)</th>
<th>On-going coordination with the Fair Housing Council of Riverside County, Inc.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1.</strong> Affirm a positive action posture, which will assure that unrestricted access is available to the community.</td>
<td>None.</td>
</tr>
<tr>
<td><strong>2.</strong> Prohibit practices, which restrict housing choice by arbitrarily directing prospective buyers and renters to certain neighborhoods or types of housing.</td>
<td>None.</td>
</tr>
</tbody>
</table>

Community Development III - 112
3. Continue to support and participation in the Riverside County New Horizon’s Fair Housing Program to further spatial de-concentration and fair housing practices.

Riverside County established the New Horizons’ Fair Housing Program which offers education on fair housing laws, referrals to public agencies on discrimination matters, training work shops, and a newsletter on fair housing activities. The City supports the Fair Housing Program by providing information on the program to individuals, hosting fair housing events, and referring individuals with fair housing complaints to a program representative.

City of Banning
General Plan
Continuous and Ongoing, 2008-2014.
1.5.c. APPROPRIATENESS OF GOALS OBJECTIVES AND POLICIES

The City of Banning has made progress in effectively carrying out programs and policies of the last Housing Element addressing the provision of housing for all income segments of the population. Many goals were not met due to the lack of staffing at the City to accomplish the policies effectively or due to market forces.

The City is addressing these issues and is in the process of reviewing and assessing the City’s housing needs, preparing development standards, and implementing a housing rehabilitation program utilizing CDBG funds that target low income single family households.

The City of Banning is currently considering incentives, in addition to the density bonus, and is researching affordable housing programs in order to create more opportunities for multifamily dwellings and to address the fair housing needs. However, as stated later in this document, the issues that were not adequately addressed in the previous Housing Element will be addressed in the “Policy and Programs” section of this document.

TABLE III-23
NEW CONSTRUCTION IN BANNING 1939 TO 2008

<table>
<thead>
<tr>
<th>Year Structure Built</th>
<th>Number</th>
<th>Percentage</th>
<th>Total City Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>1939 or earlier</td>
<td>610</td>
<td>5.9%</td>
<td>610</td>
</tr>
<tr>
<td>1940-1959</td>
<td>566</td>
<td>5.5%</td>
<td>1,176</td>
</tr>
<tr>
<td>1960-1969</td>
<td>1,286</td>
<td>12.4%</td>
<td>2,462</td>
</tr>
<tr>
<td>1970-1979</td>
<td>1,269</td>
<td>12.3%</td>
<td>3,731</td>
</tr>
<tr>
<td>1980-1989</td>
<td>2,409</td>
<td>23.3%</td>
<td>6,140</td>
</tr>
<tr>
<td>1990-1994</td>
<td>1,297</td>
<td>12.5%</td>
<td>7,437</td>
</tr>
<tr>
<td>1995-1998</td>
<td>720</td>
<td>7.0%</td>
<td>8,157</td>
</tr>
<tr>
<td>1999 to June 2008</td>
<td>2,188</td>
<td>21.1%</td>
<td>10,345</td>
</tr>
</tbody>
</table>


TABLE III-24
HOUSING DEMOLITIONS CITY OF BANNING, 2000-2008

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Units</th>
<th>Year</th>
<th>Total Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>5</td>
<td>2006</td>
<td>2</td>
</tr>
<tr>
<td>2001</td>
<td>11</td>
<td>2007</td>
<td>1</td>
</tr>
<tr>
<td>2002</td>
<td>19</td>
<td>2008</td>
<td>1</td>
</tr>
<tr>
<td>2003</td>
<td>18</td>
<td></td>
<td>69</td>
</tr>
<tr>
<td>2004</td>
<td>10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2005</td>
<td>2</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total: 69
1.6 COMMUNITY PROFILE

City of Banning

The City of Banning is located in the San Gorgonio Pass Areas adjacent to US Interstate 10 in west-central Riverside County, California. The City of Banning is one of 24 incorporated cities located within Riverside County. The City was incorporated in 1913, and has a current population of 28,348 persons (SCAG, 2008). The City is currently 23.2 square miles with approximately 1,800 acres zoned for commercial and industrial growth. Residential growth is proposed to be accommodated on lands within the existing City Limits as well as on land surrounding the City within its Sphere of Influence as it is annexed.

Banning was founded in 1884 and benefited as a nexus of various transportation arteries, including the Southern Pacific Railroad, the original Ocean-to-Ocean Highway and Interstate 10. The Colorado Stage & Express Line on its route to the Colorado River used the City as a stagecoach stop in 1862, where gold had been discovered. The route ran through the foothills a half-mile north of downtown Banning, then north of Cabazon and Whitewater, which was the last stop before reaching Palms Springs. The railroad replaced the stagecoach in 1887, but Banning is still known as “Stagecoach Town, U.S.A.” and is famous for its annual Stagecoach Days Celebrations featuring a parade, carnival and rodeo. Banning has grown into its own as a place geared toward economic prosperity and rapid population growth. The sunny year-round weather, clean water supply, clean air, and scenic vistas of Mt. San Gorgonio and Mt. San Jacinto serve to draw people to Banning for both industry and peaceful residential living.

The City is named in honor of General Phineas T. Banning, who freighted over the Mormon trail from Salt Lake to San Bernardino and Los Angeles. General Banning is also a prominent figure in the history of the town of Wilmington, California. He developed a shipping company there between San Pedro and Los Angeles, as well as operating the stage line from Wilmington to Yuma, Arizona through the Banning Pass.
CHAPTER 2.0

EXISTING CONDITIONS AND DEMOGRAPHIC DATA

The purpose of this section is to summarize and analyze the existing housing conditions in the City of Banning. It consists of two major sections: Section 2.1 - Summary of Existing Conditions - an analysis of population trends, employment trends, household trends and special needs groups, and Section 2.2 – Inventory of Resources - an analysis of existing housing characteristics, housing conditions, vacancy trends, housing costs and availability, “at-risk housing”; if applicable, and suitable lands for future development.

2.1 SUMMARY OF EXISTING CONDITIONS

When evaluating housing needs, it is important to analyze demographic variables such as population, employment, and households, in order to assess the present and future housing needs of a city or county. This section presents data gathered from the following sources: 2000 U.S. Census, State Department of Finance (Demographic Research Unit), Southern California Association of Governments (SCAG) and AnySite Technologies. See Appendix C for a complete list of data sources; Appendix D provides a list of commonly used acronyms.

2.1.a. POPULATION TRENDS

Among the five cities located in the surrounding area, the City of Banning, in Riverside County, is fifth in numerical growth and sixth in the percentage of growth in population between 1990 and 2008 (Table III-25). The City of Beaumont had the highest proportionate growth during the same period. Banning grew by 37.8 percent since 1990, or 2.1 percent annually.

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Banning</td>
<td>20,570</td>
<td>23,562</td>
<td>28,348</td>
<td>7,778 37.8%</td>
</tr>
<tr>
<td>Beaumont</td>
<td>9,685</td>
<td>11,384</td>
<td>31,477</td>
<td>21,792 225.0%</td>
</tr>
<tr>
<td>Calimesa</td>
<td>4,647</td>
<td>7,139</td>
<td>7,536</td>
<td>2,889 62.2%</td>
</tr>
<tr>
<td>Desert Hot Springs</td>
<td>11,668</td>
<td>16,582</td>
<td>26,068</td>
<td>14,400 123.4%</td>
</tr>
<tr>
<td>Moreno Valley</td>
<td>118,779</td>
<td>142,379</td>
<td>183,860</td>
<td>65,081 54.8%</td>
</tr>
<tr>
<td>Riverside</td>
<td>226,505</td>
<td>255,166</td>
<td>296,842</td>
<td>70,337 31.0%</td>
</tr>
<tr>
<td>Riverside County</td>
<td>1,170,413</td>
<td>1,545,387</td>
<td>2,088,322</td>
<td>917,909 78.4%</td>
</tr>
</tbody>
</table>

Source: 2000 Census, CA Department of Finance, 2008
The City's population has been growing at an increasing rate since 1990. Over the last eighteen years, the population in the City of Banning increased by 20.3 percent (Table III-26) and is currently estimated at 28,348. Projections indicate that Banning will continue to experience moderate growth through 2013, albeit at a slower rate than over the past eight years, reaching an estimated population of 31,937. The year 2014 is significant as this correlates with the Southern California Area Government's Housing Element Planning Period.

### TABLE III-26

**POPULATION TRENDS - CITY OF BANNING**

<table>
<thead>
<tr>
<th>Year</th>
<th>Population</th>
<th>Change</th>
<th>% Change</th>
<th>Annual % Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>20,570</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2000</td>
<td>23,562</td>
<td>2,992</td>
<td>14.5%</td>
<td>1.5%</td>
</tr>
<tr>
<td>2007</td>
<td>28,293</td>
<td>4,731</td>
<td>20.1%</td>
<td>2.9%</td>
</tr>
<tr>
<td>2008</td>
<td>28,348</td>
<td>55</td>
<td>0.2%</td>
<td>0.2%</td>
</tr>
<tr>
<td>2014</td>
<td>31,937</td>
<td>3,589</td>
<td>12.7%</td>
<td>2.1%</td>
</tr>
</tbody>
</table>

Over the last eight years there has been a numerical increase in every age group. The 45-54 age group experienced the largest numerical growth since the 2000 Census. According to the AnySite, the 14-20, 45-54, and 65-74 age groups represent the largest age groups in the City. The percent of the population under twenty-one years of age represents 28.1 percent (Table III-27). The senior population, age 65 and over, also experienced an increase in the last eight years, representing 24.3 percent of the population in 2008. The median age increased from 40.7 to 41.2 years of age, which implies an aging population.

### TABLE III-27

<table>
<thead>
<tr>
<th>Age Group</th>
<th>2000</th>
<th>2008</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percent</td>
<td>Number</td>
</tr>
<tr>
<td>0-5 years</td>
<td>1,983</td>
<td>9.6%</td>
<td>2,183</td>
</tr>
<tr>
<td>6-13 years</td>
<td>2,897</td>
<td>16.7%</td>
<td>2,978</td>
</tr>
<tr>
<td>14-20 years</td>
<td>2,160</td>
<td>13.6%</td>
<td>3,013</td>
</tr>
<tr>
<td>21-24 years</td>
<td>1,017</td>
<td>4.9%</td>
<td>1,365</td>
</tr>
<tr>
<td>25-34 years</td>
<td>2,258</td>
<td>12.5%</td>
<td>2,902</td>
</tr>
<tr>
<td>35-44 years</td>
<td>2,644</td>
<td>14.7%</td>
<td>2,972</td>
</tr>
<tr>
<td>45-54 years</td>
<td>2,275</td>
<td>11.1%</td>
<td>3,537</td>
</tr>
<tr>
<td>55-64 years</td>
<td>2,006</td>
<td>6.6%</td>
<td>3,055</td>
</tr>
<tr>
<td>65-74 years</td>
<td>3,244</td>
<td>6.4%</td>
<td>3,410</td>
</tr>
<tr>
<td>75-84 years</td>
<td>2,486</td>
<td>3.3%</td>
<td>2,753</td>
</tr>
<tr>
<td>85+ years</td>
<td>473</td>
<td>0.6%</td>
<td>912</td>
</tr>
<tr>
<td>Total</td>
<td>23,443</td>
<td>100.0%</td>
<td>29,079</td>
</tr>
</tbody>
</table>

Source: 2000 US Census; 2007 AnySite
According to the 2000 Census, persons who categorized themselves as White represent 52.5 percent of Banning’s population and 51.0 percent of Riverside County’s population (Table III-28). The City consists of 30.0 percent of Hispanic origin and 17.5 percent of all other races.

**TABLE III-28**

**POPULATION BY RACE AND ETHNICITY – 2000**

<table>
<thead>
<tr>
<th>Category</th>
<th>City of Banning</th>
<th>Percentage</th>
<th>Riverside County</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>12,295</td>
<td>52.5%</td>
<td>787,318</td>
<td>51.0%</td>
</tr>
<tr>
<td>Black</td>
<td>1,903</td>
<td>8.1%</td>
<td>92,186</td>
<td>6.0%</td>
</tr>
<tr>
<td>Am. Indian</td>
<td>586</td>
<td>2.5%</td>
<td>10,947</td>
<td>0.7%</td>
</tr>
<tr>
<td>Asian</td>
<td>1,057</td>
<td>4.5%</td>
<td>53,231</td>
<td>3.4%</td>
</tr>
<tr>
<td>Pacific Islander</td>
<td>8</td>
<td>0.0%</td>
<td>2,989</td>
<td>0.2%</td>
</tr>
<tr>
<td>Other</td>
<td>28</td>
<td>0.1%</td>
<td>2,226</td>
<td>0.1%</td>
</tr>
<tr>
<td>Two or More Races</td>
<td>542</td>
<td>2.3%</td>
<td>37,162</td>
<td>2.4%</td>
</tr>
<tr>
<td>Hispanic Origin</td>
<td>7,024</td>
<td>30.0%</td>
<td>559,328</td>
<td>36.2%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>23,433</td>
<td>100.0%</td>
<td>1,545,387</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

Source: 2000 US Census
2.1.b. **EMPLOYMENT TRENDS**

According to AnySite, the top industry providing employment in Banning was Sales/Office, employing 32.5 percent of the labor force (Table III-29). This is a stable factor from 2000 when 32.5 percent of the labor force was also employed in Sales/Office. The next largest industries are Management and Service. The largest change in percentage of the workforce occurred in the Management/Professional Related Industry.

The City’s labor force increased between 2000 and 2008, from 8,004 to 10,493. During this period, the Bureau of Labor Statistics has indicated the unemployment rate increased from 6.2 percent to 11.1 percent. The percentage of employed persons has decreased 1.3 percent in the past eight years, from 94.1 percent to 92.8 percent.

### TABLE III-29
EMPLOYMENT BY INDUSTRY - CITY OF BANNING

<table>
<thead>
<tr>
<th>Industry Employed</th>
<th>2000</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percent</td>
</tr>
<tr>
<td>Farming/Fishing Forestry</td>
<td>30</td>
<td>0.4%</td>
</tr>
<tr>
<td>Management/Professional/Related</td>
<td>1,574</td>
<td>20.9%</td>
</tr>
<tr>
<td>Service Occupation</td>
<td>1,536</td>
<td>20.4%</td>
</tr>
<tr>
<td>Sales/Office</td>
<td>2,447</td>
<td>32.5%</td>
</tr>
<tr>
<td>Construction/Extraction/Maint.</td>
<td>813</td>
<td>10.8%</td>
</tr>
<tr>
<td>Production/Transport./Material Moving</td>
<td>1,122</td>
<td>14.9%</td>
</tr>
<tr>
<td>Labor Force</td>
<td>8,004</td>
<td>100%</td>
</tr>
<tr>
<td><strong>Total Employed</strong></td>
<td><strong>7,530</strong></td>
<td><strong>94.1%</strong></td>
</tr>
<tr>
<td><strong>Total Unemployed</strong></td>
<td>474</td>
<td>5.9%</td>
</tr>
</tbody>
</table>

Source: 2007 AnySite
Between 1990 and 2000, commuting patterns increased on the extremes, and decreased in the middle range of 30-59 minutes (Table III-30). Projections for 2007 forecast a general trend towards longer commutes. This may indicate persons living in Banning are finding employment opportunities outside the City. In addition, people may be willing to drive longer for other employment opportunities.

TABLE III-30
EMPLOYMENT COMMUTING PATTERNS (1990-2007)

<table>
<thead>
<tr>
<th>Commute time to Work</th>
<th>1990</th>
<th>2000</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percent</td>
<td>Number</td>
</tr>
<tr>
<td>0-14 Minutes</td>
<td>2,553</td>
<td>40.3%</td>
<td>3,109</td>
</tr>
<tr>
<td>15-29 Minutes</td>
<td>1,055</td>
<td>16.7%</td>
<td>1,446</td>
</tr>
<tr>
<td>30-39 Minutes</td>
<td>1,181</td>
<td>18.6%</td>
<td>925</td>
</tr>
<tr>
<td>40-59 Minutes</td>
<td>822</td>
<td>13.0%</td>
<td>927</td>
</tr>
<tr>
<td>60+ Minutes</td>
<td>521</td>
<td>8.2%</td>
<td>754</td>
</tr>
<tr>
<td>Worked at Home</td>
<td>204</td>
<td>3.2%</td>
<td>227</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>6,336</strong></td>
<td><strong>100%</strong></td>
<td><strong>7,388</strong></td>
</tr>
</tbody>
</table>

Source: 1990 Census, 2000 Census, 2007 AnySite
2.1.c. **HOUSEHOLD TRENDS**

Between 1990 and 2000, the City of Banning increased by 1,410 households or 18.9 percent (Table III-31). In 2000, AnySite reported a total of 8,882 households for the City. Currently, there is an estimated 10,647 households in the City. Households are projected to increase by 2.1 percent annually over the next six years. The projected increase from 2008 to 2014 is a 12.4 percent change or 1,323 additional households.

The number of households in Riverside County has increased at a substantially faster rate than in the City of Banning. The number of households in Riverside County has been increasing at a stable rate since 1990. Between 1990 and 2000, households increased by 25.9 percent to 506,218. Currently, there are an estimated 691,366 households in the County. Households are projected to continue increasing in the County by 3.3 percent annually through 2014.

### TABLE III-31
**HOUSEHOLD TRENDS**

<table>
<thead>
<tr>
<th>Year</th>
<th>Households</th>
<th>Change</th>
<th>% Change</th>
<th>Annual % Change</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CITY OF BANNING</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1990</td>
<td>7,472</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2000</td>
<td>8,882</td>
<td>1,410</td>
<td>18.9%</td>
<td>1.9%</td>
</tr>
<tr>
<td>2008</td>
<td>10,647</td>
<td>1,765</td>
<td>19.9%</td>
<td>2.5%</td>
</tr>
<tr>
<td>2014</td>
<td>11,970</td>
<td>1,323</td>
<td>12.4%</td>
<td>2.1%</td>
</tr>
<tr>
<td><strong>RIVERSIDE COUNTY</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1990</td>
<td>402,058</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2000</td>
<td>506,218</td>
<td>104,160</td>
<td>25.9%</td>
<td>2.6%</td>
</tr>
<tr>
<td>2008</td>
<td>691,366</td>
<td>185,148</td>
<td>36.6%</td>
<td>4.6%</td>
</tr>
<tr>
<td>2014</td>
<td>830,227</td>
<td>138,861</td>
<td>20.1%</td>
<td>3.3%</td>
</tr>
</tbody>
</table>

Source: 2000 US Census; 2007 AnySite
Households with five or more persons experienced the largest growth rate between 2000 and 2008, with a proportionate increase from 13.4 percent of households to 15.4 percent (Table III-32). During the same time period, the households containing one person had the largest proportionate decrease of 3.0 percent. In 2008, the largest numerical gain was made by two person households which increased by 852 households, and which make up 40.7 percent of the total households in the City of Banning.

Household size percentages in Riverside County vary from those in the City of Banning. However, both City and County have shown a decline in the one-person household, proportionally in the past eight years. Proportionally the County is more polarized than the City with 37.1 percent of the households being made up of more than four person households, compared to the City, which has 25.4 percent of its households made up of more than four persons. Both the City and the County have seen strong numerical growth for the past eight years in all of the households groups.

**TABLE III-32  
HOUSEHOLD SIZE TRENDS**

<table>
<thead>
<tr>
<th>Household Size</th>
<th>2000</th>
<th>2008</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percent</td>
<td>Number</td>
</tr>
<tr>
<td>CITY OF BANNING</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Person</td>
<td>2,327</td>
<td>26.2%</td>
<td>2,468</td>
</tr>
<tr>
<td>2 Person</td>
<td>3,481</td>
<td>39.2%</td>
<td>4,333</td>
</tr>
<tr>
<td>3 Person</td>
<td>1,003</td>
<td>11.3%</td>
<td>1,135</td>
</tr>
<tr>
<td>4 Person</td>
<td>879</td>
<td>9.9%</td>
<td>1,069</td>
</tr>
<tr>
<td>5+ Person</td>
<td>1,190</td>
<td>13.4%</td>
<td>1,642</td>
</tr>
<tr>
<td>TOTAL</td>
<td>8,882</td>
<td>100.0%</td>
<td>10,647</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>RIVERSIDE COUNTY</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Person</td>
<td>104,469</td>
<td>20.6%</td>
<td>119,606</td>
<td>17.3%</td>
<td>135,327</td>
<td>16.3%</td>
</tr>
<tr>
<td>2 Person</td>
<td>154,027</td>
<td>30.4%</td>
<td>217,089</td>
<td>31.4%</td>
<td>264,842</td>
<td>31.9%</td>
</tr>
<tr>
<td>3 Person</td>
<td>76,426</td>
<td>15.1%</td>
<td>97,897</td>
<td>14.2%</td>
<td>116,232</td>
<td>14.0%</td>
</tr>
<tr>
<td>4 Person</td>
<td>78,448</td>
<td>15.5%</td>
<td>110,619</td>
<td>16.0%</td>
<td>132,836</td>
<td>16.0%</td>
</tr>
<tr>
<td>5+ Person</td>
<td>92,848</td>
<td>18.4%</td>
<td>146,155</td>
<td>21.1%</td>
<td>180,990</td>
<td>21.8%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>506,218</td>
<td>100.0%</td>
<td>691,366</td>
<td>100.0%</td>
<td>830,227</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

Source: 2000 Census; 2007 AnySite
Household size is an important indicator of the relationship between the population growth and household formation. For an example, if the persons-per-household is decreasing, then households are forming at a faster rate than population growth. Conversely, if the population were growing faster than households, then the persons-per-household rate would increase. The rate of growth in households in the City of Banning is less than the population growth; therefore, household sizes have been gradually increasing since 2000 (Table III-33).

### TABLE III-33
**AVERAGE PERSONS-PER-HOUSEHOLD TRENDS**

<table>
<thead>
<tr>
<th>Year</th>
<th>City of Banning</th>
<th>Riverside County</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>2.6</td>
<td>2.9</td>
</tr>
<tr>
<td>2008</td>
<td>2.7</td>
<td>3.1</td>
</tr>
<tr>
<td>2014</td>
<td>2.7</td>
<td>3.1</td>
</tr>
</tbody>
</table>

*Source: 2000 Census; 2007 AnySite*

In 2000, a large percentage of households, 20.0 percent, in the City had incomes less than $15,000 (Table III-34). During that same time, the households with incomes over $75,000 accounted for 11.4 percent. Between 2000 and 2008, there were noticeable decreases in the number of households with incomes in the lower and higher income ranges, and increases in the number of households with incomes of $15,000 - $50,000. In 2008 the proportion of households in the City of Banning, with incomes less than $15,000 decreased to 17.9 percent from 20.0 percent in 2000. Currently, the majority of households, 52.5 percent, had incomes between $25,000 and $74,999. Households with incomes greater than $75,000 represent 7.7 percent of all households. In 2014, it is estimated that 9.3 percent of households have incomes greater than, $75,000, 16.3 percent have incomes less than $15,000, and 33.9 percent have incomes between $25,000 and $50,000.

### TABLE III-34
**HOUSEHOLD INCOME - CITY OF BANNING**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Less Than $10,000</td>
<td>941</td>
<td>10.6%</td>
<td>926</td>
<td>8.7%</td>
<td>910</td>
<td>7.6%</td>
</tr>
<tr>
<td>$10,000-$14,999</td>
<td>835</td>
<td>9.4%</td>
<td>980</td>
<td>9.2%</td>
<td>1,041</td>
<td>8.7%</td>
</tr>
<tr>
<td>$15,000-$24,999</td>
<td>1,750</td>
<td>19.7%</td>
<td>2,332</td>
<td>21.9%</td>
<td>2,502</td>
<td>20.9%</td>
</tr>
<tr>
<td>$25,000-$34,999</td>
<td>1,235</td>
<td>13.9%</td>
<td>1,565</td>
<td>14.7%</td>
<td>1,664</td>
<td>13.9%</td>
</tr>
<tr>
<td>$35,000-$49,999</td>
<td>1,555</td>
<td>17.5%</td>
<td>2,214</td>
<td>20.8%</td>
<td>2,394</td>
<td>20.0%</td>
</tr>
<tr>
<td>$50,000-$74,999</td>
<td>1,554</td>
<td>17.5%</td>
<td>1,810</td>
<td>17.0%</td>
<td>2,346</td>
<td>19.6%</td>
</tr>
<tr>
<td>$75,000-$99,999</td>
<td>568</td>
<td>6.4%</td>
<td>479</td>
<td>4.5%</td>
<td>670</td>
<td>5.6%</td>
</tr>
<tr>
<td>$100,000+</td>
<td>444</td>
<td>5.0%</td>
<td>341</td>
<td>3.2%</td>
<td>443</td>
<td>3.7%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>8,882</td>
<td>100.0%</td>
<td>10,647</td>
<td>100.0%</td>
<td>11,970</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

*Source: 2000 Census; 2007 AnySite*
Between 1990 and 2000, the median annual household income in the city increased by 42.5 percent (Table III-35). Additionally in the County the median annual household income increased by 29.6 percent. In 2000, Riverside County’s median income was $42,887, which is approximately $10,811 more than the City’s median income of $32,076. Currently, the median household income in the City is estimated at $31,734 a 1.1 percent decrease from the 2000 number.

TABLE III-35
MEDIAN HOUSEHOLD INCOME TRENDS

<table>
<thead>
<tr>
<th>Year</th>
<th>Income</th>
<th>Change</th>
<th>% Change</th>
<th>Annual % Change</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>CITY OF BANNING</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1990</td>
<td>$22,514</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2000</td>
<td>$32,076</td>
<td>$9,562</td>
<td>42.5%</td>
<td>4.2%</td>
</tr>
<tr>
<td>2008</td>
<td>$31,734</td>
<td>-$342</td>
<td>-1.1%</td>
<td>-0.1%</td>
</tr>
<tr>
<td>2014</td>
<td>$34,621</td>
<td>$2,887</td>
<td>9.1%</td>
<td>1.5%</td>
</tr>
<tr>
<td></td>
<td>RIVERSIDE COUNTY</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1990</td>
<td>$33,081</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2000</td>
<td>$42,887</td>
<td>$9,806</td>
<td>29.6%</td>
<td>2.9%</td>
</tr>
<tr>
<td>2008</td>
<td>$51,754</td>
<td>$8,867</td>
<td>20.7%</td>
<td>2.6%</td>
</tr>
<tr>
<td>2014</td>
<td>$60,232</td>
<td>$8,478</td>
<td>16.4%</td>
<td>2.7%</td>
</tr>
</tbody>
</table>

Source: 1990 and 2000 US Census; 2007 AnySite
Area Median Incomes (AMI) and Income Group Limits are estimated and published annually by the California Department of Housing and Community Development (HCD). The California Department of Housing AMI and Income Limits Table are used to determine eligibility for all government housing assistance programs statewide. The 2008 AMI for Riverside County is $66,600 based on a 4-person household.

The established standard income groups are generally defined as: (1) Extremely Low: households earning less than 30 percent of the Median Income; (2) Very Low-Income: households earning between 30 percent and 50 percent of the Median Income; (3) Low-Income: households earning between 50 percent and 80 percent of the Median Income; (4) Moderate-Income: households earning between 80 percent and 120 percent of the Median Income; and (5) Above Moderate-Income: households earning over 120 percent of the Median Income.

Based on the 2008 AMI, the proportion of extremely low, very low and low-income groups comprises 77.5 percent of City of Banning households (Table III-36). Approximately, 6.8 percent of households in the City are classified as Above Moderate Income.

<table>
<thead>
<tr>
<th>Income Category</th>
<th>Income Range</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extremely Low</td>
<td>Less Than $19,980</td>
<td>28.8%</td>
</tr>
<tr>
<td>Very Low</td>
<td>$19,981 - $33,300</td>
<td>23.2%</td>
</tr>
<tr>
<td>Low</td>
<td>$33,301 - $53,280</td>
<td>25.5%</td>
</tr>
<tr>
<td>Moderate</td>
<td>$53,281 - $79,920</td>
<td>15.7%</td>
</tr>
<tr>
<td>Above Moderate</td>
<td>Greater Than $72,921</td>
<td>6.8%</td>
</tr>
</tbody>
</table>

Source: HUD, 2008; AnySite 2007
Tenure, or the ratio between homeowner and renter households, can be affected by many factors, such as: housing cost (including interest rates, economics, land supply, and development constraints), housing type, housing availability, income status, job availability, and consumer preference.

Over the last eight years, owner households have out-paced renter households in the City of Banning. Both renter and owner households have experienced numeric increases between 2000 and 2008.

In comparison to the City, the County has a higher proportion of owner households. Although both owners and renters continue to increase numerically, the proportion of owner households in the City is on the rise. In 2008, 73.9 percent of City households were owners, a figure that is 3.7 percent higher than the County (Table III-37). Currently, it is estimated that the majority of households in the City are owners, comprising 73.9 percent of households, and the majority of households in the County are owners, comprising 70.2 percent of households.

**TABLE III-37**

**Tenure**

<table>
<thead>
<tr>
<th>Tenure</th>
<th>City of Banning</th>
<th>Riverside County</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percent</td>
</tr>
<tr>
<td><strong>2000</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owners</td>
<td>6,438</td>
<td>72.4%</td>
</tr>
<tr>
<td>Renters</td>
<td>2,453</td>
<td>27.6%</td>
</tr>
<tr>
<td><strong>2008</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owners</td>
<td>7,868</td>
<td>73.9%</td>
</tr>
<tr>
<td>Renters</td>
<td>2,779</td>
<td>26.1%</td>
</tr>
<tr>
<td><strong>2014</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owners</td>
<td>8,989</td>
<td>75.1%</td>
</tr>
<tr>
<td>Renters</td>
<td>2,981</td>
<td>24.9%</td>
</tr>
</tbody>
</table>

Source: 2000 US Census; 2007 AnySite
2.1.d. **OVERPAYMENT**

Overpayment is an important measure of the affordability of housing within a city. Overpayment for housing is based on the total cost of shelter compared to a household's ability to pay. Specifically, overpayment is defined as a household paying more than 30 percent of their gross household income for shelter. According to the US Census, shelter cost is the monthly owner costs (mortgages, deeds of trust, contracts to purchase or similar debts on the property, taxes, and insurance) or the gross rent (contract rent plus the estimated average monthly cost of utilities).

In 2000, a total of 2,272, or 29.5 percent, of all households in the City of Banning pay in excess of 30 percent of their income for shelter (Table III-38, on next page). Of these, 168 families pay 30 to 34 percent of their household income for rent. Households paying 30 to 34 percent of household income are distributed proportionally across all income ranges for owner occupied structures. Households paying in excess of 35 percent of their income for housing comprise 1,017 of total owner-occupied units and are primarily concentrated in the very low to extremely low income ranges.

The largest concentrations of the occupants of renter occupied units paying 30 to 34 percent of household income for rent are concentrated in the $20,000-$34,999 (very low/low-income) annual income range. Of the renter households in the City paying in excess to 55 percent of household income, the majority (100 percent, or 868 units) have annual income ranges below $34,999 annually.
The number of owners versus renters overpaying was disproportionate, representing 1,185 owners and 2,272 renter households respectively. The overpayment situation is particularly critical for renters with annual incomes less than $20,000.

### TABLE III-38

**CITY OF BANNING HOUSEHOLDS OVERPAYING, BY INCOME AND TENURE (2000)**

<table>
<thead>
<tr>
<th>Income Range</th>
<th>Total Households</th>
<th>% of Total Households</th>
<th>0-20% of HH Income</th>
<th>20-29% of HH Income</th>
<th>30-34% of HH Income</th>
<th>35+% of HH Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0-10,000</td>
<td>317</td>
<td>6.0%</td>
<td>7</td>
<td>37</td>
<td>17</td>
<td>212</td>
</tr>
<tr>
<td>$10,000-19,999</td>
<td>699</td>
<td>13.3%</td>
<td>134</td>
<td>134</td>
<td>24</td>
<td>407</td>
</tr>
<tr>
<td>$20,000-34,999</td>
<td>1,133</td>
<td>21.6%</td>
<td>494</td>
<td>265</td>
<td>83</td>
<td>291</td>
</tr>
<tr>
<td>$35,000-49,999</td>
<td>1,052</td>
<td>20.0%</td>
<td>552</td>
<td>395</td>
<td>31</td>
<td>74</td>
</tr>
<tr>
<td>$50,000 +</td>
<td>2,047</td>
<td>39.0%</td>
<td>1,502</td>
<td>387</td>
<td>13</td>
<td>33</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>5,248</strong></td>
<td><strong>100.0%</strong></td>
<td><strong>2,689</strong></td>
<td><strong>1,218</strong></td>
<td><strong>168</strong></td>
<td><strong>1,017</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Income Range</th>
<th>Total Households</th>
<th>% of Total Households</th>
<th>0-20% of HH Income</th>
<th>20-29% of HH Income</th>
<th>30-34% of HH Income</th>
<th>35+% of HH Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0-10,000</td>
<td>428</td>
<td>17.5%</td>
<td>0</td>
<td>21</td>
<td>18</td>
<td>358</td>
</tr>
<tr>
<td>$10,000-19,999</td>
<td>672</td>
<td>27.5%</td>
<td>49</td>
<td>105</td>
<td>78</td>
<td>410</td>
</tr>
<tr>
<td>$20,000-34,999</td>
<td>627</td>
<td>25.7%</td>
<td>106</td>
<td>290</td>
<td>109</td>
<td>100</td>
</tr>
<tr>
<td>$35,000-49,999</td>
<td>380</td>
<td>15.6%</td>
<td>233</td>
<td>120</td>
<td>14</td>
<td>0</td>
</tr>
<tr>
<td>$50,000 +</td>
<td>333</td>
<td>13.6%</td>
<td>254</td>
<td>62</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>2,440</strong></td>
<td><strong>100.0%</strong></td>
<td><strong>642</strong></td>
<td><strong>598</strong></td>
<td><strong>219</strong></td>
<td><strong>868</strong></td>
</tr>
</tbody>
</table>

**TOTAL** | **7,688** | **100.0%** | **3,331** | **1,816** | **387** | **1,885**

Source: U.S. Census, 2000 Population and Housing, Summary Tape File 3A- H73 and H97; Household Income in 1999 for specified renter-occupied housing units by gross rent as a percentage of household income, and Household Income in 1999 for specified owner-occupied units by selected monthly owner costs as a percentage of household income.

Note: Some households are not accounted for; therefore, figures may slightly differ for other U.S. Census estimates for Total Households.
Of all renter occupied households within the City, 617 (25.3 percent) are considered to be in the extremely-low income category and for 62.7 percent of those households, the cost of housing is greater than half of the net household income (Table III-39). Similarly, of all owner occupied households within the City, 639 (9.9 percent) are considered to be in the extremely-low income category and for 52.4 percent of those households; the cost of housing is greater than half of the net household income. As indicated in Table 19 as household income increases, the cost burden also decreases, indicating that the City does not have sufficient low income housing to support residents in the very low and extremely low income ranges.

### TABLE III-39
HOUSING PROBLEMS FOR ALL HOUSEHOLDS
CHAS DATA BOOK

<table>
<thead>
<tr>
<th>Household Income</th>
<th>Total Renters</th>
<th>Total Owners</th>
<th>Total Households</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;=30% MFI</td>
<td>617</td>
<td>639</td>
<td>1,256</td>
</tr>
<tr>
<td>% with any housing problems</td>
<td>90.3%</td>
<td>64.0%</td>
<td>76.9%</td>
</tr>
<tr>
<td>% Cost Burden &gt;30%</td>
<td>87.4%</td>
<td>61.0%</td>
<td>74.0%</td>
</tr>
<tr>
<td>% Cost Burden &gt;50%</td>
<td>62.7%</td>
<td>52.4%</td>
<td>57.5%</td>
</tr>
<tr>
<td>&gt;30% to &lt;=50% MFI</td>
<td>538</td>
<td>750</td>
<td>1,288</td>
</tr>
<tr>
<td>% with any housing problems</td>
<td>72.1%</td>
<td>65.5%</td>
<td>68.2%</td>
</tr>
<tr>
<td>% Cost Burden &gt;30%</td>
<td>65.9%</td>
<td>63.6%</td>
<td>63.7%</td>
</tr>
<tr>
<td>&gt;50% to &lt;=80% MFI</td>
<td>602</td>
<td>1,371</td>
<td>1,973</td>
</tr>
<tr>
<td>% with any housing problems</td>
<td>50.2%</td>
<td>39.5%</td>
<td>42.7%</td>
</tr>
<tr>
<td>% Cost Burden &gt;30%</td>
<td>25.2%</td>
<td>32.0%</td>
<td>30.0%</td>
</tr>
</tbody>
</table>

2.1.e. **HOUSING UNITS**

According to the 2000 census, Banning had a total of 8,891 occupied housing units (Table III-40). The remaining 838 are vacant units, and do not show up in the table. Proportionately, the majority of owners, 78.6 percent, lived in single-family homes. A majority of renters, 25.4 percent, lived in multifamily housing, consisting of three or more units, and 64.5 percent lived in single-family housing.

**TABLE III-40**

**CITY OF BANNING HOUSING TYPE BY TENURE (2000)**

<table>
<thead>
<tr>
<th>Units in Structure</th>
<th>Total Units</th>
<th>Owner Occupied</th>
<th>Percent Owner Occupied</th>
<th>Renter Occupied</th>
<th>Percent Renter Occupied</th>
</tr>
</thead>
<tbody>
<tr>
<td>1, Detached</td>
<td>6,303</td>
<td>4,960</td>
<td>78.6%</td>
<td>1,343</td>
<td>21.4%</td>
</tr>
<tr>
<td>1, Attached</td>
<td>658</td>
<td>420</td>
<td>63.8%</td>
<td>238</td>
<td>36.2%</td>
</tr>
<tr>
<td>2</td>
<td>140</td>
<td>21</td>
<td>15.0%</td>
<td>119</td>
<td>85.0%</td>
</tr>
<tr>
<td>3 or 4</td>
<td>187</td>
<td>24</td>
<td>12.8%</td>
<td>163</td>
<td>87.2%</td>
</tr>
<tr>
<td>5 to 9</td>
<td>201</td>
<td>0</td>
<td>0.0%</td>
<td>201</td>
<td>100.0%</td>
</tr>
<tr>
<td>10 to 19</td>
<td>64</td>
<td>9</td>
<td>14.0%</td>
<td>55</td>
<td>86.0%</td>
</tr>
<tr>
<td>20 or more</td>
<td>228</td>
<td>22</td>
<td>9.6%</td>
<td>206</td>
<td>90.4%</td>
</tr>
<tr>
<td>Mobile home</td>
<td>1,095</td>
<td>967</td>
<td>88.3%</td>
<td>128</td>
<td>11.7%</td>
</tr>
<tr>
<td>Other</td>
<td>15</td>
<td>15</td>
<td>100.0%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>8,891</strong></td>
<td><strong>6,438</strong></td>
<td><strong>72.4%</strong></td>
<td><strong>2,453</strong></td>
<td><strong>27.6%</strong></td>
</tr>
</tbody>
</table>

*Source: 2000 Census*

More recently, the California Department of Finance estimates that in 2006 there were 11,521 housing units in the City, with 10,554 occupied.
2.1.e. SPECIAL NEEDS

As noted in Government Code Section 65583(a)(6), within the overall housing needs assessments there are segments of the population that require special housing needs. Generally, these are people who are low income and have less access to housing choices. Groups of the population that require special housing needs include the elderly, disabled, female-headed households, large households, farm workers, and the homeless.

2.1.f(1) Elderly

Elderly persons often age in-place, living in housing that is too expensive for their fixed incomes or structurally does not accommodate specific needs for assistance. Even though senior citizens may have difficulty living in their own home, they do not often have the options or mobility afforded to other segments of the population. They commonly have to leave their home community and relocate away from family and friends once they do find a suitable unit. The purpose of this section is to determine the housing needs for all segments of the elderly community. The senior population is defined as persons over the age of 65 years.

In 1990, there were 4,363 seniors in Banning, representing 21.2 percent of the total population in the City (Table III-41). Between 1990 and 2000, the senior population increased at a rate of 4.22 percent annually. In 2000, the senior population was 6,203. Currently, the senior population is estimated at 7,675 persons and is expected to increase at a rate of 2.4 percent annually over the next six years.

TABLE III-41
CITY OF BANNING SENIOR POPULATION TRENDS (65+)

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Change</th>
<th>% Change</th>
<th>Annual % Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>4,363</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2000</td>
<td>6,203</td>
<td>1,840</td>
<td>42.2%</td>
<td>4.22%</td>
</tr>
<tr>
<td>2008</td>
<td>7,675</td>
<td>1,472</td>
<td>23.7%</td>
<td>2.96%</td>
</tr>
<tr>
<td>2014</td>
<td>8,595</td>
<td>920</td>
<td>12%</td>
<td>2.4%</td>
</tr>
</tbody>
</table>

Source: 1990 and 2000 Census; 2007 AnySite
Between 1990 and 2000, the City’s senior households increased by 25.2 percent (Table III-42). In 2000, seniors accounted for 42.45 percent of householders in the City. Currently, senior households comprise approximately 41 percent of all households. The annual change for senior households is projected to increase at a rate of 2.8 percent over the next five years.

### TABLE III-42
CITY OF BANNING SENIOR HOUSEHOLD TRENDS (65+)

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Change</th>
<th>% Change</th>
<th>Annual % Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>3,010</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2000</td>
<td>3,770</td>
<td>760</td>
<td>25.2%</td>
<td>2.52%</td>
</tr>
<tr>
<td>2008</td>
<td>4,378</td>
<td>608</td>
<td>16.13%</td>
<td>2.02%</td>
</tr>
<tr>
<td>2014</td>
<td>4,989</td>
<td>611</td>
<td>14%</td>
<td>2.8%</td>
</tr>
</tbody>
</table>

Source: 2007 AnySite

In 1990, 18.8 percent of the City’s senior households were renters (Graph III-1). In the State of California, 31.8 percent of senior households were renters, while 21.7 percent of Riverside County senior households rented their housing. Change in the proportion of senior renters is dependent on the quantity of housing options and the propensity to convert from ownership. In 2000, the proportion of the City’s senior renters increased, by 9.9 percent. Senior homeowners represented 91.1 percent, or 3,615 of senior households in 2000.

### GRAPH III-1
CITY OF BANNING SENIOR HOUSEHOLDS
BY TENURE (1990-2000)

Source: 1990, 2000 Census
In 2000, 32.4 percent of all senior citizen households had incomes below $20,000 (Table III-43). According to the AnySite Technologies, over the last eight years, that proportion has increased by 6.5 percent to 38.9 percent of senior households. The greatest gains since the last census were in the income groups between $10,000 and $39,999. In 2000, 42.1 percent of the senior households had incomes between $20,000 and $50,000, while in 2008, 48.3 percent of Banning’s senior population was within this income range.

**TABLE III-43**

**CITY OF BANNING SENIOR HOUSEHOLDS BY INCOME (2000-2014)**

<table>
<thead>
<tr>
<th>Income Range</th>
<th>2000</th>
<th>2008</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percent</td>
<td>Number</td>
</tr>
<tr>
<td>Less Than $10,000</td>
<td>357</td>
<td>9.3%</td>
<td>372</td>
</tr>
<tr>
<td>$10,000 - $19,999</td>
<td>898</td>
<td>23.1%</td>
<td>1,331</td>
</tr>
<tr>
<td>$20,000 - $29,999</td>
<td>817</td>
<td>20.2%</td>
<td>1,182</td>
</tr>
<tr>
<td>$30,000 - $39,999</td>
<td>503</td>
<td>13.0%</td>
<td>560</td>
</tr>
<tr>
<td>$40,000 - $49,999</td>
<td>342</td>
<td>8.9%</td>
<td>372</td>
</tr>
<tr>
<td>$50,000 - $59,999</td>
<td>294</td>
<td>7.6%</td>
<td>210</td>
</tr>
<tr>
<td>$60,000 - $74,999</td>
<td>324</td>
<td>8.4%</td>
<td>175</td>
</tr>
<tr>
<td>$75,000 - $99,999</td>
<td>202</td>
<td>5.3%</td>
<td>105</td>
</tr>
<tr>
<td>$100,000+</td>
<td>159</td>
<td>4.2%</td>
<td>70</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>3,770</td>
<td>100.0%</td>
<td>4,378</td>
</tr>
</tbody>
</table>

Source: 2000 Census; 2008 AnySite
Eligibility for federal programs is based on the median income of the County or statistical area in which the project or program is located. Eligibility for seniors will be based on $53,300, which is for a two-person household, according to the 2008 HUD Income Limits in Riverside County. The following table is based on the estimated senior household income for 2008.

Senior households classified as Extremely Low and Very Low-Income are those with annual incomes less than $15,990 (Table III-44), and represent 26.7 percent of all senior households in the City. Low-Income senior households have incomes between 50 and 80 percent of AMI, and households represent 24.1 percent of all senior households. Moderate-Income households have annual incomes between 80 and 120 percent of AMI, and represent 12.2 percent of senior households. Senior households with incomes classified as Above Moderate-Income, or having incomes greater than $63,961 represented 6.9 percent of all senior households in the City of Banning.

<table>
<thead>
<tr>
<th>Income Category</th>
<th>Income Range</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extremely Low</td>
<td>Less than $15,990</td>
<td>26.7%</td>
</tr>
<tr>
<td>Very Low</td>
<td>$15,991 - $26,650</td>
<td>30.1%</td>
</tr>
<tr>
<td>Low</td>
<td>$26,651 - $42,640</td>
<td>24.1%</td>
</tr>
<tr>
<td>Moderate</td>
<td>$42,641 - $63,960</td>
<td>12.2%</td>
</tr>
<tr>
<td>Above Moderate</td>
<td>Greater Than $63,961</td>
<td>6.9%</td>
</tr>
</tbody>
</table>

Source: 2007 AnySite

Pursuant to the Banning Zoning Ordinance, adopted in 2006, senior housing development is allowed potentially in any residential zone within the City. According to the definitions provided by the California Department of Housing and Community Development, "Senior housing development" means a residential project which may exceed the maximum density permitted for families in the zone in which it is located and which is established and maintained for the exclusive use of low-income or moderate-income senior residents. Currently, provisions for senior housing are the same as for other types of housing in the City. The Zoning Ordinance does not discriminate between end-users based on their individual characteristics; housing is discussed in uniform terms.

Because the residents of such developments have dwelling characteristics which differ from those of families and younger persons, it is not appropriate to apply all of the normal zoning standards; therefore, with the processing of a Conditional Use Permit for such developments, the Planning Commission may make exceptions to the density, off-street parking, minimum unit size, open space and such other requirements as may be appropriate. The Planning Commission may also adjust required setbacks, building height and yard areas as appropriate to
provide an adequate living environment, both within the development and on nearby properties.

There are a number of services and facilities available for senior citizens in Banning, as follows:

- **Banning Senior Center:** The City of Banning currently has one Senior Center that is located at 769 North San Gregorio Avenue. A variety of resources are available at the Senior Center such as: a nutrition program, various activities, a library, and a commercial grade kitchen.

- **Care Facilities:** Several licensed care facilities serving the senior population are currently operating in the City of Banning. These facilities include two Alzheimer/Assisted care facilities, The Lakes (65 beds), located at 5801 Sun Lakes Boulevard, and the Golden Meadows, (49 beds), located at 3863 West Ramsey. The 64-bed Banning Healthcare nursing home is located at 3476 West Wilson; a skilled nursing facility with 132 beds (Cherry Valley) is also located at 5800 West Wilson, as part of the hospital.

- **Senior Housing:** The City of Banning currently has one active senior community, the Sun Lakes development, an active 55+ senior community, located at 300 Highland Springs Avenue.

- **Transportation:** The Banning Transit System (PASS) provides transportation services in Banning and provides connections to neighboring jurisdictions. The services provide 3 fixed route services. There is also a dial-a-ride service that is available by reservation.

### 2.1.f(2) Disabled Persons

There are three types of disabled persons that are considered as having special housing needs: Physically Impaired, Mentally, and Developmentally Disabled. Each type is unique and requires specific attention in terms of access to housing, employment, social services, medical services and accessibility to housing.

In 2000, a total of 10,071 persons, or 42.7 percent of the population in the City had some type of disability. Of these, 61.6 percent, or 6,203 persons were between the ages of 5 and 64, and the remaining 3,868 were 65 years of age or older (Graph III-2).
According to the 2000 Census, 50.8 percent of persons 16 to 64 years of age with a work disability were not employed (Table III-45). With no means to support daily living, those 1,683 disabled persons who are not employed may be in need of housing assistance. Housing targeting disabled persons would be allowed in the very low, low, moderate, and mobile home park land use districts according to the Zoning Ordinance. A policy of the City will be to promote the construction of additional housing targeting the disabled.

**TABLE III-45**

<table>
<thead>
<tr>
<th>Work Disability Status</th>
<th>16-64 years</th>
<th>16-64 years</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percent</td>
</tr>
<tr>
<td>Not Employed</td>
<td>1,683</td>
<td>50.8%</td>
</tr>
<tr>
<td>Employed</td>
<td>1,630</td>
<td>49.2%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>3,313</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

Source: 2000 Census

Developmentally Disabled

Section 4512 of the California Welfare and Institutions Code defines a "Developmental disability" as a disability that originates before an individual attains age 18 years, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual which includes mental retardation, cerebral palsy, epilepsy, and autism. This term also includes disabling conditions found to be closely related to mental retardation or to require treatment similar to that required for individuals with mental retardation, but shall not include other handicapping conditions that are solely physical in nature.

Many developmentally disabled persons can live and work independently within a conventional housing environment. More severely disabled individuals require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical
attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for the developmentally disabled is the transition from the person's living situation as a child to an appropriate level of independence as an adult. The State Department of Developmental Services (DDS) currently provides community based services to approximately 243,000 persons with developmental disabilities and their families through a statewide system of 21 regional centers, four developmental centers, and two community-based facilities. The Inland Regional Center is one of 21 regional centers in the State of California that provides point of entry to services for people with developmental disabilities. The center is a private, non-profit community agency that contracts with local businesses to offer a wide range of services to individuals with developmental disabilities and their families.

Currently, nearly 600 Inland Regional Center staff members provide services to more than 25,000 people with developmental disabilities and their families in San Bernardino and Riverside counties. Once a consumer is found eligible, he/she is paired with a Consumer Services Coordinator (CSC) who becomes their primary contact at the center. They will meet on an ongoing basis to develop an annual Individual Program Plan (IPP) that lists specific, agreed upon goals and objectives that will enhance opportunities to live more closely in line with the core values of the agency. To better meet the needs of consumers, Inland Regional Center designed programs according to age, specialization, and geographic location. Categories include Early Start/Prevention 0-3; School Age 3-15; Transition 16-22; Adult 23-59; and Senior 60+.

2.1.f(3) Large Households

For the purposes of this section, large households are defined as households consisting of five or more persons. Generally, the needs of large families are not targeted in the housing market, especially in the multifamily market. This subsection explores the availability of large housing units in Banning.

According to the 2000 Census, 13.3 percent, or 1,186 Banning City households were large households, consisting of five or more persons (Graph III-3). Riverside County had the largest portion of large households amounting to 18.3 percent, larger than both the City and the State for the same time period.

