

**AGENDA
BANNING CITY COUNCIL
REGULAR MEETING
CITY OF BANNING
BANNING, CALIFORNIA**

April 24, 2012
5:00 p.m.

Banning Civic Center
Council Chambers

The following information comprises the agenda for a regular meeting of the City Council and a Joint Meeting of the City Council and the Banning Utility Authority.

Per City Council Resolution No. 2010-38 matters taken up by the Council before 9:00 p.m. may be concluded, but no new matters shall be taken up after 9:00 p.m. except upon a unanimous vote of the council members present and voting, but such extension shall only be valid for one hour and each hour thereafter shall require a renewed action for the meeting to continue.

I. CALL TO ORDER

- Invocation – David Marshall Kealy, Reaching People Far from God Foundation
- Pledge of Allegiance
- Roll Call – Council Members Botts, Franklin, Hanna, Machisic, Mayor Robinson

II. REPORT ON CLOSED SESSION

III. PUBLIC COMMENTS/CORRESPONDENCE/PRESENTATIONS

PUBLIC COMMENTS – *On Items Not on the Agenda*

A three-minute limitation shall apply to each member of the public who wishes to address the Mayor and Council on a matter not on the agenda. A thirty-minute time limit is placed on this section. No member of the public shall be permitted to "share" his/her three minutes with any other member of the public. (Usually, any items received under this heading are referred to staff or future study, research, completion and/or future Council Action.) (See last page. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD.)

CORRESPONDENCE: Items received under the category may be received and filed or referred to staff for future research or a future agenda.

PRESENTATIONS:

1. Proclamation – April as National Donate Life Month 1
2. Proclamation – May as Mental Health Month 2

The City of Banning promotes and supports a high quality of life that ensures a safe and friendly environment, fosters new opportunities and provides responsive, fair treatment to all and is the pride of its citizens.

IV. CONSENT ITEMS

(The following items have been recommended for approval and will be acted upon simultaneously, unless a member of the City Council wishes to remove an item for separate consideration.)

Motion: That the City Council approve Consent Item 1 through 5

Items to be pulled _____, _____, _____ for discussion.

(Resolutions require a recorded majority vote of the total membership of the City Council)

1.	Approval of Minutes – Special Meeting – 03/26/12	4
2.	Approval of Minutes – Special Meeting – 04/10/12 (Closed Session)	13
3.	Approval of Minutes – Regular Meeting – 0410/12	15
4.	Approve Amendment to Contract with Norman A. Traub Associates for Investigation Services for the City of Banning Police Department. . .	34
5.	Resolution No. 2012-34, Approving the Measure “A” Five Year Capital Improvement Plan.	35

- Open for Public Comments
- Make Motion

RECESS REGULAR CITY COUNCIL MEETING AND CALL TO ORDER A JOINT MEETING OF THE BANNING CITY COUNCIL AND THE BANNING UTILITY AUTHORITY.

V. CONSENT ITEM

1.	Resolution No. 2012-06 UA, Awarding a Professional Services Agreement to Albert A. Webb Associates for the Banning Water Canyon Mapping and Pipeline Replacement Phasing Plan for an amount not exceed \$79,981.00	49
----	---	----

Adjourn Joint Meeting of the Banning City Council and the Banning Utility Authority and reconvene regular City Council Meeting.

VI. ORDINANCES-INTRODUCTION

1.	Ordinance No. 1449, Re-establishing and Declaring Prima Facie Speed Limits Within Specified Speed Zones Throughout the City of Banning to include Speed Zones 28, 37, 38 and 46. Staff Report	53
	Recommendation: That the City Council adopt Ordinance No. 1449, Re-establishing and Declaring Prima Facie Speed Limits within Specified Speed Zones throughout the City of Banning to include Speed Zones 28, 37, 38 and 46, and amending Ordinance No. 1443.	

Mayor asks the City Clerk to read the title of Ordinance No. 1449:

“An Ordinance of the City Council of the City of Banning, California, Re-establishing and Declaring Prima Facie Speed Limits Within Specified Speed Zones Throughout the City of Banning to include Speed Zones 28, 37, 38 and 46, and amending Ordinance No. 1443.”

Motion: I move to waive further reading of Ordinance No. 1449.

(Requires a majority vote of Council)

Motion: I move that Ordinance No. 1449 pass its first reading.

VII. PUBLIC HEARINGS

(The Mayor will ask for the staff report from the appropriate staff member. The City Council will comment, if necessary on the item. The Mayor will open the public hearing for comments from the public. The Mayor will close the public hearing. The matter will then be discussed by members of the City Council prior to taking action on the item.)

1. Zone Text Amendment (ZTA) No. 12-97501 Amendment to Various Sections of the Zoning Ordinance (Title 17 of the Banning Municipal Code) to Facilitate Business Development.

Staff Report 65

Recommendation: That the City Council take the following actions: 1) Adopt a Categorical Exemption in compliance with CEQA Guidelines Section 15061 (b)(3); and 2) adopt Ordinance No. 1448, Amending Various Sections of the Zoning Ordinance (Title 17 of the Banning Municipal Code) to facilitate business development.

Mayor asks the City Clerk to read the title of Ordinance No. 1448:

“An Ordinance of the City Council of the City of Banning, California, Approving Zoning Text Amendment No. 12-97501 Amending Various Sections of the Zoning Ordinance (Title 17 of the Banning Municipal Code) to Facilitate Business Development.”

Motion: I move to waive further reading of Ordinance No. 1448.

(Requires a majority vote of Council)

Motion: I move that Ordinance No. 1448 pass its first reading.

VIII. REPORTS OF OFFICERS

1. Code Enforcement Priorities and Administrative Citation

Staff Report 88

Recommendation: **That the City Council hear a presentation from staff, discuss, and direct staff to: 1) Establish Code Enforcement priorities; 2) Re-active the Administrative Citation Program and hire a collection agency that provides a hearing officer as part of the services.**

2.	General Plan Annual Progress Report for Calendar Year 2011.	
	Staff Report.	101
	Recommendation: That the City Council adopt Resolution No. 2012-33,	
	Approving of General Plan Annual Progress Report for Calendar Year 2011.	

IX. ANNOUNCEMENTS/REPORTS *(Upcoming Events/Other Items if any)*

- City Council
- City Committee Reports
- Report by City Attorney
- Report by City Manager

X. ITEMS FOR FUTURE AGENDAS

New Items –

Pending Items – City Council

1. Schedule Meetings with Our State and County Elected Officials
2. Polices & Procedures (fingerprinting) for Applicant re. Projects and Applicants for Commissions & Committees *(Commissions & Committees)*

Successor Agency

1. Proposal from Owners of Oddfellows Building - 42 W. Ramsey Street.

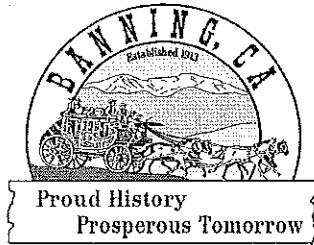
XI. ADJOURNMENT

Pursuant to amended Government Code Section 54957.5(b) staff reports and other public records related to open session agenda items are available at City Hall, 99 E. Ramsey St., at the office of the City Clerk during regular business hours, Monday through Thursday, 8 a.m. to 5 p.m.

NOTICE: Any member of the public may address this meeting of the Mayor and Council on any item appearing on the agenda by approaching the microphone in the Council Chambers and asking to be recognized, either before the item about which the member desires to speak is called, or at any time during consideration of the item. A five-minute limitation shall apply to each member of the public, unless such time is extended by the Mayor and Council. No member of the public shall be permitted to "share" his/her five minutes with any other member of the public.

Any member of the public may address this meeting of the Mayor and Council on any item which does not appear on the agenda, but is of interest to the general public and is an item upon which the Mayor and Council may act. A three-minute limitation shall apply to each member of the public, unless such time is extended by the Mayor and Council. A thirty-minute time limit is placed on this section. No member of the public shall be permitted to "share" his/her three minutes with any other member of the public. The Mayor and Council will in most instances refer items of discussion which do not appear on the agenda to staff for appropriate action or direct that the item be placed on a future agenda of the Mayor and Council. However, no other action shall be taken, nor discussion held by the Mayor and Council on any item which does not appear on the agenda, unless the action is otherwise authorized in accordance with the provisions of subdivision (b) of Section 54954.2 of the Government Code.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office (951) 922-3102. **Notification 48 hours prior to the meeting** will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.02-35.104 ADA Title II].



PROCLAMATION

WHEREAS, organ, tissue, marrow and blood donation are life-giving acts recognized worldwide as expressions of compassion to those in need; and

WHEREAS, more than 100,000 individuals nationwide and almost 20,000 in California are currently on the national organ transplant waiting list, and every 90 minutes one person dies while waiting due to the shortage of donated organs; and

WHEREAS, the need for donated organs is especially urgent in Hispanic and African American communities; and

WHEREAS, more than 600,000 units of blood per year are needed to meet the need in California and at any given time, 6,000 patients are in need of volunteer marrow donors; and

WHEREAS, a single individual's donation of the heart, lungs, liver, kidneys, pancreas and small intestine can save up to eight lives; donation of tissue can save and heal the lives of up to 50 others; and a single blood donation can help three people in need; and

WHEREAS, millions of lives each year are saved and healed by donors of organs, tissues, marrow and blood and the spirit of giving and decision to donate are not restricted by age or medical condition; and

WHEREAS, nearly nine million Californians have signed up with the state-authorized Donate Life California Registry to ensure their wishes to be organ and tissue donors are honored; and

WHEREAS, California residents can sign up with the Donate Life California Registry when applying for or renewing their driver's licenses or ID cards at the California Department of Motor Vehicles.

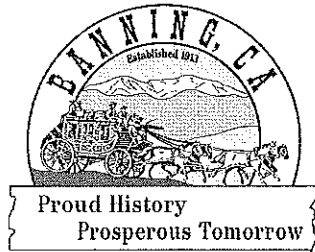
NOW, THEREFORE, BE IT RESOLVED, that I, Don Robinson, Mayor of the City of Banning along with the City Council that in recognition of National Donate Life Month, hereby proclaim the month of April 2012 as "DMV/Donate Life California Month" in the city of Banning, and in doing so we encourage all Californians to check "YES!" when applying for or renewing their driver's license or I.D. card, or by signing up at www.donateLIFecalifornia.org or www.doneVIDAcalifornia.org

IN WITNESS WHEREOF, I have set my hand and caused the seal of the City of Banning, California to be affixed this 24th day of April, 2012.

ATTEST:

Marie A. Calderon, City Clerk

Don Robinson, Mayor



PROCLAMATION

***WHEREAS**, mental illness can impact anyone, regardless of age, background, employment, education and income level; and*

***WHEREAS**, mental illness usually strikes individuals in the prime of their lives, often during adolescence and young adulthood, although the very young and the elderly are especially vulnerable; and*

***WHEREAS**, many treatments for serious mental illnesses, in combination with treatment and recovery supports, are highly effective, allowing people to maintain their quality of life and their involvement with their families and communities; and*

***WHEREAS**, the National Institute of Mental Health reports that one in four adults – approximately 57.7 million Americans – experience a mental health disorder in a given year; and*

***WHEREAS**, the United States Surgeon General reports that 10 percent of children and adolescents in the United States suffer from serious emotional and mental disorders that cause significant functional impairment and that half of all Americans experience a mental disorder at some time in their lives; and*

***WHEREAS**, recent population data suggest that nearly 140,000 people of all ages in Riverside County may be impacted by serious mental illness and may seek treatment from a variety of community resources; and*

***WHEREAS**, the Mental Health America has promoted the observance of “May is Mental Health Month” since 1949 in order to increase awareness and understanding of mental health; and*

***WHEREAS**, the Riverside County Mental Health Board is presenting “Live Life Well”, a mental health fair on Thursday, May 17, 2012 at Fairmont Park in Riverside in support of the May is Mental Health Month observance; and*

***WHEREAS**, encouraging awareness of mental health issues and promoting wellness and recovery for those with mental health needs are important values for every community.*

***NOW THEREFORE**, I, Don Robinson, Mayor of the City of Banning, along with the City Council, do hereby proclaim May 2012 as “**MENTAL HEALTH MONTH**” to signify its support of greater awareness of mental health issues and joins with the Riverside County Mental Health Board in its observance.*

***IN WITNESS WHEREOF**, I have set my hand and caused the seal of the City of Banning, California to be affixed this 24th day of April, 2012.*

ATTEST:

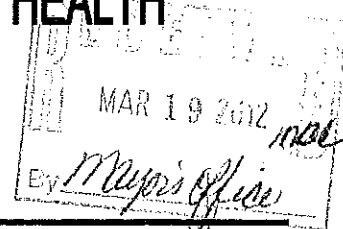
Marie A. Calderon, City Clerk

Don Robinson, Mayor



RIVERSIDE COUNTY DEPARTMENT OF MENTAL HEALTH

Jerry A. Wengerd, Director



Reply to: Mental Health Administration
P.O. Box 7549
Riverside, CA 92513

March 7, 2012

The Honorable Don Robinson
Mayor of Banning
99 E. Ramsey Street
Banning, CA 92220

SUBJECT: May is Mental Health Month Proclamation Request

Dear Mayor Robinson:

The month of May is soon approaching and the County of Riverside will be celebrating Mental Health Awareness. In an effort to promote a greater understanding of mental health issues and recovery, I write to you and your City Council Members to once again proclaim that "May is Mental Health Month" in your city. For your convenience, enclosed is a sample proclamation.

In conjunction with the Riverside County Mental Health Board, the Department of Mental Health is presenting "Live Life Well", a mental health fair on Thursday, May 17th. It is our intention to display your proclamation at our upcoming event which will be held from 1 p.m. until 6 p.m. at Fairmount Park in Riverside. We encourage your attendance at this event and hope that your city's participation will promote mental health awareness throughout your community. After April 1st, updated event information will be available on our Department's website: www.rcmhd.org.

In the past, selected members of the Mental Health Board have made themselves available to attend city council meetings in order to personally receive proclamations on behalf of the Department of Mental Health. The selected board members will make a follow-up call on behalf of the department in order to coordinate City Council presentation dates. We hope to have this accomplished in the month of April.

Thank you in advance for your support of our efforts in recognizing "May is Mental Health Month" and in promoting greater community awareness of mental health issues throughout Riverside County.

Sincerely,

Jerry Wengerd, Director
Department of Mental Health

Enclosure: Sample Proclamation

3

MINUTES
CITY COUNCIL
BANNING, CALIFORNIA

03/26/2012
SPECIAL MEETING

A special meeting of the Banning City Council was called to order by Mayor Robinson on March 26, 2012 at 2:34 p.m. at the Banning Civic Center Large Conference Room, 99 E. Ramsey Street, Banning, California.

COUNCIL MEMBERS PRESENT: Councilmember Franklin
Councilmember Hanna
Councilmember Machisic
Mayor Robinson

COUNCIL MEMBERS ABSENT: Councilmember Botts (excused)

OTHERS PRESENT: Andrew J. Takata, City Manager
Marie A. Calderon, City Clerk

ANNOUNCEMENTS/PUBLIC COMMENTS

PUBLIC COMMENTS – On Items Not on the Agenda

There were none.

MEETING WITH ALTON GARRETT, SENIOR ADVISOR, SENATOR BOXER'S OFFICE

Mayor Robinson welcomed Alton Garrett to the meeting asking him to give best regards to the Senator on behalf of the Banning City Council. He hopes that the Council can update him on information as to what is going on in Banning.

a. I-10 Bypass Road (RCTC) (Riverside County Transportation Commission)

City Manager said inside the packet that was provided there are materials pertaining to a lot of these things that are going on of which you may be aware of. One of them is I-10 Bypass issue and he thinks you are aware of and also the the last fiasco that happened. There is also a map enclosed which shows the actual bypass. The County of Riverside has received \$2 million dollars from the Morongo Band of Mission Indians for the engineering and environmental. He thinks this all started out when there was a shooting on the I-10 freeway and it stopped all traffic both ways for hours and there is no really good way to go from Banning to the Coachella Valley and this probably hurt Coachella Valley's economy, as well as, creating a lot of traffic opportunities for us and maybe helped some of our fast food restaurants and gas stations but it is sad that it has to happen that way. Basically any support and Senator Boxer can lend this project it would be helpful. This would be number one for the City.

Mayor Robinson said that there is a three-party agreement in regards to the project that includes the Morongo Band of Mission Indians, the County of Riverside and the City of Banning and that was signed back in 2008.

At this time the Council and Mr. Garrett went over the map of where this bypass road would be located. There was also some discussion in regards to what the City of Beaumont is doing in regards to Oak Valley Parkway and Highway 60.

Mayor Robinson said obviously it is going to take more funds to get this bypass completed after it goes through the engineering stages and that is why we are reaching out for help on federal funds.

Councilmember Machisic asked didn't WRCOG (Western Riverside Council of Governments) allocate some money for design on TUMF for the I-10 Bypass.

City Manager said that he thinks there is some money in there plus the \$2 million dollars from the Morongo Band of Mission Indians. It is a very important regional project.

Councilmember Hanna asked if there is any idea as to how far along the design is. City Manager said they just started and received the \$2 million about two months ago and that is probably why right now it is not the number one project. He thinks that the Sunset Grade Separation will end up being the number one project for the Pass because the engineering for the project is 95% completed.

City Manager said that he knows that the Senate passed the traffic SAFETEA-LU Map 21. Mr. Garrett said it was passed by the Senate by a bipartisan vote last week but it is in the House.

City Manager said he thinks they will make changes and then it will have to go back to the Senate at that point. Mr. Garrett said they hope not because it needs to get done by the end of the month otherwise they will need another extension to the previous transportation bill because it expires on the 31st of March.

City Manager said basically it is an all county area but it affects our residents and that is why it is so important to us.

- b. Banning Justice Center (Superior Court of Riverside County)
- c. Sunset Grade Separation

Mayor Robinson said the Mid County Justice Center broke ground on February 21st and to construct this it will take about \$63 million dollars of State court money collected from fines and fees. They bought the property from the City and we bought it through redevelopment and got it ready for them and it is located on four acres. It will employ about 180 people full-time and there are about 300 people working on the project and they are very aggressive in their thinking on it and think they will have it done next year and work has already commenced on it. It will be quite an addition to our city. Council's before us and this Council have been gearing towards this whole thing in the downtown area in regards to redevelopment, working

on 8th Street and that was a cornerstone in getting people into downtown Banning and those corners have filled up rather recently but it is starting to move towards downtown. It is really starting to pay off. We have approximately ten construction projects going on right now and some of them coming right out of the dirt and that is very unusual in a small city of 28,000 people. He thinks a lot of this is due to the Mid Country Justice Center that these things are happening. We see Zacatecas Restaurant coming in and three years ago when this Mid County Justice Center was talked about they bought the property across the street and didn't tell anybody about it or anything and their other restaurant is located right next to the Justice Center in Riverside so they are going to come out here and do exactly the same thing again realizing attorneys and everybody will want to walk across the street to get lunch or dinner. There are quite a few buildings as you drive downtown in different stages of construction.

Councilmember Machisic mentioned that this building will have six courtrooms and the presiding judge told us that they anticipate 300 to 400 potential jurors a day which would be a huge influx for the city as far as merchants, restaurants and that kind of thing. We think that it will be an economic boom for this particular area and if you drive through that area, it is an extremely depressed area with some very old building being taken down but we think it will be an economic engine to help us in the downtown area.

Mayor Robinson said that the other thing that this has done is that it has moved up the Hargrave Undercrossing and that has actually hit the RCTC (Riverside County Transportation Commission) list for 2013 as it was announced in the newspaper two or three weeks ago.

Councilmember Machisic said that they have a ranking for grade separations and Sunset is number one and they put Hargrave at number two in the County.

City Manager said the big thing about the grade separation is that the Union Pacific Railroad uses this area and this is what they call their "highway" because they don't stop.

Mr. Garrett said that Senator Boxer was in Riverside for the Magnolia Crossing and she saw that separation that they have completed and BNSF Railway uses those tracks as does Union Pacific and she was really impressed with the work that had been done.

Councilmember Machisic said that those grade separations are important to us because if you look at the city the northern part of the city has developed but not the southern part and he thinks that these grade separations will really help in the development of the southern part of the city.

Councilmember Hanna said the Mt. San Jacinto College or campus itself is located on the southern part of the city and we have Gene Kadow in attendance today who is a Board Member of the college.

Mr. Kadow said in the fall they were at 97% capacity which sort of shocked them but then we have a problem with in and out traffic and the Sunset Grade Separation is going to satisfy that because we don't want to impact the community there too much.

Mayor Robinson said the importance of that is that we are at 16% unemployment here and Beaumont is at the same level and Cabazon is at 29%. So the college is really a high need for this area to get us up to a lower economic problem as far as unemployment. So it is really important to go forward.

City Manager said the other thing that is important that as we try to get businesses in to the city the education aspect is very important and if we don't have that, we are not as competitive as some of the other cities.

Mr. Kadow said that at some of the other campuses they have been partnering with private industry in designing programs for them because they have special needs that we may not have on our current curriculum and that has been helpful to those individuals in Hemet, San Jacinto and Temecula.

Mayor Pro Tem Franklin asked aren't you doing some programs here to kind of support what we are doing with the courthouse, criminal justice, child care and the hospital.

Mr. Kadow said in regards to the San Gorgonio Memorial Hospital that is where most of the nursing students, those that live out in this area, are doing their internship and they have been doing this for three to four years and we also have partnerships with three or four different hospitals. They do have programs in regards to Administration of Justice and one of their instructors is Police Chief Leonard Purvis and has been. We have a lot of interaction going on and would like to do a lot more because of the rate of unemployment and the education level; it is damaging to this community and has been for quite a few years.

Councilmember Hanna said it is always amazes her when she realized that most of us travel a fair amount and so on but for people who live here it is an impediment to have to go over the hills, and around to San Jacinto to the college and to them that is a long distance and they don't know how to do it and it is not easy for them to do it but once it is in this community the doors are open and all of a sudden it becomes a possibility where before it was just out of their minds as a possibility.

There was some further discussion about the college in regards to attendance at the college, RTA (Riverside Transit Agency) bus system, and college expansion and the need for modular units.

- d. Misc. (for discussion and/or information)
 - 1. Banning Airport – Concept and FAA Grant
 - 2. Banning Police Station – new building
 - 3. Banning Unified School District – Athletic Complex, Banning High School
 - 4. Paseo San Gorgonio
 - 5. MSJC (Mt. San Jacinto College) Campus
 - 6. San Gorgonio Memorial Hospital
 - 7. San Juan Generating Station

City Manager said in regards to the Banning Airport we may be coming to you because we are looking for different ideas for the airport and will ask Senator Boxer for support once those ideas come out. In regards to the Banning Police Station the items included in the packet are just informational. That building was built with some bond money that we had and was specified for that use. It was actually a building that was built for the future and it also serves and our emergency operations center.

Mayor Robinson said that was very important because we are right next to the Riverside County jail system and obviously we have to supply officers and they help pay for those officers for work over there and things we may get involved in and for additional patrols in our city. In regards to AB 109 that has really changed where we are as far as releasing prisoners out in our areas. This has become very important and our crime rates have gone down. Before our police department was located in three different buildings and now they are in one building and it has become a lot more efficient and helped us to get the Mid County Justice Center.

Councilmember Machisic said that California has a court order against overcrowding so what happens when they get one prisoner in, one comes out and the transportation from Banning to major cities in California is negligible after about 7 p.m. and several years back that presented us with a problem because they were releasing people at midnight and where do you go at midnight and some of them ended up in the hospital and some at the retirement area of Sun Lakes and now they have agreed to take them back to their home base which as helped us but it is also a problem with policing. He thinks that there are about 1300 or 1400 beds at the correctional facility with the new section they added so it is a large facility.

Mr. Garrett said with this AB 109 realignment that means that Presley downtown Riverside and this facility here will be keeping folks for up to two years so you can get a prison stint now days for two years and you don't go to prison; you go to County.

Mayor Robinson said that the State saved \$5 billion dollars by releasing the prisoners back to the County and they generously gave counties billions of dollars to make this thing work out somehow but it will make it very tight for us.

Mr. Garrett said the thing about it now is that you now have a County facility that in the past had 30-day, 60-day, 90-day people and now you have up to two-year people so it has gone from a county jail to a county/state prison. The Council said that was correct.

City Manager said one of the things that happened way before his time was that the Council, actually Councilmember Machisic, negotiated with the County of Riveside to actually get four more officers paid for by the County because they expanded the Smith Correctional Facility. So he needs to send the same person back to extend that because of the realignment now because it does impact us and the realignment is going to impact us and we don't see the cash.

Mr. Kadow said it changed the characteristics of the people that are in that jail from 30, 60, 90-days to out on the street where we were not concerned about violence and things and now you have people who are in there for a longer period of time which he thinks is going to cause a lot more internal problems.

Mr. Garrett said he speaks to a lot of different folks and he spoke to folks in the County Sheriff's Department and that was their concern also that the culture in the county jail is far, far different than the culture in a state prison. He thinks that they said with this AB 109 the culture in the county jail will be worse than the culture in the state prison because the people in the county jail are not properly trained and they don't have the wherefore to do everything that they normally do in a prison. When he really thought about it, it made a lot of sense that there is a difference.

Councilmember Machisic said also the reason we negotiated for some police was because the south side of our community particularly around the prison is kind of semi-rural and those people when they are released wonder around those neighborhoods.

City Manager said the next thing is the Banning Unified School District Sports Complex and he didn't know if the Senator was aware but they have a first class facility out there at the high school and it is great. The high school here used to be the center of the socialization way back when and hopefully that can happen again with them and they are on the south side so it makes it a little bit more different because of the housing. But it is a beautiful facility and he hopes the community gets to use it.

Mayor Pro Tem Franklin said that this gets back to the Hargrave grade separation also because a lot of the kids do walk to school so as we are trying to get more kids back over to the school even in the evenings for activities, they still have to wait for the trains. Councilmember Hanna said that the kids also take risks.

City Manager said in regards to the Village at Paseo San Gorgonio that is right across the street where the San Gorgonio Inn used to be and across from city hall and the police facilities. Art Pearlman who is doing this project did most of Hospitality Lane in San Bernardino and that is probably the closest project in this area that he has done. He has purchased the property and is in the process of leasing it out for office spaces, retail and restaurants, as well as, a possible hotel.

The information contained in the packet about the San Gorgonio Memorial Hospital is just informational and included are basically some of the drawings for the current building. They passed a bond issue for \$108 million and are in the process of finishing up that project now with a new emergency room, new plants, more efficient rooms and intensive care unit.

Councilmember Machisic said one of the things about that hospital is that it is vital for us because the closest hospital is at least 18 to 20 miles away to the east and about 20 to 25 miles to the west and we have a number of senior citizens in both Banning and Beaumont. They call the first 15 minutes after a heart attack or a stroke as the "golden moments" and they certainly couldn't reach a hospital in that amount of time so it is vital for us and they supported it with a bond issue and a parcel tax. It is vital to the emergency needs of our citizens.

Mr. Kadow said that in regards to the hospital we have also had support from the Morongo Band of Mission Indians because they helped pay for the helipad that we have now.

Councilmember Machisic said the Morongo Band of Mission Indians have been extremely generous to this community and surrounding areas; really generous. They have averaged over the last 5 or 6 years probably someplace between \$1.2 to \$1.3 million dollars a year of gambling funds.

City Manager said the relationship with the Morongo Band of Mission Indians has really increased and they are our partners and neighbors and they have tried to mitigate those issues where the casino may bring certain aspects of crime. We also do have a Police Liaison to the Tribe from the City.

City Manager said in regards to San Juan Generating Station there are some talking points included in the packet in regards to the EPA and what San Juan is trying to do. San Juan is our coal generation plant that we own a small portion of and the EPA has required what we believe they didn't have to require the amount of protection that they feel is needed. So our concern is that we would like the Senator to at least look at that and consider her options in regards to that issue and SCPPA (Southern California Public Power Authority). Cities like Azusa, Riverside, Colton and some other municipal cities other are in that Authority and most of them have interest in the San Juan Generation plant which is located in New Mexico. Our concern has always been that some of the requirements have been overkill. We do agree that coal is a dirty energy and we are trying to divest ourselves as soon as we can but that hasn't happened yet.

Mr. Garrett said in regards to these points listed in regards to San Juan where did it go or was it just done for a meeting.

City Manger said he believes it was done for a meeting but we can send a letter from the City with these points in it to the Senator.

Mr. Garrett said the reason he is asking this is because it is not a Senate thing; that is one that goes over to Committee. Senator Boxer is the Chair of the EPW Committee and that is why we need to have a letter.

City Manager said that possibly they can get the SCPPA President to send a letter. Mr. Garrett said that would be better and he noticed that there are four cities and one Irrigation District so you should make sure that they are identified.

Mr. Garrett said that he came without an agenda and he tried to get out to meet everyone that is in his sphere of responsibility which is the counties of Riverside and San Bernardino and a couple of other locations up in the Palmdale/Lancaster area and he also does military and veterans issues statewide for the Senator so he does a lot of traveling. He is retired Air Force from Norton. He also does the service academy nominations for the Senator out of the office in Riverside and they process all of the applications/nominations for the young folks who want to go to the different military academies out of their office there. They do the entire state so they have about a thousand kids applying every year. He does all the screening and he explained the process in regards to the nominations and interviews.

Mayor Robinson said that at the Welcome Home Vietnam Veterans celebration coming up on March 31st at March Air Force Museum there is going to be a Tribute Vehicle there to the forgotten heroes. The dogs that would go out on search and rescue and a lot of them were left behind in Vietnam and that Tribute Vehicle was done here in Banning. They flew the artist in from Tennessee and a lady up in Los Gatos got the vehicle and she had it done and raised the money through the Veterans and if you are attending this event, you will get to see this vehicle that was done right here by all local artists and vendors.

There was some further discussion in regards to the March Air Force Museum.

Mr. Garrett said that his office is in Riverside at 10th and Lime and have been there for about three years and prior to moving to Riverside they were located in the city of San Bernardino. The office in Riverside is responsible for all activities involving the Senator in Riverside and San Bernardino counties. He also does a small portion of Lancaster/Palmdale because of the location of Edwards Air Force Base and he also does a portion of 395 up to Ridgecrest because of the location of China Lakes that is up there and he spends a lot of time traveling. He has been to every base in the state at one time or another on behalf of the Senator either with her or by himself.

Mayor Robinson said one thing that they didn't have on the agenda this time was the issue of the expansion of the Marine Corp Base in Johnson Valley. We have a lot of industry right here in Banning that is every concerned about expanding that base which takes away from their off-road sites.

Mr. Garrett said that he just had a conference call last week with his counterpart in DC who does public lands regarding Johnson Valley and they spoke with BLM (Bureau of Land Management) and with some of the people who do all of that off-roading out there in regards to what the Marine Corp is looking to do but we also have some options that we are still working on with them to see where it is going to go. There hasn't been anything finalized and is still in discussion and there is a lot of work to be done. We are aware of the concerns of not only the participants who participate and go off-roading but also the financial aspect of the monies that could be lost if there is a takeaway of lands.

Mayor Robinson asked if there was any kind of letter that we should send to somebody to make them aware of our concerns.

Mr. Garrett said you can always write a letter and if you want to send the letter to the Senator, then you should send it to his office in Riverside so that he can read it and make sure that the right person gets it that afternoon or the next morning.

Mr. Kadow asked Mr. Garrett if he has been to all of the VA hospital in Riverside/San Bernardino.

Mr. Garrett said that he has been to every VA hospital in the state just about. He has been to the major hospitals but not to the clinics.

Mr. Kadow said the Jerry Pettis VA Hospital was built about 20 to 30 years ago and our population has more than doubled since that time and we have a lot more veterans and at one point in time, being a veteran, he knew that they were not issuing any more ID's to the veterans because they were impacted already at Loma Linda and are you aware of that.

Mr. Garrett said that is all a part of the Veterans Administration from DC. They have prioritized all of the veterans who can and cannot be seen at the hospital. They have priorities 1 through 8 and it depends on where you fall within that category as to whether or not you will receive any treatment from the hospital and yes, it is almost still the same. They are still not doing it because the veterans who are coming back and now beginning to see the impact of their service from the first Gulf War and from Somalia and those places like that and then the new veterans who are coming back from Afghanistan and Iraq. The VA hospital in Loma Linda is remodeling and they are doing some off-site building to accommodate some of their clinics. They have made arrangements with a location in Loma Linda to move a lot of the specialty clinics that do not really have to be in a hospital-hospital setting. There are no new hospitals being planned. There was some further discussion in regards to the care of veterans.

Mayor Robinson and the Council thanked Mr. Garrett for meeting with them on these various issues and concerns.

ADJOURNMENT

By common consent the meeting adjourned at 3:35 p.m.

Marie A. Calderon, City Clerk

THE ACTION MINUTES REFLECT ACTIONS TAKEN BY THE CITY COUNCIL. A COPY OF THE MEETING IS AVAILABLE IN DVD FORMAT AND CAN BE REQUESTED IN WRITING TO THE CITY CLERK'S OFFICE.

MINUTES
CITY COUNCIL
BANNING, CALIFORNIA

04/10/2012
SPECIAL MEETING

A special meeting of the Banning City Council was called to order by Mayor Robinson on April 10, 2012 at 4:00 p.m. at the Banning Civic Center Council Chambers, 99 E. Ramsey Street, Banning, California.

COUNCIL MEMBERS PRESENT: Councilmember Botts
Councilmember Franklin
Councilmember Machisic
Councilmember Robinson
Mayor Hanna

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Andrew Takata, City Manager
June Overholt, Administrative Services Director
David J. Aleshire, City Attorney/Agency Counsel
Duane Burk, Public Works Director
Bill Manis, Economic Development/Redevelopment Director
Marie A. Calderon, City Clerk/Secretary

CLOSED SESSION

City Attorney stated that we have two litigation matters pursuant to the provisions of Government Code Section 54956.9: 1) Stephen J. Mascaro, et al. v. City of Banning, et al.; San Bernardino County Court Case No. CIVDS 1104447, and Gregory Herrington v. Banning Police Department; Superior Court of California, County of Riverside Case No. RIC1203899.

City Attorney said that staff needed to add another litigation matter to the agenda and that would be Futch v. Banning Police Department.

Motion Botts/Machisic to add this to the agenda. Motion carried, all in favor.

City Attorney said that will be added to the two litigation matters and a status report will be given on those three matters. The City Council will also meet pursuant to the provisions of Government Code Section 54956.8 in regards to property negotiations to discuss: 1) APN: 538-230-011 located at 226 S. 22nd Street; and Pardee – property on the north east corner of Highland Springs Avenue and Wilson Street. In regards to the parcels behind the City Yard that item will not be discussed.

Mayor Robinson opened the item for public comments. There were none. Meeting went into closed session at 4:04 p.m. Councilmember Hanna left the Small Conference Room before the Council discussed the Pardee Homes item because state law prohibits her from participating in this issue regarding the Pardee Development because she lives about 305 feet from the development. Meeting reconvened at 4:44 p.m.

ADJOURNMENT

By common consent the meeting adjourned at 4:45 p.m.

Marie A. Calderon, City Clerk

THE ACTION MINUTES REFLECT ACTIONS TAKEN BY THE CITY COUNCIL. A COPY OF THE MEETING IS AVAILABLE IN DVD FORMAT AND CAN BE REQUESTED IN WRITING TO THE CITY CLERK'S OFFICE.

MINUTES
CITY COUNCIL
BANNING, CALIFORNIA

04/10/12
REGULAR MEETING

A regular meeting of the Banning City Council and the City Council of the City of Banning Sitting In Its Capacity as Successor Agency, and the Banning Financing Authority, Banning Housing Authority and the Banning Utility Authority was called to order by Mayor Robinson on April 10, 2012 at 5:00 p.m. at the Banning Civic Center Council Chambers, 99 E. Ramsey Street, Banning, California.

COUNCIL MEMBERS PRESENT: Councilmember Botts
Councilmember Franklin
Councilmember Hanna
Councilmember Machisic
Mayor Robinson

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Andrew J. Takata, City Manager
June Overholt, Administrative Services Director
David J. Aleshire, City Attorney
Duane Burk, Public Works Director
Leonard Purvis, Police Chief
Heidi Meraz, Community Services Director
Bill Manis, Economic Development/Redevelopment Director
Fred Mason, Electric Utility Director
Jeff Stowells, Battalion Chief
John McQuown, City Treasurer
Michelle Green, Deputy Finance Director
Rita Chapparosa, Deputy Human Resources Director
Marie A. Calderon, City Clerk

The invocation was given by Council Member Bob Botts. Mayor Robinson invited the audience to join him in the Pledge of Allegiance to the Flag.

REPORT ON CLOSED SESSION

City Attorney reported that in regards to the litigation matter of Mascaro, et al. v. City of Banning, et al. that was not discussed. There was a status report in regards to the Herrington v. Banning Police Department matter. The Council added to the agenda by a 5/0 vote to add the matter of Futch v. Banning Police Department and a status report was given and there were no reportable action taken on either of those two matters. With regard to the matter concerning the parcel behind the City Yard that item not discussed. In regards to APN: 538-230-011 located at 226 S. 22nd Street a status report was given and no reportable action was taken. In regards to the Pardee Homes real property negotiations a status report was given and no reportable action was taken.

PUBLIC COMMENTS/CORRESPONDENCE/PRESENTATIONS/ANNOUNCEMENTS

PUBLIC COMMENTS – *On Items Not on the Agenda*

Henri De Roule, founder and CEO of the Banning Science & Technology Center introduced to the Council his Board Members: Mike Rose, Vice President of Education; Rita Middendorf, Secretary/Treasurer; Daven Woolfolk, Director of Laboratories and David Fisher, Director of Facilities.

Melanie Lara, Banning High School Cheer Booster Club President addressed the Council stating that the Banning High School Cheerleaders went last year to the Nationals Competition in Las Vegas and they won a National Title. They were invited to come back this year and it is coming up in two weeks and they have a fundraising goal of \$7,000 to pay for the bus, hotel, entry fee and food. They are at about \$4,000 and they have been doing many fundraising events. They have another competition to this Saturday to prepare for Nationals which they hope to win. They came this evening to ask for help from the City; some sort of sponsorship to help these kids go back to Nationals to defend their title. If anyone would like to contribute to their fundraising efforts they can send their check to: Bronco Cheer, P. O. Box 686, Banning California or call 951-536-5029.

Wilma Glover, parent of one of the cheerleaders said that they are falling short and if they don't get the funds for the entry fee, they won't get to go back to defend their National title. They are here to see what the City can do to help them out and they would greatly appreciate any help.

Art Welch, Banning Chamber of Commerce President announced that the Chamber will be holding their Cinco De Mayor Golf Tournament on Friday, May 4th at Tukwet Canyon Golf Course. He invited the Council to make up a team of golfers to play in this tournament. He invited the community to participate and stated that this is a major fundraiser for the Chamber and this is their 5th annual event. You can call the Banning chamber of get more information. You can also go to the Chamber's website at www.banningchamber.net

Frank Estrada, resident of Banning stated that he recently bought a home here and as of yesterday it has been two years. He said that he wanted to show his appreciation to the City and the Riverside Housing Development Corporation for allowing him to participate in the beautification project through the City. He said that he is getting a lot of positive feedback from his neighbors and they love his home remodel and the least he could do was to come to the Council and say thank you and he hopes that this funding will help others in the community. It is a positive thing and lifts everybody's spirits. They love living here and hope the program continues.

Mark Orozco addressed the Council stating that it was good to be here and he congratulated the Council on doing such a good job and there are a lot of good things happening in Banning and in the Pass Area. He said that he is a candidate for the California State Assembly for the newly redrawn 42nd Assembly District. He went over the reasons why he is running for this seat and gave some background on his experience and education and asked for Council's support for the 42nd Assembly District.

CORRESPONDENCE: There was none.

PRESENTATIONS:

1. Proclamation – April as National Donate Life Month (*postponed to April 24, 2012*)
2. Introduction of New Employee

City Manager introduced Alison Cunning, Police Assistant I. She was born and raised in Burbank before moving to the Pass Area previously working at Saint Joseph Medical Center in Burbank and numerous years as a medical records technician and then transferred to the medical staff office credentialing the physicians and allied health staff members. Just prior to moving to the Pass Area she was the Director of the Medical Staff Office at Pacifica Hospital in Sun Valley, California. She has worked as a real estate sales person in the city of Banning. Her hobbies are tennis and swimming.

CONSENT ITEMS

Mayor Robinson pulled Consent Items 7 and 8 for further discussion.

1. Approval of Minutes – Special Meeting – 03/13/12 (Closed Session)

Recommendation: That the minutes of the Special Meeting of March 13, 2012 be approved.

2. Approval of Minutes – Special Meeting – 03/27/12 (Closed Session)

Recommendation: That the minutes of the Special Meeting of March 27, 2012 be approved.

3. Approval of Minutes – Regular Meeting – 03/27/12

Recommendation: That the minutes of the Regular Meeting of March 27, 2012 be approved.

4. Second Amendment to the Professional Services Agreement with Saddleback Realty Analysis, Inc. DBA, Integra Realty Resources.

