



AGENDA

SPECIAL JOINT MEETING OF THE CITY COUNCIL AND PLANNING COMMISSION CITY OF BANNING, CALIFORNIA

**May 8, 2025
5:00 p.m.
In Chambers**

Council Chambers
99 E. Ramsey Street
Banning, CA 92220

The following information comprises the agenda for the special meeting of the Banning City Council, a joint meeting of the City Council and Banning Utility Authority, and the Banning City Council sitting in its capacity as the Banning Successor Agency Board.

This meeting is being held via Zoom so that members of the public may observe and participate in this meeting electronically. If you participate in this meeting via Zoom, you are agreeing to abide by the City's Zoom Community Standards for Public Meetings (provided in full on the last page of the agenda). Esta reunión se lleva a cabo en la Cámara y a través de Video/Teleconferencia en Zoom para que los miembros del público puedan observar y participar en esta reunión de manera electrónica. Si elige participar en esta reunión a través de Zoom, acepta cumplir con los Estándares comunitarios de Zoom para reuniones públicas de la ciudad (que se proporcionan en su totalidad en la última página de la agenda).

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Dial in: +1 669 900 9128

**Meeting ID: 864 5230 9445
Password: 92220**

Per the City of Banning Manual of Procedural Guidelines, matters taken up by the Council before 10 p.m. may be concluded, but no new matters shall be taken up except upon a majority vote of the council members present and voting. Such an extension shall only be valid for one hour and each hour thereafter shall require a renewed action for the meeting to continue.

1. CALL TO ORDER

1.1 ROLL CALL OF CITY COUNCIL

1.2 ROLL CALL OF PLANNING COMMISSION

2. PUBLIC HEARING

- 2.1 Introduction to the Sunset Crossroads Specific Plan Project by NP Banning Industrial, LLC Proposing to Allow for the Development of Industrial and Commercial Uses on 533.8-acres of Undeveloped Land Located South of Interstate 10 and West of Sunset Avenue (Case Specific Plan, SP 20-2002; General Plan Amendments, GPA 20-2501 & GPA 22-2502; Zone Changes, ZC 20-3502 & ZC 22-3502; Tentative Parcel Map, TPM 38118; Development

Agreement)

Recommendation: Take no action; staff will re-notice the public hearings for future meetings

3. PUBLIC COMMENTS

4. ADJOURNMENT

Zoom Community Standards for Public Meetings

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- Your camera must be turned off unless/until you are recognized by the Mayor.
- To indicate a desire to make Public Comment, you must use the Raise Hand function. The Mayor will not recognize those who have not used the Raise Hand function.
- Public Comment from Zoom attendees will immediately follow in-person comment from members of the public in Council Chambers.
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- The chat function will be disabled for all City Council meetings on Zoom.

Estándares comunitarios de Zoom para Reuniones Públicas

Al participar en esta reunión en Zoom, usted acepta cumplir con los Estándares Comunitarios para Reuniones Públicas de la ciudad de Banning. Los que atienden por Zoom que no cumplan con estos estándares pueden ser retirados de la sala de reuniones.

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- Su cámara debe estar apagada a menos que sea reconocido por el alcalde.
- Para indicar el deseo de hacer un Comentario Público, debe utilizar la función Levantar la mano. El alcalde no reconocerá a quienes no hayan utilizado la función Levantar la mano.
- Los comentarios públicos de lo que atienden por Zoom seguirán inmediatamente los comentarios en persona de los miembros del público en las Cámaras del Consejo.
- Si no cumple con estas pautas de la comunidad, es posible que lo destituyan por interrumpir la reunión que tiene lugar en las Cámaras del Consejo. Puede volver a unirse a la reunión, pero es posible que lo eliminen por cada violación de estos estándares de la comunidad.
- La función de chat estará deshabilitada para todas las Reuniones del Ayuntamiento en Zoom.

AFFIDAVIT • DECLARACIÓN JURADA

IT IS HEREBY CERTIFIED under the laws of the State of California that the above agenda was posted on the City's website (www.banningca.gov) as well as the Bulletin Board at Banning City Hall, located at 99 E Ramsey Street, Banning, CA 92220, at least 24 hours in advance of the meeting.



Vickie Sellers, Elected City Clerk
Secretaria Municipal Electa

PUBLIC NOTICE • NOTICIA PÚBLICA

Meeting Agendas and Notices

Interested in receiving email and/or text notifications of upcoming City Council meetings? Sign up for meeting notifications through the City's website. Pursuant to amended Government Code §54957.5(b), staff reports and other public records related to open session agenda items are available on the City's website (www.banningca.gov/).

Public Comment

Agenda Items

Any member of the public may address this meeting of the City Council on any item appearing on the agenda. A five-minute limitation shall apply to each member of the public and no member of the public shall be permitted to share their time with any other person.

Non-Agenda Items

Any member of the public may address this meeting of the City Council on any item which does not appear on the regular meeting agenda but is of interest to the general public and is an item upon which the City Council may act. A three-minute limitation shall apply to each member of the public and no member shall be permitted to share their time with any other person. No action shall be taken, nor discussion held by the City 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 §54954.2 of the Government Code.

Special Assistance/Accessibility Requests

In compliance with the Americans with Disabilities Act, any member of the public may request that the agenda and agenda packet be mailed to them. If you need special assistance to participate in this meeting (such as translation services), please contact the City Clerk's Office. Advanced notification of at least 48 hours prior to the meeting will allow the city to make arrangements to ensure your accessibility.

¿Necesita servicios de traducción para participar? Contacto Oficina del Secretario de la Ciudad.

CONTACT • CONTACTO

City Clerk's Office | 951-922-3102 | CityClerks@banningca.gov
99 East Ramsey Street, Banning, California 92220



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL + PLANNING COMMISSION

FROM: Robert Fisher, Acting City Manager

PREPARED BY: David Newell, Community Development Director

MEETING DATE: May 8, 2025

SUBJECT: Introduction to the Sunset Crossroads Specific Plan Project by NP Banning Industrial, LLC Proposing to Allow for the Development of Industrial and Commercial Uses on 533.8-acres of Undeveloped Land Located South of Interstate 10 and West of Sunset Avenue (Case Specific Plan, SP 20-2002; General Plan Amendments, GPA 20-2501 & GPA 22-2502; Zone Changes, ZC 20-3502 & ZC 22-3502; Tentative Parcel Map, TPM 38118; Development Agreement)

PROJECT APPLICANT:

BACKGROUND:

At the request of the Mayor, the purpose of this hearing is to provide an introduction to the Sunset Crossroads Specific Plan project, which consists of the following applications:

- Specific Plan (SP 20-2002). Proposes to establish the Sunset Crossroads Specific Plan for the development of industrial and commercial uses on a 533.8-acre site, including up to 268,400 square feet of medical office, professional office, education, recreation, and commercial uses, a travel center with refueling uses, and a 125-room hotel (approximately 90,000 sf) on 47.9-acres; and up to 5,545,000 square feet of industrial uses (including up to 330,000 square feet of cold storage uses) on 392.0 acres. The Specific Plan text identifies the permitted land uses, development standards, design guidelines, and implementation provisions. The Specific Plan Area includes land located south of Interstate 10 between Highland Home Road and Sunset Avenue extending south to include land south of the City's current border (Assessor Parcel Numbers (APNs): 537-110-003 through -005, 537-110-011 through -014, 537-120-013, 537-120-025, and 537-120-028 through -036).
- General Plan Amendment and Zone Change for Specific Plan Area (GPA 20-2501 & ZC 20-2504). Proposes amending the land use designations and zoning of the Specific Plan area to General Commercial (GC), Industrial (I), Open Space – Parks (OS-P), and Open Space – Resources (OS-R). Additionally, approximately 65.6 acres of the Project site is proposed as Open Space – Resources (OS-R) and/or Open Space – Parks (OS-P), including a five-acre passive park.
- Development Agreement. The Development Agreement would grant the Project vested development rights in exchange for public benefits as specified in the agreement.
- Tentative Parcel Map (TPM 38118). A subdivision of the Specific Plan Area into thirty-four parcels and five lettered lots ranging in size from 1.0 acre to 78.7 acres in size, creating 19 Planning Areas.
- General Plan Amendment and Zone Change for Density Transfer (GPA 22-2502 & ZC 22-3502). Proposes amending the land use designation and zoning of approximately 40.9 acres of land located southeast of Sunset Avenue and East Westward Avenue, to Very High Density Residential.

Additional information on these applications is included in the attachments.

DESCRIPTION:

FINDINGS:

ENVIRONMENTAL DETERMINATION:

PUBLIC COMMUNICATION:

ATTACHMENTS:

1. [10-29-2024 Staff Report - Sunset Crossroads Specific Plan](#)
2. [10-29-2024 Staff Report - GPA and ZC for Density Transfer](#)
3. [Hearing Notice PC-CC Joint Meeting 05-08-25](#)



CITY OF BANNING STAFF REPORT

TO: PLANNING COMMISSION

FROM: David Newell, Community Development Director

PREPARED BY: Emery Papp, Senior Planner

MEETING DATE: October 29, 2024

SUBJECT: Consideration of Resolution 2024-19, an application By NP Banning Industrial, LLC regarding the Sunset Crossroads Specific Plan to allow for the development of Industrial and Commercial uses on a 533.8-acre project site located South of I-10 and The Union Pacific Railroad, and West of Sunset Avenue (Assessor's Parcel Numbers (APNs): 537-110-003 Through -005, 537-110-011 Through -014, 537-120-013, 537-120-025, And 537-120-028 Through -036). The southerly 253.7 acres is located within the City's Sphere of Influence in unincorporated Riverside County. The Planning Commission will consider whether to recommend that The City Council approve Sunset Crossroads Specific Plan No. 20-2002, General Plan Amendment No. 20-2501, Zone Change 20-3502, Tentative Parcel Map No. 38118, and a Development Agreement between the City and NP Banning Industrial LLC.; certify Final Environmental Impact Report (Sch No. 2021020011); and adopt Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program pursuant to The California Environmental Quality Act.

PROJECT APPLICANT:

NP Banning Industrial, LLC
12977 N. Outer 40 Road, Suite 203
St. Louis, MO 63141

BACKGROUND:

The subject Development Site is generally located in the southwest area of the City of Banning and the City's Sphere of Influence (SOI) and generally south of the Union Pacific Railroad and Interstate 10 Right-of-Way, east of Highland Home Road, west of Sunset Avenue, and north of Bobcat Road. The Development Site is bisected by the existing Westward Avenue right of way (Existing ROW), the centerline of which divides the land within the Project site into two approximate halves, the northern portion of the project being located with the existing corporate City limits, and the southern portion of the project area being located with unincorporated County land in the City's SOI area. The Existing ROW and adjoining .8 acres of land owned by the City and used for water wells are not part of the Development Site or the Development Project.

The Development Site is crossed by various natural drainages. Pershing Creek flows in a northwest to southeast direction through the eastern portion of the Development Site. Vegetation cover on the Development Site reflects a history of dry farming and cattle grazing disturbance over a majority of the site and consists primarily of non-native grasslands, with patches of Riversidean sage scrub, mixed ornamental woodland, and sandy wash. The sandy wash habitat is associated with two deeply incised

drainage courses and a tributary that flow through the Development Site. Pershing Creek flows in a northwest to southeast direction through the eastern portion of the Development Site and Smith Creek flows in a north-south direction. Highland Wash is a smaller drainage course and tributary to Smith Creek that confluences with Smith Creek near Westward Avenue.