GRAPH III-3
LARGE FAMILIES (2000)
Generally, two-bedroom units are considered to be the most common bedroom type in the housing market. However, according to the 2000 Census, the City of Banning housing stock also has 2,673 three-bedroom units (Table III-46). The predominant rental unit type in 2000 was a two-bedroom unit, representing 43.6 percent of the rental housing. The majority of owner households consisted of two-bedrooms, representing 49 percent of owner-occupied housing units. Four or more bedroom units represented 6.5 percent of all occupied housing, 5.3 percent of all rental units, and 6.9 percent of all owner-occupied units in the City of Banning.

**TABLE III-46**

<table>
<thead>
<tr>
<th>Bedroom Type</th>
<th>Owner Units</th>
<th>Renter Units</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percent</td>
<td>Number</td>
</tr>
<tr>
<td>0 BR</td>
<td>81</td>
<td>1.5%</td>
<td>189</td>
</tr>
<tr>
<td>1 BR</td>
<td>509</td>
<td>7.9%</td>
<td>614</td>
</tr>
<tr>
<td>2 BR</td>
<td>3,159</td>
<td>49%</td>
<td>1,070</td>
</tr>
<tr>
<td>3 BR</td>
<td>2,223</td>
<td>34.7%</td>
<td>450</td>
</tr>
<tr>
<td>4 BR</td>
<td>439</td>
<td>6.8%</td>
<td>130</td>
</tr>
<tr>
<td>5+ BR</td>
<td>27</td>
<td>.1%</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>6,438</td>
<td>100%</td>
<td>2,453</td>
</tr>
</tbody>
</table>

Source: 2000 Census
Large households, consisting of five or more persons, are generally known to have lower incomes than smaller households, frequently resulting in occupying smaller dwelling units, and the acceleration of housing unit deterioration. According to the 2000 Census, there were 1,186 large households in the City and 596 housing units, both owner and renter occupied, with four or more bedrooms (Table III-47). This indicates a significant shortage of large housing units available in the City. Since 1990, the number of large households in Banning has decreased by 1.7 percent. According to primary data collected by City of Banning consultants, there are a total of 5 affordable multi-family complexes offering rental units with 3 or more bedrooms available in the City of Banning. While the number of units available to large households has increased over the past five years, additional units are needed to serve the population of Banning.

### TABLE III-47

**CITY OF BANNING TENURE BY HOUSEHOLD SIZE**

<table>
<thead>
<tr>
<th>Household Size</th>
<th>1990</th>
<th>2000</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Owner</td>
<td>Renter</td>
</tr>
<tr>
<td>1 Person</td>
<td>1,140</td>
<td>585</td>
</tr>
<tr>
<td>2 Persons</td>
<td>2,211</td>
<td>531</td>
</tr>
<tr>
<td>3 Persons</td>
<td>490</td>
<td>462</td>
</tr>
<tr>
<td>4 Persons</td>
<td>528</td>
<td>367</td>
</tr>
<tr>
<td>5 Persons</td>
<td>260</td>
<td>269</td>
</tr>
<tr>
<td>6 Persons</td>
<td>111</td>
<td>159</td>
</tr>
<tr>
<td>7 + Persons</td>
<td>124</td>
<td>194</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>4,864</td>
<td>2,567</td>
</tr>
</tbody>
</table>

*Source: 1990 and 2000 Census*
2.1.f(4) Farmworkers

Estimating farm workers and those households associated with farm work within the State is extremely difficult. Generally, the farm worker population contains two segments of farm workers: permanent and migratory (seasonal) farm workers, and has remained relatively stable. The permanent population consists of farm workers who have settled in the region and maintain local residence and who are employed most of the year. The migratory farm worker population consists of those farm workers who typically migrate to the region during seasonal periods in search of farm labor employment. Traditional sources of population estimates, including the 2000 Census, have tended to significantly underestimate farm worker population. Moreover, different employment estimation techniques result in diverse estimates of local agricultural employment. Nonetheless, a range of estimates of farm workers in the State can be derived. Further, by applying assumptions derived from surveys specifically targeted toward farm workers, aggregate population (both workers and households) can be estimated. These estimates indicate that the average annual employment of farm workers in California is about 350,000, with peak periods of employment being about 450,000. Between 650,000 and 850,000 farm workers contribute to the annual farm labor employment. The total population (including family members) associated with these workers is between 900,000 and 1.35 million persons.

Currently, approximately 4/10ths of one percent of the City's labor force is employed in the farming, fishing and forestry occupation, which is the same as was indicated by the 2000 Census (Table III-48). It is assumed that the majority of these persons are employed in the orcharding and ranching industries.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Farming, Fishing</td>
<td>30</td>
<td>0.4%</td>
<td>42</td>
<td>0.4%</td>
<td>15,876</td>
<td>1.8%</td>
</tr>
<tr>
<td>and Forestry</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employed Persons</td>
<td>7,530</td>
<td></td>
<td>9,742</td>
<td></td>
<td>882,022</td>
<td></td>
</tr>
</tbody>
</table>

Source: 2000 Census; 2007 AnySite;

The City of Banning can accommodate the development of farm worker housing in any zone that permits the type of housing being built (i.e., ranch/agriculture residential, ranch/agriculture residential hillside, rural residential, rural residential hillside, very low density residential, low density residential or group housing) without any special conditions. Because the percent of the City's farm worker population is extremely small, the housing needs of this group are addressed through its standard affordable housing strategies.
2.1.f(5) Homeless Persons (Persons in Need of Emergency Shelter)

Due to their transient nature, it is difficult to count the number of homeless in a given area on any given day. However, according to the "2007 County of Riverside Homeless Count" 102 persons were identified as homeless in the City of Banning on January 24, 2007. Homeless are generally of two types, the "permanent homeless," who are the transient and most visible homeless population, and the "temporary homeless," who are homeless usually due to eviction and may stay with friends, family, or in a shelter or motel until they can find a permanent residence. The farm worker and day laborer are most appropriately classified as part of the temporary homeless population.

HELP Services, the primary service provider to the homeless in Banning, estimates the number of homeless persons visiting its facilities per month for meals assistance to be approximately 2,000 people. Currently, there are no emergency shelters (or transitional shelters) available to the homeless population in Banning, other than those that may be associated with a natural disaster, such as an earthquake.

Special Needs Resources/Emergency Shelters/Single Room Occupancy Units

Homelessness continues as a regional and national issue. Factors contributing to the rise in homelessness include the general lack of housing affordable to lower income persons, increases in the number of persons whose incomes fall below the poverty level, reductions in public subsidies to the poor, alcohol and substance abuses, and the de-institutionalization of the mentally ill. Homeless people, victims of abuse, and other individuals represent housing needs, which are not being met by the traditional housing stock. These people require temporary housing and assistance at little or no cost to the recipient.

The City of Banning, according to the Zoning Ordinance, allows group homes, including by inference, homeless shelters by Conditional Use Permit in the business park zone, high density residential zone, and mobile home park zone. Residential occupancy or single room occupancy hotels can also be an important component of the special needs housing picture. Single Room Occupancy hotels can provide low cost housing for those in the extremely low and very low income categories, and can also play a role in the transitioning process from homelessness to more permanent housing. The City's current Zoning Ordinance does not allow emergency shelters by right; however, Single Room Occupancy hotels (SRO's) are allowed with a Conditional Use Permit (CUP) in the GC, General Commercial and HSC Zoning Districts.

To address the requirements of the State of California's SB2 legislation, and to provide increased opportunities for the potential development of a homeless shelter in the City, the City is identifying the AI, Airport Industrial district as the appropriate location for the development of shelters by-right; without the requirement for any discretionary approval. According to the 2006 General Plan,
there are approximately 135.8 acres of land zoned AI, 94.2 of which were noted as being vacant. Due to a very limited amount of development since 2006, there are still approximately 94.2 acres of vacant AI zoned land in the City, with ample capacity to accommodate the development of at least one homeless shelter within the next year.

One particularly suitable parcel is located south of Interstate 10, between Hathaway and Hargrave. The site is between one-quarter and one-half mile from the downtown core and nearby central business district, within easy walking distance from services available in the downtown. Program 5-16 in Section 4.0 commits the City to amending the Zoning Ordinance to permit shelters by-right.

In order to attain approval for group homes, including homeless shelters, the Planning Division first reviews the site design in order to ensure that the project’s plan is consistent with building and development standards, and then making a recommendation to the Planning Commission. The project is presented to the Planning Commission for an approval prior to any building permit or other ministerial approvals. Conditions of Approval on this type of housing are limited to those necessary to meet building codes and development standards as described under the Zoning Ordinance. According to the primary care provider of homeless services in the City (HELP Services), the need for emergency shelters in the City is increasing. If and when an emergency shelter is proposed, it would be processed in the same manner as other multiple-family projects.

Special Needs Resources/Transitional and Supportive Housing

Transitional and Supportive Housing are component housing types that help to make up the full continuum of housing types serving move homelesspersons from homelessness to self-supportive living. According to the California Health and Safety Code Section 50675.2, Transitional Housing is defined as interim housing helping families move from homelessness to self-sufficiency by providing short-term housing (usually two years) at extremely low rent to qualified families. Transitional Housing may include supportive services helping individuals gain necessary life skills as they become self sufficient.

Supportive Housing is defined by Section 50675.14 of the Health and Safety Code and has no limit on the length of stay. Supportive Housing typically offers a wider array and more intensive services to individuals transitioning from homelessness, including counseling, case management, health treatment, in addition to life skills.

Senate Bill 2 requires both Transitional and Supportive housing to be treated as residential uses whether they are multi-family residential or single-family residential in nature. The Banning Zoning Ordinance currently permits by right, Transitional and Supportive Housing in the high-density multifamily residential district. In order to bring the City in compliance with State Law, a Program 1-1 has been included in this Housing Element to clarify that both types of housing
will be treated no different than other types of housing, subject to only those restrictions on residential structures of the same type in the same zoning district.

Manufactured Housing and Mobile Homes

These alternative housing types need to be permitted in the same fashion as other types of housing in the same zone. Currently, manufactured homes, which include mobile homes subject to the National Manufactured Housing Construction and Safety Act of 1974, are allowed in the Mobile Home Park zoning designation by right, and in the High Density Residential zoning designation with a Conditional Use Permit and are required to conform to foundational regulations as per 2.3-2 Code Sect. 65852.3.

2.1.f(6) Single-parent Households

Single-parent households are considered a special needs group due to the need for reasonable day care, health care, and affordable housing. A significant portion of single-parent households has a female as the head of the household. Single-parent households often have lower incomes, limiting their access to available housing, and are at risk of becoming homeless or cost burdened by housing costs.
The 2000 Census counted 1,549 family households with children under 18 years of age in the City of Banning (Table III-49). Of these households 826 or 53.3 percent are headed by a single parent.

**TABLE III-49**


<table>
<thead>
<tr>
<th>Household Type</th>
<th>Number*</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Family Households</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>With Children Under 18 Years Old</td>
<td>4,774</td>
<td>77%</td>
</tr>
<tr>
<td>With No Children</td>
<td>1,549</td>
<td>32.4%</td>
</tr>
<tr>
<td><strong>Female Householder, no husband present</strong></td>
<td>3,225</td>
<td>67.6%</td>
</tr>
<tr>
<td>Female Householder With Children**</td>
<td>1,144</td>
<td>18.4%</td>
</tr>
<tr>
<td>Female Householder With No Children**</td>
<td>652</td>
<td>57%</td>
</tr>
<tr>
<td><strong>Male Householder, no wife present</strong></td>
<td>492</td>
<td>43%</td>
</tr>
<tr>
<td>Male Householder With Children**</td>
<td>310</td>
<td>5%</td>
</tr>
<tr>
<td>Male Householder With No Children**</td>
<td>174</td>
<td>56.1%</td>
</tr>
<tr>
<td><strong>Non-family Households</strong></td>
<td>2,663</td>
<td>30%</td>
</tr>
<tr>
<td><strong>TOTAL HOUSEHOLDS</strong></td>
<td>8,891</td>
<td></td>
</tr>
</tbody>
</table>

Source: 2000 Census  * No spouse present  
Note: ** Number of households is not mutually exclusive

In the City of Banning, 923 or 14.8 percent of the total family households were below the 2000 Census poverty level (Table III-50). Approximately, 7.0 percent (437) of the family households below poverty level were female-headed households. Of the female-headed households below poverty level, 84.5 percent (370) had children under 18 years of age.

**TABLE III-50**

**HOUSEHOLDS BY POVERTY LEVEL - CITY OF BANNING – 2000**

<table>
<thead>
<tr>
<th>Family Households</th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Families with Income in 1999 below Poverty Level</td>
<td>923</td>
<td>14.8%</td>
</tr>
<tr>
<td>Total Families with Children Under 18 year of age with Incomes in 1999 below Poverty Level</td>
<td>738</td>
<td>11.8%</td>
</tr>
<tr>
<td>Total Family Households</td>
<td>6,228</td>
<td></td>
</tr>
<tr>
<td>Female Householder in 1999 below Poverty Level</td>
<td>437</td>
<td>7.0%</td>
</tr>
<tr>
<td>Female Headed Households with Children Under 18 years of age in 1999 below Poverty Level</td>
<td>370</td>
<td>32.3%</td>
</tr>
<tr>
<td>Total Female Householders</td>
<td>1,144</td>
<td></td>
</tr>
</tbody>
</table>

Source: 2000 Census
2.1.g. **OVERCROWDING**

An overcrowded unit is defined by the U.S. Census as having 1.01 persons or more per room, excluding kitchens and bathrooms. A severely overcrowded unit has 1.5 or more persons per room. Generally, a room is defined as a living room, dining room, bedroom, or finished recreation room.

While family size and tenure are critical determinants in overcrowding, household income also plays a strong role in the incidence of overcrowding. As a general rule, overcrowding levels tend to decrease as income rises, especially for renters (particularly for small and large families). The rate of overcrowding for lower income housing, including extremely-low and very low-income households is generally nearly three times greater than households over 95 percent of the area median income. As with renters, owner households with higher incomes have lower rates of overcrowding.

Between 1980 and 1990, the percentage of overcrowded households in California nearly doubled from 6.9 percent to 12.3 percent. Census 2000 reports more than 15 percent of California households were overcrowded with overcrowding most common among low-income households, and most prevalent in renter housing. Roughly 24 percent of renter households statewide were overcrowded; in some counties, nearly a third of renter households were overcrowded. One quarter of all overcrowded renter households contained more than one family. Of all owner and renter overcrowded households, estimates are that more than half are severely overcrowded (more than 1.5 persons per room). As indicated in Table III-51, in the City of Banning, 6.1 percent of owner-occupied households and 23.7 percent of renter-occupied units are considered to be severely overcrowded.

### TABLE III-51

**OVERCROWDED UNITS BY TENURE, CITY OF BANNING – 2000**

<table>
<thead>
<tr>
<th>Persons per Room</th>
<th>OWNER</th>
<th></th>
<th>RENTER</th>
<th></th>
<th>TOTAL</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Households</td>
<td>Percent</td>
<td>Households</td>
<td>Percent</td>
<td>Households</td>
<td>Percent</td>
</tr>
<tr>
<td>0.50 or less</td>
<td>4,837</td>
<td>75.1%</td>
<td>980</td>
<td>40.0%</td>
<td>5,817</td>
<td>65.4%</td>
</tr>
<tr>
<td>0.51 to 1.00</td>
<td>1,206</td>
<td>18.7%</td>
<td>891</td>
<td>36.3%</td>
<td>2,097</td>
<td>23.6%</td>
</tr>
<tr>
<td>1.01 to 1.50</td>
<td>191</td>
<td>3.0%</td>
<td>297</td>
<td>12.1%</td>
<td>488</td>
<td>5.5%</td>
</tr>
<tr>
<td>1.51 to 2.00</td>
<td>95</td>
<td>1.5%</td>
<td>130</td>
<td>5.3%</td>
<td>225</td>
<td>2.5%</td>
</tr>
<tr>
<td>2.01 or more</td>
<td>109</td>
<td>1.7%</td>
<td>155</td>
<td>6.3%</td>
<td>264</td>
<td>3.0%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>6,438</td>
<td>100.0%</td>
<td>2,453</td>
<td>100.0%</td>
<td>8,891</td>
<td>100.0%</td>
</tr>
<tr>
<td>% Overcrowded by Tenure</td>
<td>395</td>
<td>6.1%</td>
<td>582</td>
<td>23.7%</td>
<td>978</td>
<td>11.0%</td>
</tr>
</tbody>
</table>

Source: 2000 Census
Substandard housing indices, without physical inspection, can generally be judged as overcrowded, units lacking complete plumbing, and units constructed before 1940 without diligent maintenance. In the City of Banning, the percentage of overcrowded units was 11 percent in 2000 (Table III-52). Approximately 6 percent of the housing was built before 1940 and 0.0 percent of the units lacked complete plumbing facilities. In Riverside County, 12.7 percent of the housing units were overcrowded, and 2.8 percent were built before 1940.

### TABLE III-52
INDICATORS OF SUBSTANDARD HOUSING – 2000

<table>
<thead>
<tr>
<th>INDICATORS</th>
<th>NUMBER</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CITY OF BANNING</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overcrowded</td>
<td>977</td>
<td>11.0%</td>
</tr>
<tr>
<td>Lacking Complete Plumbing Facilities</td>
<td>41</td>
<td>0.0%</td>
</tr>
<tr>
<td>Built 1939 or Earlier</td>
<td>527</td>
<td>6.0%</td>
</tr>
<tr>
<td><strong>COUNTY OF RIVERSIDE</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overcrowded</td>
<td>64,168</td>
<td>12.7%</td>
</tr>
<tr>
<td>Lacking Complete Plumbing Facilities</td>
<td>2,516</td>
<td>0.0%</td>
</tr>
<tr>
<td>Built 1939 or Earlier</td>
<td>14,276</td>
<td>2.8%</td>
</tr>
</tbody>
</table>

Source: 2000 Census
2.2 INVENTORY OF RESOURCES

2.2 a. EXISTING HOUSING CHARACTERISTICS

The population in the City of Banning has grown significantly in the last 17 years, increasing by over 40 percent. In 1990, Banning had 7,431 dwelling units and by 2000 there were 8,891 dwelling units, an approximately 20.0 percent increase. In 2007 there were 10,501 housing units, an approximately 18 percent increase from 2000 (Table III-53). During this period, however, Banning’s housing stock growth slowed considerably in the mid- and late-1990s as compared to the early 1990s and since 2001. The city’s housing building permits from 1994-1996 and 1997-1999 totaled 411 and 443, respectively. In contrast, housing building permits from 1990-1993 and 2001-2004 totaled 1,026 and 1,733 respectively. To put the recent growth in perspective, building permits issued in the four-year span from 2001 to 2004 (1,733 permits) were equal to the entire decade of the 1990s (1,738 permits). However, in the most recent years (2005-2007), building permits have begun to slow and were the lowest in 20 years (81, 57, 14 respectively).

TABLE III-53
HOUSING UNITS BY TYPE - CITY OF BANNING

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>1990</th>
<th>2000</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family</td>
<td>5,509</td>
<td>6,961</td>
<td>8,318</td>
</tr>
<tr>
<td>Duplex</td>
<td>262</td>
<td>140</td>
<td>148</td>
</tr>
<tr>
<td>3-4 Units</td>
<td>189</td>
<td>187</td>
<td>190</td>
</tr>
<tr>
<td>5+ Units</td>
<td>425</td>
<td>493</td>
<td>731</td>
</tr>
<tr>
<td>Mobile Home &amp; Other</td>
<td>1,046</td>
<td>1,110</td>
<td>1,114</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td>7,431</td>
<td>8,891</td>
<td>10,501</td>
</tr>
</tbody>
</table>


2.2 b. HOUSING CONDITIONS

The City of Banning Building Division provided information regarding the condition of housing units in the City. For purposes of establishing general conditions, the City can be divided into five subareas: East, Northeast, Central City, South, and West.

The East area is bordered by San Gorgonio Avenue to the west, Wilson Street to the north and the City’s boundaries to the east and south. The East area contains a concentration of dwelling units, which were built prior to 1950, establishing this as one of the oldest concentrations of homes in the City. The housing can be generally described as having one to two bedrooms and one bath, single-pane windows, without air conditioning or central heating.
The Northeast Area is bordered by San Gorgonio Avenue to the west, Wilson Street to the south, and the City's boundaries to the north and east. This area includes dwelling units built between 1950 and 1970. The units range from 900 to 2,000 square feet, have multiple bedrooms, 1+ bathrooms, single pane windows, and approximately 35 percent have air conditioning and most have central heating.

The Central City Area is bordered by San Gorgonio Avenue to the east, Wilson Street to the north, Sunset Avenue to the west, and Interstate 10 to the south. The area includes dwelling units built between 1930 and 1960. The Central City subarea is acknowledged as containing older post World War II dwellings in moderate to fair condition. The units are typically 750 to 1,500 square feet in size have one to two bedrooms with one bathroom, single pane windows, and 25 percent air-conditioned and contain a central heating system.

The South Area is bordered by San Gorgonio Avenue to the east, Interstate 10 to the north, Sunset Avenue on the west, and the City's boundary to the south. The area includes dwelling units mostly built after 1960. The units are typically 1,000 to 3,000 square-foot custom homes with multiple bedrooms and bathrooms, dual paned windows, and central heating and cooling.

The West Area is bordered by Sunset Avenue on the east, and the City's boundaries to the north, south, and west. This is the newest area of the City and includes the largest number of homes built after 1970. The units typically are greater than 3,000 square feet and are custom homes with multiple bedrooms and bathrooms, dual paned windows, and central heating and cooling.

Of the 10,675 units in the City, 8,980 units (84.1 percent) are in sound condition. However, approximately 1,655 units (15.5 percent) of Banning's housing stock are deemed in need of some form of rehabilitation (Table III-54). The need for rehabilitation exists if the condition is classified as Minor, Moderate or Substantial. The city has approximately 1,200 units (11.2 percent) in need of minor repairs, 365 units (3.4 percent) in need of moderate repairs and 90 units (0.8 percent) in need of substantial repairs. As many as 40 units are considered Dilapidated and should be considered for demolishing. With approximately 130 units in need of either substantial rehabilitation or deemed dilapidated, the City may have a need to place further emphasis on a residential rehabilitation program.
### TABLE III-54
HOUSING CONDITIONS

<table>
<thead>
<tr>
<th>Condition of Units</th>
<th>East</th>
<th>Northeast</th>
<th>Central City</th>
<th>South</th>
<th>West</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sound</td>
<td>830</td>
<td>440</td>
<td>1,525</td>
<td>1,025</td>
<td>5,160</td>
<td>8,980</td>
</tr>
<tr>
<td>Minor</td>
<td>135</td>
<td>75</td>
<td>200</td>
<td>40</td>
<td>750</td>
<td>1,200</td>
</tr>
<tr>
<td>Moderate</td>
<td>65</td>
<td>20</td>
<td>150</td>
<td>30</td>
<td>100</td>
<td>365</td>
</tr>
<tr>
<td>Substantial</td>
<td>30</td>
<td>10</td>
<td>35</td>
<td>5</td>
<td>10</td>
<td>90</td>
</tr>
<tr>
<td>Dilapidated</td>
<td>15</td>
<td>5</td>
<td>15</td>
<td>0</td>
<td>5</td>
<td>40</td>
</tr>
<tr>
<td>Total (Units)</td>
<td>1,075</td>
<td>550</td>
<td>1,925</td>
<td>1,100</td>
<td>6,025</td>
<td>10,675</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Condition of Units</th>
<th>Percent</th>
<th>Percent</th>
<th>Percent</th>
<th>Percent</th>
<th>Percent</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sound</td>
<td>77.2</td>
<td>80.0</td>
<td>79.2</td>
<td>93.2</td>
<td>85.6</td>
<td>84.1</td>
</tr>
<tr>
<td>Minor</td>
<td>12.6</td>
<td>13.6</td>
<td>10.4</td>
<td>6.8</td>
<td>12.4</td>
<td>11.2</td>
</tr>
<tr>
<td>Moderate</td>
<td>6.0</td>
<td>3.6</td>
<td>7.8</td>
<td>3.0</td>
<td>1.7</td>
<td>3.4</td>
</tr>
<tr>
<td>Substantial</td>
<td>2.8</td>
<td>1.8</td>
<td>1.8</td>
<td>0.5</td>
<td>0.2</td>
<td>0.8</td>
</tr>
<tr>
<td>Dilapidated</td>
<td>1.4</td>
<td>0.9</td>
<td>0.8</td>
<td>0.0</td>
<td>0.08</td>
<td>0.4</td>
</tr>
</tbody>
</table>

### GRAPH III-4
HOUSING UNITS BY YEAR BUILT - CITY OF BANNING

Source: 2000 Census, SOCDS Data, 2007 Axyssic
2.2.e. **RESIDENTIAL CONSTRUCTION TRENDS**

From 2000 to 2007, 2,326 housing units have been constructed in the City of Banning. Of the new units, 92.6 percent were single-family units. A total of 167 (7.2%) were multi-family units and have been built since 2000.

Based on the figures in Table III-55, an average of 233 building permits have been issued each year in Banning since 2000. Depending on the changing market conditions, the City may experience a significant change in the total number of building permits issued over the next planning period. An average of 480 units per year need to be constructed in order to meet the Regional Housing Needs Assessment (RHNA) for 2006-2014. However, the actual construction is determined by the economy. The City's roles is to provide adequate supply of sites to accommodate the regional housing need in the event of construction and have policies and programs in place to address and/or remove any existing constraints to development.

**TABLE III-55**

**BUILDING PERMITS BY YEAR – CITY OF BANNING**

<table>
<thead>
<tr>
<th>Year</th>
<th>Single Family Units</th>
<th>Duplexes</th>
<th>3-4 Unit Multi-family</th>
<th>(5+ Units) Multi-family</th>
<th>Total Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>1998</td>
<td>138</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>138</td>
</tr>
<tr>
<td>1999</td>
<td>147</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>147</td>
</tr>
<tr>
<td>2000</td>
<td>156</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>156</td>
</tr>
<tr>
<td>2001</td>
<td>319</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>319</td>
</tr>
<tr>
<td>2002</td>
<td>388</td>
<td>2</td>
<td>0</td>
<td>164</td>
<td>554</td>
</tr>
<tr>
<td>2003</td>
<td>548</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>548</td>
</tr>
<tr>
<td>2004</td>
<td>310</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>312</td>
</tr>
<tr>
<td>2005</td>
<td>78</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>81</td>
</tr>
<tr>
<td>2006</td>
<td>57</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>57</td>
</tr>
<tr>
<td>2007</td>
<td>14</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>14</td>
</tr>
<tr>
<td>2008*</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>2,155</td>
<td>4</td>
<td>0</td>
<td>167</td>
<td>2,326</td>
</tr>
</tbody>
</table>

*Values given for the year 2008 are only through June 2008.
Source: SOCDS online database as of June 2008
2.2.d. VACANCY TRENDS

Vacancy trends in housing are analyzed using a “vacancy rate” which establishes the relationship between the number of occupied units and the total number of housing units in the City. The vacancy rate indicates whether or not the City has an adequate housing supply to provide choice and mobility. HUD standards indicate that a vacancy rate of five percent is sufficient to provide choice and mobility.

In 2000, the Census reported a vacancy rate of 8.6 percent in the City of Banning. The California State Department of Finance (DOF) Population Research Unit publishes an annual estimate of population, housing units, vacancy, and household size for all incorporated cities in the State. In 2007, the DOF estimated the vacancy rate for Banning to be 8.4 percent. It should be noted that the DOF estimate is for all housing unit types and does not exclude seasonal, recreational, occasional use or other vacant. According to the 2000 Census, 11.8 percent of the vacant units are rental units and 19.7 percent of the vacant units are for seasonal, recreational, or occasional use.

2.2.d(1) Multi-Family Vacancy

In September 2008, Laurin Associates conducted a vacancy survey of existing rental properties within Banning. A total of 332 multi-family units were surveyed. The survey found that there were 12 vacancies within the City of Banning, for an overall vacancy rate of 3.6 percent. Most managers reported that turnover is rare, waiting lists are long, and when vacancies do occur the units are rented very quickly.

2.2.d(2) Single Family Vacancy

According to the Multiple Listing Service, there were a total of 352 homes and condominiums for sale in the City of Banning in July 2008. The survey found 351 vacant single-family homes, an estimated vacancy rate of 3.3 percent, based on a total of 10,647 single-family units in 2008. This vacancy rate indicates a normal housing market with limited choice and mobility. However, the housing market conditions have changed due to the economic downturn since July 2008. The State Department of Finance reported that the housing vacancy rate in Banning is 10.76% for 2012.
2.2.e. HOUSING COSTS AND AFFORDABILITY

One of the major barriers to housing availability is the cost of housing. In order to provide housing to all economic levels in the community, a wide variety of housing opportunities at various prices should be made available. The following table (Table III-56) describes the acceptable monthly payment for households (family of four) in the five major income groups: Extremely-Low, Very-Low, Low, Moderate and Above-Moderate income.

**TABLE III-56**
INCOME GROUPS BY AFFORDABILITY (2007)

<table>
<thead>
<tr>
<th>Income Group</th>
<th>Income Range</th>
<th>Monthly Payment Range*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extremely Low</td>
<td>Less Than $19,980</td>
<td>Less than $500</td>
</tr>
<tr>
<td>Very Low</td>
<td>$33,300-$19,980</td>
<td>$748-$501</td>
</tr>
<tr>
<td>Low</td>
<td>$33,301-$53,280</td>
<td>$749-$1,197</td>
</tr>
<tr>
<td>Moderate</td>
<td>$53,281-$79,920</td>
<td>$1,198-$1,795</td>
</tr>
<tr>
<td>Above Moderate</td>
<td>Greater Than $79,920</td>
<td>Greater than $1,795</td>
</tr>
</tbody>
</table>

Source: 2008 California Tax Credit Allocation Committee, Riverside County

*NOTE: affordable housing is up to 30% of income used toward gross monthly housing costs.

2.2.e(1) Single-Family Sales Units

The median single-family home sales prices in Banning for the current decade started on the lower end of the spectrum, with a median sales price of approximately $87,000 in 2000. Since 2000, prices increased dramatically to a high of approximately $262,450 in 2005, and then fell to a median sales price of $226,000 in 2008. The majority of active home sales listings in 2008 are from a low of $150,000 to a high of $250,000. Based on information provided by a local real estate agent, prices continue to sag, and pre-foreclosures and bank owned properties are in abundance. The current median home prices of $226,000 are nearly 14 percent lower than the 2005 peak. The City of Banning median home price is substantially lower than the median home price in the State as a whole, which is currently $395,000.

The median sales price of single-family homes in the City had been increasing at a rapid rate, up until the peak of 2005. From 2000 to 2005 home prices increased dramatically by over 200 percent, and have since declined substantially. This volatility in median sales price is due to the speculative housing demand and relaxed lending standards that have resulted in housing problems throughout the State and nation. In December 2011, the California Association of Realtors reported that Banning has the median home price of $110,000.00 in November 2011 and $123,500 as of November 2010. This is a 10.92% decrease in the median home price. This means that more people can afford the price of housing in Banning. The online research from Data Quick website shows that the median home sale price in January 2013 was $139,500.00 which is 26.82% higher than last year. Although the median home sale's price increased, the increase is considerably lower than the median home sale's price in 2005. Additionally, the
median home price in Banning is considerable lower than the average home price of $227,000.00 in Riverside County. This shows that Banning housing market is continued to be affordable than the County.

2.2.e(2) Current Single-Family Listings

During July 2008, 325 single-family units were listed for sale in Banning, with the majority priced in the $150,000 to $300,000 range (Table III-57). Prices range from a low of $55,000 to a high of $1,400,000.

**TABLE III-57**
CURRENT SALES LISTINGS FOR SINGLE FAMILY HOMES

<table>
<thead>
<tr>
<th>PRICE RANGE</th>
<th>NUMBER OF UNITS AVAILABLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Below $100,000</td>
<td>29</td>
</tr>
<tr>
<td>$100,000-$149,999</td>
<td>61</td>
</tr>
<tr>
<td>$150,000-$199,999</td>
<td>79</td>
</tr>
<tr>
<td>$200,000-$299,999</td>
<td>80</td>
</tr>
<tr>
<td>$300,000-$399,999</td>
<td>43</td>
</tr>
<tr>
<td>above $400,000</td>
<td>33</td>
</tr>
</tbody>
</table>

Source: Multiple Listing Service, July 2008

During July 2008, 27 condominium properties were listed for sale in Banning, all selling for between $59,000 and $285,000 (Table III-58).

**TABLE III-58**
CURRENT SALES LISTINGS FOR CONDOMINIUMS

<table>
<thead>
<tr>
<th>PRICE RANGE</th>
<th>NUMBER OF UNITS AVAILABLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Below $100,000</td>
<td>1</td>
</tr>
<tr>
<td>$100,000-$149,999</td>
<td>5</td>
</tr>
<tr>
<td>$150,000-$199,999</td>
<td>8</td>
</tr>
<tr>
<td>$200,000-$249,999</td>
<td>11</td>
</tr>
<tr>
<td>above $250,000</td>
<td>2</td>
</tr>
</tbody>
</table>

Source: Multiple Listing Service

2.2.e(3) Rental Units

According to the 2000 Census, the median rent was $564 in the City of Banning, compared to $660 for Riverside County. Based on information provided by a local realtor, the average market rents ranged from $800 for a one-bedroom unit to $1,300 for a four-bedroom unit.
The identified rental apartments in the City of Banning are a combination of affordable and market rate units. There are currently two complexes providing affordable housing under HUD, USDA, and LIHTC programs for families, farmworkers, and seniors. The affordable housing complexes range in size from 75 units to 81 units in size. The density of these two complexes are 11 du/acre (Peppertree Apartment) and 12 du/acre (Summit Ridge Apartment). Home rentals are somewhat more expensive, and range from $675 to $1,800 (Table III-59).

### TABLE III-59
CURRENT AVERAGE RENTS*

<table>
<thead>
<tr>
<th>Bedroom Type</th>
<th>Average Market Rents*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two-Bedroom</td>
<td>$850</td>
</tr>
<tr>
<td>Three-Bedroom</td>
<td>$1,150</td>
</tr>
<tr>
<td>Four-Bedroom</td>
<td>$1,250</td>
</tr>
</tbody>
</table>

Source: Haskell Real Estate Property Management, September 2008
Note: Rents are net rents (does not include utilities).

**2.2.e(4) Affordability**

Affordability is defined as a household spending 30 percent or less of household income for shelter. Shelter is defined as gross rent or gross monthly owner costs. Gross rent is the contract rent, plus utilities. In most cases, the contract rent includes payment for water, sewer and trash. Gross monthly owner costs include mortgage payments, taxes, insurance, utilities (electric & gas), condominium fees, and site rent for mobile homes.

As noted in Table III-38, in the previous section, 35.6 percent of renter households pay in excess of 30 percent of their income for shelter while 19.4 percent of owners overpaid in 2000. To put this in perspective, the maximum rent that can be charged to be considered affordable housing based on income is reflected in the following Table III-60. The average rents listed in Table III-59, on the previous page, are less than the maximum affordability for low income households. Despite the regional trend for increasing rents, Banning has remained relatively affordable. For instance, while households within the very low-income categories could not afford the average market rents within the City, most market rents are affordable to those households within the low-income category.
TABLE III-60
AFFORDABLE RENTAL RATES

<table>
<thead>
<tr>
<th>Income Range</th>
<th>Maximum Affordability</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Studio</td>
</tr>
<tr>
<td>Extremely Low</td>
<td>$349</td>
</tr>
<tr>
<td>Very Low</td>
<td>$582</td>
</tr>
<tr>
<td>Low</td>
<td>$931</td>
</tr>
<tr>
<td>Moderate</td>
<td>$1,397</td>
</tr>
<tr>
<td>Above Moderate</td>
<td>&gt;$1,397</td>
</tr>
</tbody>
</table>

Source: California Tax Credit Allocation Committee Maximum Rent Schedule 2008, Riverside County

While shelter costs for rental units are estimated to be affordable at 30 percent of gross income, households are generally able to obtain a mortgage loan based on 35 to 40 percent of gross income. This is subject to individual credit and budgeting conditions and those with less revolving loan-type debt can usually find financing for a more expensive home. For instance, very low-income households in Banning could afford a home priced at approximately $168,000, depending on the interest rate; currently there is only one home available in that price range.

2.2.f. **AT-RISK HOUSING**

California Housing Element Law requires all jurisdictions to include a study of all low-income housing units which may at some future time be lost to the affordable inventory by the expiration of some type of affordability restrictions. The law requires that the analysis and study cover a five-year and a ten-year period, coinciding with updates of the Housing Element. Expiration of the low-income use period includes various financing sources, such as Low-income Housing Tax Credit (LIHTC), tax exempt bond financing, density bonuses, California Housing Finance Agency (CHFA), Community Development Block Grant (CDBG) and HOME funds and redevelopment funds.
2.2.g. **INVENTORY OF AT RISK RENTAL HOUSING UNITS**

The following inventory includes government assisted rental properties in the City of Banning that may be at risk of opting out of programs that keep them affordable to very low and low income households over the seven year Housing Element Period (2008-2014) and for the subsequent five years (2019). Generally, the inventory consists of Housing and Urban Development (HUD) subsidized and USDA Section 515 properties that are at risk. As indicated by the California Housing Partnership Corporation, these projects target lower income populations including extremely-low income groups, very-low income groups, and seniors. At-Risk units indicate units that may convert to market rate within 5 years; a Lower Risk project may convert within 5-10 years. The City will continue to pursue State and Federal funding sources such as HOME funds to assist with the preservation of at-risk units in the City of Banning. Currently, no properties are at risk of converting in the City of Banning.

The process of selling a subsidized project is a thorough and lengthy process, which requires notices to local government and local housing authorities. Appendix E of this housing element lists housing non-profit organizations known to both the State and local governments that are interested in acquiring at-risk units and maintaining affordability for the life of the structure.

<table>
<thead>
<tr>
<th>Project</th>
<th>Financing</th>
<th># Assisted Units</th>
<th>Target Group</th>
<th>Risk Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Westview Terrace</td>
<td>HFDA/Section 8</td>
<td>75</td>
<td>Extremely Low/Very-Low*</td>
<td>Renewed subsequent to 1/10/2008</td>
</tr>
</tbody>
</table>

* Westview Terrace residents fall primarily into the extremely-low income category (75%) while the remainder (25%) of residents falls into the very-low income category. At the time the Housing Element was originally written, the affordability was set to expire on January 10, 2008; according to CHPC, the complex was renewed. At the time revisions to the Housing Element were written in May, 2009, no other information was available from CHPC about the new expiration date. On March 22, 2011, the City of Banning Community Redevelopment Agency entered into an Owner Participation Agreement with Banning Leased Housing Associates I, Limited Partnership and purchased affordability covenant for 55 years. Forty-three (43) units are restricted for rent to extremely low income tenants; thirty-one (31) units are restricted for low income tenants; and one (1) unit is unrestricted.

Sources: HUD/California Housing Partnership Corporation (CHPC) & Westview Terrace Staff
2.2.h COST ANALYSIS

In order to provide a cost analysis of preserving "at-risk" units, costs must be determined for rehabilitation, or new construction.

2.2.h(1) Rehabilitation

The factors used to analyze the cost to preserve the at-risk housing units include acquisition, rehabilitation, and financing costs. Both new construction and rehabilitation utilize an assumption of 1,000 square foot units, on a typical market rate 40-unit project. These figures are estimates since actual costs will depend on condition, size, location, existing financing, and the availability of financing. Local developers, in addition to the cited sources have added information helping to formulate the numbers in the following tables.

TABLE III-62
REHABILITATION COSTS

<table>
<thead>
<tr>
<th>Fee/Cost Type</th>
<th>Cost per Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acquisition</td>
<td>$35,000</td>
</tr>
<tr>
<td>Rehabilitation</td>
<td>$39,750</td>
</tr>
<tr>
<td>Financing/Other Costs</td>
<td>$75,000</td>
</tr>
<tr>
<td>TOTAL COST PER UNIT</td>
<td>$149,750</td>
</tr>
</tbody>
</table>

2.2.h(2) New Construction/Replacement.

The following cost estimates (Table III-63) are estimates based on recent new apartment construction in Riverside County, i.e. non-specific to Banning. The actual replacement costs for any of the at-risk units will depend on many variables such as the number of units, location, density, unit sizes, and off-site improvements, and both existing and new financing.

TABLE III-63
NEW CONSTRUCTION/REPLACEMENT COSTS

<table>
<thead>
<tr>
<th>Cost/Fee Type</th>
<th>Cost Per Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Acquisition</td>
<td>$22,000</td>
</tr>
<tr>
<td>Construction</td>
<td>$235,000</td>
</tr>
<tr>
<td>Financing/Other Costs</td>
<td>$79,500</td>
</tr>
<tr>
<td><strong>TOTAL PER UNIT COST</strong></td>
<td><strong>$336,500</strong></td>
</tr>
</tbody>
</table>

Source: Laurin Associates, Chelsea Investment Corp.

2.2.i. PRESERVATION RESOURCES

Efforts by the City to retain low-income housing must be able to draw upon two basic types of preservation resources: organizational and financial. Qualified, non-profit entities need to be made aware of the future possibilities of units becoming “at-risk”. Should a property become “at-risk” the City maintains an active list of resources in which to preserve that property. A list of potential organizational resources is provided in Appendix F.

In addition, the City of Banning will develop procedures for monitoring and preserving at-risk units, which will include:

- Monitoring the Risk Assessment report published by the California Housing Partnership Corporation (CHPC).
- Maintain regular contact with the local HUD office regarding early warnings of possible opt-outs.
- Maintain contact with the owners and managers of existing affordable housing to determine if there are plans to opt-out in the future, and offer assistance in locating eligible buyers.
- Develop and maintain a list of potential purchasers of at-risk units and act as a liaison between owners and eligible purchasers.
- Ensure that all owners and managers of affordable housing are provided with applicable State and federal laws regarding notice to tenants of the owner’s desire to opt-out or prepay. State law requires a 12 month notice.

The following is a list of potential financial resources considered a part of the City’s overall financial plan to deal with retaining affordable units. The number and availability of programs to assist cities and counties in increasing and improving their affordable housing stock is limited, and public funding for new projects is unpredictable. The following is a list of local, state and federal programs.
• Home Investment Partnerships (HOME) Program - The HOME Program was created under Title II of the Cranston-Gonzales National Affordable Housing Act enacted on November 28, 1990. The City of Banning participates in the HOME Program through Riverside County.

• Housing Authority of the County of Riverside is a Public Housing Authority with jurisdiction within the City of Banning and the County of Riverside. It administers federal and state funds for its public housing projects and government assisted housing units such as Housing Choice Voucher Rent Subsidy.

• Community Reinvestment Act (CRA) - Federal law requires that banks, savings and loans, thrifts, and their affiliated mortgage subsidiaries, annually evaluate the credit needs for public projects in communities where they operate. Part of the City's efforts in developing preservation programs will be to meet with the Community Reinvestment Act Lenders Group organized by the County to discuss future housing needs and applicability of the Community Reinvestment Act. Although an unpredictable resource, it is important to establish a working relationship for future problem solving.

• Low-income Housing Tax Credit Program (LIHTC) - The LIHTC Program provides for federal and state tax credits for private and non-profit developers and investors who agree to set aside all or an established percentage of their rental units for households at 60 percent of AMI or below for a minimum of 30 years. These tax credits may also be utilized on rehabilitation projects, contributing to the preservation program.

• Proposition 1C – California voters approved the Housing and Emergency Shelter Trust Fund Act of 2006, authorizing $2.85 billion to fund various housing assistance programs. The funds and programs are administered by the California Housing and Community Development Department (HCD).

• The Federal Home Loan System facilitates the Affordable Housing Program (AHP) and Community Investment Program (CIP) for the purposes of expanding the affordable housing supply. The San Francisco Federal Home Loan Bank District provides service to Imperial County, and throughout California. Subsidies are awarded on a competitive basis usually in the form of low-interest loans and must be used to finance the purchase, construction, and/or rehabilitation of rental housing.

• The Predevelopment Loan Program, conducted through HCD, provides the funds to pay the initial costs of preserving existing affordable housing developments for their existing tenants. Priority is given to applications with matching financing from local redevelopment agencies or federal programs.

• Rural Seed Money Loan Programs, operated through the Housing Assistance Council operates revolving loan funds to provide seed money for rural housing and development projects intended to benefit very low- and low-income persons.

• Preservation Financing Program, operated through California Housing Finance Agency (CHFA), offers tax-exempt bond financing for the acquisition or refinancing of a project with an expiring Section 8 contract.
2.2.j. REDEVELOPMENT AGENCY

The Banning Community Redevelopment Agency was created in 1973 and adopted the
first five-year implementation plan in 1994. The Agency estimates that 367 residential
units have been developed or substantially rehabilitated within the Project Area since
adoption of the redevelopment plan. Agency staff anticipates that an additional 370 units
will be developed or rehabilitated (paint and patch) within the Project Area during this
planning cycle. The Agency is projecting to incur a surplus of 33 low and moderate and
55 very low income units by the end of the 2006-2014 period.

The Community Redevelopment Agency of the City of Banning, along with all 400
redevelopment agencies in California, was dissolved on February 1, 2012, by order of the
California Supreme Court in a decision issued on December 29, 2011 (California
Redevelopment Association et al. v. Ana Matosantos). On June 27, 2012, the California
Legislature passed and the Governor signed AB 1484, a bill making technical and
substantive changes to AB 26, the dissolution bill that was found largely constitutional by
the Supreme Court on December 29, 2011. In response to the requirements of AB 26 and
AB 1484, the City of Banning City Council now serves as the Successor Agency to the
former Redevelopment Agency. Pursuant to state legislation, the Successor Agency is
governed by one two body, the Banning Oversight Board of the Successor Agency with
the ultimate decision making body of the state Department of Finance.

Prior to the elimination of the Banning Redevelopment Agency (The Agency) set aside
20 percent of the gross tax increment revenues received from the Redevelopment Area
into a Low and Moderate income housing fund for affordable housing activities. The
City’s Redevelopment Project area boundaries generally extend along the Interstate 10
corridor and downtown area. Residential areas are generally contained in the central core
containing a mix of older residential along with commercial and public areas, and newer
residential areas to the northwest, west, and southwest. The Agency provides staff
support for administering rehabilitation funds for low-income homeowners and other
housing programs. In accordance with California State Law, (CCR Section 33334.4(a),
65% of all expenditures must be targeted to lower income households, including
extremely low income.

The Agency begins this 2005-2009 period with a favorable balance in the Low/Mod set-
aside fund of approximately $2.5M dollars. Considering interest and other sources of
income, it is estimated that a total of $2.9 Million will be available through the low and
housing set-aside for affordable housing purposes for 2005-2009. During the same term,
the Agency expects to accrue an additional $2.3M to the Low/Mod fund. Through the
balance of the Housing Element period (2010-2014), the Agency estimates accruing an
additional $1.2M dollars to the Low/Mod fund. This estimate is conservative, given the
current uncertainty of property values. The Plan’s identified housing goals are to
increase, improve, and preserve the supply of lower income (including extremely low),
and moderate income rental and ownership housing opportunities. Specifically, housing
efforts will be focused in the following areas:

- Rehabilitation of owner occupied and existing rentals for very-low and low-
  income households;
- Funding infrastructure improvements in residential neighborhoods to promote development of affordable housing;
- Implementation of an infill housing program;
- Development of and implementation of revolving loan program(s) for owner-occupied low- and moderate-income households.
- First time homebuyer assistance;

The Agency projects Low to Moderate Income funding of the following programs and related expenditures with LMI Funds (set-asides) during the period 2005-2009.

- Housing Exterior Rehabilitation Assistance (ERA) Program—the ERA program is an on-going program which assists very low- and low income residents in a maintenance program for their homes ($20K per unit, totaling 4 units per year);

- Homeownership Education Program — The program provides educational materials to prospective home buyers to help prepare them for home ownership ($45K to develop and implement);

- First-Time Homebuyer Program- The Redevelopment Agency contributions are estimated to assist three lower income households, including extremely low income per year (totaling approximately $150,000);

- New Construction Assistance- LMI funds will be utilized to assist in the construction of both single and multi-family housing units for lower income, including extremely low income, and moderate income persons/families within the Project Area. The Redevelopment Agency has budgeted $2 million for new housing units.

The survey of housing conditions, as well as discussions with City staff, indicates a high percentage of units in need of more substantial rehabilitation efforts. Dwelling units allowed to deteriorate to the point of not being habitable remove potentially affordable units from the overall supply of housing in the City, increasing the pressure to provide affordable units through other means. In order to further assist in maintaining this affordable housing stock, the City is identifying a new program for the 2008-2014 housing element period, utilizing Agency funds; targeting substantial residential rehabilitation, with an annual expenditure goal of $100,000. This program has continued and will end in June 2013 as the Redevelopment Agency has been eliminated by the State. Within the period of January 2013 to June 2013, the City will fund 12 single-family homes in exterior rehabilitation at $10,000.00.

2.2.k. RESIDENTIAL ZONING AND DENSITY

The housing industry typically responds to market demand. In the City of Banning, residential zoning targets all income groups. The City has made it very clear that residential development is welcome and supported.

2.2.k(1) Zoning
Chapter 17 of the Banning Municipal Code provides the zoning provisions for the City. Residential zoning for the City of Banning is defined as follows:

R/A – Ranch/Agriculture District (1 du/10 Acres).
The district allows detached single-family homes on lots of at least ten acres. Also permitted are agricultural and ranching activities, animal keeping (both personal and commercial use), and animal-keeping or agricultural related commercial enterprises, such as feed stores, commercial stables and similar uses. Bed & breakfast lodging and similar uses may be appropriate in this district, with the approval of a conditional use permit. If density transfers from the Ranch/Agriculture Residential –Hillside district are applied to a Ranch/Agriculture Residential parcel, the maximum density shall be one dwelling unit per 5 acres.

RAR-H – Ranch/Agriculture Residential – Hillside (1 du/10 Acres)
This zoning district is assigned to lands in the foothills. Portions of the site exceeding 25 percent slope as well as the ridgelines are to be preserved as open space, but density may be transferred to developable areas. If a density transfer is applied, the maximum density for the developable lands shall be one dwelling unit per 5 acres.

RR – Rural Residential (0-1 du/Acres)
This zoning district allows detached single-family homes on lots of at least one gross acre. Uses also permitted include agricultural and ranching activities, animal keeping (both personal use and commercial). Bed & breakfast lodging and similar uses may be appropriate with the approval of a conditional use permit. Animal-keeping or agricultural related commercial enterprises, such as feed stores, commercial stables and similar uses may be appropriate with approval of a conditional use permit.

RR-H – Rural Residential – Hillside (0-1 du/Acres)
This zoning district is assigned to lands in the foothills. Portions of the site exceeding 25 percent slope as well as the ridgelines are to be preserved as open space, but density may be transferred to developable areas. All other RR development standards apply. If a density transfer is applied, the maximum density allowable is 2 units to the acre, and the standards of the Very Low Density Residential district will be applied.

VLDR – Very Low Density Residential (0-2 du/Acres)
This zoning district allows detached single-family homes at a density of up to 2 units per acre; the district may be appropriate for bed & breakfast and similar uses. Animal keeping is permitted according to zoning restrictions.