Recommendation: That the City Council authorize the Administrative Services Director to make necessary budget adjustments and to increase the current Professional Services Agreement with Saddleback Realty Analysis, Inc. DBA, Integra Realty Resources by \$10,000 to a new total of \$41,000 to provide professional services with respect to the preparation of appraisal reports for the City's Electric Utility Land Development and activities within the City of Banning.

5. Resolution No. 2012-13, Authorizing the Expenditure of Late Ambulance Penalty Fees for the Purchase of Emergency Medical and Rescue Equipment.

Recommendation: That the City Council adopt Resolution No. 2012-13, authorizing the expenditure of \$8,224.00 received from American Medical Response.

6. Resolution No. 2012-19, Approving the Agreement for Consultant Services Between the City of Banning and SAIC Energy, Environmental & Infrastructure, LLC (formerly RW Beck) in the Amount of \$210,670.00.

Recommendation: That the City Council approve the Agreement for Consultant Services between the City of Banning and SAIC Energy, Environmental & Infrastructure, LLC (formerly RW Beck), attached herewith as Exhibit "A" in the amount of \$210,670.00.

9. Approval of Exclusive Negotiations Agreement by and Between the City of Banning and the Banning Science & Technology Center, Inc.

Recommendation: That the City Council approve the Exclusive Negotiation Agreement (ENA) and direct staff to continue discussions with the representatives of the Banning Science & Technology Center, Inc. and work towards, in good faith, a Lease Agreement (Lease), that may provide for future development of the Banning Science & Technology Center.

Motion Franklin/Machisic to approve Consent Items 1 through 6 and 9. Mayor Robinson opened the item for public comments. There were none. **Motion carried, all in favor.**

Mayor Robinson said that Council Member Hanna has left the dais at this time because she lives within 300 feet of the project and she cannot vote on this item.

Mayor Robinson opened the Consent Items 7 and 8 for public comments.

7. Ordinance No. 1450- 2nd Read: An Ordinance of the City Council of the City of Banning, California, Amending the Deutsch Specific Plan and Superseding it with the Butterfield Specific Plan and Adopting Conditions of Approval and Making Findings in Support Thereof.
8. Ordinance No. 1451 – 2nd Read: An Ordinance of the City Council of the City of Banning, California, Adopting the Development Agreement Superseding the Deutsch Specific Plan Development Agreement and Making Finding in Support Thereof.

The following people spoke in favor or against or had some questions or concerns or general comments in regards to this item (*any written comments handed to the City Clerk will be attached as an exhibit to the minutes*):

Art Welch, 4952 Copper Creek, Banning and President of the Banning Chamber of Commerce voiced his support for the Pardee Butterfield Project and commended the Council on their strong support of the project and made further comments for the importance of this project moving forward.

Barbara Hanna, resident of Banning addressed the Council at this time with her concerns about the Pardee Project (see Exhibit A).

Mayor Robinson closed the item for public comments seeing no one else coming forward.

City Attorney said that at the last meeting there were three conditions that the Council wanted to address and staff has incorporated language that addresses those points and there were some very minor typographical corrections that have been made.

There were Council comments in regards to the approval of this project.

Motion Botts/Franklin that Ordinance Nos. 1450 and 1451 pass their second reading and be adopted.

Mayor Robinson asked the City Clerk to read the title of Ordinance No. 1450 and Ordinance No. 1451.

City Clerk read the title of the ordinances: Ordinance No. 1450, An Ordinance of the City Council of the City of Banning, California, Amending the Deutsch Specific Plan and Superseding it with the Butterfield Specific Plan and Adopting Conditions of Approval and Making Findings in Support Thereof; and Ordinance No. 1451, An Ordinance of the City Council of the City of Banning, California, Adopting the Development Agreement Superseding the Deutsch Specific Plan Development Agreement and Making Finding in Support Thereof.

Motion carried, all in favor with Council Member Hanna not voting.

At this time Councilmember Hanna returned to the dais for the remainder of the meeting.

REPORTS OF OFFICERS

1. FY 2011/12 Mid Year Budget Review
(Staff Report – June Overholt, Administrative Services Director)

Director Overholt started her presentation stating that she would go over the General Fund, Other Funds, CRA/Successor Agency, Future challenges and next steps. She said in the agenda packet is the staff report along with some supporting documentation and the slides that she will be displaying are intended to summarize the information that was presented to the Council earlier and available to the public on the City's website. At this time she started the power-point presentation (see Exhibit B) going over the General Fund – Revenues, General Fund – Expenditures, General Fund Deficit Status, General Fund Reserves/Fund Balance, special Revenue Funds, Capital Improvement Funds, Enterprise Funds, Water Funds, Wastewater Funds, Reclaimed Water Funds, Electric Funds, and Internal Service Funds.

Director Overholt said the next slides are her effort to try to explain some of the challenges from the accounting perspective of what the Successor Agency is doing to the City. She copied these slides from a training they attended on March 8th in Pasadena to help them to understand what AB X126 is like and this was helpful to her in being able to pass along information to the Council. Some of the deadlines presented to the City have created conundrums and she gave examples of what staff is facing. She gave an overview of the New System and the challenges involved and the cash flow conundrum. She continued with the next steps and future challenges.

City Manager said obviously AB X126 was horrible legislation and not only have they made nightmares for themselves as a State, but for the counties and the cities. With that and the oil spill it has created a series of unfortunate events and as we go through this our reserves are lower than he would like to have them and obviously he thinks that our reserve policy should be towards 25% plus but as we go down this road it is going to take all us, Council and staff, to make some more unfortunate sacrifices as we go down this road. He said that Director Overholt is committed in making sure that we have the best budget we can get with the resources we have and try not to affect the services of our public.

There was Council and staff discussion on questions asked by the Council in regards to the oil spill and trying to recoup our loss, the planning and engineering mid-year adjustment deficit of \$52,000 and looking at fees to possibly recoup that type of loss, zero-based budgeting, clarification of amount in reserves, paying residual balance to local taxing agencies, special trust fund distribution and pass-through payments, reserve fund balances and policies, clarification of the General Fund deficit status, un-knows in the Successor Agency fund balances, and assumptions about TASIN money.

Mayor Robinson opened the item for public comments. There were none.

There were some further Council comments about the budget, setting up the reclaimed water budget, the governor and the State Legislature, the elimination of redevelopment, and appreciation of Director Overholt and her staff in trying to figure this out and keeping the Council apprised of things that are happening.

Motion Botts/Robinson that the City Council approved Resolution No. 2012-31, Amending Its 2011-12 Fiscal Budget Per the Mid-Year Review Recommendations. Motion carried, all in favor.

Motion Hanna/Botts that the City Council approved Resolution No. 2012-05 UA, Amending Its 2011-12 Fiscal Budget Per the Mid-Year Review Recommendations. Motion carried, all in favor.

Motion Hanna/Botts that the City Council approved Resolution No. 2012-06 SA, Amending Its 2011-12 Fiscal Budget Per the Mid-Year Review Recommendation. Motion carried, all in favor.

Motion Hanna/Botts that the City Council approve Resolution No. 2012-21, Amending the Classification and Compensation Plan for the City of Banning. Motion carried, all in favor.

2. Resolution No. 2012-30, Approving the Downtown Decorative Lighting Plan.
(Staff Report – Fred Mason, Public Utility Director)

City Manager said that right now we have talked about how bad basically our General Fund is and what we are looking at is spending some money for lights in the downtown which has been a plan of the Council for quite a long time. These monies are coming from a different fund. He knows that the Council knows that but wanted to make sure that the audience knows that and this fund is the Electric Fund along with the undergrounding. Part of the electric bond funds that you sold are supposed to take care of these lightings. Director Mason clarified that these funds are coming from the Electric Improvement Fund.

Director Mason gave his staff report as contained in the agenda packet. He did mention that unfortunately there were unable to obtain the exact same model of decorative light that we have right now but were able to find a comparable cost effective replacement and he displayed an artist rendering of that light and it still has the green patina and the light is slightly taller which is actually better for lighting purposes and this one is 18 feet tall and the one we have now is 16 feet tall. For the wider streets such as Fourth Street, they actually have a light that is 25 feet tall which is required in order to get the coverage that is needed for the lighting. He showed a slide of the

area of where they recommend the decorative lights should be placed and explained the two lighting scenarios that they came up with along with the estimated costs. There is also a third option where Council may recommend a different scenario that would provide for the decorative lighting in a specified area. Mr. Mason said that staff is seeking Council's direction on what they would like to see as far as the actual decorative lights and where they should be placed.

There was Council and staff discussion in regards to where the funds are coming from to pay for the lights, in regards to electric improvements what other improvements would we have throughout the city that this fund might be used for, costs for adding lights later if the Council goes with Option 2, concerns about night glow, explanation of Electric Fund 673 and what it is going to be used for, the recommendation of lights on Livingston, making people feel comfortable in well-lighted areas, questions in regards to the Paseo San Gorgonio project, and possibly having basic infrastructure in place to have an area ready for lighting.

The following people spoke in favor or against or had some questions or concerns or general comments in regards to this item *(any written comments handed to the City Clerk will be attached as an exhibit to the minutes)*:

Henri De Roule asked about dark sky lighting requirements and the placement of infrastructure so that it is ready.

Don Smith addressed the current replica antique lights that are currently in place, hope new lights have more illumination, and encouraged the Council to put all the lights in.

There was further Council comments in regards to putting lights in the whole downtown corridor and Council's vision for the downtown area and making it walkable, well-lighted, friendly and safe. There were other comments and questions in regards to the possible reuse of the old antique lights, light illumination on the new lights, looking at the possibility later of doing all of Ramsey Street and the long-term feasibility for attracting businesses throughout our retail area.

Director Mason said for clarification, if the Council does opt to go with Option One what he heard was that you don't want to actually do the installation on Livingston next to Paseo San Gorgonio.

City Manager said that staff can also work with the Pearlman/Frost group because currently they are planning on breaking ground in August or September of this year. They are in the process of doing their plans so Fred Mason and his engineers can work with them to make sure that everything will be okay.

Councilmember Botts said that he would like to move forward with approving Resolution No. 2012-30, Approving the Downtown Decorative Lighting Plan with Option 1 providing decorative lighting throughout the entire Downtown Corridor at an estimated cost of \$1,123,240 and while he agrees with Councilmember Franklin that we need to look further east and west this is \$1.1 million out of \$9 million dollars in funds. Motion seconded by Councilmember Machisic. Mayor Robinson clarified that this includes working with the developer of the Paseo San Gorgonio project. Motion carried, all in favor.

ANNOUNCEMENTS/REPORTS *(Upcoming Events/Other Items if any)*

City Council

Councilmember Hanna –

- Saturday, May 5th the Art Hop will be held in the downtown area and if you haven't attended this event in a couple of years, now is the time to come because this event is growing and expanding so much and is so creative. They are not only having the art of woodwork but the art of hair, fine arts, and interactive events. This will be held from 10 a.m. to 3 p.m. It is a free event and great for children and grandchildren. There will be music and food.
- She encouraged all the voters in Banning to vote on Measure D. Every voter should have received their mail in ballot by now and there is only one thing to vote on. As the brochure says Measure D for the hospital will do a lot of good things but there is one thing it won't do; it will not increase your taxes. This is a measure that was approved in 2002 and it is just a continuation and not an increase. For most parcels it is \$49 dollars a year and this keeps our emergency room going. Please vote yes, in favor of Measure D to help maintain the emergency care services that are so important.

Mayor Pro Tem Franklin –

- She attended the League of California Cities Community Services meeting a couple of weeks ago and they received a report concerning the State budget which is currently figured to be about \$9 billion. They had some information about the federal status on some of the weatherization funds and the transportation funding and pretty much nothing has changed. They said that everything is not moving. In the particular committee that she sits on for Community Services one bill that is going through the State Assembly right now is AB 1897 and this has to do with a change to our General Plan requiring that we actually have another element that would have to do with healthy food and it had several things that were going to be required and it was not a choice thing. We would have to have access to full-discount grocery stores, urban farming, community or school gardens and access to affordable food. It was staff's position to take no opinion but after a lengthy discussion the committee recommended that the position actually be to oppose it because it would be another mandate that is not funded and their concern was that a lot of cities are already doing these things. One example was the Healthy Eating, Active Living Program that the Council will be discussing.
- She attended the Transportation NOW meeting this past week and there were two presentations with one giving an update on the Amtrak that is leaving from Cabazon and she will be giving the schedule to staff and also SunLine does have a route now that would be a commuter link from Coachella all the way into Riverside.
- She and Councilmember Botts both attended two meetings last Thursday dealing with AB 109 and the bottom line is that the County and cities do not have enough money to do what the State did. The message is to be careful and take common sense efforts such as locking your car when you get out and lock your house doors which people are not doing right now. As residents we need to be careful everyday. The other meeting was in regards to the Regional Water Meeting and there were seven water agencies that came together to look over a plan regarding the apportionment of water that would be coming through the State pipeline.
- The 7th Annual Banning Disaster Survival Expo will be held on April 28th. The focus this year is on youth and trying to get them excited and what they need to do in the event of an emergency. They are really stressing that it is not just disasters but emergencies occur everyday. There will also be an E-waste collection that day. There will be several different displays and they have about 30 different displayers bringing different kinds of information.

Councilmember Machisic –

- WRCOG (Western Riverside Council of Governments) had a program in place where cities could opt to have 50% of the TUMF (Transportation Uniform Mitigation Fee) fee collected and the rule that was passed a year ago was that they could do it until we reached a \$20 million dollar deficit and right now it is at \$18.5 million dollars. There was a vote to extend this even though the public works directors, technical advisors, the administrative committee all recommended that we return to the full 100% of TUMF and unfortunately it was voted down 13 to 4. The plan is that they are going to extend the TUMF fee with the option that cities can opt in at 50% until December 2012 and then starting in January, February and March of 2013 they are going to reduce that 50% by 16 plus percent until finally in the third and fourth month of the year they will get back to the full TUMF fee. Additionally, this also affects the long-range spending plan for TUMF over the 40 years where they are going to raise their \$5 billion dollars. The other issue that came up was about explaining the annual fee whether to increase it or not and it was voted down that there would be no increase next year even though they had no increase this year. One of the things that he mentioned was the integrity of the plan, long range and it may seem incidental today but whoever sits on TUMF 30 years from today they are going to have to cut their plans down but obviously it made no difference to the vast majority. He said that in regards to the vote on no increase in the annual fees it was 16 to 1 and he was the 1.

Councilmember Botts –

- He said that Councilmember Hanna mentioned the Art Hop and he wanted to encourage everyone to participate. He also would encourage everyone also, as Councilmember Hanna mentioned, to vote on Measure D and registered voters all got the mailers that it is not a new tax or an increase tax but simply an extension of a tax with all of the money going to the emergency room for continued operation in the fantastic way that it operates.
- Reminder that the Banning Chamber of Commerce Business to Business Connection meeting will be held tomorrow at 7:30 a.m. at The Lakes. Everyone is invited to attend but primarily retail businesses and professionals that are selling services and products are encouraged to come.
- In regards to AB 109 that Mayor Pro Tem Franklin mentioned that is what is called the “realignment”. The State said that it has a budget problem and we can’t handle our prisoners so we are going to push these prisoners back down to the County and that is really the substance of the issue. It was not a depressing meeting but a tough one to be at because there are no funds and prisoners are going to be released. Our police chief was there and was one of two that reminded us that police departments are doing a good job and we shouldn’t be frightened and we are still safe but as Mayor Pro Tem Franklin said, just be extra careful.

Mayor Pro Tem Franklin –

- At our last meeting she brought up the idea of Pass Transit and how new development might be able to do something to make sure that new residents are involved in it and wanted to ask if maybe staff could memorialize that agreement that was given by the developer at the time of our meeting.
- She also asked if the Council would close the meeting in memory of Ron Sample who was a teacher at Nicolet Middle School who recently passed of a massive heart attack at the age of 49.

Councilmember Botts asked if the Council could also close in memory of Charles Martin, not the current Chairman, who was a revered leader of the Morongo Tribe for many years and a direct descendent he believes of Captain Morongo.

Mayor Robinson –

- He attended the WRCOG Advancing the Choice Expo in Temecula and the panels discussed the latest in alternative fuels to help with our environment. Two members of City staff were also in attendance and picked up information. Enterprise Car Rental talked about their 100% electric vehicle rental program. You can rent an electric vehicle in Riverside or Palm Springs and find out what it is like to have a 100% electric vehicle called a PEV and you can also find out where the plug in stations are to charge up the vehicle. You can charge it up at home but it takes a long time to do that. If you want to try one of these vehicles out, you can try one through Enterprise Rent-A-Car.
- He attended the SCAG (Southern California Association of Governments) General Assembly held on April 4th and 5th in Los Angeles and at that meeting they approved the RTP/SCS (Regional Transportation Plan/Sustainable Communities Strategies) plan for 2012 to 2035. This plan outlines what Southern California proposes to the State of California to increase and improve our transportation infrastructure and better maintain our highways and bridges. The plan includes port improvements, zero emissions strategies, metro link and high speed rail strategies. The importance of the plan is that you cannot submit anything to the State for funding if you don't have a plan in place. So we had to have this plan and it does not mean that we'll do all of the plan and we may not do any of the plan but without the plan you cannot ask for funds between now and 2035 from the State. Also, the SCAG President's Award went to WRCOG for the Hero Program. A lot of people were put to work because of this program that was put in place which was to retrofit your home for utilities and it also put businesses to work in this area. All of us who represent WRCOG in different forms or another, as he represents WRCOG for transportation to SCAG, were asked by Rick Bishop to join him on stage and we literally took over the stage with all of the participants from WRCOG.
- Fire Memories Museum Fundraiser Pancake Breakfast will be held on April 21st from 8 a.m. to 1 p.m. There will be raffles and you will also be able to see all of the fire memorabilia at the station. The cost is \$7.00 for adults and \$4.00 for children.

City Committee Reports - None

Report by City Attorney – There were none.

Report by City Manager

- As negative as we were about our General Fund June mentioned at the end as you drive down Ramsey you see many buildings that are now going up or being rehabbed, façade improvements and some other wonderful things that are going on, as well as, the courthouse so we have a great future in this city. This is happening during the recession and this has been in the works all this time. As negative as he was about the General Fund at the current time, we have some great times ahead of us.

ITEMS FOR FUTURE AGENDAS

New Items – None

Pending Items – City Council

1. Schedule Meetings with Our State and County Elected Officials
2. Policies & Procedures (fingerprinting) for Applicant re. Projects and Applicants

24

- for Commissions & Committees (*Commissions & Committees*)
3. Water Resources Report (*Workshop*) (*April 24, 2012*)

Successor Agency

1. Proposal from Owners of Oddfellows Building - 42 W. Ramsey Street.

ADJOURNMENT

By common consent the meeting adjourned at 7:17 p.m.

Marie A. Calderon, City Clerk

THE ACTION MINUTES REFLECT ACTIONS TAKEN BY THE CITY COUNCIL. A COPY OF THE MEETING IS AVAILABLE IN DVD FORMAT AND CAN BE REQUESTED IN WRITING TO THE CITY CLERK'S OFFICE.

Pardee Development
April 10, 2012
Barb Hanna

I'd like to take this last opportunity to say it's not too late. Please re-consider your initial vote on the Butterfield Specific Plan, EIR and Development agreement.

We all make our own assumptions. My assumption is that, without a shadow of a doubt, Banning will grow. There is no reason to be desperate and give away the store to induce homes to be built. Economist John Husing says when housing returns it will pick up where it left off – in Banning.

I think we all react similarly when someone threatens to sue the City. My usual response is anybody can sue anyone at any time. But it is wise to make this decision re the Butterfield development the best it can be. You should feel confident that the decision can withstand a legal challenge.

One of the issues that we had with the Black Bench Specific Plan, as you recall, is that there was no clear access to the development. That developer said it will either be an extension of Highland Home Road or another approach. The City lost in court and the development was thrown out.

This development has the same problem. The developer says "it doesn't matter" if Highland Home Road, the backbone of the internal traffic circulation plan, doesn't connect to Highland Springs Avenue. How can a developer whose project will generate 63,000 trips a day say it doesn't matter if its backbone road connects to anything? That makes no sense.

For that reason alone please return the agreement to the City Manager and tell him to fix it before you approve it.

Also this agreement says you want to encourage early development of homes so if Pardee builds 500 homes five years from the time that it has cleared a legal judgment then they don't have to pay \$1.2 million of the City's development impact fees. If a legal case takes 2 years then five years beyond that will be 7 years from now. Guess what? That is when John Husing believes the housing market will rebound with a vengeance. Why is it worth giving away \$1.2 million? The **City** really needs that money.

Please delete the \$1.2 million credit before you approve it.

I also encourage the Council to re-consider the Community Facilities District (CFD) agreement. The only thing that Pardee (or whoever the homebuilder) will be responsible for paying is the actual cost of building each home or dwelling unit. Everything else will be paid by the future residents not Pardee. The CFDs will pay **what should be Pardee's** costs for everything that is not on the parcels for the homes. And the Facilities Special Taxes may escalate up to 2% per year without a vote of the residents.

Please delete the community facilities district financing before you approve it.

Once you approve this agreement you can't make the developer do anything that is not in the agreement. Hoping that someone will fix the problems someday is taking the responsibility off of the developer now and putting it on the City in the future.

Why are you allowing this? Return this development agreement and specific plan to the City Manager. Direct him to find a connection for Highland Home Road to Highland Springs Avenue, to drop the \$1.2 million credit and tell the developer to pay for the public infrastructure.

MIDYEAR PRESENTATION FISCAL YEAR 2011-12

April 10, 2012



Agenda

- ▣ General Fund
- ▣ Other funds
- ▣ CRA / Successor Agency
- ▣ Future challenges
- ▣ Next Steps

General Fund - Revenues

Midyear Adjustments:

Property Taxes	(303,886.00)
Sales & Use Taxes	74,000.00
Revenue from State - VLF	30,000.00
Planning and Engineering	(52,197.00)
Recreation	12,135.00
Other taxes	14,720.00
	(225,228.00)
Admin Electric	258,605.00
Net Increase in Revenues	33,377.00

General Fund - Expenditures

Midyear Adjustments:

Personnel	(90,054.00)
Other (fleet, PD computer, lease)	15,888.00
	(74,166.00)

General Fund Deficit Status	
FY12 - Original deficit	(467,565.00)
Adjustments during first 6 months:	
Oil spill	(1,814,291.00)
Encumbrances	(57,982.00)
Net continuing appropriations - grants	(534,134.00)
Net continuing appropriations - other	(66,518.00)
BUSD contract - ind. rev. projection	4,367.00
adj budget deficit (before midyear)	(3,036,123.00)
Midyear adjustments	
Reductions in revenue	(225,228.00)
Reductions in expenditures	74,166.00
Revised Deficit with midyear adjustments	(3,187,185.00)
Adjust for change in Electric Admin Fee	258,605.00
Revised Deficit with Admin fee adjustment	(2,928,580.00)

5

Special Revenue Funds	
Includes funds that are restricted in use.	
Examples include:	
▪ Gas Tax	
▪ Measure A	
▪ Grants	
▪ Development impact funds	
▣ Total Adjusted Revenues	\$ 4,819,870
▣ Total Adjusted Expenditures	\$ 6,612,780

29

General Fund Reserves/Fund Balance			
<u>Fund balance - Reserves</u>	<u>Reserves</u>	<u>Deficit</u>	<u>Revised reserves</u>
Contingency	3,000,000.00	(1,814,291)	1,185,709.00
Encumbrances & continuing appropriations	758,634.00	(758,634)	-
Unassigned	760,326.00	(355,655)	404,671.00
Available Resources as of June 30, 2011	4,518,960.00	(2,928,580.00)	1,590,380.00

6

Capital Improvement Funds	
Includes funds that are restricted in use.	
▪ i.e. Development impact funds, major capital projects	
Sunset Grade Separation project represents the majority	
▪ Revenue \$3,169,647 M	
▪ Expenditures \$ 3,209,636 M	
▣ Total Adjusted Revenues	\$ 3,192,947
▣ Total Adjusted Expenditures	\$ 3,391,182

8

Enterprise Funds

- ☐ Includes funds that are considered to be like a business:
 - Airport
 - Transit
 - Refuse
- ☐ Total Adjusted Revenues \$ 5,943,515
- ☐ Total Adjusted Expenditures \$ 5,872,950

9

Water Funds

	<u>Available</u> <u>balance @</u> <u>6/30/2012</u>	<u>Projected</u> <u>YTD</u> <u>Gain(loss)</u>	<u>Projected</u> <u>balance @</u> <u>6/30/2013</u>
<u>Water Funds</u>			
660 - Water Operations	2,468,409	(713,416)	1,754,993
661 - Water Capital Facilities	4,618,722	(31,316)	4,587,406
663 - BUA Water Capital Project	2,497,582	(1,232,000)	1,265,582
669 - BUA - Water Debt Service	92,624	(4,500)	88,124
Combined Fund Balance >>>	9,677,337	(1,981,232)	7,696,105

10

Wastewater Funds

	<u>Available</u> <u>balance @</u> <u>6/30/2012</u>	<u>Projected</u> <u>YTD</u> <u>Gain(loss)</u>	<u>Projected</u> <u>balance @</u> <u>6/30/2013</u>
<u>Wastewater Funds</u>			
680 - Wastewater	1,454,871	(285,497)	1,169,374
681 - Wastewater Capital Facility	9,244,562	99,304	9,343,866
683 - BUA Wastewater Capital Project	3,435,719	(392,562)	3,043,157
685 - State Revolving Loan	766,833	(295)	766,538
689 - BUA Wastewater Debt Service	89,556	500	90,056
Combined Fund Balance >>>	14,991,541	(578,550)	14,412,991

30

Reclaimed Water Funds

	<u>Available</u> <u>balance @</u> <u>6/30/2012</u>	<u>Projected</u> <u>YTD</u> <u>Gain(loss)</u>	<u>Projected</u> <u>balance @</u> <u>6/30/2013</u>
<u>Reclaimed Water Funds</u>			
662 - Irrigation Water	3,003,302	(235,000)	2,768,302
682 - Wastewater Tertiary	3,047,411	397,964	3,445,375
Combined Fund Balance >>>	6,050,713	162,964	6,213,677

12

Electric Funds

Electric Funds	Available balance @ 6/30/2012	Projected YTD Gain(loss) 6/30/2013	Projected balance @ 6/30/2013
670 - Operations	6,494,615	140,525	6,635,140
672 - Rate Stability	4,920,509	1,040,000	5,960,509
673 - Electric Improvement	10,864,906	(1,341,116)	9,523,790
674 - Electric Bond Project Fund	15,407,311	(985,521)	14,421,790
675 - Public Benefit Fund	206,166	(7,162)	199,004
678 - Electric Debt Service Fund	521,906	(29,500)	492,406
Combined Fund Balance >>>	38,415,413	(1,182,774)	37,232,639

Internal Service Funds

- ☐ Include funds that provide services to other City operations. These include:
 - Insurance (worker's compensation & general liability)
 - Fleet
 - Information services
 - Utility billing services
- ☐ Total Adjusted Revenues \$ 6,782,070
- ☐ Total Adjusted Expenditures \$ 7,071,854

Successor Agency

Overview

- ☐ AB x1 26 - State Legislative Decision to eliminate Redevelopment Agencies
 - Upheld by Supreme Court December 2011
- ☐ Challenges with implementation
- ☐ New budget presentation

ROPS Procedural Steps

- March 1, 2012: Prepare/Post Draft of Initial ROPS
- April 15, 2012: Send Certified And Approved ROPS To State Controller And Department of Finance
- May 1, 2012: Deadline For Formation Of Oversight Board That Approves Certified ROPS
- July 1, 2012: Deadline For Completion Of External Audits As Basis For ROPS Certification

Overview of New System

- ▣ County Auditor-Controller (A-C) Determines Amount Of Property Taxes That Formerly Would Have Constituted Tax Increment and Deposits In Trust Fund
- ▣ A-C Makes Semi-Annual Distributions From Trust Fund As Described in Subsequent Slide
- ▣ A-C Receives From SA The Unencumbered Fund Balances Inherited From Former RDA And The Net Sales Proceeds From Former RDA Property Disposition
 - These Fund Balances and Land Sale Proceeds Are Distributed by A-C Like Normal Property Taxes

Source: CRA training 3/8/2012
Goldfarb Lipman attorneys

17

Redevelopment Property Tax Trust Fund Distributions By Auditor-Controller

- ▣ First, To Pay A-C Administrative Costs
- ▣ Second, To Pay Contract And Statutory Pass-Through Obligations Of Former RDA
- ▣ Third, To SA So That SA Can Pay Enforceable Obligations On Approved ROPS (SA Places This Amount In Its Redevelopment Obligation Retirement Fund)
- ▣ Fourth, To Pay SA Administrative Cost Allowance
- ▣ Fifth, To Pay Any Residual Balance To Local Taxing Entities

Source: CRA training 3/8/2012
Goldfarb Lipman attorneys

18

The Cash Flow Conundrum

Distribution Date	Covers EOPS/ROPS	Notes
Spring 2010-11 Tax Increment	August 1 - December 31, 2011	Unless these funds were carried over as fund balance, there may be a cash flow deficit
December 2011/January 2012 Tax Increment	Unclear, but may need to be used to cover January - June 2012, plus any deficit from the prior 6 months.	Allocated prior to agencies being dissolved; represents on average 45-50% of total tax increment for 2011-2012
May 16, 2012	January - December 2012	Unknown amount but reflects 2011-12 tax increment
June 1, 2012	July - December 2012	Unknown amount but reflects 2011-12 tax increment

Source: CRA training 3/8/2012
Goldfarb Lipman attorneys

Exhibit "B"
18
reg.mtg.-04/10/12

32

Special Trust Fund Distribution Issues

- ▣ Dealing With A Shortfall In Amount Available To Pay Enforceable Obligations
 - SA Informs A-C of Potential Shortfall
 - A-C And State Controller Verify Shortfall
 - Distribution Priorities Are Modified To Assure Adequate Funds To Pay Enforceable Obligations
- ▣ Calculation And "True-Up" of Trust Funds Allocated By A-C To Taxing Entities For Pass-Through Payments and From Residual Property Tax Receipts To Assure Appropriate Shares To Each Taxing Entity

Source: CRA training 3/8/2012
Goldfarb Lipman attorneys

19

	<u>Available</u> <u>balance @</u> <u>6/30/2012</u>	<u>Projected</u> <u>YTD</u> <u>Gain(loss)</u>	<u>Projected</u> <u>balance @</u> <u>6/30/2013</u>
Successor Agency Fund			
805 - Redevelopment Obligation Retirement Fund	0	0	0
810 - Successor housing Agency	1,743,961	(192,380)	1,551,581
830 - Debt Service Fund	646,840	39,363	686,203
850 - Successor Agency	3,359,918	(377,268)	2,982,650
855 - Tax Alloc Bonds - 2007	9,527,677	(9,527,677)	0
856 - Tax Alloc Bonds - 2003	586,183	(148,848)	437,335
857 - Low/Mod Tax Alloc Bonds - 2003	946,414	(646,009)	300,405
860 - Project Fund	375,985	(375,985)	0
Combined Fund Balance >>>	17,186,978	(11,228,804)	5,958,174

21

Future Challenges

General Fund

- ▣ FY13 budget – resolving deficits with an already lean organization
- ▣ Increasing costs with PERS
 - They have changed the actuarial assumptions which will begin in FY14 = 2% to 3% increases
- ▣ Grants with end dates or matching requirements
- ▣ Benefits of development and construction in City is still 2 to 5 years out

33

Next Steps

- ▣ Implement Midyear Adjustments
- ▣ Work on 2 year budget
- ▣ Negotiations
- ▣ Work on implementation of AB x1 26
 - Close CRA books as of January 31, 2012
 - Prepare for audit of elimination of CRA, and audit of ROPS

22

Recommendation

- ▣ Approve the resolutions amending the estimated revenues and appropriations for the Fiscal Year 2011/2012 budget for the City of Banning, Banning Utility Authority and Successor Agency

23

**CITY COUNCIL AGENDA
CONSENT ITEM**

Date: April 24, 2012

TO: City Council

FROM: Leonard Purvis, Chief of Police

SUBJECT: Approve Amendment to contract with Norman A. Traub Associates for Investigation Services for the City of Banning Police Department.

RECOMMENDATION: "The City Council amend the current limit on compensation for services (\$75,000) with Norman A. Traub Associates for Investigation Services for the City of Banning Police Department to \$105,000."


JUSTIFICATION: Amendment of this contract allows the Police Department to continue utilizing the investigative services of Norman A. Traub Associates for sensitive personnel matters.

BACKGROUND & ANALYSIS: During the course of the current and past fiscal year the Banning Police Department has required the professional and independent services of Norman A. Traub Associates for personnel investigations involving employees of the City of Banning. Because of the number of investigations required during the last year, the limit (\$75,000) on the amended compensation for services with Norman A. Traub Associates will be reached shortly.

The requested increase in the spending limit for services with Norman A. Traub Associates is necessary to complete several personnel investigations that require an independent and professional review for the protection of the City and the Banning Police Department.

FISCAL DATA: Sufficient funds are available to cover this request through budget transfers from the following police department accounts: Booking Fees (001-2200-421-4110), Landscape Maintenance (001-2200-421-2329), McGruff Program (001-2200-421-4192) and Telephone SVC (001-2200-421-2605).

RECOMMENDED BY:



Leonard Purvis
Chief of Police

REVIEWED BY:

June Overholt
Administrative Services Director

APPROVED BY:



Andrew Takata
City Manager

**CITY COUNCIL AGENDA
CONSENT ITEM**

DATE: April 24, 2012

TO: City Council

FROM: Duane Burk, Director of Public Works

SUBJECT: Resolution No. 2012-34, "Approving the Measure 'A' Five Year Capital Improvement Plan"

RECOMMENDATION: Adopt Resolution No. 2012-34 approving the Measure "A" Five Year Capital Improvement Plan as presented.

JUSTIFICATION: The City is required to submit a Five Year Capital Improvement Plan annually to the Riverside County Transportation Commission (RCTC) in order to receive Measure "A" funds.

BACKGROUND: Voters in Riverside County approved Measure "A" in 1988, which authorized the Riverside County Transportation Commission to impose an additional one-half percent (0.5%) sales tax for the next 20 years to be used for improvements of state highways, public transit systems, and local streets. In 2002, voters in Riverside County approved a 30-year extension of the one-half percent sales tax for transportation improvements.

RCTC has estimated that the City of Banning will receive Measure "A" Funds totaling \$2,113,000.00 as follows for the next five years:

<u>Year</u>	<u>Estimated Amount</u>
2012/2013	\$398,000.00
2013/2014	\$410,000.00
2014/2015	\$422,000.00
2015/2016	\$435,000.00
2016/2017	\$448,000.00

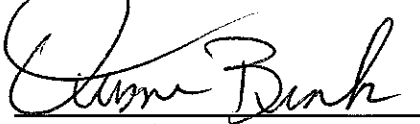
Each City in Riverside County is required by the RCTC to submit a Five Year Capital Improvement Plan (CIP), as approved by its governing board, to indicate how Measure "A" funding is to be utilized over the next five years. The list of street locations under the Five Year CIP is attached as Exhibit "A".

In addition, the City is required to submit a Project Status Report for FY 2011/2012, which has been prepared by staff and attached as Exhibit "B". The Maintenance of Effort Certification, attached as Exhibit "C", must be signed by the City Manager and submitted to the RCTC along with the Five-Year CIP.

The program is intended to support public transit systems, street pavement rehabilitation, and public street improvements. The priority list of street locations can be changed by the City Council during the design stage or at the time of award of the construction contract.

FISCAL DATA: The estimated revenue for the City of Banning's Measure "A" Program was provided by the RCTC. The actual amounts will be determined during each Fiscal Year.

RECOMMENDED BY:



Duane Burk
Director of Public Works

REVIEWED BY:

June Overholt
Administrative Services Director

APPROVED BY:



Andy Takata
City Manager

RESOLUTION NO. 2012-34

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING,
CALIFORNIA, APPROVING THE MEASURE "A" FIVE YEAR CAPITAL
IMPROVEMENT PLAN**

WHEREAS, in 1988, Riverside County voters approved a 0.5% sales tax (Measure "A") over a 20-year span to be used toward improvements of state highways, local transit systems, and public streets; and

WHEREAS, in 2002, Riverside County voters approved a 30-year extension of the Measure "A" 0.5% sales tax; and

WHEREAS, each City in Riverside County is required by the Riverside County Transportation Commission (RCTC) to submit a Five Year Capital Improvement Plan (attached as Exhibit "A"), as approved by its governing board, to indicate how Measure "A" funding is to be utilized over the next five years; and

WHEREAS, the RCTC has estimated that the City of Banning will receive a total of \$2,113,000.00 in Measure "A" funds over the next five years; and

WHEREAS, the program is intended to support local transit systems, street pavement rehabilitation and public street improvements at various locations; and

WHEREAS, the priority list of street locations can be changed by the City Council during the design stage or at the time of award of the construction contract.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Banning, that Resolution No. 2012-34, "Approving the Measure 'A' Five Year Capital Improvement Plan," is hereby adopted.

PASSED, APPROVED and ADOPTED this 24th day of April, 2012.

Don Robinson, Mayor

ATTEST:

Marie A. Calderon, City Clerk

CERTIFICATION:

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution No. 2012-34 was duly adopted by the City Council of the City of Banning at a Regular Meeting thereof held on the 24th of April, 2012.

AYES:

NOES:

ABSENT:

ABSTAIN:

Marie A. Calderon, City Clerk
City of Banning
Banning, California

**APPROVED AS TO FORM AND
LEGAL CONTENT:**

David J. Aleshire, City Attorney
Aleshire & Wynder, LLP

EXHIBIT “A”

MEASURE “A” FIVE YEAR CAPITAL IMPROVEMENT PLAN

FISCAL YEARS 2012/2013-2016/2017

**MEASURE "A" LOCAL FUNDS PROGRAM
FISCAL YEAR 2012/2013 – 2016/2017**

Agency: City of Banning
Page: 1 of 5
Prepared By: Arturo Vela
Phone No. (951) 922-3130
Date: April 24, 2012

Estimated Prior Year Measure A Balance: \$0.00

Estimated FY 2012/2013 Measure A Allocation: \$398,000.00

Estimated Measure A Available for FY 2012/2013 Projects: \$398,000.00

ITEM NO.	FY 2012/2013	PROJECT TYPE	TOTAL COST (\$1,000)	MEASURE "A" FUND (\$1,000)
	PROJECT NAME/LIMITS			
1.	Westward Avenue from Highland Home Rd to Sunset Avenue	Street Construction	1,000	398
		TOTALS	1,000	398

**RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE "A" LOCAL FUNDS PROGRAM
FISCAL YEAR 2012/2013 – 2016/2017**

Agency: City of Banning
Page: 2 of 5
Prepared By: Arturo Vela
Phone No. (951) 922-3130
Date: April 24, 2012

Estimated Prior Year Measure A Balance: \$0.00
Estimated FY 2013/2014 Measure A Allocation: \$410,000.00
Estimated Measure A Available for FY 2013/2014 Projects: \$410,000.00

ITEM NO.	FY 2013/2014	PROJECT TYPE	TOTAL COST (\$1,000)	MEASURE "A" FUND (\$1,000)
	PROJECT NAME/LIMITS			
1.	Hoffer Street: Alessandro Road to Hargrave Street	A.C. Overlay	130	130
2.	Alessandro Road: Williams Street to Ramsey Street	A.C. Overlay	50	50
3.	Ramsey Street: Hargrave Street to San Geronio Avenue	A.C. Overlay	230	230
		TOTALS	410	410

**RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE "A" LOCAL FUNDS PROGRAM
FISCAL YEAR 2012/2013 – 2016/2017**

Agency: City of Banning
Page: 3 of 5
Prepared By: Arturo Vela
Phone No. (951) 922-3130
Date: April 24, 2012

Estimated Prior Year Measure A Balance: \$0.00
Estimated FY 2014/2015 Measure A Allocation: \$422,000.00
Estimated Measure A Available for FY 2014/2015 Projects: \$422,000.00

ITEM NO.	FY 2014/2015 PROJECT NAME/LIMITS	PROJECT TYPE	TOTAL COST (\$1,000)	MEASURE "A" FUND (\$1,000)
1.	Cherry Street: Hoffer Street to George Street	A.C. Overlay	100	100
2.	Lincoln Street: San Gorgonio Avenue to Hargrave Street	A.C. Overlay	255	255
3.	City Wide Slurry Seal	Slurry Seal	67	67
		TOTALS	422	422

**RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE "A" LOCAL FUNDS PROGRAM
FISCAL YEAR 2012/2013 – 2016/2017**

Agency: City of Banning
Page: 4 of 5
Prepared By: Arturo Vela
Phone No. (951) 922-3130
Date: April 24, 2012

Estimated Prior Year Measure A Balance: \$0.00
Estimated FY 2015/2016 Measure A Allocation: \$435,000.00
Estimated Measure A Available for FY 2015/2016 Projects: \$435,000.00

ITEM NO.	FY 2015/2016 PROJECT NAME/LIMITS	PROJECT TYPE	TOTAL COST (\$1,000)	MEASURE "A" FUND (\$1,000)
1.	Allen Street: Hoffer Street to George Street	A.C. Overlay	70	70
2.	Nicolet Street: Sims Street to Sunset Avenue	A.C. Overlay	305	305
4.	City Wide Slurry Seal	Slurry Seal	60	60
		TOTALS	435	435

**RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE "A" LOCAL FUNDS PROGRAM
FISCAL YEAR 2012/2013 – 2016/2017**

Agency: City of Banning
Page: 5 of 5
Prepared By: Arturo Vela
Phone No. (951) 922-3130
Date: April 24, 2012

Estimated Prior Year Measure A Balance: \$0.00
Estimated FY 2016/2017 Measure A Allocation: \$448,000.00
Estimated Measure A Available for FY 2016/2017 Projects: \$448,000.00

ITEM NO.	FY 2016/2017	PROJECT TYPE	TOTAL COST (\$1,000)	MEASURE "A" FUND (\$1,000)
	PROJECT NAME/LIMITS			
1.	Ramsey Street: San Gorgonio Avenue to 8 th Street	A.C. Overlay	210	210
2.	8 th Street: Lincoln Street to Westward Avenue	A.C. Overlay	130	130
3.	Charles Street: Hargrave Street to 1037 E. Charles Street	A.C. Overlay	54	54
4.	Wesley Street: Hargrave Street to 1401 E. Wesley Street	A.C. Overlay	54	54
		TOTALS	448	448

EXHIBIT "B"
PROJECT STATUS REPORT
FY 2011/2012

**RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
PROJECT STATUS REPORT FY 2011-2012**

Agency: City of Banning
Page 1 of 1
Prepared by: Arturo Vela
Phone #: (951) 922-3130
Date: April 24, 2012

Item No. 1	Project Name/Limits	Project Type	Total Cost (\$1,000's)	Measure A Funds (\$1,000's)	Estimated Completion	Status
1	Project No. 2011-06, "RAC Overlay and Street Improvements along Wilson Street from Stargaze Way to Mountain Avenue". The limits are as mentioned in the title as well as Sunset Avenue from Wilson Street to the northerly city limits.	Rubberized Asphalt Concrete (RAC) Overlay	1,250	820*	May, 2012**	99% Complete

*Measure A funding for this project included rollover amounts from previous years. The balance was funded by a CTWMB Grant, Gas Tax and AB 2928.