The proposed Sunset Crossroads Development Site was previously considered for a Specific Plan by Lennar Homes known as the Five Bridges Specific Plan. This prior development proposal envisioned 1,642 residential dwelling units on 302.3 acres; 48.8 acres of commercial uses; 164.2 acres of land dedicated for open space, parks, and drainage basins; and 33.1 acres to be dedicated for major roadway infrastructure. An Environmental Impact Report (SCH 2004051134) was prepared for the Five Bridges Specific Plan and was routed for review and comment from November 17, 2006 January 2, 2007. The Project, however, was never approved by the City Council and the entitlement applications expired. Nonetheless, in 2006, the City amended its general plan and zoning to incorporate 46.7 acres of commercial, 302.3 acres of residential and 164.2 acres of open space.

The current property owner and applicant, NP Banning Industrial, LLC, proposes to develop the approximately 533.8-acre property located partly within the City and in partly within the City's SOI in the County of Riverside, south of the extension of Sun Lakes Boulevard.

The Project requires the following requested approvals and related decisions:

- Environmental Impact Report (EIR) – EA 20-1506: The Sunset Crossroads Specific Plan Project is a discretionary project and subject to the California Environmental Quality Act (CEQA). An Environmental Impact Report (SCH No. 2021020011) (EIR) was prepared for the Project to analyze its potentially significant environmental impacts, identify discuss mitigation measures for those impacts found to be significant, and discuss feasible alternatives to the Project. A Draft EIR was posted and circulated for review and comment from December 15, 2023 through January 30, 2024. The Final EIR incorporates responses to all written comments that the City received on the Draft EIR. Before approving the Project, the City must certify the Final EIR and adopt certain required findings and a Mitigation Monitoring and Reporting Program. Because the Final EIR concludes that the Project would cause certain significant and unavoidable impacts, the City must also adopt a Statement of Overriding Considerations. The Planning Commission will provide a recommendation to the City Council on whether to certify the Final EIR, and the final decision will be with the City Council.
- General Plan Amendment (GPA 20-2501) and Zone Change ZC 20-3502: General Plan and Zoning text and map amendments are required prior to the adoption of the Sunset Crossroads Specific Plan to identify the Development Site with a designation of “Specific Plan.”
- Specific Plan (SP 20-2002): The Sunset Crossroads Specific Plan is a regulatory document that will establish zoning, land use designations, development standards, and design guidelines for the Development Site. The Development Standards of the document will be adopted by ordinance and the balance of the document will be adopted by resolution.
- Tentative Parcel Map (TPM) 38118 : A large lot Tentative Parcel Map (TPM) and conditions of approval will be considered by the City concurrently with the Specific Plan. The TPM establishes the road right-of-ways, Planning Areas, park and open space parcels, public infrastructure, easements, and a future site for various public facilities.
- Development Agreement (DA): The Development Agreement incorporates provisions for financing, acquisition, and construction of infrastructure, as well as acquisition and development of adequate levels of open space. The DA would grant the applicant vested rights to development the Project in accordance with a phasing plan and other City approvals in exchange for certain financial contributions and other consideration to be received by the City. In accordance with the Banning Municipal Code, the Development Agreement contains provisions that set forth: a defined term, the specific types, density, and intensity of uses allowed, reservations or dedication of land for public

purposes, a limited stay on future development fee increases; and processes for reviewing related future approvals and amending the DA.

- Pre-Zoning for Annexation: There are 253.7 unincorporated acres of the Project that must be annexed into the City from the County of Riverside. The LAFCO approval process will be completed after project approvals by the City. The City Council will consider annexation of the property into the City and adoption of a plan of service.
- Water Supply Assessment: The City Council will also consider adoption of a water supply assessment for the Development Project.

Subsequent Development Approvals: Submittal of future Design Reviews and Conditional Use Permit reviews within the Sunset Crossroads Specific Plan will be based upon individual planning areas each requiring a separate regulatory approval pursuant to the regulatory and development

Approval of the Specific Plan would also reduce the City's residential capacity by a maximum of 1,146 units. The State Housing Crisis Act therefore requires the City to identify and rezone land elsewhere in the City to ensure there is no net loss of residential capacity. The City has identified an approximately 49.2-acre site located east of Sunset Avenue and south of Westward Avenue (the MSJC Site) owned by the Mt. San Jacinto Community College District (MSJCCD) that can be rezoned to accommodate that residential capacity from the Sunset Crossroads Development Site. The City has therefore initiated a General Plan Amendment and rezoning of the MSJC Site to VHDR (Very High Density Residential) allowing a maximum capacity of not less than 1,146 residential units. The Final EIR included an analysis of the potential environmental impacts of this action, but the action itself is the subject of a different item on the agenda for the same meeting as the Sunset Crossroads Specific Plan. No residential development entitlement applications for the MSJC campus site have been submitted at this time. The MSJC Site entitlements are considered in a related action and are not expressly part of the Sunset Crossroads project.

A Notice of Preparation (NOP) was distributed to the State Clearinghouse, as well as agencies and organizations that may provide comment on the Project's potential impact(s) on the environment. The State of California Clearinghouse issued a project number for the project, SCH No. 2021020011. The 30-day public comment period on the NOP extended from February 1 to March 3, 2021. An electronic copy of the NOP was made available on the City's website. Comments received during the public review of the NOP were utilized to assist in identifying potential environmental impacts addressed in Chapter 4.0 of the Draft EIR.

Due to COVID-19 restrictions, the Public Scoping meeting was held virtually on February 18, 2021 at 5:30 p.m. via Zoom. Notice of the Public Scoping Meeting was published in the Banning Record Gazette on February 5, 2021 providing the appropriate instructions for public participation in the Scoping Meeting. The Public Scoping Meeting included a presentation providing a summary of the Project, required actions, and the environmental review process. No public comments were received during the Scoping Meeting.

The Development Project includes a General Plan Amendment and implementation of a Specific Plan for the Development Project; therefore, Native American consultation pursuant to both SB 18 and Assembly Bill 52 (AB 52) is required. On November 30, 2020 the City reached out to 31 Native American contacts to formally invite participation in tribal consultation pursuant to AB 52 and SB 18 required for the Development Project. The City received responses from the Morongo Band of Mission Indians (MBMI), the Soboba Band of Luiseño Indians (SBLI), and the Agua Caliente Band of Cahuilla Indians (ACBCI) requesting formal consultation with the City regarding the Development Project.

The City provided a separate consultation invitation to these same 31 Native American contacts on August 25, 2022, specifically identifying the entitlement actions related to the MSJC Site. In this 2022 consultation, the City stated the MSJC Site Entitlements proposed only changes to the City's land use and zoning maps, and that no construction or physical alterations were proposed or would be authorized under the MSJC Entitlements. The MBMI acknowledged the City's actions and noted the MSJC Site is

located within the ancestral territory and traditional use area of the Cahuilla and Serrano people of the MBMI and that any future construction or alterations to the MSJC Site would be of interest to the MBMI. The San Manuel Band of Mission Indians (SMBMI) stated the MSJC Site is outside of Serrano ancestral territory and, as such, SMBMI would not request consulting party status with the City.

A Notice of Availability (NOA) of the Draft EIR was provided to, responsible and trustee agencies, as well as the organizations, and person who have previously requested notification. The NOA was distributed via priority mail with confirmed receipt. The NOA identified the State mandated 45 -day public review period extending from December 15, 2023 to January 30, 2024 and included a weblink to the City's public noticing page providing further access to the Draft EIR, project material, and related technical appendices. Emails advising of the availability of the Draft EIR were sent by the City on December 15, 2023 to those parties requesting electronic notification. These emails provided the same weblink leading to the Draft EIR.

The Draft EIR, supporting technical appendices, and associated public notices were uploaded to the State Clearinghouse on December 14, 2023. The State Clearinghouse confirmed receipt and published the Draft EIR for a public review period extending from December 15, 2023 to January 30, 2023.

DESCRIPTION:

The Sunset Crossroads Project envisions the development of industrial and commercial uses on a 533.8-acre site through adoption of the Sunset Crossroads Specific Plan, including up to 268,400 square feet of medical office, professional office, education, recreation, and commercial uses, a travel center with refueling uses, plus a 125-room hotel (approximately 90,000 square feet) on 47.9-acres; and up to 5,545,000 square feet of industrial uses (including up 330,000 square feet of cold storage uses) on 392.0 acres. The Specific Plan text identifies the permitted land uses; development standards, design guidelines; and implementation provisions. The Development Project includes a General Plan Amendment and Zone Changes amending the land use designations on-site to General Commercial (GC), Industrial (I), Open Space – Parks (OS-P), and Open Space – Resources (OS-R). Approximately 65.6 acres of the Development site would be retained as Open Space - Resources (OS -R) and/or Open Space – Parks (OS-P) use, including a five-acre passive park. Approximately 253.7 acres of the site are located outside the current City boundary within the City's SOI; therefore, the Project envisions annexation of this area into the City.

The vision for the Sunset Crossroads Specific plan is to create a new commercial/industrial master plan for the benefit of the entire community. The Specific Plan was created using an integrated, multi-disciplinary approach. The team assembled to undertake this project included the City, land planners, civil engineers, environmental resource specialists, historians, architects, landscape architects, geotechnical specialists, hydrology specialists, and market analysts. This team worked together to create a comprehensive development plan for the approximately 533.8-acre site, which provides land uses that take advantage of the site's proximity to access to Interstate 10 and responds to economic trends in the City of Banning. The team also took great care to ensure that the Specific Plan is in conformance with the intent, goals and policies set forth by the City of Banning General Plan. Future development plans, site plans, and tentative tract and parcel maps must be consistent with both the Sunset Crossroads Specific Plan and the City of Banning General Plan. In keeping with regulatory provisions of the Specific Plan, the Project is designed to ensure that development occurs in a manner that is responsive to site characteristics and community goals and objectives. A number of the Project's objectives are listed below:

- Create a Specific Plan for the development of state-of-the-art commercial and industrial land uses that accommodate a variety of modern industrial, business, hospitality and commercial activities.
- Anticipate market demand by providing a mixture of industrial and commercial land uses in a master-planned development that will be marketable and financially profitable within the evolving economic profile of the City of Banning.

- Provide a mix of commercial and industrial uses that create new job opportunities and reduce the need for City residents to commute outside of the City of Banning for employment, thereby improving the City's jobs to housing ratio.
- Establish a mix of commercial and industrial uses that result in economic benefits to the City through increased sales taxes and other revenue which can be used to provide City services.
- Maintain the integrity of the natural environment through the preservation and conservation of open space and natural drainage courses.
- Locate businesses that rely on transportation efficiency in a location offering superior access to the local and regional transportation network.
- Identify capital improvements for potable water, reclaimed water, sewer, drainage and water quality, and circulation facilities that serve planned land uses within and adjacent to Sunset Crossroads.
- Establish a unified thematic concept for SUNSET CROSSROADS through design elements such as architecture, monumentation, theme walls, landscaping using a long-range comprehensive planning approach that cannot be accomplished on a parcel-by-parcel basis.
- Create a development-wide landscape concept that features drought-tolerant plant materials to provide for an aesthetically pleasing outdoor environment, while minimizing the demand for water resources.