LDR – Low Density Residential (0-5 du/Acres)
This zoning district allows the development of attached and detached single family homes, in traditional subdivisions and planned communities. The clustering of condominiums and townhomes may be appropriate with the provision of common area amenities and open space, when a Specific Plan or
Planned Unit Development is prepared. Bed & breakfasts and similar uses may be appropriate with the approval of a conditional use permit. Home Occupations are permitted with approval of a Home Occupation permit.

MDR — Medium Density Residential (0-10 du/Acres)
This zoning district allows the development of attached and detached single family homes, in traditional subdivisions and planned communities. Also allows condominiums and townhomes, garden apartments and duplexes, with the provision of common area amenities and open space. The clustering of condominiums and townhomes may be appropriate with the provision of common area amenities and open space. Bed & breakfasts and similar uses may be appropriate with the approval of a conditional use permit. Home Occupations are permitted with approval of a Home Occupation permit. Convenience retail commercial (“corner store” type development such as convenience stores, grocery or green grocer, video rental, drug stores, sit down restaurants, coffee shops or coffee bars or similar uses), less than 5,000 square feet in total square footage, with approval of a conditional use permit may also be appropriate. Mixed-use projects, which combine residential and commercial uses, are appropriate with approval of a Planned Unit Development.

HDR — High Density Residential (11-18 du/Acres)
Allows condominiums and townhomes, as well as apartments with the provision of common area amenities and open space. The clustering of condominiums and townhomes is appropriate with the provision of common area amenities and open space. Mobile home parks and subdivisions with the provision of common area amenities and open space may also be appropriate, with the approval of a conditional use permit. Home Occupations may be appropriate with approval of a Home Occupation permit.

MHP — Mobile Home Park (9-18 du/Acres)
The district applies to existing mobile home parks or subdivisions within the City. Only mobile parks and subdivisions are permitted. Home occupations may be appropriate with the approval of a conditional use permit. (Zoning Ord. dated 1/31/06, § 9102.01.)

2.2.k(2) Density
Residential growth areas and densities are among issues and policies addressed in the General Plan. Residential densities are specified for each residential land use designation, and the General Plan provides for a range of residential densities. Single-family detached housing densities for the Ranch/Agriculture, Ranch/Agricultural Residential — Hillside, Rural Residential, Rural Residential — Hillside, and Low Density Residential designations range from 1 du/10 acres to five dwellings per acre. The Medium Density designation allows for densities of 0 to 10 dwellings per acre addresses single- and multi-family housing, including duplexes, and zero lot line. Under the Medium Density designation the minimum lot size is 5,000 square feet unless the development is within a Specific Plan or Planned Residential Development. The High Density designation, includes, but is not limited
to condominiums, apartments, and other multi-unit buildings, allows densities ranging from 11 to 18 dwelling units per acre.

Zoning districts specify minimum lot size, permitted uses, conditional uses, building height and front, rear, and side yard setbacks. Zoning districts further the health, safety, and welfare of the residents. In addressing the minimum lot size, the zoning districts must be consistent with the densities of the General Plan. Single-family zoning districts have minimum lot sizes ranging from 6,000 square feet to 1 acre. Residential land zoned LDR has a minimum lot size of 7,000 square feet. Table III-64 defines the minimum lot size and density per acre for the various residential zoning districts.

Specific Plan districts allow for the use of special design criteria for maximum utility of the site and also allow for maximum design flexibility within density limitations. Techniques include clustering of units, or other unique lot orientation, layouts, and varying development standards. The Community Development Director makes recommendation to the Planning Commission, which later makes recommendation for approval, if funding can be made, to the City Council. Unless developed as a Specific Plan, residential densities may not exceed the densities allowed under the adopted zoning designation; however, individual lot size minimums may be altered depending on the proposed project. Specific Plan areas are allowed in all districts with a conditional use permit.

The City’s development standards are applicable to residential zoning districts. Development standards include, but are not limited to, building height, yard setbacks, lot area, site plan review, parking space requirements, and parkland requirements. These requirements were adopted through the public hearing process at City Council meetings and reflect the minimum standards thought necessary for protection of the public.

When a developer proposes a housing development, state law requires that the City provide incentives for the production of low-income housing. A density bonus agreement between the developer and City is used to set forth the incentives to be offered by the City and the requirements of the developer. The zoning code allows for the provision of a maximum bonus of 35 percent of density per acre.

### TABLE III-64
RESIDENTIAL ZONING CATEGORIES AND USEABLE DENSITY

<table>
<thead>
<tr>
<th>Zoning Category</th>
<th>Minimum Lot Size</th>
<th>Density Type</th>
<th>Density Per Acre</th>
</tr>
</thead>
<tbody>
<tr>
<td>R/A</td>
<td>10 Acre</td>
<td>Very Low</td>
<td>1 unit/10 acre</td>
</tr>
<tr>
<td>R/A-H</td>
<td>10 Acre</td>
<td>Very Low</td>
<td>1 unit/10 acre</td>
</tr>
<tr>
<td>RR</td>
<td>40,000</td>
<td>Very Low</td>
<td>0-1 units/acre</td>
</tr>
<tr>
<td>RR-H</td>
<td>40,000</td>
<td>Very Low</td>
<td>0-1 units/acre</td>
</tr>
<tr>
<td>VLDR</td>
<td>20,000</td>
<td>Very Low</td>
<td>0-2 units/acre</td>
</tr>
<tr>
<td>LDR</td>
<td>7,000</td>
<td>Low</td>
<td>0-5 units/acre</td>
</tr>
</tbody>
</table>

Community Development
III-166
<table>
<thead>
<tr>
<th>Type</th>
<th>Density</th>
<th>Density Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>MDR</td>
<td>6,000</td>
<td>Low / Medium</td>
</tr>
<tr>
<td>HDR</td>
<td>7,000</td>
<td>High</td>
</tr>
<tr>
<td>MMP</td>
<td>N/A</td>
<td>Medium / High</td>
</tr>
</tbody>
</table>

Source: Banning City Code, Sect. 17.08.010 B5-8
2.2.1. INFRASTRUCTURE AVAILABILITY

The City of Banning provides water and sewer services to all residential areas within the downtown area of the City. In addition, the City owns and operates wells, reservoirs, and a distribution line system to deliver domestic water. However, the City anticipates an increase in demand for sewer services with build out of the General Plan and abandonment of individual septic systems. The City of Banning provides sewage treatment service by treating effluent at the Banning Water Reclamation Plant located at 2242 East Charles Street. The City sewer system contains 15-inch and 24-inch trunk lines, which are located within major City public right-of-ways. The present plant has a design flow capacity of 3.6 million gallons per day (MGD).

The Banning Canyon is located in several drainage basins and floodplains on the valley floor, subjecting the area to floods and flash floods. The San Bernardino and San Jacinto Mountains within the Banning Canyon area are very steep and consist of rock that is fairly impermeable. Consequently, little infiltration of rainwater results in flows across the surface as runoffs and down the slopes as overland flows. These overland flows feed in fluvial streams in the drainage basins of the San Gorgonio Valley. Most of the identified 100-year flood plain is located in Banning Canyon area, which is not anticipated for residential development. This area has been designated as open space, due in part to its location in a flood plain, and in part to the natural habitat of the area. The vacant parcels identified in this element are not within this flood plain.

The Banning area is located at the boundary, formed by the San Andreas Fault, between the North American and Pacific plates. In addition several other faults are located within or near the City, including the Banning Fault, San Gorgonio Pass Fault Zone, San Jacinto Fault Zone, Garnet Hill Fault, Grady Ranch Fault, Missions Creek Fault, Beaumont Plain Fault Zone, and Cox Ranch Fault Zone. The City requires engineering reports to establish appropriate design standards and mitigation measures taken to alleviate these hazards. However, the necessity of these reports is offset by the need for public safety and welfare, and thus the City does not consider the reports a constraint to housing development. There are three remaining Williamson Act contracts in the Banning General Plan Study area, which encompass 3,500 acres. The areas under Williamson Act contracts are being phased out of the contracts due to urbanization, although residential land uses allow for agricultural and ranching activities.

2.2.m. NEW CONSTRUCTION NEEDS

The City of Banning falls under the jurisdiction of the Southern California Association of Governments (SCAG), with input from the Western Riverside Council of Governments (WRCOG). SCAG uses a predominately demographic formula to allocate the regional housing needs among the incorporated cities and unincorporated county. This process results in a Regional Housing Needs Assessment (RHNA) and the number reflected in that assessment must be considered when the housing element is prepared.

Historically, Councils of Government (COG’s) prepared RHNAs every five years according to a schedule prepared by the State. However, in 2004, the State legislature
extended the 3rd revision Housing Element Update Cycle one year. The current RHNA is for the January 1, 2006 to June 30, 2014 planning period.

SCAG housing needs figures are limited to new housing construction. That number is then allocated among income groups.

2.2.m(1) Income Group Goals

The purpose of the income group goals is to ensure that each jurisdiction within a COG attains its share of the state housing goal without any relative disproportionate distribution of household income groups. The following household income groups are defined according to the HUD Median Family Income (MFI) and Income Limits Table: Extremely Low Income (generally less than 30% of MFI); Very Low (generally less than 50 percent of MFI), Low (generally between 50-80 percent of MFI), Moderate (generally between 80-120 percent of MFI) and Above Moderate (greater than 120 percent of MFI).

2.2.m(2) Banning RHNA

The Southern California Association of Governments (SCAG) Regional Housing Needs Allocation for the period January 1, 2006 to June 30, 2014, allocated the number of units per income category as shown in Table III-65 below.

Construction needs are derived from SCAG population and household growth projections. The income group proportions are applied toward the identified construction need, which results in a goal for the number of housing units by income group within the City of Banning. For the period 2006 to 2014, the City of Banning was allocated a construction need of 3,841 new housing units. Construction need is annualized for each of the nine years of the planning period.
TABLE III-65
BANNING REGIONAL ALLOCATION (2008-2014)

<table>
<thead>
<tr>
<th>Income Group/Percent of Households</th>
<th>Construction Need</th>
<th>Typical Annual Construction Needs</th>
<th>2007 Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extremely Low -11.3%</td>
<td>436</td>
<td>55</td>
<td>0</td>
</tr>
<tr>
<td>Very Low - 11.4%</td>
<td>437</td>
<td>55</td>
<td>0</td>
</tr>
<tr>
<td>Low - 16.1%</td>
<td>618</td>
<td>77</td>
<td>0</td>
</tr>
<tr>
<td>Moderate - 18.4%</td>
<td>705</td>
<td>88</td>
<td>0</td>
</tr>
<tr>
<td>Above Moderate - 42.8%</td>
<td>1,645</td>
<td>206</td>
<td>14</td>
</tr>
<tr>
<td>Total</td>
<td>3,841</td>
<td>481</td>
<td>14</td>
</tr>
</tbody>
</table>

Source: 2006-2014 Regional Housing Allocation Plan, SCAG

2.2.n. RHNA SITES INVENTORY

In addressing the estimated housing needs identified in the Housing Needs Assessment section of this housing element, State law requires that this element contain “An inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment...” This inventory must identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of housing types for households of all income levels.

According to the State Department of Housing and Community Development’s “Housing Resources – Q&A,” - “The analysis of the relationship of suitable sites to zoning provides a means for determining the realistic number of dwelling units that could actually be constructed on those sites within the current planning period of the housing element. The analysis should also identify the zones the locality believes can accommodate its share of the regional housing needs for all income levels.”

As part of the 2008-2014 Housing Element update, an analysis of residential development potential in the City of Banning was performed in July of 2008 by Laurin Associates. Appendices D and E included at the end of this document provide detailed parcel specific lists of the available sites, including both approved (entitled) projects and available residentially zoned sites within the City, as well as accompanying illustrative location maps. The City is proposing to utilize a combination of approved but not yet built-projects, including Specific Plans, as well as vacant sites zoned for High Density, Medium Density, and Low Density. In addition, the Housing Plan includes programs to rezone vacant sites with approximately 45 acres to Very High Density Residential (20-30 units/acre) and also establish a Mixed Use Overlay District in the downtown commercial area allowing residential development at 16-30 units/acre. All of the included sites serve to demonstrate the City’s ability to meet the 2006-2014 RHNA goals.

Table III-66 provides a summary of the identified sites for the 2008-2014 City of Banning Housing Element. The RHNA inventory includes a total of approximately 2,587
acres of land currently either entitled for development or zoned for High Density (HDR), Medium Density (MDR), or Low Density Residential (LDR) uses in the City of Banning.

All of the available land has utilities, including sewer and water, available to the sites, or provisions exist within City policies to ensure that adequate infrastructure is provided to those sites as part of the development fee programs. None of the sites were noted to have any inhibiting conditions or restrictions. The combination of already entitled projects plus vacant and underutilized land provide sufficient capacity to accommodate the City’s share of regional housing need during the current planning period.

2.2.n(1) Approved Projects Inventory

Approved (entitled) residential projects (reference Appendix G), within the City of Banning would be able to accommodate a total of 7,967 dwelling units. The units are broken down as follows:

- 1,262 multi-family (high density) units on approximately 77 acres,
- 2,607 single-family or duplex Medium Density Residential dwelling units on approximately 420 acres,
- 30 acres (30 units) of Residential/Agriculture (R/A),
- Approximately 780 acres (1,036 units) of Very Low Density Residential (VLDR),
- Approximately 800 acres (3,032 units) of Low Density Residential single family units.

The overall approved project densities based on calculations made from project approvals are 1.3 DU/AC for Very Low Density, 3.8 DU/AC for Low Density, 6.2 DU/AC for Medium Density, and 16.3 DU/AC for High Density. Construction of these projects is subject to the vagaries of the market, but when builders are ready to proceed with their projects, the units can be built, subject to building permit approval.

2.2.n(2) RHNA Vacant Sites Inventory

The City of Banning utilizes General Plan and Zoning classifications systems that apply identical densities. For purposes of the 2006-2014 RHNA, land identified in Appendix H “RHNA Vacant Sites Inventory” consists of lands within the City zoned High Density Residential (HDR), Medium Density Residential (MDR) and Low Density Residential (LDR). Identified sites are predominately large, vacant parcels, with most sites in close proximity to already urbanized areas of the City, making them good candidates for development. In fact, a large percentage of the sites included are part of a large land holding under one ownership located in the southern portion of the City between Interstate 10 and the City limits.

The sites analysis is based on income and development patterns that have been projected based upon the needs for housing of various income levels and on emerging development patterns within the City of Banning (Table III-66).
<table>
<thead>
<tr>
<th>Zoning</th>
<th>RA</th>
<th>VLDR</th>
<th>LDR</th>
<th>MDR</th>
<th>HDR</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approved Acres</td>
<td>32.6</td>
<td>777.5</td>
<td>807.4</td>
<td>419.8</td>
<td>77.26</td>
<td>2,114.5</td>
</tr>
<tr>
<td>Expected Density</td>
<td>1</td>
<td>1.3</td>
<td>3.8</td>
<td>6.2</td>
<td>16.3</td>
<td>NA</td>
</tr>
<tr>
<td>Approved Units</td>
<td>30</td>
<td>1,036</td>
<td>3,032</td>
<td>2,607</td>
<td>1,262</td>
<td>7,967</td>
</tr>
<tr>
<td>Zoned Acres</td>
<td>NA</td>
<td>NA</td>
<td>137.23</td>
<td>222.35</td>
<td>113.30</td>
<td>472.87</td>
</tr>
<tr>
<td>Expected Density</td>
<td>NA</td>
<td>NA</td>
<td>1</td>
<td>5.1</td>
<td>11</td>
<td>N/A</td>
</tr>
<tr>
<td>Realistic Unit Capacity</td>
<td>NA</td>
<td>NA</td>
<td>137</td>
<td>1,134</td>
<td>1,246</td>
<td>2,517</td>
</tr>
</tbody>
</table>

Note: Expected Densities were used to estimate realistic development potential. The expected density is based upon historic development trends and local development practices, taking into account required on-site improvements such as streets, sidewalks, and open space (with an assumed 20% allowance for such improvements), based on a Unit/Net Acre standard.

Source: Laurin Associates Sites Survey, January 2008

2.2.n(3) Residential Units Built or Approved January 2006-June 2008

Table III-67 below illustrates a summary of units constructed within the City of Banning that are credited toward the 2008-2014 RHNA requirement. As illustrated in the table, 120 units were either built or approved during the years 2006, 2007, and 2008. The 71 single family residences were targeted for the moderate and above moderate income categories.
TABLE III-67  
BUILT/APPROVED UNITS FOR 2008-2014 RHNA PERIOD

<table>
<thead>
<tr>
<th>Year</th>
<th>Single-Family Permits</th>
<th>Multi-Family Permits</th>
<th>Multi-Family Units</th>
<th>Affordable</th>
<th>Single-Family Target Income # Units</th>
<th>Total Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006</td>
<td>40</td>
<td>0</td>
<td>0</td>
<td>No</td>
<td>0</td>
<td>40</td>
</tr>
<tr>
<td>2007</td>
<td>31</td>
<td>0</td>
<td>0</td>
<td>No</td>
<td>0</td>
<td>31</td>
</tr>
<tr>
<td>2008 (January 1 - July 31)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>No</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Units Counted Toward 2006-2014</td>
<td>71</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>71</td>
<td></td>
</tr>
</tbody>
</table>

2.2n(4) Second Units

With the cost of land increasing and the availability of vacant land decreasing, the construction of second units within the City of Banning may become a viable method in which to provide housing affordable to low- and moderate-income households. Furthermore, as outlined in Section 2.2.d, rental vacancies are low within the City of Banning; therefore, the market for rental housing should be strong. According to City building permit records, a total of five (5) second dwelling units were constructed in the City of Banning during the period 2000-2008. The City anticipates that an additional five (5) second units will be constructed during this Housing Element period (2008-2014).

Second units are currently a conditionally allowed use within all residential zoning districts, and are subject to Planning Commission review. However, with the changes enacted by AB 1866 (Chapter 1062, Statutes of 2002), and the increased cost of housing and the lack of available housing to low and moderate income households, the City of Banning will re-examine these preclusions and adopt a new Second Unit Ordinance that satisfies the provisions found under the amended Section 65852.2 which requires that second units be ministerially reviewed and approved.
2.2.n(5) Land Suitability and Zoning to Accommodate Housing for Lower Income Households

According to HCD requirements, development densities identified in the inventory must be sufficient to encourage and facilitate the development of housing affordable to lower income households (Section 65583.2)(A) and (B). The City of Banning does not meet the State of California “default” density standards; therefore, the City is providing an alternative analysis based on the acceptable model identified by HCD. Although the City’s analysis demonstrates that current permitted densities (minimum of 11 units per acre and maximum of 18 units per acre) are adequate to provide affordable housing opportunities to serve lower income households, programs have been included in the Housing Plan (Chapter 4) to rezone vacant sites to a new Very High Density Residential district allowing 20-30 units/acre and also establishing a Mixed Use Commercial Overlay in the downtown area.

The analysis is broken down into the following components. Each component is discussed below.

- A history of affordable development in the community;
- Financial feasibility of projects serving lower income households;
- Incentives provided by the City that will serve to encourage and facilitate the development of affordable housing projects.

Historical Trends

Two tax credit projects were developed in Banning in 2002. Both projects are high density projects, located in the High Density Residential (HDR) district at a site built density of 11.5 units per acre. Both the Peppertree Apartments, located at 426 East Nicolet Street, and the Summit Ridge Apartments, located at 555 North Hathaway Drive utilize Low Income Housing Tax Credits (LIHTC), and provide 162 units of affordable housing serving residents in the 40% to 60% income range.

Historically, HDR sites in Banning, under the provisions in the existing General Plan and Zoning Ordinance will accommodate affordable housing for lower income households.

The Table below provides home sales price comparison among Riverside County, Banning, and its neighboring city of Beaumont. Based on the home sales price, Banning has a lower home sale price which concluded that it is more affordable for low income population.

<table>
<thead>
<tr>
<th>County/City/Area</th>
<th># Sold</th>
<th>Jan 2013</th>
<th>Jan 2012</th>
<th>% Change Yr-to-Yr</th>
</tr>
</thead>
<tbody>
<tr>
<td>Riverside County</td>
<td>2,886</td>
<td>$227,000</td>
<td>$180,500</td>
<td>25.76%</td>
</tr>
</tbody>
</table>

Community Development
III-175
As with many cities, within the City of Banning, the (HDR, High Density Residential District is best suited for the construction of housing affordable to extremely low income, very low income, and low income households. The identified high density sites have the greatest potential to accommodate housing affordable to lower income households, not to mention lower per unit fees and any lower per unit construction costs that may be realized.

Several large parcels have been identified in the RHNA inventory of vacant land that are well suited to the development of affordable housing. Parcels 53-080-004 (55.80 acres), 537-100-003 (41.31 acres) and 537-110-008 (15.24 acres) are zoned HDR and are unencumbered and ripe for development. The City expects that the large parcels will be attractive to developers because of increased flexibility for different types of residential. Once a developer acquires the property, they have the ability to create smaller parcels by filing a tentative parcel map or subdivision map with the City. The developer is able to create the parcel size best suited to his development project, while maintaining ownership of the remainder either for future projects, as investment property, or they may choose to sell off portions. Contrary to large parcels constituting a deterrent to the development of affordable housing, large parcel sizes become an opportunity and are attractive for such projects.

According to information provided by the development community, a five (5) acre parcel is an ideal size to accommodate an affordable project at an approximate density of 15 units per acre. Given the remainder of the City's development framework, an affordable project, assuming a five acre site, and a development density of 15 units per acre, is feasible.

Development of five (5) to (10) acre affordable projects is not without precedent in Banning or in Riverside County. The Palm Desert Development Company (PDDC) has been highly successful developing such projects in the region. Palm Desert currently operates twelve (12) multi-family tax credit projects in cities throughout Riverside County, including projects in the communities of Indio, Coachella, Palm Desert, Moreno Valley, and other locations in the Inland Empire.

According to the Riverside County General Plan, large lot sizes can provide opportunities for a mix of housing types, including affordable housing. The General Plan identifies High Density Residential (HDR) as a land use designation allowing detached, small lot single family and attached single family homes, patio homes, zero lot line homes, multi-family apartments, duplexes, and townhouses. The General plan also notes opportunities for clustered development in this land use category. The density range is 8.0 to 14.0 dwelling units per acre, quite similar to the densities permitted in the City of Banning.
Financial Feasibility

According to a proforma provided by PDDC, developing affordable housing projects in the City of Banning under the current development framework is financially feasible. Palm Desert has a demonstrated ability to successfully develop an affordable project at a density threshold that is much lower than the default density would suggest. PDDC has indicated that for the Inland Empire, a 15 unit per-acre density is most conducive for the construction of affordable projects. Remaining development assumptions used by Palm Desert include the following:

- 5 acre site zoned at 15 units acre density
- Tax Credit Equity project with 15% participation by the Banning Redevelopment Agency
- Conventional Loan terms for permanent financing
- Land costs of $300,000 per acre
- Rents in the 30% to 60% of AMI range
- A 2-story garden style apartment project with a 2-3 bedroom mix

Attached as Appendix I to this Housing Element is a proforma provided by PDDC illustrating a sample affordable project in Banning. Subject to City funding participation, likely Redevelopment Agency participation, or another source of public dollars, and subject to the award of tax credits, an affordable project can reasonably be developed in the HDR, High Density Residential district.

Incentives

The City currently provides comprehensive development assistance, to the development community, including the services of the Land Development Task Force (LDTF) process, and concurrent application processing. However, to further demonstrate the City’s commitment to encouraging the development of affordable projects, several Action Programs are included in Chapter 4 of this Housing Element that will serve to further encourage and facilitate the development of affordable housing, primarily through financial incentives and other assistance offered by the City and/or the Redevelopment Agency. Incentive programs are as follows:

- Action Program 5 under Objective 3- City staff assistance with the application process.
- Action Program 1-6 For SRO projects targeting extremely low income persons, the City will consider reducing or waiving application and processing fees.
- Action Program 3-6- The City will offer a reduced off-street parking requirement for projects targeting extremely low income households.
- Action Program 5-3- For affordable projects with built in affordability levels, the City will offer deferral of fees, or fee reductions, up to and...
including fee waivers, on a case-by-case basis, depending on the level of affordability.

- Action Program 6 under Objective 5- City financial participation for projects offering a minimum number of units affordable to lower income households, on a case-by-case basis.
- Action Program 5-4- The City will adopt a Mixed Use Overlay district with an allowable density of 16-30 UPA.
- Action Program 5-5- City shall adopt as a priority the installation of infrastructure upgrades in the downtown (MU) to facilitate the development of housing, including affordable housing.
- Action Program 5-6- The City shall offer Redevelopment agency funded financial assistance for affordable residential projects in the MU district
- Action Program 5-7- The City shall seek to establish partnerships with builders to construct affordable multiple-family residential projects; the City will establish agency funding participation guidelines.

2.2.n(6) Downtown Mixed Use Zoning

The Community Development Chapter of the General Plan, Goal 2, Policy 7, identifies principles, standards, and guidelines for high quality, high density mixed use residential development in the Downtown Commercial zoning designation. According to the General Plan, the Downtown Commercial district contains a total of 92.3 acres of land, 81 acres developed as of 2006 (date of General Plan approval), and 11.3 acres vacant. The Downtown Commercial District is located on Ramsay Street, between 8th Street and Hargrave Street on the west and east, by Interstate 10 on the south, and by Williams and Nicolet on the North. The area makes up the City’s historical core district, with office, small retail, entertainment and restaurant uses. According to the General Plan, the City encourages, mixed use residential land uses, in combination with commercial businesses in the historical downtown core. Other allowed and desired uses in the downtown core include bed and breakfast inns, and hotels/motels.

As part of the Housing Plan, the City has included a program to adopt an overlay Mixed Use zoning designation to be used in conjunction with the Downtown Commercial zoning designation, allowing for the development of residential with a minimum density of 16 UPA and a maximum density of 30 units per acre (UPA). Increased densities would be possible by applying the City's density bonus program. No residential densities are currently identified for the Downtown Commercial district in the Banning Zoning Ordinance, so a minimum density of 16 UPA will increase the allowed density by 100%.

The City is including as part of this Housing Element, incentive programs that will encourage the revitalization of the Downtown Commercial district by providing City funding programs supplementing private investment to increase the viability of mixed use projects.

2.2.n(7) Remaining Residential Need for 2006-2014 RHNA Period
As identified in Table III-68, the existing need for the 2006-2014 RHNA period has been adjusted by units already developed between 2006-2008, and includes the total number of residential units currently proposed or under construction at the time of the drafting of this Housing Element, as well as an accounting of the realistic development capacity of vacant sites. The realistic development capacity calculations utilize one (1) unit per acre for Low Density (LDR) and 11 units per acre for the High Density (HDR), lower than the actual mean densities for approved projects of 3.8 units per acre (LDR) and 16.3 units per acre (HDR).

**TABLE III-68**

**RHNA ACHIEVEMENT STATUS AND REMAINING NEEDS FOR THIS RHNA PERIOD (JANUARY 2006-JUNE 2014)**

<table>
<thead>
<tr>
<th>Income Category</th>
<th>Lower</th>
<th>Mod</th>
<th>Above Mod</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vacant parcels – Low Density Residential</td>
<td></td>
<td></td>
<td>137</td>
<td>137</td>
</tr>
<tr>
<td>Vacant parcels – Medium Density Residential</td>
<td>1,134</td>
<td></td>
<td></td>
<td>1,134</td>
</tr>
<tr>
<td>Vacant parcels – High Density Residential</td>
<td>1,246</td>
<td></td>
<td></td>
<td>1,246</td>
</tr>
<tr>
<td>Potential second units</td>
<td></td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>Subtotal – existing capacity</td>
<td>5</td>
<td>2,380</td>
<td>137</td>
<td>2,522</td>
</tr>
<tr>
<td>Sites to be Rezoned (Table B-4)</td>
<td>1,149</td>
<td></td>
<td></td>
<td>1,149</td>
</tr>
<tr>
<td>Downtown Overlay Sites (Table B-5)</td>
<td>568</td>
<td></td>
<td></td>
<td>568</td>
</tr>
<tr>
<td>Total land inventory</td>
<td>1,722</td>
<td>2,380</td>
<td>137</td>
<td>4,239</td>
</tr>
<tr>
<td>RHNA (net 2006-2014)</td>
<td>1,491</td>
<td>656</td>
<td>1,574</td>
<td>3,721</td>
</tr>
</tbody>
</table>

Adequate Sites? Yes Yes Yes* Yes

*Reflects excess moderate sites

---

2.2.4(n) Conclusion

Based upon approved, entitled residential development, and anticipated residential construction projects on properly zoned vacant land, and sites to be rezoned, the City’s inventory of sites will exceed its Regional Housing Needs Allocation for all income categories.

An analysis of the Zoning Ordinance indicates there are no undue constraints to the development of projects designed to serve the needs of lower income families,
including lot coverage, setback, or other site development standards. The allowed height in the HDR zone is 4 stories or 60 feet, sufficient to accommodate densities yielding projects suitable to lower income households. The sample development proforma provided by Palm Desert Development Company supports the City’s position that Banning’s current General Plan and Zoning allow densities suited to affordable development. Incentives proposed by the City as part of this Housing Element will encourage future affordable development in the City. Finally, the City’s desire, and accompanying commitment to adopt an overlay zone in the Downtown Commercial District will provide additional opportunity for high density residential units as part of mixed use projects.
CHAPTER 3.0

HOUSING NEEDS, ISSUES, AND TRENDS

3.1 STATE ISSUES AND POLICIES

On January 1, 2007, the State Legislature amended Article 10.6, reauthorizing the Government Code regarding Housing Elements, first enacted in 1980. By reauthorizing this statute, the legislature continues to find that "the availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every California family is a priority of the highest order. The early attainment of this goal requires the cooperative participation of government and the private sector in an effort to expand housing opportunities and accommodate the housing needs of Californians of all economic levels. Local and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community..."

A May 22, 2000 update to the statewide (1996-2000) Housing Plan indicates that California may have to accommodate 45 million people by 2020. To meet the enormous needs for housing and other services, the State will have to use all the resources at its disposal.

The five-year housing strategy is intended for the utilization of federal resources toward housing needs in the State. Three broad objectives are identified for the use of federal funds:

- Meeting low-income renters needs
- Meeting low-income homeowners needs
- Meeting the needs of homeless persons and households requiring supportive services

Within the five year strategy is a sub-list of strategies that are intended to address housing as a statewide concern:

- Development of New Housing (assisting local governments in preparing and implementing housing elements of their general plan, expedited permit processing for affordable housing, funding resources, and fostering partnerships between housing providers).

- Preservation of Existing Housing and Neighborhoods (rehabilitation of existing homes, code enforcement, preserving government-assisted housing projects, and mobile home ownership).

- Reduction of Housing Costs (development on surplus and under-utilized land, self-help construction and rehabilitation programs, tax-exempt bonds for development and rehabilitation financing and modular homes, eliminating duplicative environmental review procedures, and revising regulations that add to the cost of housing development).
Much higher levels of housing construction are needed to adequately house the State's population.

High housing cost burdens are increasingly an issue for both owners and renters. The combination of upward price pressure in the housing markets and relatively tight urban housing markets has led to increasing cost burdens, particularly for low-income renter residents.

In some portions of the State, the level of overcrowding has dramatically increased.

A substantial portion of affordable rental housing developments statewide are at risk of conversion to market rate use.

Significant numbers of temporary agricultural workers migrate throughout the State, facing housing challenges that impact their welfare.

Homeless individuals and households face significant difficulties in obtaining shelter and reintegrating themselves into the broader society.

3.2. **TRENDS**

The following is a summary of housing trends in Banning:

Over the last Housing Element period, the Banning Housing Program was effective in establishing a dialogue and setting goals toward meeting the Regional Housing Needs Assessment (RHNA) goals for new construction. There were two projects, Peppertree Apartments and Summit Ridge Apartments, that were approved for tax credits in 2002.

Six key household trends impacting Banning's housing stock and the development of new housing are:

- Prior to 2006, a continuing increase in the cost of housing in the region.
- A continuing demand for subsidized rental units.
- A continued demand for housing for homeless persons and those threatened with homelessness.
- A. increased demand for large family multifamily units.
- A tight supply of appropriately zoned vacant land.
- Increased difficulties realizing the potential for redevelopment opportunities.

According to the 2008 determination, 15.9 percent of Banning's housing needs some level of repair.

One rental project, the Westview Terrace Apartments, is considered "at-risk" of converting to market rate over the next ten years. This project is at low risk of being sold out of the affordable program. The City of Banning Redevelopment Agency entered into and Owner Participation Agreement on March 22, 2011 with Banning Leased Housing Partnerships I and provided $500,000.00 funding in exchange for the purchase of affordable covenants.
3.3. **POLICY GOALS**

The goals, objectives, and programs of the 2008-2014 City of Banning Housing Element focused on maintaining housing affordability, increasing the supply of housing for moderate and above moderate income groups, and meeting the needs of special needs populations. The current update continues to address these issues.

The objectives in this update will be quantified to meet the RHNA for the City, as prescribed by the Southern California Association of Governments (SCAG).

The City of Banning’s housing goals are as follows:

1. Provide adequate housing in the City by location, price, type and tenure, especially for those with low and moderate income and households with special needs.

2. Achieve balanced growth in the City by designating the suitable sites for residential development.

3. Conserve and improve the condition of the existing affordable housing stock within the City.

4. Reduce residential energy usage within the City, thereby reducing overall housing costs.

5. Promote and support equal housing opportunity for all residents of the City regardless of race, color, national origin, ancestry, religion, marital status, familial status, sex or disability.

6. Facilitate the maintenance, improvement, and development of housing commensurate with local needs.

7. Support the provision of adequate housing to meet the needs of all economic segments of the community.
3.4. **QUANTIFIED OBJECTIVES**

The quantified objectives of this Housing Element for new construction, rehabilitation and conservation are included below:

**TABLE III-75**

<table>
<thead>
<tr>
<th>Income Groups</th>
<th>New Construction</th>
<th>Rehabilitation</th>
<th>Conservation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extremely Low-Income</td>
<td>436</td>
<td>2</td>
<td>26</td>
</tr>
<tr>
<td>Very Low Income</td>
<td>437</td>
<td>3</td>
<td>9</td>
</tr>
<tr>
<td>Low-Income</td>
<td>618</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Moderate-Income</td>
<td>705</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Above-Moderate Income</td>
<td>1,645</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>3,841</td>
<td>24</td>
<td>35</td>
</tr>
</tbody>
</table>
4.0 **HOUSING PROGRAM (revised 3/18/2013)**

The purpose of this section is to formulate a set of Housing Element Action Programs that will guide the City of Banning and all of its housing stakeholders toward the preservation, improvement and development of housing for all economic levels. The City intends to create a municipal climate that encourages varied and quality affordable housing developments by both the public and private sectors.

The City has identified housing action programs to meet the housing needs of all economic segments of the population during the 2008-2014 Housing Element period. Action Programs will establish specific time frames for achieving adopted goals, and objectives. Department/agency responsibility and funding source is also indicated. The policies and programs adopted by the City relate to four strategies:

- Provide housing opportunities for all segments of the community to meet current and future needs.

- Maintain and improve the quality of the existing housing stock and preserve existing residential neighborhoods.

- Ensure that new housing is compatible with existing development and the natural environment.

- Promote equal housing opportunities for all Banning residents.

4.1 **GOALS, OBJECTIVES, POLICIES AND ACTION PROGRAMS**

4.1.a. **GOALS**

The housing goals for the 2008-2014 Housing Element are as follows:

1. Provide adequate housing in the City by location, price, type, and tenure, especially for those of low and moderate income and households with special needs.

2. Achieve balanced growth in the City by designating suitable sites for residential development.

3. Conserve and improve the condition of the existing affordable housing stock within the City.

4. Reduce residential energy usage within the City and thereby reduce overall housing costs.

5. Promote and support equal housing opportunity for all residents of the City, regardless of race, religion, marital status, age, sex, nationality, physical disabilities, family size, source of income, or other arbitrary factor.
6. Facilitate the maintenance, improvement, and development of housing commensurate with local needs.

7. Support the provision of adequate housing to meet the needs of all economic segments of the community.

4.1.b OBJECTIVES, POLICIES, AND ACTION PROGRAMS

Objective 1: HOUSING OPPORTUNITIES AND ACCESSIBILITY

The City will encourage the construction of new housing units that offer a wide range of housing types to ensure that an adequate supply is available to meet existing and future needs for all income groups including extremely low income. The provision of a balanced inventory of housing in terms of unit type (e.g., single-family, multifamily, etc.), style, and affordability levels will allow the City to fulfill a variety of housing needs.

Policies

1. Provide a wide range of housing types to meet the existing and future needs of the residents of the City of Banning.

2. Encourage alternative opportunities for, and development of, housing units affordable to all residents within the City.

3. Encourage the development of housing and programs to assist special needs persons, including emergency shelters, transitional housing, and SRO units.

4. Provide the opportunity for affordable housing in every part of the City.

5. Provide homeownership opportunities whenever possible.

Action Programs in Support of Objective 1: Housing Opportunities and Accessibility

1. **Program:** The City shall amend the Zoning Ordinance to define Transitional and Supportive Housing in accordance with the Health and Safety Code, Sections 50675.14 and 50675.2, and also specify that both types of housing shall be treated as residential uses of property, subject to the same restrictions/regulations as other types of housing in the same zoning district.

**Anticipated Benefit:** Increased opportunities to develop both types of housing, thereby increasing homeless services and supportive capabilities in the community for those transitioning from homelessness to self sufficiency.

**Responsible Agency:** Community Development Department, Planning Commission, & City Council.
Financing: Department Budget.

Schedule: Zoning Ordinance Amendment to be completed by August, 2013

Program: In order to provide a wider variety of residential development opportunities in Banning for households of all income levels, in accordance with the Regional Housing Needs Assessment, zoning amendments will be initiated to redesignate sites totaling at least 45.97 acres, as shown in Appendix H Table X-5, to Very High Density Residential. Rezoned sites will allow owner- and renter-occupied multi-family residential development by-right at a minimum density of 20 units/acre and a maximum density of 30 units/acre and sites shall accommodate at least 16 units per site. At least 50% of the capacity of rezoned sites shall be provided on sites allowing exclusively residential use.

Anticipated Benefit: Rezoned sites will ensure that adequate capacity is available to accommodate the City's affordable housing needs, including lower income (and extremely low-income) households as identified in the Regional Housing Needs Assessment for the current planning period.

Responsible Agency: Community Development Department, Planning Commission, & City Council.

Financing: Department Budget.

Schedule: Initiation of zoning amendments by June 2013.

3. Action Program: Continue to update elements of the General Plan, as needed.

Anticipated Benefit: Assurance that land is designated for residential development needs through 2014.

Responsible Agency: Banning Community Development Department.

Financing: CDBG Planning and Technical Assistance Grant and General Fund.

Schedule: As per State law thereafter.

4. Action Program: The Share Housing programs operated by Riverside County assist low-income individuals, including seniors and farmworkers, to locate roommates to share existing housing in the community; the majority of the program's applicants are senior citizens. Services offered include information and referral, outreach, client counseling, placement
and follow-up. Shared housing provides an affordable housing alternative for many single-person households. The City will publicize the program on the City website and also by producing a flyer to be placed at the front counter.

**Anticipated Benefit:** Affords additional options and availability of affordable housing to residents in the City that may otherwise be forced to overpay for housing.

**Responsible Agency:** Community Development Department, , and Riverside County Staff.

**Financing:** Riverside County.

**Schedule:** First public notice produced by July, 2009; Continuous and On-going through 2014.

5. **Action Program:** Coordinate with homeless service providers and law enforcement agencies in the City of Banning and Riverside County to monitor the number of homeless persons residing in Banning, and facilitate finding housing for those in need of shelter. The City will fund an active public relations campaign (community flyers and website postings) to actively market the City’s programs (see Program 1-5 below).

**Anticipated Benefit:** Will promote the awareness and availability of services for homeless persons, therefore, decreasing the number of persons without shelter.

**Responsible Agency:** Community Development Department, and Planning Commission.

**Financing:** General Fund Budget.

**Schedule:** First public notice and mailer due by July 2009, Annual campaign thereafter through 2014.

6. **Action Program:** The City Zoning Ordinance currently permits Single Room Occupancy hotels (SRO’s) in the GC and HSC Commercial zoning designations.

To further demonstrate the City’s commitment to housing opportunities, particularly for those in the extremely low income (ELI) category, Single Room Occupancy (SRO’s) developments shall be encouraged and facilitated through identification of potential locations and through city assistance with grant writing for the development of SRO projects. The City shall prepare and maintain a map of suitable sites to be kept on file in the Community Development Department to facilitate developers in finding suitable sites for
such projects. In accordance with Program 5-4, projects, including SRO’s targeted to extremely low income households, will be eligible for a reduction or waiver of City of Banning application and processing fees.

**Anticipated Benefit:** Increased affordable housing opportunities for extremely low income persons.

**Responsible Agency:** Community Development Department.

**Financing:** Community Development Department budget.

**Schedule:** Creation of map by December 2009, annual updates thereafter, through 2014.

7. **Action Program:** Establish a Homeownership Education Program (HEP) for prospective homebuyers as well as for renters (potential future purchasers). This educational program will assist those considering purchasing a home in understanding the process and helping them decide if the timing is right to make a home purchase.

**Anticipated Benefit:** By offering education about the home buying process, eliminating myths, and providing clear, factual information, the City will help insulate itself and prospective home buyers, as well as renters, from default, or other financial difficulties in the long term.

**Responsible Agency:** Community Development Department.

**Financing:** Community Development Department budget.

**Schedule:** Program and procedures identified by July 2010, and Ongoing thereafter, 2008-2014.

8. **Action Program:** Create incentives and reporting procedures that can be implemented to encourage and monitor the development of housing opportunities for special needs housing.

**Anticipated Benefit:** Will better streamline policies and procedures, thus making development of special needs housing more accessible.

**Responsible Agency:** Building Official, Community Development Department.

**Financing:** Community Development Department Budget.

**Schedule:** Procedures identified by July 2010, and Ongoing thereafter, 2008-2014.
9. **Action Program:** The City will actively work with interested developers to identify sources of funding for affordable multifamily housing, including: tax-exempt mortgage revenue bonds; HOME funds; HCD's Multifamily Housing Program; and tax credits. Affordable housing projects shall include projects to address the needs of large families in Banning. The City shall offer assistance to developers for projects that include units for large families, including new construction and room additions. In addition, the City shall provide letters of support for funding applications to further increase the chances for funding awards.

**Anticipated Benefit:** Increased opportunity for the development of affordable multi-family projects in the City.

**Responsible Agency:** Community Development Department.

**Financing:** County and State of California funding sources.

**Schedule:** A list of available funding sources shall be generated by the Planning Department and updated on an annual basis. The list shall be completed by July 2013 and be made available continuously on the City's web site.

10. **Action Program:** Riverside County has two programs to assist qualified families to purchase a home: First-Time Home Buyer Program and the Mortgage Credit Certificate program. The City will assist potential homeowners identified under the HEP program, and provide them with the information to access the County's programs.

**Anticipated Benefit:** Increased opportunity for the development of affordable rental and for-sale single family housing.

**Responsible Agency:** Community Development Department, and Riverside County.

**Financing:** State Bond funds administered by the County.

**Schedule:** Continuous and On-going, 2008-2014.

11. **Action Program:** The County of Riverside has initiated a Mortgage Credit Certificate Program for first time homebuyers. The City will continue to promote potential first time homebuyers to the County for approval, with the goal of funding 10 First Time Homebuyer applications per year, for a total of 60 during the housing element period. Additionally, the City will assist applicants with filling out the applications or other technical assistance.

**Responsible Agency:** Riverside County Staff, Community Development Department.
Financing: Department Budget.

Schedule: Continuous and On-going.

12. Action Program: To ensure that the City building codes, and development ordinances comply with the provisions of SB 520 (Chapter 671 of the Government Code), the City will the revise the zoning ordinance to allow by right State licensed group homes, foster homes, residential care facilities, and similar state-licensed facilities in a residential zoning district, pursuant to state and federal law.

Anticipated Impact: Provision of foster homes, residential care facilities, and similar facilities.

Responsible Agency: Community Development Department, including Building Inspection Division.

Financing: Department Budget.

Schedule: Zoning Ordinance revision to occur by July 2009, annually thereafter through 2014.

13. Action Program: To better assess the need for farm worker housing, the City will determine, in partnership with farm owners and labor providers, the number of farm workers who may be in need of housing in the area surrounding Banning. The City will identify sites suitable for farm worker housing.

Anticipated Benefit: The City, in conjunction with local developers will identify potential sites and/or provide or seek financial assistance to prospective developers of housing for farm labor through the Joe Serna Farm worker Grant Program and other state programs.

Responsible Agency: Community Development Department, Planning Commission, and City Council.

Financing: General Fund Budget.


14. Action Program: Revise the City's Zoning Ordinance to ensure compliance with Employee Labor Housing Act, specifically H & S 17021.5 and 17021.6. Employee housing for six or fewer persons shall be considered a residential use of property.
Responsible Agency: Community Development Department, and Planning Commission.

Financing: Department Budget.

Schedule: Zoning Ordinance revisions to be completed by December 2010.

15. Action Program: Continue to use zoning and other land use controls to ensure the compatibility of residential areas with surrounding commercial and other non-residential uses.

Anticipated Benefit: Creation and maintenance of desirable living areas for all.

Responsible Agency: Community Development Department.

Financing: Department budget.

Schedule: Current and ongoing through 2014.

16. Action Program: Monitor the availability of vouchers and the waiting list for assistance under the Riverside County Housing Authority (RCHA) to meet the growing demand for public housing units and rental assistance. The City will continue to assist the authority by promoting the program with fliers and applications at City Hall, along with program information on the City's website.

Anticipated Benefit: Increased awareness of benefits to the program to increase opportunities for lower income housing, including extremely low-income.

Responsible Agency: Riverside County Housing Authority and Community Development Department.

Financing: HUD.

Schedule: Continuous and On-going 2008-2014.

17. Action Program: Adopt procedures as part an update to the Zoning Ordinance to provide reasonable accommodation for persons with disabilities that allow for administrative approval of handicapped accessible features.

Anticipated Benefit: Specified procedure that clearly outlines the handling of requests for reasonable accommodation in housing for persons with disabilities.
Responsible Agency: Community Development Department, Planning Commission, and City Council.

Financing: City General Fund

Schedule: A Reasonable Accommodation Ordinance was adopted by the City Council on March 12, 2013.

18. (The previous Program 18 is now covered under Program 2 above)

19. Action Program: The City will provide technical assistance to property owners and developers in support of lot consolidation including identifying opportunities for potential consolidation and providing available funding and incentives to encourage consolidation of parcels as appropriate. For example, the Planning Department will utilize design, development, impact fee, processing and streamlining incentives, such as reduction in setbacks, parking requirements, and other standards, deferral or lowering of development fees if feasible to encourage densities, residential uses and lot consolidation, and to promote more intense residential development in the Downtown Specific Plan area. Information on these financial and regulatory incentives will be made available at City Hall.

Anticipated Benefit: Promote development of one mixed use project for lower and moderate-income households

Responsible Agency: Community Development Department

Financing: City General Fund, Tax Credits, HOME funds, CDBG, CHFA funds, HUD, Local Lenders

Schedule: Ongoing 2008-2014; Sites will be made available during the 2008-2014 planning period.

Schedule: Ongoing 2008-2014
Objective 2: MAINTENANCE AND PRESERVATION

The objective of housing maintenance and preservation is to protect the existing and investment in housing and to avoid a degree of physical decline that will require a larger rehabilitation effort to restore quality and value. The housing conditions survey identified concentrated districts of deferred housing maintenance in the City’s Central Core and East Banning in particular. Housing rehabilitation efforts will continue to be focused in these areas to facilitate unit upgrading.

Policies:

1. Correct housing deficiencies with expansion of a residential rehabilitation program to preserve and protect the existing housing throughout the City. Promote the substantial rehabilitation of deteriorated dwellings on an average annual rate of four (4) units per year (2 low income, 1 very low income and 1 extremely low income), or 24 units by 2014.

2. To bring substandard housing units into compliance with City codes and upgrade/revitalize blighted neighborhoods. The programs shall target units at extremely low, very low, and low-incomes.

3. Continue to use available state and federal funds for housing rehabilitation, in a manner that will benefit the largest number of lower income households, including extremely low income.

4. Allow utilization of rehabilitation assistance funds to alleviate overcrowded conditions.

5. Encourage the rehabilitation of substandard dwelling units instead of requiring their demolition, whenever possible, to preserve the existing affordable housing stock.

6. Utilize the neighborhood enhancement capabilities of the City to ensure that landlords renting unsanitary and unsafe housing units correct identified code violations.

7. Encourage continued maintenance of currently sound housing through a local information and assistance program.

8. Ensure that all new housing units constructed in the City are safe and livable through vigorous enforcement of the Uniform Building Code.

9. Minimize and prevent where possible the displacement of residents due to City assisted rehabilitation activities.

10. Preserve the physical character of existing neighborhoods.

Action Programs in Support of Objective 2: Maintenance and Preservation
1. **Action Program:** The City will continue to pursue grant programs, such as HOME and CDBG for the rehabilitation of lower income, including extremely low income owner/renter occupied housing units in Banning. The City is committed to prioritizing funding as it becomes available to target projects benefitting extremely-low-income households. In accordance with the limitations outlined in Program 5-4, projects may be eligible for the deferral and/or waiver of Banning application and processing fees.

**Anticipated Benefit:** More efficient and productive use of land zoned for residential purposes.

**Responsible Agency:** Banning Community Development Department.

**Financing:** Department of Housing and Urban Development (HUD), via County of Riverside Consortium.

**Schedule:** Continuous and ongoing, 2008-2014.

2. **Action Program:** The Riverside County Community Development Department administers a Home Improvement Program to provide loans to eligible lower income families for necessary home repair and rehabilitation work, including room additions to alleviate overcrowding. The City will continue utilizing a public notification program to publicize assistance offered by the County. The program consists of flyers available at the City Planning counter, a bi-annual mailer, and a notice on the City’s website.

**Anticipated Benefit:** Improved awareness of and participation in the County program.

**Responsible Agency:** Community Development Department, on behalf of Riverside County.

**Financing:** Community Development Department budget.

**Schedule:** Continuous and On-going, 2008-2014.

3. **Action Program:** The Banning Redevelopment Agency has established the Housing Exterior Rehabilitation Assistance Program (ERA), funded with Redevelopment Agency set-aside funds. The current program assists households with minor rehabilitation activities, mostly exterior improvements, paint, and windows. The City will expand the ERA program to include substantial rehabilitation work, including but not limited to, roof repair, foundation repair, electrical upgrades, and major appliances. The program will also be expanded to include energy efficiency improvements (see Program 4-3). Delete program?
Anticipated Benefit: To increase the number of rehabilitated dwellings to maintain housing stock affordable to lower income families, including extremely low income, preventing the displacement of residents from their homes. The target is four (4) projects per year.

Responsible Agency: Redevelopment Agency.

Financing: Redevelopment Agency 20 percent Set-Aside Funds.

Schedule: Program guidelines to be established by July, 2009; continuous thereafter, throughout Housing Element period, 2008-2014.