**The Notice of Completion for this project is scheduled to be presented to City Council on May 8, 2012.

Handwritten signature/initials

EXHIBIT “C”

MAINTENANCE OF EFFORT CERTIFICATION

**2012-2013 MEASURE A PROGRAM
MAINTENANCE OF EFFORT
CERTIFICATION STATEMENT**

The undersigned hereby agrees and certifies for the CITY OF BANNING (the "Agency") that sales tax transportation funds received pursuant to Ordinance No. 02-001 of the Riverside County Transportation Commission (Measure "A") shall be used in compliance with the Commission's Maintenance of Effort Guidelines and a base year amount of \$316,181.00, approved by the Commission at its July 2011 meeting, and that the Agency shall not use such funds to replace discretionary Local Funds previously expended by the Agency for local transportation purposes. The Agency hereby acknowledges that the failure of the Agency to continue such local expenditure shall result in a reduction or loss of Measure "A" funds. Additionally, the Agency commits to expending Measure A Local Streets and Roads funds for projects listed in the Five Year Capital Improvement Plan as approved by Riverside County Transportation Commission.

Dated: _____, 2012

Andy Takata, City Manager

Attest:

Secretary

CITY COUNCIL/BANNING UTILITY AUTHORITY JOINT MEETING

DATE: April 24, 2012

TO: City Council and Banning Utility Authority

FROM: Duane Burk, Director of Public Works

SUBJECT: Banning Utility Authority Resolution No. 2012-06 UA, "Awarding a Professional Services Agreement to Albert A. Webb Associates for the Banning Water Canyon Mapping and Pipeline Replacement Phasing Plan"

RECOMMENDATION: Banning Utility Authority Resolution No. 2012-06 UA, "Awarding a Professional Services Agreement to Albert A. Webb Associates for the Banning Water Canyon Mapping and Pipeline Replacement Phasing Plan" for an amount not to exceed \$79,981.00.

JUSTIFICATION: The award of this agreement is necessary in order to properly map out the City of Banning's Water Canyon and to prepare a pipeline replacement Phasing Plan that staff will utilize in order to budget future improvements to the City's transmission system in the water canyon.

BACKGROUND: On September 13, 2011 the City of Banning City Council adopted Resolution No. 2011-65, "Adopting the 2011-2016 Strategic Plan." The Strategic Plan identified seven major goals that, when implemented, are intended to support the City of Banning Vision and Mission Statements adopted on May 12, 2009. Goal No. 3 "Infrastructure and City Facilities" of the Strategic Plan is to *provide infrastructure improvements needed to provide auto, bicycle and pedestrian mobility recreation opportunities, electricity, water and recycled water for the community.* The replacement of the transmission waterline in the Banning water canyon is one of the many improvements listed within Goal No. 3.

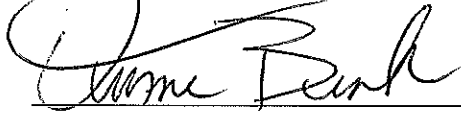
The City currently operates eight active production wells in the Banning water canyon with a total capacity of approximately 8,600 gpm. The eight wells operate within the Banning Canyon Storage Unit which provides most of the City's groundwater. The groundwater is pumped and transported to the City's distribution system via a 20 inch transmission line which, in some sections, is approximately 100 years old, frequently requires repairs and is in need of replacement.

The scope of work within the professional services agreement includes aerial topographic mapping from Mias Canyon Road to Camp Comfort, approximately 30,800 feet; property boundary, easement and right of way research and layout; environmental constraints analysis; and the preparation of a pipeline replacement program.

FISCAL DATA: Funding for this project is available in Account No. 660-6300-471.33-11 (Professional Services) which currently has a balance of \$97,268.75.

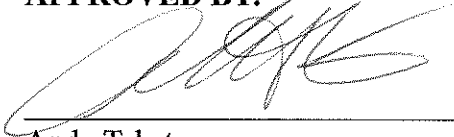
(SIGNATURES ON NEXT PAGE)

RECOMMENDED BY:



Duane Burk
Director of Public Works

APPROVED BY:



Andy Takata
City Manager

REVIEWED BY:

June Overholt
Administrative Services Director/
Deputy City Manager

BANNING UTILITY RESOLUTION NO. 2012-06 UA

RESOLUTION OF BANNING UTILITY AUTHORITY OF THE CITY OF BANNING, CALIFORNIA, AWARDED A PROFESSIONAL SERVICES AGREEMENT TO ALBERT A. WEBB ASSOCIATES FOR THE BANNING WATER CANYON MAPPING AND PIPELINE REPLACEMENT PHASING PLAN

WHEREAS, on September 13, 2011 the City of Banning City Council adopted Resolution No. 2011-65, "Adopting the 2011-2016 Strategic Plan" which identified seven major goals that, when implemented, are intended to support the City of Banning Vision and Mission Statements adopted on May 12, 2009; and

WHEREAS, the approved Strategic Plan identified that Goal No. 3 "Infrastructure and City Facilities" is to *provide infrastructure improvements needed to provide auto, bicycle and pedestrian mobility recreation opportunities, electricity, water and recycled water for the community* which includes the replacement of the transmission waterline in the Banning water; and

WHEREAS, the Banning Canyon Storage Unit provides the City of Banning with most of its groundwater which is transported to the City's distribution system via a 20 inch transmission line that is old, frequently requires repairs and is in need of replacement in order to continue to provide reliable water to the City of Banning's residents; and

WHEREAS, the scope of the work within the professional services agreement includes the aerial topographic mapping from Mias Canyon Road to Camp Comfort, approximately 30,800 feet; property boundary, easement and right of way research and layout; environmental constraints analysis; and the preparation of a pipeline replacement program; and

WHEREAS, funding for this project is available in Account No. 660-6300-471.33-11 (Professional Services) which currently has a balance of \$97,268.75.

NOW, THEREFORE, BE IT RESOLVED, by the Utility Authority of the City Banning as follows:

Section 1 Banning Utility Authority adopts Resolution No. 2012-06 UA awarding the Professional Services Agreement to Albert A. Webb Associates of Riverside, California in an amount "Not to Exceed" \$79,981.00.

Section 2 The City Manager is authorized to execute the contract agreement with Albert A. Webb Associates of Riverside, California. This authorization will be rescinded if the contract agreement is not executed by the parties within sixty (60) days of the date of this resolution.

PASSED, ADOPTED AND APPROVED this 24th day of April, 2012.

Don Robinson, Chairman
Banning Utility Authority

APPROVED AS TO FORM AND
LEGAL CONTENT:

David J. Aleshire, City Attorney
Aleshire & Wynder, LLP

ATTEST:

Marie A. Calderon, Secretary
Banning Utility Authority

CERTIFICATION:

I, Marie A. Calderon, Secretary of the Banning Utility Authority of the City of Banning, California, do hereby certify that the foregoing Resolution No. 2012-06 UA, was duly adopted by the Banning Utility Authority of the City of Banning, California, at a regular meeting thereof held on the 24th day of April, 2012.

AYES:

NOES:

ABSTAIN:

ABSENT:

Marie A. Calderon, Secretary
Banning Utility Authority
Banning, California

**CITY COUNCIL AGENDA
ORDINANCE**

DATE: April 24, 2012

TO: City Council

FROM: Duane Burk, Director of Public Works

SUBJECT: Ordinance No. 1449, "Re-establishing and Declaring Prima Facie Speed Limits within Specified Speed Zones throughout the City of Banning to include Speed Zones 28, 37, 38 and 46"

RECOMMENDATION: Adopt Ordinance No. 1449, "Re-establishing and Declaring Prima Facie Speed Limits within Specified Speed Zones throughout the City of Banning to include Speed Zones 28, 37, 38 and 46," amending Ordinance 1443.

JUSTIFICATION: It is essential to adopt these speed zones in order to complete the city wide speed survey.

BACKGROUND: On January 10, 2012, the City Council approved the first read of Ordinance 1443 Re-establishing and Declaring Prima Facie Speed Limits with Specified Zones throughout the City of Banning with exception to Zones 28, 37 and 46 to be resurveyed and brought back for further consideration. On January 24, 2012, Ordinance 1443 passed its second reading and was adopted with exception to the abovementioned zones.

As directed by City Council, additional radar and speed surveys were conducted on January 24, 25 and 26 on both peak and off-peak hours for the following zones:

Zone 28: Ramsey Street between 22nd Street and 8th Street

Zone 37: Wilson Street between Sunset Avenue and 16th Street

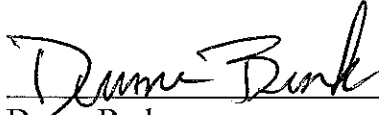
Zone 38: Wilson Street between 16th to San Gorgonio

Zone 46: Sun Lakes Blvd between Highland Springs Avenue and Country Club Drive

As a result, the Traffic Engineer Consultant provided a certified memorandum report that includes analyses and recommendations as shown in the attached Exhibit "A". The additional survey results support the recommendations as listed in Exhibit "B" therefore, staff respectfully requests the approval and inclusion of Speed Zones 28, 37, 38 and 46 as part of the city wide speed survey originally presented under Ordinance 1443. If approved, a summary of all speed zones incorporating these changes are shown in Exhibit "C".

FISCAL DATA: The costs associated with the approval of Speed Zones 28, 37, 38 and 46 were previously approved on January 24, 2012 under Ordinance 1443.

RECOMMENDED BY:



Duane Burk
Director of Public Works

REVIEWED BY:

June Overholt
Administrative Services Director/
Deputy City Manager

APPROVED BY:



Andy Takata
City Manager

ORDINANCE NO. 1449

AN ORDINANCE OF THE CITY OF BANNING, CALIFORNIA, RE-ESTABLISHING AND DECLARING PRIMA FACIE SPEED LIMITS WITHIN SPECIFIED SPEED ZONES THROUGHOUT THE CITY OF BANNING TO INCLUDE SPEED ZONES 28, 37, 38, & 46.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANNING AS FOLLOWS:

SECTION 1. The prima facie speed limits within the specified speed zone limits of the following specified streets are determined and declared to be as shown herewith as Exhibit "C".

SECTION 2. The Mayor shall sign this ordinance and the City Clerk shall attest thereto and shall publish it or a summary of it in a newspaper printed and published within the City, and thereafter this ordinance shall be in force and effect according to law.

PASSED, APPROVED AND ADOPTED this 24th day of April, 2012.

Don Robinson, Mayor
City of Banning

**APPROVED AS TO FORM
AND LEGAL CONTENT:**

David J. Aleshire, City Attorney
Aleshire & Wynder, LLP

ATTEST:

Marie A. Calderon, City Clerk

CERTIFICATION:

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that Ordinance No. 1449 was duly introduced at a regular meeting of the City Council of the City of Banning, held on the 24th day of April, 2012, and was duly adopted at a regular meeting of said City Council on the 24th day of April, 2012, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marie A. Calderon, City Clerk
City of Banning, California

EXHIBIT "A"
CERTIFIED MEMORANDUM DATED APRIL 4, 2012

MEMORANDUM REPORT

DATE: APRIL 4, 2012

TO: KAHONO OEI, CITY ENGINEER

FROM: PETER H. LIU, P.E.

SUBJECT: NEW SPEED SURVEYS FOR RAMSEY STREET, WILSON STREET AND SUN LAKES BOULEVARD

As directed by the City staff with regard to the proposed speed limits on Ramsey Street, Wilson Street and Sun Lakes Boulevard in the 2011 Citywide Speed Limit Recertification, additional radar speed surveys were conducted on January 24, 25 and 26 at the following speed zones:

- Zone 28: Ramsey Street between 22nd and 8th Street
- Zone 37: Wilson Street between Sunset Avenue and 8th Street
- Zone 46: Sun Lakes Boulevard between Highland Springs Avenue and Country Club Drive (new speed zone)

Their analyses are as follows:

Zone 28: Ramsey Street between 22nd Street and 8th Street

Ramsey Street is the major east/west corridor serving the City and surrounding communities. The new radar survey indicates the new critical (85th percentile) speeds are measured at 39 mph for both EB and WB directions. By comparing with the previous survey conducted in July 2011 (40 mph EB and 41 mph WB), the differences are relatively insignificant. Both surveys would justify a 40 mph speed zone.

Zone 37: Wilson Street between Sunset Avenue and 8th Street

Wilson Street between Sunset Avenue and 8th Street is approximately two miles in length. It was selected as a single speed zone in the 2006 Citywide Speed Survey because of low traffic volume, rural setting and homogenous surroundings. In the last five years it was noticed that the traffic volumes has significantly increased. The physical characters of Wilson Street have also changed when it was rehabilitated using rubberized asphalt in February 2008. The segment of Wilson Street east of 16th Street was developed with narrower street section, allows direct access of residential driveways and on street parking prohibited. The Susan Coombs Intermediate School is located in the northwest corner of Wilson and 8th Streets. The area west of 16th Street, Wilson Street is wider, more open

and has no direct driveway connections from adjacent residential developments. With the new smooth rubberized pavement, people tend to drive faster.

A new radar speed survey was conducted on Wilson Street between 16th Street and 8th Street, the critical speed measured was 36 mph as compared with a critical speed of 45 mph for the segment west of 16th Street. Besides the physical change in street characteristics the new radar speed survey indicates motorists slow down in this section of Wilson Street, the reason for the decrease of critical speed appears attributed by the existence of flashing speed limit beacons and the warning signs of 25 mph "When School Children Present" signs erected at both ends of the school which provide effective warning for motorists to slow down as they pass through the school zone.

Zone 46: Sun Lakes Boulevard between Highland Springs Avenue and Country Club Drive (New Speed Zone)

Sun Lakes Boulevard is designated as an arterial street in the City's General Plan Circulation Element. The City received complaints from local residents living in the Sun Lakes Retirement Community that the speed limit would not meet the requirement for them driving their golf carts on Sun Lakes Blvd with other vehicular traffic to and from the shopping center nearby. In 2009, the intersection of Sun Lakes Blvd and Highland Springs Avenue was controlled by 4-way stop signs. The intersection is now signalized and controlled by traffic signals with much heavier traffic as new shopping centers were developed along the west side of Highland Springs Avenue in the City of Beaumont.

In 2009, speed survey was conducted on Sun Lakes Blvd. from Highland Springs Avenue to Sun Lakes Country Club Drive. Based on the speed survey, the measured critical speed was at 33 MPH and a recommendation to post a speed limit of 30 MPH was made, however, it was never implemented. In 2011, the speed survey at the same location was included as part of the city wide speed survey and the critical speed was measured at 28 MPH in both East and West direction. Due to the concern of the speed survey, staff was directed to re-survey the speed at the same location in January 2012 and the corresponding speed survey was measured at 30 MPH and 29 MPH on both East and West direction respectively.

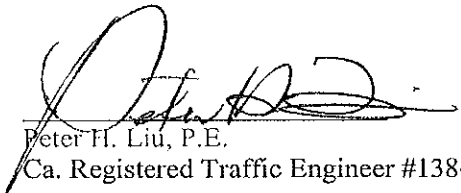
Discussion

The set up of speed zone and its limits are normally determined by engineers and City staff based on roadway characteristics. For Wilson Street, the limits of Zone 37 between Sunset Avenue and 8th Street could be split into two zones: 1) From Sunset Avenue to 16th Street to maintain the 45 mph speed limit and 2) From 16th Street to 8th Street by combining with Zone 38 (from 8th Street to San Gorgonio Avenue) to keep it at 35 mph. This change of speed zone limits is legitimate and technically sound. It would alleviate the concern of over speeding in front of Susan Coombs Intermediate School.

Recommendation

1. Approve a 40 mph speed zone be established for Speed Zone 28 – Ramsey Street between 22nd and 8th Streets.
2. Revise and change the limits of Speed Zone 37 – Wilson Street between Sunset Avenue and 8th Street to between Sunset Avenue and 16th Street, to maintain the recommended 45 mph speed limit,
3. Revise and change the limits of Speed Zone 38 – Wilson Street between 8th Street and San Geronio Avenue to between 16th Street and San Geronio Avenue, to maintain the recommended 35 mph speed limit,
4. Approve and add a 30 mph speed limit for Speed Zone 46 – Sun Lakes Boulevard between Highland Springs Avenue and Country Club Drive,
5. Revise and change Speed Zone 40 – Sun Lakes Boulevard between Country Club Drive and Highland Home Road to keep the existing 35 mph speed limit, and
6. Install additional advance warning signs (School Ahead) on Wilson Street for both EB and WB directions for Susan Coombs Intermediate School per California MUTCD (Manual of Uniform Traffic Control Device) standard.

Upon the approval of the above recommendations, the final report of 2011 Speed Survey recertification will be revised to incorporate the above recommendations accordingly.



Peter H. Liu, P.E.
Ca. Registered Traffic Engineer #1386

Attachment

1. Revised Summary of 2011 Speed Survey Recertification

EXHIBIT "B"

SPEED LIMIT CHANGES

ZONE	Street Name	From	To	EXISTING POSTED SPEED		PROPOSED SPEED	
				EB	WB	EB	WB
28	Ramsey St	22nd St	8th St	35	35	40	40
37	Wilson St	Sunset Ave	16th	35	35	45	45
38	Wilson St	16th	San Gorgonio	35	35	35	35
46	Sun Lakes Blvd	Highland Springs Ave	Country Club Dr	35	35	30	30

EXHIBIT "C"

SUMMARY OF SPEED ZONES

NORTHBOUND / SOUTHBOUND ZONES

No	Street Name	From	To	RECOMMENDED SPEED	
				NB	SB
1	8th St	Gilman St	I-10	30	30
2	22nd St	Ramsey St	Westward Ave	35	35
3	Highland Home Road	Wilson St	Ramsey St	40	40
4	Hathaway St	Hoffer St	Ramsey St	35	35
5	Hathaway St	Lincoln St	Wesley St	35	35
6	Mountain Ave	Mockingbird Lane	Wilson St	35	35
7	Highland Springs Ave (Northbound)	N. City Limit	Oak Valley Pkwy	50	50* Beaumont
8	Highland Springs Ave (Northbound)	Oak Valley Pkwy	Wilson St	50	50* Beaumont
9	Highland Springs Ave (Northbound)	Wilson St	Sun Lakes Bl	35	35* Beaumont
10	Highland Spring Ave (Northbound)	Sun Lakes Bl	S. City Limit	35	35* Beaumont
11	San Gorgonio Ave	Lombardy Lane	Wilson St	30	30
12	San Gorgonio Ave	Wilson St	Ramsey St	30	30
13	San Gorgonio Ave	Ramsey St	Lincoln St	30	30
14	Sunset Ave	Wilson St	Ramsey St	35	35
15	Sunset Ave	Ramsey St	Westward Ave	35	35
16	Hargrave St	Wilson St	Ramsey St	30	30
17	Hargrave St	Ramsey St	Wesley St	35	35
18	Omar St	Ramsey St	Wilson St	25	25
19	Alessandro St	Repplier Rd	Wilson St	30	30
20	Alessandro St	Wilson St	Ramsey St	30	30

(*) – City of Beaumont has agreed to keep speed limits consistent with City of Banning

EASTBOUND /WESTBOUND ZONES

No	Street Name	From	To	RECOMMENDED SPEED	
				EB	WB
21	Lincoln St	Sunset Ave	22nd St	40	40
22	Lincoln St	22nd St	8th St	40	40
23	Lincoln St	8th St	San Gorgonio Ave	40	40
24	Lincoln St	San Gorgonio Ave	Hathaway St	40	40
25	Ramsey St	Highland Springs Ave	Highland Home Rd	50	50
26	Ramsey St	Highland Home Rd	Sunset Ave	50	50
27	Ramsey St	Sunset Ave	22nd St	40	40
28	Ramsey St	22nd St	8th St	40	40
29	Ramsey St	8th St	Hargrave St	25	25
30	Ramsey St	Hargrave St	I-10 Ramps	40	40
31	Nicolet St	Sunset Ave	22nd St	35	35
32	Nicolet St	22nd St	4th St	35	35
33	Nicolet St	4th St	Hargrave St	25	25
34	Nicolet St	Hargrave St	Hathaway St	25	25
35	Wilson St	Highland Springs Ave	Highland Home Rd	45	45
36	Wilson St	Highland Home Rd	Sunset Ave	45	45
37	Wilson St	Sunset Ave	8th St	45	45
38	Wilson St	8th St	San Gorgonio Ave	35	35
39	Wilson St	San Gorgonio Ave	Hargrave St	35	35
40	Sun Lakes Bl	Country Club Drive	Highland Home Rd	35	35
41	Westward Ave	Sunset Ave	San Gorgonio Ave	35	35
42	Williams St	Sunset Ave	Hathaway St	25	25
43	George St	Sunset Ave	Woodland Ave	25	25
44	George St	20th St	8th St	25	25
45	George St	8th St	San Gorgonio Ave	25	25
46	Sun Lakes Bl	Highland Springs Ave	Country Club Drive	25	25

Banning, California

(P. 2/2)

No	Street Name	From	To	RECOMMENDED SPEED	
				EB	WB
21	Lincoln St	Sunset Ave	22nd St	40	40
22	Lincoln St	22nd St	8th St	40	40
23	Lincoln St	8th St	San Gorgonio Ave	40	40
24	Lincoln St	San Gorgonio Ave	Hathaway St	40	40
25	Ramsey St	Highland Springs Ave	Highland Home Rd	50	50
26	Ramsey St	Highland Home Rd	Sunset Ave	50	50
27	Ramsey St	Sunset Ave	22nd St	40	40
28	Ramsey St	22nd St	8th St	40	40
29	Ramsey St	8th St	Hargrave St	25	25
30	Ramsey St	Hargrave St	I-10 Ramps	40	40
31	Nicolet St	Sunset Ave	22nd St	35	35
32	Nicolet St	22nd St	4th St	35	35
33	Nicolet St	4th St	Hargrave St	25	25
34	Nicolet St	Hargrave St	Hathaway St	25	25
35	Wilson St	Highland Springs Ave	Highland Home Rd	45	45
36	Wilson St	Highland Home Rd	Sunset Ave	45	45
37	Wilson St	Sunset Ave	16th St	45	45
38	Wilson St	16th St	San Gorgonio Ave	35	35
39	Wilson St	San Gorgonio Ave	Hargrave St	35	35
40	Sun Lakes Bl	County Club Drive	Highland Home Rd	35	35
41	Westward Ave	Sunset Ave	San Gorgonio Ave	35	35
42	Williams St	Sunset Ave	Hathaway St	25	25
43	George St	Sunset Ave	Woodland Ave	25	25
44	George St	20th St	8th St	25	25
45	George St	8th St	San Gorgonio Ave	25	25
46	Sun Lakes Bl	Highland Springs Ave	County Club Drive	30	30

49

**CITY COUNCIL
PUBLIC HEARING**

DATE: April 24, 2012

TO: City Council

FROM: Zai Abu Bakar, Community Development Director

**SUBJECT: ZONE TEXT AMENDMENT (ZTA) NO. 12-97501
AMENDMENT TO VARIOUS SECTIONS OF THE ZONING
ORDINANCE (TITLE 17 OF THE BANNING MUNICIPAL CODE) TO
FACILITATE BUSINESS DEVELOPMENT**

RECOMMENDATION: That the City Council takes the following actions:

1. Adopt a Categorical Exemption in compliance with CEQA Guidelines Section 15061(b)(3); and
2. Adopt Ordinance No. 1448 amending various sections of the Zoning Ordinance (Title 17 of the Banning Municipal Code) to facilitate business development.

PLANNING COMMISSION RECOMMENDATION: On April 4, 2012, the Planning Commission held a noticed public hearing at which time interested persons had an opportunity to testify in support of, or opposition to Zoning Text Amendment No. 12-97501. The Planning Commission discussed and asked questions of staff regarding the subject ZTA. There was no public comment. The Planning Commission considered the proposed Zoning Text Amendment and recommended approval of Ordinance No. 1448 to City Council by adoption of Resolution No. 2012-06.

JUSTIFICATION: Amending the Zoning Ordinance will facilitate business development.

BACKGROUND: The City Council adopted the present Zoning Ordinance in January 2006. The Zoning Ordinance ensures the orderly development of all lands within the City's corporate boundaries to protect the public health, safety, and welfare. The Zoning Ordinance is further intended to provide standards and guidelines for new and existing development consistent with the General Plan, respect and enhance the character of existing neighborhoods, secure more open space, and encourage high quality development proposals. However, Zoning Ordinance regulations may at times indirectly discourage business development.

Additionally, with the elimination of Redevelopment for cities by the Governor of the State of California the ability to provide incentives for business development are severely limited. The combination of this change with Redevelopment, along with the present economic downturn leaves small cities like Banning looking to alternatives to provide some form of incentive to attract businesses, especially ones that produce sales tax revenue.

ANALYSIS: It is noted by staff that certain portions of the Zoning Ordinance may be amended to encourage and facilitate business development while not significantly altering the purpose of the Zoning Ordinance. The proposed changes are listed as follows. The sections of the Code that are being amended are as indicated in Attachment 2.

1. Presently, Table 17.12.020 *Permitted, conditional and prohibited uses* requires that all proposed uses be subject to design review. The present fee for design review is \$4,904.00 and requires a public hearing. This means that any business coming to the City and simply leasing a space in an existing building go through the process of design review when obtaining a business license. It does not seem practical to subject every business to the design review process especially when occupying an existing building that is adequate for the use. Therefore, this specific requirement for design review is proposed to be deleted from the code. Design review is still required for new construction or significant alterations to existing buildings.

The proposed change to the code is stated as follows: Delete the following sentence from Section 17.12.020 of the Banning Municipal Code:

"All uses proposed in the Commercial and Industrial districts are subject to Design Review."

2. Section 17.12.050(D) of the Zoning Ordinance requires that automobile sales uses go through the design review process. The present fee for design review is \$4,904.00 and requires a public hearing. This means that any automobile sales business coming to the City go through the process of design review. In order to streamline the review process for these types of businesses it is recommended that Technical Staff Review be utilized instead of Design Review. This process takes less time as it requires an administrative review and no public hearing.

The proposed change to the code is stated as follows: Section 17.12.050(D) of the Banning Municipal Code is amended to read as follows:

"D. Automobile Sales. Technical Staff Review shall be required for all businesses selling new or used vehicles, and all dealerships must be constructed in the following manner:"

3. The City is actively engaged in trying to bring businesses to the Downtown Commercial (DC) zoning district of the City. However, Section 17.12.010(B)(1)(a) of the Zoning Ordinance limits the size of single user occupancies to less than 25,000 square feet in the DC zoning district. This restriction severely limits the type of businesses that generate

sales tax revenue from coming to the downtown. Therefore, it is recommended that this limitation be deleted from the Zoning Ordinance.

The proposed change to the code is stated as follows: Delete the following sentence from Section 17.12.010(B)(1)(a) of the Banning Municipal Code:

"Large single users in excess of twenty-five thousand square feet are not appropriate in this district."

4. The fourth item is correcting a typographical error (correcting the subsection reference from R to P) for the location of Single Family/Office Conversions reference.

The proposed change to the code is stated as follows: Section 17.12.050(H)(7) of the Banning Municipal Code is amended to read as follows:

"7. Buildings identified as locally historically significant shall be renovated and expanded in historically appropriate manner. Conversion of historic homes within the District to live/work spaces, offices or retail commercial is encouraged. The provisions of subsection P of this section, Single Family/Office Conversions, below, shall apply."

5. The fifth item amends Table 17.12.020 permitting pet stores and grooming businesses in the Highway Serving Commercial (HSC) zone without the requirement of obtaining a Conditional Use Permit (CUP). The present fee for processing a CUP is \$4,779.00 and requires a public hearing. This seems excessive for a use that generally does not produce significant negative or undesirable impacts related to the pet store and grooming use. Therefore, it is recommended that pet stores and grooming businesses be permitted by right in the HSC zoning district.

The proposed change to the code is stated as follows: Table 17.12.020 of the Banning Municipal Code is amended to read as follows:

Zone	DC	GC	HSC	PO	I	AI	BP	IMR
Pet stores and grooming	P	P	P	X	X	X	C	X

6. Section 17.12.040(A) of the Zoning Ordinance requires all outside uses such as patio dining areas and nursery sales to go through the Design Review process. The present fee for design review is \$4,904.00 and requires a public hearing. This means that any businesses with outside uses coming to the City go through the process of design review. In order to streamline the review process for these types of business it is recommended that Technical Staff Review be utilized instead of Design Review. This process takes less time as it requires an administrative review and no public hearing.

The proposed change to the code is stated as follows: Section 17.12.040(A) of the Banning Municipal Code is amended to read as follows:

"A. All uses other than those specified as outdoor uses shall occur in a completely enclosed structure. Outside uses (e.g. patio dining areas and nursery sales) shall be approved through Technical Staff Review."

7. Temporary signs may be obtained by businesses for special events under the present Zoning Ordinance. However, Section 17.36.070(B) of the sign regulations limits the term of the temporary sign to 30 days. Typically, businesses have events longer than 30 days, or at times it takes more than 30 days to manufacture and install the temporary sign. For example tax preparers typically need to advertise for at least 90 days during the tax preparation season. For this reason it is proposed to amend the special event temporary sign permit time period from 30 days to 90 days.

The proposed change to the code is stated as follows: Section 17.36.070(B) of the Banning Municipal Code is amended to read as follows:

"B. Special event signs shall be limited to 90 days per event from the date of erection or date of permit, whichever occurs first."

Conclusion

The proposed amendments to the Zoning Ordinance do not significantly alter the purpose of the regulations. Therefore, it is recommended by staff that City Council approve Ordinance No. 1448 (see Attachment 1) as it is anticipated that the changes to the Zoning Ordinance will prove to be a small incentive for business development.

ENVIRONMENTAL DETERMINATION: The City Council, in light of the whole record before it, including but not limited to, the City's Local CEQA Guidelines, the recommendation of the Community Development Director as provided in the staff report dated April 24, 2012, and documents incorporated therein by reference, and any other evidence (within the meaning of Public Resources Code § 21080(e) and § 21082.2) within the record or provided at the public hearing of this matter, hereby finds and determines as follows:

1. California Environmental Quality Act (CEQA):

CEQA: The City Council has analyzed this proposed project and has determined that it is exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3) of the CEQA Guidelines which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where, as here, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; the activity is not subject to CEQA. The amendments to the Zoning Ordinance do not relate to any one physical project and will not result in any physical change to the environment. Further, projects subject to this resolution will trigger individual analysis and documentation related to CEQA. Therefore, it can be seen with certainty that there is no possibility that this resolution may have a significant adverse effect on the

environment, and therefore the adoption of this resolution is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

2. Multiple Species Habitat Conservation Plan (MSHCP):

The amendments to the Zoning Ordinance do not relate to any one physical project and are not subject to the MSHCP. Further, projects subject to this resolution will trigger individual project analysis and documentation related to the requirements of MSHCP including mitigation through payment of the MSHCP Mitigation Fee.

REQUIRED FINDINGS FOR ZONE TEXT AMENDMENT NO. 12-97501: The Zoning Ordinance requires that each Zone Text Amendment meet certain findings in Section 17.116.050 in order to be approved by the City Council. The following findings are provided for Commission consideration:

1. The proposed Zone Text Amendment is consistent with the goals and policies of the General Plan.

Findings of Fact:

The proposed Zone Text Amendment is consistent with the goals and policies of the General Plan, insofar as the General Plan designations and Zoning designations will not change, and the text amendments will result in clarifying the goals, policies and programs of the General Plan. The primary General Plan Land Use Goal is "*A balanced, well planned community including businesses which provides a functional pattern of land uses and enhances the quality of life for all Banning residents*". By changing the permit review process from design review, which requires a public hearing, to Technical Staff Review, which requires administrative review, the time required to review a permit application will be reduced enhancing the quality of life for residents by encouraging much needed business development.

Furthermore, Policy 2 of the Community Development element of the City's General Plan states that "*the Planning . . . staffs be closely coordinated, to assure efficient and cost effective processing of applications*"; therefore, the proposed amendments endeavor to streamline the permitting process for certain businesses thus assuring efficient and cost effective processing of applications.

2. The proposed Zone Text Amendment is internally consistent with the Zoning Ordinance.

Findings of Fact:

The Zone Text Amendment is consistent with the existing provisions of the Zoning Ordinance. The proposed amendments will modify and streamline the permitting process pertaining to business development within the present limits and development standards established by the Zoning Ordinance. No significant changes are proposed to the

development standards of the Zoning Ordinance. Staff has reviewed and compared the proposed changes and finds no conflicting statements or inconsistencies.

3. That the City Council has independently reviewed and considered the requirements of the California Environmental Quality Act.

Findings of Fact:

The City Council has analyzed this proposed project and has determined that it is exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3) of the CEQA Guidelines which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where, as here, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; the activity is not subject to CEQA. The amendments to the Municipal Code do not relate to any one physical project and will not result in any physical change to the environment. Further, projects subject to this resolution will trigger individual analysis and documentation related to CEQA. Therefore, it can be seen with certainty that there is no possibility that this resolution may have a significant adverse effect on the environment, and therefore the adoption of this resolution is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

PUBLIC COMMUNICATION: The proposed Zone Text Amendment was advertised in the Record Gazette newspaper on April 13, 2012. As of the date of this report, staff has not received any verbal or written comments for or against the proposal.


FISCAL DATA: While there is a possible reduction in future revenues because of the elimination of the fee required for public hearings, it is anticipated that this loss would be offset by the additional sales tax revenue collected by the City from new businesses. It is noteworthy to consider that no public hearings for used car sales have occurred in the last three years, or more. Therefore, it is anticipated that there are no direct fiscal impacts associated with the adoption of Ordinance No. 1448 at this time.

APPROVED BY:



Andy Takata
City Manager

RECOMMENDED BY:



Zai Abu Bakar
Community Development Director

REVIEWED BY:



June Overholt
Administrative Services Director/
Deputy City Manager

PREPARED BY:



Brian Guillot
Assistant Planner

Attachments:

1. Ordinance No. 1448
2. Zoning Code Sections to be amended.

Attachment 1

(Ordinance No. 1448)

ORDINANCE NO. 1448

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF BANNING, CALIFORNIA APPROVING
ZONING TEXT AMENDMENT NO. 12-97501
AMENDING VARIOUS SECTIONS OF THE ZONING
ORDINANCE (TITLE 17 OF THE BANNING
MUNICIPAL CODE) TO FACILITATE BUSINESS
DEVELOPMENT**

WHEREAS, commercial development is a critical component of most communities, as the sale of goods and services can generate significant sales tax revenue and employment opportunities; and

WHEREAS, the City of Banning ("City") recognizes that zoning regulations may have an indirect effect on business development by adding additional costs and time to review project applications; and

WHEREAS, in light of the current economic circumstances within the State of California in general, and the City of Banning specifically, the City Council believes that the existing standards for processing project applications may not appropriately take the economy, welfare, and concerns of businesses and citizens into consideration; and

WHEREAS, it is a goal of the Community Development element of the City's General Plan to enhance the quality of life for all Banning residents; more specifically Policy 2 states that "the Planning . . . staffs be closely coordinated, to assure efficient and cost effective processing of applications"; and

WHEREAS, the City Council desires to respond to the concerns of its citizens regarding the economic impact of processing project applications on local businesses and believes that it is in the best interest of its citizens to amend the Zoning Ordinance to encourage business development; and

WHEREAS, the City of Banning is proposing amending the Zoning Ordinance at various locations to streamline the applications process; and

WHEREAS, the City Council has authority per Chapter 17.116 of the Municipal Code to approve, approve with modifications, or disapprove amendments to the Zoning Ordinance; and

WHEREAS, the Planning Commission recommended adoption of Ordinance No. 1448 amending the Zoning Ordinance at various places by approving Planning Commission Resolution No. 2012-06 as stated in writing; and

WHEREAS, on the 13th day of April, 2012, 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 at which the amendment to the Zoning Ordinance would be considered; and

WHEREAS, on the 24th day of April, 2012, the City Council 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 City Council considered Zone Text Amendment No. 12-97501; and

WHEREAS, at this public hearing on the 24th day of April, 2012, the City Council considered and heard public comments on the proposed Zone Text Amendment; and

WHEREAS, at this public hearing, the City Council has analyzed this proposed project and has determined that it is exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3) of the CEQA Guidelines;

WHEREAS, the City Council has carefully considered all pertinent documents and the staff report offered in this case as presented at the public hearing held on the 24th day of April, 2012;

NOW THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Banning as follows:

SECTION 1. ENVIRONMENTAL FINDINGS.

The City Council, in light of the whole record before it, including but not limited to, the City's Local CEQA Guidelines, the recommendation of the Community Development Director as provided in the staff report dated April 24, 2012, and documents incorporated therein by reference, and any other evidence (within the meaning of Public Resources Code § 21080(e) and § 21082.2) within the record or provided at the public hearing of this matter, hereby finds and determines as follows:

1. California Environmental Quality Act (CEQA):

CEQA: The City Council has analyzed this proposed project and has determined that it is exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3) of the CEQA Guidelines which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where, as here, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; the activity is not subject to CEQA. The amendments to the Zoning Ordinance do not relate to any one physical project and will not result in any physical change to the environment. Further, projects subject to this ordinance will trigger individual analysis and documentation related to CEQA. Therefore, it

can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, and therefore the adoption of this ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

2. Multiple Species Habitat Conservation Plan (MSHCP).

The amendments to the Zoning Ordinance do not relate to any one physical project and are not subject to the MSHCP. Further, projects subject to this ordinance will trigger individual project analysis and documentation related to the requirements of MSHCP including mitigation through payment of the MSHCP Mitigation Fee.

SECTION 2. REQUIRED FINDINGS.

The Zoning Ordinance requires that each Zone Text Amendment meet certain findings in Section 17.116.050 in order to be approved by the City Council. The following findings are provided for consideration:

1. The proposed Zone Text Amendment is consistent with the goals and policies of the General Plan.

Findings of Fact:

The proposed Zone Text Amendment is consistent with the goals and policies of the General Plan, insofar as the General Plan designations and Zoning designations will not change, and the text amendments will result in clarifying the goals, policies and programs of the General Plan. The primary General Plan Land Use Goal is “*A balanced, well planned community including businesses which provides a functional pattern of land uses and enhances the quality of life for all Banning residents*”. By changing the permit review process from design review, which requires a public hearing, to Technical Staff Review, which requires administrative review, the time required to review a permit application will be reduced enhancing the quality of life for residents by encouraging much needed business development.

Furthermore, Policy 2 of the Community Development element of the City’s General Plan states that “*the Planning . . . staffs be closely coordinated, to assure efficient and cost effective processing of applications*”; therefore, the proposed amendments endeavor to streamline the permitting process for certain businesses thus assuring efficient and cost effective processing of applications.

2. The proposed Zone Text Amendment is internally consistent with the Zoning Ordinance.

Findings of Fact:

The Zone Text Amendment is consistent with the existing provisions of the Zoning Ordinance. The proposed amendments will modify and streamline the permitting process pertaining to business development within the present limits and development standards established by the Zoning Ordinance. No significant changes are proposed to the development standards of the Zoning Ordinance. Staff has reviewed and compared the proposed changes and finds no conflicting statements or inconsistencies.