The Sunset Crossroads Specific Plan proposes the future orderly development of the site in four basic land use categories which include; General Commercial, Industrial (including public infrastructure), and Open Space – Parks and Open Space - Resources (Table 1, Figure 1) as follows:

General Commercial Development

The approximately 47.9-acre commercial district of the Development Site (Planning Area 1) is bordered on the east by Sunset Avenue and stretches along the northeast portion of the Development Site between Lincoln Street and the site boundary. A maximum of 268,400 square feet of commercial uses, which may include leisure, retail, medical office, professional office, education, wellness, recreation, entertainment, restaurant, and other retail uses, operating out of a number of buildings aligned along an internal road that would be accessed from Sunset Avenue. This portion of the Development Project is designed as a regional commercial and entertainment attraction, providing multigenerational activity and wellness-based retail destination uses including, but not limited to, stationary wave surfing, indoor skydiving, indoor go-karting, obstacle gyms and a large indoor/outdoor climbing wall, yoga studios, dance studios, and other athletic activities. Sit-down restaurants with outdoor dining, a food court, and specialty retail uses that would orient inwards to central open space areas are proposed to allow for outdoor activities, ancillary to the on-site leisure/recreation uses or to allow on-site vendors/concessionaires to use connections along an internal network of pedestrian walkways. Table 3-1 of the Sunset Crossroads Specific Plan provides a detailed list of permitted, conditionally permitted, ancillary, and prohibited uses within the Specific Plan area.

In addition, the proposed commercial uses include a freeway accessible 125-room (approximately 90,000-square-foot) hotel that would include a fitness room, hotel lobby, common area, office/management/engineering area, laundry facilities, and outdoor or indoor pool. The commercial area further includes a fueling station and carwash with 20 vehicle fueling stations and 6 commercial fueling stations to accommodate recreational vehicles and multi-axle tractor trailers and electric vehicle charging stations. The fueling facility would be accessed from Sunset Avenue or Lincoln Street and as analyzed would include four 20,000-gallon underground storage tanks (USTs).

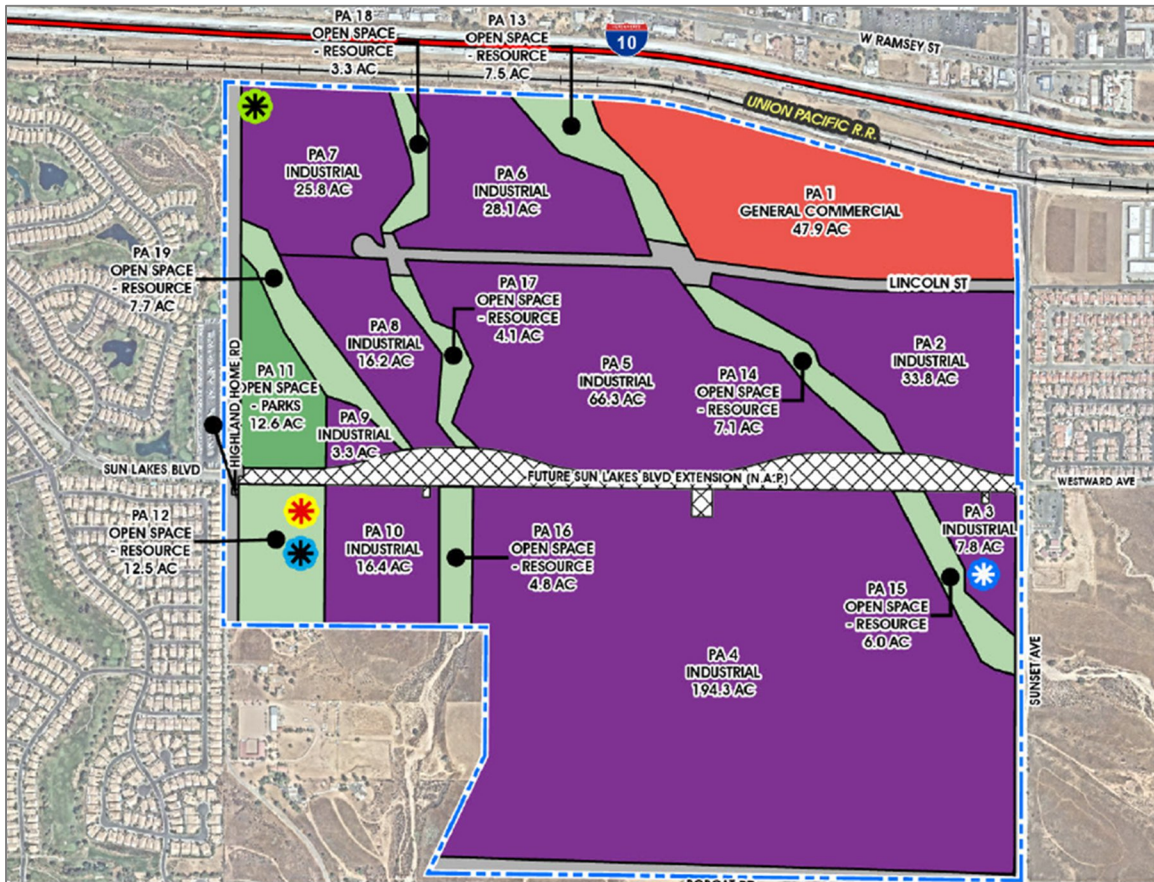
Industrial Development

The Specific Plan would provide for development of up to 5,450,000 square feet of industrial land uses on approximately 392.0 acres within the Development Site. Based on its proximity to the Sunset Avenue interchange at I-10, the Development Project would facilitate the development of warehousing, distribution, manufacturing, and other industrial uses. To accommodate future tenants, the Specific Plan allows the size of individual buildings to vary within an established range (increasing or decreasing by up to 20 percent); however, the overall square footage of buildings in the industrial Planning Areas is capped at 5.545 million square feet. The Development Project considered in the EIR comprises industrial buildings ranging in size from 44,000 square feet up to 1,420,000 square feet and accommodating uses such as general industrial, manufacturing, parcel hub, warehouse/storage, truck/trailer parking and storage, recreational vehicle (RV) storage, high cube warehouse, cold storage warehouse (up to 330,000 square feet proposed for Phase 2 [Buildings 5 and 6]), fulfillment center, and e-commerce operations. The industrial building sites within the Development Project may include outdoor employee break areas with tables affixed to the ground to provide employees with a location to eat, gather, and enjoy being outside. Shading of these areas may be achieved through a combination of shade trees, umbrellas, or fabricated shade structures. Other open space amenities within the industrial areas may include pedestrian walkways, seating areas, overhead structures, and open space areas. Development of the industrial Planning Areas shall be subject to the applicable Infrastructure Improvement Standards, Development Standards, and Planning Area Standards set forth in the Specific Plan. A proposed 65 MWh battery energy storage facility (BESS) would be a permitted use in any of the industrial use planning areas.

Table 1: General Land Use Summary for Sunset Crossroads Specific Plan

PA	LAND USE DESIGNATION	ACRES	MAXIMUM BUILDING SQUARE FOOTAGE ¹
1	GENERAL COMMERCIAL	47.9	268,400 ^{2, 3}
2	INDUSTRIAL	33.8	5,545,000
3	INDUSTRIAL	7.8	
4	INDUSTRIAL	194.3	
5	INDUSTRIAL	66.3	
6	INDUSTRIAL	28.1	
7	INDUSTRIAL	25.8	
8	INDUSTRIAL	16.2	
9	INDUSTRIAL	3.3	
10	INDUSTRIAL	16.4	
	INDUSTRIAL SUBTOTAL	392.0	
	DEVELOPMENT TOTAL	439.9	5,813,400
11	OPEN SPACE - PARKS	12.6	N/A
12	OPEN SPACE - RESOURCE	12.5	
13	OPEN SPACE - RESOURCE	7.5	
14	OPEN SPACE - RESOURCE	7.1	
15	OPEN SPACE - RESOURCE	6.0	
16	OPEN SPACE - RESOURCE	4.8	
17	OPEN SPACE - RESOURCE	4.1	
18	OPEN SPACE - RESOURCE	3.3	
19	OPEN SPACE - RESOURCE	7.7	
	OPEN SPACE - RESOURCE SUBTOTAL	53.0	
	OPEN SPACE TOTAL	65.6	
	CIRCULATION	28.3	
	PROJECT TOTAL	533.8 ⁴	5,813,400

Figure 1: Planning Area Exhibit for Sunset Crossroads Specific Plan



Public Infrastructure Improvements

The Specific Plan provides for a 1.0-acre Electrical Substation Site in the northwest corner of Planning Area 7; a 1.5-acre Fire Station site and a 2.3-acre Reverse Osmosis Facility Site in Planning Area 12; and a Potable Water Reservoir Site in Planning Area 3.

Streets and Circulation

As illustrated on Figure 2, Conceptual Circulation Plan, of the Sunset Crossroads Specific Plan, regional access to the Project is provided via I-10 from the Sunset Avenue interchange located approximately ¼ mile to the northeast of the Specific Plan. The site is approximately 3.5 miles east of the junction of CA-60 Freeway and Interstate 10 and approximately 22 miles east of Interstate 215. Primary local access from the north and south is provided via Sunset Avenue which forms the site's eastern boundary. Additional access is provided by Bobcat Road which forms the site's southern boundary, and from Highland Home Road, which forms the site's western boundary. In addition, consistent with the City's Circulation Element, the City is separately processing construction of an extension of Sun Lakes Boulevard (SLB Extension) that would bisect the Development Site in the location shown above, which would proceed whether or not the Sunset Crossroads project proceeds.

Sunset Avenue will provide access to the entire site via Lincoln Street and the SLB Extension. Access to Planning Area 1 is provided via Lincoln Street and Sunset Avenue. Direct access to Planning Areas, 2, 3, and 4 is provided by Sunset Avenue. Access to Planning Areas 6, and 7 is provided from the south by Lincoln Street. Access to Planning Areas 2, 5, and 8 is provided from the north by Lincoln Street and by the SLB Extension to the south. Planning Areas 9 and 10 have access from the SLB Extension. Planning Areas 11 and 12 are accessible from the SLB Extension. Access to Planning Area 4 relies on the combination of Sunset Avenue (south of PA 15) and Bobcat Road, or the combination of Sun Lakes Boulevard Extension and Bobcat Road to achieve the required two points of access and may not be developable until two points of access are available. The land within SLB Extension is subject to an

east side of the street. An eight-foot-wide Class II bike lane is provided on both sides of the paving, adjacent to the curb. As a result of the westward shift in alignment of Sunset Avenue between Lincoln Street and SLB Extension, the alignment in this location will also shift to the west from the existing centerline.

2. Sunset Avenue (Lincoln Street to SLB Extension) – Modified Secondary Highway (110' ROW). As depicted on Figure 2-2, Conceptual Circulation Plan, the segment of Sunset Avenue between Lincoln Street and the SLB Extension is designated as a Modified Secondary Highway (110' ROW). As shown in Figure 2-3, Conceptual Roadway Cross-Sections, the 110-foot of right of way comprising Sunset Avenue consists of 68 feet of paving, an 18-foot-wide center raised or painted median, with a 4-foot-wide landscaped parkway and 8-foot-wide parkway-adjacent sidewalk on the west side of the street, and a 4-foot-wide parkway and 8-foot-wide parkway-adjacent sidewalk on the east side of the street. An eight-foot-wide Class II bike lane is provided on both sides of the paving, adjacent to the curb. To address noise impacts along Sunset Avenue, the alignment of this portion of Sunset Avenue is shifted to the west from its previously proposed location to provide additional distance from sensitive receptors east of Sunset Avenue. More specifically, the centerline of Sunset Avenue between Lincoln Street and Sun Lakes Boulevard would be adjusted 42 feet to the west from the existing centerline with implementation of the Development Project, new centerline being 72 feet from the nearest residential property line and 115 feet from the school at the MSJC Site. The resulting 17 feet of excess right of way to the east may be landscaped.