4. Action Program: The City will identify potential code violations on a proactive basis, utilize property maintenance inspections, and also work with property owners to resolve code and property maintenance issues to maintain the quality of housing units in the City. The City has brought Code Enforcement and Building Inspection staff under one department, and engaged in a cross-training effort to more actively and efficiently address code violations and also to improve communication, and facilitate the flow of funding to properties in need of improvement.

Anticipated Benefit: Decrease the number of unresolved code violations within the City and increase the number of improved properties.

Responsible Agency: Code Enforcement, and Building Inspection, and Banning Redevelopment Agency Staff.

Financing: Community Development Department Budget.

Schedule: Cross training established by July, 2009; On-going thereafter through Housing Element period, 2008-2014.

5. Action Program: The City shall pursue participation in the HUD sponsored Neighborhood Stabilization Plan Grant program to assist with the purchase of foreclosed homes at a discount.

Anticipated Benefit: Decrease the number of dilapidated housing units, increased supply of affordable housing, and improve neighborhood quality.

Responsible Agency: Community Development Department.

Financing: HUD Neighborhood Stabilization Plan Grant.

Schedule: On-going, 2008-2014, upon release of NOFA (typically twice per year).
6. **Action Program:** The City of Banning will continue to pursue State and Federal funding sources such as the HOME and MHP to assist at-risk units in the City. The City shall continue to be the source for information and technical assistance to potential purchasers and tenants of properties that could potentially convert to market rate. Within one year of the adoption of the Housing Element, the City will contact area non-profits to develop a preservation strategy so that both the City and developers are prepared to act quickly upon notice of units becoming at risk. The City will monitor the owners of at-risk projects on an ongoing basis, at least every three months, in coordination with other public and private entities to determine their interest in selling, preparing, terminating, or continuing participation in a subsidy program. The City will also actively engage property owners to take advantage of deferred loan programs for rehabilitation, mortgage refinancing, and acquisition to keep units affordable long term (typically 55 years).

**Anticipated Benefit:** Preservation of the identified 35 lower income rental units that are at risk of converting to market rate housing within the next 10 years; as other units are identified, the City will also actively engage property owners to take advantage of deferred loan programs for rehabilitation, mortgage refinancing, and acquisition to keep units affordable for a long term (typically 50 years).

**Responsible Agency:** Community Development Department.

**Financing:** HOME funds, Tax-exempt mortgage revenue bond, tax credits.

**Schedule:** The City will develop a preservation strategy by July 2013; active coordination continuous and on-going thereafter through 2014.

**Objective 3: REMOVE CONSTRAINTS**

This objective is intended to remove constraints that hinder the construction of affordable housing.

**Policies:**

1. Provide the citizens in the City of Banning with reasonably priced housing opportunities within the financial capacity of all members of the community.

2. Provide technical assistance to developers, nonprofit organizations, or other qualified private sector interests in the application and development of projects for federal and state housing program/grants.

3. Periodically reexamine local building and zoning codes, in light of technological advances and changing public attitudes, for possible...
amendments to reduce housing construction costs without sacrificing basic health and safety considerations.

4. Charge development fees that do not unreasonably contribute to the cost of housing.

Action Programs in Support of Objective 3; Remove Constraints

1. **Action Program:** Require active participation in an annual meeting of local lending institutions to foster high performance with regard to the Home Mortgage Disclosure Act (HMDA) and the Community Reinvestment Act (CRA). A meeting shall be hosted annually by the City to encourage progress and participation, the first meeting to occur by July, 2009.

   **Anticipated Benefit:** Assurance that conventional financing is available to all economic segments of the community.

   **Responsible Agency:** Community Development Department, Redevelopment Agency.

   **Financing:** Department budget.

   **Schedule:** Biennial review of HMDA/CRA statements, annual meeting throughout Housing Element period, 2008-2014.

2. **Action Program:** Periodically reexamine the Zoning Ordinance (i.e. every 2 years) for possible amendments to reduce housing construction costs without sacrificing basic health and safety considerations.

   **Anticipated Benefit:** Utilization of codes that do not unnecessarily add to the cost of housing, while reflecting technological advances and changing public attitudes.

   **Responsible Agency:** Community Development Department.

   **Financing:** Department Budget.

   **Schedule:** Every two (2) years.

3. **Action Program:** Periodically survey (i.e., every 2 years) development fees of other cities in the Riverside County area to ensure that the City’s local development fees are reasonable in comparison.

   **Anticipated Benefit:** Assurance that local development fees are reasonable and do not unnecessarily contribute to the cost of housing.

   **Responsible Agency:** Community Development Department.
Financing: Department budget; possible CDBG Planning and Technical Assistance Grant.

Schedule: First survey to be completed by July 2009, then every 2 years thereafter through 2014.

4. Action Program: The City shall continue to encourage developers to take advantage of concurrent processing of entitlement projects offered by the City to reduce costs and processing times. Department staff will notify applicants upon project submittal of the City's LDFF policy and place public notice of the City's policies on the web site.

Anticipated Benefit: Reduction in overall development processing time, resulting in greater time and cost savings to applicants.

Responsible Agency: Community Development Department.

Financing: Departmental Budget.

Schedule: Continuous and ongoing through 2014.

5. Action Program: The City shall adopt streamlined permit processing procedures and a "one-stop shopping" counter to expedite the development of affordable housing projects, as such developments come under the consideration of the City.

Responsible Agency: Community Development Department and Building Department.

Financing: Department General Fund budget.

Schedule: The one-stop shopping counter to be established by December 2009, continuous and ongoing thereafter through Housing Element Period, 2008-2014.

6. Action Program: Prepare a Zoning Ordinance to implement a reduced parking requirement for residential projects serving lower income groups, including extremely low-income groups and special needs groups, and/or which is located close to public transportation or commercial services. On a case-by-case basis, projects targeting extremely low income (ELI) households may eliminate up to a maximum of 90% of the otherwise required off-street parking, excluding the need for employee and guest parking. The total amount of parking waived shall be determined by the number of units affordable to extremely low income persons.

Responsible Agency: Community Development Department.
Financing: Department budget.

Schedule: The City Council adopted the parking standards for affordable housing as part of the density bonus ordinance on March 12, 2013.

7. Action Program: Monitor the Design Review process to ensure it does not constrain residential development, particularly for projects containing five (5) or more units, including multifamily housing affordable to low and moderate income households. The planning department will complete an annual review to evaluate application processing and analyze processing times and the impact of conditions of approval to determine whether the Design Review process acts as a significant constraint on residential development. The review will be presented in an annual staff report to the Planning Commission and made publicly available.

If the Design Review process is found to adversely constrain large (5 or more units) residential projects, the City will take action to amend Design Review or establish guidelines and other mechanisms to reduce processing times to the extent feasible by State law, or to develop alternate procedures as may be necessary. The review will be conducted as part of the City’s Housing Element Annual Report submitted to the state.

Responsible Agency: Community Development Department.

Financing: Department budget.

Schedule: Fast track development review was implemented in July 2009 and is on-going.
Objective 4: ENVIRONMENT, CONSERVATION AND COMMUNITY SENSITIVITY

The City maintains an on-going awareness to ensure that residential growth is sensitive to the needs and limitations of energy resources, and the social needs of the community. The City will encourage development that will accommodate available community resources and infrastructure, and which is designed to minimize impacts on the natural environment, including energy and other resources.

Policies:

1. Ensure that all new residential construction is compatible with the surrounding neighborhood.
2. Ensure that all new residential construction maintains environmental integrity.
3. Encourage the use of energy conserving techniques in the siting and design of new housing.
4. Actively enforce all state energy conservation requirements for new residential construction.
5. Encourage and promote the use of energy conservation techniques above and beyond Title 24 including but not limited to LEED certification in housing units to increase opportunities for energy conservation and reducing overall long term housing costs.

Action Programs in Support of Objective 4: Environment Conservation and Community Sensitivity

1. **Action Program:** To encourage developers/property owners to incorporate energy conservation techniques into the siting and design of proposed residences, the City will augment the current design guidelines by either adopting a set of sustainable design guidelines, or incorporating guidelines into a City-wide design book. In order to encourage the use of the new guidelines, the City will provide user friendly access and links to information about energy friendly techniques.

   **Anticipated Benefit:** Minimize energy consumption in new housing projects.

   **Responsible Agencies:** Community Development Department, Utility Department.

   **Financing:** Department budget.
Schedule: Supplemental design guidelines to be adopted by December 2010.

2. **Action Program:** Regularly examine new residential construction methods and materials, and upgrade the City’s residential building standards as appropriate.

**Anticipated Benefit:**

**Responsible Agency:** Community Development Department.

**Financing:** Department Budget.

**Schedule:** Annually through 2014.

3. **Action Program:** Expand existing energy program guidelines to allow energy conservation measures as improvements eligible for assistance under the City’s residential rehabilitation program. Additional measures could include, but would not be limited to, a minimum SEER 13 air conditioning efficiency in all retrofits, the use of R-10 insulation in exterior walls, incorporation of dual glazed windows, and the use of R-38 insulation for ceiling. Reduced costs available through the rehabilitation program, and lower long-term energy costs, will encourage homeowners to install energy efficient measures.

**Anticipated Benefit:** Reduction in energy consumption in existing residences.

**Responsible Agency:** Community Development Department.

**Financing:** CDBG, HOME, and Western Riverside Council of Governments through their HERO (Home Equity Retrofit Opportunities) program.

**Schedule:** The guidelines were adopted in August 2009; then ongoing through 2014.

4. **Action Program:** The City shall continue to require that, at a minimum, all new residential development comply with the energy conservation requirements of Title 24 of the California Administrative Code.

**Anticipated Benefit:** Compliance with State energy efficiency requirements.

**Responsible Agency:** Community Development Department.

**Financing:** Department Budget.
Schedule: Continuous and On-going through 2014.

5. **Action Program:** To promote future in energy efficient priorities, the City shall prepare a sustainable PRD set of standards or an addition to the PRD Ordinance for sustainable projects early in the housing element period. The standards shall use the criteria established by LEED and/or recognized Green Building codes addressing the following conservation areas of focus.

**Anticipated Benefit:** Long-term increases in energy efficient projects and reduced energy costs.

- Sustainable site development
- Water savings;
- Energy efficiency;
- Material selection; and
- Indoor environmental quality.

**Responsible Agency:** Community Development Department.

**Financing:** Department Budget.

**Schedule:** The Green Building Code was adopted in January 2010, continuous, implementation thereafter through 2014.
Objective 5: HOUSING AVAILABILITY AND PRODUCTION

This directive is intended to provide adequate, suitable sites for residential use and development or maintenance of a range of housing that varies sufficiently in terms of cost, design, size, location, and tenure to meet the housing needs of all economic segments of the community at a level which can be supported by the infrastructure.

Policies:

1. Provide information to for-profit and non-profit developers and other housing providers on available vacant land.

2. Continue to provide opportunities for mixed-use development.

3. Provide a sufficient amount of zoned land to accommodate development for all housing types and income levels.

4. Employ a range of housing densities to provide housing for all economic segments of the community consistent with good planning practice.

5. Maximize use of vacant land within the City and contiguous to existing development in order to reduce the cost of off-site improvements and create a compact City form.

6. Ensure the compatibility of residential areas with surrounding uses through the separation of potentially hazardous or damaging uses, construction of adequate buffers, and other planning and land use techniques.

7. Continue to provide opportunities for mixed use development, particularly adaptive reuse, where appropriate, to achieve a higher density housing mix.

8. Require that adequate public and private services and facilities are or will be provided to all new residential developments as a prerequisite for their approval.

9. Promote and encourage the use of innovative construction techniques.

Action Programs in support of Objective 5: Housing Availability and Production.

1. Action Program: The City will update the inventory of vacant land on an annual basis or as projects are constructed. In addition, as projects are approved the City will update the website to show current projects.

Anticipated Benefit: Keep the residents and potential developers informed of projects currently being planned or proposed in the City.
Responsible Agency: Planning and Engineering Divisions.

Financing: Department Budget.

Schedule: Continuous and On-going through 2014.

2. **Action Program**: Inform residents of the below market interest rate mortgage programs operated by the California Housing Finance Agency (CalHFA) and direct interested property owners to CalHFA, as a means to facilitate homeownership for low and moderate income households. The City’s Redevelopment Agency will provide an annual direct mailing to all citizens through the utility billing notices, advertising the CalHFA program.

**Anticipated Benefit**: Production of new, affordable housing for purchase by low and moderate income, first-time homebuyers.

**Responsible Agency**: Community Development Department and Redevelopment Agency

**Financing**: CHFA Home Mortgage Purchase Program.

**Schedule**: Annual mailing, current and on-going through 2014.

3. **Action Program**: The City will work with non-profit and for-profit developers of affordable housing to apply for available funding sources such as MHP, Joe Serna Farmworker Housing Grant Program, CalHome, Low Income Housing Tax Credits, tax-exempt bonds, and Proposition 1-C funds. The City will offer incentives to expedite processing and approvals for affordable housing projects, including offering the waiver of processing fees for projects that include "affordable units. In instances where affordable projects include units targeted to extremely low income households, on a case-by-case basis, the City will waive the payment of processing fees, as an additional incentive.

The City will also provide letters of support for funding applications during the application process to increase the chances of a project being awarded funds.

**Anticipated Benefit**: Increase the supply of affordable housing for large families, for extremely low-income households, and for special needs households including seniors and farmworker households.

**Responsible Agency**: Community Development Department.

**Financing**: MHP funds, Joe Serna Farmworker Housing Grants, Tax-exempt Mortgage Revenue bonds, Tax Credits, Proposition 1C.
Schedule: Current and On-going through 2014.

4. **Action Program:** To increase opportunities for a wider range of housing production in the City of Banning, and to provide additional avenues for the production of housing affordable to lower income households in higher density areas, the City shall adopt, as an amendment to the existing Zoning Ordinance, a new overlay district to be used in conjunction with the Downtown Commercial designation. The new Mixed Use Downtown Commercial (MUDC) designation will apply within the existing defined area of the Downtown Commercial district, in conformance with the intent of the General Plan. The permitted density range in the MUDC overlay zone will be no less than 16 units per acre (UPA), up to a maximum of 30 UPA.

**Anticipated Benefit:** By establishing an opportunity for high quality mixed development projects, including high density residential, in conjunction with commercial uses, the City will create additional development opportunities and increase the production of housing across all income ranges.

**Responsible Agency:** Community Development Department, Planning Commission, City Council

**Financing:** City General Fund

**Schedule:** The current Zoning Ordinance adopted on January 31, 2006 allows mixed use commercial and residential in the Downtown area

5. **Action Program:** In order to encourage and facilitate development of mixed use residential, as well as other allowed uses in the Mixed Use Downtown Commercial (MUDC) district, the City shall install infrastructure upgrades and public facilities (street, curb, gutter, sidewalk, drainage facilities, and utilities) to stimulate private investment in the district.

**Anticipated Benefit:** The City hopes to establish a high quality base condition in the MUDC district that will lead to increased investment downtown and encourage the development of mixed use commercial and residential projects, including units affordable to lower income households.

**Responsible Agency:** Community Development Department.

**Financing:** City General Fund

**Schedule:** Uncertain due to the dissolution of the Redevelopment Agency.
6. **Action Program:** To further incentivize the development of affordable housing for low and moderate-income households, the City will offer financial incentives to properties located within the MUDC district that offer specified affordability levels in residential projects. Subject to funding availability, the City will offer below interest rate loans for construction financing and/or permanent financing. Funding participation levels will be evaluated on a project-by-project basis, and will be dependent on the level and extent of affordability offered.

**Anticipated Benefit:** Encourage the development of additional affordable housing units by offering financial incentives to developers utilizing higher affordability levels.

**Responsible Agency:** Community Development Department

**Financing:** General Fund; grant funds

**Schedule:** Uncertain due to the dissolution of the Redevelopment Agency.

7. **Action Program:** The City shall work to establish partnerships with developers for the construction of affordable multi-family projects, including, but not limited to developers/builders with a proven track record of success in the Inland Empire. In anticipation of funding participation, the City will ensure that funding mechanisms and policies are in place to facilitate City financial participation in future projects. The level of City funding participation will be evaluated on a project-by-project basis.

**Anticipated Benefit:** Increased City visibility and role in working to develop affordable housing projects in the City. Establish the groundwork enabling the City to act in a partnering role financially in the development of additional affordable housing projects in the City.

**Responsible Agency:** Community Development Department, Planning Commission, City Council

**Financing:** General Fund

**Schedule:** Uncertain due to the dissolution of the Redevelopment Agency.

8. **Action Program:** The City shall annually apply for or support development and rehabilitation applications for State and Federal funding for affordable housing, including the following funding sources:

**Pursue Key Federal Affordable Housing Funding Sources:** Successful implementation of housing programs to create affordable housing depends on a community's ability to pursue additional funding sources. This program
focuses on the six funding sources that are most pertinent to Banning: CDBG and HOME, and Section 523.

**Community Development Block Grant (CDBG):** The State Department of Housing and Community Development (HCD) administers the federal CDBG program for non-entitlement cities and counties. Banning is eligible to apply to HCD for CDBG funding.

**HOME:** Under the HOME program, HUD will award funds to localities on the basis of a formula that takes into account the tightness of the local housing market, inadequate housing, poverty, and housing production costs. HOME funding is provided to jurisdictions to assist either rental housing or homeownership through acquisition, construction, reconstruction, and/or rehabilitation of affordable housing. Also possible is tenant-based rental assistance, property acquisition, site improvements, and other expenses related to the provision of affordable housing and for projects that serve a group identified as having special needs related to housing. The local jurisdiction must make matching contributions to affordable housing under HOME.

**USDA Section 523 Mutual Self-Help Housing Program:** Technical assistance and site grants are provided to homeowners who complete at least 65 percent of the work to build his or her own home through "sweat equity." Once accepted into the Self Help program, each individual enrollee generally applies for a Single-Family Housing Direct Loan (Section 502).

**Anticipated Benefit:** Securing of funding for expansion of affordable housing within the City of Banning to the maximum extent feasible. In addition, the applications for additional/continual funding would serve to counterbalance issues within the City related to the overpayment of rent through the expansion of affordable housing and increase the availability of funding.

**Responsible Agency:** Community Development Department.

**Financing:** HUD/Riverside County, USDA.

**Schedule:** Twice annually and on-going 2008-2014.

9. **Action Program:** The Zoning Ordinance shall be revised to incorporate updated Density Bonus provisions, with options, as per SB 1818.

**Anticipated Benefit:** Compliance with State density bonus law.

**Responsible Agency:** Community Development Department.

**Financing:** Department Budget.
Schedule: The ordinance was adopted by the City Council on March 12, 2013.

10. Action Program: Annually review the Housing Element for consistency with the General Plan as part of its General Plan progress Report.

Anticipated Benefit: Ensuring the most up-to-date information is available enabling the City to make better decisions.

Responsible Agency: Community Development Department.

Financing: Department Budget.

Schedule: Annually (due to State of California by April 1st of each year)

11. Action Program: Continue to utilize the City’s General Plan and Zoning Ordinance to prevent the encroachment of incompatible uses into established residential areas.

Anticipated Benefit: Protection of established residential neighborhoods from incompatible land uses.

Responsible Agency: Community Development Department.

Financing: Department budget.

Schedule: Current and On-going through 2014.

12. Action Program: To ensure adequate sites are available throughout the planning period to meet the City’s RHNA, the City will continue to annually update an inventory that details the amount, type, and size of vacant and underutilized parcels to assist developers in identifying land suitable for residential development and that also details the number of extremely low-, very low-, low-, and moderate-income units constructed annually. If the inventory indicates a shortage of available sites, the City shall rezone sufficient sites to accommodate the City’s RHNA.

To ensure sufficient residential capacity is maintained to accommodate the RHNA need, the City will develop and implement a formal ongoing (project-by-project) evaluation procedure pursuant to Government Code Section 65863. Should an approval of development result in a reduction of capacity below the residential capacity needed to accommodate the remaining need for lower-income households, the City will identify and zone sufficient sites to accommodate the shortfall pursuant to AB 2292.
**Anticipated Benefit:** Ensure availability of adequate sites for development commensurate with the RHNA throughout the planning period.

**Responsible Agency:** Community Development Department

**Financing:** City General Fund

13. **Action Program:** The City shall revise the Zoning Ordinance to adopt a new Second Unit Ordinance that satisfies the provisions found under the amended Gov’t Code Section 65852.2 which requires that second units be ministerially reviewed and approved.

**Anticipated Benefit:** Reduced constraints on the development of residential second as an additional source of affordable housing.

**Responsible Agency:** Community Development Department and Building Department

**Financing:** Department General Fund Budget

**Schedule:** The Second Unit Ordinance was adopted on January 26, 2010.

14. **Action Program:** In order to further encourage and facilitate the development of Second Units to increase affordable housing opportunities, the City shall prepare and adopt standard "second unit" building plans for use by applicants at a reduced cost or no cost.

**Anticipated Benefit:** Increases ease of use for applicants desiring to build second units and facilitates applicants/property owners getting through the process faster and at less cost.

**Responsible Agency:** Community Development Department and Building Department

**Financing:** Department General Fund Budget

**Schedule:** Standard second unit plans to be available before the end of Fiscal Year 2013-2014 if staffing is available, Continuous and Ongoing thereafter, throughout Housing Element Period, 2008-2014.

This is covered under Program 12 above

16. **Action Program:** The City shall amend the Zoning Ordinance to identify one zoning district that will allow the development of homeless shelters by-right, without the need for discretionary approvals. The City will designate the AI, Airport Industrial district as the appropriate zoning
district to accommodate emergency shelters by right. The City shall also ensure that the capacity exists to develop one shelter within the next year.

**Anticipated Benefit:** Increased opportunity for the development of homeless shelters, addressing the needs of the homeless population.

**Responsible Agency:** Community Development Department, Planning Commission and City Council.

**Financing:** General Fund Budget

**Schedule:** Zoning Ordinance amendment to be completed by July 2013.
Objective 6: PROVIDE HOUSING FREE FROM DISCRIMINATION

This objective is intended to ensure that all existing and future housing opportunities are open and available to all members of the community without discrimination on the bases of race, color, religion, sex, national origin or ancestry, marital status, age, household composition or size, or any other arbitrary factors.

Policies:

1. Eliminate housing discrimination.

2. Support the letter and spirit of equal housing opportunity. Ensure all new multifamily construction meets the accessibility requirements of the federal and State fair housing acts through local permitting and approval processes.

3. Increase or maintain resources to establish and support outreach, public education and community development activities through community based or neighborhood organizations.

Action Programs in support of Objective 6: Provide Housing Free from Discrimination

1. Action Program: Conduct annual meetings with all recipients of locally administered housing assistance funds to assure their understanding of fair housing law and affirm their commitment to the law.

   Responsible Agency: Community Development Department and City Attorney.

Financing: Department Budget.

Schedule: First meeting by July 2009, annually thereafter through 2014.

2. Action Program: Provide fair housing materials to residents, including all pertinent resource, posters and information available through the Department of Fair Employment and Housing (DFEH) and Housing and Urban Development (HUD) to educate on a variety of fair housing issues. Develop information flyers and brochures that highlight (1) disability provisions of both federal and state fair housing laws and (2) familial status discrimination. Distribute fair housing materials, brochures and flyers at outreach events, including school fairs, health fairs, and City sponsored events. Collaborate with service agencies to distribute educational materials.
Anticipated Benefit: Creation of an information file containing all pertinent materials.

Responsible Agency: Community Development Department.

Financing: Department Budget.

Schedule: First flyers to be created by July 2009, then annually thereafter through 2014.

3. Action Program: Maintain active dialogue with the State Fair Employment and Housing Commission who will work with the Community Development Director to resolve complaints of housing discrimination.

Responsible Agency: Community Development Department.

Financing: Department Budget.

Schedule: Continuous and On-going through 2014.
Appendix H
Residential Land Inventory

This Appendix summarizes the realistic potential development capacity of vacant and underutilized parcels that are suitable for residential development. The assumptions regarding affordability and realistic capacity of vacant sites are described below.

Affordability Assumptions for Vacant Sites

Housing Element law (AB 2348 of 2004) provides "default densities" that are assumed to be adequate to facilitate the production of lower-income housing. For most cities in metropolitan counties, including Banning, the default density is 30 units/acre. Banning is located in an area of Riverside County where prices and rents are typically lower than areas in the far western part of the county (e.g., Corona, Riverside) which are close to major job markets in Orange and Los Angeles counties, or the more expensive resort areas of the Coachella Valley (e.g., Palm Springs, Indian Wells). Unlike those areas, Banning has very low land cost that makes virtually all market-rate multi-family housing affordable to lower-income households. Due to the recession, no multi-family developments have been built in Banning in the past several years, therefore examples of development in other nearby cities were reviewed. For comparison, in the City of San Jacinto (which is immediately south of Banning) every new multi-family or condominium project built in recent years, regardless of density (including market-rate projects such as Willowcreck Meadows, with a density of 13.7 units/acre) has been affordable at low-income prices and rents. In fact, even new single-family detached homes are selling at prices affordable at low-income levels. Non-profit housing developers familiar with this market area indicate that densities of 16-18 units/acre are desirable for affordable multi-family projects (see Table H-1).

Based on these local conditions, potential new units in the land inventory are allocated to income categories as follows:

- **Lower income**: Based on market conditions, the land inventory analysis assumes that sites allowing a density of 20 units/acre are suitable for lower-income housing. No zoning districts currently allow densities above 18 units/acre, therefore the Housing Plan includes a commitment to rezone sufficient sites to accommodate the lower-income RHNA. Potential second units are also included in the low-income category.

- **Moderate income**: High Density Residential (11-18 units/acre) and Medium Density Residential (up to 10 units/acre) are assigned to the moderate-income category.

- **Above moderate income**: Rural and Low Density Residential single-family parcels are assigned to the above-moderate category.
Table H-1
Recent Affordable Housing Developments

<table>
<thead>
<tr>
<th>Development Name</th>
<th>Total Units</th>
<th>Density (du/acre)</th>
<th>Household Type</th>
<th>Deed-Restricted?</th>
<th>Funding Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Willowbrook Meadows S. San Jacinto Ave, San Jacinto</td>
<td>52</td>
<td>13.7</td>
<td>Non-restricted</td>
<td>No $999 (2-bd) $1,300 (3-bd)</td>
<td>Market-rate</td>
</tr>
<tr>
<td>Gracielas Court (SFD) San Jacinto</td>
<td>9</td>
<td>8.5</td>
<td>Non-restricted</td>
<td>No $1,200 (3-bd)</td>
<td>Market-rate</td>
</tr>
<tr>
<td>Tract 32276 (Small Lot SFD) San Jacinto</td>
<td>22</td>
<td>12.1</td>
<td>Non-restricted</td>
<td>No Sold for $80-90k</td>
<td>Market-rate</td>
</tr>
<tr>
<td>San Jacinto Garden Apartments 324 E. Shaver Street, San Jacinto</td>
<td>97</td>
<td>9.7</td>
<td>Family</td>
<td>Yes</td>
<td>USDA 515-RRH</td>
</tr>
<tr>
<td>San Jacinto Manor 1672 S. Santa Fe Street, San Jacinto</td>
<td>65</td>
<td>15.0</td>
<td>Senior and Mobility Impaired</td>
<td>Yes</td>
<td>USDA 515-RRH</td>
</tr>
<tr>
<td>Manzanita Garden 537 N. Ramona Blvd, San Jacinto</td>
<td>36</td>
<td>14.1</td>
<td>Family</td>
<td>Yes</td>
<td>USDA 515-RRH</td>
</tr>
<tr>
<td>San Jacinto Senior Apartments 633 E. Main Street, San Jacinto</td>
<td>45</td>
<td>17.1</td>
<td>Seniors</td>
<td>Yes</td>
<td>USDA 515-RRH</td>
</tr>
<tr>
<td>San Jacinto Village Apartments 700 Myllwild Drive, San Jacinto</td>
<td>38</td>
<td>16.2</td>
<td>Family</td>
<td>Yes</td>
<td>USDA 515-RRH</td>
</tr>
<tr>
<td>San Jacinto Villas Apartments 1692 S. Santa Fe Ave., San Jacinto</td>
<td>80</td>
<td>17.6</td>
<td>Family</td>
<td>Yes</td>
<td>RDA, HOME, LHTC, Tax-exempt bonds</td>
</tr>
</tbody>
</table>

Realistic Capacity

The following density assumptions were used to estimate the realistic capacity of potential development sites:

- Low-Density Residential – 3 units/acre
- Medium Density Residential – 6 units/acre
- High Density Residential – 11 units/acre

These assumptions are based on recent projects approved in the city.

Land Inventory Summary

The following tables show the City’s land inventory for the current planning period. Table H-2 shows the net remaining regional housing need, while Table H-3 summarizes the land inventory compared to the remaining need. Table H-4 shows approved projects while Table H-5 contains a parcel-specific inventory of vacant residential sites based on current zoning designations and the realistic capacity assumptions noted above. Figure H-1 shows the location of buildable vacant parcels designated for residential development.

In order to create additional capacity for lower-income housing commensurate with the RHNA, the Housing Plan (Chapter 4) includes Program 1-2 to process zoning amendments for the parcels listed in Table B-6. Rezoned parcels will allow multi-family housing by-right at a minimum density of 20 units/acre and a minimum of 16 units per site. With the proposed rezoning, total residential capacity will exceed the RHNA allocation for the planning period in all income categories.
### Table H-2
#### Net Remaining RHNA 2009-2014

<table>
<thead>
<tr>
<th>Income Category</th>
<th>Ext. Low</th>
<th>Very Low</th>
<th>Low</th>
<th>Med</th>
<th>Above Med</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>RHNA (4th cycle total)</td>
<td>436</td>
<td>437</td>
<td>618</td>
<td>705</td>
<td>1,645</td>
<td>3,841</td>
</tr>
<tr>
<td>Units Completed or Approved 2006-2008 (Table III-57)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>49</td>
<td>71</td>
<td>120</td>
</tr>
<tr>
<td>Unaccommodated need from the 3rd cycle</td>
<td>402</td>
<td>188</td>
<td></td>
<td></td>
<td></td>
<td>588</td>
</tr>
<tr>
<td>RHNA (net remaining)</td>
<td>436</td>
<td>839</td>
<td>804</td>
<td>616</td>
<td>1,574</td>
<td>4,369</td>
</tr>
</tbody>
</table>

Source: SCAG, City of Banning

### Table H-3
#### Land Inventory vs. RHNA

<table>
<thead>
<tr>
<th>Income Category</th>
<th>Lower</th>
<th>Med</th>
<th>Above Med</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approved Projects (Table H-4)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Approved projects - R-A</td>
<td></td>
<td></td>
<td></td>
<td>30</td>
</tr>
<tr>
<td>Approved projects - Very Low Density Residential</td>
<td></td>
<td></td>
<td></td>
<td>1,086</td>
</tr>
<tr>
<td>Approved projects - Low Density Residential</td>
<td></td>
<td></td>
<td></td>
<td>3,032</td>
</tr>
<tr>
<td>Approved projects - Medium Density Residential</td>
<td></td>
<td></td>
<td></td>
<td>2,607</td>
</tr>
<tr>
<td>Approved projects - High Density Residential</td>
<td></td>
<td></td>
<td></td>
<td>1,213</td>
</tr>
<tr>
<td>Subtotal - Approved Projects</td>
<td>0</td>
<td></td>
<td></td>
<td>3,820</td>
</tr>
<tr>
<td>Vacant parcels (Table H-5)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vacant parcels - Low Density Residential</td>
<td></td>
<td></td>
<td></td>
<td>513</td>
</tr>
<tr>
<td>Vacant parcels - Medium Density Residential</td>
<td></td>
<td></td>
<td></td>
<td>1,086</td>
</tr>
<tr>
<td>Vacant parcels - High Density Residential</td>
<td></td>
<td></td>
<td></td>
<td>385</td>
</tr>
<tr>
<td>Subtotal - Vacant Parcels</td>
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<td></td>
<td>1,483</td>
</tr>
<tr>
<td>Potential second units</td>
<td></td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>Subtotal - Existing Capacity</td>
<td>5</td>
<td></td>
<td></td>
<td>5,303</td>
</tr>
<tr>
<td>Parcels to be Rezoned (Table H-6)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Very High Density Residential (VHDR) parcels</td>
<td></td>
<td></td>
<td></td>
<td>887</td>
</tr>
<tr>
<td>High Density Residential-20 (HDR-20) parcels</td>
<td></td>
<td></td>
<td></td>
<td>1,942</td>
</tr>
<tr>
<td>Downtown Commercial (DC) parcels</td>
<td></td>
<td></td>
<td></td>
<td>84</td>
</tr>
<tr>
<td>Subtotal - Parcels to be Rezoned</td>
<td></td>
<td></td>
<td></td>
<td>2,913</td>
</tr>
<tr>
<td>Total land inventory</td>
<td></td>
<td></td>
<td></td>
<td>2,918</td>
</tr>
<tr>
<td>RHNA (net 2009-2014)</td>
<td>2,079</td>
<td>638</td>
<td>1,574</td>
<td>4,309</td>
</tr>
<tr>
<td>Adequate Sites?</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Source: City of Banning, 8/2013
### Table H-4
Approved Residential Projects

<table>
<thead>
<tr>
<th>APN</th>
<th>Project</th>
<th>GP/Zone</th>
<th>Specific Plan</th>
<th>Acres</th>
<th>Approved Units</th>
<th>Constraints</th>
</tr>
</thead>
<tbody>
<tr>
<td>531-240-008, 009, 010</td>
<td>Tahiti Group</td>
<td>R-A</td>
<td></td>
<td>32.62</td>
<td>30</td>
<td>None</td>
</tr>
<tr>
<td><strong>Total R-A</strong></td>
<td></td>
<td></td>
<td></td>
<td>32.62</td>
<td>30</td>
<td>None</td>
</tr>
<tr>
<td>543-150-001 (need replaced parcel(s))</td>
<td>Carri Construction</td>
<td>VLD</td>
<td></td>
<td>7.42</td>
<td>13</td>
<td>None</td>
</tr>
<tr>
<td>535-020-004, 016, 024, 535-030-029</td>
<td>Fiesta Dev.</td>
<td>VLD</td>
<td></td>
<td>158.5</td>
<td>303</td>
<td>None</td>
</tr>
<tr>
<td>543-030-002-3</td>
<td>Halem</td>
<td>VLD</td>
<td></td>
<td>10</td>
<td>17</td>
<td>None</td>
</tr>
<tr>
<td>538-272-001</td>
<td>Martin</td>
<td>VLD</td>
<td></td>
<td>4.08</td>
<td>6</td>
<td>None</td>
</tr>
<tr>
<td>537-150-005-7, 537-170-002-3, 537-190-001-5, 537-190-019-021</td>
<td>Rolling Hills Ranch</td>
<td>VLD</td>
<td></td>
<td>145</td>
<td>213</td>
<td>None</td>
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<tr>
<td>543-020-021, 543-030-004, 543-040-001-2, 543-030-001-3</td>
<td>C. W. Tefft</td>
<td>VLD</td>
<td></td>
<td>452.51</td>
<td>484</td>
<td>None</td>
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<tr>
<td><strong>Total VLD R</strong></td>
<td></td>
<td></td>
<td></td>
<td>777.5</td>
<td>1,036</td>
<td>None</td>
</tr>
<tr>
<td>531-080-010, 466-170-002, 466-200-004, 419-020-008-9, 006, 021,</td>
<td>Pardee-Deutsch</td>
<td>LDR</td>
<td>X</td>
<td>537.2</td>
<td>2,230</td>
<td>None</td>
</tr>
<tr>
<td>531-060-014-017, 032, 033-34, 531-070-002, 004, 006-9, 012-19, 535-060-002</td>
<td>Banning Bench/Loma Linda</td>
<td>LDR</td>
<td>X</td>
<td>13.1</td>
<td>53</td>
<td>None</td>
</tr>
<tr>
<td>531-060-014-017, 032, 033-34, 531-070-002, 004, 006-9, 012-19, 535-060-002</td>
<td>Banning Bench/Loma Linda</td>
<td>LDR</td>
<td>X</td>
<td>29.4</td>
<td>125</td>
<td>None</td>
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<tr>
<td>531-060-014-017, 032, 033-34, 531-070-002, 004, 006-9, 012-19, 535-060-002</td>
<td>Banning Bench/Loma Linda</td>
<td>LDR</td>
<td>X</td>
<td>11.3</td>
<td>48</td>
<td>None</td>
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<tr>
<td>APN</td>
<td>Project</td>
<td>GP/Zone</td>
<td>Specific Plan</td>
<td>Acres</td>
<td>Approved Units</td>
<td>Constraints</td>
</tr>
<tr>
<td>--------------------</td>
<td>--------------------------</td>
<td>---------</td>
<td>---------------</td>
<td>-------</td>
<td>----------------</td>
<td>-------------</td>
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<tr>
<td>531-060-014-017, 032, 033-34, 531-070-002, 004, 006-9, 012-19, 535-060-002</td>
<td>Banning Bench/Loma Linda</td>
<td>LDR</td>
<td>X</td>
<td>25.5</td>
<td>108</td>
<td>None</td>
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<tr>
<td>535-180-002-5</td>
<td>Charter Mgmt/Galleher</td>
<td>LDR</td>
<td></td>
<td>2.83</td>
<td>9</td>
<td>None</td>
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<tr>
<td>534-183-014, 534-200-004, 008, 047</td>
<td>CitiCom/William Fox Homes</td>
<td>LDR</td>
<td></td>
<td>40.5</td>
<td>41</td>
<td>None</td>
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<tr>
<td>541-122-010</td>
<td>CTK Inc.</td>
<td>LDR</td>
<td></td>
<td>2.37</td>
<td>7</td>
<td>None</td>
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<tr>
<td>534-253-006-7</td>
<td>HLC/D</td>
<td>LDR</td>
<td></td>
<td>6.42</td>
<td>26</td>
<td>None</td>
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<tr>
<td>541-082-016-18</td>
<td>Labastida</td>
<td>LDR</td>
<td></td>
<td>3.31</td>
<td>10</td>
<td>None</td>
</tr>
<tr>
<td>535-070-008</td>
<td>Madrid</td>
<td>LDR</td>
<td></td>
<td>19</td>
<td>53</td>
<td>None</td>
</tr>
<tr>
<td>534-152-022-025</td>
<td>Rifi</td>
<td>LDR</td>
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<td>4.87</td>
<td>19</td>
<td>None</td>
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<td>534-283-011, 014</td>
<td>TMS Homes, LLC.</td>
<td>LDR</td>
<td></td>
<td>7.083</td>
<td>23</td>
<td>None</td>
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<tr>
<td>535-070-004, 006</td>
<td>Madrid</td>
<td>LDR</td>
<td></td>
<td>16.48</td>
<td>44</td>
<td>None</td>
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<tr>
<td>535-030-038 (need replaced parcel(s))</td>
<td>Nordquist</td>
<td>LDR</td>
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<td>6.3</td>
<td>19</td>
<td>None</td>
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<tr>
<td>534-171-008, 015, 534-172-002, 004</td>
<td>Vic Seth Const.</td>
<td>LDR</td>
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<td>7.98</td>
<td>31</td>
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<td><strong>Subtotal</strong></td>
<td><strong>LDR</strong></td>
<td></td>
<td></td>
<td><strong>807.4</strong></td>
<td><strong>3,032</strong></td>
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<tr>
<td>531-080-010, 406-170-002, 406-200-004, 419-020-008-9, 006, 021,</td>
<td>Pardee-Deutsch</td>
<td>MDR</td>
<td>X</td>
<td>325.4</td>
<td>1,961</td>
<td>None</td>
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<tr>
<td>531-060-014-017, 032, 033-34, 531-070-002, 004, 006-9, 012-19, 535-060-002</td>
<td>Banning Bench/Loma Linda</td>
<td>MDR</td>
<td>X</td>
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<td>Banning Bench/Loma Linda</td>
<td>MDR</td>
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<td>20.8</td>
<td>109</td>
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<td>APN</td>
<td>Project</td>
<td>GP/Zone</td>
<td>Specific Plan</td>
<td>Acres</td>
<td>Approved Units</td>
<td>Constraints</td>
</tr>
<tr>
<td>------------------------------</td>
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<td>Banning Bench/Loma Linda</td>
<td>MDR</td>
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<td>None</td>
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<td>MDR</td>
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<td>12.3</td>
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<td>531-060-014-017, 032, 033-34, 531-070-002, 004, 006-9, 012-19, 535-060-002</td>
<td>Banning Bench/Loma Linda</td>
<td>MDR</td>
<td>X</td>
<td>23.5</td>
<td>170</td>
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<tr>
<td>540-250-006</td>
<td>Barbour Villas</td>
<td>MDR</td>
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<td></td>
<td>36</td>
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<td><strong>Subtotal MDR</strong></td>
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<td></td>
<td><strong>419.8</strong></td>
<td><strong>2,607</strong></td>
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<tr>
<td>531-080-010, 406-179-002, 406-200-004, 419-020-008-9, 006, 021</td>
<td>Pardee-Deutsch</td>
<td>HDR</td>
<td>X</td>
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<td>1,196</td>
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<tr>
<td>419-140-062</td>
<td>Careage Dev.</td>
<td>MDR (senior)</td>
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<td>1.43</td>
<td>17 (32 beds)</td>
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<td><strong>Subtotal HDR</strong></td>
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<td></td>
<td></td>
<td><strong>75.22</strong></td>
<td><strong>1,213</strong></td>
<td></td>
</tr>
</tbody>
</table>

*Note: W/WW infrastructure availability present for all approved project sites. Service subject to the payment of City hookup fees and installation/extension.*
### Table H-5
Residential Vacant Parcel Inventory

<table>
<thead>
<tr>
<th>APR</th>
<th>Parcel Size (acres)</th>
<th>Permitted Density (units/AC)</th>
<th>Assumed Density (units/ac)</th>
<th>Units By Income Category</th>
<th>Low</th>
<th>Moderate</th>
<th>Above Moderate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Density Residential</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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Table H-6
Candidate Sites for Rezoning

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<tr>
<th>APN</th>
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<th>Existing Use</th>
<th>Existing Zoning</th>
<th>Capacity Per 20 of Ac</th>
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<tr>
<td>537-190-018</td>
<td>26.0</td>
<td>Vacant</td>
<td>MDR</td>
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<td>537-190-021</td>
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<td>Vacant</td>
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<td>Vacant</td>
<td>VLDR</td>
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<td>HDR</td>
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<td>HDR</td>
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Figure H-1a – HDR Parcels to be Rezoned

3 Parcels (West)

1" = 1,500 ft

100.6 Acres
W & E Vacant
Existing HDR

05/29/2013

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.

H-9
Figure H-1b – HDR Parcels to be Rezoned

15 Parcels (East)

1" = 1,505 ft  100.0 Acres  W + E Vacant  Existing HDR  05/29/2013

This map represents a visual display of related geographic information. Data provided herein is not a guarantee of actual field conditions. For more complete accuracy, please contact Banning staff for the most up-to-date information.
Appendix I

Analysis of Unaccommodated Need from the Previous Period

The RHNA allocation for Banning in the 3rd Housing Element cycle (1998-2005) was 1,780 total units, distributed to income categories as follows:

- 481 Very Low
- 285 Low
- 409 Moderate
- 604 Above Moderate

The adopted 2006 Housing Element identified a total lower-income RHNA of 766 units (Table III-55, p. 3-145). The High Density Residential land use category allows development at 11-18 units/acre and is suitable for lower-income housing based on market conditions in Banning. As described in the Residential Land Inventory (Appendix H), unlike the far western portions of Riverside County (e.g., Corona, Riverside) which are close to major job markets in Orange and Los Angeles counties, and the more expensive resort areas of the Coachella Valley (e.g., Palm Springs, Indian Wells) Banning has very low land cost that makes virtually all market-rate multi-family housing affordable to lower-income households. For comparison, in the City of San Jacinto (which is immediately south of Banning) every new multi-family or condominium project built in recent years, regardless of density (including market-rate projects) has been affordable at low-income prices and rents. In fact, even new single-family detached homes are selling at prices affordable at low-income levels. Conversations with non-profit housing developers familiar with this market area confirmed that densities of 16-18 units/acre are desirable for affordable multi-family projects.

The HDR land use district allows a density of 11-18 units/acre, and recent projects in this district have averaged approximately 16 units/acre. At this density, a total of 48 acres of land is needed to accommodate the lower-income RHNA of 766 units. The table below provides a list of vacant HDR parcels. As shown in this table, vacant parcels totaling more than 133 acres are available, which is more than double the amount required to satisfy the 3rd cycle Housing Element RHNA, and therefore no carryover of unmet need is required for the 4th cycle.

| Table D-1 |
| HDR Vacant Sites |

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<tr>
<th>APN</th>
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<th>Realistic Unit Capacity</th>
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</table>

Realistic unit capacity calculation based on 16 units/acre.
This map represents a visual display of related geographic information. Data provided herein 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.
ATTACHMENT 4

HCD REVIEW LETTER OF APRIL 3, 2009
April 3, 2009

Mr. Matthew Bassi
Interim Community Development Director
City of Banning
PO Box 998
Banning, CA 92220

Dear Mr. Bassi:

RE: Review of the City of Banning's Draft Housing Element

Thank you for submitting Banning's draft housing element received for review on February 2, 2009. The Department is required to review draft housing elements and report the findings to the locality pursuant to Government Code Section 65585(b). A telephone conversation on March 30, 2009 with Ms. Kim Clinton, Senior Planner, and Ms. Jayne Raab and Mr. Eric Veerkamp, the City's consultants, facilitated the review.

The draft element addresses many statutory requirements, including energy conservation through rebate and incentive programs and extensive public participation procedures. However, some revisions will be necessary to comply with State housing element law (Article 10.6 of the Government Code). In particular, the element should include a complete analysis to determine the adequacy of identified sites to accommodate the regional housing need for lower-income households. The enclosed Appendix describes these and other revisions needed to comply with State housing element law.

The Department would be happy to provide any assistance needed to facilitate your efforts to bring the element into compliance. If you have any questions or would like assistance, please contact Janet Myles, of our staff, at (916) 445-7412.

Sincerely,

Cathy E. Creswell
Deputy Director

Enclosure

cc: Kim Clinton, Senior Planner
    Eric Veerkamp, Raney Planning and Management, Inc.
APPENDIX

CITY OF BANNING

The following changes would bring Banning’s housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on the Department’s website at www.hcd.ca.gov/hpd. Refer to the Division of Housing Policy Development and the section pertaining to State Housing Planning. Among other resources, the Housing Element section contains the Department’s latest technical assistance tool Building Blocks for Effective Housing Elements (Building Blocks) available at www.hcd.ca.gov/hpd/housing_element2/index.php, the Government Code addressing State housing element law and other resources.

A. Housing Needs, Resources, and Constraints

1. Include an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites (Section 65583(a)(3)). The inventory of land suitable for residential development shall be used to identify sites that can be developed for housing within the planning period (Section 65583.2).

The City has a regional housing need allocation (RHNA) of 3,841 housing units, of which 1,491 are for lower-income households. To address this need, the element relies on approved projects within high density residential zones and Specific Plan areas, as well as vacant sites. However, to demonstrate the adequacy of the sites and strategies to accommodate the City’s share of the RHNA, the element must include a complete analysis, as follows:

Progress toward the RHNA: The element lists two pending or approved projects to address its RHNA for lower-income households; Shadowbrook Apartments (49 units) and Careage Development (17 units). To credit Shadowbrook Apartments toward the City’s share of the RHNA, the element must demonstrate the affordability of the units based on actual rents and sales prices or other mechanisms ensuring affordability in the planning period. To credit housing units within Careage Development, the element must demonstrate the affordability of those units based upon the full cost of living, including rents or sales, services and other costs, and demonstrate the Development consists of housing units, as defined by the US Census. For a definition of “housing unit,” refer to http://www.census.gov/population/cen2000/phc-2-a-B.pdf.

In addition, the inventory lists 1,196 units approved in the Pardee-Deutsch Specific Plan and assumes the units are affordable to lower-income households based on a density of approximately 16 units per acre. Where projects have been approved and sites will not be available for development other than what is currently approved, the element should credit the approved units based on the anticipated rent and sales prices. However, where there are no projects approved or proposed, the element must demonstrate the adequacy of 16 units per acre to encourage and facilitate housing for lower-income households, as described on the next page.
Zoning to Encourage and Facilitate Housing for Lower-Income Households: Pursuant to Government Code Section 65533.2(c)(3)(A) and (B), the element must identify the zones and densities appropriate to encourage and facilitate the development of housing for lower-income households based on factors such as market demand, financial feasibility and development experience within zones. For communities with densities that meet specific standards (at least 30 units per acre for Banning), this analysis is not required (Section 65533.2(c)(3)(B)).

The element does not include an analysis demonstrating the adequacy of the density in the HDR zone of 11 to 18 units per acre and notes an estimated density of 11 units per acre for sites (Table III-66). While the element describes two affordable tax credit projects, identifying examples of lower density subsidized housing projects alone is not sufficient or appropriate to demonstrate the adequacy of a zone and/or density to accommodate this need. The element must demonstrate densities of 11-18 units per acre can encourage and facilitate development affordable to low-income households, based on factors such as market demand, financial feasibility and development experience within the zones. Additional information is available on the Department's website at http://www.hcd.ca.gov/hpd/housing_element2/SIA_zoning.php.

Large Sites: The City is relying heavily on two sites greater than 30 acres in size (Appendix E) to accommodate a significant portion of this remaining need. The size of these sites, however, could be a deterrent to the development of housing affordable to lower-income households. For example, most assisted housing developments utilizing State or federal financial resources typically include 50 to 150 units. To demonstrate the appropriateness of this site, the City should discuss opportunities such as subdivision or other methods that could facilitate development of housing for lower-income households.

Sites with Zoning for a Variety of Housing Types

Emergency Shelters: Pursuant to Chapter 633, Statutes of 2007 (SB 2), jurisdictions must identify a zone(s) to permit emergency shelters without a conditional use permit (CUP) or other discretionary action. SB 2 provides flexibility and encourages multi-jurisdiction coordination by allowing local governments to address SB 2 through a multi-jurisdictional agreement with a maximum of two adjacent jurisdictions. Since Banning proposes to use the multi-jurisdictional agreement provision, the element must demonstrate at least one year-round shelter will be developed within two years of the housing element planning period, by June 30, 2010. This is particularly important since the City does not plan to complete an agreement until December 2009. In addition, the element should demonstrate a commitment by each participating jurisdiction and describe the following:

- how the capacity of the emergency shelter will be allocated for each participating jurisdiction;
- how the joint facility will address the local governments need for emergency shelters;
- the local governments contribution for both the development and ongoing operation and management of the shelter;
- the amount and source of the funding to be contributed to the shelter; and,
- how the aggregate capacity claimed by all of the participating jurisdictions does not exceed the actual capacity of the shelter facility.
Should the City decide to amend an existing or establish a new zoning district to address SB 2 requirements, the element must include a program to, among other things, identify at least one zone(s) where emergency shelters are permitted without a CUP or other discretionary action within one year of the beginning of the planning period. The zone must provide sufficient opportunities for at least one new emergency shelter in the planning period. For additional information and assistance in addressing these requirements, refer to the Department’s SB 2 memo at http://www.hcd.ca.gov/hpd/sb2_memo050708.pdf.