3. That the City Council has independently reviewed and considered the requirements of the California Environmental Quality Act.

Findings of Fact:

The City Council has analyzed this proposed project and has determined that it is exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3) of the CEQA Guidelines which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where, as here, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; the activity is not subject to CEQA. The amendments to the Municipal Code do not relate to any one physical project and will not result in any physical change to the environment. Further, projects subject to this resolution will trigger individual analysis and documentation related to CEQA. Therefore, it can be seen with certainty that there is no possibility that this resolution may have a significant adverse effect on the environment, and therefore the adoption of this resolution is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

SECTION 3. Delete the following sentence from Section 17.12.020 of the Banning Municipal Code:

"All uses proposed in the Commercial and Industrial districts are subject to Design Review."

SECTION 4. Section 17.12.050(D) of the Banning Municipal Code is amended to read as follows:

"D. Automobile Sales. Technical Staff Review shall be required for all businesses selling new or used vehicles, and all dealerships must be constructed in the following manner:"

SECTION 5. Delete the following sentence from Section 17.12.010(B)(1)(a) of the Banning Municipal Code:

"Large single users in excess of twenty-five thousand square feet are not appropriate in this district."

SECTION 6. Section 17.12.050(H)(7) of the Banning Municipal Code is amended to read as follows:

"7. Buildings identified as locally historically significant shall be renovated and expanded in historically appropriate manner. Conversion of historic homes within the District to live/work spaces, offices or retail commercial is encouraged. The provisions of subsection P of this section, Single Family/Office Conversions, below, shall apply."

SECTION 7. Table 17.12.020 of the Banning Municipal Code is amended to read as follows:

Zone	DC	GC	HSC	PO	I	AI	BP	IMR
Pet stores and grooming	P	P	P	X	X	X	C	X

SECTION 8. Section 17.12.040(A) of the Banning Municipal Code is amended to read as follows:

"A. All uses other than those specified as outdoor uses shall occur in a completely enclosed structure. Outside uses (e.g. patio dining areas and nursery sales) shall be approved through Technical Staff Review."

SECTION 9. Section 17.36.070(B) of the Banning Municipal Code is amended to read as follows:

"B. Special event signs shall be limited to 90 days per event from the date of erection or date of permit, whichever occurs first."

SECTION 10. Section 17.12.010(O) of the Banning Municipal Code is amended to read as follows:

"O. Whenever possible, parking areas are discouraged along the street; however should parking be located along the street, a combination of walls and/or berms, and/or landscape material must be provided to screen parking areas from the adjacent street. The screening should be between 36" and 48", except when a drive-through aisle is being screened, in which case a higher screen is necessary to hide the vehicles. Lowered grades in parking lots may also be used to accomplish this."

SECTION 11. SEVERABILITY.

If any section, subsection, sentence, clause, or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by a decision of any court of competent jurisdiction,

such decision will not affect the validity of the remaining portions of this ordinance. The City Council of the City of Banning hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

SECTION 12. PUBLICATION; EFFECTIVE DATE.

The City Clerk shall certify to the passage and adoption of this ordinance, and shall make a minute of the passage and adoption thereof in the records of and the proceedings of the City Council at which the same is passed and adopted. This ordinance shall be in full force and effect thirty (30) days after its final passage and adoption, and within fifteen (15) days after its final passage, the City Clerk shall cause it to be published in a newspaper of general circulation and shall post the same at City Hall, 99 E. Ramsey Street, Banning, California.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2012.

Don Robinson, Mayor
City of Banning

**APPROVED AS TO FORM
AND LEGAL CONTENT:**

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

ATTEST:

Marie A. Calderon, City Clerk

CERTIFICATION:

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that Ordinance No. 1448 was duly introduced at a regular meeting of the City Council of the City of Banning, held on the _____th day of _____ 2012, and was duly adopted at a regular meeting of said City Council on the _____ day of _____, 2012, by the following vote, to wit:

AYES:

NOES:

ABSEN:

ABSTAIN:

Marie A. Calderon, City Clerk
City of Banning
Banning, California

Attachment 2

(Zoning Code Sections to be amended)

17.12.020 Permitted, conditional and prohibited uses.

The following list represents those uses in the commercial and industrial districts which are Permitted (P), subject to a Conditional Use Permit (C) or Prohibited (X). All uses proposed in the Commercial and Industrial districts are subject to Design Review. "DELETE"

**Table 17.12.020
Permitted, Conditional and Prohibited Commercial and Industrial Uses**

Zone	DC	GC	HSC	PO	I	AI	BP	IMR
Resource and Open Space Uses								
Plant nurseries, with on-site sales	X	P	X	X	X	X	C	C
Plant nurseries, without on-site sales	X	C	X	X	X	X	X	C
Surface mining ¹	X	X	X	X	C	X	X	D
Cargo/storage containers ²	X	T	T	X	C	C	C	C
Recreation, Education and Public Assembly								
Adult entertainment	X	X	X	X	C	X	X	X
Adult day care facilities	X	C	C	C	X	X	C	X
Automobile race track	X	X	X	X	C	C	X	X
Billiard parlors/pool halls	C	C	C	X	X	C	C	X
Churches	X	X	X	C	C	X	C	X
Community centers	P	P	C	C	X	X	X	X
Convention facilities	P	P	P	X	X	P	X	X
Day care centers	C	C	C	C	X	X	C	X
Health/fitness facilities	C	P	P	P	X	X	C	X
Indoor recreation centers	C	P	P	X	X	C	X	X
Libraries	P	P	P	P	X	P	X	X
Membership organization facilities	X	X	X	C	C	P	C	X
Museums	P	P	P	P	X	P	X	X
Outdoor commercial recreation	P	P	P	C	X	C	C	X
Public parks and playgrounds	P	P	P	P	X	P	P	X
Recreational vehicle (RV) parks	X	X	C	X	X	X	X	X
Recreational vehicle (RV) storage	X	X	X	X	C	X	C	X
Schools	X	X	X	C	X	P	X	X
Sport facilities and outdoor public assembly	C	C	C	C	X	C	C	X
Studios for dance, art, music, photography, etc.	P	P	P	P	C	X	C	X
Theatres and meeting halls	P	P	X	C	X	C	X	X
Retail Uses								
Accessory retail uses	P	P	P	P	P	P	P	X
Alcoholic beverage sales, on- or off-site	X	C	C	C	X	X	X	X
Antique stores	P	P	P	X	X	X	P	X
Art galleries	P	P	C	C	X	P	P	X

C. Automobile Dismantling. As indicated in Table 17.12.020, a Conditional Use Permit is required for automobile wrecking/parts salvaging businesses. The following standards shall apply:

1. The minimum site area shall be 20,000 square feet.

2. With the exception of structures or required landscaping areas, the site shall be entirely paved.

3. All vehicles, parts of vehicles or vehicle parts shall be fully screened from view from adjacent properties, the public right of way, or the Interstate 10 corridor.

4. No activity, including dismantling, service, loading or unloading shall be permitted on the adjacent public right of way. All such activities shall be conducted entirely within the property boundaries.

5. Any service bays shall be oriented so as not to face the public right of way.

6. Storage, use and removal of toxic substances, solid waste, and flammable liquids shall conform to all applicable federal, state and local regulations. All required licensing shall be maintained in good order at all times. Lapse or revocation of any required license shall result in the voiding of the Conditional Use Permit.

7. A trash enclosure shall be constructed to the standards established by the Public Works Department, and sufficient in size to accommodate the trash generated by the business. The trash enclosure shall include three walls and a gate, in a style compatible with the structure's architecture. The gate shall be maintained in working order and shall remain closed except when in use.

8. All exterior lighting shall be approved by the Community Development Department. Lighting shall be limited to that necessary to light the project site. No lighting source shall be visible, or shall be permitted to spill over to adjacent properties.

9. Outdoor hoists shall be prohibited.

10. Exterior noise generated by the use shall not exceed 65 dBA at the property line.

11. All signage shall comply with the provisions of Chapter 17.36 (Sign Standards).

12. All landscaping shall be installed and permanently maintained pursuant to the provisions of Chapter 17.32 (Landscaping Standards).

13. All parking shall comply with the provisions of Chapter 17.28 (Parking and Loading Standards).

14. The entry shall be offset to minimize the view into the site. TECHNICAL STAFF REVIEW

D. Automobile Sales. ^{Design Review} shall be required for all businesses selling new or used vehicles, and all dealerships must be constructed in the following manner:

1. The minimum site area shall be 15,000 square feet, except where a larger minimum area is required.

2. All parts, accessories, etc., shall be stored within a fully enclosed building.

3. Service and associated car storage areas shall be screened from public view.

4. All loading and unloading of vehicles shall occur on-site and not in adjoining streets or alleys.

5. All vehicles associated with the business shall be parked or stored on-site and not in adjoining streets and alleys.

6. An adequate on-site queuing area for service customers shall be provided. Required parking spaces may not be counted as queuing spaces.

7. No vehicle service or repair work shall occur except within a fully enclosed structure. Service bays with individual access from the exterior of the structure shall not directly face or front on a public right-of-way.

8. All exterior lighting shall be approved by the Community Development Department. Lighting shall be limited to that necessary to light the project site. No lighting source shall be visible, or shall be permitted to spill over to adjacent properties.

9. All landscaping shall be installed and permanently maintained pursuant to the provisions of Chapter 17.32 (Landscaping Standards).

10. All on-site signage shall comply with the provisions of Chapter 17.36 (Sign Standards).

Chapter 17.12

COMMERCIAL AND INDUSTRIAL
DISTRICTS

Sections:

Article I.

General Provisions

- 17.12.010 Purpose—Districts designated.
17.12.020 Permitted, conditional and prohibited uses.

Article II.

Land Use District Development Standards

- 17.12.030 Table of commercial and industrial development standards.
17.12.040 General standards.
17.12.050 Use specific standards.
17.12.060 Applicable regulations.

Article III.

Commercial and Industrial Development

Design Guidelines

- 17.12.070 General.
17.12.080 Applicability.
17.12.090 General design principles.
17.12.100 Site planning.
17.12.110 Parking and circulation.
17.12.120 Landscaping.
17.12.130 Walls and fences.
17.12.140 Screening.
17.12.150 Architectural design guidelines.
17.12.160 Roofs.
17.12.170 Lighting.

Article I.

General Provisions

- 17.12.010 Purpose—Districts designated.

A. This chapter is intended to support the development of a broad range of commercial and industrial businesses, by:

1. Preventing uses which are incompatible with commercial and industrial land uses from locating in these districts.

2. Providing for different types of commercial and industrial land uses which can locate in areas where they are assured compatible neighbors.

3. Providing sufficient safeguards for the City's residents and workers by providing for buffers, clean industry and safe circulation.

4. Minimizing the negative impacts of traffic intensity, such as noise, polluted air, gridlock, and danger to pedestrians.

5. Planning for the provision of public improvements and infrastructure to serve Banning's commercial and industrial neighborhoods.

6. Improving declining or blighted commercial and industrial areas.

B. Each of the commercial and industrial districts being created is described below.

1. Downtown Commercial (DC).

a. This District occurs on Ramsey 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. This area is the City's traditional commercial core, and has special significance to the community because small scale commercial retail and office uses, services, restaurants, and entertainment retail are the primary uses in this district. ~~Large single users in excess of twenty-five thousand square feet are not appropriate in this district.~~ Mixed Use, residential land uses in combination with commercial businesses, are also encouraged. Bed & breakfasts, hotels and motels are also appropriate in this district.

"DELETE"

b. New auto related uses proposed after adoption of the 2005 General Plan will be prohibited. All existing auto uses in existence as of the adoption of the 2005 General Plan will be permitted until such time as the use in a particular location ceases operation for a period of six months.

c. Special standards and permits are applied to this district, and are included under Development Standards, Article II of this chapter.

2. General Commercial (GC).

within the Downtown Commercial district. Multi-family uses on Ramsey Street and San Geronio must occur above commercial uses. In the balance of the district, multi-family uses may occur on any level.

3. All new projects (including redevelopment projects) shall incorporate Art in Public Places in exterior space.

4. Parking requirements within the Downtown Commercial district shall be as follows:

a. Parking for residential land uses shall be 1.5 spaces per unit.

b. Parking for commercial land uses shall be 1 space per 300 square feet of building area.

c. Shared parking will be allowed for complementary commercial land uses. Shared parking for complementary commercial uses can be assigned on a one-for-one basis. For example, if a law office requiring 10 spaces and a dinner house restaurant requiring 20 spaces are proposed for the same building, a total of 20 spaces may be provided. Shared parking calculations shall be reviewed and approved by the Director.

d. If a project incorporates daytime commercial land uses with residential land uses above, shared parking can be assigned on a one-for-one basis. For example, if 10 parking spaces are required for the daytime commercial uses, and 25 spaces are required for the residential uses, a total of 25 spaces may be provided if shared parking is utilized. Daytime commercial uses shall be those whose customary hours are 8:00 A.M. to 5:00 P.M. Shared parking calculations shall be reviewed and approved by the Director.

e. Parking may be provided as follows:

i. On-site

ii. On the public right-of-way adjacent to the building frontage, calculated at one space per 20 linear feet of frontage.

iii. In a City parking lot, pursuant to the Downtown Parking Inventory assignments maintained by the Community Development Department. The Department shall maintain an inventory of public parking spaces in the Downtown Commercial District, and shall assign no more than 10% of all the parking

spaces in public parking lots to one project. These parking spaces shall not be assigned parking spaces.

iv. On an adjacent parcel through a parking easement recorded against the parcel.

f. On-site parking must be provided on the side or in the rear of a lot.

g. Landscaping requirements for on-site parking shall be as required in Chapter 17.32 (Landscaping Standards), except that planted window boxes and exterior hanging plants and flowers can be substituted for up to 15% of the total required landscaping.

5. The design and architecture of new development and redevelopment in the Downtown Commercial district shall be consistent with the Ramsey Street Corridor Charette (Design Guidelines).

6. All structures in the Downtown Commercial district with adjacency to an alley shall be required to maintain the alley, and to provide benches, trash receptacles, and bike racks to facilitate non-motorized transportation.

7. Buildings identified as locally historically significant shall be renovated and expanded in historically appropriate manner. Conversion of historic homes within the District to live/work spaces, offices or retail commercial is encouraged. The provisions of subsection ~~R~~ of this section, Single Family/Office Conversions, below, shall apply.

8. Covered entries and portes cochere encroaching into the public sidewalk may be permitted, when 8 feet above finished floor.

9. Outdoor patios and seating areas are permitted on public sidewalks adjacent to building frontage, when 4 feet of clear width is provided for pedestrians.

I. Drive-Through Restaurants. The following standards shall apply for all drive-through restaurants.

1. Pedestrian walkways should not intersect the drive-through aisles, but where they do, they shall have clear visibility, and they must be emphasized by enriched paving or striping.

2. Drive-through aisles shall have a minimum 12 foot width on curves and a minimum 11 foot

Zone	DC	GC	HSC	PO	I	AI	BP	IMR
Auto, mobile home, and motor vehicle sales, and part sales, new	X	P	P	X	C	X	C	X
Auto, mobile home, and motor vehicle sales, and part sales, new and used ³	X	P	P	X	C	X	C	X
Bakeries, retail	P	P	P	C	X	X	P	X
Bars and drinking establishments	C	C	C	X	X	C	X	X
Building material stores	X	P	P	X	X	X	P	X
Certified farmers' markets	P	P	P	X	X	X	X	X
Convenience stores	C	P	P	C	X	C	X	X
Convenience stores, no liquor sales	P	P	P	X	X	X	P	X
Department stores	P	P	P	X	X	X	P	X
Drive-in/drive-through sales	X	P	P	C	X	X	C	X
Drug stores	P	P	P	C	X	X	C	X
Factory outlet centers	X	P	P	X	X	X	C	X
Farm and ranch supply stores	X	P	P	X	X	X	X	X
Furniture, furnishings, home equipment stores	P	P	P	X	X	X	P	X
Gift shops	P	P	P	C	X	P	P	X
Grocery stores, retail butchers and green grocers	P	P	P	X	X	X	C	X
Hardware/lumber stores	X	P	C	X	X	X	P	X
Liquor stores (off-site consumption)	X	C	C	C	X	X	X	X
Outdoor retail merchandise display & activities	P	C	C	C	X	X	C	X
Outdoor retail sales, temporary	T	T	T	T	X	T	T	X
Pawn shops	X	P	P	X	X	X	C	X
Pet stores and grooming	P	P	C P	X	X	X	C	X
Restaurants, no beer, wine or liquor sales	P	P	P	C	X	P	P	X
Restaurants, serving beer, wine or liquor	C	C	C	C	X	P	C	X
Restaurants, drive-in, take-out, fast food	C	P	P	C	X	X	C	X
Retail stores, general merchandise	P	P	P	X	X	X	P	X
Second hand/thrift stores	X	C	C	X	X	X	X	X
Shopping centers, 15,000 square feet or more	C	P	P	X	X	X	C	X
Video rental stores	P	P	P	X	X	X	P	X
Warehouse or club stores (i.e., "Big box stores")	X	P	P	X	X	X	P	X
Services								

	DC	GC	HSC	PO	I	AI	BP	IMR
Min. Lot Width (Feet)	—	60	60	60	70	150	100	300
Min. Lot Depth (Feet)	—	100	100	100	100	150	150	300
Min. Front Setback (Feet)	0	10	10	0	10	10	10	50
Min. Rear Setback (Feet) ¹²	0	0	0	0	0	0	0	50
Min. Side Yard Setback (Feet) ¹³ Min. Street Side (Feet)	0	0 5	0 5	0 5	0 10	0 10	0 10	0 20
Max. Bldg. Coverage (%)	75	35	35	35	60	75	60	25
Maximum Height (stories/feet) ^{14, 15}	4/60	2/35	2/35	2/35	2/50	2/50	2/50	2/50
Maximum Fence/Wall Height (ft.)	6	6	6	6	8	8	6	8

¹² If a commercially or industrially zoned lot is located adjacent to a residentially zoned lot, the minimum setback shall be 10 feet.

¹³ If a commercially or industrially zoned lot is located adjacent to a residentially zoned lot, the minimum setback shall be 10 feet.

¹⁴ Not including belltowers, steeples and similar architectural embellishments not exceeding 10% of the total building area.

¹⁵ Additional height may be permitted with approval of a Conditional Use Permit.

(Zoning Ord. dated 1/31/06, § 9103.03 (part); Ord. No. 1355, § 3 (part).)

17.12.040 General standards.

These standards apply to all development in the Commercial and Industrial districts, unless otherwise addressed in this Ordinance (All standards are minimum unless stated as maximum):

A. All uses other than those specified as outdoor uses shall occur in a completely enclosed structure. Outside uses (e.g. patio dining areas and nursery sales) shall be approved through ~~Design Review~~ **TECHNICAL STAFF REVIEW**.

B. Except for the display area for sale or rent of motor vehicles, there shall be no visible storage of vehicles, trailers, airplanes, boats, recreational vehicles, or their composite parts; loose rubbish, garbage, junk, or their receptacles; tents; equipment; or building materials in any portion of a lot. Storage shall always be considered ancillary to the primary use. There shall be no storage on parcels

otherwise vacant. Materials being used for the construction of a structure may be stored on the property only as long as a valid building permit is in effect.

C. All structures within the Commercial and Industrial districts shall include a trash enclosure, constructed to the standards established by the Public Works Department, and sufficient in size to accommodate the trash generated by the business. The trash enclosure shall include three walls and a gate, in a style compatible with the structure's architecture. The gate shall be maintained in working order and shall remain closed except when in use.

D. All roof-mounted equipment, air conditioning or heating equipment, vents or ducts shall not be visible from any abutting lot, or any public street or right-of-way. (Zoning Ord. dated 1/31/06, § 9103.03(1).)

17.12.050 Use specific standards.

The following standards apply to specific uses in the Commercial and Industrial districts. For residential uses in commercial districts, see Table 17.08.030, and the use specific standards contained in Section 17.08.030.

G. New freestanding signs, except for new freeway oriented freestanding signs permitted pursuant to Section 17.36.110(B)(6).

H. Off site signs, except as permitted elsewhere in this ordinance.

I. Permanent sale signs.

J. Portable signs or A-frame signs.

K. Roof signs.

L. Signs on public property or the public rights-of-way, except for traffic regulation and signs permitted by a governmental agency.

M. Signs painted on fences or roofs.

N. Balloons and other inflated devices or signs designed to attract attention, except with Temporary Use Permit.

O. Signs that are affixed to vehicles, excluding permanent signs on commercial vehicles which are driven on a daily or weekly basis.

P. Signs which simulate in color or design a traffic sign or signal, or which make use of words, symbols or characters in such a manner to interfere with, mislead, or confuse pedestrian or vehicular traffic.

Q. Signs which singly or in combination with other signs block more than 5% of the view from any window or door of any structure or dwelling used primarily as a residence.

R. Signs which singly or in combination with other signs, for any portion of the day, block natural sunlight from falling upon any window or door of any structure or dwelling used primarily as a residence.

S. Signs which singly or in combination with other signs block more than 10% of the view from any window or door of any structure used or occupied by people for more than an hour of a typical day, in all zoning districts of the City. (Zoning Ord. dated 1/31/06, § 9109.06; Ord. No. 1377, § 1.)
(Ord. No. 1424, § 3.4, 7-13-10)

17.36.070 Temporary signs.

Special event signs and civic event signs may be approved by the Director for a limited period of time as a means of publicizing special events such

as grand openings, carnivals, parades, charitable events and holiday sales. Such special event signs shall be limited to the following provisions:

A. No special event sign shall be erected without a temporary use permit.

B. Special event signs shall be limited to ~~30~~ 90 days per event from the date of erection or date of permit, whichever occurs first.

C. Special event signs shall not include promotional sales signs, and they must be taken down within a week after the conclusion of the special event.

D. Special event signs may include balloons, inflated devices, search lights, beacons, pennants, and streamers.

E. Such temporary signs may not be granted to the same business or location more than twice during any one year. (Zoning Ord. dated 1/31/06, § 9109.07.)

17.36.080 Off-site residential subdivision directional signs.

The following shall regulate and establish a standardized program of off-site residential subdivision directional kiosk signs for the City. For the purposes of this subsection, a residential subdivision is defined as a housing project within a recorded tract where five or more structures or dwelling units are concurrently undergoing construction.

A. No kiosk sign structure shall be located less than 300 feet from an existing or previously approved kiosk site, except in the case of signs on different corners of an intersection.

B. The placement of each kiosk sign structure shall be reviewed and approved by the Director.

C. All kiosk signs shall be placed on private property with written consent of the property owner.

D. A kiosk sign location plan shall be prepared, showing the site of each kiosk directional sign, and shall be approved by the Director prior to the issuance of a sign permit.

**CITY COUNCIL
REPORT OF OFFICER**

DATE: April 24, 2012

TO: City Council

FROM: Zai Abu Bakar, Community Development Director

SUBJECT: Code Enforcement Priorities and Administrative Citation

RECOMMENDATIONS: That the City Council hears a presentation from staff, discuss, and direct staff to:

1. Establish Code Enforcement priorities.
2. Re-activate the Administrative Citation program and hire a collection agency that provides a hearing officer as part of the services.

BACKGROUND: At the November 8, 2011 meeting, the City Council heard a presentation from Staff regarding the City's Code Enforcement program. After discussion, the City Council directed staff to return to the City Council at a future date with Code Enforcement priorities.

Purpose:

The purpose of Code Enforcement is to enforce the City's Municipal Code and Zoning Code so that properties, including both land and buildings, are used and maintained in accordance with the standards established in the codes to promote health, safety, and welfare of the community.

The current enforcement program is a complaint driven program which means that Code Enforcement will investigate the alleged violation once a report is filed by a complainant. The initial response time for all complaints is based upon the priority level assigned to the complaint by the Code Enforcement Officer and/or Supervisor. Currently, health and safety cases are the first priority.

If voluntary compliance is not obtained to remedy the violation, the Municipal Code allows the City to collect the cost of abatement of any nuisances and related administrative costs, including but not limited to inspection costs, attorney's fees, and cost to repair or eliminate all substandard conditions. The City currently invoices the violators for non-compliance. If the invoice is not paid within 15 days of the date of the letter, the City records a lien against the property preventing the sale of property until the violation is corrected.

The City has an Administrative Citation program; however, it is not being implemented due to the following:

1. The lack of a hearing officer.

2. The lack of a processing/collection agency who tracks and bills the violators for unpaid citations. The processing/collection agency also works with the State Franchise Tax Board to include the code enforcement fine on their income tax. By including the fine on the income tax, staff is hopeful that the City can recover the costs of enforcement sooner as opposed to (the lien) waiting until the property is sold.

Staff proposes to re-activate this program to assist with code compliance as part of this report.

COMPLAINTS AND PRIORITIES

Chapter 8.48 of the Banning Municipal Code provides a list of activities – uses of property and conditions of property declared to be a public nuisance.

Priority Levels:

Staff utilizes the public nuisance list in Chapter 8.48 of the Municipal Code and develops priorities. Attached in Exhibit “A” is the priority list. Nuisances classified in priority Number 1 are considered high priority because of the potential threat to health and safety including the loss of life. Number 4 is the lowest priority and staff will enforce those violations once the cases in priorities 1 through 3 are mitigated. Given the staffing level of one (1) Code Enforcement Officer at the present time, public nuisances that are related to health and safety are the major priority.

When the staff report on the Code Enforcement program was presented in November 2011, there were 333 outstanding complaints that needed to be investigated. As of the writing of this staff report, there are a total of 136 complaints that are pending investigation. Due to the diligence of the Code Enforcement Officer and staff, the number of overall pending cases has been significantly reduced by 197 cases which does not take in consideration any new cases during that timeframe that may have been reported and resolved. With regard to health and safety cases (priority #1), an average of 13 cases per month were dealt with. The health and safety cases generally involved other departments, such as Police, Fire, and Electric Utility.

Complaints:

Complaints are received via phone, via the request hotline, on the website or by visiting the Community Development counter.

Although anonymous complaints are accepted, all complaints should have specific information such as the following:

- Nature of complaint
- Date received
- Assessor's Parcel Number (if known)
- Correct address or approximate street location
- Complaint information, (if given)
- A brief description of the alleged violation(s)

Clerical support enters all complaints into the Request Partner System by completing a Complaint Form containing all of the above listed information. Completed requests are assigned to the officer via email. Depending on the severity of the complaint, the Clerical Support Staff may assign the case immediately to the officer and forward the Complaint Form to the officer via email.

Code Enforcement Officers may obtain a case number over the phone from the Office Specialist for all complaints initiated in the field.

ADMINISTRATIVE CITATION PROGRAM

Administrative Citations are to be issued subsequent to the issuance of a three (3) Day Notice to Comply or a Notice of Violation. After the issuance of these two documents the Administrative Citation may be issued concurrently with any remaining process to gain compliance.

1. The three (3) Day Notice to Comply was designed to be used as an option when a Code Enforcement Officer notices a property that contains non-priority violations. At the discretion of the Code Enforcement Officer, these notices can be issued when it is believed that the notice will produce results.

In the event that this notice does not produce compliance at the end of the 3 day period, this notice will become part of the formal case file. In the event compliance is achieved as result of the issuance of a 3 Day Notice, the notice can be filed in a general file and the case can be closed.

2. The Notice of Violation is sent to the property owner, responsible party and/or tenant via certified mail and/or posted on the property if the violation is considered to be in substandard condition. The First Notice contains a list of all the violations existing upon the violation address and 15 days are given to bring the property into compliance.

If there is no compliance, a Notice to Abate will be sent certified to owner or record on the County Assessor's tax roll, give 10 days to comply, and record a Notice of Pendency.

3. If there is no compliance once the Notice to Abate is issued than the following process is implemented: an abatement warrant is created; a warrant is obtained; an abatement conference with contractor is conducted according to warrant; the nuisance is abated and an invoice is created for the abatement cost which is then sent to the property owner to be paid within 15 days. If payment is not received, than a Lien is recorded against the property. Currently, Code Enforcement does not have any funds budgeted for any type of Nuisance Abatement that would help abate dangerous buildings, repair or board-up properties that are unsecured.

Types of Violations that will be cited

Reasons for receiving an Administrative Citation include: All eminent health and safety concerns such as fire damaged structures, sewage on ground, lack of water and electricity to occupied residential unit, severe public/attractive nuisances, fire hazard, trash and debris, etc.

Procedure:

Required citation information is obtained by the issuing Code Enforcement Officer. Once the citation is completed, a copy is mailed to the violator via Certified Mail. A copy of the Administrative Citation is attached in Exhibit "B".

What happens if someone receives an Administration Citation?

The responsible party must pay the designated fine or request an appeal. Fines are cumulative and citations may be issued each day the violation exists. Every day a violation exists constitutes a separate offense and shall be subject to citation. Also, each violation of a section of the municipal code is a separate offense.

Fines are as follows:

- First Citation in a 36-month period (same offense) \$100/count.
- Second Citation in a 36-month period (same offense) \$200/count.
- Third Citation in a 36-month period (same offense) \$500/count.

Failure to answer or contest the citation within (30) calendar days may result in additional administrative fines, a 10% delinquency penalty and a recordation of a lien against the property preventing the refinance or a sale of the property. In addition, notification may be made to the State of California Franchise Tax Board.

How to Pay the Fine?

Fines must be paid in a form of a cashiers check, money order or personal check payable to the City of Banning. Payments can be mailed to the collection agency or at the Code Enforcement front counter. Payment of the fine **does not excuse or discharge** any responsibility and legal consequences for continual or repeated occurrences of the violation(s). The City's Police Department currently accepts payments for traffic fines only through credit card or cash. They do not accept checks because in the past when bad checks were written the City was not able to recover the money.

If the same violation reoccurs after the property is brought into compliance, then it will result in further remedial action including, but not limited to, the issuance of further citation, abatement of the conditions or other legal remedies permitted by law.

Citation Appeal

Any party receiving an Administrative Citation may contest that there was a violation of the code or that he or she is the responsible party by completing a "Request for Hearing Form" with the Administrative Citation Revenue Collector within fifteen (15) calendar days from the date of the Administrative Citation.

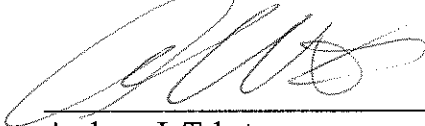
ANALYSIS: An Administrative Citation Survey (Exhibit "C") was gathered among the Pass Area Cities, Riverside and Los Angeles County.

- 11 Cities participated in the survey.
- 5 of 11 Cities are using a hearing officer provided by a contracted collections company called RevenueExperts located in Newport Beach.
- 4 of the 11 Cities share the same hearing officer when they have enough appeals to bring the cost down.
- RevenueExperts charge \$85.00/hr. per Administrative hearing. A good example of two Cities in the Desert Area is the City of Palm Springs and the City of Palm Desert who share the same hearing officer bringing the cost down to \$25.00/hearing each.

Staff recommends that the City Council authorize staff to contract with a collection agency that will collect the fines and also provide a hearing officer.

FISCAL DATA: The cost of the contract will be offset by the revenue receipts received from the issuance of citations/fines. The contract will be brought back to the City Council for approval if the cost of the contract is greater than \$25,000.00.

RECOMMENDED BY:



Andrew J. Takata
City Manager

PREPARED BY:



Zai Abu Bakar
Community Development Director

REVIEWED BY:



June Overholt
Deputy City Manager/
Administrative Services Director

Attachments:

1. Exhibit "A" – Priority List
2. Exhibit "B" - Copy of the City's Administrative Citation
3. Exhibit "C" - Administrative Citation Survey

ATTACHMENT 1

Exhibit “A” – Priority List

Code Enforcement Priorities

1=top priority

Chapter 8.48 - Nuisances				
8.48.050 – Fire Hazard				
All weeds and grasses, trees, rubbish growing in private property which when dry will constitute a fire hazard.	1			
8.48.060 – Unsanitary Animals				
Animals kept in foul, offensive, or filthy conditions				4
8.48.070 – Sewage on Ground				
Contents of any privy vault, cesspool, septic tank, water closet, urinal, pipe, sewer line or sewage should not be permitted to flow or discharge upon ground of any lot or public street or public place.	1			
8.48.080 – Building code violations				
All buildings, structures, or appendages, both permanent and temporary, maintained in violation of the uniform building codes adopted by the city.	1			
8.48.090 – Zoning ordinance violations				
Buildings, signs or other structures set up conducted operated or maintained contrary to the provisions of the city's zoning ordinance.		2		
8.48.100 – Parking or placement on private property for purpose of sale.				4
to present it for sale is declared a nuisance.				
8.48.110 - Graffiti				4
Graffiti which is visible from adjacent properties or public right away or street is a nuisance.				
8.48.120 – Polluted Water				
Any swimming pool, pond or other body of water, which is abandoned, unattended, unfiltered resulting in the water becoming polluted is declared a nuisance.	1			
8.48.130 - Stagnant Water				
Accumulation of stagnant or still water which harbors and breeds mosquitoes or any other insects is declared a nuisance.	1			
8.48.140 – Insects – Vermin				
Any building, vacant lot, vehicle or place that permits the breeding or harboring of flies, bedbugs, roaches, black widow spiders, lice, fleas or any other vermin.		2		
8.48.150-Noisy Animals				
Any animal or fowl which by any sound or cry disturbs the peace and comfort of any neighborhood			3	
8.48.160-Tree Trimming				4
Accumulation of limbs, branches, trimmings, stumps cut or removed or fallen from such trees is declared a nuisance.				
8.48.170 – Infested trees				
Any fruit tree, ornamental tree or shrub infested in yellow, or black scale, mistletoe, mealy bug or other insect pest or diseases is declared a nuisance.			3	

94

Code Enforcement Priorities

1=top priority

8.48.180 – Privies Any privy vault maintained in violation of this Code is declared a public nuisance				3	
8.48.190 – Signs The sign or advertising structure was unlawfully erected on public or private property, or declared to be hazardous or unsafe by the building official. The sign or advertising structure advertises or is related to events which have already taken place. The sign was legally erected, but its use has ceased, or the structure upon which the display is placed has been abandoned by its owner, not maintained, or not used to identify or advertise an ongoing business for a period of 90 days or more.				3	
8.48.200 – Obstruction of water Any structure, fence, conduit or other material which obstructs or constitutes a hazard to the free flow of water through a stream, drainage channel or watercourse is declared a nuisance.	1				
8.48.220 – Smoke and soot Any excessive smoke, soot or cinders permitted to be emitted for from any engine firebox, stove, furnace, chimney or smokestack in a manner so as to annoy any resident of the neighborhood.	1				
8.48.230 – Internal combustion engines Any stationary internal combustion engine used, run, or otherwise operated within three hundred feet of any private residence, rooming house or lodging house without first obtaining the consent of all persons residing within such distance is declared a public nuisance.				3	
8.48.240 – Salvage Materials Any lumber, junk, trash, debris visible from the public right of way.					4
8.48.250 – Attractive nuisances Abandoned, broken or neglected equipment and machinery, pools, ponds, excavations, abandoned wells or any unsound structure which may reasonably attract children.	1				
8.48.260 – Household fixtures Abandoned or discarded furniture , appliances or other play equipment, stored as to visible from the public right-of-way or adjoining property.					4
8.48.270 – Clothes Line clothes line in front, side yard areas or corner lots or clothes hung to dry on walls, fences, trees or carports visible from the public right-of-way are declared a public nuisance.					4
8.48.280 – Materials stored on roofs materials or items of any kind stored on roofs are declared a nuisance.				3	
8.48.290 – Discarded Materials Garbage or trashcans, containers or plastic bags stored in front or side yards visible from the public right-of-way or which may cause offensive odors are declared a nuisance.				3	

95

Code Enforcement Priorities

1=top priority

8.48.300 – Overgrown plants Any dead, decayed, diseased or hazardous and overgrown vegetation, cultivated or uncultivated which are likely to harbor rats or vermin or which are grown over the public right-of-way or to impede vehicular or pedestrian traffic are declared a nuisance.		2		
8.48.310 – Lack of water and electricity to occupied residential unit Any structure occupied as a residence to which a lawful flow of water or lawful flow of electricity has not been provided for 72 hrs. is declared a public nuisance.	1			
8.48.320 – Operation of private water well Any private water well, whether for injection, extraction or observation, established in the city after date of this chapter is a nuisance unless otherwise agreed by the city and the owner of the well prior to commencement of the drilling of such well.	1			
8.48.330 – Cultivation or manufacture of drugs Any real or personal property utilized in the manufacture, cultivation or storage of any drug which is illegal under any law of the state, including marijuana, is declared a nuisance.	1			
8.48.340 – Abandoned, wrecked, dismantled or inoperative vehicles Any person owning leasing, occupying or having charge or possession of any premises or any property in the city to permit, accumulate or store on such premises or property (not including highways) any abandoned, wrecked, dismantled, or inoperative vehicle.		2		

96

ATTACHMENT 2

**Exhibit “B” – Copy of the City’s
Administrative Citation**



City of Banning Code Enforcement Division
Administrative Citation

No 0043

DATE DAY OF WEEK TIME AM PM

LOCATION OF VIOLATION:

NAME (FIRST,MIDDLE, LAST) DL or ID

☐ BUSINESS OWNER ☐ PROPERTY OWNER ☐ TENANT ☐ OTHER

ADDRESS CITY STATE ZIP

You are being issued an Administrative Citation for the following code provisions(s)

Count BMC Sec(s) Description

1 _____

2 _____

3 _____

4 _____

ORDER

☐ You are ordered to correct or otherwise remedy this/these violation(s). Repeated occurrence or continuation of the violation(s) is prohibited.

☐ You are further ordered to pay an Administrative Fine as prescribed in the schedule below for each count listed above. Payment must be paid in full by the compliance date to avoid additional penalties. The total CITATION PENALTY due is \$ _____

ADMINISTRATIVE FINE SCHEDULE

☐ First citation in a 36-month period (same offense) \$100.00 per count
Failure to correct the violation and pay the Administrative Fine within 30-days will result in a delinquency penalty.

☐ Second citation in a 36-month period (same offense) \$200.00 per count
Failure to correct the violation and pay the Administrative Fine within 30-days will result in a delinquency penalty.

☐ Third citation in a 36-month period (same offense) \$500.00 per count
Failure to correct the violation and pay the Administrative Fine within 30-days will result in a delinquency penalty.

IT IS THE DESIRED INTENT OF THE CITY TO ACHIEVE VOLUNTARY COMPLIANCE, HOWEVER, FAILURE TO COMPLY WITH THIS CITATION WILL RESULT IN FURTHER REMEDIAL ACTION INCLUDING, BUT NOT LIMITED TO, THE ISSUANCE OF FURTHER CITATIONS, ABATEMENT OF THE CONDITIONS OR OTHER LEGAL REMEDIES PERMITTED BY LAW. PLEASE NOTE THAT ALL COSTS ASSOCIATED WITH ANY NECESSARY ACTION MAY BE ASSESSED TO ALL RESPONSIBLE PARTIES

Name & Signature of Issuing Enforcement Officer Badge#:

Signature of Violator

Date of Service

Type of Service

☐ Personal
☐ U.S. Mail

SEE REVERSE SIDE FOR PAYMENT AND OTHER INFORMATION

WHITE: FILE • YELLOW: PROCESSING • PINK: VIOLATOR

City of Banning Code Enforcement Division
Administrative Citation

IMPORTANT INFORMATION - PLEASE READ CAREFULLY

You have been issued Administrative Citation for the violation(s) as indicated on the reverse. FURTHER VIOLATIONS MAY RESULT IN CRIMINAL PROSECUTION, ADDITIONAL ADMINISTRATIVE FINES OR OTHER LEGAL REMEDIES PERMITTED BY LAW.

Failure to Answer or Pay Penalty for Violations

Banning Municipal Code provides for the issuance of Administrative Citations for Municipal Code violations. There are four levels of Administrative Citations that can be issued progressively for a violation(s). Fines are cumulative and citations may be issued each day the violation exists. Each and every day a violation exists constitutes a separate and distinct offense and shall be subject to citation.

Failure to pay the penalty or contest the citation within thirty (30) calendar days may result in additional administrative fines, a 10% delinquency penalty and the recordation of a lien or special assessment against the property. In addition, notification may be made to the State of California Franchise Tax Board.

Information regarding the specific Citation and Compliance

For further information regarding the compliance order, or the specific citation, please contact the enforcement officer designated on the reverse. You may also contact the enforcement officer to request an extension of the compliance date, though the Citation Penalty remains due within 30 days.

How to Pay the Fine

The amount of the fine is indicated on the front of the Administrative Citation below the compliance order date. Fines must be paid on or before 30 days from the citation and must be in the form of a cashiers check, money order or personal check payable to the City of Banning. Payment of the fine does not excuse or discharge any responsibility and legal consequences for continuation or repeated occurrences of the violation(s). Write the citation number on the check or money order and mail to:

City of Banning Administrative Citation Program
P.O. Box 998
Banning, Ca. 92220

Payment may also be made in cash at the Code Enforcement front counter at City hall located at 99 E. Ramsey Street, Banning California, 92220

To Appeal this Citation.