3. Sunset Avenue (SLB Extension to Bobcat Road) – Secondary Highway (88' ROW). As depicted on Figure 2-2, Conceptual Circulation Plan, the segment of Sunset Avenue between the SLB Extension and Bobcat Road is designated by the City General Plan as a Secondary Highway (88' ROW). As shown in Figure 2-3, Conceptual Roadway Cross-Sections, the 88-foot of right of way comprising Sunset Avenue consists of 64 feet of paving with a 4-foot-wide landscaped parkway and 8-foot-wide parkway-adjacent sidewalk provided on both sides of the street. As a result of the westward shift in alignment of Sunset Avenue between Lincoln Street and SLB Extension, the alignment in this location will also shift to the west from the existing centerline.

4. Bobcat Road – Divided Collector Street (78' ROW). As depicted on Figure 2-2, Conceptual Circulation Plan, Bobcat Road is designated as a Divided Collector Street (78' ROW) and forms the project's southern boundary along the south side of Planning Area 4. As shown in Figure 2-3, Conceptual Roadway Cross-Sections, the 78-foot of right of way comprising Bobcat Road consists of 56 feet of paving with a 6-foot-wide landscaped parkway and a 5-foot-wide parkway-adjacent sidewalk on the south side of the street, and a 6-foot-wide curb-adjacent sidewalk and 5-foot-wide landscaped parkway on the north side of the street. The Specific Plan and future applications submitted within this Specific Plan will dedicate and construct the northern halfwidth plus 10' improvements of Bobcat Road along the project frontage.

To address the potential for impacts to residences on the other side of Bobcat Road from on-site Development Project operations, on-site project operations will require: (i) Cold storage equipment previously allowed on industrial building rooftops to be shielded or relocated to the ground floor; and (ii) Construction of 10-foot high "wing walls" on the south end of warehouse buildings in Planning Area 4, and 6-foot high walls that surround the automobile parking lots south of warehouse buildings in Planning Area 4 as depicted in the SoundPLAN printouts in Attachment A to the Supplemental Noise Analysis (Final EIR, Appendix I-2, Attachment A).

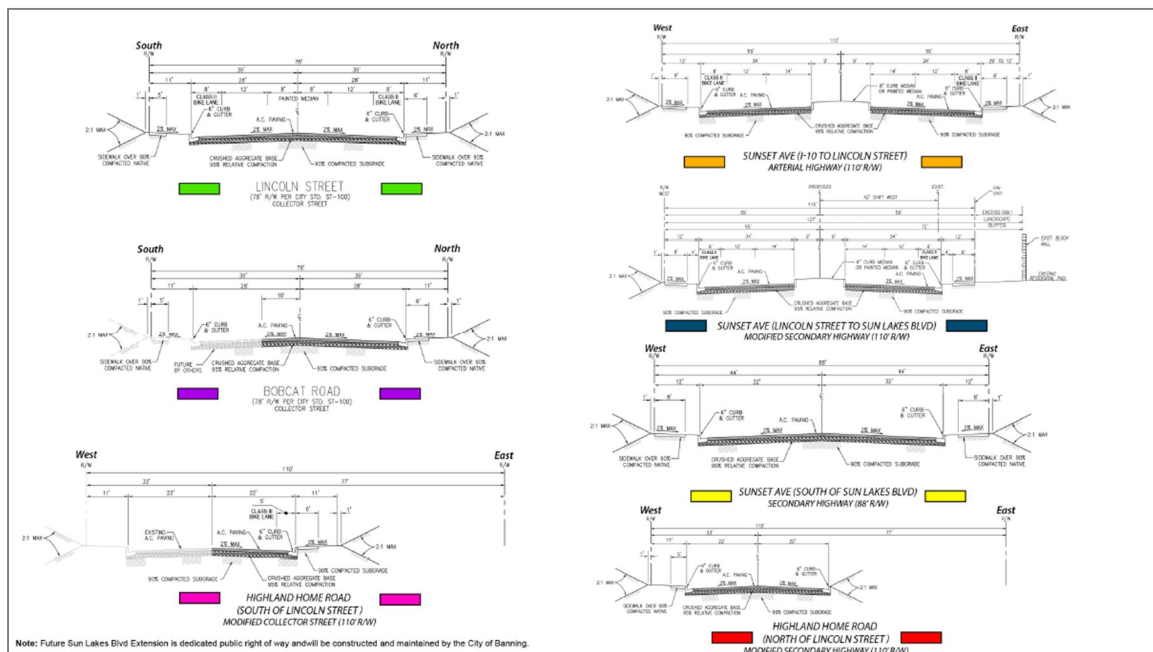
5. Lincoln Street – Divided Collector Street (78' ROW). As depicted on Figure 2-2, Conceptual Circulation Plan, Lincoln Street is designated as a Divided Collector Street (78' ROW) within the project, providing access to the Development Site from Sunset Avenue. As shown in Figure 2-3, Conceptual Roadway Cross-Sections, the 78 feet of right of way comprising Lincoln Street consists of 56 feet of paving with a 6-foot-wide landscaped parkway and 5-foot-wide parkway-adjacent sidewalk on the south side of the street and a 6-foot wide curb-adjacent sidewalk and 5-foot-wide landscaped parkway on the north side of the street. An eight-foot-wide Class II bike lane is provided on both sides of the paving, adjacent to the curb. The Specific Plan and future applications submitted within this Specific Plan will construct full-width improvements along the length of Lincoln street on the Development Site. Lincoln

Street will cross two existing natural drain courses via box culverts to be constructed by the project and maintained by the City. In Planning Area 7, a 24'-wide Secondary Access Connection will link Lincoln Street to Highland Home Road via a private roadway.

6. Highland Home Road (north of SLB Extension Street)– Modified Secondary Highway (66' ROW). As depicted on Figure 2-2, Conceptual Circulation Plan, the segment of Highland Home Road north of SLB Extension is designated as a Modified Secondary Highway (66' ROW) within the project. Highland Home Road forms a portion of the Specific Plan's western boundary. As shown in Figure 2-3, Conceptual Roadway Cross-Sections, Highland Home Road consists of a 66 feet of right of way within a 110-foot dedication. The Specific Plan and future applications submitted within this Specific Plan will dedicate the full 110-foot width of Highland Home Road as from the existing eastern property boundary of the Sun Lakes community. The Specific Plan will construct the full width of Highland Home Road with a 5-foot-wide curb-adjacent sidewalk, a 6-foot-wide landscaped parkway, and 44 feet of paving along the western boundary of the right of way, from the SLB Extension to Planning Area 7, where it will terminate in a cul-de-sac and provide secondary access to Planning Area 7 via a 24' wide Secondary Access Connection.

7. Highland Home Road (south of SLB Extension)– Modified Collector Street (66' ROW). As depicted on Figure 2-2, Conceptual Circulation Plan, the segment of Highland Home Road south of SLB Extension is designated as a Modified Collector Street (66' ROW) within the project. Highland Home Road forms a portion of the Specific Plan's western boundary. As shown in Figure 2-3, Conceptual Roadway Cross-Sections, Highland Home Road consists of a 66-foot right of way within a 110-foot dedication. The Specific Plan and future applications submitted within this Specific Plan will dedicate the full 110-foot width of Highland Home Road from the existing eastern property boundary of the Sun Lakes community. The Specific Plan will construct the remaining half-width (33 feet) of Highland Home Road including a 5-foot Class III bikeway, a 6-foot-wide curb-adjacent sidewalk, and a 5-foot-wide landscaped parkway to complete the road section based on existing curb location adjacent to the Sun Lakes Community, from the southwest corner of PA 12 to the SLB Extension. Truck traffic shall be restricted on Highland Home Road south of the SLB Extension.

Figure 3. Proposed Street Cross Sections



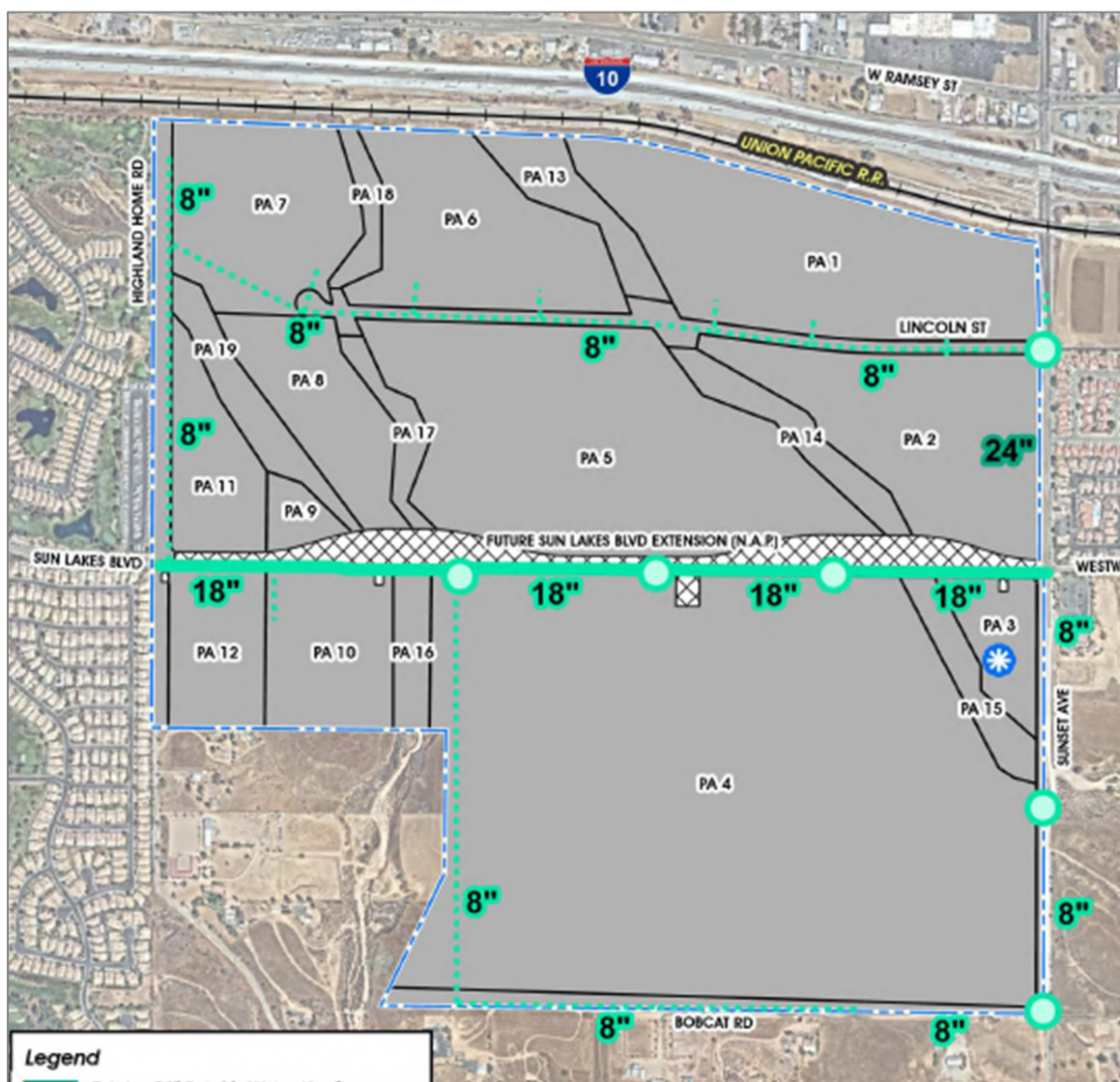
Potable Water System

Potable water infrastructure would be provided using existing, planned and proposed facilities. The Specific Plan is subject to the design requirements of the City of Banning Public Works Department and the demand criteria guidelines outlined in the City's Integrated Master Plan (IMP). As shown on Figure 4

(Figure 2-4 in the Specific Plan Document), existing potable water lines within Pressure Zone 2721 exist in Sunset Avenue (24") and in the future SLB Extension (18"). The proposed Potable Water Plan creates a looped system and includes the following improvements:

- 8" water line in Lincoln Street and within Planning Area 7 to serve the Industrial and General Commercial uses north of the SLB Extension, and connecting to an existing 24" water line in Sunset Avenue and to the proposed 8" water line in Highland Home Road.
- 8" water line in Highland Home Road from the 18" water line in the SLB Extension to the vicinity of a potential Electrical Substation in Planning Area 7, and connecting to a proposed 8" line in Lincoln, forming a looped system.
- 8" water line in Bobcat Road with a point of connection to a proposed 8" line in Sunset Avenue.
- Proposed 8" water line located within Planning Area 4 to connect the existing 18" water line in the SLB Extension to the proposed 8" water line in Bobcat Road.