Transitional and Supportive Housing: The element indicates transitional and/or supportive housing is allowed by-right in the high density multifamily residential district. However, pursuant to SB 2, both transitional and supportive housing must be treated as residential uses subject only to the same permitting processes as other similar residential uses in the same zone without undue special regulatory requirements. In addition, the element should distinguish transitional housing, as typically limited to stays of no more than two years, from supportive housing as a use having no limit on length of stay. The element must be revised to include programs to allow both uses, as described above, within the planning period.

2. Analyze potential and actual governmental constraints upon the maintenance, improvement, and development of housing for all income levels. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 (Section 65583(a)(5)).

Local Processing and Permit Procedures: While the element indicates processing timeframes and permitting procedures vary by project size and complexity (Table III-71 and pages 178-181), it must specifically describe and analyze the City’s permit processing and approval procedures by zone and housing type. To address this requirement, the element should discuss typical steps and processing procedures for typical single- and multi-family projects, including type of permit, level of review, and any discretionary approval procedures.

In addition, the element should include a description of the City’s predevelopment review process and review guidelines and analyze the impact of design review requirements (page III-171) on multifamily projects of 10 or more units. Additional information, including sample analyses, is available in the Building Blocks’ website at http://www.hcd.ca.gov/hpd/housing_element2/CON_permits.php.

3. Analyze any special housing needs, such as those of the handicapped, elderly, large families, farmworkers, families with female heads of households, and families and person in need of emergency shelter (Section 65583(a)(7)).

The element must include an estimate of the number of homeless in Banning. While the element included a monthly estimate of 2000 homeless persons visiting HELP Services for meals, this appears to be an estimate of the number of meals served, and not a specific estimate of persons in need of emergency shelter for Banning. The City
could utilize information from the 2007 County of Riverside Homeless Count at http://www.riversidehomeless.org/pdfs/HomelessCount0907.pdf, which estimates 102 homeless persons in Banning. Additional information and sample analyses on special needs populations are available in the Building Blocks at http://www.hcd.ca.gov/hpd/housing_element/screen10_hn.pdf.

4. Analyze the opportunities for energy conservation with respect to residential development (Section 65583(a)(8)).

While the element includes general policies and programs to "encourage" energy conservation measures, programs do not describe how the City will encourage such measures. For example, Program 4-1 should describe how the City uses the development review process to incorporate energy saving techniques. Program 4-3 should describe how the City will encourage developers to employ additional energy conservation measures. Banning could also provide expedited processing for developments with additional energy conservation features. Additional information on potential policies and programs to address energy conservation are available in the Building Blocks' website at http://www.hcd.ca.gov/hpd/housing_element/2SIA_conservation.php.

B. Housing Programs

1. Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels, including rental housing, factory-built housing, mobile homes, and emergency shelters and transitional housing. Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall provide for sufficient sites with zoning that permits owner-occupied and rental multifamily residential use by right, including density and development standards that could accommodate and facilitate the feasibility of housing for very low- and low-income households (Section 65583(a)(1)).

As noted in finding A1, the element does not include a complete site analysis and therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types.

Please note, where the inventory does not identify adequate sites pursuant to Government Code Sections 65583(a)(3) and 65583.2, the element must include a program to make sites available in accordance with subdivision (h) of 65583.2 for 100 percent of the remaining lower-income housing need, with sites zoned to permit owner-occupied and rental multifamily uses by-right during the planning period. In addition, the element must clearly demonstrate sufficient sites will be rezoned to ensure 50 percent of the remaining need will be accommodated on sites zoned exclusively for residential uses.
Pursuant to SB 2, the element must include a program to explicitly amend zoning to permit transitional and supportive housing as distinct residential uses, subject only to the same permitting processes as other similar residential uses in the same zone without undue special regulatory requirements, such as a CUP or other discretionary action.

Program 1-5 must identify the partnering cities under the multi-jurisdictional agreement, a timeframe for adoption, actual funding amount and additional specific actions, as noted under finding A1. Also, pursuant to Health and Safety Code Section 33021.1, redevelopment set-aside funds shall not be used for the development or operation of emergency shelters.

2. The housing element shall contain programs which "assist in the development of adequate housing to meet the needs of extremely low-, low- and moderate-income households (Section 65583(c)(2))."

The element must include specific actions to assist in the development of a mix of housing types, including rental multifamily, for extremely low-, very low-, low- and moderate-income households, and special housing need households. While Programs 1-1, 2-1, and 3-6 generally indicate they will assist in meeting the needs of lower-income households, including extremely low-income (ELI), they do not specifically indicate how these actions will address the unique housing needs of ELI households. To address this requirement, the element could revise programs to prioritize use of a portion of the identified funding for the development of housing affordable to ELI households, include programs offering financial incentives or regulatory concessions to developers who agree to include a portion of their units affordable to ELI households or to encourage the development of housing types, such as single-room occupancy units, which address the particular needs of this income group.

Large Family Households: While the element identifies a need for additional affordable rental housing for large families, no programs are included. Actions could include assistance with site identification and entitlement processing, fee waivers and deferrals, modifying development standards and granting concessions and incentives for projects that provide housing for lower-income large family households.

While Program 1-9 indicates the City will identify sources of funding for multifamily housing development, it does not include a commitment to apply for or assist in the application of such funds. The program should include actions the City will take to apply for or assist in the application of appropriate funds for multifamily rental housing and specify timeframes.

3. The housing element shall contain programs which "address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing" (Section 65583(c)(3)).

As noted in finding A2, the element requires a complete analysis of potential governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints. In addition, the City has deferred impact fees until occupancy lower or
eliminate fees, increase densities and provide flexible application of codes and standards (page III-188). However, no programs have been included to commit the City to continue implementing these incentives.

Program 5-10 should be revised to include the zoning update process and timeframe for ministerial approval of second units (page III-169), as required by Government Code Section 65852.2.

4. The housing program shall preserve for low-income household the assisted housing developments identified pursuant to paragraph (8) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (8) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance (Section 65533(c)(6)).

The element identifies 35 housing units at-risk of converting to market-rate by January 2013. Therefore, Program 2.6 must be revised to include specific actions to assist in preserving units at-risk. For example, the program should monitor at-risk units, ensure compliance with noticing requirements and include a tenant education component. The program should also commit the City to contacting non-profits immediately to develop a preservation strategy by a date certain and be ready to quickly act when notice of conversion is received. Additional information and resources are available at the California Housing Partnership Corporation (http://www.chpc.net/).
December 3, 2009

Mr. Matthew Bassi
Interim Community Development Director
City of Banning
P.O. Box 998
Banning, CA 92220

Dear Mr. Bassi:

RE: Review of the City of Banning’s Revised Draft Housing Element

Thank you for submitting Banning’s revised draft housing element received for review on October 7, 2009. The Department is required to review draft housing elements and report the findings to the locality pursuant to Government Code Section 65585(b). A telephone conversation on March 30, 2009 with Ms. Zai Abu Bakar, Community Development Director, Ms. KimClinton, Senior Planner, and Ms. Jayne Raab and Mr. Eric Veerkamp, the City’s consultants, facilitated the review.

The draft element addresses most statutory requirements described in the April 3, 2009 review; however, the following revisions are still necessary to comply with State housing element law (Article 10.6 of the Government Code):

1. Include an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites (Section 65583(a)(3)). The inventory of land suitable for residential development shall be used to identify sites that can be developed for housing within the planning period (Section 65583.2).

The City has a regional housing needs allocation (RHNA) of 3,841 housing units, of which 1,491 are for lower-income households. To address this need, the previously submitted draft relied on approved projects within high density residential zones and Specific Plan areas, as well as vacant sites. However, according to the most recent correspondence, Shadowbrook Apartments was not awarded tax credits and it appears the project has no other source of funds requiring income restrictions at this time. In addition, conversations with the City confirmed the approved Deutsch Specific Plan project (1,196 units) will not include requirements for units affordable to lower-income households; therefore, it appears the City is relying on vacant HDR sites with maximum densities of 18 units per acre (Appendix H) to accommodate its regional need for lower-income households.
However, as noted in the previous review, pursuant to Government Code Section 65583.2(c)(3)(A) and (B), the element still does not demonstrate maximum densities of 18 units per acre (actually average appears to be 11 units per acre based on historic development trends and development standards) in the HDR zone are appropriate to encourage and facilitate the development of housing for lower-income households based on factors such as market demand, financial feasibility and development experience within zones.

For your information, other Coachella Valley jurisdictions have zoning to provide densities of 20 units per acre or greater. For example, the City of Coachella has residential densities at 30 units per acre and Beaumont, Yucaipa, and Yucca Valley have established minimum densities of 20, 24 and 35 units per acre respectively in specific plan and higher density residential zones. Pursuant to conversations with local developers, densities of 20-30 units per acre are necessary to maximize efficient use of land and financial resources to promote affordable housing development.

The element includes one sample proforma from a local housing developer proposing 15 units per acre based upon tax credit financing (pages III-172 through III-178 and Table III-66) and identifies two affordable tax credit projects completed in 2002 as examples of lower-density subsidized housing. It is recognized that housing affordable to lower-income households requires significant subsidies and financial assistance; however, identifying low density subsidized projects alone does not demonstrate the adequacy of a zone and/or density to accommodate the regional housing need for lower-income households. In addition, given regional comparisons identified above, the element still does not demonstrate how Banning’s market and development trends differ significantly from the region, as was discussed in the conference call, nor does it specifically describe financial/subsidy programs to encourage and facilitate development affordable to lower-income households at densities (11-18 du/ac) below that of both neighboring jurisdictions and the City’s default density of 30 du/ac.

Therefore, to demonstrate the adequacy of the densities between 11-18 units per acre, the element should specifically address the impacts of allowable densities on financial feasibility. For example, the element could evaluate the level of subsidies needed, or feasibility of housing developed at 11-18 units per acre compared to 20-30 units per acre. In addition, by promoting opportunities for development at higher densities, local governments, facilitate the development of multifamily housing affordable to lower-income households and maximize the efficient use of land and financial resources, promote compact, sustainable development and preserve important agriculture and open space resources.

In addition, as described in the previous review, to demonstrate the appropriateness of two large sites of 40 and 55 acres, the element should describe opportunities the City could facilitate, such as subdivision or other methods of development of housing for lower-income households. For example, the City could consider adding a program to assist in lot splits and/or purchase remaining parcels with redevelopment funds.
The element also includes Program 5-4 to establish the Mixed Use Downtown Commercial (MUDC) overlay zone in the existing Downtown Commercial district at densities of 18-30 units/acre. The City could identify opportunities for development of housing for lower-income households to meet the RHNA in the MUDC, including a parcel specific inventory with size, zoning, general plan designation, describing existing uses for any non-vacant sites and include a calculation of the realistic capacity of each site. For more information on addressing these statutory requirements, refer to the Department's previous review.

2. Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels. Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall provide for sufficient sites with zoning that permits owner-occupied and rental multifamily residential use by right, including density and development standards that could accommodate and facilitate the feasibility of housing for very low- and low-income households (Section 65583(c)(1)).

Depending on the outcome of the analysis detailed above, the City may need to include a program to rezone additional sites (above and beyond the requirements limited to 127 units as outlined in Program 1-18) at densities adequate to meet the RHNA for lower-income households in the planning period pursuant to Government Code Section 65583.2(h).

For more information on addressing these statutory requirements, refer to the Department’s previous review and the Department’s Building Blocks’ website at http://www.hcd.ca.gov/hcd/housing_element2/PRO_adgsites.php.

The Department would be happy to provide any assistance needed to facilitate your efforts to bring the element into compliance. If you have any questions or would like assistance, please contact Janet Myles, of our staff, at (916) 445-7412.

Sincerely,

Cathy E. Creswell
Deputy Director

Enclosure

cc: Zai Abu Bakar, Community Development Director
    Kim Clinton, Senior Planner
    Eric Veenkamp, Raney Planning and Management, Inc.
ATTACHMENT 6

HCD REVIEW LETTER OF APRIL 2, 2013
April 2, 2013

Ms. Zai Abu Bakar
Community Development Director
City of Banning
P.O. Box 998
Banning, CA 92220

Dear Ms. Bakar:

RE: Review of the City of Banning's (2008-2014) Revised Draft Housing Element

Thank you for submitting Banning's revised draft housing element received for review on February 1, 2013, along with additional revisions received on March 19, 2013. The Department is required to review draft housing elements and report the findings to the locality pursuant to Government Code Section 65585(b). A site visit on December 18, 2012 and a telephone conversation on February 27, 2013, with Ms. Zai Abu Bakar, Community Development Director, Mr. Brian Guillot, Associate Planner, and John Douglas, the City's consultant, facilitated the review.

The draft element addresses some statutory requirements; however, revisions will be necessary to comply with State housing element law (Article 10.6 of the Government Code). In particular, the element must be revised to demonstrate adequate sites to accommodate the City's regional housing need allocation for lower-income households, and to confirm commitments and timeframes for actions to address needs and constraints. The enclosed Appendix describes this and other revisions needed to comply with State housing element law.

The Department appreciates the cooperation of Ms. Bakar and Mr. Guillot during the course of our review. We are committed to assist Banning in addressing all statutory requirements of housing element law and are available to provide any and all necessary technical assistance to assist Banning in preparing a compliant housing element. The Department will contact the City in the next week to discuss options for providing technical assistance. If you have any questions, please contact Janet Myles, of our staff, at (916) 445-7412.

Sincerely,

[Signature]
Glen A. Camorra
Assistant Deputy Director

Enclosure
APPENDIX
CITY OF BANNING

The following changes would bring Banning’s housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on the Department’s website at www.hcd.ca.gov/hpd. Refer to the Division of Housing Policy Development and the section pertaining to State Housing Planning. Among other resources, the Housing Element section contains the Department’s latest technical assistance tool Building Blocks for Effective Housing Elements (Building Blocks) available at www.hcd.ca.gov/hpd/housing_element2/index.php, the Government Code addressing State housing element law and other resources.

A. Housing Needs, Resources, and Constraints

1. Include an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites (Section 65583(a)(3)). The inventory of land suitable for residential development shall be used to identify sites that can be developed for housing within the planning period (Section 65583.2).

This most recent revision of the element now proposes to meet the City’s regional housing need for the current planning cycle through the rezone of approximately 46 vacant acres to very high density residential (VHDR) at 20-30 du/ac and the inclusion of approximately 113 vacant acres currently zoned for high density residential (HDR) at 11-18 du/ac, before any density bonus is applied. The element also includes possible excess potential for higher density mixed-use residential infill development in the downtown commercial district upon adoption of a mixed-use residential Overlay, allowing 16-30 du/ac, once any density bonus has been applied. Banning’s regional housing need for the 2008-2014 cycle is 3841 housing units, of which 1491 are for lower-income households. The City also has an additional unaccommodated need from the previous planning period for lower income households.

However, as noted in the two previous review letters, pursuant to Government Code Section 65583.2(o)(3)(A) and (B), the element still does not include an analysis adequate to demonstrate these sites and strategies can accommodate the City’s share of the RHNA for all income levels. The element should be revised as follows:

Unaccommodated Need From Prior Planning Period Has Not Been Addressed:
Review of the prior draft element identified an unaccommodated need for lower-income households from the planning period prior to the current 2008-2014 planning cycle. As a result, the City was required to zone or rezone sites to accommodate the unaccommodated need within the first year of the current planning period. Since more than one year has lapsed since the beginning of the current planning period, the Department cannot find the element in compliance until the required zoning or
rezoning is complete and the element is amended to reflect same. For additional information, see Department's AB 1233 Technical Assistance Memo at http://www.hcd.ca.gov/hpd/hrc/plan/he/ab_1233_final_dj.pdf and the Building Blocks at http://www.hcd.ca.gov/hpd/housing_element2/GS_reviewandrevise.php.

Inventory and Adequate Sites Analysis: The element must be revised to demonstrate the appropriateness of identified sites as detailed below. In addition, the Department noted during the review of this revised draft that some omissions and/or inconsistencies now exist, when compared to the previously submitted draft element reviewed by the Department December 3, 2009.

Appendix H includes approximately 46 acres of land to be rezoned to Very High Density Residential (VHDR), at densities between 20-30 du/ac, to accommodate the City’s regional need for lower-income households. However, even with capacity estimates per site at 25 du/ac, the total capacity for meeting the lower income need is not adequate to provide for the current and previous planning period regional need. As a result, it appears the City is relying on a potential mix of strategies to accommodate this remaining need and therefore the element should be revised as follows:

- The element narrative identifies three large parcels, zoned for high density residential uses allowing between 11-18 units per acre (parcels 532-080-004 (55.80 acres), 537-100-003 (41.31 acres) and 537-110-008 (15.24 acres), as unencumbered and ripe for development (page III-178). However, Table H-4 does not include parcel 537-100-003. If the City is relying on this site to accommodate a portion of its regional need, Table H-4 should be revised.

- While it would appear from the narrative the three parcels detailed above are the only large HDR sites, Table H-4 in Appendix H also includes one 33.86 acre site aggregating portions of parcels 537-110-003, 005, 006 and 008, and a separate parcel 537-110-008 of 15.24 acres. The element should clarify which sites, or portions of sites, are considered available and suitable to accommodate the City’s regional need, and specifically the regional need for lower-income housing.

- The Banning Zoning Overlay Map shows four of the biggest parcels (537-110-003, 006, 007 and 008) are currently zoned for mixed densities and uses (low and medium density residential, parks and open space) with only a very small portion of parcel 537-110-008 shown as zoned for high density residential. It is unclear, therefore, if these sites are all currently zoned for high density residential uses as indicated in the narrative.

- As three HDR sites listed in the sites inventory are comprised of multiple parcels, the element may aggregate parcels but must also list each parcel by parcel number or unique reference, parcel size, zoning, general plan designation, and include a calculation of the realistic capacity of each parcel. Therefore, the analysis should describe the division and aggregation of parcels into sites as
identified on Table H-4, and the actual acreage of sites available for high density residential development. This will impact the acreage of sites available at densities demonstrated to accommodate the City's lower-income regional need.

In addition, according to the Zoning Overlay Map, the following two parcels listed in the sites inventory appear to have been designated for specific plan development; 532-080-004 (55.80 ac) and 419-140-059 (3.31 ac). However, the element contains no description of subdivision status or timing issues for these HDR sites. Where the housing element relies upon Specific Plan areas to accommodate any portion of the City's regional housing need for lower income households, it must also provide an analysis demonstrating the suitability for development in the planning period or potential affordability, if known. To include residential capacity within Specific Plans the element must indicate whether suitable sites have approved or pending projects, or are otherwise available for development during the planning period, by including the following:

- If projects are approved or pending, the element must describe the status of the project, including any necessary approvals or steps prior to development, development agreements, conditions or requirements such as phasing or timing requirements that impact development in the planning period, and the affordability of project units based on anticipated rents, sales prices or other mechanisms (e.g., financing, affordability restrictions) ensuring their affordability.

- For suitable sites without pending or approved projects, the element must list sites by parcel number or unique reference, size, General Plan designation, zoning and include a calculation of the realistic capacity of each site.

Finally, the element also proposes to adopt a Mixed-Use Downtown Commercial (MUDC) Overlay (Program 5-4) to allow multifamily mixed-use development with a density range of 16-30 du/acre. It is unclear whether the City is relying on these sites to accommodate any portion of its need for lower-income households. However, please note, the program as proposed does not meet the adequate sites program requirements pursuant to Government Code Section 65583.2(h) as described in the Department’s prior reviews. Specifically, among other requirements, sites rezoned to accommodate any portion of the City's lower-income need must establish minimum densities of 20 units per acre. For additional information and a sample sites inventory, see the Building Blocks at http://www.hcde.ca.gov/hpd/housing_element2/SIA_land.php.

2. **Pursuant to Government Code Section 65583.2(o)(3)(A) and (B), the element must identify the zones and densities appropriate to encourage and facilitate the development of housing for lower income households based on factors such as market demand, financial feasibility, and development experience within zones.**

**Zoning to Encourage and Facilitate Housing for Lower-Income Households:** While the element identifies the HDR (11-18 units per acre) and proposed VHDR (20 to 30 units
per acre) zones to accommodate housing for lower income households, it does not include analysis adequate to support the assumption. Specifically, the revised element proposes to meet a substantial portion of the regional need for lower-income households on sites zoned for a maximum density of 18 du/ac.

While the revised element now includes information on average market sales and rents and affordable monthly housing costs by income level, the analysis still does not demonstrate the adequacy of a zone and/or density to accommodate the regional housing need for lower income households as detailed in the Department's prior review. General statements about the competitive cost of existing housing on the market relative to the countywide average do not demonstrate housing in Banning is affordable to lower income families (pg III-155, III-175 and H-1), particularly where the analysis of need appears to indicate a high percentage of all lower income owner occupants and renters overpay for housing in Banning (note — the element includes contradictory numbers on levels of overpayment depending on the Table reference - See Tables III-38 and III-39, pages III-131 and 132), 23.7% of rental units are overcrowded (Table III-51, pg III-148), and, while large families make up 13.3% of all households in the City, the existing housing stock comprises 43.6% 2-bedroom rental units, 49% 2-bedroom 'occupant/owner units and only 6.1% units of 4 bedrooms or more (Table III-49, pg III-141 and Table III-51, pg III-148).

As was discussed during the site visit and the conference call, an analysis of appropriate densities should give detailed description of specific, recent examples of housing developed at proposed densities affordable to lower-income households and describe how existing and proposed policies and resources have and will be applied to facilitate development of affordable housing opportunities. Where examples of recent development are not available in Banning, regional examples of recent development and development proposals under review from the surrounding area could be included to appropriately demonstrate reasonable densities and identify potential development partners. (It should be noted one comparable jurisdiction within the surrounding region found in compliance with State housing element law relied on proposed program actions to adopt an overlay program with minimum densities of 20 du/ac within the medium residential zone and encouraging at least 22 du/ac within the very high density zone, and another proposed to adopt a Specific Plan Overlay reserved for a minimum of 20 du/ac on 90 acres).

As was noted in an earlier review, given regional comparisons identified above, the element still does not demonstrate how Banning’s market and development trends differ significantly from the rest of the region, or describe how financial and/or subsidy programs will encourage and facilitate development affordable to lower-income households at densities (11-18) below that of neighboring jurisdictions.

For further guidance on preparing the capacity analysis and analysis of sites, refer to the Department’s previous reviews on April 3 and December 3, 2009. The Department will send recent examples of analyses under separate cover to assist the City in addressing this statutory requirement. Additional information and sample analysis are also available on the Department’s Building Blocks website at http://www.hcd.ca.gov/hpd/housing_element2/SIA_zoning.php#zoning.
B. **Housing Programs**

1. Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels, including emergency shelters and transitional housing. Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall provide for sufficient sites with zoning that permits owner-occupied and rental multifamily residential use by-right, including density and development standards that could accommodate and facilitate the feasibility of housing for very low- and low-income households (Section 65583(e)(1)).

The revised element now indicates **Program 1-18** to rezone 12 acres in the HDR zone at 20 du/ac has been removed and replaced by **Program 1-2**. However, the action in **Program 1-18** was designed specifically to address the City’s unaccommodated need for lower income housing from the previous planning period and appears to continue to be necessary to address the requirements of AB 1233 (Statutes 614, Chapter 2005). Therefore, the element must still identify adequate sites appropriately zoned or include a rezone program to address the identified shortfall of sites from the prior planning period, as detailed in the Department’s prior review.

**Program 1-2** now proposes to rezone identified HDR sites to VHHDR at a minimum density of 20 du/ac and a maximum density of 30 du/ac to address a portion of the City’s shortfall of sites in the current planning period. The program action could be revised to include additional sufficient acreage, where necessary, to accommodate both the current planning period shortfall and the City’s unaccommodated need from the previous planning period. Please note, as detailed in the prior review these sites must meet the requirements of 65583.2 (h) and (i).

**Program 5-4** commits the City to adopt a MUDC Overlay for the existing Downtown Commercial zone to allow residential development at 16-30 du/ac. However, the revised element now indicates an ordinance allowing residential development in the downtown district was adopted on January 31, 2006. It is the Department's understanding based on conversations with City staff that the 2006 adopted ordinance does not specifically identify densities for residential development within the MUDC overlay. Therefore, **Program 5-4** should include a timeframe to establish the MUDC Overlay to allow for residential mixed use development at densities of 16-30 du/ac within the planning period, in order to include these sites towards meeting the overall RHNA for the 4th planning period. Please note, as stated in Finding A1, above, if the City is relying on sites within the MUDC overlay to accommodate any portion of its lower-income need, the program should also be revised to address the adequate sites program requirements of 65583.2(h) and (i).

**Program 5-12** requires review of available sites on a parcel-by-parcel basis to insure an adequate supply of sites for housing affordable to lower-income whenever subsequent market rate development removes existing high density sites.
from the inventory. If development during the planning period reduces the inventory of available sites required to meet the City's portion of regional need for lower income, the program requires the element to identify additional sites appropriately zoned to maintain an adequate inventory of sites throughout the planning period. This is of particular importance considering the majority of all sites in the HDR and VHDR zones would require development at maximum calculated densities (16 in the 11-18 du/ac HDR zone and 25 in the 20-30 du/ac VHDR zone) to support residential development affordable to the lower-income households.

However, the maintenance of sites zoned at densities adequate to address a combined 4th and 3rd cycle regional housing need of applies not only during this planning period, but if the City continues to be reliant on these sites for the 5th cycle update for the 2013-2021 planning period, ongoing monitoring will be necessary and may result in the need to identify additional sites to continue to maintain capacity to accommodate the City's regional throughout the longer 5th cycle planning period of eight years -assuming Banning's 5th cycle housing element will be adopted within 120 days of the due date of October 15, 2013.

Therefore, as was discussed during the conference call in February, the city could consider adding a program to increase minimum densities for affordable housing development in the HDR zone by adopting an overlay allowance with a targeted percentage of units affordable to lower-income households meeting the following requirements: 1) non-disccretionary review of single and multifamily housing development, 2) a minimum of 20 du/ac and capacity at least 16 units per site (excluding density bonus) for development 3) with non-disccretionary review of single and multifamily housing development, in order to insure a sufficient supply of adequate sites is maintained throughout the planning period, to facilitate the ongoing development of housing affordable to lower-income households.

In addition, while Program 5-12 commits the City to maintain an inventory of vacant and underutilized parcels, develop and implement a formal project-by-project evaluation, and rezone sufficient sites to address any shortfall during the planning period, it must also identify a schedule by which any action taken to address those constraints will be implemented. For example, the Schedule could state the inventory will be updated annually, a formal evaluation procedure will be adopted by a certain date within the planning period, and the inventory will be reviewed for adequate sites each time a site within the inventory is developed.

2. The housing element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households (Section 65583(c)(2)).

Program 1-9 commits to working with interested developers to identify sources of funding for affordable housing by July 2013, and specifically identifies the need for housing to accommodate large families. However, the program action does not identify how the City will provide additional assistance to that special needs group. The program could provide examples for assistance, i.e. prioritize or streamline
funding requests from developers interested in including 4+ bedroom units in their MF housing proposals, specifically to assist large families.

Program 3-6 commits the City to adopt a zoning ordinance to reduce off-street parking for residential development serving special needs populations and/or proximate to public transit and commercial corridors, and further provides - on a case by case basis - reductions of parking requirements of up to 90 percent as a strategy to encourage the development of housing for extremely low-income households. Program 3-6, as revised, now indicates access to this incentive will be directed to projects qualifying for a density bonus. However, parking reduction is one of several incentives provided for in state density bonus law. It is unclear how the implementation strategy is furthered by the limitation to density bonus applicability, including whether or not a schedule of implementation still exists for the remaining actions. At the very least, Program 3-6 could be expanded to describe additional incentives and concessions the City might offer to facilitate residential development to meet Banning's extremely low-income housing need.

4. The housing element shall contain programs which address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing (Section 65533(c)(3)).

Program 3-7 includes an action to monitor the design review process on an annual basis for potential constraints to affordable housing, particularly processing times and the impact of conditions of approval on projects of 5 units or greater. However, as the most recent revision no longer includes a schedule for implementation, the element should indicate the annual timeframe for this monitoring action, as noted in the Action Program narrative. The significance of the fast track development review implemented in July 2009, prior to the previous element revision, remains unclear.

Programs 5-5, 5-6, 5-7 all identify a schedule to implement as "Uncertain, due to dissolution of Redevelopment Agency" however, as the element has identified constraints to development and has proposed program actions to address or mitigate those constraints, it must also identify a schedule by which any action taken to address those constraints will be implemented, as staff and funding resources allow, or describe other actions and a timeframe by which the city can remove or mitigate identified constraints. For example, where financial incentives from redevelopment agency funds are no longer viable, the element could commit to researching and applying for regional, state and federal Infrastructure funding. Where resources to establish a roundtable workshop are not currently available, the element could commit to identifying and soliciting interest from developers involved with affordable housing development and preservation in the Banning area, and regionally.
ATTACHMENT 7

PROPOSED DOWNTOWN OVERLAY ZONE MAP
ATTACHMENT 8

PROPOSED PARCELS TO BE REZONED TO HDR-20
ATTACHMENT 9
PROPOSED PARCELS TO BE REZONED TO VHDR-20
ATTACHMENT 10

EXISTING ZONING MAP AND APARTMENT LOCATIONS
ATTACHMENT 11

DRAFT INITIAL STUDY / MITIGATED NEGATIVE DECLARATION
CITY OF BANNING
Initial Study/Mitigated Negative Declaration

General Plan Amendment and Zone Change Related to adoption of the
2008-2014 Banning Housing Element
(General Plan Amendment No. 13-2504 and Zone Change No. 13-3502)

City of Banning
Community Development Department
99 E. Ramsey Street
Banning, California 92220

May 29, 2013
City of Banning Initial Study/Negative Declaration
for
General Plan Amendment and Zone Change related to the adoption of the
2008-2014 Banning Housing Element

1. **Project Title:** Banning 2008-2014 Housing Element (General Plan Amendment No. 13-2504 and Zone Change No. 13-3502)

2. **Lead Agency Name and Address:** City of Banning, 99 E. Ramsey Street, Banning, CA 92220

3. **Contact Person and Phone Number:** Zai Abu Bakar, Community Development Director, (951) 922-3131

4. **Applicant Name and Address:** City of Banning, 99 E. Ramsey Street, Banning, CA 92220

5. **Project Location:** City Wide (See Figures 1 through 3)

6. **General Plan Designation:** Various (See Tables 1 through 3)

7. **Project Description (describe the whole action involved, including, but not limited to, later phases of the project, and any secondary, support, or off-site features that are necessary for its implementation).**

The Project evaluated in this Initial Study includes three components: 1) adoption of the 2008-2013 Housing Element; 2) adoption of revisions to the General Plan (GP) Land Use Element text and General Plan Map; and 3) adoption of revisions to the Zoning Ordinance text and Zoning Map. Each of these components is described in greater detail below.

1. **2008-2013 Housing Element Amendment**

California Government Code Section 65302(c) mandates that each city shall include a Housing Element in its General Plan. The Housing Element is required to identify and analyze existing and projected housing needs and include statements of the City’s goals, policies, quantified objectives, and scheduled programs for the preservation, improvement, and development of housing. The City in adopting its Housing Element, must consider economic, environmental, and fiscal factors, as well as community goals as set forth in the General Plan. However, while cities have considerable flexibility in drafting the other elements of the General Plan, the Housing Element must comply with the statutory provisions of the California Government Code, which are codified in Section 65580 et. seq.

Many of the policies and programs contained in the Housing Element are intended to facilitate the preservation, maintenance and improvement of the City’s existing housing
stock. These programs would not change development patterns or result in any physical environmental impacts. However, under state law each jurisdiction is also required to demonstrate that local land use plans and zoning regulations provide development opportunities to accommodate the jurisdiction’s assigned fair share of the region’s new housing needs. The process by which fair share housing needs are determined is called the “Regional Housing Needs Assessment” (RHNA). The RHNA is prepared by the Southern California Association of Governments (SCAG). Once the RHNA allocations are adopted by SCAG and accepted by HCD, they become final and no changes or judicial review are permitted under state law.

The RHNA identifies Banning’s share of the regional housing need for the January 2006 through June 2014 projection period as 3,841 units. This total includes 873 very-low-income units, 618 low-income units, 705 moderate-income units, and 1,645 above-moderate-income units. In addition, the City must accommodate a RHNA carryover from the previous planning cycle of 598 lower-income units. State law requires the City to demonstrate the availability of adequate sites with appropriate zoning to accommodate the need for various types of housing units commensurate with the RHNA.

Under state law, a density of 20-30 housing units per acre is considered necessary to facilitate the production of housing affordable to lower-income households in Banning. The Banning General Plan and Zoning Ordinance currently allow a maximum residential density of 18 units/acre in the High Density Residential (HDR) district. As a result, the City’s current land use regulations and inventory of developable land do not provide sufficient capacity to accommodate the state-mandated lower-income portion of the RHNA. Therefore amendments to the General Plan zoning are necessary to provide adequate sites to accommodate the City’s fair share need for 2,089 additional lower-income units. The Housing Element includes program commitments to process General Plan and zoning amendments to accommodate new residential development commensurate with the RHNA and state mandates regarding the appropriate density for lower-income housing.

2. General Plan Land Use Element Amendment

In order to implement the Housing Element programs to accommodate development commensurate with the RHNA, the following revisions to the Land Use Element text and map are proposed:

- Create a new Very High Density Residential (VHDR) land use category with an allowable density range of 19-30 units/acre
- Revise the General Plan map to change the land use designations for the following properties:

<table>
<thead>
<tr>
<th>Assessor's Parcel No.</th>
<th>Current General Plan Designation</th>
<th>Proposed General Plan Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>537-190-018</td>
<td>MDR</td>
<td>VHDR</td>
</tr>
<tr>
<td>537-190-020</td>
<td>VLDR</td>
<td>VHDR</td>
</tr>
<tr>
<td>537-190-021</td>
<td>VLDR</td>
<td>VHDR</td>
</tr>
</tbody>
</table>
3. Zoning Text and Map Amendments

In addition to the General Plan revisions described above, the following changes to the Zoning Ordinance text and Zoning Map are proposed to implement Housing Element programs and accommodate additional lower-income housing development commensurate with the RHNA:

- Revise the development standards in the Downtown Commercial (D-C) zoning district to increase the allowable density for residential or mixed-use developments from 18 units/acre to 20 units/acre for developments with 16 units or more when 50% of units in the development are reserved for lower-income households. Parcels in the D-C zone are shown in Figure 1. The following parcels would currently qualify for this increased density:

<table>
<thead>
<tr>
<th>APN</th>
<th>Address</th>
<th>Parcel size (acres)</th>
<th>Potential Units (current)</th>
<th>Potential Units (proposed)</th>
<th>Net Increase (units)</th>
</tr>
</thead>
<tbody>
<tr>
<td>541-145-012</td>
<td>255 E RAMSEY ST</td>
<td>0.8</td>
<td>13</td>
<td>18</td>
<td>3</td>
</tr>
<tr>
<td>541-150-004</td>
<td>447 E RAMSEY ST</td>
<td>1.3</td>
<td>20</td>
<td>25</td>
<td>5</td>
</tr>
<tr>
<td>541-150-010</td>
<td>553 E RAMSEY ST</td>
<td>2.2</td>
<td>34</td>
<td>43</td>
<td>9</td>
</tr>
<tr>
<td>Totals</td>
<td></td>
<td>4.3</td>
<td>67</td>
<td>84</td>
<td>17</td>
</tr>
</tbody>
</table>

- Establish a zoning designation of “HDR-20” allowing multi-family residential development by-right at a minimum density of 20 units/acre when 50% of units in the development are reserved for lower-income households.

- Revise the Zoning Map to change the designations for the following properties (see Figure 2 West and Figure 2 East) from HDR to HDR-20:
<table>
<thead>
<tr>
<th>APN</th>
<th>Parcel Size (acres)</th>
<th>Current Capacity @ 10 units/ac</th>
<th>Proposed Capacity @ 20 units/ac</th>
<th>Net Potential Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>534-161-008</td>
<td>0.39</td>
<td>7</td>
<td>7</td>
<td>0</td>
</tr>
<tr>
<td>534-161-011</td>
<td>0.57</td>
<td>10</td>
<td>11</td>
<td>1</td>
</tr>
<tr>
<td>534-161-019</td>
<td>0.9</td>
<td>16</td>
<td>18</td>
<td>2</td>
</tr>
<tr>
<td>540-082-001</td>
<td>0.27</td>
<td>4</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>540-082-007</td>
<td>0.13</td>
<td>2</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>540-151-022</td>
<td>0.13</td>
<td>2</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>541-110-007</td>
<td>0.11</td>
<td>1</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>541-110-039</td>
<td>1.58</td>
<td>28</td>
<td>31</td>
<td>3</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>1.00</strong></td>
<td><strong>100</strong></td>
<td><strong>1804</strong></td>
<td><strong>202</strong></td>
</tr>
</tbody>
</table>

- Create a new Very High Density Residential (VHDR) zoning district with an allowable density range of 19-30 units/acre.
- Establish a zoning designation of "VHDR-20" allowing multi-family residential development by-right at a minimum density of 20 units/acre when 50% of units in the development are reserved for lower-income households.
- Revise the Zoning Map to change the designations for the following properties (see Figure 3):

<table>
<thead>
<tr>
<th>APN</th>
<th>Parcel Size (acres)</th>
<th>Existing Zoning</th>
<th>Allowable Density (units/ac)</th>
<th>Potential Units (current)</th>
<th>Proposed Zoning</th>
<th>Proposed Density (units/ac)</th>
<th>Potential Units (proposed)</th>
<th>Net Potential Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>537-190-018</td>
<td>28.0</td>
<td>MDR</td>
<td>10</td>
<td>260</td>
<td>VHDR-20</td>
<td>20</td>
<td>530</td>
<td>260</td>
</tr>
<tr>
<td>537-190-021</td>
<td>9.2</td>
<td>VLDR</td>
<td>2</td>
<td>18</td>
<td>VHDR-20</td>
<td>20</td>
<td>184</td>
<td>165</td>
</tr>
<tr>
<td>537-190-029</td>
<td>0.18</td>
<td>VLDR</td>
<td>2</td>
<td>18</td>
<td>VHDR-20</td>
<td>20</td>
<td>183</td>
<td>165</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>44.38</strong></td>
<td></td>
<td></td>
<td><strong>236</strong></td>
<td></td>
<td></td>
<td><strong>657</strong></td>
<td><strong>591</strong></td>
</tr>
</tbody>
</table>
No specific development is currently proposed on any of the sites proposed for rezoning. The City is not required to build or provide funding for any housing developments on these parcels, but rather must designate sites with appropriate zoning to facilitate affordable housing development. No development application for housing construction has been submitted to the City for any of these sites.

This Initial Study/Mitigated Negative Declaration analyzes the potential environmental impacts that would be expected to result from the adoption of the Housing Element and the proposed changes to General Plan land use and zoning designations for the designated parcels. Subsequent review of the specific/precise development of housing projects for these sites will be required to ensure compliance with all applicable policies, standards, regulations and mitigation measures at such time as development applications are submitted for review.

8. Surrounding Land Uses and Environmental Setting (describe the project’s surroundings):

Housing Element

The Housing Element establishes citywide policies and programs. The City of Banning is located in the San Gorgonio Pass area and is well served by major transportation routes. The US Interstate-10 corridor includes a significant portion of the City’s developed area with vacant lands and lower density development generally located towards the northern and southern portions of the City. The City of Banning corporate limits encompass about 23.2 square miles. The City is situated across a variety of geographic and geologic conditions, including the San Bernardino Mountains to the north and the San Jacinto Mountains to the south. The adjacent mountain canyons form the alluvial plains on which portions of the City have developed. The mountains provide dramatic and valuable viewsheds. The City is located in a transitional zone where coastal climates transition to desert, resulting in significantly differing landscape and geology.
Downtown Commercial Parcels – Existing and Surrounding Uses

The table below shows the existing and surrounding uses for parcels affected by the proposed zoning amendments within the D-C district.

<table>
<thead>
<tr>
<th>APN</th>
<th>Existing Use</th>
<th>North</th>
<th>South</th>
<th>East</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
<td>541-170-037</td>
<td>Vacant</td>
<td>Single Family Dwelling (DC)</td>
<td>Parking Lot (DC)</td>
<td>Vacant (DC)</td>
<td>Mobile Home/Park (MHP)</td>
</tr>
<tr>
<td>541-191-008</td>
<td>Vacant</td>
<td>Business (DC)</td>
<td>Business (DC)</td>
<td>Business (DC)</td>
<td>Business (DC)</td>
</tr>
<tr>
<td>541-146-005</td>
<td>Vacant</td>
<td>Residential (VLD)</td>
<td>Residential (VLD)</td>
<td>Vacant (VLD)</td>
<td>Residential (VLD)</td>
</tr>
<tr>
<td>541-146-006</td>
<td>Vacant</td>
<td>Business (DC)</td>
<td>Vacant (DC)</td>
<td>Residential (DC)</td>
<td>Business (DC)</td>
</tr>
<tr>
<td>541-146-012</td>
<td>Auto Sales</td>
<td>Government (DC)</td>
<td>Vacant (DC)</td>
<td>Government (DC)</td>
<td>Government (DC)</td>
</tr>
<tr>
<td>541-150-004</td>
<td>Vacant Structures</td>
<td>Vacant (DC)</td>
<td>Business (DC)</td>
<td>Vacant (DC)</td>
<td>Government (DC)</td>
</tr>
<tr>
<td>541-150-007</td>
<td>Vacant</td>
<td>Vacant (DC)</td>
<td>Business (DC)</td>
<td>Vacant Business (DC)</td>
<td>Vacant (DC) Multi</td>
</tr>
<tr>
<td>541-150-010</td>
<td>Vacant Structures</td>
<td>High Density Residential</td>
<td>Vacant (DC)</td>
<td>Vacant Business (DC)</td>
<td>Vacant Business (DC)</td>
</tr>
<tr>
<td>541-161-010</td>
<td>Parking Lot</td>
<td>Parking Lot (DC)</td>
<td>Roadway/Freeway</td>
<td>Parking lot (DC)</td>
<td>Parking lot (DC)</td>
</tr>
<tr>
<td>541-161-011</td>
<td>Parking Lot</td>
<td>Parking lot (DC)</td>
<td>Parking Lot (DC)</td>
<td>Parking lot (DC)</td>
<td>Parking lot (DC)</td>
</tr>
<tr>
<td>541-161-012</td>
<td>Parking Lot</td>
<td>Parking lot (DC)</td>
<td>Parking lot (DC)</td>
<td>Parking lot (DC)</td>
<td>Parking lot (DC)</td>
</tr>
<tr>
<td>541-161-024</td>
<td>Parking Lot</td>
<td>Government (PF)</td>
<td>Parking Lot (DC)</td>
<td>Parking lot (DC)</td>
<td>Parking lot (DC)</td>
</tr>
<tr>
<td>541-161-025</td>
<td>Parking Lot</td>
<td>Business Parking Lot (DC)</td>
<td>Roadway/Freeway</td>
<td>Parking lot (DC)</td>
<td>Parking lot (DC)</td>
</tr>
<tr>
<td>541-161-026</td>
<td>Parking Lot</td>
<td>Parking lot (DC)</td>
<td>Roadway/Freeway</td>
<td>Parking lot (DC)</td>
<td>Parking lot (DC)</td>
</tr>
<tr>
<td>541-161-027</td>
<td>Parking Lot/Vacant</td>
<td>Government (PF)</td>
<td>Parking Lot (DC)</td>
<td>Parking lot (DC)</td>
<td>Parking lot (DC)</td>
</tr>
<tr>
<td>541-161-028</td>
<td>Parking Lot/Vacant</td>
<td>Government (PF)</td>
<td>Roadway/Freeway</td>
<td>Parking Lot (DC)</td>
<td>Parking lot (DC)</td>
</tr>
<tr>
<td>541-163-001</td>
<td>Vacant</td>
<td>Government (PF)</td>
<td>Vacant (DC)</td>
<td>Vacant (DC)</td>
<td>Vacant (DC)</td>
</tr>
<tr>
<td>541-163-002</td>
<td>Vacant</td>
<td>Vacant (DC)</td>
<td>Roadway/Freeway</td>
<td>Vacant (DC)</td>
<td>Vacant (DC)</td>
</tr>
<tr>
<td>541-163-003</td>
<td>Vacant</td>
<td>Vacant (DC)</td>
<td>Roadway/Freeway</td>
<td>Vacant (DC)</td>
<td>Vacant (DC)</td>
</tr>
<tr>
<td>541-163-004</td>
<td>Vacant</td>
<td>Business (DC)</td>
<td>Roadway/Freeway</td>
<td>Vacant (DC)</td>
<td>Business (DC)</td>
</tr>
<tr>
<td>541-164-002</td>
<td>Vacant</td>
<td>Government (DC)</td>
<td>Vacant (DC)</td>
<td>Mixed Use ??? (DC)</td>
<td>Vacant (DC)</td>
</tr>
<tr>
<td>541-162-001</td>
<td>Vacant</td>
<td>Vacant Business (DC)</td>
<td>Vacant (DC)</td>
<td>Vacant (DC)</td>
<td>Business (DC)</td>
</tr>
<tr>
<td>541-162-002</td>
<td>Vacant</td>
<td>Vacant (DC)</td>
<td>Vacant (DC)</td>
<td>Vacant (DC)</td>
<td>Vacant (DC)</td>
</tr>
<tr>
<td>541-162-003</td>
<td>Vacant</td>
<td>Vacant Business (DC)</td>
<td>Vacant (DC)</td>
<td>Apartments ??? (DC)</td>
<td>Vacant (DC)</td>
</tr>
<tr>
<td>541-162-005</td>
<td>Vacant</td>
<td>Vacant (DC)</td>
<td>Vacant Substation (DC)</td>
<td>Vacant (DC)</td>
<td>Vacant (DC)</td>
</tr>
<tr>
<td>541-162-007</td>
<td>Vacant</td>
<td>Business (DC)</td>
<td>Vacant (DC)</td>
<td>Apartments (DC)</td>
<td>Vacant (DC)</td>
</tr>
<tr>
<td>541-162-008</td>
<td>Vacant</td>
<td>Business (DC)</td>
<td>Vacant (DC)</td>
<td>Vacant Business (DC)</td>
<td>Vacant (DC)</td>
</tr>
<tr>
<td>541-162-009</td>
<td>Vacant</td>
<td>Vacant (DC)</td>
<td>Highway</td>
<td>Business (DC)</td>
<td>Apartment (DC)</td>
</tr>
</tbody>
</table>
**High Density Residential Parcels – Existing and Surrounding Uses**

The table below shows the existing and surrounding uses for parcels affected by the proposed zoning amendments within the HDR district.

<table>
<thead>
<tr>
<th>APN</th>
<th>Existing Use</th>
<th>North</th>
<th>South</th>
<th>East</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
<td>534-161-008</td>
<td>Vacant</td>
<td>Multi-Family Residential (HDR)</td>
<td>Vacant (HDR)</td>
<td>Single Family (HDR)</td>
<td>Apartments (HDR)</td>
</tr>
<tr>
<td>537-120-034 (LDR/HDR)</td>
<td>Vacant</td>
<td>Vacant (MCR)</td>
<td>Vacant (LDR)</td>
<td>Vacant (LDR)</td>
<td>Vacant (PF/MCR)</td>
</tr>
<tr>
<td>540-083-002</td>
<td>Vacant / Church</td>
<td>Replifier Park (Open Space - Parks)</td>
<td>Church (HDR)</td>
<td>Business/Church (HDR)</td>
<td>Single Unit Dwellings/Senior Homes? (HDR)</td>
</tr>
<tr>
<td>541-110-011</td>
<td>Vacant</td>
<td>Multi-Family Unit (HDR)</td>
<td>Mobile Home Park (MHP)</td>
<td>Multi-family Units (HDR)</td>
<td>Multi-Family Unit (HDR)</td>
</tr>
<tr>
<td>541-110-013</td>
<td>Vacant / Residential Unit (Multi-family)</td>
<td>Multi-Family Units / Single Family (HDR)</td>
<td>Multi-units (SC)</td>
<td>Single Family (HDR)</td>
<td>Multi-family Units (HDR)</td>
</tr>
<tr>
<td>532-080-004 (GC, MDR, HDR, Open Spaces Resources)</td>
<td>Vacant</td>
<td>Vacant (LDR, Open Spaces Resources)</td>
<td>Vacant (BP)</td>
<td>Vacant Land (Outside City Boundaries)</td>
<td>Vacant (GC, LDR, Outside City Boundaries)</td>
</tr>
<tr>
<td>419-140-059 (HDR Specific Plan)</td>
<td>Vacant</td>
<td>Vacant (GC)</td>
<td>Single Family Units (HDR)</td>
<td>Single Family Units (MCR)</td>
<td>Sun Lakes Retirement Community (HDR)</td>
</tr>
<tr>
<td>534-161-009</td>
<td>Vacant / Multi-fam parking</td>
<td>Single Family Dwelling (HDR)</td>
<td>Single Family Dwelling (HDR)</td>
<td>Vacant (HDR)</td>
<td>Apartments (HDR)</td>
</tr>
<tr>
<td>534-161-010</td>
<td>Vacant</td>
<td>Vacant (HDR)</td>
<td>Single Family Dwelling (HDR)</td>
<td>Single Family Dwelling (LDR)</td>
<td>Apartments (HDR)</td>
</tr>
<tr>
<td>540-083-001</td>
<td>Vacant</td>
<td>Vacant/Church (HDR)</td>
<td>Vacant/Church (HDR)</td>
<td>Vacant (HDR)</td>
<td>Apartments (HDR)</td>
</tr>
<tr>
<td>540-082-005</td>
<td>Vacant</td>
<td>Single Family Dwelling (HDR)</td>
<td>Vacant (HDR)</td>
<td>Multi-family Units (HDR)</td>
<td>Multi-family Dwelling ?? (HDR)</td>
</tr>
<tr>
<td>540-082-006</td>
<td>Single Family Dwelling / Vacant</td>
<td>Vacant (HDR)</td>
<td>Not sure maybe apartments (HDR)</td>
<td>Single Family/Multi-Fam Units (HDR)</td>
<td>Multi-family Dwelling ?? (HDR)</td>
</tr>
<tr>
<td>557-110-008 (Various)</td>
<td>Vacant</td>
<td>Vacant (GC)</td>
<td>Vacant (HDR, LDR, Open Space)</td>
<td>Single Family Dwelling (MCR)</td>
<td>Vacant (LDR, Open space)</td>
</tr>
<tr>
<td>540-151-022</td>
<td>Vacant</td>
<td>Single Family Dwelling (HDR)</td>
<td>Vacant (HDR)</td>
<td>Multi-family Dwelling (HDR)</td>
<td>Single Family Dwelling (HDR)</td>
</tr>
<tr>
<td>540-082-007</td>
<td>Vacant</td>
<td>Single Family Dwelling (HDR)</td>
<td>Vacant (HDR)</td>
<td>Single Family Dwelling (HDR)</td>
<td>Single Family Dwelling (HDR)</td>
</tr>
<tr>
<td>540-151-021</td>
<td>Vacant</td>
<td>Single Family Dwelling (HDR)</td>
<td>Vacant (HDR)</td>
<td>Multi-family Dwelling (HDR)</td>
<td>Single Family Dwelling (HDR)</td>
</tr>
<tr>
<td>561-110-007</td>
<td>Vacant</td>
<td>Multi Family Units (HDR)</td>
<td>Multi-Family Units (HDR)</td>
<td>Multi-Family (HDR)</td>
<td>Multi-Family (HDR)</td>
</tr>
<tr>
<td>541-110-009</td>
<td>Vacant</td>
<td>Vacant (LDR)</td>
<td>Single Family Dwelling/Vacant (HDR)</td>
<td>Single Family Dwelling/Vacant (HDR)</td>
<td>Multi-Family (HDR)</td>
</tr>
</tbody>
</table>
**Very High Density Residential Parcels – Existing and Surrounding Uses**

The table below shows the existing and surrounding uses for parcels proposed to be rezoned to the VHDR district.