Any party receiving an Administrative Citation may contest that there was a violation of the code or that he or she is the responsible party by completing a request for hearing form and returning it to the City within fifteen (15) calendar days from the date of the Administrative Citation, specifying the basis for the request in detail.

The full Citation Penalty Amount, or notice that a request for an advance hardship waiver has been filed, shall be submitted at the time you file your request for hearing form. Failure to do so shall render the request incomplete. Mail or hand-deliver your request to:

City of Banning Administrative Citation Program
P.O. Box 998
Banning, Ca. 92220
Or

at City Hall located at 99 E. Ramsey Street, Banning California, 92220

ATTACHMENT 3

Exhibit “C” – Administrative Citation Survey

City of Banning
Administrative Citation Survey

Cities using Administrative Citations	Hearing Officer employed by the City?	Volunteer?	Provided with Contract?	Company Name	Fines	1st Offense	2nd	3rd	4th
City of Calimesa	No - John McAmains, City of Yucaipa, CD Director	Yes	No	In house collections		\$50	\$100	\$250	\$500
City of Beaumont	No - Appointed by the City Council for a 2 year term. - shall be at least 18 yrs. of age - may be resident, owners or employees of a business in the City.	Yes	No	In house collections		\$100	\$500	\$1,000	
City of Palm Springs	No - City of Springs and Palm Desert use the same hearing officer. (hearings are usually held in Palm Desert when they have enough appeals from the Desert Area) \$25/hearing	No	Yes	RevenueExperts		\$100	\$250	\$500	
City of Palm Desert	No - Same as City of Palm Springs	No	No	In house collections		\$50	\$100	\$250	\$250/day
City of Riverside	No	No	Yes	RevenueExperts		\$100	\$200	\$500	
City of Hemet	No-arranged through RevenueExperts - hearing officer is shared with City of Moreno Valley	No	Yes	RevenueExperts		\$100 - usually a written warning issued for initial contact/violation	\$200	\$500	
City of Perris	Yes-Development Services Tech. 3, along with code officer who issued Citation	No	No	In house collections		\$100	\$200	\$500	
City of DHS	No	No	Yes	RevenueExperts		\$100	\$200	\$500	
San Juan Capistrano	No	No	Yes	RevenueExperts		\$100	\$200	\$500	
City of Norwalk	Yes - 3 different cities help each other for free (Lakewood, Bellflower and Norwalk) It was decided that a Supervisor or higher will be the hearing officer. Usually a Planner or a Community Development Director.	No	No	RevenueExperts		\$100	\$200	\$500	
City of Santa Rosa	No	No	Yes	RevenueExperts		\$100	\$200	\$250	\$500

100

**CITY COUNCIL MEETING
REPORT OF OFFICER**

DATE: April 24, 2012

TO: City Council

FROM: Zai Abu Bakar, Community Development Director

**SUBJECT: GENERAL PLAN ANNUAL PROGRESS REPORT FOR CALENDAR
YEAR 2011**

RECOMMENDATION: That the City Council:

1. Review and comment on the report; and
2. Adopt Resolution No. 2012-33 and direct staff to file the General Plan Annual Report with the State Office of Planning and Research and the State Department of Housing and Community Development.

PLANNING COMMISSION REVIEW AND RECOMMENDATION: The Planning Commission reviewed the General Plan Annual Report on April 4, 2012. The Planning Commission asked a number of questions relative to the General Plan Amendment regarding the level of service change and the Highland Home Road interchange. There was no public testimony from the audience regarding the report. The Planning Commission voted 4-0 (one Commissioner had an excused absence) recommending approval of the General Plan Annual Report to the City Council.

BACKGROUND:

Overview

California state law requires that each city and county adopt a comprehensive, long-term General Plan to guide the development of the city or county, and to guide the development of any land outside its boundaries which in the city or county's judgment bears relation to its planning (Govt. Code §65300). The California Supreme Court has called the General Plan the "constitution for future development." The General Plan expresses the community's development goals and embodies public policy relative to the distribution of future land uses, both public and private. The purpose of the General Plan is to guide development and to improve the quality of life of the City's residents as land development continues to occur.

Required Elements in the General Plan

State law requires that the General Plan include seven (7) mandated elements: land use, housing, traffic circulation, safety, parks and recreation, conservation, and noise. Each of these elements must have goals, policies, and objectives that would contribute to the overall quality of life for

Banning residents. Non-mandated elements can be included in the General Plan; however, once the element is adopted, the goals, policies, and objectives in the non-mandated elements have equal status. For example, the land use policies are not superior to the open space element or economic development element. Each of the element goals, policies, and objectives shall be internally consistent in text, maps, and diagrams in that they cannot conflict with each other.

Amendment to the General Plan

State law allows cities to update or amend their General Plan as needed. A comprehensive update to the General Plan usually occurs within a 10-15 year timeframe. An amendment can occur at any time; however, the number of amendments is limited to four (4) amendments per calendar year. If two or more elements are considered or approved at one meeting, they are considered as one General Plan amendment. The City should be strategic in processing amendments to ensure that it has not exhausted all of the amendments in case some important/unique policy issues arise which require a General Plan amendment. Once the number of amendments are exhausted per year, the City will have to wait until the following calendar year to do an amendment. No General Plan Amendment was processed/adopted by the City Council in Calendar Year 2011.

Requirement for Annual Progress Report

Government Code §65400 mandates that cities and counties in California submit an annual report on the status of the General Plan and progress in its implementation, including the progress in implementing the housing element (Exhibit "A"), to their decision makers (City Council or board of supervisors), the Governor's Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD) by April 1st of each year. There is a 60-day grace period after the due date for cities to file the report. This report will be submitted within the timeframe that is permitted under State law.

The purpose of the General Plan annual report is to provide enough information to identify the necessary "course adjustments" or modifications to the General Plan and means to improve local implementation. This progress report will be sent to the State as soon as it is reviewed by the City Council. Due to project priorities and minimal staffing, this General Plan Annual Report could not be submitted by April 1st.

The State uses the information submitted by the City to identify statewide trends in the land use decision making process and how local planning and development activities relate to statewide planning goals and policies.

ANALYSIS

The City Council adopted the current General Plan on January 31, 2006. The General Plan has 21 elements (seven [7] of which are mandated by the State). It contains 263 implementation action programs.

Progress

It has been six (6) years since the adoption of the General Plan in 2006. The City continues to take proactive steps in implementing the goals, policies and action programs of the General Plan. The City has implemented, completed and/or has an active/ongoing status of 224 action programs (85%) out of 263 action programs. Only 39 action programs (15%) have not been completed and/or initiated. In summary, the City has done a good job of implementing the General Plan. The primary reasons some of the action programs have not been completed/initiated relates to budget deficits, reduction in staff, and work program priority for each of the City departments.

The General Plan Progress Report is organized alphabetically by element (Exhibit "B"). Each section contains the adopted goals and policies including a summary table that reflects the action program, responsible agency, adopted schedule and implementation status. For easy reference, the action programs that have been completed and/or are active and ongoing are **highlighted in bold type**, while the programs that have not been completed/initiated are **highlighted in Italics**.

Highlights of Development Activities in 2011

Since 2006, the State and the Nation have been facing a major economic recession. All the cities and states are impacted by this recession. Since then, the City of Banning experienced a significant reduction in building construction activities.

Despite the economy, the City continues to make progress in land development and community revitalization. Construction continues on projects that were previously approved by the Planning Commission. The following are highlights of the activities that occurred last year which implemented the goals and policies of the General Plan.

- **San Gorgonio Memorial Hospital:** The Hospital is constructing a two-story building of approximately 38,000 square that will house emergency services and intensive care units. The construction costs for the building total \$30.6 million.
- **San Gorgonio Pass Habitat for Humanity:** Habitat continues to purchase and renovate foreclosed homes with assistance from the City through an agreement; these homes are made available to very low income families. In 2011, Habitat for Humanity renovated two (2) homes for very low income residents. These homes are located at 1569 N. Hargrave Street and 265 N. 5th Street.
- **Inland Behavioral & Health Services (IBHS):** IBHS was approved by the Planning Commission in 2009 and construction started in 2011. The building is anticipated to be completed in May of 2012.
- **Westview Terrace Apartments:** Westview Terrace at 287 W. Westward Avenue completed their interior and exterior renovations of the apartments and the entire site in the Fall of 2011. The Westview Terrace Apartments complex was funded by Housing and Urban Development (HUD) and was at risk of converting to market rate apartments. The Redevelopment Agency assisted with the renovation in the amount of \$500,000.00 through

an Owner Participation Agreement with the developer in exchange for a 55-year covenant that the project will remain affordable for 55 years.

- **Family Dollar and General Dollar retail stores:** Family Dollar is located at 1481 W. Ramsey Street and Dollar General is located at 1323 W. Ramsey Street. The Planning Commission approved these projects last year. The projects are currently under construction.
- **Whitewater Flume Restoration:** In June of 2010, an Agreement for Transfer of San Geronio Hydroelectric Project No. 344 Water Conveyance Facilities, also known as the Whitewater Flume, was fully executed between SCE, the City of Banning, Banning Heights, and San Geronio Pass Water Agency (Pass Water Agency). The Participating Entities are currently evaluating the purchase and repair of the water conveyance system.
- **Sunset Grade Separation:** The purpose of this project is to provide motorists and emergency vehicles with an additional nonstop access route to and from the southern section of the City, while reducing traffic congestion and improving safety in an area of future commercial and residential development. Currently, the County has taken the lead on this project. Staff has obtained approximately \$20.6 Million in grant funding. The total project cost has been estimated at \$30 Million. Staff is hopeful that it will obtain all approvals in 2013.
- **Courthouse:** The scope of this project includes the construction of a new trial court building of approximately 60,725 gross square feet, to accommodate six courtrooms, six judges, and support staff; on an approximately 4.65 acre site near the new Banning Police Station. City staff has prepared plans and specifications for the construction of all offsite improvements such as the installation of electrical infrastructure, curb and gutter, sidewalks, handicap ramps and street lights.
- **Construction Contract for Federal Aviation Administration Airport Improvement Project No. 3-06-0018 AIP 10(C), 'Airport Rotating Beacon, Wind Cone, Segmented Circle & AWOS:** The scope of work for this construction project includes the complete removal and replacement of the airport rotating beacon and tower and associated foundation and cabling; the complete removal and replacement of the airport segmented circle and tetrahedron; the complete removal and replacement of the airport lighted wind cone; and the installation of Automated Weather Operating Station. The project was completed in November of 2011. The final contract amount for this project was \$418,927.80. Staff obtained a FAA Grant for the design and construction of this project which reimbursed the City 95% of the total cost.
- **Design of Taxiway "A" Relocation FAA AIP No. 3-06-0018-11-2011 (D):** The scope of this project includes the design of the relocation of Taxiway "A" to meet Federal Aviation Administration (FAA) requirements including the design of taxiway lighting and signage. Design work began in February of 2012 and staff has obtained a grant from the FAA in the amount of \$204,128.00 to fund the design portion of this project. Through this grant funding, the City will be reimbursed for 95% of the total cost.

- **Iron Sponge Media and Granulated Activated Carbon Drum Filter Replacement:** The scope of work for Project No. 2010-01WW included the removal and disposal of the existing iron sponge media, painting of the iron sponge vessels, replacement of neoprene gaskets, removal, disposal and replacement of the existing GAC filled drums. The final contract amount for this project was \$39,700.00. This project was necessary in order to meet Air Quality Management District requirements.
- **Urban Water Management Plan:** In order to remain in compliance with the Urban Water Management Planning Act (UWMPA) of 1983 and the subsequent amendments to the Act, the City of Banning is required to prepare, adopt and submit to the California Department of Water Resources an Urban Water Management Plan (UWMP). Currently, the 2010 Urban Water Management Plan has been submitted to the State and is pending final approval.
- On March 3, 2011 the City Council adopted the Parks Master Plan which identifies both current and future need for recreation facilities, parks and programs.

Community Events

- **Bulky Item Events at Dysart Park:** Three events a year are scheduled usually during the months of March, June and October. This revised program has been effective since December of 2006. Prior to this program, the City operated three bulky goods collection days where residents placed their bulky items at the curb for collection resulting in minimal diversion. Under the revised program, residents may haul their bulky goods to a designated location. The revised program allows for metals, white appliances, green waste, e-waste and so forth to be diverted from the landfill. Residents also have the option to schedule bulky item pick up three times per year at curbside.
- **Recycling Fair:** On May 7, 2011, the City of Banning, in collaboration with Western Riverside Council of Governments held its Fourth Annual Recycling Fair. At the fair, exhibits, educational materials and promotional items were made available to the public. The City also used this as an opportunity to collect e-waste from its residents. Proceeds from the e-waste collection were donated to the Boys & Girls Club of San Geronio Pass.
- **Business Recycling Workshop:** On June 30, 2011, the City of Banning, in collaboration with Western Riverside Council of Governments and Waste Management, hosted a Chamber Mixer/Recycling Workshop. The workshop was designed to assist and educate local businesses with creating successful recycling programs, saving money by recycling, and providing resources to businesses interested in the recycling market.

Sustainable Community/Solar Electric Power

On June 9, 2011, the City of Banning's Electric Utility was honored as one of the nation's Top 10 utilities in the amount of solar power it added to its system per customer served in 2010. The designation came from the 2010 SEPA Utility Solar Rankings report published annually by the Solar Electric Power Association (SEPA). Of the 230 utilities that participated in the SEPA survey, Banning ranked 10th in the Annual Solar Megawatts-per-Customer category.

POLICY ISSUES

In the 2010 annual report, staff highlighted three major policy issues in the General Plan that require a general plan amendment. The following table outlines the policy issues that were presented to the City Council and their status.

Policy	Description of Policy Issue	Status
Traffic Circulation	Consideration of one level of service (LOS) (as opposed to two currently – LOS “C” and “D”) for traffic flow on all City streets to ensure that the city has a level playing field with adjacent jurisdictions and to consider a north-south road connection for Highland Home Road at the I-10 freeway	The traffic study and Draft Environmental Impact Report (DEIR) is being prepared. Once the DEIR is complete, it will be available for a 45-day public review consistent with the California Environmental Quality Act (CEQA). Staff anticipates bringing the General Plan Amendment to the Planning Commission in late Summer or early Fall 2012.
Density for Certification of the Housing Element by the State Housing and Community Development (HCD)	The State HCD required that the City rezone certain properties to provide 2100 units of affordable housing before it certifies the City’s Housing Element.	Staff has worked with property owners who own certain land in the City for the rezoning. Property owners have provided positive responses on the re-zoning. Currently, staff has prepared and made available for a 30-day public review the environmental document (Negative Declaration) for the rezoning. Staff anticipates presenting the re-zoning to the Planning Commission and City Council at their meeting in May 2012 and will submit the revised Housing Element to the State HCD.
Residential Land Uses and Non-Conformity	When the General Plan was adopted in 2006 certain residential areas that have single-family homes were re-zoned to non-residential zones which made residential properties non-conforming with the current Zoning. Residents have difficulties in obtaining financing to repair, sell, and get insurance.	This issue will be addressed as part of the Housing Element rezoning and will be presented to the Planning Commission and City Council at their meeting in May 2012.

Elimination of the Redevelopment Agency and Its Impact

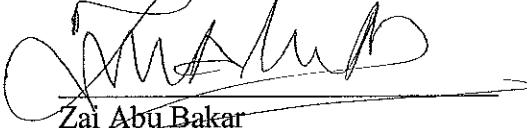
The elimination of redevelopment in California has a significant impact on all former agencies. To put it simply, redevelopment worked. Communities like Banning implemented economic development-related projects that were dedicated to revitalizing run-down neighborhoods and restoring vitality to tired downtowns. Redevelopment served as the backbone of Banning's economic development efforts. In fact, redevelopment was often the only tool many municipalities had to spur local economic growth and job creation. Redevelopment worked as a catalyst for positive change, and it is unfortunate that this wonderful, time tested and proven economic development tool has been eliminated. Now that the Redevelopment Agency has been abolished, the City no longer has the tool to do economic development.

Without this tool, staff is looking at other ways to streamline the development review process to make it easier for businesses to locate in Banning. Staff will be processing a Zoning Code Amendment and presenting it to the Planning Commission and City Council with regard to this matter in the near future.


Recommended by:


Andrew J. Takata
City Manager

Prepared by:


Zai Abu Bakar
Community Development Director

Reviewed by:


June Overholt
Administrative Services Director/
Deputy City Manager

CC Attachments:

1. Resolution No. 2012-33
2. Exhibit "A" – Reporting Forms on Progress for implementing the Housing Element
3. Exhibit "B" – General Plan Annual Progress Report for Year 2011

RESOLUTION NO. 2012-33

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING,
CALIFORNIA APPROVING OF GENERAL PLAN ANNUAL PROGRESS
REPORT FOR CALENDAR YEAR 2011**

WHEREAS, California state law requires that each city and county adopt a general plan to guide development in their city or county and to guide the development of land outside its boundaries which bears relation to its planning (Govt. Code §65300); and

WHEREAS, the City undertook a comprehensive update to the General Plan and Zoning Ordinance which were adopted by the City Council on January 31, 2006; and

WHEREAS, the California State law requires that the General Plan include seven (7) mandated elements: land use, housing, traffic circulation, safety, parks and recreation, conservation, and noise; and

WHEREAS, the City of Banning General Plan has 21 elements (seven [7] of which are mandated by the State) and contains 263 implementation action programs; and

WHEREAS, Government Code §65400 mandates that cities and counties in California submit an annual report on the status of the General Plan and progress in its implementation to their decision makers (City Council or board of supervisors), the Governor's Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD) by April 1st of each year or within the 60-day grace period of filing after the due date; and

WHEREAS, the purpose of the General Plan annual report is to provide enough information to identify the necessary "course adjustments" or modifications to the General Plan and means to improve local implementation; and

WHEREAS, the City is also required to report progress in implementing its housing element and the Regional Housing Needs Assessment as part of the annual report; and

WHEREAS, the economic recession has hampered development in the community, including housing construction because financial institutions have tighter regulations and are not lending any construction loans; and

WHEREAS, on December 29, 2011, the California Supreme Court upheld the validity of the Assembly Bill (AB) 1X 26 and invalidated AB 1X 27 which resulted in dissolution of redevelopment agencies in California including the City of Banning Community Redevelopment Agency which completely cut-off sources of funding for construction of infrastructure, elimination of blight, and construction and maintenance of affordable housing; and

WHEREAS, the City continues to take proactive steps in implementing the goals, policies and action programs of the General Plan; and

WHEREAS, the City has implemented, completed and/or has an active/ongoing status of 224 action programs (85%) out of 263 action programs and only 39 action programs (15%) have not been completed and/or initiated; and

WHEREAS, the City has done a good job of implementing the General Plan and primary reasons some of the action programs have not been completed/initiated relates to budget deficits, reduction in staff, and work program priority for each of the City departments; and

WHEREAS, Exhibit "A" to this report contains the reporting forms on progress for implementing the Housing Element; and

WHEREAS, Exhibit "B" to this report details the implementation action programs and status; and

WHEREAS, the Planning Commission has reviewed the General Plan Annual Report at its meeting on April 4, 2012 and recommended approval to the City Council.

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

SECTION 1: Compliance with Government Code Section 65400.

The Planning Commission determined that this General Plan Annual Report was prepared for compliance with Government Code Section 65400.

SECTION 2: Approval by the City Council.

The City Council hereby approves the General Plan Annual Report for Calendar Year 2011 and directed staff to file the report with the State Office of Planning and Research and the State Department of Housing and Community Development.

PASSED, APPROVED AND ADOPTED this 24th day of April 2012.

Don Robinson, Mayor

**APPROVED AS TO FORM
AND LEGAL CONTENT:**

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 Resolution, No. 2012-33, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 24th day of April 2012, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marie Calderon, City Clerk
City of Banning, California

ATTACHMENT 1

PC Resolution No. 2012-07

RESOLUTION NO. 2012-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BANNING, CALIFORNIA RECOMMENDING TO THE CITY COUNCIL THE APPROVAL OF GENERAL PLAN ANNUAL REPORT FOR YEAR 2011

WHEREAS, the California state law requires that each city and county adopt a general plan to guide development in their city and land outside its boundaries that has relation to its city planning (Govt. Code §65300); and

WHEREAS, the City undertook a comprehensive update to the General Plan and Zoning Ordinance which were adopted by the City Council on January 31, 2006; and

WHEREAS, the California State law requires that the General Plan include seven (7) mandated elements: land use, housing, traffic circulation, safety, parks and recreation, conservation, and noise; and

WHEREAS, the City of Banning General Plan has 21 elements (seven [7] of which are mandated by the State) and contains 263 implementation action programs; and

WHEREAS, Government Code §65400 mandates that cities and counties in California submit an annual report on the status of the General Plan and progress in its implementation to their decision makers (City Council or board of supervisors), the Governor's Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD) by April 1st of each year; and

WHEREAS, the purpose of the General Plan annual report is to provide enough information to identify the necessary "course adjustments" or modifications to the General Plan and means to improve local implementation; and

WHEREAS, the City is also required to report progress in implementing its housing element and the Regional Housing Needs Assessment as part of the annual report; and

WHEREAS, the economic recession has hampered development in the community, including housing construction because financial institutions have tighter regulations and are not lending any construction loans; and

WHEREAS, on December 29, 2011, the California Supreme Court upheld the validity of the Assembly Bill (AB) 1X 26 and invalidated AB 1X 27 which resulted in dissolution of redevelopment agencies in California including the City of Banning Community Redevelopment Agency which completely cut-off sources of funding for construction of infrastructure, elimination of blight, and construction and maintenance of affordable housing.

WHEREAS, the City continues to take proactive steps in implementing the goals, policies and action programs of the General Plan; and

WHEREAS, the City has implemented, completed and/or has an active/ongoing status of 224 action programs (85%) out of 263 action programs. Only 39 action programs (15%) have not been completed and/or initiated. In summary, the City has done a good job of implementing the General Plan. The primary reasons some of the action programs have not been completed/initiated relates to budget deficits, reduction in staff, and work program priority for each of the City departments; and

WHEREAS, Exhibit "A" to this report contains the reporting forms on progress for implementing the Housing Element; and

WHEREAS, Exhibit "B" to this report details the implementation action programs and status; and

WHEREAS, the Planning Commission has reviewed the General Plan Annual Report at its meeting on April 4, 2012; and

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

SECTION 1: Compliance with Government Code Section 65400.

The Planning Commission determined that this General Plan Annual Report was prepared for compliance with Government Code Section 65400.

SECTION 2: Recommendation to the City Council.

The Planning Commission has reviewed and recommended approval of the General Plan Annual Report to the City Council and directed staff to file the report with the State Office of Planning and Research and the State Department of Housing and Community Development.

PASSED, APPROVED AND ADOPTED this 4th day of April 2012.

Dennis Arterberry, 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:

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 Resolution, No. 2012-07, was duly adopted by the Planning Commission of the City of Banning, California, at a regular meeting thereof held on the 4th day of April 2012, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marie Calderon, City Clerk
City of Banning, California

ATTACHMENT 2

Exhibit “A” – Reporting Forms on Progress For Implementing the Housing Element

(CCR Title 25 §6202)

Table A

Annual Building Activity Report Summary - New Construction Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information										Housing with Financial Assistance and/or Deed Restrictions			Housing without Financial Assistance or Deed Restrictions
1	2	3	4				5	5a	6	7	8		
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.		
			Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income							
None													
(9) Total of Moderate and Above Moderate from Table A3 ▲ ▲ ▲													
(10) Total by income Table A/A3 ▲ ▲ ▲						1							
(11) Total Extremely Low-Income Units*													

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation (CCR Title 25 §6202)

Jurisdiction City of Banning
Reporting Period 1/1/2011 - 12/31/2011

Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program it its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with of Government Code Section 65583.1 subsection (c)(7)
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity	2	7	8	17	The City of Banning Community Redevelopment Agency (CRA) and Housing Authority assisted 20 residents to rehabilitate their homes and property using Agency and Authority's Exterior Rehabilitation Grant Program. Two of the 20 residents assisted falls into the moderate income category and is not required to be listed in the columns to the right.
(2) Preservation of Units At-Risk	0	43	31	74	The City of Banning CRA enters into an Owner Participation Agreement (OPA) with Banning Leased Housing Partnership I to purchase and undertake an extensive interior and exterior renovation of Westview Terrace Apartments (75 units), parking lot, carports, and landscaping using Agency and Housing Authority 20% set-aside funds in exchange for a 55-year covenant.
(3) Acquisition of Units	0	0	0	0	
(5) Total Units by Income	2	50	39	91	

* Note: This field is voluntary

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)

No. of Units Permitted for Moderate	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
	0					0	

117

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of Banning					
Reporting Period	1/1/2011 - 12/31/2011					
No. of Units Permitted for Above Moderate	3	22				25

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of Banning
Reporting Period 1/1/2011 - 12/31/2011

Table B
Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level	RHNA Allocation by Income Level												
	Deed Restricted Non-deed restricted												
Very Low	Deed	437						10			45	55	382
	Restricted Non-deed restricted												
Low	Deed	618						29			31	60	558
	Restricted Non-deed restricted												
Moderate	Deed	705						40	2	1	1	44	662
	Restricted Non-deed restricted												
Above Moderate		1,645								22		22	1,623
Total RHNA by COG. Enter allocation number:		3,405						79	2	23	77	181	3,225
Total Units													
Remaining Need for RHNA Period													

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

* The units reported are from 2008-2008

119

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of Banning
Reporting Period 1/1/2011 - 12/31/2011

Table C
Program Implementation Status

Program Description (By Housing Element Program Names)	Objective	Timeframe in H.E.	Status of Program Implementation
Transitional and Supportive Housing	Zoning Ordinance amendment to allow the use	Aug 2010	Delayed due to budget and staffing cuts.
Housing for all income groups	Continue to provide	June 2008-June 2014	Ongoing. Currently, the City partners with Habitat for Humanity to purchase and renovate foreclosed homes for very low income residents.
Update General Plan Elements	Update as required to comply with state law/As required by	Through 2014	As part of the annual review, the General Plan will be updated as appropriate.
Riverside County Housing Assistance	City publicizes programs on website and flyer	Through 2014	The City partners with Riverside County Economic Development Agency (EDA) in the Mortgage Credit Certificate Program (MCC). Residents who qualifies submit their applications for financing of the purchase of homes in Banning through the County
Homeless Assistance and Monitoring Program	Fund active public relations program	Through 2014	Delayed due to budget and staffing cuts
Single-Room Occupancy	Encourage and facilitate development	Through 2014	Delayed due to budget and staffing cuts
Homeownership Education Program	Provide training for future homeowners	Ongoing	Currently being implemented as part of the City's Homebuyers Assistance Program.
Special Needs Housing	Create incentives and procedures	Ongoing	Delayed due to budget and staffing cuts
Funding Availability and Sources	Create a list of funding sources	Ongoing	The funding sources for housing assistance and development continues to be a challenge due to elimination of the redevelopment agency by the State.
Assist the County in Marketing their Home Purchasing Program	Refer Potential Homeowners to the County	Ongoing	Ongoing.
Participate in the County Mortgage Credit Certificate Programs	City promote the County Program	Ongoing	Ongoing.
Zoning for licensed group homes, foster homes residential care facilities, and similar state-licensed facilities	Revise the Zoning Ordinance	Through 2014	Delayed due to budget and staffing cuts.
Farm Worker Housing	Identify number of workers and suitable sites	Through 2014	Delayed due to budget and staffing cuts.
Employee Housing	Revise the Zoning Ordinance to allow this use	Dec 2010	Delayed due to budget and staffing cuts.
Zoning to ensure compatibility between residential and non-residential uses	Revise the Zoning Ordinance to allow this use	Dec 2010	In progress.
Riverside County Housing Authority Vouchers	Monitor vouchers availability and waiting list and promote the County program	Through 2014	In progress.
Reasonable Accommodations	Update Zoning Ordinance and Adopt Procedures	Ongoing and through 2014	Delayed due to budget and staffing cuts.
Rezoning to Accommodate High Density Residential	Update Zoning Ordinance and Adopt Procedures	Ongoing and through 2014	In progress.
HOME and CDBG programs for rehabilitation program	Pursue grants programs to rehabilitate extremely low owner/renter occupied units	Ongoing and through 2014	Delayed due to budget and staffing cuts
Riverside County Home Improvement Program	Publicize County's program at the counter, newsletter, and city's website	Ongoing and through 2014	In progress.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	City of Banning	Reporting Period	1/1/2011 - 12/31/2011	
Community Redevelopment Agency Housing Rehabilitation Program			Expand the current program to include energy efficiency program	Ongoing and through 2014
Cross training of code enforcement, building inspection, and redevelopment			Training to improve communication and information flow	Ongoing and through 2014
Neighborhood Stabilization Plan			Pursue Participation in the Program	Ongoing and through 2014
Funding for At-Risk Units			Pursue funding through MOME and MHP program	Ongoing and through 2014
Home Mortgage Disclosure Act and Community Reinvestment Act			Actively participate in the program	Ongoing and through 2014
Zoning Ordinance Update			Review and update the Ordinance to reduce housing construction costs	Ongoing and through 2014
Development Fees			Survey surrounding cities to ensure rates are reasonable and competitive.	Every two years
Concurrent entitlement processing			Encourage developers to take advantage of concurrent entitlement processing and participate in the pre-application meeting.	Ongoing and through 2014
Permit Streamlining and one-stop-shop			Adopt procedures	Ongoing
Reduce parking standards for low income housing			Prepare the zoning code amendment	December 2009
Design Review Process			Ensure that the Design Review Process does not constraint multi-family residential development of 5 or more units and develop alternative procedures if it does	Through 2014 and beyond
Energy Conservation			Augment the current design guidelines to encourage energy conservation	December 2010
Residential building standards			Examine the residential building standards and update as appropriate	Annually through 2014
Expanded Energy Conservation Through the Housing Rehabilitation Program			Expand the current program to include energy efficiency program	Draft to be completed in Dec 2009 and continuous through 2014

The Agency Program will end this June 2012 as the Community Redevelopment Agency is abolished.	
The cross-training between code enforcement and building inspection will continue despite the elimination of the redevelopment agency.	
Participating with the Riverside Housing Development Corporation.	
Delayed due to budget and staffing cuts.	
Delayed due to budget and staffing cuts.	
On-going.	
In process.	
This policy is adopted into the Zoning Code and is being implemented.	
Procedures adopted in the Zoning Code and is being implemented.	
Delayed due to budget and staffing cuts.	
This is address through development review process.	
Addressed through landscape design guidelines, building code, mechanical and plumbing codes.	
This is done through the State Building code standards which was adopted by the City.	
Currently implemented.	

121

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation (CCR Title 25 §6202)

Jurisdiction City of Banning

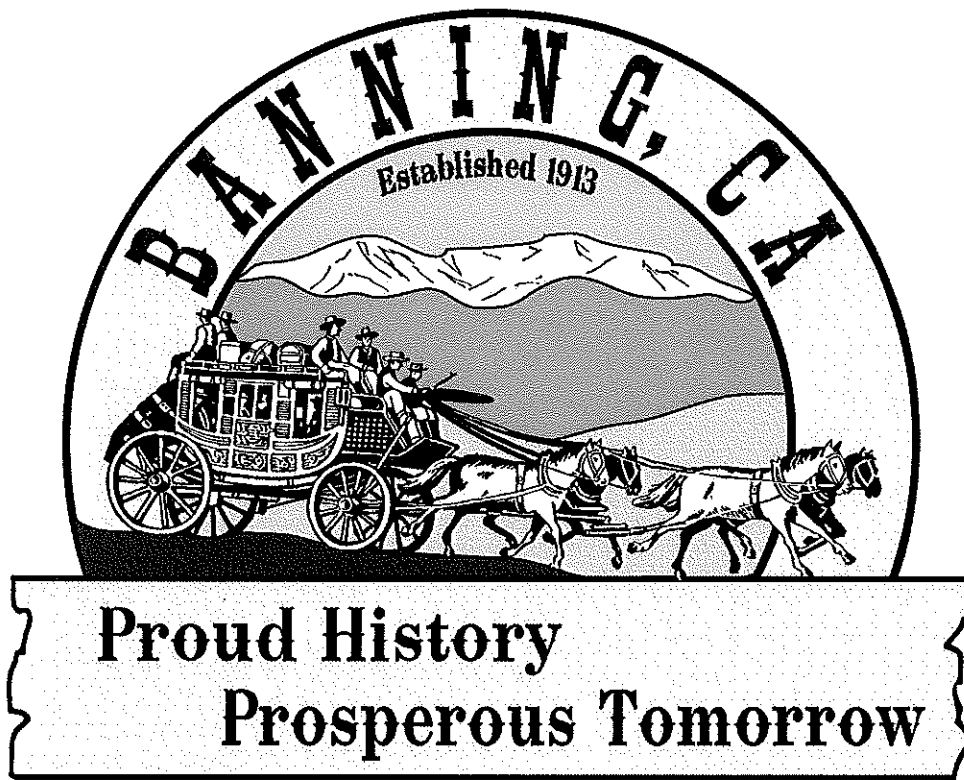
Reporting Period 1/1/2011 - 12/31/2011

Title 24 Compliance	Residential development must comply with Title 24	Ongoing and through 2014	Currently implemented.
Sustainable Development Standard	Established Ordinance to create standards for sustainable development	Ongoing and through 2014	Implemented through the California Green Building Code
Inventory of Vacant Land	Create an inventory and update it annually. Post approved project information on the website	Ongoing and through 2014	Completed. The annual update is a challenge due to staffing and budget cuts.
CalFHA Housing Program	The CRA to provide direct mailing to all residents advertising CalFHA Program.	Ongoing and through 2014	Not implemented due to lack of staffing and budget cuts.
Partner with non-profit and for-profit housing developers and pursue available funding	Pursue other funding sources for affordable housing and provide incentive	Ongoing and through 2014	The City currently partners with Habitat for Humanity to renovate foreclosed homes for very low income residents.
Rezoning of the Downtown Commercial District	Rezone to allow development of higher density between 16-30 units per acre and allow mixed-use development	July 2010	This is in progress. The environmental document for the rezoning is currently made available for a 30-day public review. The rezoning is anticipated to be presented to the Planning Commission and City Council in May 2012.
Provide incentives for development in the newly rezoned Downtown Commercial District	The City and CRA to offer incentives	Ongoing and through 2014 and thereafter	Not implemented pending the rezoning. Funding/incentives will be reevaluated since the City and CRA have structural deficits in their budgets.
City and CRA Funding for multi-family projects	Established partnerships with developers of multi-family housing projects who have proven track record and City and Agency to consider funding.	By December 2010	The CRA has been abolished by the State. This implementation action is not feasible. Staff continues to explore opportunities with the affordable housing builders
State and Federal Funding	Pursue various state and federal funding	Ongoing and through 2014	Ongoing.
Density Bonus	Revise Zoning Ordinance to incorporate density bonus	FY 2009-10	Delayed due to budget and staffing cuts.
Annual review of Housing Element	Review element annually and report to the State HCS	by April 1st each year	On-going as part of the annual report on progress of implementing the General Plan
Eliminate Enticement and Incompatible Use	Use the General Plan and Zoning to eliminate incompatible uses	Ongoing and through 2014	Ongoing.
Land inventory for single-family and multiple-family development and zone change	Monitor and initiate zone change to accommodate affordable housing	Quarterly basis	In progress.
Second Unit	Adopt a second unit ordinance to comply with Government Code 65852.2	by July 2010	Completed. The annual update is a challenge due to staffing and budget cuts.
Second Unit Building Plan Standards	Adopt standard plan for second unit to reduce costs or no costs	Ongoing and through 2014 and thereafter	Delayed due to budget and staffing cuts.
AB 2292 - Cannot Lower Density Unless Trade-off	Implement the law	July 2009	Delayed due to budget and staffing cuts
Homeless Shelter	Zoning Code amendment to permit homeless shelter by right	July 2010	Delayed due to budget and staffing cuts
Fair Housing Laws	Conduct annual meetings with residents who receive housing assistance to ensure their understanding of the law and reaffirm their commitment	Ongoing and through 2014	Implement through the CRA first time homebuyers program.
Fair Housing Information	Develop fliers and distribute the information through various means including outreach events, school fairs, health fairs, and City-sponsored events	Ongoing and through 2014 thereafter	On-going and is provided at the Community Development Counter and the website.
Housing Complaints Resolution	Work with state fair employment & housing commission to resolve complaints on housing discrimination	Ongoing and through 2014	Ongoing and provide referral to Fair Housing Council of Riverside County, Inc. As the Fair Housing Council provides dispute resolution for housing complaints.

ATTACHMENT 3

Exhibit “B” – General Plan Annual Progress Report for Calendar Year 2011

General Plan Annual Progress Report For Year 2011



**City of Banning
99 E. Ramsey Street
Banning, CA 92220
(951) 922-3100**

Table of Contents

Air Quality Element.....	4
Archaeological and Cultural Resources Element	7
Biological Resources Element	10
Circulation Element.....	12
Economic Development Element.....	21
Emergency Preparedness Element.....	26
Energy and Mineral Resources Element	29
Flooding and Hydrology Element	32
Geotechnical Element	35
Hazardous and Toxic Materials Element	37
Housing Element	40
Land Use Element	46
Noise Element.....	53
Open Space and Conservation Element.....	56
Parks and Recreation Element	59
Police and Fire Protection Element.....	64
Public Buildings and Facilities Element	67
Schools and Libraries Element.....	69
Water Resources Element	72
Water and Waste Water and Utilities Element.....	75
Wildland Fire Hazard Element	79

Introduction

The following discussion will provide a summary of the progress in achieving the Goals, Policies and Implementation Programs for each of the 21 General Plan elements. Each General Plan Element contains implementation programs that identify each department(s) responsible for implementation of the programs and outlines the timing/schedule to complete the programs. The elements have been alphabetized for easier reference. The programs that have been completed and/or active and ongoing are **highlighted in bold** and the programs that have not been completed are *highlighted in italics*.

Air Quality Element (11 programs)

GOAL 1

To preserve and enhance local and regional air quality for the protection of the health and welfare of the community.

Policy 1

The City shall be proactive in regulating local pollutant emitters and shall cooperate with the Southern California Association of Governments and the South Coast Air Quality Management District to assure compliance with air quality standards.

Policy 2

The City shall continue to coordinate and cooperate with local, regional and federal efforts to monitor, manage and reduce the levels of major pollutants affecting the City and region, with particular emphasis on PM₁₀ and ozone emissions, as well as other emissions associated with diesel-fueled equipment and motor vehicles.

Program 2.A

On an on-going basis, the City shall continue to participate in efforts to monitor and control PM₁₀ emissions from construction and other sources, and all other air pollutants of regional concern. The City shall coordinate with SCAQMD to provide all reporting data for the SCAQMD annual report.

Responsible Agency: Building and Public Works Departments, Planning Department, SCAQMD

Schedule: Continuous; On-going

Implementation Status – Ongoing through land development review process and environmental documentation that is required and standard conditions for Public Works. The City consulted with the SCAQMD with regard to air quality impacts from land development projects. The City Public Works inspectors also monitor grading activities and enforce dust controls.

Policy 3

City land use planning efforts shall assure that sensitive receptors are separated from polluting point sources.

Program 3.A

The General Plan Land Use Map and Element shall be developed and maintained to locate air pollution point sources, such as manufacturing operations and highways, at an appropriate distance from sensitive receptors, including hospitals, schools, hotels/motels and residential neighborhoods.

Responsible Agency: Planning Department, SCAQMD

Schedule: 2005-2006

Implementation Status – This is implemented through the Zoning Ordinance where zoning districts are established to ensure that conflict between land uses - residential, commercial, industrial, and public facilities are minimized. As part of land development review process, City staff consult with the SCAQMD through the environmental review process as required by the California Environmental Quality Act (CEQA) to ensure that land development projects do not have the potential to impact sensitive receptors.

Policy 4

Development proposals brought before the City shall be reviewed for their potential to adversely impact local and regional air quality and shall be required to mitigate any significant impacts.

Program 4.A

Projects that may generate significant levels of air pollution shall be required to conduct detailed impact analyses and incorporate mitigation measures into their designs using the most advanced technological methods feasible. All proposed mitigation measures shall be reviewed and approved by the City prior to the issuance of grading or demolition permits.
Responsible Agency: Planning Department
Schedule: On-going
Implementation Status - Implemented through the California Environmental Quality Act (CEQA) and land development review process. Environmental documents are prepared for each of the land development projects that are not exempt under CEQA and mitigation measures are made apart of the Conditions of Approval. Additionally, mitigation measures are implemented and monitored during construction of the project.
Program 4.B
Provide consistent and effective code enforcement of construction and grading activities and off-road vehicle use to assure that the impacts of blowing sand and fugitive dust emissions are minimized.
Responsible Agency: Building Department, Code Compliance, SCAQMD
Schedule: On-going
Implementation Status – Ongoing through standard approval process and also monitoring during construction.
Program 4.C
The City shall encourage immediately, and investigate legislating the reduction of TDM requirements to a level of 50 employees or more.
Responsible Agency: Public Works Department/Planning Dept
Schedule: 2005-2006 Pending
Implementation Status - Pending

Policy 5

The City shall promote the use of clean and/or renewable alternative energy sources for transportation, heating and cooling.