Figure 4. Proposed Potable Water Plan



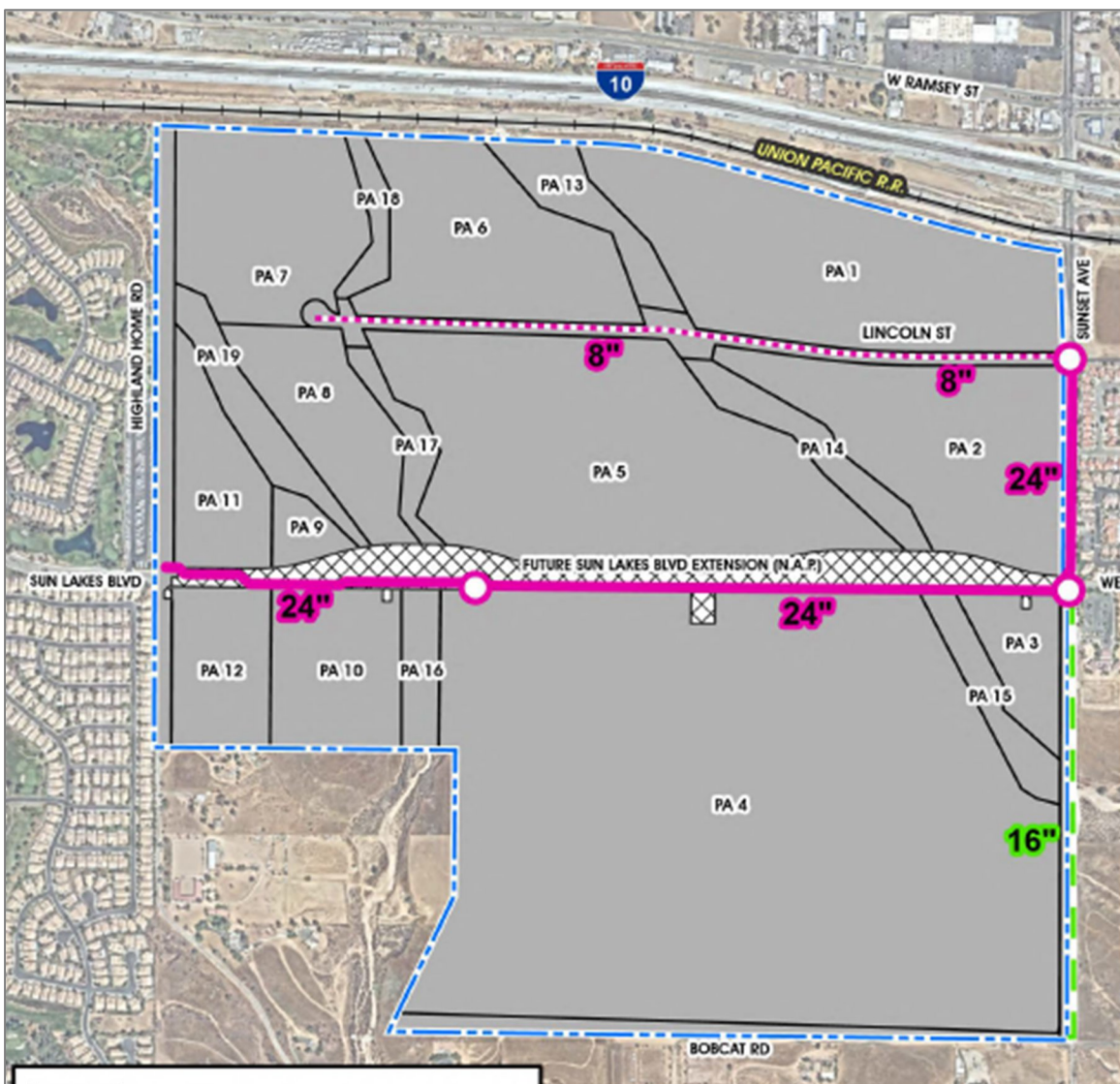
The locations, alignments, and sizes of facilities shown on Figure 2-4 are conceptual. Precise locations, alignments and sizes of potable water facilities will be determined at Specific Plan implementation. The locations, alignments, and sizes of facilities identified in this document may change, subject to the

approval of City of Banning. Modifications to the alignments, locations, and sizes of facilities shown in the Specific Plan which are reviewed and approved by the City Engineer as part of the review and approval of an applications submitted within this Specific Plan, do not require modifications to the Specific Plan document.

Recycled Water System

A recycled water system would be provided, consisting of existing, planned and proposed recycled water lines. The Specific Plan recycled water system is subject to the design requirements for the City of Banning Public Works Department and the demand criteria guidelines outlined in the City's Integrated Master Plan (IMP). As depicted in Figure 5 (Figure 2-5 in Specific Plan Document), a 24" recycled water line exists in Sunset Avenue from Lincoln Street to the SLB Extension and a 24" recycled water line exists within the SLB Extension easement area. Future non-potable Well R1 on Westward Avenue near the City's wastewater treatment facility plant will be the source for the Development Site, once completed. The well and its respective facilities are in design and under construction.

Figure 5. Proposed Recycled Water Plan



The proposed recycled water facilities required to serve the Specific Plan include the following improvements:

- A proposed 8" recycled water line in Lincoln Street connects to the existing 24" recycled water line in Sunset Avenue and services the development north of the SLB Extension.
- A proposed 16" recycled water line in Sunset Avenue (between Bobcat and the SLB Extension) connects to the existing 24" line in the SLB Extension.
- Development south of the SLB Extension would connect to the existing 24" recycled water line in the SLB Extension or the proposed 16" line in Sunset Avenue.

The locations, alignments, and sizes of facilities shown on Figure 2-5 are conceptual. Precise locations, alignments and sizes of recycled water facilities will be determined at Specific Plan implementation. The locations, alignments and sizes of facilities identified in this document may change, subject to the approval of City of Banning. Modifications to the alignments, locations, and sizes of facilities shown in the Specific Plan which are reviewed and approved by the City Engineer as part of the review and approval of an application submitted within this Specific Plan, do not require modifications to the Specific Plan document.

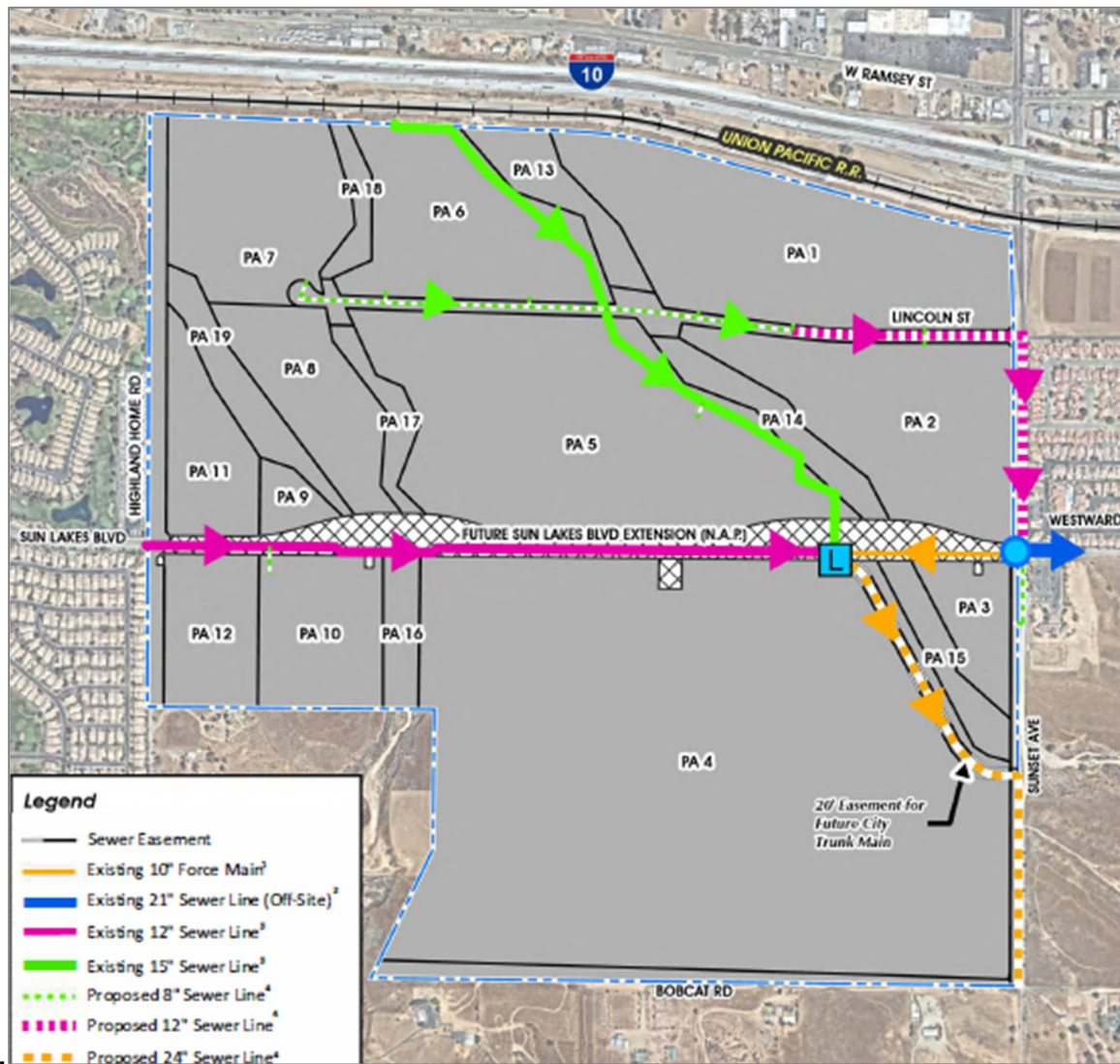
Sewer System

The sewer system would consist of existing, planned and proposed sewer lines and be subject to the design requirements for the City of Banning Public Works Department and the demand criteria guidelines outlined in the City's Integrated Master Plan (IMP). As depicted on Figure 6 (Figure 2-6 in the Specific Plan document), sewer lines exist in the SLB Extension (12") and along the westside Planning Areas 13 and 14 (15").