<table>
<thead>
<tr>
<th>APN</th>
<th>Existing Use</th>
<th>North</th>
<th>South</th>
<th>East</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
<td>537-190-018</td>
<td>Vacant</td>
<td>Vacant (PF &amp; VLDR)</td>
<td>Outside Boundaries</td>
<td>Vacant (LDR)</td>
<td>Vacant (VLDR)</td>
</tr>
<tr>
<td>537-190-020</td>
<td>Vacant</td>
<td>Vacant (VLDR)</td>
<td>Outside Boundaries</td>
<td>Vacant (VLDR)</td>
<td>Vacant (VLDR)</td>
</tr>
<tr>
<td>537-190-021</td>
<td>Vacant</td>
<td>Vacant (VLDR)</td>
<td>Vacant (VLDR)</td>
<td>Vacant (VLDR)</td>
<td>Vacant (Open Space Parks)</td>
</tr>
</tbody>
</table>
Figure 1. Location Map Showing Parcels within the Downtown Commercial Zone
Figure 2 West. Location Map showing Parcels in the High Density Residential Zone proposed to be designated RHD-20
Figure 2 East. Location Map showing Parcels in the High Density Residential Zone proposed to be designated RHD-20
Figure 3. Location Map showing Candidate Parcels for re-zoning to Very High Density Residential in the Very Low Density Residential
9. Public Agencies whose approval or Participation is Required (i.e., for permits, financing approval, or participation agreements):

State law requires that the City submit the draft Housing Element to the California Department of Housing and Community Development (HCD) for review prior to adoption and that the City Council considered HCD’s comments. The Draft Housing Element was submitted to the State on March 30, 2009, October 7, 2009, February 1, 2013, and March 19, 2013.

Review of specific development proposals by other governmental agencies may be required prior to development of new housing anticipated in the Housing Element. Appropriate public agency review will be determined at the time specific housing development applications are submitted to the City.
ENVIRONMENTAL ANALYSIS

1. INTRODUCTION

Purpose and Scope

This Initial Study/Mitigated Negative Declaration serves as the environmental review of the proposed Project, as required by the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., the State CEQA Guidelines, and the City of Banning Local Guidelines for Implementing CEQA.

In accordance with Section 15063 of the State CEQA Guidelines, the City of Banning is the lead agency and is required to prepare an Initial Study to determine if the Project may have a significant effect on the environment. This Initial Study is intended to be an informational document providing the Planning Commission, City Council, other public agencies, and the general public with an objective assessment of the potential environmental impacts that could result from the adoption of the Housing Element and related implementation actions. Since there is no specific housing project proposed on any of the sites affected by the proposed General Plan and zoning amendments, the environmental analysis is evaluates impacts that would be anticipated as a result of the implementation of the Housing Element to the extent they can be known at this time.

PREVIOUS ENVIRONMENTAL DOCUMENTATION

A Final Environmental Impact Report (FEIR) for the Banning General Plan was prepared by the City of Banning in accordance with the California Environmental Quality Act (CEQA). The FEIR analyzed the environmental consequences of the development of the city according to the General Plan. The General Plan and FEIR were adopted by the Banning City Council on January 31, 2006 (Resolution No. 2006-13).

Prior to approval of subsequent actions, the City is required to determine whether the environmental effects of such actions are within the scope of the project covered by the FEIR, and whether additional environmental analysis is required. If the agency finds that pursuant to Sections 15162, 15164, and 15183 of the CEQA Guidelines no new effects would occur, nor would a substantial increase in the severity of previously identified significant effects occur, then no supplemental or subsequent EIR is required.

PURPOSE OF THIS INITIAL STUDY

Pursuant to state law, the City is required to adopt General Plan policies and zoning regulations to accommodate the City’s fair share of regional housing need. The adoption of amendments to the General Plan and Municipal Code is a “project” under CEQA. This Initial Study provides an analysis of whether the proposed General Plan and Zoning Code amendments would result in any new or more substantial adverse environmental effects than were previously analyzed in the General Plan FEIR pursuant to CEQA Guidelines Sections 15162. The City, as Lead Agency,
has the authority for project approval and certification of the accompanying environmental documentation.

BASIS FOR A SUBSEQUENT NEGATIVE DECLARATION

Section 15162 of the State CEQA Guidelines states:

(a) When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but project proponents decline to adopt the mitigation measure or alternative.
The Final EIR certified in 2006 for the Banning General Plan evaluated the potential impacts of development of the City according to the land use designations set forth in the Land Use Element of the General Plan. The General Plan EIR evaluated the impacts associated with development of 32,198 additional housing units during the time horizon of the General Plan within the 23,555-acre study area, of which 14,824± acres are within the City limits. The proposed amendments to the General Plan Land Use Element and zoning regulations would allow approximately 810 more housing units than allowed under the 2006 General Plan and current zoning, which represents a potential increase of about 2.5%. The level of development reflected in the proposed amendments is consistent with the current regional growth forecast, the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), and the Regional Housing Needs Assessment (RHNA), and the City is required by state law to adopt land use plans and zoning regulations consistent with these regional plans and growth forecast.

Through the analysis presented in this document, the City of Banning has determined that potential impacts associated with the proposed General Plan and Zoning Code amendments are not substantial. There are no new significant impacts resulting from these changes, nor is there any substantial increase in the severity of any previously identified environmental impacts. In addition, the changes with respect to the circumstances under which the project will be undertaken would not result in new or more severe significant environmental impacts than previously analyzed.

SUMMARY OF FINDINGS

Based on the Environmental Checklist prepared for the project and supporting environmental analysis and pursuant to Section 15162 of the CEQA Guidelines, the City of Banning has determined, on the basis of substantial evidence in the light of the whole record, that:

(a) The proposed General Plan and Municipal Code amendments do not propose substantial changes to the project which would require major revisions to the FEIR due to new or substantially more severe significant environmental effects than previously analyzed in the FEIR;

(b) There have been no substantial changes in circumstances under which the project will be undertaken that will require major revisions to the FEIR due to new or substantially more severe significant environmental effects than previously analyzed in the FEIR; and

(c) No new information of substantial importance as described in subsection (a)(3) of Section 15162 has been revealed that would require major revisions to the FEIR or its conclusions.

Potential environmental impacts resulting from the adoption of the proposed General Plan and Zoning Code amendments have been evaluated and, except for those previously determined to be significant and unavoidable in the FEIR, the impacts would be less than significant or reduced to a level considered less than significant with mitigation.
2. EVALUATION OF ENVIRONMENTAL IMPACTS

An Environmental Checklist Form has been used to evaluate the potential environmental impacts associated with the proposed Project. The Form has been prepared by the Resources Agency of California to assist local governmental agencies, such as the City of Banning, in complying with the requirements of the Statutes and Guidelines for implementing CEQA.

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is “Potentially Significant Impact”. Based on the analysis contained in this Initial Study, the following environmental factors are affected by the proposed project.

- Aesthetics
- Agriculture Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Greenhouse Gas Emissions
- Hydrology/Water Quality
- Hazards & Hazardous Materials
- Land Use and Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities/Service Systems
- Mandatory Findings of Significance

In the Form, a series of questions is asked about the Project for each of the above-listed environmental factors. A brief explanation is then provided for each question on the Form. There are four possible responses to each question:

A. Potentially Significant Impact.

This response is used when the Project has the potential to have an effect on the environment that is considered to be significant and adverse.

B. Potentially Significant Unless Mitigation Incorporated.

This response is used when the Project has the potential to have a significant impact, which is not expected to occur because:

- Mitigation measures have been incorporated into the Project design in order to reduce the impact to a less than significant level; or,

- Adherence to existing policies, regulations, and/or design standards would reduce the impact of the Project to a less than significant level.

C. Less Than Significant Impact.

This response is used when the potential environmental impact of the Project is determined to be below known or measurable thresholds of significance and thus would not require mitigation.

D. No Impact.

This response is used when the proposed Project does not have any measurable impact.
3. ENVIRONMENTAL DETERMINATION

On the basis of this initial evaluation, the City finds that:

☐ The proposed Project could not have a significant effect on the environment, and a Negative Declaration will be prepared.

☐ Although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures, described in Exhibit C (attached), have been added to the Project. A Mitigated Negative Declaration will be prepared.

☐ The proposed Project may have a significant effect on the environment, and an Environmental Impact Report is required.

☐ The proposed Project may have a potentially significant impact unless mitigation is incorporated, but at least one of the impacts has been: 1) adequately analyzed in an earlier document pursuant to applicable legal standards and 2) addressed by mitigation measures based on the earlier analysis as described on the attached sheets. An Environmental Impact Report is required, but it is to analyze only those impacts that have not already been addressed.

☐ Although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier Environmental Impact Report (EIR) or in a Negative Declaration pursuant to applicable legal standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

Approved for distribution by:

Signature: Zai Abu Bakar, Community Development Director

Prepared by: Zai Abu Bakar, Community Development Director

Date: May 29, 2013

Public Review: June 3 to July 3, 2013

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4. ENVIRONMENTAL ANALYSIS CHECKLIST

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Impact Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. AESTHETICS. Would the Project:</td>
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<tr>
<td>a) Have a substantial adverse effect on a scenic vista?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c) Substantially degrade the existing visual character or quality of the site and its surroundings?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?</td>
<td>☐</td>
<td>☐</td>
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<td>☐</td>
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</table>

Explanation of Item 1.a. Scenic Vista. Less Than Significant Impact
The City of Banning is located in the San Gorgonio Pass area of Riverside County. The San Gorgonio Pass divides the San Bernardino Mountains to the north and the San Jacinto Mountains to the south. The dominant scenic vista associated with the Project sites are the backdrop of these mountains. The City’s General Plan considers the mountain backdrops as significant visual features. The San Gorgonio Peak which is a top of the San Bernardino Mountains is 11,485 feet above mean sea level and is the highest peak in Southern California. The San Jacinto Peak which is the highest peak of the San Jacinto Mountains is located approximately six (6) miles south of the I-10 freeway. It rises to 10,831 feet above mean sea level and is the highest peak in Riverside County. The adjacent mountain canyons form the alluvial plains on which portions of the City has developed. The mountains provide dramatic and valuable views. The General Plan policy requires that, “The City protects the peaks and ridgelines within the City and encourages coordination with adjacent jurisdictions to protect the peaks and ridgelines within the City’s area of influence, to protect the historic visual quality of the hillside areas and natural features of the Pass Area.” The proposed project will be developed in areas that are zoned for housing development. The height of the homes will be required to comply with the height limit of 60’. This height limit is a negligible height impact relative to height of these mountains and their peaks. No mitigation measure is required since the impact to the scenic vista is less than significant.

Explanation of Item I, b). Scenic Resources, Less Than Significant Impact

The California Department of Transportation regulates scenic resources within State highway. In 1963, the California State Scenic Highway Program was established by State legislation (SB 1467). The purpose of the program is to help communities protect and enhance their natural and cultural uniqueness and beauty. According to Caltrans, a highway may be designated scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the travelers’ enjoyment of the view. Caltrans defines a State Scenic Highway as any freeway, highway, road, or other public right-of-way that traverses an area of exceptional scenic quality, containing striking views, flora, geology, or other unique natural attributes.

I-10 from SR-38 and SR 62 is an “eligible” State Scenic Highway. To be designated as ‘eligible’ for State Scenic Highway status, this Section of I-10 must meet the following criteria:

a. Consist of scenic corridor that is comprised of a memorable landscape that showcases the natural scenic beauty or agriculture of California;
b. Existing visual intrusions do not significantly impact the scenic corridor;
c. Demonstration of strong local support for the proposed scenic highway designation; and
d. The length of the proposed scenic highway is not less than a mile and is not segmented.

The City must apply to Caltrans for the official designation, adopt the Corridor Protection Program, and receive notification from Caltrans that the highway has been officially designated State Scenic Highway. To receive Scenic Highway official designation, the scenic corridor of the highway must be identified and defined. Scenic corridor consists of land that is visible from the highway right-of-way and is comprised primarily of scenic and natural features. Topography, vegetation, viewing distance, and/or jurisdictional lines determine the corridor boundaries. The City must adopt ordinances, zoning, and/or planning policies that are designed to protect the scenic quality of the corridor. These ordinances and/or policies make up the official “Corridor Protection Program.”

The City of Banning has not adopted a Corridor Protection Plan for the portion of the I-10 that traverses the City. Though eligible for designation, this section of the I-10 is not officially designated State scenic highway.

State Route 243 starts at Lincoln Street in Banning and traverses through the San Jacinto Mountains is designated State Scenic Highway. This portion of the highway is mostly visible from properties that are located immediately adjacent to State Route 243. The closest project site on Lovell and Victory streets are approximately one (1) mile away from State Route 243.
**Explanation for Items 1, c), and d), Existing Visual Resources and light and glare.**

**Potentially Significant Unless Mitigation Incorporated**

The Housing Element identifies the need to provide sites to accommodate 2,089 lower-income housing units. The City’s strategy is a three-prong approach where the majority of the units will be provided using in-fill lots within the Downtown Commercial Zone and existing high density residential areas and rezoning approximately 44 acres of vacant properties from various zoning designations to very high density residential.

The development of these housing units will occur at various sites throughout the City at locations shown in Figures 1 through 3 on pages 10-13 of this document. Development on vacant land regardless of their locations will impact its existing visual character of the site because the land will be developed with structures that require interior and exterior lighting, parking and circulation, infrastructure improvement such as road, water, sewer, storm drain, electricity, gas line, and cable television and landscaping for residents livability.

The General Plan provides goals and policies for the development of housing to ensure that not only it provides for “a broad range of housing types to fill the needs of the City’s current and future residents” but also ensure that, “projects adjacent to existing neighborhoods shall be carefully reviewed to ensure neighborhood character is protected” and that residential development complies with design standards and guidelines of the Zoning Code to ensure “high quality resident development”. In addition, the Land Use Element of the General Plan requires that the, “Zoning Ordinance include principles, standards, and guidelines which provide for high quality, high density mixed used residential development, in the Downtown Commercial zoning district”. The Banning Zoning Code Section 17.08.220 through 17.08.280 provides extensive design guidelines for single-family and multi-family residential development. The design guidelines include site planning and grading, varied building design and architecture, wall articulation, colors and finish materials, project entry design treatment, parking lot lay-out and design, garage, garage doors, and carport design, equipment screening, requirements for open space, landscaping, lighting intensity and fixture design, and security. The Banning Municipal Code Chapters 18.01 through 18.15 provides regulations regarding grading, erosion control, and sediment control. Compliance with the General Policies and Design Guidelines in the Zoning Ordinance ensures that the project is sensitive to the surrounding environment and ensures their visual compatibility with existing neighborhoods. Additionally, future developments on the parcels that are subject to the proposed zoning amendment will be required to comply with the following mitigation measures to reduce the project impacts to less than significant.

**Mitigation Measure AES-1:** Development or revegetation shall be initiated within three months following initiation of mass grading or clearing activities, so as to limit the time graded surfaces

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2 Goal 2 of the Land Use Element, page III-16
3 Policy 2, Land Use Element, page III-16
4 Policy 4, Land Use Element, page III-16
remain in their exposed state consistent with landscape design guidelines and landscape plans and the provisions of Title 18.15.020 of the City’s Municipal Code regarding erosion and sediment control. A landscape plan shall be submitted for City’s review and approval as part of each grading permit application.

**Mitigation Measure AES-2:** The faces of all slopes shall be prepared, protected and maintained to control erosion and to reduce the visual impacts of slope grading. Slopes in excess of ten feet in height shall be graded pursuant to City Code requirements. Devices or procedures for erosion protections shall be installed as prescribed by State law and regulations and Title 18 of the City’s Municipal Code and shall be maintained in operable condition by the developer during the duration of the activity for which the grading permit was issued. The use of plastic sheeting for erosion control shall be avoided except where required in emergency conditions to prevent land slippage. Preferred means of erosion and sediment control on slopes and pads shall include hydromulching, placement of straw bales and wind fencing, and the use of straw blankets and similar devises.

**Mitigation Measure AES-3:** The Project developer shall maintain the site free of debris, which shall be promptly removed from the site when found at least daily during construction, and the Project developer shall monitor the site on a daily basis during construction to protect the site from illegal dumping.

<table>
<thead>
<tr>
<th>II. AGRICULTURAL RESOURCES: Would the Project:</th>
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<tbody>
<tr>
<td>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</td>
</tr>
<tr>
<td>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</td>
</tr>
<tr>
<td>c) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined</td>
</tr>
<tr>
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<td>by Government Code section 51104(g)?</td>
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<tr>
<td>d) Result in the loss of forestland or conversion of forestland to non-forest use?</td>
</tr>
<tr>
<td>e) Involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use?</td>
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**Explanation for II. a) and e). Farmland and Conversion of Farmland. No Impact.**

The California Department of Conservation maintains information related to mapping and monitoring of farmland and farmland subject to Williamson Act contract. Based on the California Department of Conservation website at [www.conservation.ca.gov/dnr/land/PDFs](http://www.conservation.ca.gov/dnr/land/PDFs) and Riverside County Land Management System, there is no farmland that are of Statewide and regional importance on any of the candidate project sites. Therefore, the Project has no impact on Williamson Act Contract/Agriculture Preserve and it will not convert farmland to non-agricultural use. No mitigation measure is proposed.

**Explanation for II. b). Williamson Act Contract. No Impact.**

Collectively, the parcels proposed for re-zoning for the project currently have four zoning designations including Very Low Density Residential (VLDR), Medium Density Residential (MDR), Downtown Commercial (DC), and High Density Residential (HDR). The specific zoning designation for each parcel is shown in the Project Description section of this report. Agricultural use is not a permitted use in VLDR, MDR, DC, and HDR.

With regard to Williamson Act/Agricultural Preserve contract’s existence on the parcels, research was done on the Riverside County Transportation and Land Use Department’s website at: [http://www3.rivco.ca.us/pa/relis/viewer](http://www3.rivco.ca.us/pa/relis/viewer). The County’s website reveals no Williamson Act/Agricultural Preservation contracts in the City of Banning. Therefore, the project has no conflict with zoning for agriculture use and it also has no impact on Williamson Act/Agriculture Preserves contract. No mitigation measure is required.

**Explanation for II. c) and d) Forestland. No Impact.**

As indicated in the Explanation for Item II. b) above, the parcels proposed for re-zoning for the project currently have four zoning designations including Very Low Density Residential (VLDR), Medium Density Residential (MDR), Downtown Commercial (DC), and High Density Residential (HDR) and are not zoned for forestland (as defined in PRC section 12220(g), woodland (as defined by PRC section 4526, or timberland zoned for Timberland production (as defined by Government Code Section 51104(g)). The specific zoning designation for each parcel
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<th>Potentially Significant Impact</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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<tbody>
<tr>
<td>a)</td>
<td>Conflict with or obstruct implementation of the applicable air quality plan?</td>
<td>☐</td>
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<tr>
<td>b)</td>
<td>Violate any air quality standard or contribute to an existing or projected air quality violation?</td>
<td>☐</td>
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<tr>
<td>c)</td>
<td>Result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions with exceeded quantitative thresholds for ozone precursors)?</td>
<td>☐</td>
<td>☐</td>
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<tr>
<td>d)</td>
<td>Expose sensitive receptors to substantial pollutant concentrations?</td>
<td>☐</td>
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<tr>
<td>e)</td>
<td>Create objectionable odors affecting a substantial number of people?</td>
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**Explanation for III. a) through e) Air Quality. Less Than Significant.**
The proposed project will generate short-term and long-term air quality impacts. Short-term air quality impacts occur during site preparation, grading, and subsequent construction of housing development. Sources of emissions includes emissions from grading and construction equipment, truck traffic for delivery and hauling of construction materials, and emissions from vehicles used by construction workers to and from the construction site. Long-term air quality impacts are those associated with project generated vehicle trips, as well as, from stationery sources related to the use of natural gas and electricity for heating, cooling, and lighting.

The City of Banning is located within the South Coast Air Basin where air quality is regulated by the South Coast Air Basin. The South Coast Air Basin regulates short-term and long term air quality impact from stationary and non-stationary pollution sources. The South Coast Air Quality...
Management District (SCAQMD) adopted the latest Air Quality Management Plan in December 2012. The Air Quality Management Plan includes development information from the cities general plan within the South Coast air district boundaries including the City of Banning. The City’s General Plan requires that the “City cooperate with the South Coast Air Quality Management District to assure compliance with air quality standards” and that the “development proposals mitigate any significant air quality impacts” which include short-term construction related impacts and long terms air quality impacts associated with occupancy and project operations. The SCAQMD regulates fugitive dust emissions during construction through Rule 403.

In addition, the proposed amendments are required by state law in order to conform the City’s land use regulations to the 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and the 2012 Regional Housing Needs Assessment (RHNA) prepared by the Southern California Association of Governments (SCAG). The Final EIRs prepared by SCAG for the RTP/SCS and by the SCAQMD for the AQMP analyzed air pollutant emissions that would result from all development throughout the region, and concluded that significant impacts would occur for some types of pollutants. Since the proposed amendments are consistent with these regional plans, impacts to air quality have already been analyzed in the RTP/SCS and AQMP EIRs.

The State continues to improve construction codes for the Building, Plumbing, and Energy Code. The Project is required to comply with the State Building Code to reduce air emissions related to heating, cooling, and lighting.

The General Plan policies require that air quality impacts be mitigated including compliance with the City’s Zoning Ordinance. In addition to compliance with the General Plan policies and Zoning Code, the Project is required to comply with the following mitigation measures:

Mitigation Measure AQ-1: Prior to issuance of any Grading Permit, the Director of Public Works and the Building Official shall confirm that the grading plan, building plans, and specifications stipulate that, in compliance with SCAQMD Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust prevention measures, as specified in the SCAQMD’s Rules and Regulations. In addition, in accordance with SCAQMD Rule 403, the applicant shall implement dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures are required:

- All active portions of the construction site shall be watered at least twice daily to prevent

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3 http://www.aqmd.gov/aqmp/2012aqmp/index.htm
4 Policy 1, Air Quality Element, page IV-78
5 Policy 4, Air Quality Element, page IV-78.
6 http://rtpscs.scag.ca.gov/Pages/Draft-2012-FEIR.aspx
excessive amounts of dust;

- On-site vehicle speed shall be limited to 15 miles per hour;
- All on-site permanent roads shall be paved, watered as needed, or chemically stabilized;
- Visible dust beyond the property line which emanates from the project shall be prevented to the maximum extent feasible through the use of dust suppressant techniques identified above;
- All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site;
- Track-out devices shall be used at all construction site access points;
- All delivery truck tires shall be watered down and/or scraped down prior to departing the job site; and
- Replace groundcover on disturbed areas within the required timeframes identified in Rule 403.

Mitigation Measure AQ-2: All trucks that are to haul excavated or graded material on-site shall comply with State Vehicle Code Section 23114 (Spilling Loads on Highways), with special attention to Sections 23114(b)(f)(e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads. Prior to the issuance of grading permits, the Applicant shall contact and coordinate with the Public Works Department on hauling activities compliance.

Mitigation Measure AQ-3: Prior to the issuance of building permits, the City building official shall confirm that construction plans and specifications include the following measures, which shall be implemented to reduce ROG emissions resulting from application of architectural coatings:

- Contractors shall use high-pressure-low-volume (HPLV) paint applicators with a minimum transfer efficiency of at least 50 percent;
- Coatings and solvents with a ROG content lower than required under Rule 1113 shall be used;
- Construction and building materials that do not require painting shall be used where readily available; and
- Pre-painted construction materials shall be used where readily available.

Mitigation Measure AQ-4: Prior to issuance of any Grading Permit, the Director of Public Works and the Building Official shall confirm that the Grading Plan, Building Plans and specifications stipulate that, in compliance with SCAQMD Rule 403, ozone precursor emissions from construction equipment vehicles shall be controlled by maintaining equipment engines in good condition and in proper tune per manufacturer's specifications, to the satisfaction of Public Works Director. A set of maintenance records shall be provided to the City before grading commences. The City Inspector shall be responsible for ensuring that contractors comply with this measure during construction.
Mitigation Measure AQ-5: Prior to issuance of any Grading Permit, the grading plan shall indicate dust management measures for review and approval by the City Engineer, to identify viable dust control measures and include a monitoring plan to be implemented throughout the construction phases of the Project. In accordance with the City’s Municipal Code, the dust management measures shall minimize wind-blown particles by including:

- All applicable mitigation measures identified in this Initial Study/Mitigated Negative Declaration (related to dust control) and otherwise required by the City or SCAQMD;
- An erosion and sediment control plan to minimize wind or waterborne transport of soil onto adjacent properties, streets, storm drains, or drainages; and
- A Revegetation Plan to address interim conditions between initial grading and final site development. The Revegetation Plan, although focused on the control of wind and water erosion, shall consider compatibility with fuel modification zone requirements, and drought tolerant landscape requirements. Special techniques such as wind fences shall also be considered, to minimize surface soil and dust during high wind events.

Mitigation Measure AQ-6: The following measures shall be implemented during construction to substantially reduce NOx related emissions. They shall be included in the Grading Plan, Building Plans, and specifications.

- Off-road diesel equipment operators shall be required to shut down their engines rather than idle for more than five (5) minutes, and shall ensure that all off-road equipment is compliant with the CARB in-use off-road diesel vehicle regulation and SCAQMD Rule 2449.
- The contractor and applicant, if the applicant’s equipment is used, shall maintain construction equipment engines by keeping them tuned and regularly serviced to minimize exhaust emissions.
- Low sulfur fuel for stationary construction equipment shall be required. This is required by SCAQMD Rules 431.1 and 431.2.
- Existing power sources (i.e., power poles) shall be used when available.
- Construction parking shall be located on-site where possible and shall be configured to minimize traffic interference.
- Obstruction of through-traffic lanes shall be minimized by providing temporary traffic controls such as flag persons, cones and/or signage during all phases of construction when needed to maintain smooth traffic flow. Construction shall be planned so that lane closures on existing streets are kept to a minimum.
- Construction operations affecting traffic shall be scheduled for off-peak hours, except in situations deemed necessary.
- Develop a traffic plan to minimize traffic flow interference from construction activities. The plan shall specify the times during which construction activities will occur and particular times when travel lanes cannot be blocked (e.g., peak traffic periods as directed by the affected City Engineer). The plans shall provide details regarding the placement of
traffic control, warning devices and detours. As a supplement to the traffic plan, the construction contractor shall coordinate with the affected agency to determine the need for a public information program which would inform area residents, employers and business owners of the details concerning construction schedules and expected travel delays, detours, and blocking of turning movements lanes at intersections. The public information programs could utilize various media venues (e.g., newspaper, radio, television, telephone hot lines, internet website, etc.) to disseminate information such as:

- Overview of project information
- Weekly updates on location of construction zones;
- Identification of street(s) affected by construction;
- Times when construction activities will occur and when traffic delays, and blockage of intersection turning movements can be expected; and
- Identification of alternate routes which could be used to avoid construction.

Compliance with the State construction code requirements and the mitigation measures indicated above will help to reduce the project’s air quality impacts, however as previously analyzed in the RTP/SCS EIR, regional impacts to air quality will continue to be significant. Since the proposed project is consistent with regional plans, air quality impacts would not be substantially greater than previously analyzed.

### IV. BIOLOGICAL RESOURCES

Would the Project:

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<tr>
<th>Potential Impact</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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<tbody>
<tr>
<td>a) Have a substantial adverse effect, either directly or through habitat modification, on any species identified as candidate, sensitive or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife?</td>
<td>☐</td>
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</tr>
<tr>
<td>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife?</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act</td>
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<td>Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</td>
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</tr>
<tr>
<td>d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservancy Conservation Plan, or other approved local, regional, or state habitat conservation plan?</td>
<td>☐</td>
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</tbody>
</table>

**Explanation Item IV. a) through c) Habitat and Wildlife Resources. Potentially Significant Unless Mitigation Incorporated.**

The City of Banning is a signatory to the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP). Within the MSHCP, there are requirements for which the City must comply with if the biological resources are affected. There are three features that are present in the City of Banning General Plan Study area which include: criteria areas, special linkage areas, and special survey area. The General Plan EIR on pages III-126 and III-127 and General Plan on page IV-48 define these areas in detail. The sites for the Project are located on vacant land that are either surrounded by existing development or located adjacent to an existing development and are not located in the criteria cell, special linkage areas, and special survey area. Prior to commencement of site clearance and grading, the Project is required to comply with the following mitigation measures:

**Mitigation Measure BIO-1:** Prior to the commencement of grading during the nesting season (approximately mid-February through mid-August), all suitable habitat shall be surveyed for the presence of nesting birds by a qualified biologist prior to site disturbance. Should any active nests be located, construction must comply with Migratory Bird Treaty Act requirements, including a 300-foot construction buffer around active nests or avoiding construction during the
nesting season if a 300-foot buffer is infeasible.

**Mitigation Measure BIO-2:** A preconstruction clearance survey for burrowing owl will be performed within 30 days prior to ground disturbance in potentially suitable habitat within the site, pursuant to the California Department of Fish and Game protocols. The preconstruction survey will include a 300-foot buffer if between February 1st and August 31st (nesting season) and a 100-foot buffer if outside of this period. If owls are found within the survey area during the nesting season, construction activities will not occur within 300 feet of the occupied burrows until nesting is completed. A qualified biologist must confirm that the nesting effort has been completed prior to the removal of the work buffer restriction. If owls are found within the disturbance footprint outside of the February 1st through August 31st period, passive relocation (e.g. use of one way doors and collapse of burrows) will occur. These surveys and mitigation for burrowing owl are consistent with Section 6.3.2, Additional Survey Needs and Procedures of the MSHCP.

**Mitigation Measure BIO-3:** Prior to the issuance of the grading permits the developer shall complete and submit all required protocol and habitat assessment studies required to demonstrate compliance with the MSHCP. Specifically, a DBESP (Determination of Biologically Equivalent or Superior Preservation), following approval of all required permits for the California Department of Fish and Game (CDFG) and United States Army Corps of Engineer (USACE), shall be prepared, which shall be reviewed by the CDFG and United States Fish and Wildlife Services (USFWS) and approved by City staff, in compliance with Section 6.1.2 of the MSHCP. The applicant shall implement the approved DBESP as a condition of the issuance of a grading permit and comply with all biological mitigation measures contained within the DBESP.

Development on vacant land also is required to pay a mitigation fee for the conservation of wildlife and their habitat in accordance with the MSHCP regulations. Payment of the MSHCP fees and compliance with the above mitigation measures would reduce the project impact to less than significance.

**Explanation Item IV. d) through f). Fish or Wildlife Species, Biological Resources, Trees, and Conservation Plan. No Impact**

The project will not impact fish or wildlife species, habitat, corridors or wildlife nursery sites or conflict City policies or ordinances protecting biological resources including tree preservation or habitat conservation. The project analyzed in this environmental review is at a conceptual level since there is no specific development application.

### V. CULTURAL RESOURCES: Would the Project...

<table>
<thead>
<tr>
<th>a) Cause a substantial adverse change</th>
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<tr>
<td>Question</td>
<td>Potentially Significant Impact</td>
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<tr>
<td>in the significance of a historical resource as defined in §15064.5?</td>
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<tr>
<td>b) Cause a substantial adverse change in the significance of an</td>
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<tr>
<td>archaeological resource pursuant to §15064.5?</td>
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<tr>
<td>c) Directly or indirectly destroy a unique paleontological resource or</td>
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<tr>
<td>site or unique geologic feature?</td>
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<tr>
<td>Potentially Significant Impact</td>
<td>Potentially Significant Unless Mitigation Incorporated</td>
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<tr>
<td>d) Disturb any human remains including those interred outside of formal cemeteries?</td>
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</table>

**Explanation of V. a). Historical Resources. No Impact.**
The City’s General Plan and General Plan EIR provides a listing of structures that are designated heritage properties and recorded historic era buildings. The majority of sites that are subject to the proposed amendments are vacant land, therefore no historical resources are likely to be impacted on these vacant sites. However, it is possible that sites with existing structures could contain historical resources that could be damaged or destroyed by development. The following mitigation measure would reduce this potential impact below the level of significance.

**Mitigation Measure CUL-1:** Prior to issuance of any demolition, grading or building permit for any site containing an existing structure, the applicant shall provide evidence acceptable to the Community Development Director demonstrating either 1) that no historical resources are present on the site, or 2) that a qualified historical resource investigator has been retained to survey the property and prepare a report describing the site’s historical significance. If historical resources are determined to be present, the investigator shall prepare recommendations for preserving the resources consistent with all applicable federal, state and local laws, which shall be carried out by the project applicant.

**Explanation of V. b) and c). Archeological and Paleontological Resources. Potentially Significant Unless Mitigation Incorporated.**
The General Plan indicated that less than one-third of the total acreage within the General Plan study area has been surveyed for archeological resources. The majority of the areas previously surveyed are located in the southern portion of the City on the Valley Floor, and these surveys encountered relatively few archeological sites or other cultural resources. Per the General Plan, Downtown area is considered a moderate sensitivity area for cultural resources. Twenty eight (28) parcels within the Downtown area are candidate parcels for the Project; therefore, the project may have the potential to impact archeological resources. In order to minimize impact to unknown archeological resources, the following mitigation measure is applied to the project:

**Mitigation Measure CUL-2:** Monitoring by a qualified archeologist shall be required during all earthmoving activities, grading, grubbing, trenching or other earth-moving activities on the project site. A City-approved project archeologist must create a mitigation-monitoring plan prior to earth-moving in the project area, a pre-grade meeting associated with the details of that plan must occur between the monitoring archeologist, the City representative, and the grading contractor before issuance of a grading permit. The Plan must discuss contingency plans associated with Native American tribal representation if any pre-historic artifacts are found during earth-moving. The mitigation-monitoring plan document must contain a description of how and where artifacts will be curated if found during monitoring.
Explanation of V. d), Human Remains, Potentially Significant Unless Mitigation Incorporated.

Health and Safety Code Section 7050.5 requires that the Project follow the proper protocol when human remains are found on a construction project site. The following mitigation measure is incorporated into the Project to ensure that the project impact is mitigated to less than significant:

Mitigation Measure CUL-3: If previously unknown cultural resources, including human remains, are identified during grading activities, a qualified archaeologist shall be retained to assess the nature and significance of the find. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner shall be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner shall notify the Native American Heritage Commission (NAHC), which shall determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the discovery site. The MLD shall complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

With incorporation of the above mitigation measure, the Project impact regarding human remains is reduced to less than significant.

VI. GEOLOGY AND SOILS: Would the Project:

<table>
<thead>
<tr>
<th>Project Impacts</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Impact Less Than Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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<tr>
<td>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</td>
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<tr>
<td>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</td>
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<td>ii) Strong seismic ground</td>
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<tr>
<td></td>
<td>Potentially Significant Impact</td>
<td>Potentially Significant Unless Mitigation Incorporated</td>
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<td>shaking?</td>
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<td>iii) Seismic-related ground failure, including liquefaction?</td>
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<tr>
<td>iv) Landslides?</td>
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<tr>
<td>b) Result in substantial soil erosion or the loss of topsoil?</td>
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<tr>
<td>c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</td>
<td>☐</td>
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<tr>
<td>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?</td>
<td>☐</td>
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<tr>
<td>e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems if sewers are not available?</td>
<td>☐</td>
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</tbody>
</table>

**Explanation of Item VI a) i) through iii) and c) Exposure to Risk to Earthquake, Potentially Significant Unless Mitigation Incorporated**

The City’s General Plan Table V-1\textsuperscript{10} shows the various faults names, proximity to Banning, and seismic intensities. Exhibit V-3\textsuperscript{11} shows approximate locations of these fault zones including San Andreas fault. The entire area of the City is therefore susceptible to seismically induced ground shaking. To minimize potential earthquake and ground rupture hazards to structures and people, the following mitigation measures are required for the project:

**Mitigation Measure GEO-1**: All structures on the Project site shall be constructed pursuant to the most current applicable seismic standards as part of the subdivision map, grading plan, and building permit review processes, with building setbacks as recommended by the soils and geotechnical report. Design criteria developed for Project structures shall also be based on the most current standards of practice and design parameters suggested by the Structural Engineers Association of California based on the recommendations and amendments to the California Building Code for specific types of buildings and occupancies.

**Mitigation Measure GEO-2**: A detailed analysis of site geotechnical conditions, field

\textsuperscript{10} Page V-12 of the Banning General Plan, Environmental Hazards

\textsuperscript{11} Page V-13 of the Banning General Plan, Environmental Hazards
<table>
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<tr>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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</table>

Investigation and slope stability analyses shall be conducted as 40 scale grading plans for mass and fine grading are prepared for the Project site. These studies shall be submitted to the City Building Department or Building Official, and their recommendations incorporated into Project design to the satisfaction of the City Engineer, prior to the issuance of any grading permits, including those for mass grading, in areas where slopes of 10 feet or more in height are anticipated and/or where evidence of debris flows or past landslides is found.

**Mitigation Measure GEO-3:** The Project site shall be constructed pursuant to the following mitigation measure contained in the City of Banning General Plan EIR, Geotechnical Element:

- During the site grading, all existing vegetation and debris shall be removed from areas that are to receive compacted fill. Any trees to be removed shall have a minimum of 95 percent of the root systems extracted. Man-made objects shall be over excavated and exported from the site. Removal of unsuitable materials may require excavation to depths ranging from 2 to 4 feet or more below the existing site grade.

- All fill soil, whether on site or imported, shall be approved by the individual Project soils engineer prior to placement as compaction fill. All fill soil shall be free from vegetation, organic material, cobbles and boulders greater than 6 inches in diameter, and other debris. Approved soil shall be placed in horizontal lifts or appropriate thickness as prescribed by the soils engineer and watered or aerated as necessary to obtain near-optimum moisture-content.

- Fill materials shall be completely and uniformly compacted to not less than 90 percent of the laboratory maximum density, as determined by American Society for Testing and Materials (ASTM) Test Method D-1557-78, or equivalent test method acceptable to the City Building Department. The project soils engineer shall observe the placement of fill and take sufficient tests to verify the moisture content, uniformity, and degree of compaction obtained.

- Finish cut slopes generally shall not be inclined steeper than 2:1 (horizontal to vertical). Attempts to excavate near-vertical temporary cuts for retaining walls or utility installation in excess of 5 feet may result in gross failure of the cut and may possibly damage equipment and injure workers. All cut slopes must be inspected during grading to provide additional recommendations for safe construction.

- Finish fill slopes shall not be inclined steeper than 2:1 (horizontal to vertical). Fill slope surfaces shall be compacted to 90 percent of the laboratory maximum density by either overfilling and cutting back to expose a compacted core or by approved mechanical methods.

- Foundation systems that utilize continuous and spread footings are recommended for the support of one- and two-story structures. Foundations for higher structures must be evaluated based on structure design and on-site soil conditions.

- Retaining walls shall be constructed to adopted building code standards and inspected by the Building Inspector.
• Positive site drainage shall be established during finish grading. Finish lot grading shall include a minimum positive gradient of 2 percent away from structures for a minimum distance of 3 feet and a minimum gradient of 1 percent to the street or other approved drainage course.

• Utility trench excavations in slope areas or within the zone of influence of structures should be properly backfilled in accordance with the following:
  (a) Pipes shall be bedded with a minimum of 6 inches of pea gravel or approved granular soil. Similar material shall be used to provide a cover of at least 1 foot over the pipe. This backfill shall then be uniformly compacted by mechanical means or jetted to a firm and unyielding condition.
  (b) Remaining backfill may be fine-grained soils. It shall be placed in lifts not exceeding 6 inches in thickness or as determined appropriate, watered, or aerated to near optimum moisture content, and mechanically completed to a minimum of 90 percent of the laboratory maximum density.
  (c) Pipes in trenches within 5 feet of the top of slopes or on the face of slopes shall be bedded and backfilled with pea gravel or approved granular soils as described above. The remainder of the trench backfill shall comprise typical on-site fill soil mechanically completed as described in the previous paragraph.

**Explanation on Item VI. a), iv) Landslides. Less Than Significant Impact**
The Project sites are relatively flat and are not in the vicinity of slopes that are susceptible to landslide. No mitigation measure is required.

**Explanation on Item VI. b) Soil Erosion. Less Than Significant Impact**
Development of the sites would create the potential for soil erosion by removing existing vegetation or existing structures. In the short-term, construction activity associated with project development may result in wind and water driven soil erosion and loss of topsoil due to grading activities is stockpiled or exposed. The Project is required to adhere to conditions under the National Pollution Discharge Elimination System permit issued by the Regional Water Quality Control Board and prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) to be administered through out project construction. The SWPPP will incorporate best management practices to ensure that the potential water quality impacts during construction from soil erosion would be reduced to less than significant levels. In the long-term, previously undisturbed soil will be replaced with structures, pavement, and new landscaping as part of the project. These improvements will not contribute to the conditions that result in on-site soil erosion or off-site. Therefore, impacts would be less than significant. No mitigation measures are required.

**Explanation on Item VI. d) Expansive Soil. Less Than Significant Impact**
The Project sites are located in low-lying areas of the City that are proposed for development. The General Plan indicates that low-lying areas of the City are underlain by alluvial fan sediments that are composed primarily from granular soils and thus the expansion potential for
soils ranges from low to very low\textsuperscript{12}. The project is required to submit a soils and geotechnical report and recommendations in the soils report are to be incorporated into the project which reduced the project impact to less than significant. No mitigation measure is required.

**Explanation on Item VI. e) Septic Tank. No Impact**
The Project is required to use the City's sewer system and not use a septic system. No mitigation measure is required.

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<tr>
<th>VII. GREENHOUSE GAS EMISSIONS: Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Impact Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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<tbody>
<tr>
<td>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</td>
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<td>b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</td>
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**Explanation of Item VII. a) and b). Greenhouse Gas Emission. Less than Significant Impact**
The proposed Housing Element and results of its implementation will generate greenhouse gas emissions during short-term construction and long-term operation of the project. The short-term emissions are primarily the result of fuel combustion by construction equipment, delivery and haul trucks, and motor vehicles used by construction worker to travel to and from the project site. Based on the emission calculations for the different types of pollutants in Appendix A, the short-term construction would exceed 2.5 times daily threshold for NOx set by the South Coast Air Quality Management District if all of the properties affected by the proposed amendments were to be developed at the same time. Construction of the specific projects expected to occur after adoption of the Housing Element and the related amendments will proceed based on market demand over many years. Therefore, the greenhouse gas emissions resulting from the project at any particular time will be much less than the maximum worst-case estimate shown in Appendix A.

Over the long-term, the project will result in greenhouse gas emissions primarily from the consumption of electricity and use of automobiles and vehicles by the residents who live in the project site. Under state law, the City is required to adopt plans and land use regulations to accommodate at least 2,089 lower-income housing units pursuant to the RHNA for the 2008-2014 Housing Element cycle. The South Coast Air Quality Management District and SCAG have prepared the latest Air Quality Management Plan (2012 AQMP) and Regional

\textsuperscript{12} Banning General Plan, Paragraph 1, page V-9, Environmental Hazards
Table: Transportation Plan/Sustainable Communities Strategy (2012 RTP/SCS), respectively, which are based upon the land uses and housing units required under the RHNA. Therefore, greenhouse gas emissions resulting from the proposed amendments have been analyzed in the previous EIRs prepared for the AQMP and RTP/SCS. Since the proposed Project is consistent with those regional plans, potential impacts to greenhouse gas emissions would not be substantially greater than previously analyzed and no new significant impacts would occur.

The City of Banning General Plan incorporates policies that “promotes energy conservation throughout all areas of the community and sectors of the local economy and encourage the expanded use of public transit, vehicles fueled by compressed natural gas and hydrogen, buses with bike racks and other improvements that enhance overall operations and energy conservation”¹³.

The California Building and Energy Codes continue to be updated to provide for more efficient building and energy conservation. The manufacturers of household appliances continue to make energy efficient appliances for consumers such as clothes washers and dryers, and dishwashers. Old appliances within the homes would be replaced with new energy efficient appliances which should help reduce greenhouse gas emission. The City does not regulate mobile sources of air pollution as they are regulated at the regional level through SCAQMD, State EPA, and Federal EPA. However, the City of Banning through its General Plan policies and programs will continue to support development that promotes conservation of resources which should help contribute to the overall reduction of the greenhouse gas.

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the Project:

| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ☐ | ☐ | ☑ | ☐ |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | ☐ | ☐ | ☑ | ☐ |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an | ☐ | ☐ | ☐ | ☑ |

¹³ Policies 1 and 2, Page IV-89, Environmental Resources Element, Banning General Plan.
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<th>Potentially Significant Impact Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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<tr>
<td>d) Be located on a site included on the list of hazardous materials sites compiled per Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</td>
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<td>e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would it result in a safety hazard for people residing or working in the project area?</td>
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<td>f) For a Project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the area?</td>
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<td>g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?</td>
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</table>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

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<th>Potentially Significant Impact</th>
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**Explanation of Item VIII, a), b), c), e), and f). Hazardous Materials, No Impact**

During project construction, there are potential pollutants that are generated from construction-related equipment and fluids from washing construction equipment and vehicles before they leave the project site. The South Coast Air Quality Management District regulates pollution from construction equipment. Construction water impact is regulated through the National Pollutant Discharge Elimination System (NPDES) and State Water Pollution and Prevention Program as part of grading plan requirements. In the long-term, housing developments typically use cleaning and solvent products for household cleaners, swimming pool, landscape maintenance, and washing of automobiles. Use of these products are governed by the manufacturer’s materials safety and data sheet which will not create hazards to people, environment, schools, and airport. No mitigation measure is required.

**Explanation of Item VIII, d) Hazardous Materials Site, No Impact**

The project site is not located on list of hazardous materials sites compiled per Government Code Section 65962.5. No mitigation measure is required.

**Explanation of Item VIII, g) Emergency Response, No Impact**

The project is a housing development that is required to meet the fire department and emergency personnel access and route for emergency response and therefore will not interfere with the emergency response and evacuation plan. No mitigation measure is required.

**Explanation of Item VIII, h) Wildland Fire, No Impact**

The Project sites are located in low-lying areas within and adjacent to other developments and not adjacent to wildlands. Furthermore, the homes are required to comply with the Uniform Fire Code for which a sprinkler system is required for fire protection. No mitigation measure is required.

**IX. HYDROLOGY AND WATER QUALITY. Would the Project:**

<table>
<thead>
<tr>
<th>a) Violate any water quality standards or waste discharge requirements?</th>
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<tr>
<td>b) Substantially deplete groundwater supplies or interfere substantially</td>
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<td>☐</td>
</tr>
<tr>
<td></td>
<td>Potentially Significant Impact</td>
<td>Potentially Significant unless Mitigation Incorporated</td>
<td>Less Than Significant Impact</td>
<td>No Impact</td>
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<td>with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing or planned land uses for which permits have been granted)?</td>
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<tr>
<td>c) Substantially alter the existing drainage pattern of the site or area, including alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?</td>
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<td>☐</td>
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<tr>
<td>d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in such a way as to result in flooding either on-site or off-site?</td>
<td>☐</td>
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<tr>
<td>e) Create or contribute runoff water exceeding the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?</td>
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<tr>
<td>f) Otherwise substantially degrade water quality?</td>
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<tr>
<td>g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?</td>
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<tr>
<td>h) Place, within a 100-year flood hazard area, structures that would impede or redirect flood flows?</td>
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<tr>
<td>i) Expose people or structures to a significant risk of loss, injury or</td>
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<td>j) Inundation by seiche, tsunami, or mudflow?</td>
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**Explanation of Item IX. a) Water Quality & Waste Discharge. Potentially Significant Unless Mitigation Incorporated**

The U.S. Environmental Protection Agency (EPA) regulates the Clean Water Act. Under Section 402 of the Clean Water Act, the EPA regulates and control storm water discharge into the waters of the U.S. through a program called National Pollution Discharge Elimination System (NPDES). In California, the State Water Resources Control Board (SWRCB) administers the NPDES permitting program. The SWRCB works in coordination with the local Water Quality control Board to preserve, protect, enhance, and restore water quality. The City of Banning is within the jurisdiction of the Colorado River Water Quality Control Board.

Construction activities associated with housing development is subject to the NPDES requirements. NPDES requires best management practices for site design, source control, and treatment of pollutants which include conservation of natural area, construct street, sidewalks, and parking lot aisles to the minimum width necessary, and minimize the use of impervious surfaces in landscape design. Source control best management practices include street sweeping, roof runoff controls, and water efficient irrigation systems for landscaping. Treatment control best management practices include biofilters for trash and debris, bacteria and viruses, and oils and grease.

The following mitigation measure is required by the Project.

**Mitigation Measure HWQ-1:** Prior to issuance of building permits, a final water quality control management plan shall be submitted by the project and approved by the City’s Public Works Department, and strict adherence to the program is required.

With incorporation of this mitigation measure, the project impact to water quality is less than significant.

**Explanation of Item IX. b), Less Than Significant Impact**

The Project is a housing development that would occur in the area that is zoned for development. The Project will connect to the City’s water supply system for household use and irrigation. The proposed development is a very high density housing development with a minimum 20 dwelling units per acre. The City is a water purveyor and evaluates the water supply needs every five (5) years through its water master plan. The demand included in the water master plan is sufficient
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<tr>
<th>Potentially Significant Impact</th>
<th>Unless Mitigation Incorporated</th>
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to accommodate the projected water demand for the proposed project. The Banning Municipal Code requires that the project pay for its demand for water through water connection fees to reduce impact to water supply. Compliance with the Municipal Code ensures that the project impact is less than significant. The project sites are located in areas proposed for development and are not being used as ground water recharge so it is not anticipated that the natural aquifer recharge process will be impacted. No mitigation measure is required.

**Explanation of Item IX. c) and e) Less Than Significant Impact.**
The project will be developed on vacant sites. Development on vacant sites will create impervious surfaces and increase the amount of surface run-off. The City of Banning Municipal Code requires that the project contain the storm water run-off on site so as not to exceed the pre-development condition so that the drainage pattern in the area is not altered. The on-site storm drain system is required to comply with the NPDES requirements to control siltation during rain. No mitigation is required.

**Explanation of Item IX. d) Less Than Significant Impact.**
The City of Banning Municipal Code requires that the project submit a hydrology study that will determine pre- and post development flow of storm water. The recommendation of the hydrology study is required to be incorporated onto the grading plan to ensure that the project does not create flooding on- and off-site. Furthermore, the project site has no streams or rivers on site. Compliance with the City of Banning Municipal Code will reduce the project impact to less than significant. No mitigation measure is required.