Program 5.A
Vehicles that use alternative fuel sources, such as compressed natural gas and electricity, shall be purchased and maintained for use in the City's vehicle fleet when new vehicles are purchased.
Responsible Agency: City Manager's Office
Schedule: 2005-2006
Implementation Status – New city vehicles that are purchased use compressed natural gas and the implementation is on-going.
Program 5.B
The City's Compressed Natural Gas fueling station shall continue to be open to public use.
Responsible Agency: Public Works Department
Schedule: On-going
Implementation Status - Active and Ongoing.

Policy 6

The City shall support the development of facilities and projects that facilitate and enhance the use of alternative modes of transportation, including pedestrian-oriented retail and activity centers, dedicated bicycle paths and lanes, and community-wide multi-use trails.

Program 6.A
The City shall pursue a balance of employment and housing opportunities that encourage pedestrian and other non-motorized transportation and minimize vehicle miles traveled.
Responsible Agency: Economic Development Department, Redevelopment Agency, Planning Department
Schedule: On-going
Implementation Status – On-going as new development is proposed. The Butterfield Specific Plan (Pardee) will incorporate commercial development with active walking/jogging trails, bike paths, and neighborhood electric vehicles. The Village at Paseo San Geronio is a Downtown redevelopment project that encourages people to walk and enjoy the outdoor environment.
Program 6.B
The City shall promote the expanded availability of mass transit services, coordinating with all agencies to link residential and commercial business and employment centers with the City’s residential neighborhoods and nearby communities.
Responsible Agency: Community Services Department, Economic Development Department, Redevelopment Agency, Planning Department
Schedule: Ongoing
Implementation Status – The City coordinates with other regional transit agencies such as the Riverside Transit Agency and attends regional transit meetings. Expansion will occur when population increases demand for expanded service. The City Manager is pursuing opportunities for a regional rail/transit station.
Program 6.C
The City shall promote and support the development of ridesharing, carpooling, flexible work scheduling, telecommuting and Park and Ride programs among public and private employers.
Responsible Agency: Planning Department, Public Works Department, Community Services Department, Transit Agencies, Major Employers
Schedule: Ongoing
Implementation Status - Ongoing as the City currently has a four day work week (4/10 work schedule). This program is codified in Chapter 8.60 of the Municipal Code.
Program 6.D
The City shall require shade trees with non-damaging root systems to be planted in all medians on all streets, to cool the asphalt and reduce the Reactive Organic Compounds (ROC) and Volatile Organic Compounds (VOC) generated by asphalt streets and parking lots. A list of permitted trees with non-damaging root systems shall be developed.
Responsible Agency: Planning Department, Public Works Department
Schedule: Ongoing
Implementation Status - Ordinance in place, Active and Ongoing. Public Works reviews street tree plans for acceptable species; Planning requires one tree for every seven (7) parking spaces in the parking lot.

Archaeological and Cultural Resources Element (13 programs)

GOAL 1

Documentation, maintenance, preservation, conservation and enhancement of archaeological and historic sites, artifacts, traditions and other elements of the City's cultural heritage.

Policy 1

The City shall exercise its responsibility to identify, document and evaluate archaeological, historical and cultural resources that may be affected by proposed development projects and other activities.

Program 1.A
All new development proposals, except single family dwelling on existing lots of record, shall submit a records search for historic and cultural resources as part of the planning process.
Responsible Agency: Planning Department
Schedule: 2005-2006, Ongoing
Implementation Status – Ongoing and is implemented through the CEQA process during land development review.
Program 1.B
Development or land use proposals which have the potential to disturb or destroy sensitive cultural resources shall be evaluated by a qualified professional and, if necessary, comprehensive Phase I studies and appropriate mitigation measures shall be incorporated into project approvals.
Responsible Agency: Planning Department
Schedule: Ongoing
Implementation Status – Standard conditions for grading.
Program 1.C
The City shall implement the requirements of state law relating to cultural resources, including Government Code 65352.3, and any subsequent amendments or additions.
Responsible Agency: Planning Department
Schedule: Ongoing
Implementation Status – City consults with tribal representatives on all land development projects.

Policy 2

The City shall expand and enhance its historic preservation efforts.

Program 2.A
Prepare a historic preservation plan, which outlines the goals and objectives of the City's preservation programs and serves as an official historic context statement for the evaluation of cultural resources within the City boundaries.
Responsible Agency: Planning Department
Schedule: 2006-2007

Implementation Status – <i>Not implemented.</i>
Program 2.B
The City shall consider participating in the Certified Local Government program so that it may benefit from historic preservation expertise, technical assistance, special grants, information exchange, and statewide preservation programs coordinated by the State Office of Historic Preservation. The evaluation of participation in the program shall be part of the historic preservation plan.
Responsible Agency: Planning Department, Historical Society, City Council
Schedule: 2006-2007
Implementation Status – <i>Not implemented.</i>
Program 2.C
Encourage property owners and residents to nominate qualified properties to the City's inventory system and/or any federal and state registers.
Responsible Agency: Planning Department, Morongo Band of Cahuilla Indians
Schedule: Ongoing
Implementation Status – <i>Not implemented.</i>
Program 2.D
Should the Saint Boniface School site be proposed for development, extensive analysis of the site shall be conducted, and mitigation proposed, to document its historic significance.
Responsible Agency: Planning Department
Schedule: 2005-2006, Ongoing
Implementation Status – Tract map approved but a project is not yet developed.

Policy 3

Establish and maintain a confidential inventory of archaeological and historical resources within the City, including those identified by the Eastern Information Center (EIC) at the University of California, Riverside and in focused cultural resources studies.

Policy 4

Sensitive archaeological and historic resources shall be protected from vandalism and illegal collection, to the greatest extent possible.

Program 4.A
Mapping and similar information, which identifies specific locations of sensitive cultural resources, shall be maintained in a confidential manner, and access to such information shall be provided only to those with appropriate professional or organizational ties.
Responsible Agency: Planning Department
Schedule: Immediate; continuous
Implementation Status – <i>Not implemented.</i>

Policy 5

Encourage public participation in and appreciation of the City's cultural heritage.

Program 5.A
Implement a systematic program to enhance public awareness of the City's heritage, generate broad support for its preservation, and enhance community pride.
Responsible Agency: Planning Department, Historical Society, City Council, Morongo Band of Mission Indians

Schedule: 2005-2006, Ongoing
Implementation Status – <i>Not implemented.</i>
Program 5.B
Support the efforts of local cultural associations to acquire historical materials and artifacts, and to educate the public about the City's and region's cultural heritage.
Responsible Agency: Planning Department, Historical Society, Morongo Band of Mission Indians
Schedule: 2005-2006, Ongoing
Implementation Status – <i>Not implemented.</i>

Policy 6

Support the listing of eligible structures or sites as potential historic landmarks and their inclusion in the National Register of Historic Places.

Program 6.A
Develop procedures for the designation of local landmarks and historic districts.
Responsible Agency: Planning Department, Historical Society, Morongo Band of Mission Indians
Schedule: 2005-2006
Implementation Status – <i>Not implemented.</i>

Policy 7

The City shall consider offering economic or other incentives, such as direct subsidies or application/permitting fee reductions or waivers, to property owners to encourage the maintenance and enhancement of significant cultural buildings and sites.

Program 7.A
Develop an application process for City-sponsored incentives to maintain and enhance significant buildings and sites, and provide property owners with information and guidance on eligibility requirements.
Responsible Agency: Planning Department
Schedule: 2006-2007
Implementation Status – <i>Not implemented.</i>

Biological Resources Element (7 programs)

GOAL 1

A pattern of community development that supports a functional, productive, harmonious and balanced relationship between the built and natural environment.

Policy 1

The City shall continue to participate in the preservation of habitat for endangered, threatened and sensitive species.

Program 1.A
Through the Western Riverside MSHCP, maintain an accurate and regularly updated map of sensitive plant and animal species and habitat in Banning and its planning area.
Responsible Agency: Planning Department
Schedule: 2005-2006, Ongoing
Implementation Status – Implemented as required by the MSHCP.
Program 1.B
The City shall participate in the Western Riverside County Multiple Species Habitat Conservation Plan.
Responsible Agency: Planning Department, Riverside County
Schedule: Ongoing
Implementation Status – Implemented as required by the MSHCP.
Program 1.C
City staff shall continue to request biological resource surveys for new development.
Responsible Agency: Planning Department, Riverside County
Schedule: Continuous
Implementation Status - Implemented as required by the MHSCP and through the CEQA review process.

Policy 2

As part of the development review process, the City shall evaluate projects based on their impact on existing habitat and wildlife, and for the land's value as viable open space.

Program 2.A
The City shall encourage developers to recover native and drought tolerant plant materials, and incorporate them into project landscaping, to provide or enhance habitat for local species.
Responsible Agency: Planning Department
Schedule: Ongoing
Implementation Status – Ongoing part of land development review process.
Program 2.B
The City shall make available at City Hall a listing of planting materials that emphasizes native vegetation, but may also include non-native, plants that are compatible with the local environment.
Responsible Agency: Planning Department
Schedule: 2005-2006, Ongoing
Implementation Status – Landscape Guidelines contain the list.

Policy 3

The City shall encourage and cooperate with other agencies in establishing multiple use corridors that take advantage of drainage channels and utility easements as wildlife corridors, public access and links between open space areas and the built environment.

Program 3.A

The City shall consult and coordinate with the Riverside County Flood Control District to encourage the establishment of a system of multiple use corridors for movement of people and wildlife between open space areas.

Responsible Agency: Planning Department, Riverside County Flood Control District

Schedule: 2005-2006, Ongoing

Implementation Status – Future trail plans that are proposed to be constructed adjacent to flood control facilities will be coordinated with the Riverside County Flood Control District.
--

Policy 4

Drainage channels, utility corridors and pipeline easements shall be preserved in natural open space to the greatest extent possible.

Policy 5

The City shall promote the protection of biodiversity and encourage an appreciation of the natural environment and biological resources.

Program 5.A

The City shall coordinate with the Banning and Beaumont Unified School Districts, the County and other agencies as identified, to provide educational programs that offer an understanding of the region's natural environment and make the public aware of biological resource issues.

Responsible Agency: Planning Department, Banning and Beaumont Unified School Districts, Riverside County, and others as identified

Schedule: 2005-2006, Ongoing

Implementation Status – <i>Not implemented.</i>
--

Circulation Element (38 programs)

GOAL 1

A safe and efficient transportation system.

Policy 1

The City's Recommended General Plan Street System shall be strictly implemented.

Program 1.A
Street rights of way shall be 134 feet for Urban Arterial Highways, 110 feet for Arterial Highways, 100 feet for Major Highways, 88 feet for Secondary Highways, 78 feet for Divided Collectors, 66 feet for Collectors, and 60 feet for Local Streets. Local street standards can be amended as described in Policy 2.
Responsible Agency: Planning Department, Public Works Department, Planning Commission, City Council
Schedule: 2005-2006, Ongoing
Implementation Status – Implemented through development process.
Program 1.B
The City's Public Works roadway standards shall be amended to match the standards contained in this General Plan.
Responsible Agency: Public Works Department
Schedule: 2005-2006
Implementation Status – The roadway standard plans will be completed by December 2012.
Program 1.C
Minimum lane width for all City streets shall be designed at 12 feet.
Responsible Agency: Planning Department, Public Works Department, Planning Commission, City Council
Schedule: 2005-2006, Ongoing, implementation
Implementation Status – Ongoing standard requirement for all development projects.

Policy 2

Local streets shall be scaled to encourage neighborhood interaction, pedestrian safety and reduced speeds.

Program 2.A
The design of new local streets can vary from the City's standard of 60 foot right-of-way, 40 foot paved width, under the following conditions: <ol style="list-style-type: none">1. The minimum travel lane width shall be 12 feet.2. Parking shall be provided on at least one side of any public street. Parking lanes shall be a minimum of 8 feet in width.3. Parking may be eliminated on private streets, if provisions are made in Conditions, Covenants and Restrictions (CC&R's) for enforcement by the Homeowners' Association.4. Landscaped traffic circles, chokers, and center islands are encouraged, but must meet the requirements of the Fire Department.5. The minimum parkway width shall be 10 feet.6. Linear sidewalks are discouraged. Meandering sidewalks, which provide landscaping and street trees adjacent to the curb, shall be included in local street design. The design of local streets varying from the City's standard, shall be included in the Tentative Tract Map application, and shall be reviewed by the Planning Commission and approved by the City Council.

Responsible Agency: Planning Department, Public Works Department, Planning Commission, City Council
Schedule: 2005-2006
Implementation Status – Ongoing.
Program 2.B
Existing local streets will be inventoried, and a master plan of potential improvements designed to improve their aesthetic and safety, including landscaped medians, sidewalks and traffic calming devices, shall be developed, cost engineered, and implemented.
Responsible Agencies: Public Works Department, Planning Commission, City Council
Schedule: 2006-2007
Implementation Status – Ongoing, Capital Improvement Program (CIP) adopted and being implemented as funding is available.

Policy 3

The City shall establish and maintain a 5-Year Capital Improvement Program for streets.

Program 3.A
The Public Works Department shall establish a Capital Improvement Program for 5 years, and update it annually.
Responsible Agency: Public Works Department
Schedule: 2006-2007
Implementation Status – Capital Improvement Program approved & being implemented.

Policy 4

Proactively participate in regional transportation planning.

Program 4.A
Maintain active relationships with the City of Beaumont, the County of Riverside, the Western Riverside County Council of Governments, the California Department of Transportation and the Morongo Band of Mission Indians to share information and promote comprehensive transportation planning in the region.
Responsible Agency: Public Works Department, City Manager's Office, City Council, City of Beaumont, County of Riverside, WRCOG, CalTrans, Tribe
Schedule: 2005-2006
Implementation Status – Ongoing.
Program 4.B
Aggressively pursue Banning projects in the Transportation Uniform Mitigation Fee (TUMF) program, particularly the addition of projects to the TUMF project list, including grade separated road crossings.
Responsible Agency: Public Works Department
Schedule: 2005-2006
Implementation Status – Ongoing, Funding being secured for Sunset Grade Separation Project.
Program 4.C
Aggressively pursue the design and development of interchanges at Highland Home Road and Cottonwood Road (North - South), including all sources of funding, and the coordination of I-10 widening with their installation.
Responsible Agency: Public Works Department, City Manager's Office, City Council, CalTrans, Railroad
Schedule: 2005-2006

Implementation Status – Feasibility for Highland Home Road completed; however, the construction of the full interchange is not feasible due to design and right-of-way issues and lack of funding. The interchange is not included in the Caltrans State Transportation Improvement Plan. The Traffic Study is being done to assess the opportunity for Highland Home Road to be as a north-south connector/bridge as opposed to the freeway interchange. When the traffic study is done, staff will be presenting this information to the City Council for a General Plan Amendment.

Policy 5

Consider amendments to the Highland Home/Highland Springs/18th Street/Brookside street configurations based on public safety, design feasibility and area needs.

Policy 6

The City shall maintain peak hour Level of Service C or better on all local intersections, except those on Ramsey Street and at I-10 interchanges, where Level of Service D or better shall be maintained.

Program 6.A
Periodically review current traffic volumes and the actual pattern of development to coordinate, program and, as necessary, revise road improvements.
Responsible Agency: Public Works Department
Schedule:
Implementation Status - Ongoing & Active. The City is also conducting a traffic study to evaluate the opportunity for having a Level of Service D as opposed to “C” to ensure that the City of Banning is on the same level playing field with its neighboring jurisdiction for traffic related improvements.

Policy 7

New development proposals shall pay their fair share for the improvement of streets within and surrounding their projects on which they have an impact, including roadways, bridges, grade separations and traffic signals.

Policy 8

Traffic calming devices shall be integrated into all City streets to the greatest extent possible and all new streets shall be designed to achieve desired speeds.

Policy 9

Street trees within the City right of way shall be preserved, unless a danger to the public health and safety or if the tree is diseased.

Program 9.A
Sidewalks in areas with street trees shall be designed to “wrap around” the tree if they are added to an existing neighborhood.
Responsible Agency: Public Works Department
Schedule: Ongoing
Implementation Status – Ongoing.

Policy 10

Sidewalks shall be provided on all roadways 66 feet wide or wider. In Rural Residential land use designation pathways shall be provided.

Program 10.A
The Public Works Department shall prepare an inventory of discontinuous sidewalks on all qualifying

roadways, and fund individual projects through the Capital Improvement Program annually.
Responsible Agency: Public Works Department, City Council
Schedule: Inventory in 2006-2007, Annually thereafter
Implementation Status – In progress and is implemented annually through CIP.
Program 10.B
All new development proposals located adjacent to qualifying roadways shall be required to install curb, gutter and sidewalk concurrent with construction.
Responsible Agency: Public Works Department, Planning Department
Schedule: Ongoing
Implementation Status – Ongoing through land development review and CIP.
Program 10.C
The City shall develop procedures to address neighborhood sidewalk needs as they are requested by that neighborhood.
Responsible Agency: Public Works Department
Schedule: 2005-2006, Ongoing
Implementation Status – Ongoing as needed.
Program 10.D
Work with the School District to develop safe routes to school.
Responsible Agency: Public Works Department
Schedule: 2005-2006, Ongoing
Implementation Status - Ongoing.

Policy 11

Sidewalks or other pedestrian walkways shall be required on all streets within all new subdivisions.

Policy 12

In the absence of a vehicular grade separation, the City shall aggressively pursue a grade separated pedestrian access across San Geronio, to assure that high school students do not have to cross the railroad tracks on their way to and from school.

Policy 13

Pedestrian access in the Downtown Commercial designation shall be preserved and enhanced.

Program 13.A
All development and redevelopment proposals for the Downtown area shall include enhanced sidewalk, pedestrian walkway, lighting and landscaping designs and assure connections to existing and planned sidewalks.
Responsible Agency: Public Works Department, Planning Department
Schedule: As development proposals are presented
Implementation Status – New development is being reviewed on a case-by-case basis to include enhanced sidewalks, walkways, lighting, and landscaping designs and to ensure that there are connections between existing and new development.

Policy 14

The City shall aggressively pursue the construction of all weather crossings over General Plan roadways.

Program 14.A

The Public Works Department shall prioritize the need for bridges listed in this Element, develop preliminary cost estimates, identify and pursue sources of funding, including developer funding, for each facility.
Responsible Agency: Public Works Department, City Council
Schedule: 2005-2006, Annually thereafter
Implementation Status – Ongoing CIP and through private development funding. Sunset Avenue grade separation is currently a priority project.
Program 14.B
All new development proposals shall pay their fair share of bridge construction needed to serve their project.
Responsible Agency: Public Works Department, Planning Department
Schedule: Ongoing
Implementation Status - Implemented through land development review process. Furthermore, the road and bridge fee is currently being studied to pay for future needs for roads and bridges.

Policy 15

The City shall develop a Golf Cart Plan compliant with state requirements.

Program 15.A
The City shall develop a golf cart plan and associated ordinances and other required implementation programs.
Responsible Agency: Public Works Department, City Council
Schedule: 2006-2007
Implementation Status – Citywide golf cart plan is not implemented due to lack of funding. However, future golf courses that are to be developed as part of development will require a golf cart plan that connects homes to commercial development within the project or beyond based on future opportunities.

Policy 16

Golf cart paths and facilities shall be funded, to the greatest extent possible, by new development.

Program 16.A
The routing and facilities required in the Golf Cart Plan shall be incorporated into the Development Impact Fee when the Plan is adopted.
Responsible Agency: Public Works Department
Schedule: 2006-2007
Implementation Status – <i>Not implemented since there is no Citywide golf cart plan.</i>
Program 16.B
Golf cart facilities shall be incorporated into new project plans located on golf cart routes.
Responsible Agency: Planning Department, Public Works Department, Planning Commission, City Council
Schedule: 2005-2006, Ongoing
Implementation Status - Implemented case-by-case based on future development. The proposed Butterfield Specific Plan (Pardee Homes) includes golf cart routes connecting homes to the commercial area in the development.

Policy 17

Encourage the expansion of an integrated Pass transit system.

Program 17.A
The City will explore the potential for either bus or rail connection to the Metrolink transit system.
Responsible Agency: City Manager's Office, Community Services Department
Schedule: 2006-2007, Ongoing
Implementation Status - Ongoing and the City Manager is actively pursuing this matter.

Policy 18

The City shall review its transit service to major regional attractions, and intra-City recreational locations in future planning efforts, based on need.

Policy 19

Bus pullouts shall be designed into all new projects on arterial roadways, to allow buses to leave the flow of traffic and reduce congestion.

Program 19.A
Bus pullouts will be retrofitted on built-out streets, wherever possible.
Responsible Agency: Public Works Department, City Council
Schedule: 2006-2007, Ongoing
Implementation Status - Ongoing.

Policy 20

Promote the location of a passenger rail station for long distance and commuter rail service.

Policy 21

Update the Airport Master Plan every five years to meet the needs of the general aviation, business and tourism segments of the community.

Program 21.A
Land use designation decisions within the area of influence of the airport shall be specifically reviewed to assure compatibility.
Responsible Agency: Planning Commission, City Council
Schedule: Ongoing
Implementation Status - Ongoing through land development review process.
Program 21.B
Work with the Chamber of Commerce, the Morongo Band of Mission Indians, and other interested parties to provide services which meet the needs of passenger and freight transport.
Responsible Agency: Airport Management, Economic Development staff, Chamber of Commerce, Morongo Band of Mission Indians, City Council
Schedule: Ongoing
Implementation Status - Ongoing, implemented through the Airport Committee.

Policy 22

Maintain an accurate mapping of all utility corridors.

Program 22.A
The Building Department shall inventory and map transmission utility easements on the Land Use Map (including electric, fiber optics, natural gas and petroleum).
Responsible Agency: Building Department, Planning Department
Schedule: Inventory in 2005-2006, Annually thereafter
Implementation Status – The State of California requires these maps to be maintained through the Service Alert System. There has been no comprehensive inventory conducted by the city. The Electric Utility Department maintains its own inventory of electric utility lines.

Policy 23

The City shall purchase and/or replace its fleet of vehicles with alternate fuel vehicles when available to the greatest extent possible, and shall encourage other agencies to do the same.

Policy 24

Public alleys throughout the City shall be maintained to be useful and safe at all times.

Program 24.A
The City shall create a downtown alley master plan and where appropriate pave, light and otherwise improve alleys.
Responsible Agency: Public Works Department
Schedule: Ongoing
Implementation Status – Ongoing
Program 24.B
The Public Works Department shall inventory all public alleys, determine which are necessary, and vacate those that are not.
Responsible Agency: Public Works Department, City Council
Schedule: 2006-2007
Implementation Status – Ongoing and active.

Policy 25

The City shall develop and implement plans for a coordinated and connected bicycle lane network in the community that allows for safe use of bicycles on City streets.

Program 25.A
The City shall inventory all streets for potential Class I, Class II and Class III bikeways, and shall program their installation in its Capital Improvement Program.
Responsible Agency: Planning Department; Engineering Division; Public Works Department; Planning Commission; City Council
Schedule: 2005-2006.
Implementation Status – <i>Not yet completed.</i>
Program 25.B
Class I bikeways and sidewalks should be installed on both sides of Wilson Street, Ramsey Street, and Lincoln Street, and other major streets where sufficient right-of-way is available.
Responsible Agency: Engineering Division; Public Works Department
Schedule: 2005-2006, Ongoing
Implementation Status – <i>Not yet completed.</i>

Program 25.C
Class II bikeways and sidewalks should be designated on all existing arterial streets that have sufficient width to safely accommodate bicycle travel lanes.
Responsible Agency: Planning Department; Engineering Division; Public Works Department
Schedule: 2005-2006.
Implementation Status – <i>Not yet completed.</i>
Program 25.D
The City should designate Class III bikeways only where Class I and Class II facilities are not feasible.
Responsible Agency: Planning Department; Public Works Department
Schedule: Continuous.
Implementation Status – <i>Not yet completed.</i>

Policy 26

The City should continue to work with the Morongo Band of Mission Indians and neighboring cities and communities to create a regional bicycle and trail network.

Policy 27

The City shall provide for a comprehensive, interconnected recreational trails system suitable for bicycles, equestrians and/or pedestrians.

Program 27.A
Evaluate the practicality of utilizing flood control channels for multi-use trails, where flooding and safety issues can be accommodated, and negotiate inter-agency agreements for this purpose.
Responsible Agency: Planning Department
Schedule: 2005-2006.
Implementation Status – Ongoing through land development review process.
Program 27.B
Evaluate the practicality of developing a multi-use trails system along the Banning Bench adjacent to and extending into San Bernardino National Forest lands, where environmental and safety issues can be accommodated, and negotiate inter-agency agreements with the U.S. Forest Service for this purpose.
Responsible Agency: Planning Department, U.S. Forest Service/San Bernardino National Forest
Schedule: 2005-2006.
Implementation Status – <i>Not yet completed.</i>
Program 27.C
Establish a multi-purpose trail between Dysart Park and Smith Creek Park, suitable for equestrian, bicycle and pedestrian use.
Responsible Agency: Community Services Department; Public Works Department; Parks and Recreation Advisory Committee
Schedule: 2005-2006, ongoing as development occurs
Implementation Status – <i>Not yet completed.</i>

Policy 28

Motorized vehicles shall be prohibited on City trails.

Program 28.A

The City shall develop a non-motorized trail system and associated ordinances and other required implementation programs.
Responsible Agency: Public Works Department, Planning Commission, City Council
Schedule: 2006-2007
Implementation Status – <i>Not completed.</i>
Program 28.B
The non-motorized trail system shall be funded, to the greatest extent possible, by new development.
Responsible Agency: Public Works Department
Schedule: 2006-2007
Implementation Status – Ongoing through land development review process. Butterfield Specific Plan (Pardee Homes) will include non-motorized trail system within the community and for future connection to its surrounding areas.
Program 28.C
The routing and facilities required in the non-motorized trail system Plan shall be incorporated into the Development Impact Fee when the Plan is adopted.
Responsible Agency: Public Works Department
Schedule: 2006-2007
Implementation Status – <i>Not yet completed.</i>

Economic Development Element (20 programs)

GOAL 1

A balanced, broadly-based economy that provides a full range of economic and employment opportunities, while maintaining high standards of development and environmental protection.

Policy 1

General Plan land use designations and allocations will facilitate a broad range of residential, commercial, industrial and institutional development opportunities.

Program 1.A
The city shall annually monitor the remaining capacity of all General Plan land use categories to assure that a variety of economic development opportunities are available.
Responsible Agency: Planning Department, Redevelopment Agency
Schedule: 2005-2006, Annually thereafter
Implementation Status - On-going.
Program 1.B
All proposals for new development or redevelopment shall be evaluated to assure that these uses complement, support and are compatible with the City's core economic assets.
Responsible Agency: Planning Department, Redevelopment Agency, Finance Department, City Council
Schedule: Continuous
Implementation Status - On-going.

Policy 2

The City shall take a proactive role in the retention of existing businesses and the recruitment of new businesses, particularly those that generate and broaden employment opportunities, increase discretionary incomes, and contribute to City General Fund revenues.

Program 2.A
Work closely with Mount San Jacinto College throughout their planning process to assist in its efficient and timely development, implement educational programs geared to job creation and retention, and to coordinate synergistic development opportunities.
Responsible Agency: Redevelopment Agency, Mount San Jacinto College
Schedule: 2005-2006, Ongoing
Implementation Status - Phase I of the Mt. San Jacinto Community College development was completed in December 2010. New phases are in progress.
Program 2.B
Aggressively pursue retail commercial developments which reduce the current retail sales leakage.
Responsible Agency: Redevelopment Agency, Chamber of Commerce
Schedule: Ongoing
Implementation Status - Active and ongoing contacts with retailers, developers, private investors, and potential tenants through letters, e-mails, phone calls, and meetings. Attend ICSC national and regional tradeshows to market and brand the City.
Program 2.C
Continue to maximize the role of the Chamber of Commerce, City web site and other mechanisms that

promote and enhance the City's business climate.
Responsible Agency: Redevelopment Agency, Chamber of Commerce
Schedule: Ongoing
Implementation Status - Active and on-going.

Policy 3

Encourage and promote infill development in orderly and logical development patterns that decrease the costs, and increase the efficiency of new utilities, infrastructure, and public services.

Program 3.A
The City shall maintain a package of economic incentive programs that benefit developers of infill projects.
Responsible Agency: Redevelopment Agency, Finance Department
Schedule: 2005-2006
Implementation Status – The City Council adopted the Electric Utility incentive program for existing business expansion and new business. The City provides a one-stop shop program where developers can meet with City staff at no cost in advance of their formal application to the City. The City also provides a single point of contact from start to the completion of a construction project.
Program 3.B
The City shall contribute to the financing of tertiary treatment facilities as an economic development tool.
Responsible Agency: Redevelopment Agency
Schedule: 2006-2007
Implementation Status - <i>Not yet completed.</i>
Program 3.C
Use the Downtown Charette as a guideline for the Downtown Commercial area, for the development of high quality, pedestrian oriented retail locations.
Responsible Agency: Planning Department, Redevelopment Agency, Planning Commission, City Council
Schedule: 2005-2007, Ongoing
Implementation Status - Ongoing.

Policy 4

Attract a greater number of commercial retail businesses to the Downtown Core area to develop a safe, vital and consumer-friendly downtown shopping area.

Program 4.A
Provisions for the Downtown Commercial Zoning District shall encourage specialty retail uses, live-work uses, and other uses which support and expand the pedestrian and tourist-related shopping experience.
Responsible Agency: Planning Department, Planning Commission, City Council
Schedule: 2005-2006
Implementation Status - Ongoing .
Program 4.B
The City shall coordinate with public, private and business organizations to explore grant funding to provide funds for rehabilitation and increased code enforcement in the Downtown Core area.
Responsible Agency: Redevelopment Agency, Chamber of Commerce, City Council
Schedule: 2005-2006; Continuous
Implementation Status – The Community Redevelopment Agency enters into a number of Owner Participation Agreements with members of the business community who desire to upgrade the façade

of their buildings. Code Enforcement efforts are ongoing in the Downtown and throughout the City.

Program 4.C

The City shall work with CABAM and other citizen groups with an interest in development of the Downtown core area, to identify grant monies, private development interests and business synergies to build on existing revitalization activities in this area.

Responsible Agency: Redevelopment Agency, CABAM, development community

Schedule: 2005-2006; Continuous

Implementation Status - Currently working with the Banning Cultural Alliance and Banning Chamber of Commerce with regard to this effort.

Policy 5

Explore opportunities with private entities to fund Smith Creek Park as a viable recreation area.

Program 5.A

Update the Smith Creek Park master plan and actively market this development opportunity among private entities that could fund development and provide for future maintenance of the park and improvements.

Responsible Agency: Community Services Department, Redevelopment Agency, City Council, development community

Schedule: 2006-2007

Implementation Status – Not implemented.

Policy 6

Encourage and facilitate highway-serving commercial development at appropriate Interstate-10 interchanges within the City limits.

Program 6.A

Proactively work with CalTrans to improve on- and off-ramp landscaping and improvements to provide more attractive gateways to the City.

Responsible Agency: Planning Department, Redevelopment Agency, CalTrans

Schedule: 2005-2006; Ongoing

Implementation Status - Currently working with CalTrans to improve the Highland Springs Avenue interchange and 8th Street off ramps.

Program 6.B

Preserve highway commercial land use designations at interchange locations, and encourage the location of high quality freeway-serving businesses.

Responsible Agency: Planning Department, Redevelopment Agency

Schedule: 2005-2006; Ongoing

Implementation Status – On-going.

Implementation Status - Implemented through Zoning and land development review process.
Program 6.C
Code compliance on gateway streets and properties adjacent to Interstate 10 shall be strictly enforced.
Responsible Agency: Code Enforcement
Schedule: Ongoing
Implementation Status - Ongoing.

Policy 7

Explore joint funding opportunities for the improvement of existing at-grade rail crossings, and investigate necessary infrastructure and funding to extend rail access to lands designated for industrial development.

Program 7.A
Consult with representatives of the Railroad, state and federal legislators, and appropriate state agencies to apply for available funding for these improvements.
Responsible Agency: Redevelopment Agency, Public Works Department, Railroad, City Council
Schedule: 2005-2006; Ongoing
Implementation Status - Grant received for Sunset grade separation.

Policy 8

In order to maintain existing economic activities and attract new commercial and industrial development, the City shall assure the provision of adequate utilities, infrastructure, and other capital facilities.

Policy 9

All development interests, including residential, commercial and industrial project proponents, shall be responsible for their fair share of on-site and off-site improvements required to support their development proposals. Such improvements may include, but are not limited to, street construction and signalization, grade separation, utility extension, drainage facilities, and parks.

Program 9.A
The Community Redevelopment Agency shall consider requests for assistance from project developers for the development of infrastructure and compare them to the economic benefit of the proposed project.
Responsible Agency: Redevelopment Agency
Schedule: 2005-2006; Ongoing
Implementation Status - The Redevelopment Agency has been eliminated by the State; however, as part of land development, the project is required to provide infrastructure to serve the development.
Program 9.B
Proactively work with the Riverside County Transportation Commission in putting Banning projects on the highest priority within the Transportation Uniform Mitigation Fee (TUMF) program.
Responsible Agency: City Manager's Office, City Engineer, City Council
Schedule: Ongoing
Implementation Status - Ongoing. Attend and participate at monthly meetings with RCTC.

Policy 10

Continue to cultivate cooperative relationships with the Morongo Band of Mission Indians and Bureau of Indian Affairs, particularly regarding development of Indian lands within and adjacent to the planning area, and development and enhancement of community facilities that provide joint benefit to the Tribe and the City.

Policy 11

The City will have a comprehensive tourism plan.

Program 11.A
Encourage and promote special events and activities which strengthen the City's image and attractiveness to residents, visitors, and businesses.
Responsible Agency: City Council, Redevelopment Agency, Chamber of Commerce, Morongo Band of Mission Indians, Inland Empire Tourism Council, Banning and Beaumont Unified School Districts, ECOPAC
Schedule: 2005-2006
Implementation Status – On-going. Special Events are conducted by the Banning Cultural Alliance such as Phineas Festival, Art Hop, and Play House Bowl and many other downtown activities.
Program 11.B
The City shall conduct market research on tourism approaches, target the tourism markets of interest, and create tourism plan goals and an implementation strategy.
Responsible Agency: City Redevelopment Agency, Chamber of Commerce, Inland Empire Tourism Council, ECOPAC
Schedule: 2006-2007
Implementation Status - Ongoing efforts to accomplish tourism plan.

Emergency Preparedness Element (8 programs)

GOAL 1

A detailed, integrated and comprehensive emergency preparedness plan for the City, ensuring a high level of readiness and responsiveness to man-made and natural disasters of any scope, and which maximizes response capabilities of the City, County, State and Federal governments.

Policy 1

The City shall maintain and update its Multi-Hazard Functional Planning Guidance document to ensure maximum operational functionality and to incorporate federal mandates by required deadlines.

Program 1A
The City shall maintain close communication and coordination with Riverside County to expedite adaptation of and compliance with the federal NIMS program.
Responsible Agency: City Manager, Disaster Preparedness Coordinator, Riverside County Emergency Services Department
Schedule: 2005
Implementation Status - The Emergency Services Coordinator/Fire Marshal has completed "NIMSCAST," the national online NIMS compliance evaluation program developed by FEMA. Continual updates will be done on "NIMSCAST" to ensure current information about the City's compliance is recorded. The latest update was in November 2011. The Emergency Services Coordinator/Fire Marshal monitors the City's Compliance with SEMS and NIMS and provides training or training opportunities to ensure SEMS and NIMS compliance. The organizational chart was updated in November 2011.

Policy 2

The City shall maintain and update the Banning Emergency Plan to keep it updated with staffing and technical capabilities of the City and cooperating agencies.

Program 2.A
Periodically schedule and direct the review and revision of the Banning Emergency Plan.
Responsible Agency: City Manager, Disaster Preparedness Coordinator, Riverside County Emergency Services, Other City Departments, Sun Lakes EPAP
Schedule: Every two years.
Implementation Status - The City's Emergency Operations Plan was updated and approved by the City Council in August 2007. The plan requires review and updates, as needed, every two years. The latest update was in November 2011.

Policy 3

The City shall identify and establish emergency evacuation and supply routes and plans to preserve or reestablish the use of Highland Springs Avenue, San Geronio Avenue, Wilson Street, Ramsey Street, Interstate-10 and other essential transportation routes.

Program 3.A
Through PASSCOM or other appropriate regional organization, the City shall coordinate with adjoining cities, Riverside County, the Morongo Band of Mission Indians and CalTrans to facilitate the designation of emergency evacuation and supply routes, and for the development of a multi-agency emergency response plan that provides expeditious and timely repair to major streets and highways damaged by earthquakes,

flooding or other disasters.
Responsible Agency: City Manager, Disaster Preparedness Coordinator, Public Works Department, Cities of Beaumont and Calimesa, Riverside County Emergency Services, CalTrans, Morongo Band of Mission Indians
Schedule: Continuous
Implementation Status - The Emergency Services Coordinator/Fire Marshal is working with the Emergency Services Coordinator of the Morongo Band of Mission Indians to establish a Mutual Aid Agreement between the Tribe and the City for mutual assistance during disasters. Work continues to designate and develop an alternate east/west route through the Pass Area should I-10 become impassible. Agreement in principal between County of Riverside, Banning City, and Morongo Band of Mission Indians for a route south of I-10. Currently no funds available to proceed.

Policy 4

The City shall identify and establish emergency appropriate locations for emergency supply stockpiles.

Program 4.A
Through County-provided CERT training or other appropriate community venues, the City shall recruit decentralized locations where stockpiles of food, water and emergency medical supplies may be stored and maintained.
Responsible Agency: City Manager, Disaster Preparedness Coordinator, Public Works Department, Riverside County Emergency Services
Schedule: Continuous
Implementation Status - Nothing accomplished as of December 20, 2007 regarding stockpiling food and water except for supplies for use by EOC personnel during a disaster. For medical emergencies the Fire Department has purchased a trailer and equipped it to handle "Mass Casualty" incidents. The trailer is stocked with medical and rescue supplies. The County of Riverside provided money for a conex with food and water to be placed on the Banning bench, but the city has not had the funds to provide that within the city. Work continues with local communities to stockpile as a community and also be personally prepared.

Policy 5

The City shall cooperate and coordinate with Riverside County Emergency Services, local utility purveyors and other agencies and utilities in the preparation of public information materials to assist residents, visitors and business owners in responding to local disasters and emergencies.

Program 5.A
The City shall coordinate and cooperate with County Emergency Services, Banning Water District, Eastern Municipal Water District, Beaumont/Cherry Valley Water District, Southern California Edison, the Gas Company, and other agencies and utilities in the development and dissemination of information and instructions on appropriate actions in the event of a local disaster or emergency.
Responsible Agency: City Council, City Manager, Disaster Preparedness Coordinator, Riverside County Emergency Services, SCE, the Gas Company, Banning Water District, EMWD, and Beaumont/Cherry Valley Water District.
Schedule: Continuous
Implementation Status - The Fire Department Emergency Services Bureau continually communicates with County OES and local agencies to dispense pertinent disaster preparedness Information through public events and organization meetings.
Program 5.B
Coordinate with the County to facilitate with appropriate public and quasi-public agencies and private organizations to assure that CERT training incorporates a public information program to

advise the community on how to prepare for and cope in a local disaster or emergency.
Responsible Agency: City Council, City Manager, Disaster Preparedness Coordinator, Riverside County Emergency Services, Banning Unified School District, Sun Lakes EPAP, private schools, nursing homes, and various local business organizations
Schedule: Continuous
Implementation Status - Ongoing Implementation.
Program 5.C
Encourage and train community volunteers to assist police and fire personnel during and after a major emergency.
Responsible Agency: City Manager, Disaster Preparedness Coordinator, Riverside County Emergency Services, Sun Lakes EPAP
Schedule: Continuous
Implementation Status - The Fire Department has an active volunteer program. Emergency Services Coordinator/Fire Marshal, along with one Council member and a citizen volunteer, have provided numerous training programs related to neighborhoods preparing for disasters. PASSCOMM, County OES, and local groups have provided local training and preparedness.

Policy 6

The City shall thoroughly consider and assess vulnerability to natural and manmade disasters or emergencies when reviewing proposals for the siting and development of critical and essential public/quasi-public facilities.

Program 6.A
In order to assure the maximum possible protection from environmental and manmade hazards, including earthquakes and flooding, the City shall consider their vulnerability to natural and manmade disasters and emergencies when reviewing proposals for critical and essential facilities, as well as sensitive land uses.
Responsible Agency: Planning Department, Public Works Department, Fire Department
Schedule: Continuous
Implementation Status - This is being accomplished as evidenced by the cooperative efforts between Fire and Public Works to mitigate flooding and mudslides after the 2006 fires. The combined efforts have continued with fire and public works to prepare for and mitigate storm damage with fire crews from Oak Glen camp in 2010 and will continue as needed.

Energy and Mineral Resources Element (9 programs)

GOAL 1

Efficient, sustainable and environmentally appropriate use and management of energy and mineral resources, assuring their long-term availability and affordability.

Policy 1

Promote energy conservation throughout all areas of the community and sectors of the local economy, including the planning and construction of urban uses and in City and regional transportation systems.