The existing 12" sewer line in the SLB Extension flows until it reaches the SLB Extension Lift Station, where wastewater is conveyed through an existing 10" force main toward the existing manhole at the intersection of Sunset Avenue and the SLB Extension. The proposed sewer system facilities required to serve the Specific Plan are depicted in Figure 2-6, Conceptual Sewer Plan and include the following improvements:

- 8" gravity sewer line connects to a proposed 12" gravity sewer line within Lincoln Street
- Proposed 12" gravity sewer line along Sunset Avenue from Lincoln Street to just south of the SLB Extension, connects to the existing sewer system at the existing manhole at the intersection of Sunset Avenue and the SLB Extension. There is no connection between this proposed line and the existing 15" line along Planning Areas 13 and 14.
- Development in the Planning Areas north of Lincoln Street, and Planning Areas 2 and 3 connect to the proposed 8" and 12" lines in Lincoln Street.
- Development in Planning Area 5 will connect to the existing 15" line along the western boundary of Planning Areas 13 and 14.
- Development in Planning Areas south of the SLB Extension will connect with 8" lines to the existing 12" line in the SLB Extension.

Figure 6 Proposed Sewer System



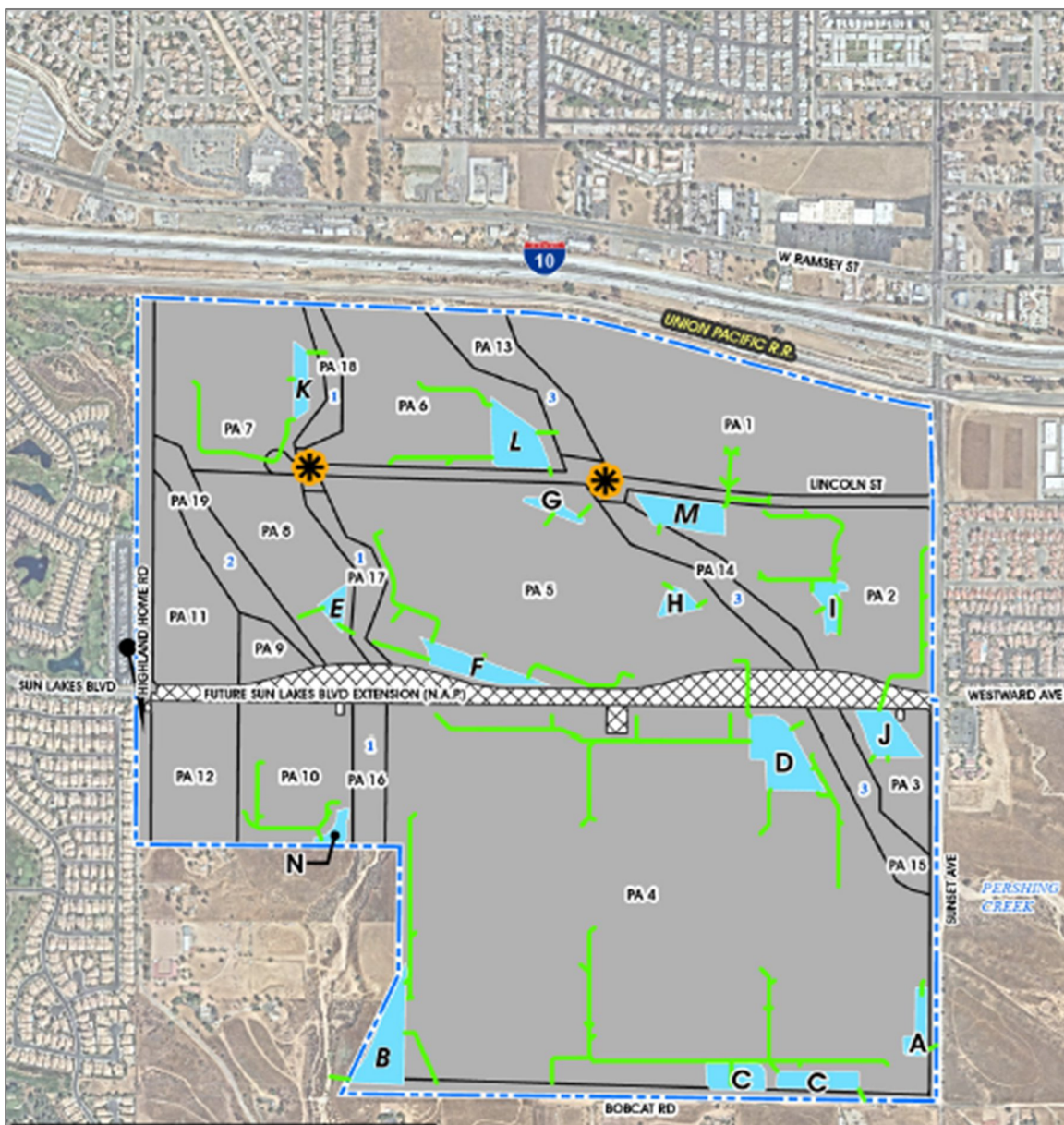
Drainage and Water Quality

The Project site lies within the San Geronio Pass sub-basin in the northwest region of the Whitewater River Watershed, within a grassland valley, and contains three natural drainage courses traversing the site. The project is subject to a local land use authority onsite retention standard (required by the Riverside County Flood Control & Water Conservation District per the Riverside County Watershed Protection Program for the Whitewater Region), which requires that the project retain 100% of the 100-year, 3-hour storm event. Planning Areas have been established in recognition of the natural drainage course in the eastern portion of the site in Planning Areas 13, 14, and 15 and the western drainage courses in Planning Areas 16, 17, 18, and 19 and have been designated for Open Space – Resource and restricted from development. The natural drainage courses flow northwest to southeast through the Specific Plan area. The 100-year flood zone continues along the entire flow path of the three existing drainage courses within the Specific Plan. No portion of the site is to be developed within a FEMA mapped Flood Plain.

The existing drainage courses include off-site areas north of I-10 which begin in the San Bernardino Mountains and flow south under Interstate 10 and the Union Pacific Railroad by an existing 8'x7' arch box culvert and existing 12'x10' arch box culvert, and outlets southerly to the existing drainage courses, where the Specific Plan is located. The western natural drainage course is comprised of two drainage channels, Smith Creek and Highland Wash, in the northern half of the project that confluence near the SLB Extension. The eastern natural drainage course, Pershing Creek, flows from the middle center of

the northern boundary of the site. All natural drainage courses eventually confluence outside of the project limits, and these natural drainages continue to flow east until they confluence with the San Geronio River and ultimately join the Whitewater River.

Figure 7. Conceptual Drainage and Water Quality Plan



As shown on Figure 7 (Figure 2-7 in the Specific Plan document), Conceptual Drainage and Water Quality Plan, the proposed drainage system will consist of storm drain pipes, reinforced concrete pipes (RCP) ranging in size from 12" to 42", and fifteen (15) Water Quality Management Plan basins on-site:

- Two basins in Planning Area 2;
- One basin in Planning Area 3;
- Five basins in Planning Area 4;
- Three basins in Planning Area 5;
- One basin in Planning Area 6;
- One basin in Planning Area 7;
- One basin in Planning Area 8; and
- One basin in Planning Area 10

The drainage system routes the runoff from the proposed impervious surfaces to these proposed stormwater treatment and mitigation basins and each basin provides stormwater treatment and peak flow mitigation for their respective tributaries via RCP facilities. Two (2) 10' x 10' reinforced concrete box (RCB) facilities are proposed for the bridge crossings at Lincoln Street to preserve the existing natural drainage courses of the site.

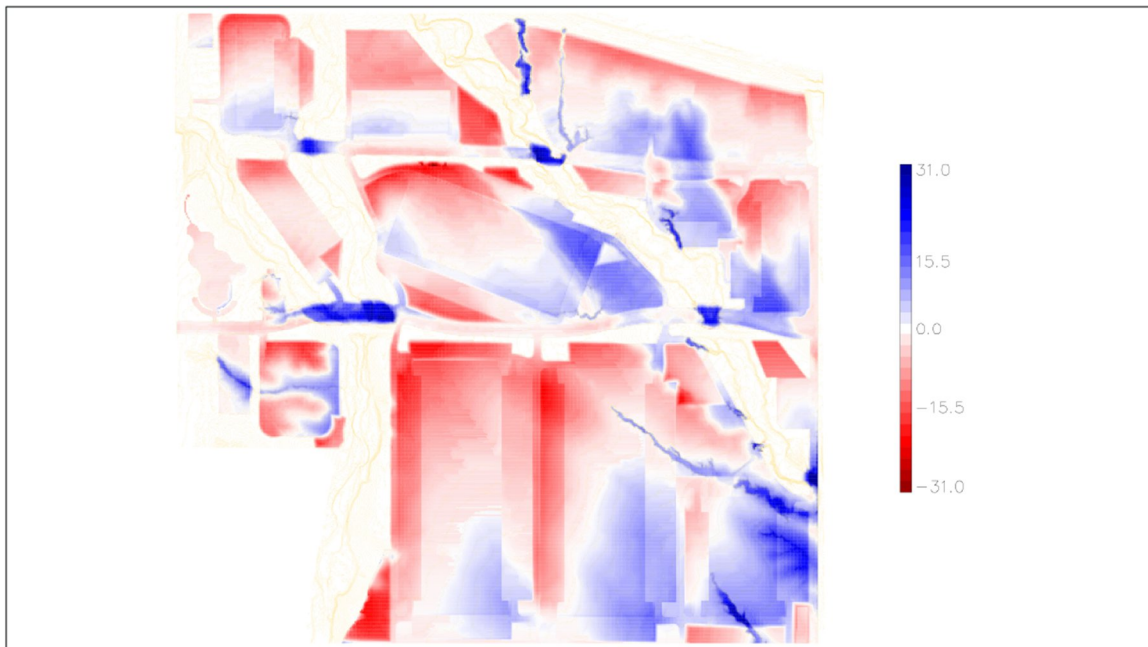
Grading Improvements

The Specific Plan Project site is located within a grassland valley, with three natural drainage courses traversing the site in Planning Areas 13, 14, and 15 on the east and Planning Area 16, 17, 18, and 19 on the west. The conceptual grading design provides an overall balanced earthwork condition with approximately 2,266,112 cubic yards (CY) of cut and approximately 2,118,698 CY of fill. The grading of the Specific Plan is anticipated to occur in two (2) phases: 1) north of SLB Extension, and 2) south of SLB Extension. No import or exporting of earthwork is anticipated, however, earthwork may be transferred between the two (2) grading phases (Figure 8).

No project associated grading is proposed in Planning Areas 13 through 19, except for grading required for the construction of Lincoln Street. Other than passive open space areas which may include trails as well as a Reverse Osmosis Facility Site, no other grading or development is anticipated for Planning Area 12. All other Planning Areas will be graded to accommodate large generally flat pads suitable for building, park, and parking construction.

The proposed grading will result in elevations ranging from approximately 2,515 feet above mean sea level (MSL) in the northwest portion of the Specific Plan in Planning Area 7 to 2,415 feet above MSL at the bottom of a basin in the southwest portion of the Specific Plan in Planning Area 4. Grading construction will be done consistent with the recommendations of a Geotechnical Engineer and the City of Banning.