**Explanation of Item IX. f) Less Than Significant Impact.**
Potential water pollutants that could be released from the project site include construction related pollutants, sediment, vehicle and equipment fluids, commercial cleaning agents, trash, landscaping by-products, and other typical urban storm-water pollutants. Impacts from these pollutants are adequately addressed in Questions VIII (a), VIII (c) and VIII (e) of this Initial Study Checklist. Therefore, the project would not otherwise degrade water quality.

**Explanation of Item IX. g), h), i) and j) No Impact.**
According to the National Flood Insurance Program, the Project sites are located on Map Index Community Panel No. 06065C, Map revised August 28, 2008. None of the sites identified are within a 100-year flood hazard area, in and adjacent area to the levee or dam area. Therefore, no structures will be placed within the flood hazard area. There is no water bodies in the area where in the event of an earthquake could create inundation by seiche, tsunami, or mudflow. No mitigation measure is required.
### X. LAND USE AND PLANNING: Would the Project...

<table>
<thead>
<tr>
<th>Would the Project:</th>
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<tbody>
<tr>
<td>a) Physically divide an established community?</td>
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<tr>
<td>b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect?</td>
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<tr>
<td>c) Conflict with any applicable habitat conservation plan or natural community conservation plan?</td>
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<tr>
<th>Potentially Significant Impact</th>
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**Explanation of Item X a) and c). No Impact.**

The housing projects will not divide an established community as the sites are located in an area within or adjacent to existing development. Additionally, it will not conflict with any applicable habitat conservation plan or natural community conservation plan as the housing development are proposed within areas of the City that are designed for development. The City is also a signatory to the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) where development project are required to pay in-lieu fees for development or provide mitigation consistent with the program.

**Explanation of Item X b). Less Than significant Impact.**

As part of the Project, a General Plan Amendment, a Zone Change, and Zone Text Amendment is requested to allow for Very High Density Development. The General Plan Amendment, Zone change, and Zone Text Amendment would make Zoning and Land Use Map and text internally consistent. No mitigation measure is required.

### XI. MINERAL RESOURCES: Would the Project...?

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<thead>
<tr>
<th>Would the Project:</th>
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<tbody>
<tr>
<td>a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</td>
</tr>
<tr>
<td>b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?</td>
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<th>Potentially Significant Impact</th>
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</table>
**Explanation of Item XI. a) and b). Mineral Resources, No Impact**

Based on the General Plan Map for Mineral Resources Zone, the Project sites are located outside of the area zones for Mineral Resources Zone\(^4\). Therefore, the project will not result in loss of the availability of known mineral resources that are of value to the State, the Pass Area, and to the City. No mitigation measure is required.

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<tr>
<th>XII. NOISE. Would the Project?</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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<tbody>
<tr>
<td>a) Expose persons to a generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
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<tr>
<td>b) Expose persons to a generation of excessive groundborne vibration or groundborne noise levels?</td>
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<tr>
<td>c) Create a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?</td>
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<td>d) Create a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?</td>
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<tr>
<td>e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?</td>
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<tr>
<td>f) For a Project within the vicinity of a private airstrip, would the Project expose people residing or working in the Project area to excessive noise levels?</td>
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**Explanation of Item XII. a), b), and d). Potentially Significant Unless Mitigation Incorporated.**

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\(^4\) Exhibit IV-8 of the City of Banning General Plan, page IV-84.
The project sites are located in various areas of the City that are surrounding by existing development or are located adjacent to existing development. The Noise Element of the General Plan identifies construction activities as one of the noise generators in the community that could result in unacceptable noise levels. During construction, temporary noise will be generated by construction equipment/machinery that is used for site clearance and grading, trucks that are used to deliver construction materials or haul construction debris/trash to off-site location, and use of passenger vehicles by construction workers to and from the construction sites. The City's Municipal Code regulates noise levels within the City including construction noise. To mitigate short-term noise impacts, the Project is required to comply with the following mitigation measure.

**Mitigation Measure NOI-1:** As a condition of approval of all grading and building permits, the Project shall comply with the following list of noise reduction measures, subject to inclusion of additional provisions at the discretion of the Building Official as appropriate:

- Excavation, grading, and other noise-intensive construction activities related to the proposed Project shall be restricted to the hours of operation allowed under Section 8.44.090.E of the Municipal Code, which is from 7:00 a.m. to 6 p.m. This Section prohibits unnecessary noise from construction, landscape maintenance or repair. Any deviations from these standards shall require the written approval of the City Building Official. The days and hours shall also apply to any servicing of equipment and to the movement of materials to and from the site. There shall be no grading/construction activities on Sundays or nationally recognized holidays.

- The developer shall require, as a condition of contract, that all construction equipment operating on the site be equipped with mufflers and sound control devices (e.g., intake silencers and noise shrouds) no less effective than those provided on the original equipment and no equipment shall have an unmuffled exhaust.

- The developer shall require all contractors, as a condition of contract, to maintain and tune-up all construction equipment to minimize noise emissions.

- Stockpiling and vehicle staging areas shall be located away from occupied residences, and screened from these uses by a solid noise attenuation barrier where necessary to achieve City Municipal Code-required noise attenuation levels.

- Solid noise attenuation barriers (temporary barriers or noise curtains) with a sound transmission coefficient (STC) of at least 20 shall be used along Project boundaries adjacent to sensitive receptors, where noise monitoring, performed by a qualified noise monitor, indicates exceedance of City Municipal Code noise levels for more than 15 minutes in any one hour period.

1. Construction activities that occur outside the allowable hours per City standards 6 P.M. to 7 A.M.) shall require approval of the City Building Official based on demonstration of unusual circumstances and avoidance of significant impacts to neighboring sensitive receptors. Construction noise exceeding City standards (i.e., interior noise in excess of 50
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<th>Potentially Significant Impact</th>
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</table>

dBA or exterior noise in excess of 65 dBA) and statutory time limits is anticipated, shall require implementation of additional noise attenuation measures such as temporary noise "curtains" to reduce construction noise to meet City Standards.

- All stationary construction equipment (e.g., air compressor, generators, etc.) shall be operated as far away from the residential and institutional uses as practicable. If necessary to meet the City's noise standards, the equipment shall be shielded with temporary sound barriers, sound aprons, or sound skins to the satisfaction of the Building Official.

- In areas subject to potentially significant construction noise impacts, the developer shall be required to monitor and document compliance with all applicable noise level limits.

- Construction haul routes for large equipment and material import/export shall be specified to minimize the use of routes affecting sensitive receptors (e.g., residential, parks, hospitals, schools, convalescent homes, etc.). In all cases, trucks shall utilize a route that is least disruptive to sensitive receptors. Construction trucks shall avoid weekday and Saturday A.M. and P.M. peak hours (7 A.M. to 9 A.M. and 4 P.M. to 6 P.M).

### Explanation of Item XII.c. and e. Permanent Increase in Noise and Exposure of People to Airport Noise. Less Than Significant Impact

The project will create an in increase in noise levels once the buildings are occupied. The increase in noise levels are associated with equipment for cooling and heating of the buildings, lawn mowers, and the opening and closing of passenger vehicles used by the occupants. In addition, the City operates a municipal airport that would result in noise generation from the take-off and landing of the aircraft. The General Plan policy\(^{15}\) and its EIR\(^{16}\) require that interior noise levels for residential development shall not exceed 45 dBA in accordance with the California Noise Insulation standards. During plan check process, the building and safety division will ensure that the interior noise levels of the residence meet the standard. In addition, the Project is required to incorporate the following mitigation measure to reduce impacts from mechanical equipment for heating, air conditioning and ventilation:

#### Mitigation Measure NOI-2: Prior to issuance of any mechanical permits, the City shall review the proper sizing and placement of equipment for Heating, Air Conditioning, and Ventilation in such a manner that their locations are located as far practicable from nearby residences surrounding the project site.

With compliance with the General Plan policy and General Plan EIR and mitigation measure above, the project impact related to a permanent increase in noise and noise from the airport, is reduced to less than significant.

\(^{15}\) Paragraph 1, the Community Noise and Land Use Compatibility Model, page V-49 of the General Plan Noise Element

\(^{16}\) Pages III-186 through III-188 of the General Plan Noise Element.
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<tr>
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<tbody>
<tr>
<td><strong>Explanation of Item XII. f). Private Airstrip. No Impact</strong></td>
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<tr>
<td>The project will not impact a private air strip as there is no private airport within the City.</td>
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<tr>
<td><strong>XIII. POPULATION AND HOUSING. Would the Project:</strong></td>
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<tr>
<td>a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?</td>
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<td>b) Displace a substantial number of existing housing, necessitating the construction of replacement housing elsewhere?</td>
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<tr>
<td>c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</td>
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<tr>
<td><strong>Explanation of Item XIII. a). Population Growth. Less Than Significant Impact.</strong></td>
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<tr>
<td>The project will create housing development that will house Banning residents who are in need of low cost housing consistent with the State mandate. The development is expected to provide infrastructure commensurate with its population needs that include street, sewer, water, storm drain, electricity, gas, and cable. Additionally, the development is required to provide amenities for enjoyment of the residents, including payment of parks impact fees. No mitigation measure is required as the impact is less than significant.</td>
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<tr>
<td><strong>Explanation of Item XIII. b) and c). Displacement of Housing and People. No Impact.</strong></td>
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<tr>
<td>The project is proposed on vacant sites or sites developed with non-residential uses, and would not displace existing housing and people. No mitigation is required.</td>
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<td><strong>XIV. PUBLIC FACILITIES. Would the Project:</strong></td>
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<td>Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant Environmental impacts, in order to maintain acceptable</td>
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<td>Service Ratios, Response Times or Other Performance Objectives for Any of the Public Services.</td>
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<td>Potentially Significant Impact Unless Mitigation Incorporated</td>
<td>Less Than Significant Impact</td>
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<tr>
<td>a) Fire protection?</td>
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<td>b) Police protection?</td>
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<td>c) Schools?</td>
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<td>d) Parks?</td>
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<tr>
<td>e) Other Public Facilities?</td>
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**Explanation of Item XIV. a) through e). Public Facilities. Less Than Significant Impact.**

The proposed project would result in a cumulative net increase of 810 housing units as compared to existing regulations, which would generate approximately 2,187 additional residents based on an average of 2.7 persons per dwelling unit. The increase in population will generate demand for fire protection, police protection, schools, parks, and additional public facilities.

**Fire Protection** - The City’s General Plan policy requires that the Fire Department maintain a 5-minute response time. Currently, fire protection services are provided by the County through Cal-Fire. The City has a three-party agreement with the City of Beaumont and Cal-Fire with regard to providing fire protection services for the City using Station 20 that is located at 1550 E. 6th Street in Beaumont in addition to services provided by the current station at 170 N. Murray Street. The California Building Code currently requires that new homes provide fire sprinkler system which would help reduce the impact to fire services. Additionally, new housing projects are required to pay fire impact fees which would provide for future facilities as the cities develop.

**Police Protection** - The General Plan policy requires that the Police Department maintain a level of service goal of 2.0 sworn officers per 1000 residents. The Project is required to pay police impact fees to mitigate impacts to police services. Payment of the impact fees reduces the Project impact to less than significant. No mitigation measure is required.

**Schools** – The Banning Unified School District provides educational facilities and services to students that would be generated by the Project. As the individual housing project site develop, the Project is required to pay school impact fees consistent with State law. Payment of school impact fees is deemed to have mitigated the impacts to schools which reduces the Project impact to less than significant. No mitigation measure is necessary.

**Parks** – The City’s General Plan requires that parks are maintained at a standard of 5 acres per 1,000 population. The proposed project is required to provide amenities for its population to enjoy in addition to payment of park impact fee for future development of park and facilities as the City grows. Payment of park impact fees mitigates the project impacts to less than

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17 Policy 9 page VI-38, Public Services and Facilities Element of the General Plan
18 Program 1.B page III-98, Community Development Element of the General Plan
<table>
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<th>Potentially Significant Impact</th>
<th>Potentially Significant Impact Unless Mitigation Incorporated</th>
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<tr>
<td>Other Public Facilities</td>
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<tr>
<td>The Banning Public Library</td>
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<tr>
<td>provides library services</td>
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<tr>
<td>to the residents of Banning</td>
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<tr>
<td>The Library is funded</td>
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<td>by a library taxing district</td>
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<td>The Project is required to</td>
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<td>pay its fair share costs</td>
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<td>to the County library district</td>
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<tr>
<td>which in turn pays for</td>
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<tr>
<td>providing the library system</td>
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<td>including staffing and</td>
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<tr>
<td>equipment.</td>
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<td>XV. RECREATION</td>
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<tr>
<td>a) Would the Project increase</td>
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<td>the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</td>
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<tr>
<td>b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?</td>
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<tr>
<td>Explanation of Item XV. a) and b) Recreation. Less Than Significant Impact.</td>
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<tr>
<td>The project sites are vacant lots that are located in various areas of the cCity. At the time of development, the project will be required to provide on-site amenities such as common open space and recreational facilities for its residents in addition to payment of parks impact fees. The expansion of the recreational facilities is subject to the City’s siting of facilities consistent with the adopted Parks Master Plan to fill the need of the residents generated by the development and future residents. Payment of park impact fees will mitigation the project impacts to recreation to less than significant.</td>
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<td>XVI. TRANSPORTATION/TRAFFIC</td>
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<tr>
<td>Would the Project</td>
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<tr>
<td>a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections,</td>
<td></td>
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<tr>
<td>Streets, highways and freeways, pedestrian and bicycle paths, and mass transit?</td>
<td>Potentially Significant Impact</td>
<td>Potentially Significant Impact unless Mitigation Incorporated</td>
<td>Less Than Significant Impact</td>
<td>No Impact</td>
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<tr>
<td>b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?</td>
<td>☐</td>
<td>☐</td>
<td>■</td>
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<tr>
<td>c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>■</td>
</tr>
<tr>
<td>d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>■</td>
</tr>
<tr>
<td>e) Result in inadequate emergency access?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>■</td>
</tr>
<tr>
<td>f) Result in inadequate parking capacity?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>■</td>
</tr>
<tr>
<td>g) Conflict with adopted policies, plans, or regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>■</td>
</tr>
</tbody>
</table>

**Explanation of Item XVI. a). Circulation System Effectiveness. Less than Significant Impact with Mitigation Incorporated.**
The City's General Plan Circulation Element establishes level of service D for City's roadway performance. At General Plan build-out and without the project, two on- and off ramps at 8th Street and Hargrave Street are projected to operate at an unacceptable level of service.

I-10/8th Street on- and off ramps -- At the general plan build-out, the westbound ramps are projected to operate at a Level of Service E in the p.m. peak. With the project, assuming no additional roadway improvements, the level of service during the p.m. peak period would still be at E but would be worsened. The I-10 eastbound ramps at 8th Street are projected to operate at Level of Service F at general Plan build-out. With the project, the level of service would...
| Potentially Significant Impact | Potentially Significant Impact | Less Than Significant Impact | No Impact |

continue to be at LOS F but would be worsened unless improvements are constructed.

I-10/Hargrave Street on- and off-ramps — At the general plan build-out, Hargrave Street at I-10 east and westbound on and off ramps is projected to operate at a level of service F during the PM peak period. With the project, the level of service would continue to be at LOS F but would be worsened unless improvements are constructed.

In order to mitigate these impacts, the future developments affected by the proposed amendments shall be required to incorporate the following mitigation measure including payment of the Traffic Uniform Mitigation Fee (TUMF) to Western Riverside Council of Governments as part of mitigation fee for regional roadway/freeways and traffic impact fees to the City.

**Mitigation Measure T-1:** Prior to approval of any tentative subdivision map for a specific housing project that will result from the adoption of Zone Change No. 13-3502, the applicant shall submit a traffic study for review and approval by the City Engineer. The traffic study shall identify impacts that would result from development of the project and mitigation measures required to comply with City and County level of service standards. Any required improvements needed to maintain acceptable levels of service shall be included as conditions of approval on the tentative map in a manner meeting the approval of the City Engineer. Such mitigation measures/conditions of approval may include, but may not be limited to, providing traffic signal synchronization at Ramsey Street and 8th Street, and at Ramsey Street and Hargrave Street; road widening along 8th Street and along Hargrave Street; and installation of traffic signals at the I-10 on- and off-ramps at 8th Street and at Hargrave Street.

The City’s General Plan encouraged various modes of transportation to connect people to various areas of the City including parks and shopping. The specific housing project will be reviewed to ensure that the project provides area for bike rack locations and pedestrian access to the sidewalk and transit service.

**Explanation of Item XVI. b). Congestion Management Program. Less Than Significant Impact.**

Riverside County Transportation Commission is the Congestion Management Agency for Riverside County. The project will not conflict with the Congestion Management program as the project will be required to pay the Transportation Uniform Mitigation Fees (TUMF) to minimize the project traffic impact to freeway and major highways, and must also comply with Mitigation Measure T-1 to mitigate specific local impacts.

**Explanation of Item XVI. c). Change to Air Traffic. No Impact.**

The adoption of the housing element and subsequent housing projects are proposed in areas where housing development is allowed and will not impact the airport or area surrounding the airport. No mitigation is required.
**Explanation of Item XVI. d). Road Design. No Impact.**
Subsequent housing projects that result from the adoption of the Housing Element will be reviewed for compliance with the City standards as established in the City’s Municipal Code and Zoning Code including road design. Mitigation measures are not required as the project is required to comply with the City’s Municipal Code and Zoning Code.

**Explanation of Item XVI. e). Emergency Access. No Impact.**
All elements related to the housing project such as access to and from the project to public right-of-way including road and road grade, driveway and driveway grade, drive aisle, and two points of access into and out of the project are required to be in compliance with the City’s Municipal Code and Zoning Code. Subsequent housing projects that result from the adoption of the Housing Element are required to be reviewed by the City for compliance with the City Code prior to issuance of grading and buildings permits. No mitigation is required.

**Explanation of Item XVI. f). Parking Capacity. No Impact.**
Subsequent housing development resulting from the adoption of the housing element is required to provide adequate parking including number of number of covered parking stalls and stall size in compliance with the Zoning Code. No mitigation is required.

**Explanation of Item XVI. g). Transit, Non-motorized transportation. No Impact.**
The General Plan encourages people to rely on other modes of transportation including public transit, walking and bicycling. The subsequent housing projects that is proposed will be reviewed to ensure that the project will accommodate bicycle racks within the project so the residents can park their bicycles, in addition to ensuring that there is adequate pedestrian access to sidewalks and streets for people to walk and ride bicycles. No mitigation measure is required as the project will not impact transit, bicycling, and pedestrian facilities.

<table>
<thead>
<tr>
<th>XVII. UTILITIES AND SERVICE SYSTEMS. Would the Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
</tr>
<tr>
<td>b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
</tr>
<tr>
<td>c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
</tr>
<tr>
<td>d) Have sufficient water supplies available to serve the Project from existing entitlements and resources, or new or expanded entitlements needed?</td>
</tr>
<tr>
<td>e) Result in a determination by the wastewater treatment provider, which serves or may serve the Project, that it has adequate capacity to serve the Project’s projected demand in addition to the provider’s existing commitments?</td>
</tr>
<tr>
<td>f) Be served by a landfill with sufficient permitted capacity to accommodate the Project’s solid waste disposal needs?</td>
</tr>
<tr>
<td>g) Comply with federal, state and local statutes and regulations related to solid waste?</td>
</tr>
</tbody>
</table>

**Explanation of Item XVII. a) Waste Water Treatment. Less Than Significant Impact.**
The Project would develop new housing on vacant in-fill sites throughout the City. The waste water to be generated by the project is domestic sewage. The project, including future housing developments, will be required to connect to the City’s sewer system and pay their sewer connection fees. Any surface run-off from the project is addressed in Responses to Questions IX a), c), e), and f) of this Initial Study. Therefore, the waste water treatment requirements of the Regional Water Quality Control Board are not expected to be exceeded. In addition, the payment of fees for sewer connection will reduce the project impact to less than significant. No mitigation measure is required.

**Explanation of Item XVII. b) New Waste Water or Expansion of Facility. Less Than Significant Impact.**
The project will be required to connect to the City’s water and wastewater system. This includes on-site pipelines and unit connections to the City’s existing water and wastewater system. The construction of the on-site water and wastewater have been addressed as part of the Initial Study and impacts were found to be less than significant. The project will not require or result in
<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
</table>

construction or expansion of new water or waste water treatment facilities off-site. Therefore, there is no significant environmental effects associated with respect to water and wastewater.

**Explanation of Item XVII. c) New Storm Water or Expansion of Facility. Less Than Significant Impact.**
The project is an in-fill development of housing on vacant lots located in various areas of the City. The projects are required to provide on-site storm water systems to prevent on-site flooding and impact to the adjacent development. The project also will be required to tie into the City’s storm drain system. The construction of the storm drain facilities has been considered in other parts of this Initial Study and is considered not to be significant. At the time of a specific project application, the City shall review the storm drain system plan in detail to ensure that it meets the requirement of the Municipal Code. Compliance with the Municipal Code will reduce the project impact to less than significant. No mitigation measure is required.

**Explanation of Item XVII. d) Water Supply. Less Than Significant Impact.**
The City’s 2010 Urban Water Management System which was adopted on June 28, 2011 anticipates that the City is capable of meeting the water demand of its customers in normal, single dry, and multiple dry years between 2015 and 2035. The City’s water supply comes from ground water and imported State water project through San Gorgonio Pass Water Agency. Eighty Seven (87) percent of the water supply comes from ground water in the Banning, Banning Bench, Banning Canyon, Cabazon, and Beaumont basins and less reliance on State imported water. The 2010 Urban Water Management Plan also includes a variety of best management practices\(^\text{19}\) to comply with the State mandate for water availability and conservation. In addition, the City is currently installing recycled water infrastructure to help off-site the demand for ground water. Furthermore by 2015, the extension of pipelines for EBX1 (State Water Project) to bring water to the City of Banning. Collectively, these measures will help ensure that the City has adequate water to support the demand of its customers including the project.

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\(^\text{19}\) Pages 98 through 114 of the adopted 2010 Urban Water Management Plan.
### XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

<table>
<thead>
<tr>
<th>Finding</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or an endangered threatened species, or eliminate important examples of the major periods of California history or prehistory?</td>
<td>□</td>
<td>■</td>
<td>□</td>
</tr>
<tr>
<td>b)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Does the Project have impacts that are individually limited, but cumulatively considerable? (Are the incremental effects of the Project considerable when viewed in connection with those of past Projects, those of other current Projects, and those of probable future Projects?)</td>
<td>□</td>
<td>■</td>
<td>□</td>
</tr>
<tr>
<td>c)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Does the Project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?</td>
<td>□</td>
<td>■</td>
<td>□</td>
</tr>
</tbody>
</table>

**Explanation of Item XVIII Mandatory Findings of Significance.**

a. Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or an endangered threatened species, or eliminate important examples of the major periods of California history or prehistory?
Based on the analysis contained in this Initial Study/Mitigated Negative Declaration, the Project has no impact on Agricultural Resources and Mineral Resources.

Impacts to Greenhouse Gas Emissions, Hazards and Hazardous Materials, Land Use and Planning, Population and Housing, Public Facilities, Recreation, Utilities and Service Systems are less than significant impact and no mitigation measure is required.

Impacts to Aesthetics would be significant unless mitigated. Mitigation Measures AES 1 through AES-3 are required of the project.

Impacts to Air Quality would be significant unless mitigated. Mitigation Measures AQ-1 through AQ-6 are required of the project.

Impacts to Biological Resources would be significant unless mitigated. Mitigation Measures BIO-1 through BIO-3 are required of the project.

Impacts to Cultural Resources would be significant unless mitigated. Mitigation Measures CUL-1 through CUL-2 are required of the project.

Impacts to Geology and Soils would be significant unless mitigated. Mitigation Measures GEO-1 through GEO-3 are required of the project.

Impact to Hydrology and Water would be significant unless mitigated. Mitigation Measure HWQ-1 is required of the project.

Impact to Noise would be significant unless mitigated. Mitigation Measure NO-1 through NO-2 are required of the Project.

Impact to Transportation would be significant unless mitigated. Mitigation Measure T-1 is required of the Project.

The implementation of the Mitigation Measures identified above would result in less than significant impacts to Aesthetics, Air Quality, Biological Resources, Cultural, geology and Soils, Hydrology and Water Supply, Noise and Transportation. Therefore the project will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or an endangered threatened species, or eliminate important examples of the major periods of California history or prehistory.

b) Does the Project have impacts that are individually limited, but cumulatively considerable? (Are the incremental effects of the Project considerable when viewed in connection with those of past Projects, those of other current Projects, and those of probable future Projects?)
The Project involves various actions that are necessary to implement the proposed housing element in order to meet RHNA requirement assigned to the City of Banning in order to receive certification from the State HCD. HCD is requiring that the City rezone sites to accommodate the housing density of 20-30 dwelling units per acre. The Project does not include a specific development proposal at this time, and future residential developments shall be required to comply with applicable policies, standards, regulations and mitigation measures identified herein, which would reduce potential impacts to a level that is less than significant.

c) Does the Project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

As discussed in the above Sections, future residential developments shall be required to comply with applicable policies, standards, regulations and mitigation measures identified herein, which would reduce potential impacts, either directly or indirectly, on human beings to a level that is less than significant.
INCORPORATION BY REFERENCE

This Initial Study is based in part on the information and analysis contained in other environmental and planning documents as authorized by Section 15150 of the State CEQA Guidelines. The following references were utilized during preparation of this Initial Study. These documents are available for review at the City of Banning City Hall located at 99 E. Ramsey Street, Banning, CA 92220.

City of Banning General Plan. The City of Banning General Plan ("General Plan") was adopted on January 31, 2006. It is a statement of community values and priorities and contains the plan for the future development and operation of the City. The 2006 General Plan Update, which brought the General Plan into conformance with changes in State law and other legal requirements: reflects changes in local population and economy since 1986; incorporates recent projections and assumptions regarding future growth; and responds to the issues, challenges and opportunities created by recent trends and developments.

The City of Banning General Plan incorporates the State-mandated and Non-mandated elements. The seven (7) mandated elements are: land use, housing, traffic circulation, safety, parks and recreation, conservation, and noise. The rest of the elements are non-mandated elements. The General Plan is structured into five (5) major policy areas listed below:


Background and policy information from the General Plan is utilized in several sections of this Initial Study to provide setting and context and establish the regulatory framework, which governs development of the candidate sites.

City of Banning General Plan Final Environmental Impact Report (Certified January 31, 2006). This document, which was certified through City Council Resolution 2006-13, is comprised of the Draft and Final EIR. The analysis evaluated the impacts resulting from implementation of the City of Banning General Plan 2006. The General Plan EIR concluded that implementation of the General Plan would result in housing stock between 26,595 and 31,503 dwelling units at build-out in 2030. Additionally, the General Plan EIR concluded the build-out
population would be between 67,697 and 80,226 persons. The General Plan EIR was utilized throughout this Initial Study as a source of baseline and build-out conditions.

City of Banning General Plan Circulation Element Amendment Final Environmental Impact Report (Certified March 26, 2013). This document was certified through the City Council Resolution 2013-34, and comprised of the Draft and Final EIR. The analysis evaluated the impacts resulting from changing the citywide policy for roadway level of service (LOS) from LOS C to D and removing of Highland Home Road interchange from the City’s General Plan Circulation Element. This Circulation Element Final EIR is utilized throughout this Initial Study as a source of baseline and build-out conditions.

Banning Municipal Code (BMC). The City’s ordinances are codified in the “Banning Municipal Code” (BMC). The BMC consists of all of the City’s regulatory and penal ordinances and some of its administrative ordinances, codified pursuant to the California Government Code. Information within the BMC was utilized in various sections of this Initial Study, in order to establish the existing regulatory framework.

Banning Zoning Ordinance (BZO). In contrast with the General Plan, which is comprehensive, long-range, general policy statement for the entire community, the Banning Zoning Ordinance (BZO) is a specific statement of permissible uses of land by zoning district designed to control the use, type, bulk, height, space, and location or buildings and land. The Zoning Ordinance is the primary tool by which the City implements the General Plan policies. The Zoning Ordinance is intended to be applied to the City based on land use designations established in the General Plan. Information within the BZO was utilized in various sections of this Initial Study, in order to establish the existing regulatory framework.

PERSONS CONSULTED FOR THE PREPARATION OF THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Duane Burk, Director of Public Works, City of Banning, 99 E. Ramsey Street, Banning, CA 92220

Kahono Oei, City Engineer, City of Banning, CA 92220


John Douglas, J.H. Douglas & Associates
APPENDIX A

TRAFFIC AND AIR QUALITY SENSITIVITY ANALYSES
May 30, 2013

Ms. Zai Abu Bakar
Community Development Director
City of Banning
99 E. Ramsey Street
Banning, CA 92220

Subject: City of Banning Housing Element – Traffic and Air Quality Sensitivity Analyses

Dear Ms. Abu Bakar:

LSA Associates, Inc. (LSA) has prepared sensitivity analyses to assist the City of Banning (City) with the update to its Housing Element. Specifically, LSA has evaluated the changes in traffic and air quality conditions based on the addition of approximately 932 residential dwelling units (apartments) within the City.

Traffic

LSA analyzed 12 intersections in the vicinity of the proposed housing parcels. General Plan build out conditions were analyzed for baseline (without additional units) and with project (additional residential units) conditions for the a.m. and p.m. peak hours. The data for this analysis was referenced from the City of Banning General Plan Circulation Element 2005, Appendix F, General Plan Update Traffic Study, by Kunzman Associates (March 21, 2005). Trips for the additional residential units were generated using trip rates contained in the Institute of Transportation Engineers’ (ITE) Trip Generation, 9th Edition, and manually distributed to the street system. Intersections were analyzed using the Highway Capacity Manual (HCM) level of service (LOS) methodology. The results of the LOS analysis are provided in Table A (all tables attached). In addition, a roadway segment on 22nd Street was evaluated and its LOS summarized in Table B.

Air Quality

Air Quality and greenhouse gas emissions were evaluated using the CalIBMod model. LSA calculated the mobile and stationary source criteria pollutant and greenhouse gas emissions associated with the increase in housing units. In addition, using the Caline4 model, LSA calculated the carbon monoxide (CO) concentrations in the vicinity of the 12 intersections evaluated in the traffic analysis. The results of the modeling are provided as an attachment.
LSA ASSOCIATES, INC.

LSA appreciates the opportunity to provide its consulting services to the City. If you have any questions, please call me at (949) 553-0666.

Sincerely,

LSA ASSOCIATES, INC.

[Signature]

Ken Wilhelm
Principal

Attachments: Traffic LOS Summary Tables
CO Concentrations and CallEIMod Summary
Table A: Banning Housing Element Buildout Plus Project Peak Hour Intersection Level of Service Summary

<table>
<thead>
<tr>
<th>Intersection</th>
<th>General Plan Buildout No Project Condition</th>
<th>General Plan Buildout Plus Project Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>AM Peak Hour</td>
<td>FM Peak Hour</td>
</tr>
<tr>
<td></td>
<td>Delay</td>
<td>LOS</td>
</tr>
<tr>
<td>1 Sunset Avenue/Ramsey Street</td>
<td>30.9</td>
<td>C</td>
</tr>
<tr>
<td>2 Sunset Avenue/ I-10 Westbound Ramps</td>
<td>20.9</td>
<td>C</td>
</tr>
<tr>
<td>3 Sunset Avenue/ I-10 Eastbound Ramps</td>
<td>17.2</td>
<td>B</td>
</tr>
<tr>
<td>4 Sunset Avenue/ Lincoln Street</td>
<td>24.5</td>
<td>C</td>
</tr>
<tr>
<td>5 8th Street/Ramsey Street</td>
<td>28.1</td>
<td>C</td>
</tr>
<tr>
<td>6 8th Street/ I-10 Westbound Ramps</td>
<td>19.4</td>
<td>B</td>
</tr>
<tr>
<td>7 8th Street/ I-10 Eastbound Ramps</td>
<td>25.7</td>
<td>C</td>
</tr>
<tr>
<td>8 8th Street/ Lincoln Street</td>
<td>25.9</td>
<td>C</td>
</tr>
<tr>
<td>9 Hargrave Street/Ramsey Street</td>
<td>24.6</td>
<td>C</td>
</tr>
<tr>
<td>10 Hargrave Street/ I-10 Westbound Ramps</td>
<td>11.4</td>
<td>B</td>
</tr>
<tr>
<td>11 Hargrave Street/ I-10 Eastbound Ramps</td>
<td>22.7</td>
<td>C</td>
</tr>
<tr>
<td>12 Hargrave Street/ Lincoln Street</td>
<td>29.6</td>
<td>C</td>
</tr>
</tbody>
</table>

Notes:
2. LOS generated after addition of trips from Proposed Housing Units in City of Banning, LSA Associates, Inc., May 2013

Table B: Banning Housing Element Buildout Plus Project ADT Roadway Segment Level of Service Summary

<table>
<thead>
<tr>
<th>Roadway Segment</th>
<th>General Plan Buildout No Project Condition</th>
<th>General Plan Buildout With Project Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>ADT</td>
<td>LOS</td>
</tr>
<tr>
<td>22nd Street south of I-10 Westbound Ramps¹</td>
<td>18,164</td>
<td>B</td>
</tr>
</tbody>
</table>

Notes:
1. 22nd Street is a Secondary Highway based on City of Banning General Plan Circulation Element 2005
CO CONCENTRATIONS
## CO Concentrations without/with Proposed Project

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Distance from Road Centerline to Maximum CO Concentration Without/With Project (Meters)</th>
<th>Without/With Project One-Hour CO Concentration (ppm)</th>
<th>Project Related One-Hour CO Concentration Increase (ppm)</th>
<th>Without/With Project Eight-Hour CO Concentration (ppm)</th>
<th>Project Related Eight-Hour CO Concentration Increase (ppm)</th>
<th>Exceeds State Standards (20 ppm)</th>
<th>Exceeds State Standards (8-Hr 9 ppm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sunset and Ramsey</td>
<td>14/14 3.9/3.9 0.0 2.1/2.1 0.0</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Sunset and 1-10 WB</td>
<td>7/7 3.5/3.3 0.1 1.8/1.9 0.1</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Sunset and 1-10 BB</td>
<td>7/7 3.5/3.3 0.1 1.6/1.6 0.1</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Sunset and Lincoln</td>
<td>12/12 3.6/3.7 0.1 1.9/2.0 0.1</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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</tr>
<tr>
<td>8th and Ramsey</td>
<td>12/12 3.6/3.6 0.1 1.9/2.0 0.1</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>8th and 1-10 WB</td>
<td>7/7 3.7/3.7 0.0 2.0/2.0 0.0</td>
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<td>No</td>
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<tr>
<td>8th and 1-10 BB</td>
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<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>No</td>
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<tr>
<td>8th and Lincoln</td>
<td>8/8 3.8/3.8 0.0 2.9/2.9 0.0</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>No</td>
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<tr>
<td>Hargrave and Ramsey</td>
<td>14/14 3.8/3.8 0.0 2.0/2.0 0.0</td>
<td>No</td>
<td>No</td>
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<td>Hargrave and 10 WB</td>
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<td>No</td>
</tr>
<tr>
<td>Hargrave and 10 BB</td>
<td>7/7 3.7/3.7 0.0 2.0/2.0 0.0</td>
<td>No</td>
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<td>No</td>
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<td>No</td>
</tr>
<tr>
<td>Hargrave and Lincoln</td>
<td>8/8 3.7/3.7 0.0 2.0/2.0 0.0</td>
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<td>No</td>
<td>No</td>
<td>No</td>
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Includes ambient one-hour concentration of 1.5 ppm and ambient eight-hour concentration of 0.5 ppm. Measured at the FS-590 Racquet Club Ave, Palm Springs, CA AQ Station in Riverside County.

Printed: 5/24/2013; 11:44 AM
CO Results; Renning Holing
CALEEMOD SUMMARY
Summary table only showing maximum of summer and winter emission rates

Table C: Long-Term Regional Operational Emissions

<table>
<thead>
<tr>
<th>Category</th>
<th>ROG</th>
<th>NOX</th>
<th>CO</th>
<th>SOX</th>
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<th>PM2.5</th>
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CO = carbon monoxide
NOx = nitrogen oxides
PM10 = particulate matter less than 2.5 microns in size
PM2.5 = particulate matter less than 10 microns in size
ROG = reactive organic compounds
SCAQMD = South Coast Air Quality Management District
SOx = sulfur oxides

Table D: Long-Term Operational Greenhouse Gas Emissions

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<th>Category</th>
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<th>N2O</th>
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<td>13,801</td>
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<td>13,579</td>
<td>13,801</td>
<td>16</td>
<td>0.13</td>
<td>14,168</td>
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</table>


Note: Numbers in table may not agree to add up correctly due to rounding of all numbers to two significant digits.

Bio-CO2 = biologically generated CO2
Ch4 = methane
CO2,e = carbon dioxide equivalent

Operations
### Construction-Winter

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<th>Source</th>
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<th>CO</th>
<th>SO₂</th>
<th>PM₁₀</th>
<th>PM₂₃</th>
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### Summary table only showing maximum of summer and winter emission rates

#### Table II: Short-Term Regional Construction Emissions

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<td>27</td>
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#### Construction-Climate

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<th>SO₂</th>
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<th>Fugitive PM₂₃</th>
<th>Exhaust PM₁₀</th>
<th>Exhaust PM₂₃</th>
<th>Bio-CO₂</th>
<th>NBio-CO₂</th>
<th>Total CO₂</th>
<th>CH₄</th>
<th>N₂O</th>
<th>CO₂e</th>
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<td>4.29</td>
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Max daily

|          | 54.54 | 97.87 | 59.83 | 0.1 | 22 | 12.96 | 0 | 10556.6 | 0 | 1.95 | 0 | 0.37 | 4017.73 |

Construction-Unmitigated
## Offsite Pollutant Emissions, By Day

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<th>CO</th>
<th>SOx</th>
<th>Fugitive PM$_{2.5}$</th>
<th>Exhaust PM$_{2.5}$</th>
<th>Fugitive PM$_{10}$</th>
<th>Exhaust PM$_{10}$</th>
<th>BC+CO$_2$</th>
<th>NRs+CO$_2$</th>
<th>Total CO$_2$</th>
<th>CH$_4$</th>
<th>N$_2O$</th>
<th>CO$_2$E</th>
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</thead>
<tbody>
<tr>
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</table>

Summary table only showing maximum of summer and winter emission rates

### Table F: Short-Term Regional Construction Emissions

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<tr>
<th>Construction Phase</th>
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<th>CO</th>
<th>SOx</th>
<th>Fugitive PM$_{2.5}$</th>
<th>Exhaust PM$_{2.5}$</th>
<th>Fugitive PM$_{10}$</th>
<th>Exhaust PM$_{10}$</th>
<th>BC+CO$_2$</th>
<th>NRs+CO$_2$</th>
<th>Total CO$_2$</th>
<th>CH$_4$</th>
<th>N$_2O$</th>
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### Table G: Short-Term Regional Construction Emissions

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<th>SOx</th>
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<th>Exhaust PM$_{2.5}$</th>
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<th>Exhaust PM$_{10}$</th>
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<th>NRs+CO$_2$</th>
<th>Total CO$_2$</th>
<th>CH$_4$</th>
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<td>0.01</td>
<td>1.3</td>
<td>0.3</td>
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<tr>
<td>Total Emissions</td>
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<td>251</td>
<td>166</td>
<td>0.27</td>
<td>46</td>
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<td>25,200</td>
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<td>SCAQMD Thresholds</td>
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<td>199</td>
<td>810</td>
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<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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</table>


PM$_{2.5}$ = particulate matter less than 10 microns in size
CO$_2$E = carbon dioxide equivalent
ROC = regional organic compounds
NRs = nitrogen oxides
PM$_{2.5}$ = particulate matter less than 2.5 microns in size
### Table 2: Short-Term Regional Construction Emissions

<table>
<thead>
<tr>
<th>Construction Phase</th>
<th>Total Regional Pollutant Emissions, t/day</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Preparation</td>
<td>8,151 CO₂, 9.9 CH₄, 0 NOₓ, 1,210 CO₂eq</td>
</tr>
<tr>
<td>Grading</td>
<td>11,071 CO₂, 11.1 CH₄, 0 NOₓ, 11,094 CO₂eq</td>
</tr>
<tr>
<td>Building Construction</td>
<td>5,020 CO₂, 9.45 CH₄, 0 NOₓ, 5,030 CO₂eq</td>
</tr>
<tr>
<td>Architectural Finishing</td>
<td>5,259 CO₂, 0.31 CH₄, 0 NOₓ, 5,269 CO₂eq</td>
</tr>
<tr>
<td>Paving</td>
<td>1,000 CO₂, 0.28 CH₄, 0 NOₓ, 1,002 CO₂eq</td>
</tr>
<tr>
<td>Total Daily Emissions</td>
<td>28,351 CO₂, 9.0 CH₄, 0 NOₓ, 28,496 CO₂eq</td>
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</table>


CO₂ = carbon dioxide  
CH₄ = methane  
NOₓ = nitrogen oxides  
CO₂eq = carbon dioxide equivalent

#### Pollutant Emissions, t/92ha/year

<table>
<thead>
<tr>
<th>Year</th>
<th>NOₓ</th>
<th>CO</th>
<th>SO₂</th>
<th>PM₁₀</th>
<th>PM₂.₅</th>
<th>CO₂eq</th>
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</thead>
<tbody>
<tr>
<td>2013</td>
<td>4.0</td>
<td>16.67</td>
<td>10.27</td>
<td>0.05</td>
<td>5.18</td>
<td>9.46</td>
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<tr>
<td>2014</td>
<td>8.29</td>
<td>26.65</td>
<td>13.05</td>
<td>0.03</td>
<td>6.67</td>
<td>4.18</td>
</tr>
<tr>
<td>Total</td>
<td>12.74</td>
<td>46.32</td>
<td>23.22</td>
<td>0.05</td>
<td>12.5</td>
<td>7.67</td>
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### Table 3: Short-Term Regional Construction Emissions

<table>
<thead>
<tr>
<th>Construction Phase</th>
<th>Total Regional Pollutant Emissions, m³/yr</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Preparation</td>
<td>478 CO₂, 0.1 CH₄, 0 NOₓ, 478 CO₂eq</td>
</tr>
<tr>
<td>Grading</td>
<td>1,268 CO₂, 0.1 CH₄, 0 NOₓ, 1,271 CO₂eq</td>
</tr>
<tr>
<td>Building Construction</td>
<td>570 CO₂, 0.06 CH₄, 0 NOₓ, 577 CO₂eq</td>
</tr>
<tr>
<td>Architectural Finishing</td>
<td>570 CO₂, 0.04 CH₄, 0 NOₓ, 571 CO₂eq</td>
</tr>
<tr>
<td>Paving</td>
<td>109 CO₂, 0 CH₄, 0 NOₓ, 109 CO₂eq</td>
</tr>
</tbody>
</table>


CO₂ = carbon dioxide  
CH₄ = methane  
NOₓ = nitrogen oxides  
CO₂eq = carbon dioxide equivalent

---

Construction-Unmitigated

265
<table>
<thead>
<tr>
<th>Construction Phase</th>
<th>CO2</th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>Pm10</th>
<th>Pm2.5</th>
<th>Exhaust Pm2.5</th>
<th>Exhaust Pm10</th>
<th>Bio CO2</th>
<th>Nbio CO2</th>
<th>Total CO2</th>
<th>CH4</th>
<th>N2O</th>
<th>CO2e</th>
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<td></td>
<td></td>
</tr>
<tr>
<td>3.2 Site Preparation - 2014</td>
<td></td>
<td></td>
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<tr>
<td>3.3 Grading - 2013</td>
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<td></td>
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</tr>
<tr>
<td>3.4 Building Construction - 2013</td>
<td></td>
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<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>3.5 Pavement - 2014</td>
<td></td>
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<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.6 Architectural Finishing - 2014</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td><strong>Meridith</strong></td>
<td></td>
<td></td>
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<td></td>
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</table>

**Construction-Unmitigated**
### Pollutant Emissions, Bo/Day

<table>
<thead>
<tr>
<th>Source</th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>SOx</th>
<th>PM2.5</th>
<th>PM10</th>
<th>CO2a</th>
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</thead>
<tbody>
<tr>
<td><strong>Construction-Summer</strong></td>
<td></td>
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<tr>
<td>2013</td>
<td>57.92</td>
<td>251.14</td>
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<td>27.86</td>
<td>19.53</td>
<td>26245.78</td>
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<tr>
<td>2014</td>
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<td>234.41</td>
<td>150.12</td>
<td>0.27</td>
<td>26.46</td>
<td>18.78</td>
<td>23837.52</td>
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<td>251.64</td>
<td>155.27</td>
<td>0.27</td>
<td>27.66</td>
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<tr>
<td>2014</td>
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<td>26.46</td>
<td>18.78</td>
<td>26234.55</td>
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**Summary table only showing maximum of summer and winter emission rates**

### Pollutant Emissions, Bo/Day

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<thead>
<tr>
<th>Source</th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>SOx</th>
<th>PM2.5</th>
<th>PM10</th>
<th>CO2a</th>
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<tr>
<td>2013</td>
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<td>250</td>
<td>160</td>
<td>0.27</td>
<td>22</td>
<td>20</td>
<td>23000</td>
</tr>
<tr>
<td>2014</td>
<td>66</td>
<td>250</td>
<td>160</td>
<td>0.27</td>
<td>21</td>
<td>19</td>
<td>23000</td>
</tr>
<tr>
<td>Peak Daily Construction</td>
<td>72</td>
<td>250</td>
<td>160</td>
<td>0.27</td>
<td>22</td>
<td>20</td>
<td>23000</td>
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</table>

**SCAQMD Thresholds**

<table>
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<th>ROG</th>
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<th>CO</th>
<th>SOx</th>
<th>PM2.5</th>
<th>PM10</th>
<th>CO2a</th>
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<td>9.3</td>
<td>79.19</td>
<td>43.35</td>
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<tr>
<td>3.6 Grazing - 2013</td>
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<td>33.61</td>
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<td>32.09</td>
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<td>0.03</td>
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<td>3.8 Grazing - 2013</td>
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<td>32.09</td>
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<td>2.74</td>
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<td>3.9 Grazing - 2013</td>
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<td>32.09</td>
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<td>0.03</td>
<td>2.74</td>
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</table>

**Construction-Mitigated**

---

*Note: All values are in parts per million (ppm) or parts per billion (ppb).*

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<tr>
<th>Construction Phase</th>
<th>ROG</th>
<th>NO₂</th>
<th>CO</th>
<th>SO₂</th>
<th>Fugitive PM₁₀</th>
<th>Exhaust PM₁₀</th>
<th>Fugitive PM₂.₅</th>
<th>Exhaust PM₂.₅</th>
<th>Bio- CO₂</th>
<th>NBio- CO₂</th>
<th>Total CO₂</th>
<th>CH₄</th>
<th>N₂O</th>
<th>CO₂ₐ</th>
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<td>0.03</td>
<td>0.03</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>193.91</td>
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<td>0.00</td>
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<tr>
<td>3.2 Site Preparation - 2014</td>
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<td>0.10</td>
<td>1.07</td>
<td>0.06</td>
<td>0.33</td>
<td>0.01</td>
<td>0.03</td>
<td>0.03</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>193.91</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>3.3 Grading - 2013</td>
<td>0.15</td>
<td>0.15</td>
<td>1.15</td>
<td>0.06</td>
<td>0.25</td>
<td>0.01</td>
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<td>0.01</td>
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<td>0.00</td>
<td>193.91</td>
<td>0.00</td>
<td>0.00</td>
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<tr>
<td>3.4 Building Construction - 2013</td>
<td>0.08</td>
<td>0.08</td>
<td>0.86</td>
<td>0.06</td>
<td>0.66</td>
<td>0.12</td>
<td>0.01</td>
<td>0.01</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>193.91</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>3.5 Paving - 2013</td>
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<td>0.01</td>
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<td>0.00</td>
<td>193.91</td>
<td>0.00</td>
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</tr>
<tr>
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<td>0.06</td>
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</tr>
<tr>
<td>3.7 Architectural Coating - 2014</td>
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<td>0.05</td>
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<td>0.06</td>
<td>0.87</td>
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<td>0.01</td>
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<td>0.00</td>
<td>193.91</td>
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<td>0.00</td>
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</table>

Number of days in the preparation phase: 370
Number of days in grading phase: 370

Table E: Short-Term Regional Construction Emissions

<table>
<thead>
<tr>
<th>Construction Phase</th>
<th>Total Regional Pollutant Emissions, lb/day</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Preparation</td>
<td></td>
</tr>
<tr>
<td>Grading</td>
<td></td>
</tr>
<tr>
<td>Building Construction</td>
<td></td>
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<tr>
<td>Paving</td>
<td></td>
</tr>
<tr>
<td>Architectural Coating</td>
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</tr>
</tbody>
</table>

Table F: Short-Term Regional Construction Emissions

<table>
<thead>
<tr>
<th>Construction Phase</th>
<th>Total Regional Pollutant Emissions, lb/day</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Preparation</td>
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<tr>
<td>Grading</td>
<td></td>
</tr>
<tr>
<td>Building Construction</td>
<td></td>
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<tr>
<td>Paving</td>
<td></td>
</tr>
<tr>
<td>Architectural Coating</td>
<td></td>
</tr>
</tbody>
</table>


CO = carbon monoxide
CO₂ = carbon dioxide equivalent
lb/day = pounds per day
N₂O = nitrogen oxides
PM₁₀ = particulate matter less than 10 microns in size
PM₂.₅ = particulate matter less than 2.5 microns in size

PM₁₀ = particulate matter less than 10 microns in size
PM₂.₅ = particulate matter less than 2.5 microns in size

Construction-Migrated
**Table M: Short-Term Regional Construction Emissions**

<table>
<thead>
<tr>
<th>Construction Phase</th>
<th>Total Regional Pollutant Emissions, lbs/day</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Preparation</td>
<td>CO₂</td>
</tr>
<tr>
<td></td>
<td>8.19</td>
</tr>
<tr>
<td>Grading</td>
<td>11.07</td>
</tr>
<tr>
<td>Building Construction</td>
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<tr>
<td>Architectural Casting</td>
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<tr>
<td>Paving</td>
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<tr>
<td>Total Daily Emissions</td>
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</tbody>
</table>


CO₂ = carbon dioxide

CH₄ = methane

NOₓ = nitrogen oxide

CO₂-e = carbon dioxide equivalent

<table>
<thead>
<tr>
<th>Construction Year</th>
<th>NOₓ</th>
<th>CO</th>
<th>SO₂</th>
<th>PM₁₀</th>
<th>PM₂.₅</th>
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</thead>
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<tr>
<td>2013</td>
<td>6.31</td>
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<tr>
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<td>0.06</td>
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**Table N: Short-Term Regional Construction Emissions**

<table>
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<th>Total Regional Pollutant Emissions, lbs/yr</th>
</tr>
</thead>
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</tbody>
</table>


CO₂ = carbon dioxide

CH₄ = methane

NOₓ = nitrogen oxide

CO₂-e = carbon dioxide equivalent

Construction-Mitigated
### 1.0 Project Characteristics

#### 1.1 Land Use

<table>
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</table>

#### 1.2 Other Project Characteristics

- **Wind Speed (mph)**: 3.8
- **Precipitation (in)**: 3.1
- **Climate Zone**: 19
- **Utility Company**: Southern California Edison

#### 1.3 User Entered Comments

- Project Characteristics -
  - Land Use -
  - Construction Phase -
  - Off-road Equipment -
  - Grading -
  - Trips and VMT -
  - Vehicle Trips - Trip rate
  - Workforces -
  - Construction Off-road Equipment Mitigations -

### 2.0 Emissions Summary

#### 2.1 Overall Construction (Maximum Daily Emission)

<table>
<thead>
<tr>
<th>Date</th>
<th>PM2.5</th>
<th>PM10</th>
<th>24h</th>
<th>SO2</th>
<th>NOx</th>
<th>N2O</th>
<th>CO</th>
<th>CH4</th>
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#### 2.2 Overall Operational

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<th>PM2.5</th>
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#### Mitigated Operational

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<th>24h</th>
<th>SO2</th>
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### 3.0 Construction Detail

#### 3.1 Mitigation Measures Construction

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<th>Unmitigated Construction On-Site</th>
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<td>Actual 1</td>
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#### 3.2 Site Preparation - 2013

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<td>Projected 1</td>
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#### 3.2 Site Preparation - 2014

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</table>

**Notes:**
- Table data includes projected and actual values for different projects in 2013 and 2014.
- Mitigation measures are applied to off-site activities as well.
- Water exposed areas are identified under the initial section of the document.