Program 1.A
The City shall strictly and consistently enforce all state mandated energy-conserving development and building codes/regulations, and shall investigate and report on the appropriateness of developing more stringent local energy performance standards.
Responsible Agencies: Building Department, Planning Department, Public Utilities Electric Utility
Schedule: Ongoing
Implementation Status –Active and ongoing part of development process.
Program 1.B
The City shall continue to participate in transportation planning efforts and shall 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.
Responsible Agency: City Manager's Office, Community Services Department, Public Utilities Department
Schedule: Ongoing
Implementation Status – Ongoing and Active.
Program 1.C
The City shall strive for efficient community land use and transportation planning and design, and shall assure the provision of convenient neighborhood shopping, medical and other services located to minimize travel and facilitate the use of alternative means of transportation.
Responsible Agency: Public Works Department, Planning Department, Community Services Department
Schedule: Ongoing
Implementation Status - Through Development Review Process; bikeways, golf cart paths & pedestrian trails have been planned for new projects.
Program 1.D
The City shall encourage the use of, and programs for, electric vehicles, hybrids, bicycles and pedestrian facilities.
Responsible Agency: Public Utilities Electric Utility Department, City Council
Schedule: Ongoing
Implementation Status - Active and ongoing.

Policy 2

Promote the integration of alternative energy systems, including but not limited to solar thermal, photovoltaic's and other clean energy systems, directly into building design and construction.

Program 2.A
The City shall make available to residents, businesses, and the building industry information on commercially available conservation technologies, solar thermal and photovoltaic energy systems, fuel cell and other alternative energy technology. Building regulations and guidelines that provide for the safe and efficient installation of these systems shall also be provided.
Responsible Agency: Building Department, Community Development Department, Public Works Department, Electric Utility
Schedule: 2006-2007, Ongoing
Implementation Status - Active and ongoing. Interconnection programs are still available for customers wishing to install "behind the meter" generation. However rebate funds have been exhausted.

Policy 3

Proactively support long-term strategies, as well as state and federal legislation and regulations, that assure affordable and reliable production and delivery of electrical power to the community.

Policy 4

Support public and private efforts to develop and operate alternative systems of wind, solar and other electrical production, which take advantage of local renewable resources.

Program 4.A
Support and facilitate the integration of co-generation and other on-site energy production and management systems into larger industrial, commercial and institutional operations in the City to enhance operational efficiencies, reliability, and to provide additional opportunities for local power production.
Responsible Agency: Public Works Department; Planning Department; Building Department; Electric Utility
Schedule: Ongoing
Implementation Status - Active and Ongoing.

Policy 5

Assure a balance between the availability of mineral resources and the compatibility of land uses in areas where mineral resources are mined.

Program 5.A
The City shall monitor and regulate the safe and environmentally responsible extraction and recycling of significant mineral resources located within the planning area.
Responsible Agency: Community Development Department, Public Utilities Department
Schedule: Ongoing.
Implementation Status – Not implemented.
Program 5.B
The City shall establish a formal relationship with the County Geologist or other qualified agency to monitor mineral resource operations under SMARA.
Responsible Agency: Planning Department, Riverside County Geologist.
Schedule: 2005-2006

Implementation Status – Completed.
Program 5.C
The City shall strictly enforce the provisions of the existing mining permit within City limits.
Responsible Agency: Code Compliance, Planning Department
Schedule: Ongoing
Implementation Status – <i>Not completed.</i>

Flooding and Hydrology Element (12 programs)

GOAL 1

A comprehensive system of flood control facilities and services effectively protecting lives and property.

Policy 1

Proactively plan and coordinate with other responsible agencies to upgrade the City's local and regional drainage system.

Program 1.A
Continued implementation of the recommendations of the 1994 RCFC Master Drainage Plan study.
Responsible Agency: Public Works Department, Planning Department
Schedule: Ongoing
Implementation Status – Ongoing.
Program 1.B
Capital Improvement Plans for drainage management and control shall be developed, updated and maintained and shall be based upon the Master Drainage Plan project descriptions.
Responsible Agencies: Public Works Department, Planning Department
Schedule: Ongoing
Implementation Status – Completed.
Program 1.C
Monitor and update the Master Plan of Drainage every five years to reflect changes in local and regional drainage and flood conditions.
Responsible Agencies: Public Works Department, Planning Department
Schedule: Ongoing
Implementation Status – Ongoing.
Program 1.D
Require all new development to complete on site drainage analysis and improvements, at their expense, as part of project development.
Responsible Agencies: Public Works Department, Planning Department
Schedule: Ongoing
Implementation Status – Ongoing, part of development process.

Policy 2

Major drainage facilities, including debris basins and flood control channels, shall be designed to maximize their use as multi-purpose recreational or open space sites, consistent with the functional requirements of these facilities.

Program 2.A
Coordinate and cooperate with RCFC in achieving multi-use agreements within flood control channels and designing safe, attractive recreational facilities that maintain the functional requirements of the drainage facilities.
Responsible Agencies: Public Works Department, Planning Department, RCFC
Schedule: Ongoing
Implementation Status – Ongoing; through SP's and other projects adjacent to Flood Control.

Program 2.B
Work with RCFC to design drainage and flood control facilities that minimize negative aesthetic impacts and retain natural groundcover and vegetation to the greatest extent possible.
Responsible Agencies: Public Works Department, Planning Department, RCFC, US Army Corps of Engineers
Schedule: Ongoing
Implementation Status – Ongoing; through entitlement process when designs are submitted for approval.

Policy 3

The City Engineer shall continue to actively participate in regional flood control and drainage improvement efforts and to develop and implement mutually beneficial drainage plans.

Policy 4

The City shall cooperate in securing FEMA map amendments, recognizing the importance of redesignation of the 100-year flood plains within the City boundaries and sphere-of-influence as improvements are completed.

Program 4.A
In conjunction with the RCFC, the City shall coordinate and cooperate in the filing of appropriate FEMA application materials to incrementally secure amendments to the Flood Insurance Rate Maps for the City, consistent with existing and proposed improvements.
Responsible Agencies: Public Works Department, Planning Department, RCFC
Schedule: Ongoing
Implementation Status - Ongoing.

Policy 5

Pursue all credible sources of funding for local and regional drainage improvements needed for adequate flood control protection.

Program 5.A
Consider the establishment of Area Drainage Plans or Assessment Districts for purposes of funding necessary drainage improvements in particular geographic areas of the City.
Responsible Agencies: Public Works Department, Planning Department, Economic Development Agency, Developers
Schedule: Ongoing
Implementation Status –<i>Not yet completed.</i>
Program 5.B
Explore County funding, state funding under the Cobey-Alquist Flood Plain Management Act, other State programs, and federal funding options for local and area-wide flood control projects.
Responsible Agencies: Public Works Department, Planning Department, Economic Development, State; County
Schedule: Ongoing
Implementation Status – Ongoing.

Policy 6

All new development shall be required to incorporate adequate flood mitigation measures, such as grading that prevents adverse drainage impacts to adjacent properties, on-site retention of runoff, and the adequate siting of structures located within flood plains.

Program 6.A
Stormwater retention shall be enforced through the development review process and routine site inspection.
Responsible Agencies: Public Works Department, Planning Department
Schedule: Ongoing
Implementation Status – Ongoing; through grading approval process.

Policy 7

Assure that adequate, safe, all-weather crossing over drainage facilities and flood control channels are provided where necessary, and are maintained for passage during major storm events.

Program 7.A
Bridging of roadways within new development projects shall be the responsibility of the developer on whose project the bridge occurs, and shall be included as a condition of approval.
Responsible Agency: Planning Department, Public Works Department, Planning Commission, City Council
Schedule: Ongoing
Implementation Status – Ongoing; yes through approval process.
Program 7.B
All new development proposals shall pay their fair share of bridge construction needed to serve their project.
Responsible Agency: Public Works Department, Planning Department
Schedule: Ongoing
Implementation Status - Ongoing.

Geotechnical Element (7 programs)

GOAL 1

Increased protection and safety of human life, land, and property from the effects of seismic and geotechnical hazards.

Policy 1

The City shall establish and maintain an information database containing maps and other information which describe seismic and other geotechnical hazards occurring within the City boundaries, sphere-of-influence and planning area.

Program 1.A
Consult and coordinate with surrounding communities, the California Division of Mines and Geology, Riverside County, other applicable state and federal agencies, and professional engineering geologists to establish, improve and routinely update the database.
Responsible Agency: Planning Department, California Division of Mines and Geology, Riverside County, Consulting Geologists
Schedule: 2005-2006; Continuous
Implementation Status – Continuous.

Policy 2

In accordance with state law, all development proposals within designated Alquist-Priolo Earthquake Fault Zones shall be accompanied by appropriate geotechnical analysis.

Program 2.A
Establish a cooperative agreement with the County Geologist, State Geologist, contract state-certified geologist, or contract geological engineer to review and determine the adequacy of geotechnical and fault hazard studies prepared within the City.
Responsible Agency: City Engineer/Consulting Engineering Geologist
Schedule: 2005-2006, Ongoing
Implementation Status – Completed.

Policy 3

Development in areas identified as being susceptible to slope instability shall be avoided unless adequately engineered to eliminate geotechnical hazards.

Program 3.A
The City shall make available copies of the General Plan Slope Instability Susceptibility Map and discourage development within areas so designated, or require detailed geotechnical analysis and mitigation measures that reduce potential hazards to insignificant levels.
Responsible Agency: Planning Department, City Engineer/Consulting Engineering Geologist
Schedule: 2005-2006, Ongoing
Implementation Status – Ongoing, implemented through new grading ordinance.

Policy 4

To minimize the potential impacts of subsidence due to extraction of groundwater, the City shall actively support and participate in local and regional efforts at groundwater conservation and recharge.

Program 4.A
Consult and coordinate with the City of Banning Public Utilities – Water Department, U.S. Geological Survey, and other appropriate agencies to routinely monitor groundwater levels and surface elevations in the City.
Responsible Agency: City of Banning Public Utilities – Water Department, U.S. Geological Survey
Schedule: Continuous
Implementation Status – Continuous.
Program 4.B
The City shall encourage the preparation of, support and participate in, the study of the temporary surplus of the Beaumont Water Basin and its impact on subsidence.
Responsible Agency: Water Department, Beaumont/Cherry Valley Water District, San Geronio Pass Water Agency
Schedule: Ongoing
Implementation Status – On going.

Policy 5

The City shall coordinate and cooperate with public and quasi-public agencies to assure the continued functionality of major utility systems in the event of a major earthquake.

Program 5.A
Maintain working relationships and strategies between the Public Works Department (wastewater and electric), utilities, and other appropriate agencies to strengthen or relocate utility facilities, and take other appropriate measures to safeguard major utility distribution systems.
Responsible Agency: Planning Department, Public Works Department, City Engineer, Public and Quasi-Public Utilities
Schedule: 2004-05; Ongoing
Implementation Status –Ongoing, through pre applications, development meetings and with PAC.

Policy 6

New septic tank leach fields, seepage pits, drainage facilities, and heavily irrigated areas shall be located away from structural foundations and supports to minimize the potential for localized collapse of soils.

Program 6.A
The City shall require that development applications include plans indicating the location of leach fields, seepage pits, drainage facilities, and water-dependent landscaping so that City staff may evaluate the potential for ground saturation.
Responsible Agency: Planning Department, Building Department, City Engineer
Schedule: 2005-2006, Ongoing
Implementation Status – Through grading review, part of development review process.

Hazardous and Toxic Materials Element (10 programs)

GOAL 1

Maintain and promote measures to protect life and property from hazards resulting from human activities and development.

Policy 1

The City shall continue to encourage research on potential and known hazards to public health and safety and make this information available to the general public, commercial interests, and governmental organizations.

Policy 2

The City shall continue to conduct and participate in studies with other agencies to identify existing and potential hazards to public health and safety.

Program 2.A
Maintain, coordinate, and update the location of hazardous spills as a result of accident or intentional action, and community evacuation plans.
Responsible Agencies: Fire Department, Planning Department, County Health Department
Schedule: Ongoing
Implementation Status Ongoing.
Program 2.B
The Fire Department shall maintain a citywide Emergency Response Program, which provides for emergency services in the event of a hazardous spill or airborne release.'
Responsible Agencies: Fire Department, City Manager's Office, County Health Department
Schedule: Ongoing
Implementation Status – SIMS & NEMS ongoing training.
Program 2.C
Coordinate with responsible agencies to assure enforcement of state and federal regulations for the testing and monitoring of underground fuel storage tanks for leakage.
Responsible Agencies: Fire Department, state and federal EPA, County Health Department
Schedule: Ongoing
Implementation Status – Ongoing activity with fire.

Policy 3

The City shall thoroughly evaluate development proposals for lands directly adjacent to sites known to be contaminated with hazardous or toxic materials, traversed by natural gas transmission lines or fuel lines, or sites that use potentially hazardous or toxic materials.

Program 3.A
Consult with the County of Riverside Department of Health on a quarterly basis to identify existing and new hazardous waste sites within the General Plan study area.
Responsible Agencies: Planning Department, Fire Department, County Health Department
Schedule: Ongoing
Implementation Status Ongoing.

Program 3.B
A Conditional Use Permit shall be required for all new development that generates, transports, uses or stores significant amounts of hazardous materials.
Responsible Agencies: Planning Department
Schedule: Ongoing
Implementation Status – Ongoing.

Policy 4

Require and facilitate the adequate and timely cleanup of contaminated sites identified within the City of Banning and its sphere-of-influence.

Program 4.A
Coordinate with responsible county, state and federal agencies to activate cleanup procedures, and monitor the status of cleanup efforts on an ongoing basis.
Responsible Agencies: Planning Department, Fire Department, State and federal EPA, County Health Department, California Regional Water Quality Control Board
Schedule: Ongoing
Implementation Status - Ongoing

Policy 5

The City shall designate appropriate access routes to facilitate the transport of hazardous and toxic materials.

Program 5.A
Coordinate with the Fire Department, Police Department, neighboring jurisdictions, and other appropriate agencies to identify segments of highway or local roads that shall be restricted from transporting hazardous and toxic materials in order to preserve public safety.
Responsible Agencies: Planning Department, Fire Department, Police Department
Schedule: 2005-2006
Implementation - Not yet completed.
Program 5.B
Enforce roadway access restrictions and consider the implementation of fines or penalties for violations.
Responsible Agencies: Fire Department, Police Department
Schedule: 2005-2006
Implementation Status - Not yet completed

Policy 6

Continue to promote programs that encourage or educate the public in the proper handling and disposal of household hazardous waste or dangerous materials.

Program 6.A
Establish a Household Hazardous Waste program through the City's solid waste contractor.
Responsible Agencies: City Manager's office, solid waste contractor
Schedule: Ongoing
Implementation Status - Ongoing.

Policy 7

The City shall actively oppose plans to establish hazardous or toxic waste dumps, landfills, or industrial processes that may potentially adversely affect the City and its Sphere-of-Influence.

Policy 8

Maintain an inventory and information database, including mapping, of all major natural gas transmission lines and liquid fuel lines within the City limits and Sphere of Influence.

Program 8.A
The City shall insure that location of all major natural gas transmission lines and liquid fuel lines that run through the City are clearly identified, that right-of-way and maintenance easements are maintained, and that all existing and proposed development are located a safe distance from these lines.
Responsible Agencies: Building and Safety, Planning Department, Fire Department
Schedule: Ongoing
Implementation Status – Ongoing.

Housing Element (16 programs)

GOAL 1

Housing Opportunities - Provide a wide range of housing types to meet the existing and future needs of planning area residents.

Policy 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.

Program 1.A
The City, through planning and regulatory actions will designate adequate housing sites to meet its RHNA allocation for each income level (Objective 1,780 dwelling units through June 30, 2005 as follows: 481 very-low income, 289 low-income, 405 moderate-income and 605 above moderate income).
Responsible Agency: Community Development; City Council; Planning Commission
Schedule: January 1, 1998 – June 30, 2005
Implementation Status - The housing element update for 2006-2014 is in progress.
Program 1.B
City to assist Riverside County in advertising the shared housing program by placing program brochures in key locales throughout the community and contacting agencies serving seniors so they are aware of the program (Objective 10 roommate matches per year)
Responsible Agency: Community Development Department & Redevelopment Agency
Schedule: Current and On-going.
Implementation Status - Not implemented.

Policy2

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.

Policy3

Promote the development of low- and moderate-income, and senior citizen 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.

Program 3.A
Continue implementing “Density Bonuses and Other Incentives for Lower Income and Senior Housing”, and to annually evaluate the program to ensure the Density Bonuses and Other Incentives are effective in encouraging developers to include projects containing housing affordable to low- or moderate-income households.
Responsible Agency: Community Development Department & Redevelopment Agency
Schedule: Current and on-going
Implementation Status – Developers are encouraged to take advantage of the housing density bonus and other city incentives.

Program 3.B
Participate in one bond-funded housing project for ownership housing and one for rental housing during the five-year period of this Housing Element. To achieve these objectives, Agency staff will do the following during 2001
Responsible Agency: Community Development Department & Redevelopment Agency
Schedule: One project each in 2003 and 2004
Implementation Status – <i>Not implemented.</i>
Program 3.C
The City of Banning will maintain its cooperative agreement with the County for the mortgage credit certificate program and should assist the County in advertising the program through distribution of program brochures to local realtors and residential sales offices.
Responsible Agency: Community Development Department & Redevelopment Agency
Schedule: : Current and on-going
Implementation Status – Ongoing.
Program 3.D
Establish ongoing working relationship with at least one nonprofit organization to administer housing programs and/or affordable housing developments
Responsible Agency Community Development Department & Redevelopment Agency
Schedule: Meet with non-profits organizations by June 2001 and establish partnerships by December 2001
Implementation Status – Ongoing.
Program 3.E
The City can facilitate use of Section 8 program by encouraging apartment owners to list available rental units with the County Housing Authority for potential occupancy by tenants receiving Section 8 certificates.
Responsible Agency: Community Development Department & Redevelopment Agency
Schedule: Current and on-going
Implementation Status – Ongoing.

Policy 4:

Require that housing constructed expressly for low- and moderate-income households not be concentrated in any single portion of the City.

Policy 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.

Program 5.A
Designation of specific zones in which emergency and transitional facilities will be permitted.
Responsible Agency: Community Development Department & Redevelopment Agency
Schedule: site analysis and code amendments by September 2001
Implementation Status – Ongoing.

Policy 6: Encourage the development of residential units which are accessible to handicapped persons or are adaptable for conversion to residential use by handicapped persons.

Policy 7: Locate higher density residential development in close proximity to public transportation, services and recreation.

Policy 8: Permit the development of childcare facilities concurrent with new housing development.

Policy 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.

Program 9.A
The City will provide a one-stop process for a developer with an affordable housing project. An interagency approval process system will be established to include the City Planning, Building, Public Works and Fire Departments. A designated individual within the Planning Department will act as the project manager, or liaison, for the participating City departments and the applicant. A timeframe with milestones for development approval will be established for each project to ensure processing in a timely manner. The City will also prepare a permit handbook that explains the permits process and application requirements.
Responsible Agency: Community Development Department & Redevelopment Agency
Schedule: December 2001
Implementation Status – One-stop process is implemented and is for all projects, including affordable housing.
Program 9.B
Maintain development fees at a level commensurate with the services and facilities needed to meet community standards
Responsible Agency: Community Development Department & Redevelopment Agency
Schedule: Current and on-going
Implementation Status – Development fees, along with Citywide fees are currently being reviewed.
Program 9.C
Improve permit processing efficiency and reduce permit processing time.
Responsible Agency: Community Development Department & Redevelopment Agency
Schedule: : December 2001
Implementation Status - Active and ongoing process as part of Permit Streamlining Act.

Policy 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.

Policy 11:

Provide opportunities for move-up housing in Banning.

GOAL 2

Maintenance and Preservation – Enhance the quality of existing residential neighborhoods in Banning.

Policy 1:

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

Program 1.A
Administer 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. Rehabilitate 15 dwelling units per year (75 over 5 years)
Responsible Agency: Community Development Department & Redevelopment Agency
Schedule: Current and on-going; Rehabilitate 15 dwelling units per year (75 over 5 years)
Implementation Status – Active and on-going.

Policy 2:

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

Program 2.A
The City will continue its sensitive enforcement of residential Building codes, and will inform property owners in violation of City codes of any rehabilitation assistance he/she may be eligible for in correcting code violations. To implement this Program, the City will fund a half-time position for a Neighborhood Code Enforcement Officer.
Responsible Agency: Community Development Department & Code Enforcement
Schedule: Establish a 2-year Pilot Program by FY 2001/02; Status report to Council by July 1, 2003 evaluating program.
Implementation Status: Ongoing.

Policy 3:

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

Policy 4:

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

Program 4.A
The Redevelopment Agency will purchase abandoned homes and provide necessary rehabilitation. This program was formerly administered in conjunction with the Banning Partners for a Revitalized Community, which is no longer active. A new program, along the same lines, had been administered by the Banning Redevelopment Agency. The Redevelopment Agency and HUD have purchased four homes to restore and are currently looking for a non-profit agency to partner to start
Responsible Agency: Community Development Department & Code Enforcement
Schedule: Current and on-going; Rehabilitate 5 dwelling units per year (25 over 5 years)
Implementation Status – Ongoing through contract with Habitat for Humanity.

Policy 5:

Encourage the use of rehabilitation funds for room additions to alleviate overcrowding, and for accessibility improvements to address the needs of the handicapped.

Policy 6:

Educate property owners on the benefits of home repair and remodeling using design and materials consistent with the historic character of the residence.

GOAL 3

Environmental Sensitivity - Ensure that new housing is sensitive to existing development as well as the natural environment.

Policy 1:

Ensure that multi-family development is compatible in design with single-family residential areas.

Policy 2:

Regularly examine new residential construction methods and materials, and upgrade the City's residential building standards as appropriate.

Policy 3:

Prohibit new residential development to front on major arterial highways without adequate setbacks and buffering.

Policy 4:

Prohibit housing development in areas subject to significant geologic, flooding, blow sand, noise and fire hazards.

Policy 5:

Accommodate new residential development which is coordinated with the provision of infrastructure and public services.

Program 5.A
The City will continue to use the Design Review Process to evaluate site suitability. Under design review criteria, housing should be located on sites that are physically adequate and environmentally suitable for such development and compatible with existing nearby development. These criteria will provide a yardstick for the City to identify and evaluate potential sites for environmentally sound housings
Responsible Agency: Community Development Department & Redevelopment Agency
Schedule: Current and on-going.
Implementation Status – New infill housing is encouraged in developed areas of town to make use of current infrastructure.

Policy 6: 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

GOAL 4

Fair Housing – Promote equal opportunity for all residents to reside in the housing of their choice.

Policy 1:

Affirm a positive action posture which will assure that unrestricted access is available to the community.

Policy 2:

Prohibit practices which restrict housing choice by arbitrarily directing prospective buyers and renters to certain neighborhoods or types of housing.

Policy 3:

Continue support and participation in the Riverside County New Horizons' Fair Housing Program to further spatial de-concentration and fair housing practices.

Program 3.A
Promote equal housing opportunity; educate the public, real estate industry representatives, lenders, and property owners on fair housing requirements; promptly refer and resolve fair housing disputes.
Responsible Agency: Community Development Department & Redevelopment Agency
Schedule: Current and on-going.
Implementation Status – Ongoing.

Land Use Element (17 programs)

GOAL 1

A balanced, well planned community including businesses which provides a functional pattern of land uses and enhances the quality of life for all Banning residents.

Policy 1

The City maintain a land use map which assures a balance of residential, commercial, industrial open space and public lands.

Program 1.A
The city shall annually monitor the remaining capacity of all General Plan land use categories and recommend changes to the City Council as needed.
Responsible Agency: Planning Department, Planning Commission
Schedule: 2005-2006, Annually thereafter
Implementation Status – Ongoing.
Program 1.B
The City's Zoning Ordinance shall directly correspond to General Plan land use designations, and shall be kept consistent with the General Plan.
Responsible Agency: Planning Department, Planning Commission, City Council
Schedule: 2005-2006, Annually thereafter
Implementation Status – Ongoing.

Policy 2

The Planning, Public Works and Economic Development staffs shall be closely coordinated, to assure efficient and cost effective processing of applications.

Program 2.A
The City shall develop a Fast Track application process for projects which enhance the City's economic development. Procedures and timelines shall be provided to qualifying project applicants in writing.
Responsible Agency: Planning Department, Public Works, Economic Development staff, Redevelopment Agency, City Manager's Office
Schedule: 2005-2006
Implementation Status – Ongoing and complies with Permit Streamlining Act.

Policy 3

Development in all land use categories shall be of the highest quality.

Program 3.A
The Zoning Ordinance shall include design standards and guidelines which assist the development community in developing high quality projects.
Responsible Agency: Planning Department, Planning Commission, City Council
Schedule: 2005-2006
Implementation Status – Completed.

Policy 4

Specific Plans shall be required for projects proposing one or more of the following:

- a. More than one residential land use designation;
- b. A combination of residential, recreational, commercial and/or industrial land use designation; or
- c. Extension of infrastructure (water, sewer and roadways) into an area where these do not exist.

Policy 5

All land use proposals shall be consistent with the goals, policies and programs of this General Plan, and with the Zoning Ordinance.

Policy 6

The City shall implement a program for Art in Public Places.

Program 6.A
An Art in Public Places Ordinance shall be prepared and incorporated into the Municipal Code.
Responsible Agency: Community Services Department, Planning Department, Planning Commission, City Council.
Schedule: 2005-2006
Implementation Status – Art in Public Places is currently required as part of new development in Downtown Commercial zoning district. The details of what the Art in Public Places entails is still to be developed.

Residential Goals, Policies and Programs:

GOAL 1

Preserve and enhance the City's neighborhoods.

GOAL 2

A broad range of housing types to fill the needs of the City's current and future residents.

Policy 1

The land use map shall provide a range of housing densities while considering land use compatibility with non-residential land uses.

Policy 2

Projects adjacent to existing neighborhoods shall be carefully reviewed to assure that neighborhood character is protected.

Policy 3

Density transfers resulting in a 50% increase in density shall be permitted in the Residential/Agriculture-Hillside and Rural Residential-Hillside land use designations.

Policy 4

The City's Zoning Ordinance shall include design standards and guidelines which encourage high quality residential development.

Program 4.A
Design standards and guidelines shall be included in all residential zoning categories.
Responsible Agency: Planning Department, Planning Commission, City Council
Schedule: 2005-2006
Implementation Status – Standards and guidelines contained in zoning ordinance.

Policy 5

The City shall complete Specific Neighborhood Plans when requested by the neighborhood.

Program 5.A
Develop and implement an outreach program and outline of parameters for Neighborhood Plans.
Responsible Agency: Planning Department, Planning Commission, City Council
Schedule: 2006-2007; As requested by neighborhoods
Implementation Status – Ongoing.

Policy 6

The Zoning Ordinance shall include principles, standards and guidelines which allow for creative and flexible design of residential projects, including clustered housing, narrowed local streets, trails, parks and plazas.

Policy 7

The Zoning Ordinance shall include principles, standards and guidelines which provide for high quality, high density mixed use residential development, in the Downtown Commercial zoning designation.

Policy 8

The City will participate in a Community Plan for the Banning Bench with Riverside County and the Banning Bench Community of Interest. Specific development proposals will continue to be processed during its preparation.

Program 8.A
Negotiate with the Banning Bench Community of Interest as part of the Master Plan for either inclusion in the City's Sphere of Influence or annexation.
Responsible Agency: City Council, Community of Interest
Schedule: 2005-2006
Implementation Status – <i>Not yet completed.</i>

Commercial Goals, Policies and Programs:

GOAL 1 - Commercial

Complementary commercial uses which meet the needs of the City's residents, increase the City's revenues, and provide a range of employment opportunities.

GOAL 2 - Industrial

A balanced mix of non-polluting industrial land uses which provide local jobs for the City's residents.

Policy 1

The land use map shall include sufficient commercial lands to provide a broad range of products and services to the City and region, while carefully considering compatibility with adjacent residential lands.

Policy 2

In coordination with the Economic Development Element, the City shall maintain market information, including information on the City's identified service needs, potential sites, Fast Track System and provide information on those sites to the development community.

Program 2.A
Develop and maintain an inventory of potential commercial sites, including lands which may require consolidation, and demographic information for use by the Economic Development staff in attracting new businesses to the City.
Responsible Agency: Economic Development staff, Planning Department, City Manager's Office
Schedule: 2005-2006
Implementation Status – In progress.
Program 2.B
The Redevelopment Agency shall consider land purchases which allow for the consolidation of smaller, under-utilized commercial sites into larger and more useable parcels, to be marketed to the development community.
Responsible Agency: Redevelopment Agency
Schedule: Ongoing as lands are identified
Implementation Status – Ongoing.

Policy 3

The Zoning Ordinance shall include principles, design standards and guidelines which encourage the development of high quality commercial projects.

Policy 4

The Zoning Ordinance shall include principles, design standards and guidelines, based on the Downtown Design Charette, which provide for high quality, pedestrian oriented retail development in the Downtown Commercial zoning designation.

Policy 5

The City shall coordinate with the Banning Unified, the Beaumont Unified School Districts and the Mount San Jacinto Community College to provide vocational education to support commercial and industrial businesses in the City and surrounding areas.

Policy 6

The City shall develop and implement a community identification program, including monument signage, directional signs, etc. which provide attractive entry statements for the City, and which direct visitors to local points of interest.

Policy 7

The land use map shall include sufficient industrial lands for manufacturing, warehousing and distribution, while carefully considering compatibility with adjacent lands.

Policy 8

Industrial lands shall be located on major roadways with good access to Interstate 10, to assure that potential traffic impacts associated with tractor-trailers are minimized.

Policy 9

The Redevelopment Agency will consider purchases of residential properties occurring in the industrial land use designations when they are put up for sale.

Program 9.A
Establish contacts in the real estate community to be notified of residential properties for sale in the industrial areas, and consider purchases when appropriate.
Responsible Agency: Redevelopment Agency
Schedule: Ongoing as properties become available
Implementation Status – Ongoing.

Policy 10

The Zoning Ordinance shall include principles, design standards and guidelines which encourage the development of high quality industrial projects.

Policy 11

Industrial campuses and master planned projects are encouraged.

Policy 12

The City shall coordinate with developers and the Railroad to secure railroad spurs.

Policy 13

The City shall adequately regulate sand and gravel operations to assure that their impacts to surrounding development is minimized.

Program 13.A
The City shall establish a formal relationship with the County Geologist or other qualified agency to monitor mineral resource operations under the State Mining and Reclamation Act (SMARA).
Responsible Agency: Planning Department, Riverside County Geologist
Schedule: 2005-2006
Implementation Status – Formal relationship is established and ongoing.

Public Facilities Goals, Policies and Programs:

GOAL 1

Sufficient and appropriately located public facilities to serve the needs of the City's residents, businesses and visitors.

Policy 1

The City shall take a leadership role with all providers of public services in the community to assure they provide adequate and quality levels of service based on future demands.

Program 1.A
The City shall take a leadership role with the various public and private providers responsible for schools, fire, health and other providers.
Responsible Agency: Planning Department, City Manager's Office, City Council, Fire Department, Banning and Beaumont Unified School Districts, County of Riverside, San Geronio Memorial Hospital
Schedule: Quarterly
Implementation Status - The Fire Department master plan for expansion based on community growth was approved by the City Council and is continually re-evaluated. The Fire Department has

been working with the Finance Department to develop a plan for Fire and Police Community Funding districts in new developments.

Policy 2

The City shall review projects, particularly those which propose master planned communities, to assure that public facilities are provided to meet the needs of the project and the surrounding area.

Program 2.A
The City shall, where appropriate, regulate the location of public facilities through conditions of approval.
Responsible Agency: Planning Department, Public Works Department, Planning Commission, City Council
Schedule: Ongoing
Implementation Status – Ongoing through conditions of approval.

Open Space Goals, policies and Programs:

GOAL 1

The conservation and management of open space areas to provide recreational opportunities and protect important resources in perpetuity.

Policy 1

Lands preserved through conservation easements, acquired by private or public agencies, or dedicated for open space shall be designated for the appropriate Open Space land use category on the land use map as they are preserved.

Program 1 A
Review development proposals adjacent to designated open space lands and assure that land uses are compatible, and buffers provided when necessary.
Responsible Agency: Planning Department, Public Works Department
Schedule: Ongoing
Implementation Status – Ongoing.

Policy 2

The City shall proactively coordinate with private and public agencies so that lands available for conservation are dedicated appropriately to assure their management in perpetuity.

Program 2.A
The City shall coordinate with land owners and private and public agencies to the greatest extent possible to assure that lands proposed for open space either through donation or purchase are conveyed to the appropriate management agency.
Responsible Agency: Planning Department, City Manager's Office, County of Riverside, State and Federal Agencies, Land Conservation Agencies
Schedule: Ongoing
Implementation Status – Ongoing.

Policy 3

The City of Banning shall protect the peaks and ridgelines within the City, and encourage 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.

Program 3.A
The City shall investigate and implement actions and regulations that facilitate hillside development that is compatible with the natural characteristics of the terrain while protecting the significant view sheds, and natural hillside features such as topography, natural drainage, vegetation, wildlife habitats, movement corridors etc.
Responsible Agency: City Council, City Manager's Office, Planning Department, Public Works Department, City of Beaumont, County of Riverside, Morongo Band of Mission Indians
Schedule: 2005-2006, Ongoing
Implementation Status – Grading ordinance adopted. Implementation is ongoing.

Noise Element (10 programs)

GOAL 1

A noise environment that complements the community's residential character and its land uses.

Policy 1

The City shall protect noise sensitive land uses, including residential neighborhoods, schools, hospitals, libraries, churches, resorts and community open space, from potentially significant sources of community noise.

Program 1.A
The City shall require building setbacks, the installation of wall and window insulation, soundwalls, earthen berms, and/or other mitigation measures in areas exceeding the City's noise limit standards for private development projects as they occur.
Responsible Agency: Planning Department
Schedule: Ongoing
Implementation Status – Ongoing through land development review process.
Program 1.B
The City shall maintain and enforce its Noise Control Ordinances that establish community-wide noise standards and identify measures designed to resolve noise complaints.
Responsible Agency: Planning Department, Code Enforcement, Police Department
Schedule: Ongoing
Implementation Status - Ongoing through land development review process.
Program 1.C
The City shall use the development review process to assure the use of buffers between sensitive receptors and incompatible land uses.
Responsible Agency: Planning Department, Planning Commission, City Council
Schedule: Ongoing
Implementation Status - Ongoing through land development review process.
Program 1.D
The City shall require that commercial compactors, loading zones, and large trash bins be located at a sufficient distance from residential properties to reduce noise impacts to its acceptable standard.
Responsible Agency: Planning Department
Schedule: Continuous
Implementation Status - Ongoing through land development review process.
Program 1.E
The City shall purchase, maintain and operate its own noise monitoring equipment.
Responsible Agency: Code Enforcement
Schedule: 2006-2007, Ongoing
Implementation Status – Equipment is older prior to 2006 and needs to be updated.

Policy 2

The relationship between land use designations in the Land Use Element and changes in the circulation pattern of the City, as well as individual developments, shall be monitored and mitigated.

Program 2.A
The City shall develop guidelines and minimal criteria requirements for noise analyses for proposed development projects. Studies shall evaluate project impacts and the effectiveness of proposed mitigation measures.
Responsible Agency: Planning Department, Public Works Department
Schedule: July 1, 2005; every five years.
Implementation Status – Ongoing through land development review process and through the building code standards.
Program 2.B
The City shall periodically review and amend the Land Use Map to assure reasonable land use/noise level compatibility.
Responsible Agency: Planning Department
Schedule: Annually
Implementation Status – Ongoing.

Policy 3

Private sector project proposals shall include measures that assure that noise exposures levels comply with State of California noise insulation standards as defined in Title 25 (California Noise Insulation Standards) and/or Banning Ordinances 1138 and 1234, whichever is more restrictive.

Policy 4

The City shall maintain a General Plan Circulation Map and assure low levels of traffic within neighborhoods by assigning truck routes to major roadways only.

Program 4.A
The City shall review designated primary truck routes and ensure they are clearly marked throughout the community. Except for traffic providing location-specific services and deliveries, construction trucks and delivery trucks shall be limited to designated truck routes, including: Ramsey Street, and those portions of Lincoln Street, Highland Springs Avenue, Hathaway Street, Sunset Avenue, Eighth Street, San Geronio Avenue and Hargrave Street so designated.
Responsible Agency: Public Works Department, City Engineer
Schedule: Annually
Implementation Status – <i>Not yet implemented</i>
Program 4.B
The City shall discourage development projects that result in through-traffic in residential neighborhoods.
Responsible Agency: Planning Department, Planning Commission, City Council
Schedule: Ongoing
Implementation Status - Ongoing through land development review process.

Policy 5

The City shall ensure that flight paths and airport improvements adhere to all local, state and federal noise regulations.

Policy 6

All development proposals within the noise impact area of the Interstate and the railroad shall mitigate both noise levels and vibration to acceptable levels through the preparation of focused studies and analysis in the development review and environmental review process.

Policy 7

The City shall coordinate with adjoining jurisdictions to assure noise-compatible land uses across jurisdictional boundaries.

Policy 8

The City shall impose and integrate special design features into proposed development that minimize impacts associated with the operation of air conditioning and heating equipment, on-site traffic, and use of parking, loading and trash storage facilities.

Policy 9

The City shall support development that results in grade separated railroad tracks.

Program 9.A
The City shall assure that new development and project expansions pay their fair share toward grade separations based on their impacts.
Responsible Agency: Planning Department, City Engineer
Schedule: Ongoing
Implementation Status - Ongoing through land development review process.

Open Space and Conservation Element (7 programs)

GOAL 1

Open space and conservation lands that are preserved and managed in perpetuity for the protection of environmental resources or hazards, and the provision of enhanced recreational opportunities and scenic qualities in the City.

GOAL 2

A balance between the City's built and open space environment and local and regional protection and preservation of its unique environment.

Policy 1

Identify and assess lands in the City, its sphere-of-influence and planning area, that are suitable for preservation as public or private, passive or active open space.

Program 1.A
The City shall maintain and use Open Space land use designations on the General Plan Land Use Map.
Responsible Agency: Planning Department, Community Services Department.
Schedule: 2005-2006
Implementation Status –Ongoing, private open space & public parks have been set aside through the Specific Plan process that requires minimum public land set aside.
Program 1.B
Environmental hazard zones, including earthquake fault lines, floodways and floodplains, steep or unstable slopes, shall be designated as open space on the land use map.
Responsible Agency: Planning Department
Schedule: 2005-2006
Implementation Status –These have been identified in the General Plan and no development is permitted in these areas of concern.
Program 1.C
Lands on which cultural resources are identified may be preserved as Open Space
Responsible Agency: Planning Department
Schedule: Ongoing
Implementation Status – The St. Boniface Cemetery has been set aside. This is actively monitored through the CEQA process as part of land development.
Program 1.D
Inventory the costs of land acquisition, maintenance and other administrative functions, and encourage the transfer of public open space and conservation properties to existing land trusts for local property management.
Responsible Agency: Planning Department, City Council.
Schedule: 2005-2006, Update every two years.
Implementation Status – No progress to date.

Policy 2

The City shall protect natural hillsides above the toe of slope in perpetuity as undeveloped open space, and shall provide specific parameters under which development can occur within the Rural Residential – Hillside and Ranch/Agriculture Residential – Hillside land use designations. For purposes of this General Plan, the toe of slope is defined as the dividing line between rock formations where there is a noticeable break in the angle of slope from steep to shallow.

Program 2.A
The Zoning Ordinance shall be amended to include detailed provisions for the preservation of natural hillsides above the toe of slope. These provisions shall include, but not be limited to, density transfers from hillside areas to developable areas within the same parcel, building prohibitions for lands with grades exceeding 25%, permitted uses and building standards for developable areas in these hillsides, and grading parameters in these hillsides.
Responsible Agency: Planning Department, City Engineer, Planning Commission, City Council.
Schedule: 2005-2006
Implementation Status – Active and ongoing to comply with the Grading Ordinance that was adopted by the City Council on July 14, 2009.
Program 2.B
The City shall seek recreational usage of desirable hillside lands currently owned by public agencies, such as the Bureau of Land Management, the United States Forest Service or the County of Riverside; and shall secure open space lands from private entities by negotiating public access provisions and/or establishing a density transfer program.
Responsible Agency: City Manager's Office, Planning Department, City Council
Schedule: 2006-2007; Ongoing
Implementation Status – No progress to date.

Policy 3

Ridgelines shall be preserved as permanent open space.

Policy 4

The City shall preserve all watercourses and washes necessary for regional flood control, ground water recharge areas and drainage for open space and recreational purposes.

Policy 5

The City shall preserve permanent open space edges or greenbelts that define the physical limits of the City and provide physical separation between adjoining neighborhoods.

Program 5.A
The Land Use Map and Zoning Ordinance shall regulate development at the boundaries of the planning area to assure the preservation of a well-defined, functional or visual edge.
Responsible Agency: Planning Department.
Schedule: 2005-2006
Implementation Status – Ongoing as part of land development review process.