Figure 8. Conceptual Cut and Fill Map



Fire Protection Plan

A Fire Protection Plan (FPP) has been prepared for the project, which evaluates and identifies the potential fire risk associated with the Project's land uses and identifies requirements for water supply, fuel modification and defensible space, access, building ignition and fire resistance, and fire protection systems, among other pertinent fire protection criteria, including a proposed development plan for the Project site described below. The purpose of this FPP is to generate and memorialize the fire safety

requirements and standards of the Riverside County Fire Department (RCFD), which is the contracted fire department for the City of Banning, along with Project-specific measures based on the Project site, its intended use, and its fire environment, including both the proposed development plan and any modifications to buildings permitted pursuant to the Specific Plan. This section summarizes portions of the FPP prepared by Dudek, which should be consulted for the full analysis.

While the Specific Plan is located in a wildland-urban interface (WUI) setting, it is not located in an area statutorily designated as a Moderate, High or Very High Fire Hazard Severity Zone (FHSZ) within a Local Responsibility Area (LRA) or State Responsibility Area (SRA) by the California Department of Forestry and Fire Protection (CAL FIRE FRAP 2008) or Riverside County; rather, the Project site is designated as Non-VHFHSZ.2 As the Project is not located within an area statutorily mapped as a fire hazard severity zone, the Project is not required to adhere to the ignition resistant construction requirements of California Building Code, Chapter 7A. However, the construction type for this project will be substantially compliant with Chapter 7A including the building roofs, which will not include the Class A system of materials but will comply with section 1505.1.2 as roof assemblies will be Class C at a minimum as required. Since the roof material assembly will meet the Class C non-combustible assembly requirements, it meets code and is also consistent with Chapter 7A of the Building Code.

The developed portion of the Project site is proposed for improvements that include construction of up to 5,545,000 square feet of industrial development on approximately 392.0 acres and up to 268,400 square feet of commercial uses, including Travel Center retail uses, a gasoline and diesel fueling facility and a hotel with 125 rooms comprised of approximately 90,000 square feet in an approximately 47.9-acre area on the Project site. Although the Project site is not designated as a FHSZ, due to its proximity to areas identified as Wildland Urban Interface (WUI), the entire Project site has been designed with fire protection as a key objective. The Project site improvements are designed to facilitate emergency apparatus and personnel access throughout the Project site. Driveway and road improvements with fire apparatus turnarounds provide access to the sides of every building. Water availability and flow will be consistent with requirements including fire flow and hydrant distribution required by local and state codes. These features along with the ignition resistance of all buildings, the interior sprinklers, and the pre-planning, training and awareness will assist responding firefighters through prevention, protection, and suppression capabilities.

As determined during the analysis of the Project site and its fire environment, in its current condition, the Project site may include characteristics that, under favorable weather conditions, could have the potential to facilitate fire spread. Under extreme conditions, wind-driven wildfires from nearby undeveloped land could cast embers onto the property. Once the Project is built, the on-site fire potential will be much lower than its current condition due to conversion of fire facilitating wildland fuels to ignition resistant buildings, parking areas, managed landscapes, fuel modification areas, improved accessibility for fire personnel, and structures built to the latest ignition and ember resistant fire codes.

As detailed in the FPP, the fire protection systems recommended for the Project site will include a redundant layering of protection methods that have proven to reduce overall fire risk. The requirements and recommendations included herein are performance based and site-specific, considering the Project's unique characteristics rather than a prescriptive, one-size-fits-all approach. The fire protection systems are designed to increase occupant and building safety, reduce the fire risk on site, to minimize risks associated with typical uses, and aid the responding firefighters during an emergency. No singular measure is intended to be relied upon for the Project site's fire protection, but rather, a system of fire protection measures, methods, and features combine to result in enhanced fire safety, reduced fire potential, and improved safety in the development.

Early evacuation for any type of wildfire emergency at the Project is the preferred method of providing for occupant and business safety, consistent with the Owner's and the RCFD current approach for evacuation. As such, the Project's Owner and Property Management Company will formally adopt, practice, and implement a "Ready, Set, Go!" (Riverside County Fire Department 2020) approach to site evacuation. The "Ready, Set, Go!" concept is widely known and encouraged by the State of California and most fire agencies, including; Pre-planning for emergencies, including wildfire emergencies, focuses on being prepared, having a well-defined plan, minimizing potential for errors, maintaining the site's fire

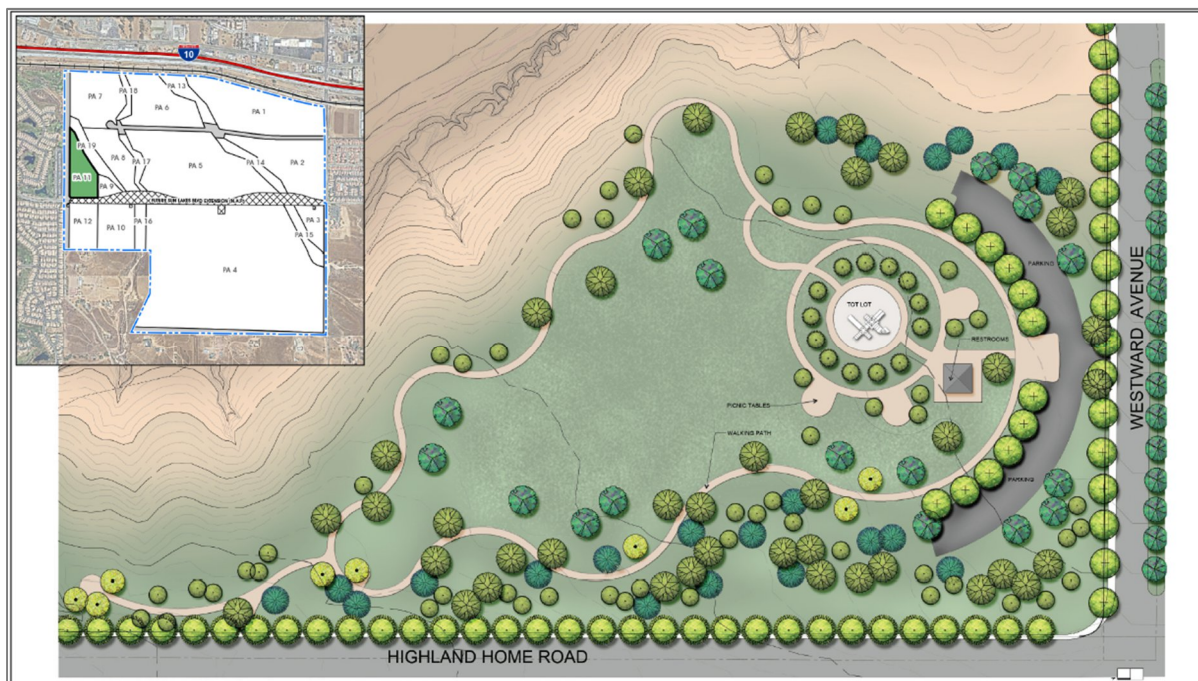
protection systems, and implementing a conservative (evacuate as early as possible) approach to evacuation and site uses during periods of fire weather extremes.

Parks and Open Space Resources

Planning Area 11 designates 12.6 acres of Open Space-Parks located at the northeast corner of Highland Home Road and the SLB Extension, including a 5.0-acre passive public park, with the remainder of the 12.6-acre site is reserved for Open Space and trails. As illustrated on Figure 9 (Figure 4-4 in the Specific Plan document), Conceptual Park Plan (PA 11), the park may provide recreational amenities including, but not limited to a tot lot playground, picnic tables, walking paths, parking, and restrooms, parking lot and security lighting. Open field areas are provided next to the playground and picnic tables, along with a looped walking path which winds through the recreational area surrounded by trees and landscaping.

Approximately 12.5 acres of the site (Planning Area 12) are reserved for passive open space uses which may include trails. Planning Area 12 may also include a 2.3-acre Reverse Osmosis Facility Site. No other development is permitted in Planning Area 12. Approximately 40.5 acres of the site (Planning Areas 13 through 19) contain three (3) existing natural drainage watercourses, Smith Creek, Pershing Creek, and Highland Wash, which traverse the Specific Plan in a northwesterly to southeasterly direction. To preserve these areas, they are designated Open Space – Resource and no development or land uses are permitted, except those activities required to cross these areas with roads (Lincoln Street, Highland Home Road) and utilities.

Figure 9. Conceptual Park Plan



FINDINGS:

To recommend approval of the proposed Sunset Crossroads Specific Plan Project, the Planning Commission must first make all of the following findings in the affirmative. The basis for making such findings can be found in the Planning Commission Resolution 2024-18, and the General Plan Consistency Analysis contained in the Final EIR.

General Plan Amendment

- A. The amendment is internally consistent with the General Plan,
- B. The amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

- C. The amendment would maintain the appropriate balance of land uses within the City; and
- D. In the case of an amendment to the General Plan Land Use Map, the subject parcels(s) is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints), for the requested land use designations(s) and the anticipated land use development(s).

Zone Change

- A. The proposed Amendment is consistent with the goals and policies of the General Plan.
- B. The proposed Amendment is internally consistent with the Zoning Ordinance.
- C. The Planning Commission has independently reviewed and considered the requirements of CEQA

Specific Plan

- A. The proposed plan is consistent with the General Plan;
- B. The proposed plan would not be detrimental to the environment, or to the public interest, health, safety, convenience, or welfare of the City;
- C. The subject property is physically suitable for the requested land use designation(s) and the anticipated development(s); and
- D. The proposed plan shall ensure development of desirable character which will be compatible with existing and proposed development in the surrounding neighborhood.

Development Agreement

Section 17.60.030 of the BMC requires that the resolution shall set forth findings, and the facts supporting them, that the Development Agreement is consistent with the General Plan and any applicable Specific Plans, this Zoning Ordinance, and that it will promote the welfare and public interest of the City.

Tentative Parcel Map

- A. The proposed map is consistent with the General Plan.
- B. The design or improvement of the proposed subdivision is consistent with the City's General Plan.
- C. The site is physically suitable for this type of development.
- D. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- E. The design of the subdivision or type of improvements is not likely to cause serious public health problems.
- F. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

ENVIRONMENTAL DETERMINATION:

Environmental Impact Report

Pursuant to Section 15060(d) of the California Environmental Quality Act (CEQA) Guidelines:

"If the lead agency can determine that an EIR will be clearly required for a project, the agency may skip further initial review of the project and begin work directly on the EIR process described in Article 9, commencing with Section 15080. In the absence of an initial study, the lead agency shall still focus the EIR on the significant effects of the project and indicate briefly its reasons for determining that other effects would not be significant or potentially significant."

Based upon the complexity and magnitude of the proposed project, it was clear from the onset that an Environmental Impact Report should be prepared for the project, and an Initial Study was not necessary. A Notice of Preparation (NOP) was therefore completed and distributed to the State Clearinghouse, as well as agencies and organizations that may provide comment on the Project's potential impact(s) on the

environment. The State of California Clearinghouse issued a project number for the project, SCH No. 2021020011. The 30-day public comment period extended from February 1 to March 3, 2021. An electronic copy of the NOP was made available on the City's website. Comments received during the public review of the NOP were utilized to assist in identifying potential environmental impacts addressed in Chapter 4.0 of the Draft EIR.

Due to COVID-19 restrictions, the Public Scoping meeting was held virtually on February 18, 2021 at 5:30 p.m. via Zoom. Notice of the Public Scoping Meeting was published in the Banning Record Gazette on February 5, 2021 providing the appropriate instructions for public participation in the Scoping Meeting. The Public Scoping Meeting included a presentation providing a summary of the Project, required actions, and the environmental review process. No public comments were received during the Scoping Meeting.