---

272

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### Humidified Construction On-Site

<table>
<thead>
<tr>
<th>Description</th>
<th>13</th>
<th>14</th>
<th>15</th>
<th>16</th>
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### Humidified Construction Off-Site

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### Mitigated Construction On-Site

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### Mitigated Construction Off-Site

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3.5 Grading - 2013

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### Unmitigated Construction Off-Site

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<th>15</th>
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### Mitigated Construction On-Site

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</tbody>
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### Mitigated Construction Off-Site

<table>
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<tr>
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<th>14</th>
<th>15</th>
<th>16</th>
<th>17</th>
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## Mitigated Construction Off-Site

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3.3 Grading - 2014

## Unmitigated Construction On-Site

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<th>Total Cost</th>
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## Unmitigated Construction Off-Site

<table>
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<tr>
<th>Type</th>
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<th>Cost</th>
<th>Rate</th>
<th>Hours</th>
<th>Rate</th>
<th>Total Hrs</th>
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## Mitigated Construction On-Site

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## Mitigated Construction Off-Site

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<th>Rate</th>
<th>Hours</th>
<th>Rate</th>
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<th>Total Cost</th>
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<td>25.00</td>
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<tr>
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3.4 Building Construction - 2013

## Unmitigated Construction On-Site

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<th>Hours</th>
<th>Rate</th>
<th>Total Hrs</th>
<th>Total Cost</th>
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<td>25.00</td>
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<td>10.00</td>
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<td>0.60</td>
<td>35.00</td>
<td>0.60</td>
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</table>
### Unmitigated Construction Off-Site

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<th>Assemble</th>
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### 3.6 Architectural Coating - 2013

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### 4.0 Mobile Detail

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### 4.2 Trip Summary Information

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### 4.3 Trip Type Information

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**Note:** The image contains tables and data that are not clearly visible or legible due to the quality of the image. The text representation above is based on what appears to be readable content from the image.
5.0 Energy Detail

5.1 Mitigation Measures Energy

<table>
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<tr>
<th>Energy Source</th>
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<th>Retail/Wholesale</th>
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<th>Education</th>
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5.2 Energy by Land Use - Natural Gas

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6.0 Area Detail

6.1 Mitigation Measures Area

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6.2 Area by SubCategory

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279
7.0 Water Detail

7.1 Mitigation Measures Water

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Vegetation
### 1.0 Project Characteristics

#### 1.1 Land Usage

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#### 1.2 Other Project Characteristics

- **Wind Speed (mph):** 15
- **Utility Company:** Southern California Edison

#### 1.3 User Entered Comments

- Construction Phase:
- Construction Equipment:
- Grading:
- Tapes and VMT:
- Vehicle Trip - Trip rate
  Woodchips:
  - Construction Off-road Equipment Mitigation:

### 2.0 Emissions Summary

#### 2.1 Overall Construction (Maximum Daily Emission)

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#### Milliated Construction

<table>
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#### 2.2 Overall Operational

#### Unmilliated Operational

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#### Milliated Operational

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## 3.0 Construction Detail

### 3.1 Mitigation Measures Construction

#### Water Exposed Area

#### 5.2 Site Preparation • 2013

**Unmitigated Construction On-Site**

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**Unmitigated Construction Off-Site**

<table>
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<th>Mud</th>
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**Mitigated Construction On-Site**

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**Mitigated Construction Off-Site**

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### 3.2 Site Preparation • 2014

**ProjW**
### Mitigated Construction Off-Site

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### Unmitigated Construction On-Site

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### Mitigated Construction Off-Site

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**Prof-W** 23 of 40
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### 3.5 Paving - 2013

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### 3.5 Paving - 2014

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286
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### 3.6 Architectural Costing - 2013

#### Unmitigated Construction On-Site

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### Mitigated Construction On-Site

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### 3.6 Architectural Costing - 2014

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### Unmitigated Construction Off-Site

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### 4.0 Mobile Detail

#### 4.1 Mitigation Measures Mobile

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#### 4.2 Trip Summary Information

- Total
- Total
- Total
- Total

#### 4.3 Trip Type Information

- Trip Type
- Trip Type
- Trip Type
### 5.0 Energy Detail

#### 5.1 Mitigation Measures Energy

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<table>
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### 6.0 Area Detail

#### 6.1 Mitigation Measures Area

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### Proj-W

239 of 40
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7.0 Water Detail

7.1 Mitigation Measures Water

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Vegetation
### 1.0 Project Characteristics

#### 1.1 Land Use

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#### 1.2 Other Project Characteristics

- **Urbanization**: Urban
- **Vegetation Type**: High
- **Utility Company**: Southern California Edison
- **Wind Speed (mph)**: 2.2
- **Precipitation (in)**: 3.1

#### 1.3 User Entered Comments

- **Project Characteristics**
  - **Land Use**
    - Construction Phase: -
    - Oil-road Equipment: -
    - Grading: -
    - Trips and YMT: -
    - Vehicle Trips - Trip rate
    - Woodstoves -
- **Construction Off-road Equipment Mitigation**: -

### 2.0 Emissions Summary

#### 2.1 Overall Construction

**Unmitigated Construction**

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#### 2.2 Overall Operational

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**Total PM2.5**: 140.64

**Total PM10**: 186.12

**Total SO2**: 245.12

**Total NO2**: 352.12

**Total CO**: 454.12

**Total Hydrocarbons**: 565.12
### Mitigated Operational

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#### 3.1 Mitigation Measures Construction

**Water Exposed Area**

#### 3.2 Site Preparation - 2013

**Unmitigated Construction On-Site**

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Proj-A  
S2 of 49  
293
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#### 8.3 Grading - 2014

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### Mitigated Construction Off-Site

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#### 3.4 Building Construction - 2013

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295
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#### 3.5 Paving - 2013

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### Unmitigated Construction Off-Site

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#### 3.5 Paving - 2014

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**Miscellaneous Construction On-Site**

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**Part A**

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### 4.0 Mobile Detail

#### 4.1 Mitigation Measures Mobile

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### 4.2 Trip Summary Information

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### 5.0 Energy Detail

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### 6.0 Area Detail

#### 6.1 Mitigation Measures Area

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### 7.0 Water Details

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#### 7.2 Water by Land Use

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#### 8.1 Mitigation Measures Waste

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#### 9.0 Vegetation

| Proj-A | 40 of 40 | 301 |
ATTACHMENT 12
PUBLIC HEARING NOTICES
State of California)  
County of Riverside) ss.

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above matter. I am the principal clerk of the printer and publisher of Record Gazette, a newspaper published in the English language in the City of Banning, County of Riverside, and adjudicated a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of Riverside, under the date October 14, 1966, Case No. 54737. That the notice, of which the annexed is a copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

06/07, 2013

Executed 06/31, 2013

At Banning, CA.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

[Signature]
NOTICE OF PUBLIC HEARING AND INTENT TO ADOPT THE INITIAL STUDY/FINDINGS REPORT AND MAPPINGS RELATED TO ADOPTION OF 2008-2014 BANNOCK HOUSING ELEMENT

NOTICE IS HEREBY GIVEN of a Public Hearing before the Planning Commission of the City of Banning, to be held on Wednesday, May 15, 2013, at 6:00 p.m. in the Council Chambers, City Hall, 99 East Ramsey Street, Banning, California, to consider the following:

GENERAL PLAN AMENDMENT (GPA) NO. 12-1584:
An Amendment to the Banning General Plan Land Use and Housing Element to modify policies and map related to the adoption of the 2008-2014 Housing Element.

ZONE CHANGE NO. 13-195:
A Change to the Banning Zoning Code to modify development standards in the Downzoning Commercial (D-C), High Density Residential (HDR) and Very High Density Residential (VHDR) districts and an amendment to the Zoning Map to rezone the following parcels in the Very High Density Residential area to allow multi-family residential development of 30-35 dwelling units per acre as required by the State of California Housing and Community Developmental 527-516-01 and 527-115-02. To locate these parcels, please go to the Riverside County website and find the interactive map.

Information regarding the foregoing can be obtained by contacting the City's Community Development Department at (951) 923-2435, or by visiting the City Hall located at 99 East Ramsey Street, Banning. The information is also on the City’s website at www.banning.ca.gov/cd/cdpages.aspx.

All parties interested in speaking either in support of or in opposition to any items are invited to attend and speak at the hearing. We will also take written comments to the Community Development Department, City of Banning, P.O. Box 996, Banning, California 92220.

If you challenge any decision regarding this proposal in court, you may be required to pay court fees. These fees could be substantial and may include attorney fees. This notice is provided in accordance with California Civil Code Sections 66475-66478.

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

[Signature]

Dated: May 20, 2013

Community Development Director
Public: June 3, 2013
ATTACHMENT 13

MAILING LABELS
Affidavit

I, Holly Stuart, certify that the Notice of Public Hearing and Intent to adopt the Initial Study/Mitigated Negative Declaration related to the Adoption of the 2008-2014 Banning Housing Element was mailed United States Postal on June 4, 2013. This notice represents the hearing scheduled before the Planning Commission on July 3, 2013 and included notices to property owners within 300' of the proposed properties to be rezoned, as well as, to Responsible Agencies, Trustee Agencies, the Serrano Del Vista community, Sun Lakes General Manager and individuals that previously requested notification. The mailing information is attached hereto by reference.

[Signature]

Holly Stuart
Development Project Coordinator

Date 6-4-2013
<table>
<thead>
<tr>
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PALM SPRINGS CA 92262 |
| 541191020 | COCCARO ARTHUR R & EILEEN J  
867 MESA GRANDE DR  
PALM DESERT CA 92211 |
| 54119012 | CHIAN NANG YV  
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LOS ANGELES CA 90031 |
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| 54115004 | MUFTI HINA  
152 1 RYAN  
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RANCHO CUCAMONGA CA 91701 |
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| 54114012 | ORTIZ BOGAR  
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| 54119008 | ELLIS MARVIN LEE & BERNICE A  
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RAVAUS LAKE CA 92363 |
| 54119014 | SE CALIF CONFER OF SEVENTH DAY  
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RIVERSIDE CA 92515 |
| 54119009 | IBARRA JUANITA  
425 N LIVINGSTON ST  
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| 54119005 | TREJO JUAN CARLOS & AMANDA  
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| 54110060 | BANNING AT 5TH STREHT  
P O BOX 3165  
HARRISBURG PA 17105 |
| 54115006 | MAGNAS MANUEL & BERTHA A  
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ANAHEIM CA 92808 |
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RIVERSIDE CA 92502 |
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P O BOX 1780
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970 VILLAGE OAKS DR
COVINA CA 91724

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CITY OF BANNING
99 E RAMSEY ST
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CORTIZ OPELIA
407 E WILLIAMS ST
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541191001
CHOATE LILY CHRISTINA
402 E RAMSEY ST
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STATE OF CALIF COURTS
455 GOLDEN GATE AVE
SAN FRANCISCO CA 94102

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DECARLO DANIEL J
7676 HAZARD CTR N
SAN DIEGO CA 92108

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CITY OF BANNING
CA

541163026
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361 E WILLIAMS ST
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CITY OF BANNING
99 E RAMSEY ST
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ANGELSPED
P O BOX 914
SOLANA BEACH CA 92075

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MEHAS THOMAS A & BILLIE J
850 W HOPPER ST
BANNING CA 92220

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| 538323031 | SERRANO DEL VISTA HOMEOWNERS A  P O BOX 1469  UPLAND CA 91785 |
| 538321001 | ALVISO ANTHONY J & HOPE M  3123 RAINBOW LN  BANNING CA 92220 |
| 538323029 | MONTECINOS BARBARA F  783 SUNSHINE ST  BANNING CA 92220 |
| 538311002 | GARCIA ISMAEL  2391 HAMILTON AV  EL CINTRO CA 92243 |
| 538311001 | RINGGOLD NELSON H & COULA  1047 VIA PANORAMA  BANNING CA 92220 |
| 538321023 | MOREAU DANIEL PIERRE  8347 GRENOBLE ST  SUNLAND CA 91040 |
| 537120032 | LENNAR HOMES OF CALIF INC  391 N MAIN ST  CORONA CA 92880 |
| 537120033 | LENNAR HOMES OF CALIF INC  391 N MAIN ST  CORONA CA 92880 |
| 537120034 | LENNAR HOMES OF CALIF INC  391 N MAIN ST  CORONA CA 92880 |
| 537120035 | CITY OF BANNING  P O BOX 594  BANNING CA 92220 |
| 537190014 | BANNING LAND FUND  14725 SE 36TH ST  DELLEVUE WA 98006 |
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| 538312034 | RINGGOLD NELSON H & COULA  1047 VIA PANORAMA  BANNING CA 92220 |
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| 538322000 | BRANCH MARIE V  683 SUNSHINE ST  BANNING CA 92220 |
| 538312033 | ROCHA JUAN C & EMELDA  646 N BLANCHARD ST  BANNING CA 92220 |
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| 538322005 | KINSEY JOHN P & CATHERINE L  1668 TAYLOR AV  CORONA CA 92882 |
| 538322007 | SORIA VIRGINIA R  743 S VANCOUVER AVE  LOS ANGELES CA 90022 |
| 538322003 | SCHIFFER ERNEST O & JEAN M  671 SUNSHINE ST  BANNING CA 92220 |
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| 540081009 | TURPIN ETYA MARIE | 536 E 4TH ST | BANNING CA 92220 |
| 540081007 | GUTIERREZ JUAN PEDRO | 508 N 4TH ST | BANNING CA 92220 |

| 540092005 | FRAZIER MARK D & PENNY R | 542 N 3RD ST | BANNING CA 92220 |
| 540081001 | BLESSED KATERI TEKAKWITHA CATH | 1261 E HIGHLAND AVE | SAN BERNARDINO CA 92404 |
| 540082006 | ARIAS SARA ISABEL R | 16121 VIA ALAMITOS | SAN LORENZO CA 94580 |

| 540092013 | NIEUW RICHARD D & KATHLEEN N | 4273 EVERGREEN LN | BANNING CA 92220 |
| 540081023 | DEMESSIE BETH & AMSALE | 726 WIMBLEDON DR | REDLANDS CA 92374 |
| 540082011 | LAMBERT GARY R & DEBORAH A | 39983 HIGH ST | CHERRY VALLEY CA 92223 |

| 540081018 | MARTINEZ JOSE J & MARIA C | 479 N 3RD ST | BANNING CA 92220 |
| 540081008 | GARDNER DEBORAH A | 522 N 4TH ST | BANNING CA 92220 |
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| 540081006 | CHAVEZ ISAAC | 11140 GRAMERCY PL | RIVERSIDE CA 92505 |
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| 540081019 | HEREDIA JOSEP | 463 N 3RD ST | BANNING CA 92220 |

| 540081029 | DURO PAULINE J | 445 N 3RD ST | BANNING CA 92220 |
| 540081017 | SAX FRANK DONALD & BETTY LEE | P.O. BOX 517 | BANNING CA 92220 |
| 540081016 | STEIN MICHAEL J & LEILANI R | 494 N 4TH ST | BANNING CA 92220 |

| 540081021 | COBLEIGH DAVID D | 451 E BARBOUR ST | BANNING CA 92220 |
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| 540082012 | LYNCH ROBERT L | 21832. VINOLA ST | HEMET CA 92544 |

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| 540082009 | ESCUDERO VICTOR H & HAB J | 3080 ROCKY LN | ONTARIO CA 91761 |
| 540081013 | BERUMEN CARM | 283 N WOODLAND AVE | BANNING CA 92220 |

| 540083003 | BLESSED KATERI TEKAKWITHA CATH | 1201 E HIGHLAND AVE | SAN BERNARDINO CA 92404 |
| 540082001 | TAYLOR YOUNGBLOOD ANGEL | 580 N 3RD ST | BANNING CA 92220 |
| 540082002 | RICH HUGH A & GRACE M | 782 COLGATE AVE | WESTMINSTER CA 92683 |

| 540082004 | CURL RUTH A | 552 N 3RD ST | BANNING CA 92220 |
| 540083002 | BLESSED KATERI TEKAKWITHA CATH | 1201 E HIGHLAND AVE | SAN BERNARDINO CA 92404 |
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DOWNIE CA 90802

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SODHI RISHI K & NEETU K
235 E 40TH ST
NEW YORK NY 10016

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ZIBELL MICHAEL A
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WHITE STAR CAPITAL
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GONZALEZ MARIA DE REFUGIO
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538323010
CHRISTIANSON ROBERTA
2926 W RAINBOW LN
BANNING CA 92220

53833027
DECOUD BRUNNIE S & SYLVIA ANN
2756 W RAINBOW LN
BANNING CA 92220

538323003
SHEARMAN CAROL & GERALD
2820 RAINBOW LN
BANNING CA 92220

53833028
BEAUCHESNE RICHARD & CHERYL
539 BREEZY CIR
BANNING CA 92220

53832001
RINGGOLD NELSON II & COULA
1047 VIA PANORAMA
BANNING CA 92220

538332052
CODELLA JAMES & DEBRA
2649 CLEAR CT
BANNING CA 92220

53833019
CASTILLO ROBERT F & ANGEA
758 WEATHER WAY
BANNING CA 92220

53832012
JIMENEZ VIDAL J & ANTHONY
15357 MURIELA SOUTHPARK
RANCHO MURIELA CA 95083

53832014
PEREZ ROSARIO A
2986 RAINBOW LN
BANNING CA 92220

53833025
BRAATZ SONIA INGA
2706 W RAINBOW LN
BANNING CA 92220

53832001
BROOKS LOUIS O & ELLEN L
2744 RAINBOW LN
BANNING CA 92220

53833029
CRAYE MARY L
208 POR LA MAR CIR
SANTA BARBARA CA 93103

53831002
GARCIA ISMAEL
2351 HAMILTON AVE
EL CENTRO CA 92243

53831037
TREJO JUAN CARLOS
2435 W WESTWARD AVE
BANNING CA 92220

538331022
RIOS ANGELO & PATSY RUTH
529 S AUTUMN WAY
BANNING CA 92220

53833014
EMANUELSON RICHARD & BOLIVIA
716 WEATHER WAY
BANNING CA 92220
538333015
ELLISON LINDA J & CLIFFORD
728 WATHER WAY
BANNING CA 92220

538332058
GRINGO STEPHEN F & KATHLEEN P
26205 W MILESTONE DR
PLAINFIELD IL 60585

538321016
COOPER DELBERT D & NANCY L
748 DUSK CT
BANNING CA 92220

538321005
KOKIES VIRGINIA LEE
190 SILVER PINE LN
DANVILLE CA 94506

538332059
MIDANI MARWAN H
2722 W RAINBOW LN
BANNING CA 92220

538323002
JANDEGAU ONEIL J & BRIGITTE B
2802 RAINBOW LN
BANNING CA 92220

538331010
BOEGLIN FRANK R & VIOLET M
791 AUTUMN WAY
BANNING CA 92220

538333026
SEIP LEROY N & CYNTHIA A
2722 W RAINBOW LN
BANNING CA 92220

538312017
NORAVONG SOMPHONE & KHAMPHOIVA
2914 W JEFFERSON ST
BANNING CA 92220

538322026
ADAMS RN ROBERT E & SHRILIE V
593 BREEZY CIR
BANNING CA 92220

538322051
DELEON ALFREDO B & VICTORIA C
4010 BERMIS ST
LOS ANGELES CA 90039

538321035
BISHOP WILLIAM D & DIANA J
717 AMBER SKY ST
BANNING CA 92220

538332061
MEANOR JOHN PRICE
2691 W RAINBOW LN
BANNING CA 92220

538321062
DUNIHOO RANDY C
745 DUSK CT
BANNING CA 92220

538321018
NEGRON RAFAEL & ANNA
765 DAYBREAK WAY
BANNING CA 92220

538323019
ROSS LUCIELE
3902 RAINBOW LN
BANNING CA 92220

538333023
MOREAU RENEE & NATIVIDAD
264 W RAINBOW LN
BANNING CA 92220

538323023
MOREAU DANIEL PIERRE
8347 GRENOBLE ST
SUNLAND CA 91040

538312015
GOMEZ JOSE LUIS
5224 HOLLISTER
SANTA BARBARA CA 93111

538312021
GOMEZ JOSE
5224 HOLLISTER AVE
SANTA BARBARA CA 93111

538321014
VOLLMER JOHN W & JANICE N
2941 CLOUDY CIR
BANNING CA 92220

538321060
DOMINGO TERESITA A
728 STORMIE WAY
BANNING CA 92220

538332056
SENDIS ANDRES & SONORRO
2694 CLEAR CT
BANNING CA 92220

538321032
BLACKMON JAMES A & DIANE M
769 AMBER SKY ST
BANNING CA 92220

538323017
OLDHAM RALPH LEE
3030 RAINBOW LN
BANNING CA 92220

538323007
HUERTA SHEILA H
2802 RAINBOW LN
BANNING CA 92220

538332013
SCHELMER JOAQUIN & TRESA M
2912 RAINBOW LN
BANNING CA 92220

538312037
PEACOCK VALLEY PROTECTIVE ASSO
P O BOX 248
SAN MARCOS CA 92069

538333014
MIRARCHI CELESTINO & PATRICIA
584 AUTUMN WAY
BANNING CA 92220

538312013
TORRES JESUS & YOLANDA
2864 W JEFFERSON ST
BANNING CA 92220
538322018
LEGO SANDRA
2951 SUMMER SET CIR
BANNOING CA 92220

538332020
BINNING WILLIAM C
2663 W HAZY WAY
BANNOING CA 92220

538332019
WEISS TERRY C & JUDITH A
2979 W HAZY WAY
BANNOING CA 92220

538322008
ALLIN LAVERNE E & VIOLET R
3105 SUMMER SET CIR
BANNOING CA 92220

538322024
KADOH BUGENE V & RONNA L
2857 SUMMER SET CIR
BANNOING CA 92220

538321048
CLARK GRAYDON J & EVA T
2904 SUMMER SET CIR
BANNOING CA 92220

538331036
MEDEL VLIMA
655 AUTUMN PL
BANNOING CA 92220

538321060
WADDELL CARMELA M
3014 SUMMER SET CIR
BANNOING CA 92220

538332046
ANDERSON TIM K & JOANNE L
2724 W HAZY WAY
BANNOING CA 92220

538331002
SERRANO DEL VISTA HOMEOWNERS A
P O BOX 1510
UPLAND CA 91785

5383321054
ARMSLEA LEO G
3076 SUMMER SET CIR
BANNOING CA 92220

538332013
MCKINNEY DORIS F
3129 SUMMER SET CIR
BANNOING CA 92220

538322006
SHESGREEN WILLIAM & JACKLYN
3141 SUMMER SET CIR
BANNOING CA 92220

538322015
DAY DONALD F & AUDREY A
2999 SUMMER SET CIR
BANNOING CA 92220

538333010
SMOTHERS MAXINE C
654 WEATHER WAY
BANNOING CA 92220

538321040
KELLY MOGBL E LESTER O
2858 SUMMER SET CIR
BANNOING CA 92220

538321055
READ DALE F & MELODY
2311 SW 7TH ST
BATTLE GROUND WA 98604

538321071
SERRANO DEL VISTA HOMEOWNERS A
P O BOX 1510
UPLAND CA 91785

53833009
CHRISTENSEN ROBERT L
638 WEATHER WAY
BANNOING CA 92220

53833011
KASSEBAUM LARRY A
668 WEATHER WAY
BANNOING CA 92220
State of California
Dept of Transportation/District 8
464 W. 4th St, 6th Floor/MS 726
San Bernardino, CA 92401-1400

Banning Unified School District
161 W. Williams Street
Banning, CA 92220

Banning Public Library
21 W. Nicolet Street
Banning, CA 92220

Department of Planning &
Economic Development
Attn: Frankino Dune
49750 Seminole Drive
Cabazon, CA 92230

County of Riverside
Planning Department
Attn: Keith Gardner
4080 Lemon St, 9th Floor
Riverside, CA 92502-1409

Riverside County Flood
Control District
Attn: Stuart McKibben
1995 Market Street
Riverside, CA 92501

Calif. Regional Water Quality Contd Bd
Santa Ana Basin Region 8
3737 Main Street, Suite 500
Riverside CA 92501-3339

California Regional Water Quality Contd
Colorado River Basin Region 7
737-720 Fred Waring Drive, Suite 100
Palm Desert CA 92260

Verizon of California
Attn: Environmental Review
1980 Orange Tree Lane, Suite 100
Redlands CA 92374

San Gorgonino Pass Water Agency
1210 Beaumont Avenue
Beaumont CA 92223

County of Riverside
Auditor-Controller
4080 Lemon St, 11th Flr
Riverside, CA 92502-1325

Beaumont-Cherry Valley Recreation &
Parks District
38900 Oak Valley Parkway
Beaumont CA 92223

Beaumont Unified School District
400 Greco Avenue
Beaumont CA 92223

Riverside County Clerk
2720 Gateway Drive
Riverside CA 92507

County of Riverside
Transportation Commission
4080 Lemon St, 3rd Floor
Riverside CA 92502-1090

City of Beaumont
Attn: Planning Department
550 E. 6th Street
Beaumont CA 92223

Riverside Transit Agency
Director of Planning
1825 Third Street
Riverside CA 92507

County of Riverside
Executive Office
4080 Lemon Street, 12th Flr
Riverside CA 92501

South Coast AQMD
Office of Planning and Rules
Attn: Steve Smith
21865 E. Copley Drive
Diamond Bar, CA 91765

SCAG
Intergovernmental Review
818 West Seventh Street, 12th Floor
Los Angeles, CA 90017-3425

Western Riverside Council of
Governments
4080 Lemon Street, 3rd Floor/MS 1032
Riverside, CA 92501

Soboba Band of Luiseno Indians
Attn: Joseph Ontiveros
P.O. Box 487
San Jacinto, CA 92531

Don Smith
55 N, 8th Street
Banning CA 92220

Inge Schuler
1030 W. Westward Ave.
Banning CA 92220

Ken Mullan
1008 W. Westward Ave.
Banning CA 92220

Bill Lamb
931 April Lane
Banning CA 92220

Gail Wasson
3400 Wentworth
Hemet, CA 92345

Mitalee K. Cash
981 E. Charles St.
Banning CA 92220

Christy Burns
500 Alder Ct.
Banning CA 92220

Martha Scott

Yellow Rose Of CA @ aol.com

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Palm Springs, CA 92262

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ATTACHMENT 14

PUBLIC COMMUNICATION
City of Banning,

I am opposed to the proposed zone change 13-3602 for the property on North Hermosa Avenue to make it a very high-density residential property, for the following reasons.

1. It would represent too dramatic a change to the look and feel of the existing neighborhood, which is NOT a very high-density residential neighborhood. The proposed site should remain zoned for building of houses similar in character and structure to the existing structures, i.e., one story ranch style houses.

2. In all likelihood, it will result in a significant decrease in the market value of neighborhood single family residences. This would be devastating to me because my house is my only asset.

3. The proposed change would ruin or distort the city's beautification program in place at and around the North Hermosa site, which currently is surrounded by extremely well maintained one story ranch style houses and yards.

4. I feel the city would benefit more from property taxes from single family residences built on the site than very high density housing.

I am vigorously opposed to changing or modifying the zoning code for the North Hermosa Ave. Banning site.

Thank you,

[Signature]
CITY OF BANNING
Planning Commission Report

DATE: July 3, 2013
TO: Planning Commission
FROM: Zai Abu Bakar, Community Development Director
SUBJECT: Zone Text Amendment No. 13-97502 related to the adoption of the 2008-2013 Housing Element (Regulations related to Emergency Shelters, Transitional and Supportive Housing, Off-street Parking requirements for Extremely Low Income Housing, and Agricultural Employee Housing)

STAFF RECOMMENDATION:

That the Planning Commission adopt Resolution No. 2013-10 (Attachment 1) recommending City Council approval of Zone Text Amendment No. 13-97502 and making findings in compliance with the California Environmental Quality Act.

BACKGROUND:

As required by State law, the City has prepared an update to the General Plan Housing Element for the 2008-2013 planning period. The Housing Element identifies policies and implementation programs to facilitate the preservation, improvement and development of housing for all economic segments of the community and persons with special needs.

Among the Housing Element implementation programs are proposed amendments to zoning regulations regarding emergency shelters, transitional and supportive housing, off-street parking requirements for affordable housing units, agricultural employee housing, and residential care facilities. All of the proposed amendments are required in order to ensure consistency with state law. Adoption of the Zone Code Amendment entails no discretion on the part of the City Council because the Amendment is required by superseding state law, such that if the Zone Code Amendment is not approved, such disapproval will be void under state law and the state laws imposing the proposed amendment will govern in any case.

The proposed Code amendments have been prepared in consultation with the City Attorney and are described below. The Planning Commission’s recommendation on these amendments will be forwarded to the City Council at a public hearing for review and final action. Attachment 1 provides a draft Resolution for the proposed amendments and Attachment 2 provides a draft
Planning Commission Hearing  
July 3, 2013  
Page 2

Ordinance, which are discussed below. Recommended amendments regarding residential care facilities are not included in this package and will be brought to the Planning Commission for review at a subsequent public hearing.

**DISCUSSION AND ANALYSIS:**

1. **Emergency Shelters**

State law was amended in 2007 to establish specific requirements for local governments with regard to emergency shelters. An emergency shelter is a year-round facility that provides temporary housing with minimal supportive services for persons with no permanent residence. The proposed amendment would allow emergency shelters by-right in the Airport Industrial (AI) zone subject to appropriate development standards, including the following:

- Maximum of 25 beds
- Minimum separation of 300 feet between emergency shelters
- Off-street parking ratio of one space per 4 beds plus one space for each staff member on duty
- Management and operations plan required specifying hours of operation, staffing levels and training procedures, maximum length of stay, size and location of exterior and interior on-site waiting and intake areas, admittance and discharge procedures, provisions for on-site or off-site supportive services, house rules regarding use of alcohol and drugs, on-site and off-site security procedures, and protocols for communications with local law enforcement agencies and surrounding property owners.

2. **Transitional and Supportive Housing**

Transitional housing is temporary housing (typically 6 months to 2 years) for low-income persons and families who have no permanent home, and is intended to facilitate the residents’ transition to permanent housing. Supportive housing is intended to serve low-income persons with disabilities, and is linked to supportive services to assist residents with their daily needs. State law defines transitional and supportive housing as residential uses that are permitted subject to the same standards and procedures as apply to other residential uses of the same type in the same zone. The proposed amendment would update the Municipal Code in conformance with these definitions. This amendment would not change the City’s authority to regulate group homes or residential care facilities.

3. **Off-Street Parking Requirements**

In order to facilitate affordable housing production, the draft Housing Element includes a program to reduce off-street parking requirements for residential projects serving lower-income
households and persons with special needs groups. The proposed amendment would allow a reduction of up to 90% in the amount of required off-street parking for projects targeting extremely-low-income (ELI) households, excluding the need for employee and guest parking. The total reduction in required parking would be determined by the number of units affordable to extremely low income persons.

4. Agricultural Employee Housing

State law establishes limits on city regulation of housing for agricultural employees. Employee housing for six or fewer persons must be considered a single-family residential use of property, and small employee housing developments of up to 12 units or 36 beds are considered an agricultural use permitted in any zone where agriculture is a permitted use. “Locally adaptive farming” is a permitted use in the R/A and R/A/H zones and is a conditional use in the RR and RR/H zones. The proposed zoning amendment would ensure consistency with state law.

CONCLUSION:

All cities in California are required to adopt zoning regulations consistent with state law as discussed above.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The proposed amendments are Categorically Exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15061(b)(3). The draft Resolution and Ordinance contain appropriate findings for consideration by the Planning Commission.

PUBLIC COMMUNICATION

The proposed was advertised in the Record Gazette on June 17, 2013. As of the date of this report, staff has not received any verbal or written comments for or against the proposal.

PREPARED BY:  RECOMMENDED BY:

John Douglas, AICP
Consultant

Zahir Abu Bakar
Community Development Director

Attachments:
1. Draft Planning Commission Resolution No. 2013-10
2. Draft Ordinance No. 1467
3. Public Hearing Notice
ATTACHMENT 1

DRAFT PLANNING COMMISSION
RESOLUTION NO. 2013-10
RESOLUTION NO. 2013-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BANNING, CALIFORNIA RECOMMENDING CITY COUNCIL APPROVAL OF ZONE TEXT AMENDMENT NO. 13-97502 IN COMPLIANCE WITH THE CITY OF BANNING HOUSING ELEMENT

WHEREAS, California Government Code Section 65302(c) mandates that each city shall include a Housing Element in its General Plan. The Housing Element is required to identify and analyze existing and projected housing needs and include statements of the City’s goals, policies, quantified objectives, and scheduled programs for the preservation, improvement, and development of housing. The City in adopting its Housing Element, must consider economic, environmental, and fiscal factors, as well as community goals as set forth in the General Plan; and

WHEREAS, policies and programs contained in the Housing Element are intended to facilitate the provision of housing for lower-income households and persons with special needs, including emergency shelters, transitional housing, supportive housing, and agricultural employee housing; and

WHEREAS, in accordance with Government Code §65854, on the 21st day of June 2013, the City gave public notice as required under Chapter 17.68 of the Zoning Ordinance by advertising in the Record Gazette newspaper of the holding of a public hearing regarding Zone Text Amendment No. 13-97502; and

WHEREAS, on the 3rd day of July 2013, the Planning Commission held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the proposed amendment, and at which time the Planning Commission considered Zone Text Amendment No. 13-97502.

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

SECTION 1. REQUIRED FINDINGS FOR ZONE TEXT AMENDMENT NO. 13-97502:

The Commission recommends that the following findings and facts be considered and rendered by the City Council:

Finding No. 1: The proposed Zone Text Amendment is consistent with the goals and policies of the General Plan.

Facts in Support of Finding: The proposed Zone Text Amendment is required to ensure consistency between the City’s zoning regulation and the Housing Element of the General Plan and state law regarding housing for low-income households and persons with special needs. Nothing in the Zone

Res. 2013-10
Text Amendment contravenes the current General Plans and, even if there were such an inconsistency, the Zone Code Amendment resolves such inconsistencies. Moreover, the Zone Code Amendment is required by superseding state law, such that if the Zone Code Amendment is not approved, state law and the state laws imposing the proposed amendment will still govern.

Finding No. 2: The proposed Amendment is internally consistent with the Zoning Ordinance.

Facts in Support of Finding: The Zone Text Amendment is consistent with the existing provisions of the Zoning Ordinance. The proposed amendments will conform City zoning regulations to the requirements of state law. Nothing in the Zone Text Amendment is inconsistent with the Zoning Ordinance and, even if there were such an inconsistency, the Zone Code Amendment resolves such inconsistencies. Moreover, the Zone Code Amendment is required by superseding state law, such that if the Zone Code Amendment is not approved, state law and the state laws imposing the proposed amendment will still govern.

Finding No. 3: That the City Council has independently reviewed and considered the requirements of the California Environmental Quality Act (CEQA).

Facts in Support of Finding: CEQA Guidelines Section 15061(b)(3) exempts from CEQA those activities that are “not a project”. Independently reviewing the facts stated herein and in the accompanying staff report (which report is hereby incorporated herein by reference), that the City Council finds that the Zone Text Amendment is not a project because it is a purely legislative enactment that entails no discretionary approval by the legislative body. Adoption of the Zone Code Amendment entails no discretion on the part of the Council because the Amendment is required by superseding state law, such that if the Zone Code Amendment is not approved, such disapproval will be void under state law and the state laws imposing the proposed amendment will govern in any case. Further, CEQA applies only to projects which have the potential for causing a significant impact on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant impact on the environment, that activity is not subject to CEQA.
SECTION 2. The Planning Commission finds that the proposed Zone Text Amendments are exempt from CEQA for the reasons stated under “Finding No. 3” of Section 1 above.

SECTION 3. PLANNING COMMISSION ACTIONS.

The Planning Commission recommends that the City Council:

1. Find that per CEQA Guidelines Section 15061(b)(3) the proposed amendments are “not a project” under CEQA based on the Facts Supporting “Finding No. 3” of Section 1 above.

2. Adopt an ordinance approving Zone Text Amendment No. 13-97502 as set forth in Exhibit A, attached hereto.

PASSED, APPROVED AND ADOPTED this ___ day of July, 2013.

________________________________________
Kevin Siva, Chairman
Banning Planning Commission

APPROVED AS TO FORM AND LEGAL CONTENT:

________________________________________
Lona N. Laymon
Aleshire & Wynder, LLP
Assistant City Attorney
City of Banning, California

ATTEST:

________________________________________
Holly Stuart, Planning Commission Secretary
City of Banning, California

CERTIFICATION:

I, Holly Stuart, Secretary to the Planning Commission of the City of Banning, California, do hereby certify that the foregoing Resolution, No. 2013-10, was duly adopted by the Planning Commission of the City of Banning, California.

Res. 2013-10
Commission of the City of Banning, California, at a regular meeting thereof held on the ___ day of July 2013, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Holly Stuart, Secretary to the Planning Commission
City of Banning, California
SECTION 1. Section 17.04.070 ("Definitions") of the Banning Municipal Code is amended to add the following definitions in alphabetical order, with all other provisions of Section 17.04.070 to remain unchanged.

**Agricultural Employee Housing:** A residential occupancy of single or multiple dwelling units with individual, shared, or no kitchen facilities to provide housing for the employees and their families engaged in agricultural activities. Any employee housing which has qualified, or is intended to qualify, for a permit to operate pursuant to Section 17021.5 of the California Health and Safety Code providing accommodations for six or fewer employees shall be deemed a single-family structure with a residential land use designation.

**Emergency Shelter:** Housing with minimal supportive services for homeless persons that limits occupancy to six months or less and that does not deny emergency shelter due to a person’s inability to pay.

**Supportive Housing:** Housing occupied by a specified target population defined in Section 50675.14 of the California Health and Safety Code that has no limit on length of stay, and that is linked to onsite or offsite services that assist the resident in retaining the housing, improving his or her health status, maximizing his or her ability to live, and – when possible – work in the community. Supportive housing is a residential use subject to the same regulations and procedures that apply to other residential uses of the same type in the same zone.

**Transitional Housing:** Rental housing operated under program requirements that terminate assistance to residents and recirculate the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months from the initial occupancy date of the recipient. Transitional housing is a residential use subject to the same regulations and procedures that apply to other residential uses of the same type in the same zone.

SECTION 2. Table 17.12.020 Permitted, Conditional and Prohibited Commercial and Industrial Uses of the Banning Municipal Code is amended as follows:

<table>
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<th>Table 17.12.020 PERMITTED, CONDITIONAL AND PROHIBITED COMMERCIAL AND INDUSTRIAL USES</th>
<th>DC</th>
<th>GC</th>
<th>HSC</th>
<th>PO</th>
<th>I</th>
<th>AI</th>
<th>BP</th>
<th>IM</th>
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<td>Emergency Shelters</td>
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SECTION 3. Table 17.08.020 Permitted, Conditional and Prohibited Residential Uses of the Banning Municipal Code is amended as follows:

Table 17.08.020
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<th>PERMITTED, CONDITIONAL AND PROHIBITED RESIDENTIAL USES</th>
<th>R/A</th>
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<th>RR</th>
<th>RR/H</th>
<th>VLD</th>
<th>LDR</th>
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<th>HD</th>
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<td></td>
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<tr>
<td>Locally Adaptive Farming</td>
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<td>C</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

1Agricultural employee housing allowed with up to 12 units or 36 persons, and/or up to 6 workers as a single-family use.

SECTION 4. Section 17.28.030 of Chapter 17.28 - PARKING AND LOADING STANDARDS of the Banning Municipal Code is amended as follows:

J. The number of required off-street parking spaces for affordable housing may be reduced in accordance with California Government Code Sec. 65915 et seq., as it may be amended from time to time.
ATTACHMENT 2

DRAFT ORDINANCE NO. 1467
ORDINANCE NO. 1467

AN ORDINANCE OF THE CITY OF BANNING, CALIFORNIA AMENDING TITLE 17 OF THE BANNING MUNICIPAL CODE IN CONFORMANCE WITH THE GENERAL PLAN HOUSING ELEMENT (ZONE TEXT AMENDMENT NO. 13-97502)

THE CITY COUNCIL OF THE CITY OF BANNING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. CEQA Findings. Pursuant to the California Environmental Quality Act (CEQA) and the City of Banning Environmental Review Guidelines, the City Council finds that the zone text amendment is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15061(b)(3). CEQA Guidelines Section 15061(b)(3) exempts from CEQA those activities that are “not a project”. Independently reviewing the facts stated herein and in the accompanying staff report (which report is hereby incorporated herein by reference) the City Council finds that the Zone Text Amendment is not a project because it is a purely legislative enactment that entails no discretionary approval by the legislative body. Adoption of the Zone Code Amendment entails no discretion on the part of the Council because the Amendment is required by superseding state law, such that if the Zone Code Amendment is not approved, such disapproval will be void under state law and the state laws imposing the proposed amendment will govern in any case. Further, CEQA applies only to projects which have the potential for causing a significant impact on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant impact on the environment, that activity is not subject to CEQA. The City Council therefore directs that a notice of exemption for this Zone Text Amendment be filed in accordance with CEQA.

SECTION 2. REQUIRED FINDINGS FOR ZONE TEXT AMENDMENT NO. 13-97502:

Finding No. 1: The proposed Zone Text Amendment is consistent with the goals and policies of the General Plan.

Facts in Support of Finding: The proposed Zone Text Amendment is required to ensure consistency between the City’s zoning regulation and the Housing Element of the General Plan and state law regarding housing for low-income households and persons with special needs. Nothing in the Zone Text Amendment contravenes the current General Plans and, even if there were such an inconsistency, the Zone Code Amendment resolves such inconsistencies. Moreover, the Zone Code Amendment is required by superseding state law, such that if the Zone Code Amendment is not approved, such disapproval will be void under state law and the state laws imposing the proposed amendment will govern in any case.
Finding No. 2: The proposed Amendment is internally consistent with the Zoning Ordinance.

Facts in Support of Finding: The Zone Text Amendment is consistent with the existing provisions of the Zoning Ordinance. The proposed amendments will conform City zoning regulations to the requirements of state law. Nothing in the Zone Text Amendment is inconsistent with the Zoning Ordinance and, even if there were such an inconsistency, the Zone Code Amendment resolves such inconsistencies. Moreover, the Zone Code Amendment is required by superseding state law, such that if the Zone Code Amendment is not approved, such disapproval will be void under state law and the state laws imposing the proposed amendment will govern in any case.

Finding No. 3: That the City Council has independently reviewed and considered the requirements of the California Environmental Quality Act (CEQA).

Facts in Support of Finding: The City Council’s CEQA review of this Zone Text Amendment is independently based on the facts and law for the reasons stated and found in Section 1, above.

SECTION 3. The City Council hereby amends Section 17.04.070 (“Definitions”) of the Banning Municipal Code by adding the following definitions in alphabetical order, with all other provisions of Section 17.04.070 to remain unchanged.

“Agricultural Employee Housing: A residential occupancy of single or multiple dwelling units with individual, shared, or no kitchen facilities to provide housing for the employees and their families engaged in agricultural activities. Any employee housing which has qualified, or is intended to qualify, for a permit to operate pursuant to Section 17021.5 of the California Health and Safety Code providing accommodations for six or fewer employees shall be deemed a single-family structure with a residential land use designation.

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Emergency Shelter: Housing with minimal supportive services for homeless persons that limits occupancy to six months or less and that does not deny emergency shelter due to a person’s inability to pay.

***

Supportive Housing: Housing occupied by a specified target population defined in Section 50675.14 of the California Health and Safety Code that has no limit on length of stay, and that is linked to onsite or offsite services that assist the resident in retaining the housing, improving his or her health status, maximizing his or her ability to live, and — when possible — work in the community. Supportive housing is a residential use subject to the same regulations.
and procedures that apply to other residential uses of the same type in the same zone.

***

Transitional Housing: Rental housing operated under program requirements that terminate assistance to residents and recirculate the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months from the initial occupancy date of the recipient. Transitional housing is a residential use subject to the same regulations and procedures that apply to other residential uses of the same type in the same zone.”

SECTION 4. The City Council hereby amends Table 17.12.020 Permitted, Conditional and Prohibited Commercial and Industrial Uses of the Banning Municipal Code as follows:

| Table 17.12.020 PERMITTED, CONDITIONAL AND PROHIBITED COMMERCIAL AND INDUSTRIAL USES |
|------------------------------|-----|-----|-----|-----|-----|-----|-----|
|                              | DC  | GC  | HSC | PO  | I   | AI  | BP  | IMR |
| Other Uses                   |     |     |     |     |     |     |     |     |
| Emergency Shelters           | X   | X   | X   | X   | X   | P   | X   | X   |

SECTION 5. The City Council hereby amends Section 17.12.050 Use Specific Standards of the Banning Municipal Code as follows:

| Table 17.12.050 USE SPECIFIC DEVELOPMENT STANDARDS |
|--------------------------------------------------|-----|-----|-----|-----|-----|-----|
| T. Emergency Shelters                          | DC  | GC  | HSC | PO  | I   | AI  |
|                                                  |     |     |     |     |     | *   |

U. In addition to the development standards of the base district provided in Sections 17.12.030 and 17.12.040, emergency shelters shall comply with the following use-specific standards:
- Maximum of 25 beds
- Minimum separation of 300 feet between emergency shelters
- Off-street parking ratio of one space per 4 beds plus one space for each staff member on duty
- Management and operations plan required specifying hours of operation, staffing levels and training procedures, maximum length of stay, size and location of exterior and interior on-site waiting and intake areas, admittance and discharge procedures, provisions for on-site or off-site supportive services, house rules regarding use of alcohol and drugs,
on-site and off-site security procedures, and protocols for communications with local law enforcement agencies and surrounding property owners.

SECTION 6. The City Council hereby amends Table 17.08.020 Permitted, Conditional and Prohibited Residential Uses of the Banning Municipal Code as follows:

<table>
<thead>
<tr>
<th>Agricultural Uses</th>
<th>R/A</th>
<th>R/A/H</th>
<th>RR</th>
<th>RR/H</th>
<th>VLDR</th>
<th>LDR</th>
<th>MDR</th>
<th>HD R</th>
<th>MH P</th>
</tr>
</thead>
<tbody>
<tr>
<td>Homeless-Shelter</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>E</td>
<td>E</td>
</tr>
<tr>
<td>Locally Adaptive Farming</td>
<td>P</td>
<td>P</td>
<td>C</td>
<td>C</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

1Agricultural employee housing allowed with up to 12 units or 36 persons, and/or up to 6 workers as a single-family use.

SECTION 7. The City Council hereby amends Section 17.28.030 of Chapter 17.28 - PARKING AND LOADING STANDARDS of the Banning Municipal Code as follows:

J. The number of required off-street parking spaces for affordable housing may be reduced in accordance with California Government Code Sec. 65915 et seq., as it may be amended from time to time.

SECTION 8. The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen (15) days of its adoption cause it, or a summary of it, to be published in the Record Gazette, a newspaper published and circulated in the City. Thereupon, this Ordinance shall take effect thirty (30) days after the adoption and be in effect according to the law.

PASSED, APPROVED AND ADOPTED this ___ day of ______, 2013.

__________________________________________
Deborah Franklin, Mayor
City of Banning

APPROVED AS TO FORM:

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

Marie Calderon, City Clerk
City of Banning, California

CERTIFICATION:

I, Marie Calderon, City Clerk of the City of Banning, California, do hereby certify that the foregoing Ordinance No. _____ was duly introduced at a regular meeting of the City Council of the City of Banning, held on the ____ day of _______, 2013 and was duly adopted at a regular meeting of said City Council held on the ____ day of _________ 2013, by the following vote, to wit:

AYES: 

NOBS: 

ABSENT: 

ABSTAIN:

Marie Calderon, City Clerk
City of Banning, California
ATTACHMENT 3

PUBLIC HEARING NOTICE
I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above matter. I am the principal clerk of the printer and publisher of Record Gazette, a newspaper published in the English language in the City of Banning, County of Riverside, and adjudicated a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of Riverside, under the date October 14, 1966, Case No. 54737. That the notice, of which the annexed is a copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

June 21, 2013

NOTICE OF PUBLIC HEARING
PURSUANT TO LAW, NOTICE IS HEREBY GIVEN of a Public Hearing before the Planning Commission of the City of Banning, to be held on Wednesday, July 2, 2013, at 6:00 p.m. in the Council Chambers, City Hall, 69 East Ramsey Street, Banning, California, to consider the following:
ZONE TEXT AMENDMENT NO. 13-97602 An amendment to the Banning Municipal Code regarding conforming to the 2008-14 Housing Element requirements specifically to provide for transitional housing, supportive housing, emergency shelters, and agricultural employees housing. Environmental Report: This Item is exempt from CEQA pursuant to Section 15061(b)(3) and 15150 of the State CEQA Guidelines. Municipal Code: Table 17.03.020 Permitted, Conditional and Prohibited Residential Uses; Table 17.12.020 Permitted, Conditional and Prohibited Commercial and Industrial Uses; and Section 17.04.010 Definitions. Applicant: City of Banning Information regarding the zoning can be obtained by contacting the City's Community Development Department at (951) 922-3325 or by visiting City Hall located at 69 East Ramsey Street, Banning. All parties interested in speaking either in support of or in opposition to this Item are invited to attend said hearing, or to send their written comments to the Community Development Department of the City of Banning at P.O. Box 598, Banning, California, 92220. If you challenge any decision regarding the above proposal in court, you may be limited in raising only those issues you or someone else raised in written correspondence delivered to the Community Development Director at, or prior to, the time the Planning Commission makes its decision on the proposal, or you or someone else raised at the public hearing or in written correspondence delivered to the hearing body at, or prior to, the hearing (California Government Code, Section 65922). By ORDER OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF BANNING, CALIFORNIA.

Dated: June 17, 2013

Zahida Bider
Community Development Director
Public: June 31, 2013
Published in The Record Gazette
No. 9208
07/01/2013

Executed on: 06/21/2013
At Banning, CA

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

[Signature]