Policy 6

Where practical, new development shall integrate pipeline, above- and under-ground utility corridors and other easements (including electric, cable and telephone distribution lines) into a functional open space network.

Policy 7

Drought tolerant landscaping materials and design features shall be incorporated into parks, roadway medians, common area landscaping, public facilities and other appropriate open space lands to retain and preserve the natural environment.

Parks and Recreation Element (26 programs)

GOAL 1

A high quality public park system with adequate land and facilities to provide recreational facilities and activities for the City's residents.

GOAL 2

A comprehensive bikeway, trail and walking path system that connects homes to work places, commercial venues and recreational facilities, and which enhances the safety and enjoyment of cyclists, equestrians and pedestrians.

Policy 1

Update the Master Parks and Recreation Plan so as to assure adequate parklands and facilities that meet the immediate and future needs of the community, and is complementary to the natural environment.

Program 1.A
Update the City's parks master plan to address the proposed and anticipated parks and recreational facilities to be developed within the City.
Responsible Agency: Community Services Department, Public Works Department, Parks and Recreation Advisory Committee, Planning Commission
Schedule: 2005-2006, then every five years
Implementation Status – Park Master Plan to be adopted by the City Council on February 22, 2011.
Program 1.B
The parks master plan shall maintain a standard of 5 acres of parkland per 1,000 residents.
Responsible Agency: Community Services Department, Parks and Recreation Advisory Committee
Schedule: Ongoing
Implementation Status – Standard established in the General Plan and the Parks Master Plan.
Program 1.C
Include dog parks, tennis courts and golf facilities in Parks Master Planning updates.
Responsible Agency: Community Services Department, Parks and Recreation Advisory Committee
Schedule: Ongoing
Implementation Status – Addressed in the Parks Master Plan.

Policy 2

The City will distribute parks and recreation facilities in a manner that is convenient to City neighborhoods and balanced within population concentrations.

Program 2.A
The location and design of neighborhood parks shall consider neighborhood suggestions and input regarding facility needs, vehicular and pedestrian access, noise and lighting impacts, and public safety.
Responsible Agency: Community Services Department; Public Works Department; Parks and Recreation Advisory Committee.
Schedule: Ongoing.
Implementation Status – Active policy, ongoing as developments occur.
Program 2.B

City staff shall identify and prioritize park development projects based upon need, land availability, neighborhood suggestions and funding, and shall encourage the planting of trees as in parks and open spaces.
Responsible Agency: Community Services Department; Public Works Department; Parks and Recreation Advisory Committee
Schedule: Ongoing.
Implementation Status- On-going. Park projects are reviewed as part of land development review process.
Program 2.C
Investigate and identify the broad range of sources of financing and operating revenue, including Development Impact Fees, Mello Roos special districts, public/private ventures, state and federal grant opportunities, developer fees and inter-agency joint use agreements to supplement revenues collected for parks and recreation purposes.
Responsible Agency: City Manager's Office; Parks and Recreation Division; Community Services Department; Banning and Beaumont Unified School Districts
Schedule: Ongoing
Implementation Status – Under discussion internally.
Program 2.D
Investigate and identify sources of development financing and revenue, including charitable organizations, state and federal grant opportunities to supplement revenues collected for development of parks and recreation facilities and programs.
Responsible Agency: City Manager's Office; Parks and Recreation Division; Community Services Department
Schedule: Ongoing
Implementation Status – Ongoing.
Program 2.E
The City will consider the implementation of a Quimby Ordinance for the purchase of park lands for new developments as they occur.
Responsible Agency: Parks and Recreation Division; Community Services Department, City Council
Schedule: 2005-2006
Implementation Status – Not implemented.

Policy 3

Require developers of new residential projects to provide on-site recreational and/or open space facilities in addition to City-wide park requirements.

Program 3.A
Encourage the planting of trees in parks and open spaces.
Responsible Agency: Community Services Department
Schedule: Ongoing
Implementation Status – Ongoing.
Program 3.B
Recreation facilities within projects will be maintained by the residents within the project either through a homeowners' association, assessment district or community facilities district.
Responsible Agency: Community Services Department

Schedule: Ongoing
Implementation Status – Ongoing.

Policy 4

Encourage the development of recreational programs and activities that serve all population segments, including children, the elderly and the disabled.

Program 4.A
Develop a community education program for the City's parks and recreation facilities which focuses on the sense of community which parks and recreation facilities can foster.
Responsible Agency: Parks and Recreation Division; Community Services Department
Schedule: 2005-2006, Annually
Implementation Status – Ongoing.
Program 4.B
Develop advertising and publicity programs for recreational programs and events to encourage participation.
Responsible Agency: Community Services Department; Public Works Department; Parks and Recreation Advisory Committee
Schedule: Annually
Implementation Status – Ongoing.
Program 4.C
Develop and distribute educational materials relating to the planting and maintenance of drought tolerant landscaping on private property.
Responsible Agency: Community Services Department; Public Works Department; Parks and Recreation Advisory Committee
Schedule: 2006-2007
Implementation Status – Ongoing and active and is part of the City's Landscape Design Guidelines.

Policy 5

The City shall consider alternative methods of providing park and recreational amenities to meet future population demands.

Program 5.A
Support the development of private recreational ventures that will serve the general population.
Responsible Agency: Planning Department; Community Services Department; Economic Development Department
Schedule: Ongoing
Implementation Status – Addressed in the Parks Master Plan.
Program 5.B
Develop a program by which the City can accept parkland gifts and dedications that would be beneficial to the community.
Responsible Agency: City Attorney; Planning Department; City Council
Schedule: 2005-2006
Implementation Status – Addressed in the Parks Master Plan.
Program 5.C
Develop a program that establishes public participation in tree or landscaping planting efforts to

commemorate special civic occasions.
Responsible Agency: Community Services Department; Public Works Department; Parks and Recreation Advisory Committee
Schedule: 2006-2007
Implementation Status –Ongoing, Sun Lakes public tree planting.

Policy 6

The City shall develop and implement plans for a coordinated and connected bicycle lane network in the community that allows for safe use of bicycles on City streets.

Program 6.A
The City shall inventory all streets for potential Class I, Class II and Class III bikeways, and shall program their installation in its Capital Improvement Program.
Responsible Agency: Planning Department; Engineering Division; Public Works Department; Planning Commission; City Council
Schedule: 2005-2006.
Implementation Status - <i>Not completed and it is addressed in the Parks Master Plan.</i>
Program 6.B
Class I bikeways and sidewalks should be installed on both sides of Wilson Street, Ramsey Street, and Lincoln Street, and other major streets where sufficient right-of-way is available.
Responsible Agency: Engineering Division; Public Works Department
Schedule: 2005-2006, Ongoing
Implementation Status – <i>Not completed and it addressed in the Parks Master Plan.</i>
Program 6.C
Class II bikeways and sidewalks should be designated on all existing arterial streets that have sufficient width to safely accommodate bicycle travel lanes.
Responsible Agency: Planning Department; Engineering Division; Public Works Department
Schedule: 2005-2006.
Implementation Status – <i>Not completed and it is addressed in the Parks Master Plan.</i>
Program 6.D
The City should designate Class III bikeways only where Class I and Class II facilities are not feasible.
Responsible Agency: Planning Department; Public Works Department
Schedule: Continuous.
Implementation Status – <i>Not completed and it is addressed in the Parks Master Plan.</i>

Policy 7

The City should continue to work with the Morongo Band of Mission Indians and neighboring cities and communities to create a regional bicycle and trail network.

Policy 8

The City shall provide for a comprehensive, interconnected recreational trails system suitable for bicycles, equestrians and/or pedestrians.

Program 8.A
Evaluate the practicality of utilizing flood control channels for multi-use trails, where flooding and safety issues can be accommodated, and negotiate inter-agency agreements for this purpose.
Responsible Agency: Planning Department
Schedule: 2005-2006.
Implementation Status – Ongoing, requirement.
Program 8.B
Evaluate the practicality of developing a multi-use trails system along the Banning Bench adjacent to and extending into San Bernardino National Forest lands, where environmental and safety issues can be accommodated, and negotiate inter-agency agreements with the U.S. Forest Service for this purpose.
Responsible Agency: Planning Department, U.S. Forest Service/San Bernardino National Forest
Schedule: 2005-2006.
Implementation Status - Included in the adopted Parks Master Plan.
Program 8.C
Establish a multi-purpose trail between Dysart Park and Smith Creek Park, suitable for equestrian, bicycle and pedestrian use.
Responsible Agency: Community Services Department; Public Works Department; Parks and Recreation Advisory Committee
Schedule: 2005-2006, ongoing as development occurs
Implementation Status – Ongoing.

Policy 9

Motorized vehicles shall be prohibited on City trails.

Program 9.A
The City shall develop a non-motorized trail system and associated ordinances and other required implementation programs.
Responsible Agency: Public Works Department, Planning Commission, City Council
Schedule: 2006-2007
Implementation Status – Included in the adopted Parks Master Plan.
Program 9.B
The non-motorized trail system shall be funded, to the greatest extent possible, by new development.
Responsible Agency: Public Works Department
Schedule: 2006-2007
Implementation Status – Ongoing as part of land development review process.
Program 9.C
The routing and facilities required in the non-motorized trail system Plan shall be incorporated into the Development Impact Fee when the Plan is adopted.
Responsible Agency: Public Works Department
Schedule: 2006-2007
Implementation Status – Not yet completed.

Police and Fire Protection Element (5 programs)

GOAL 1

The highest possible quality and level of service for fire and police protection to preserve and protect the health, welfare and property of residents, business owners, visitors and property owners.

Policy 1

The City shall work closely with the Fire and Police departments to assure that adequate facilities are constructed and service is provided as development and growth occur to maintain and enhance levels of service and insurance ratings.

Program 1.A
On an annual basis, consult and coordinate long-term planning with the Police and Fire departments regarding the optimal location of future police and fire stations, equipment, paramedic/ambulance service, and to ensure that levels of staffing are adequate.
Responsible Agency: City Manager, Police Department, Fire Department
Schedule: Ongoing
Implementation Status - Ongoing. The new police station has been built and occupied. The Fire Department has developed a long-range master plan that outlines the number and placement of fire stations. The master plan was approved by the City Council. The Fire Department uses the master plan to identify fire station requirements when proposed developments are presented. Recent City budgetary concerns have required that the Fire Department consider lowering the number of Stations originally approved in the master plan thereby lowering what it feels is the appropriate level service for Banning residents and explore regional coordination efforts with other cities and the county. Working with Pardee on fire station location within their project to make it more regionalized with Beaumont, Banning and the County for location and cost controls. The best fiscal option for this project is to re-occupy the existing fire station on Wilson Street so personnel and equipment can be added without building a new fire station for the this project.

Policy 2

The City shall review all proposals for new or significant remodeling projects for potential impacts concerning public safety.

Program 2.A
The City shall continue to monitor levels of development in the planning area to assess the need for new fire stations.
Responsible Agency: Planning Department, Fire Department
Schedule: Ongoing
Implementation Status - The Fire Department has developed a long-range master plan that outlines the number and placement of fire stations. The master plan was approved by the City Council. The Fire Department uses the master plan to identify fire station requirements when proposed developments are presented. Recent City budgetary concerns have required that the Fire Department consider lowering the number of stations originally approved in the master plan thereby lowering what it feels is the appropriate level service for Banning residents or explore regional coordination efforts with other cities and the county.
Program 2.B
All development applications shall be routed to the Police and Fire Departments for comment as part of the

application review process.
Responsible Agency: Planning Department, Fire Department, Police Department
Schedule: Ongoing
Implementation Status - All development proposals are routed to the Police Department for comment All development proposals are routed to the Fire Department for comments.

Policy 3

The City shall strictly enforce fire standards and regulations in the course of reviewing development and building plans and conducting building inspections of large multiple family projects, community buildings, commercial structures and motel structures.

Policy 4

All proposed development projects shall demonstrate the availability of adequate fire flows prior to approval.

Program 4.A
Coordinate with the City of Banning Utility Department – Water Division and the Banning Heights Mutual Water Company to ensure availability of adequate water supplies and pressures for fire flows for all existing and proposed development.
Responsible Agency: Planning Department, Fire Department, City of Banning Utility Department – Water Division, Banning Heights Mutual Water Company, Building Department.
Schedule: Ongoing
Implementation Status - All projects are conditioned to meet appropriate fire flow requirements. The Water Department must verify that the required flow can be met.
Program 4.B
Proposed projects in hilly areas with potential access problems, and/or lack of sufficient water and/or water pressure, may require special on-site fire protection measures. Such measures shall be specified during project review.
Responsible Agency: Planning Department, Fire Department
Schedule: Ongoing
Implementation Status – The fire department will require that developers have in place adequate water systems to support fire protection needs. Effective January 1, 2011, an automatic residential fire sprinkler system shall be installed in all <u>new</u> one-and-two family dwellings in accordance with the 2010 California Residential Code (Title 25, Part 2.5)

Policy 5

Crime prevention design techniques, including the use of “defensible space,” high security hardware, optimal site planning and building orientation, and other design approaches to enhance security shall be incorporated in new and substantially remodeled development. (All development proposals routed to Police Department for comment.)

Policy 6

The City shall continue to support and promote community-based crime prevention programs as an important augmentation to the provision of professional police protection services. (Ongoing through 100 Neighborhoods, KO. Gangs in Neighborhoods, GRATE, BPAL)

Policy 7

The City shall periodically review the level, quality, innovation and cost-effectiveness of police and fire protection services, including contract services. (Five-Year Strategic Plan 2006-2011 has been completed.)

Policy 8

The Police and the Fire Departments shall closely coordinate and cooperate with the City and County emergency preparedness teams and shall assure the most effective emergency response practical. (Ongoing training and coordination with all parties involved.)

Policy 9

The Fire Department shall maintain a 5-minute response time.

Policy 10

The Police Department shall maintain a level of service (LOS) goal of 2.0 sworn officers per 1000 residents. (It is recommended that LOS goal be changed to 1.5.)

Policy 11

The Fire Department Ambulance Services shall maintain a 5-minute response time.

Policy 12

The City shall investigate the requirements for an International Organization for Standardization (ISO) rating specifically for the City. (Commission on Accreditation for Law Enforcement Agencies (CALEA).)

Policy 13

The City shall continue to pursue grant positions for the Police Department. (KO Gangs and GRATE have three positions funded by grant.)

Policy 14

The City shall pursue all funding mechanisms to fund the need for police and fire services generated by new development. (Working to establish CFD's & Development Impact Fees.)

Public Buildings and Facilities Element (5 programs)

GOAL 1

The provision of a full range of dependable, cost-effective, and conveniently located public buildings, services and facilities that meet the functional, social and economic needs of the entire community.

Policy 1

The Land Use Element shall consider the long-term availability of sites for future public and quasi-public buildings, infrastructure, and other facilities.

Program 1.A
The City shall review its official Land Use Map and development patterns every five years to assure the availability of adequate sites for future public and quasi-public buildings, infrastructure, and other facilities. The City shall confer and coordinate with utilities and other public and quasi-public agencies regarding their long-term needs.
Responsible Agency: Community Development Department, Public Works Department, Banning Heights Mutual Water Company, SCE, SCG, Verizon, Time Warner
Schedule: 2005; every five years
Implementation Status – Ongoing. Recommendations of city-approved master plans of facilities such as parks, recreation, sewer, and water will be incorporated into future development as part of land development review process.

Policy 2

Continue to identify and evaluate viable, long-term funding mechanisms that provide for the construction, maintenance and operation of existing and future public buildings and facilities, including assuring that new development funds its fair share of these facilities.

Program 2.A
The City shall explore the possibility of establishing a New Construction tax for the purpose of establishing an on-going funding source for adequate provision of public buildings and utilities associated with new development.
Responsible Agency: City Council, Finance Department, Public Works Department, Building Department.
Schedule: 2005
Implementation Status – <i>Not yet completed.</i>
Program 2.B
The City shall pursue and encourage joint-use facilities with other local agencies.
Responsible Agency: Community Services Department, Banning and Beaumont Unified School Districts
Schedule: 2005-2006, Ongoing
Implementation Status – Joint use with Banning Unified School District.

Policy 3

Coordinate with public utility providers and other public/quasi-public agencies to assure that utility buildings and facilities are compatible with the surrounding landscape.

Program 3.A
The City shall establish and maintain close working relationships with utility purveyors and other public

and quasi-public agencies serving the City to assure the least intrusive integration of related buildings and facilities into the community.
Responsible Agency: Community Development Department, Public Works Department, Banning Heights Mutual Water Company, SCE, SCG, Verizon, Time Warner
Schedule: Immediate; Continuous
Implementation Status - Ongoing.
Program 3.B
All new maintenance and utility facilities (and their signage) shall be integrated into the surrounding environment using landscape treatments, architectural elements, and/or other appropriate design mechanisms. Whether as a regulatory or advisory function, design plans shall be reviewed by the Community Development Department.
Responsible Agency: Community Development Department, Public Works Department, Banning Heights Mutual Water Company, SCE, SCG, Verizon, Time Warner
Schedule: Immediate; Continuous
Implementation Status – Active as it is implemented.

Policy 4

All public buildings and facilities shall comply with the same development standards as private development.

Policy 5

Encourage the undergrounding of all utility lines and the undergrounding or screening of transformers/facilities.

Policy 6

Critical structures and facilities (including the civic center, hospitals, fire stations, police stations, schools and major communications facilities) shall be restricted from geologically and hydrologically hazardous areas.

Policy 7

The Zoning Ordinance shall be reviewed to facilitate the location of public buildings and offices in a centralized location near the Civic Center.

Schools and Libraries Element (7 programs)

GOAL 1

The provision of quality school and library facilities in the City that is accessible, safe and conveniently located within the community.

Policy 1

Assist, cooperate and coordinate with the Banning and Beaumont Unified School Districts and state agencies in identifying, acquiring and developing school sites needed to meet future growth demands. Encourage the selection of potential school sites that are centrally located in areas of existing or future residential development.

Program 1.A
The City shall review and advise the Banning and Beaumont Unified School Districts on their master plans, development proposals and environmental documentation, and shall otherwise coordinate and cooperate with the Districts to assure the provision of safe, conveniently located and effective educational facilities.
Responsible Agency: Banning and Beaumont Unified School Districts, Planning Department, City Council
Schedule: Ongoing
Implementation Status – Working with Banning Unified School District for coordination & MSJC.

Policy 2

Continue to work with the Banning Unified School District to amend the District's boundary to encompass all lands within its corporate limits and sphere of influence.

Program 2.A
Maintain effective communication with Banning Unified School District staff and board members to lobby for amendment of the District's boundary.
Responsible Agency: Banning Unified School District, Planning Department, City Council, Beaumont Unified School District
Schedule: Ongoing
Implementation Status – The amendment to the School District's boundary was pursued but not successful.
Program 2.B
Establish an organized committee comprised of City officials, interested community members and leaders and Banning Unified School District staff and board members to lobby for amendment of the District's boundary.
Responsible Agency: City Council, City Manager's Office, Banning Unified School District
Schedule: 2005-2006
Implementation Status – The amendment to the School District's boundary was pursued but not successful.

Policy 3

Schools and libraries shall be protected from excessive noise and traffic conditions, incompatible land uses, and the threat of on-site disturbance to the greatest extent practicable.

Program 3.A
The City shall routinely evaluate and update the Land Use Element to assure that school and library sites are compatible with surrounding land uses, arterial roadways and other significant noise generators.
Responsible Agency: Planning Department
Schedule: Ongoing
Implementation Status – On-going.
Program 3.B
The City shall work closely with the District to improve the safety of students traveling to and from school over the railroad tracks, and shall strive to provide separate, safe pedestrian and bicycle access, particularly in the vicinity of the high school.
Responsible Agency: Planning Department, Public Works Department, City Council
Schedule: Ongoing
Implementation Status – Safe Routes to School program being implemented. State Safe Route to Schools’ grant application has been submitted to the State for approval.
Program 3.C
To maximize the safety of students, parents, school staff and the general public, the City shall coordinate with the Banning Unified School District to maintain an adequate staff of school resource officers responsible for monitoring and patrolling school campuses during appropriate school hours.
Responsible Agency: Banning Unified School District, Police Department, Beaumont Unified School District
Schedule: Ongoing
Implementation Status - Active and ongoing.

Policy 4

The City shall cooperate in securing school impact fees from developers, in accordance with state law.

Policy 5

The City shall pro-actively work with the Banning Unified School District to improve the level and quality of education wherever possible.

Policy 6

The City shall encourage and support local higher education institutions that enhance general, career and vocational skills, employment opportunities and personal growth.

Policy 7

The City shall cooperate with Banning Unified School District, the Riverside Office of Education, and Mt. San Jacinto College to facilitate the establishment of a community education committee, which will develop a mission statement and process of committee activities. The committee’s essential goal shall be to enhance the provision of quality education to all students in the City.

Policy 8

As appropriate, the City shall pursue agreements with the school districts to assist in the purchase, lease or joint use of land and facilities for school and recreational purposes, and to provide the neighboring community with access to recreational facilities and open space during non-school hours.

Policy 9

The City shall support and facilitate the development of youth programs to provide quality after-school programs and facilities.

Program 9.A
The City shall establish a committee comprised of education professionals, elected and appointed officials, and County and City staff, and shall explore the possibility of establishing after-school programs targeted towards providing educational, recreational and personal development programs for school-aged children.
Responsible Agency: Banning Unified School District, City Council, Riverside County Office of Education, Community Services Department, Beaumont Unified School District
Schedule: Ongoing
Implementation Status – Active and ongoing coordination.

Policy 10

The City will encourage the Library Board to confer and coordinate with Mt. San Jacinto College to explore the provision of library services, and cooperative efforts with the Banning Public Library, in conjunction with the proposed MSJC Education Center.

Policy 11

The City shall coordinate with the Banning Public Library to assure that adequate library space, services and resources are provided to meet the educational and literary needs of the community.

Policy 12

Recognizing the importance of the library system for educational and cultural development within the community, the City shall explore the need for and feasibility of expanded library facilities and resources, including the potential for and appropriateness of accessing on-line resources associated with the Riverside County library system.

Water Resources Element (11 programs)

GOAL 1

A balance of development which assures the maintenance of the water supply and its continued high quality.

Policy 1

New development projects proposing 50 units on property whose General Plan Land Use designation would allow 50 units, and/or 10 acres of commercial/industrial/other development, or more, whether through a tract map, Specific Plan or other planning application, shall be required to fund the provision of its entire water supply, either through SWP, recycled water or other means, as a condition of approval.

Program 1.A
In accordance with the 2003 Determination of Maximum Perennial Yield for the City of Banning, the City shall implement an annual ground water audit. This process involves evaluating groundwater level trends, production rates, ground water quality or other aquifer/well/pump considerations from the previous year (the water audit should be performed six months prior to the start of the water accounting year) and using this information to make recommendations for pumping in the following year.
Responsible Agency: Public Utilities Department
Schedule: 2005-2006, Continuous
Implementation Status – The Maximum Perennial Yield was updated as part of the Urban Water Management Plan that was adopted by the City Council on June 28, 2011.
Program 1.B
The City shall develop construction plans and cost estimates for the construction of recycled water facilities for both Phase I and II, and make them available to the development community.
Responsible Agency: Public Utilities Department
Schedule: 2005-2006
Implementation Status – Plans are complete and are waiting funding.
Program 1.C
The City shall coordinate with the San Geronio Pass Water Agency and other appropriate agencies to assure that the City's SWP water can be delivered.
Responsible Agency: Planning Department, Public Utilities Department
Schedule: 2005-2006, Ongoing
Implementation Status – Active and ongoing and the City is receiving 1200 acre feet per year.

Policy 2

The City shall require the use of drought-tolerant, low water consuming landscaping as a means of reducing water demand for new development.

Program 2.A
Continue to implement the City's Water Efficient Landscape Ordinance by requiring the use of native and drought-tolerant planting materials and efficient irrigation systems.
Responsible Agency: Public Utilities Department, Planning Department
Schedule: Continuous
Implementation Status – Ordinance adopted and being implemented.

Program 2.B
The City shall coordinate and cooperate with the San Geronio Pass Water Agency, Banning Heights Mutual Water Company and the Beaumont-Cherry Valley Water District to expand and strengthen educational/public relations programs regarding the importance of water conservation and water-efficient landscaping.
Responsible Agency: Public Works Department, Planning Department, Banning Heights Mutual Water Company, Beaumont-Cherry Valley Water District
Schedule: Continuous
Implementation Status – On-going.

Policy 3

The City shall require the use of recycled wastewater for new development, or where it is unavailable, the infrastructure for recycled water when it becomes available, as a means of reducing demand for groundwater resources.

Program 3.A
Coordinate with the Banning Heights Mutual Water Company regarding the future expansion of recycled wastewater treatment facilities to serve existing and new development projects in the City.
Responsible Agency: Planning Department, Public Works Department, Banning Heights Mutual Water Company
Schedule: Continuous
Implementation Status – No projects identified – will be available for future coordination; expansion is coordinated and conditioned for appropriate projects.
Program 3.B
Aggressively pursue all sources of funding to allow for the installation of a comprehensive recycled water distribution system throughout the City.
Responsible Agency: Public Works Department, City Manager's Office
Schedule: Immediate, Continuous
Implementation Status – In process of State Revolving Fund.
Program 3.C
The City shall study the potential of providing incentives to developers and property owners for the installation of on-site recycled water reclamation systems. Recycled water systems include the reuse of water from sources such as sink drains, dishwashers and washing machines for irrigation purposes.
Responsible Agency: Public Utilities Department, City Manager's Office
Schedule: 2005-2006
Implementation Status – In progress.

Policy 4

Require that all new development be connected to the sewage treatment system, or install dry sewers until such time as that connection is possible.

Policy 5

The City shall provide guidelines for the development of on-site storm water retention facilities consistent with local and regional drainage plans and community design standards.

Program 5.A
Enforce regulations and guidelines for the development and maintenance of project-specific on-site retention/detention basins which implement the NPDES program, enhance groundwater recharge, complement regional flood control facilities, and address applicable community design policies.
Responsible Agency: Public Utilities Department, Planning Department
Schedule: Continuous
Implementation Status – Ongoing and required as conditions for all projects.

Policy 6

Coordinate with the San Geronio Pass Water Agency, Banning Heights Mutual Water Company and the Beaumont-Cherry Valley Water District, the California Regional Water Quality Control Board and other appropriate agencies to share information on potential groundwater contaminating sources.

Program 6.A
Develop and maintain a system to share records and technical information with the San Geronio Pass Water Agency, Banning Heights Mutual Water Company and the Beaumont-Cherry Valley Water District, CRWQCB and other appropriate agencies regarding all sites that have the potential to contaminate groundwater resources serving the City.
Responsible Agency: Public Works Department, the San Geronio Pass Water Agency, Banning Heights Mutual Water Company and the Beaumont-Cherry Valley Water District, California Regional Water Quality Control Board
Schedule: Continuous
Implementation Status – Ongoing and active.

Policy 7

The City shall ensure that no development proceeds that has potential to create groundwater hazards from point and non-point sources, and shall confer with other appropriate agencies, as necessary, to assure adequate review and mitigation.

Policy 8

Encourage water conservation in existing development.

Program 8.A
Establish incentive programs for conversion of existing buildings to water conserving fixtures and landscaping.
Responsible Agency: Public Utilities – Water Department
Schedule: 2005-2006
Implementation Status – In progress.

Water and Waste Water and Utilities Element (10 programs)

GOAL 1

A comprehensive range of water, Wastewater and utility services and facilities that adequately, cost-effectively and safely meet the immediate and long-term needs of the City.

Policy 1

The City shall coordinate between the City Utility Department-Water Division, Banning Heights Mutual Water Company, Beaumont/Cherry Valley Water Agency, San Geronio Pass Water Agency, California Regional Water Quality Control Board and Riverside County Environmental Health to protect and preserve local and regional water resources against overexploitation and contamination.

Program 1.A
Support the efforts of the City Utility Department-Water Division, San Geronio Pass Water Agency, Banning Heights Mutual Water Company and Beaumont/Cherry Valley Water Agency to develop alternative resources for groundwater recharge, and to expand and construct facilities for the treatment and distribution of reclaimed and/or recycled water.
Responsible Agency: Utility Department-Water Division, Banning Heights Mutual Water Company, Public Works Department, San Geronio Pass Water Agency
Schedule: Ongoing
Implementation Status – Ongoing and active.
Program 1.B
The City, it's Utility Department-Water Division, San Geronio Pass Water Agency, and Banning Heights Mutual Water Company shall continue and extend their efforts to increase domestic water conservation by expanding efforts to promote the use of water efficient landscaping in all development, and the installation of efficient water-using technologies in new and substantially remodeled structures.
Responsible Agency: Utility Department-Water Division, San Geronio Pass Water Agency, Banning Heights Mutual Water Company, Public Works Department
Schedule: Ongoing
Implementation Status - Ongoing and active.
Program 1.C
The City, it's Utility Department-Water Division and Banning Heights Mutual Water Company shall evaluate and, as appropriate, implement actions and regulations that facilitate residential and business retrofits of landscaping/irrigation and water-using appliances/processes that significantly increase water use efficiencies.
Responsible Agencies: Utility Department-Water Division, Banning Heights Mutual Water Company, Public Works Department
Schedule: 2005-2006, Ongoing
Implementation Status - Ongoing and active.
Program 1.D
The City shall provide water customers with incentives for the conservation of water.
Responsible Agency: Utility Department-Water Division
Schedule: 2005-2006, Ongoing
Implementation Status - Ongoing and active (i.e., 3rd tier program).

Policy 2

Sewer connection shall be required at the time a lot is developed when service is available.

Program 2.A
To the greatest extent practical, the City and its Utility Department-Sewer Division shall require new development to extend and connect to sewer lines rather than permitting the installation of on-lot septic tanks. In the event on-lot septic systems are required, development shall be required to install "dry sewers" and pay connection fee in anticipation of future sewer main extensions.
Responsible Agencies: Utility Department-Sewer Division, Public Works Department, Riverside County Environmental Health Department
Schedule: Ongoing
Implementation Status - Ongoing and active.

Policy 3

In the event a sewer line exists in the right-of-way where a for-sale residential unit is served by a septic system, the septic system shall be properly abandoned prior to a sale and/or close of escrow, and the unit shall be connected to the sewer system.

Program 3.A
The Building and Public Works Departments shall establish procedures for identifying home sales, and shall publicize the requirement for connection of sewers with the mortgage companies and escrow companies of the area.
Responsible Agency: Building Department, Public Works Department
Schedule: 2005-2006, Ongoing
Implementation Status - Ongoing and active.

Policy 4

The City shall make every effort to assure and assist in facilitating the timely and cost-effective extension and expansion of services that support community development and improved quality of life.

Program 4.A
The City shall coordinate its Capital Improvement Program with those of local utility and service providers to assure cost-effective and adequate capacity of services and facilities for future growth and development.
Responsible Agencies: Public Works Department, Utility Department, Banning Heights Mutual Water Company, other utilities and service providers
Schedule: 2005-2006
Implementation Status - Ongoing and active.
Program 4.B
The City shall coordinate with appropriate public and quasi-public agencies and utilities in conducting ongoing assessments of infrastructure capacity and evaluating expansion and improvements needed to carry out responsible growth management.
Responsible Agencies: Public Works Department, Utility Department, Banning Heights Mutual Water Company, other utilities and service providers
Schedule: 2005-2006
Implementation Status - Ongoing and active.

Policy 5

To ensure the timely expansion of facilities in a manner that minimizes environmental impacts and disturbance of existing improvements, the City shall confer and coordinate with service and utility providers in planning, designing and siting of supporting and distribution facilities.

Program 5.A
The City shall encourage the consolidation of underground utility lines and other subsurface transmission facilities to limit the impacts of these facilities on the disruption of traffic and roadways.
Responsible Agencies: Public Works Department, Utility Department, Banning Heights Mutual Water Company, SCE, SCG, other utilities and service providers
Schedule: Ongoing
Implementation Status - Ongoing and active.

Policy 6

The City shall proactively support the widespread integration of energy resource conserving technologies throughout the community.

Program 6.A
The City shall investigate and, as appropriate, implement actions and regulations that facilitate residential and business conservation strategies and the implementation of technology retrofits that significantly increase efficiencies in energy use.
Responsible Agencies: Planning and Public Works Departments, Utility Department, Banning Heights Mutual Water Company, SCE, SCG, other utilities and service providers
Schedule: 2005, Ongoing
Implementation Status - Ongoing and active.

Policy 7

The City shall continue to confer and coordinate with its solid waste service franchisee to maintain and, if possible, exceed the provision of AB 939 by expanding recycling programs that divert valuable resources from the waste stream and returning these materials to productive use.

Policy 8

The City shall support, and to the greatest extent practical, shall encourage commercial and industrial businesses to reduce and limit the amount of packaging and potential waste associated with product sale and production.

Policy 9

Utility lines on scenic roadways, major streets and in the downtown shall have primary consideration for undergrounding.

Policy 10

Major utility facilities, including power and other transmission towers, cellular communication towers and other viewshed intrusions shall be designed and sited to ensure minimal environmental and viewsheds impacts and environmental hazards.

Policy 11

The City shall encourage the planning, development and installation of state-of-the art telecommunications and other broadband communications systems as essential infrastructure.

Policy 12

The City shall encourage in others and itself the use of alternative fuel vehicles.

Policy 13

The City shall investigate lower cable rates for ungated neighborhoods.

Policy 14

The City shall encourage alternative energy use for individual property owners and consider developing an incentive program.

Wildland Fire Hazard Element (15 programs)

GOAL 1

Protect human life, land, and property from the effects of wildland fire hazards.

Policy 1

The City shall establish and maintain an information database containing maps and other information which describe fire hazard severity zones, fire threat zone, and other wildfire hazards occurring within the City boundaries, sphere-of-influence and planning area.

Program 1.A
Consult and coordinate with surrounding communities, the State Board of Forestry and Fire Protection, California Department of Forestry and Fire Protection, Riverside County Fire Department, other applicable state and federal agencies to establish, improve and routinely update the database
Responsible Agency: Planning Department, Banning Fire Department, Beaumont Fire Department, State Board of Forestry and Fire Protection, California Department of Forestry and Fire Protection, Riverside County Fire Department, Morongo Band of Mission Indians.
Schedule: 2005-2006; Ongoing
Implementation Status - A new severity zone map has been developed by the California Department of Forestry and Fire Protection (Cal Fire) and was adopted by the City Council on 10/28/08. The revised map went into effect July 1, 2008. Revisions to the Map will be ongoing as development occurs but at a minimum of every 5 years.
Program 1.B
The City shall make available copies of the Fire Severity Map and discourage development within areas so designated, or require detailed mitigation measures that reduce potential hazards to insignificant levels.
Schedule: Immediately; Ongoing
Implementation Status - The current map, produced by the State, is currently available to view at the fire department administrative office at 3900 W. Wilson. The City Council approved fire severity map will also be a public document. The City adopted the State Code in early 2011 for building standards within the fire hazard areas. The current handout will be revised to reflect the new code. With the new CFC and residential sprinkler codes this issue has been updated in 2011 along with the Fire Hazard Severity map being available on line at ftp://frap.cdf.ca.gov/fhszlocalmaps/riverside
Program 1.C
Prepare an informational handout to be distributed to developers, property owners, and other appropriate parties, which describes the need for and design of fire safe developments.
Responsible Agency: Planning, City Engineer, Fire Department
Schedule: 2005-2006 Ongoing
Implementation Status - The Fire Department has developed a 1-page handout briefly describing the requirements. The handout will be revised to match the new building code requirements.

Program 1.D
Establish and maintain a program by which all potentially hazardous structures, which pose a threat due to

inadequate fire hazard construction are identified, inventoried, and retrofitted with fire retardant materials. Program shall include informational handouts describing appropriate methods of retrofitting and possible sources of funding to facilitate the rehabilitation of such structures.
Responsible Agency: Building and Safety Department, City Engineer, Fire Department
Schedule: 2005-2006
Implementation Status – <i>Nothing done at this time.</i>

Policy 2

On going coordination between the Banning Fire Department, Beaumont Fire Department, the Riverside County Fire Department, the California Department of Forestry, the Morongo Band of Mission Indians and the US Forest Service in fire prevention programs.

Program 2.A
Cooperate with all neighboring agencies in order to identify opportunities for fuel breaks in very high hazard severity zones and to ensure that fire breaks are provided where necessary and appropriate.
Responsible Agency: Fire Marshall, City of Beaumont, County of Riverside, Morongo Band
Schedule: 2005-2006, Ongoing
Implementation Status – Approximately 1½ years ago, the Fire Marshal met with representatives from Cal Fire/Riverside County Fire and San Bernardino County Fire, and the U.S. Forest Service Service to discuss fuel modification projects in the wildland areas north of Banning from Yucaipa to the Morongo Reservation. For budget cycle 2004-2006 the City Fire Marshal proposed a 4 year fuel break construction project in Banning Canyon. The Council approved financing for the project. When funding was requested to continue for the final 2 years of the project, it was denied. Fuel break Projects to the northwest of Banning are being done by Cal Fire but have little effect toward the protection of the watershed in Banning Canyon. The Fire Department is working with the county fire hazard reduction coordinator for projects within the pass area. The current truck trail system is being improved to maintain access and provide a break in the fuel.
Program 2.B
Development proposals shall be transmitted to the Police Department and the City Fire Marshal, and input shall be incorporated into project design or conditions of approval, as appropriate.
Responsible Agency: Building and Safety Department, Planning Department, Police Department, Fire Department
Schedule: Ongoing
Implementation Status – All development proposals are routed to the Fire Department for comments.
Program 2.C
The Police and Fire Departments shall closely coordinate and cooperate with the City and County emergency preparedness teams and shall assure the most effective disaster response practical.
Responsible Agency: City Manager's office, Fire Department, Police Department, County of Riverside, PASSCOM
Schedule: Immediately; Ongoing
Implementation Status – The Fire Department's Disaster Preparedness Bureau has completed the City's Emergency Operations Plan. The Department has an ongoing training program for City Employees and City residents. Coordination with local disaster preparedness organizations and County OES is ongoing. The Fire Department evaluates all projects to ensure adequate egress in emergency situations. Cities EOP was updated November 2011.
Program 2.D

Contact and establish working relationships and strategies with Banning Heights Mutual Water Company, High Valley Water District, public utilities, and other appropriate agencies to strengthen or relocate utility facilities, and take other appropriate measures to safeguard major utility distribution systems to the greatest extent practical.
Responsible Agency: Planning Department, Public Works Department, City Engineer, Public and Quasi-Public Utilities
Schedule: 2005-2006; Continuous
Implementation Status – Active and ongoing.
Program 2.E
Encourage and cooperate with CalTrans and the railroad to reduce hazardous fuel loads (vegetation) near bridges, roadways, rail lines and state highways, which may be subject to closure during major wildland fire events.
Responsible Agency: Public Works Department, City Engineer, CalTrans, railroad
Schedule: Continuous
Implementation Status – Active and ongoing.
Program 2.F
The public will be educated regarding disaster prevention and emergency responses including evacuation procedures.
Responsible Agency: Police and Fire Departments, School Districts, PassCom
Schedule: Immediately; Ongoing
Implementation Status – Active and ongoing.

Policy 3

Continue to identify wildfire hazard areas, and to enforce special standards for construction in wildland fire hazard areas.

Program 3.A
New and substantially remodeled structures or developments shall incorporate wildfire prevention design techniques, such as the use of “defensible space,” fire retardant sidings, optimal site planning and building orientation, landscaping orientation, and other design approaches to reduce wildfire hazards.
Responsible Agency: Building and Safety Department, Planning Department, Police Department, Fire Department
Schedule: Ongoing
Implementation Status – Active and ongoing with land development review.
Program 3.B
Require that adequate emergency vehicle access and evacuation routes be available with approval of any new development.
Responsible Agency: Building and Safety Department, Planning Department, Police Department, Fire Department
Schedule: Ongoing
Implementation Status– Active and ongoing.
Program 3.C
The City shall adopt standard requirements for all development proposals in High Fire Hazard Areas, including requirements for the preparation of Fire Protection Plans prior to the approval of Tentative Tract Maps, Tentative Parcel Maps, or other land use permits.

Responsible Agency: Fire Marshal
Schedule: 2005-2006
Implementation Status – Active and ongoing.

Policy 4

The City shall make every attempt to assure that adequate water supplies and pressures are available during a fire, earthquake or both.

Program 4.A
Coordinate with Banning Heights Mutual Water Company, High Valley Water District and other agencies responsible for supplying water to the region to assure sufficient water supplies and pressures are available to provide adequate fire flows for all existing and proposed development.
Responsible Agency: Public Works Department, Building and Safety Department, Planning Department, Fire Department, Banning Heights Mutual Water Company, High Valley Water District
Schedule: Ongoing
Implementation Status– Active and ongoing.
Program 4.B
Special on-site fire protection measures may be required on well vegetated, hilly areas with slopes of 10 percent or greater, with possible access problems, and/or a lack of sufficient water and/or water pressure. Such measures shall be specified during project review.
Responsible Agency: Building and Safety Department, Planning Department, Fire Department, Banning Heights Mutual Water Company, High Valley Water District
Schedule: Ongoing
Implementation Status – Active and ongoing with development project.