The Development Project includes a General Plan Amendment and implementation of a Specific Plan for the Development Project; therefore, Native American consultation pursuant to both SB 18 and Assembly Bill 52 (AB 52) is required. On November 30, 2020 the City reached out to 31 Native American contacts to formally invite participation in tribal consultation pursuant to AB 52 and SB 18 required for the Development Project. The City received responses from the Morongo Band of Mission Indians (MBMI), the Soboba Band of Luiseño Indians (SBLI), and the Agua Caliente Band of Cahuilla Indians (ACBCI) requesting formal consultation with the City regarding the Development Project.

The City provided a separate consultation invitation to these same 31 Native American contacts on August 25, 2022, specifically identifying the entitlement actions related to the MSJC Site. In this 2022 consultation, the City stated the MSJC Site Entitlements proposed only changes to the City's land use and zoning maps, and that no construction or physical alterations were proposed or would be authorized under the MSJC Entitlements. The MBMI acknowledged the City's actions and noted the MSJC Site is located within the ancestral territory and traditional use area of the Cahuilla and Serrano people of the MBMI and that any future construction or alterations to the MSJC Site would be of interest to the MBMI. The San Manuel Band of Mission Indians (SMBMI) stated the MSJC Site is outside of Serrano ancestral territory and, as such, SMBMI would not request consulting party status with the City.

A Notice of Availability (NOA) of the Draft EIR was provided to, responsible and trustee agencies, as well as the organizations, and persons who have previously requested notification. The NOA was distributed via priority mail with confirmed receipt. The NOA identified the State mandated 45-day public review period extending from December 15, 2023 to January 30, 2024 and included a weblink to the City's public noticing page providing further access to the Draft EIR, project material, and related technical appendices. Emails advising of the availability of the Draft EIR were sent by the City on December 15, 2023 to those parties requesting electronic notification. These emails provided the same weblink leading to the Draft EIR.

Public Comments

The following comment letters were submitted to the City during the public review period:

State Agencies:

- A-1: State of California, California Air Resources Board, Stanley Armstrong, Air Pollution Specialist (January 12, 2024)
- A-2: State of California, Department of Fish and Wildlife, John Dempsey, Environmental Scientist (January 26, 2024)
- A-3: State of California, California Air Resources Board, Matthew O'Donnell, Chief, Risk Reduction Branch, Transportation and Toxics Division (January 30, 2024)
- A-4: State of California, Department of Fish and Wildlife, Kim Freeburn, Environmental Program Manager (February 5, 2024)
- A-5: State of California, Department of Justice, Rob Swanson, Deputy Attorney General, Bureau of Environmental Justice (December 21, 2023)

Regional Agencies:

- B-1: South Coast Air Quality Management District, Sahar Ghadimi, Air Quality Specialist (January 2, 2024)
- B-2: South Coast Air Quality Management District, Sam Wang, Program Supervisor (January 30, 2024)

Local Agencies:

- C-1: Riverside County Flood Control and Water Conservation District, Amy McNeill, Engineering Project Manager (January 10, 2024)
- C-2: Riverside County Airport Land Use Commission, Jackie Vega, Urban Regional Planner II (December 19, 2023)

Organizations:

- D-1: Sierra Club, George Hague (December 22, 2023)
- D-2: Sierra Club, George Hague (December 22, 2023)
- D-3: Golden State Environmental Justice Alliance, Represented by Blum, Collins & Ho LLP, Matt Hagemann and Paul Rosenfeld (January 29, 2024) (withdrawn April 23, 2024)
- D-4: Golden State Environmental Justice Alliance, Adam Salcido (January 29, 2024) (withdrawn April 23, 2024)
- D-5: Sierra Club, Represented by Law Office of Abigail Smith, Abigail Smith (January 30, 2024)
- D-6: Sierra Club, Represented by Law Office of Abigail Smith, Abigail Smith (January 30, 2024)
- D-7: Western States Regional Council of Carpenters, Represented by Mitchell Tsai Law Firm, Matt Hagemann and Paul Rosenfeld (January 30, 2024)

Individuals:

- E-1: Gary and Jan Wilhelmson (December 12, 2023)
- E-2: Steve and Raelene Kretchman (January 5, 2024)
- E-3: Michael Volz (January 5, 2024)
- E-4: Steve and Raelene Kretchman (January 8, 2024)
- E-5: Carl and Tara Pueschel (January 8, 2024)
- E-6: Janet and Martin Sherman (January 11, 2024)
- E-7: Mary Ann Melleby (January 15, 2024)
- E-8: Charles Frieze (January 19, 2024)
- E-9: Patrica Naylor (January 20, 2024)
- E-10: Barbara Elness (January 21, 2024)
- E-11: Frances Valenzuela (January 21, 2024)
- E-12: Nick and Mary Goralsky (January 22, 2024)
- E-13: Dorrie Gartzke (January 23, 2024)
- E-14: Rick and Lori Kaminsky (January 23, 2024)
- E-15: Bernet Roth (January 24, 2024)
- E-16: Timothy and Francisca Hanratty (January 25, 2024)
- E-17: David and Ruth Madon (January 27, 2024)
- E-18: John and Shirley Creviston (January 28, 2024)
- E-19: Armando Aranda (January 29, 2024)
- E-20: Kathleen Aranda (January 29, 2024)
- E-21: Andrea Arthurholtz (January 29, 2024)
- E-22: Julie Austin (January 29, 2024)
- E-23: Gary Burkel (January 29, 2024)
- E-24: Nora Burkel (January 29, 2024)
- E-25: Randy Robbins, Jim Corrigan, and Diane Berley, Concerned Citizens (January 29, 2024)
- E-26: Ginny June (January 29, 2024)
- E-27: Tennie Boggs and Jack Marty (January 29, 2024)
- E-28: Richard McHard (January 29, 2024)

E-29: Michael Volz (January 29, 2024)
E-30: Susan Walsh (January 29, 2024)
E-31: Kathleen Dale (January 30, 2024)
E-32: Cindy Medley (January 30, 2024)
E-33: T. Gae Rusk (January 31, 2024)
E-34: Robert Messier (January 30, 2024)
E-35: Diane Nethercott (January 30, 2024)
E-36: Ron Roy (January 30, 2024)
E-37: Winoa Williams (January 30, 2024)
E-38: Ron Roy (January 30, 2024)

Responses to the comments have been prepared and are included in the Final EIR for the Sunset Crossroads Specific Plan Project.

Statement of Overriding Considerations

The California Environmental Quality Act provides provisions for an agency to approve a project when such a project will cause one or more significant environmental effects. In conjunction with the certification of the EIR, findings of fact are required pursuant to Section 15091 of the Public Resources Code (PRC) which provides that no public agency shall approve or carry out a project for which an Environmental Impact Report (EIR) has been certified that identifies one or more significant environmental effects of the project, unless, the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effects as identified in the Final EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including provisions of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Additionally, the Lead Agency must not approve a project that will have a significant effect on the environment unless it finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the unavoidable adverse environmental effects (PRC § 21081(b)).

Environmental Impacts

Of the 20 environmental factors analyzed in the Environmental Impact Report, specific categories associated with these factors were determined to be less than significant and were not further analyzed in the Draft EIR. The categories in these specific factors include:

- Aesthetics (Thresholds 4.1.1, 4.1.2, 4.1.3, 4.1.4)
- Agriculture and Forestry Resources (Thresholds 4.2.1, 4.2.2, 4.2.3, 4.2.4, 4.2.5)
- Air Quality (Thresholds 4.3.3, 4.3.4)
- Biological Resources (Thresholds 4.4.3, 4.4.4)
- Cultural Resources (Threshold 4.5.3)
- Energy (Threshold 4.6.1, 4.6.2)
- Geology and Soils (Thresholds 4.7.1(i), 4.7.1(ii), 4.7.1(iii), 4.7.1(iv), 4.7.2, 4.7.3, 4.7.4, 4.7.5)
- Hazards and Hazardous Materials (Thresholds 4.9.1, 4.9.2, 4.9.3, 4.9.4, 4.9.5, 4.9.6, 4.9.7)
- Hydrology and Water Quality (Thresholds 4.10.1, 4.10.2, 4.10.4, and 4.10.5)
- Land Use and Planning (Thresholds 4.11.1, 4.11.2)
- Mineral Resources (Thresholds 4.12.1, 4.12.2)

- Noise (Thresholds 4.13.1, 4.13.2, 4.13.3)
- Population and Housing (Thresholds 4.14.1, 4.14.2)
- Public Services (Thresholds 4.15.1, 4.15.2, 4.15.3, 4.15.4, 4.15.5)
- Recreation (Thresholds 4.16.1, 4.16.2)
- Transportation (Thresholds 4.17.1, 4.17.3, 4.17.4)
- Utilities and Service Systems (Thresholds 4.19.1, 4.19.2, 4.19.3, 4.19.4, 4.19.5)
- Wildfire (Thresholds 4.20.1, 4.20.2, 4.20.3, 4.20.4)

Biological Resources (Thresholds 4.4.1, 4.4.2, 4.4.5, and 4.4.6)

The following mitigation measures are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant:

- MM BIO-1** Construction Guidelines. Construction activities will follow the Construction Guidelines found in Volume 1, Section 7.5.3 of the MSHCP.
- MM BIO-2** Equipment Staging. Equipment and vehicle storage, fueling, and material staging and storage will be in previously paved or previously disturbed, upland areas with no risk of direct drainage into riparian/riverine areas or other sensitive habitats. Necessary precautions shall be taken to prevent the release of cement or other toxic substances into riparian/riverine areas. Development Project related spills of hazardous materials shall be reported to appropriate entities and shall be cleaned up immediately with contaminated soils removed to approved disposal areas.
- MM BIO-3** Worker Environmental Awareness Program (WEAP). A qualified biologist will present to each Development Site employee a worker environmental awareness training prior to the initiation of work. They will be advised of the riparian/riverine resources and any other sensitive environmental resources in the Development Project area, the steps to avoid impacts to such, and the potential penalties for violating those steps. At a minimum, the program will include the following topics: occurrence of the sensitive biological resources in the Development Project area and their general ecology, sensitivity of such to human activities, legal protection afforded these species, penalties for violations, reporting requirements, and Development Project features designed to reduce the impact area. A sign-in sheet will be utilized to identify all workers that have completed the WEAP training. If additional employees are added to the Development Project after the initiation, they will receive instruction prior to working on the Development Project. They will also need to sign the sign-in sheet to provide proof of completion. For some projects with numerous contractors entering the project at different stages of the project, the WEAP training can be video-taped and shown to additional workers rather than completing the training in person.
- MM BIO-4** Materials and Spoils Control. Development Project materials will not be cast from the Development Site, and Development Project related debris, spoils, and trash will be contained daily and removed to a proper disposal facility.
- MM BIO-5** Vehicle Washing. It will be required in the Development Project specification that the contractor will wash equipment prior to entering the vicinity of areas to be conserved. This will reduce the potential for introduction of non-native plant, animal, viral, or bacterial species to the areas that will otherwise be undisturbed. All vehicles shall be washed at a distance that would remove the likelihood of run-off from entering any adjacent riverine/riparian areas.
- MM BIO-6** MSHCP Best Management Practices (BMPs). Development Project activities will be in compliance with BMPs, as applicable, detailed in MSHCP Volume 1, Section 7.5.3, and Appendix C of the MSHCP. The Project Determination of Biologically Equivalent or

Superior Preservation (DBESP) would provide regulations consistent with the MSHCP BMPs, and the Development Project shall comply with all DBESP regulations.

- MM BIO-7** Burrowing Owl Impacts. To avoid direct and indirect impacts to burrowing owl, a pre-construction survey shall be conducted in areas to be disturbed by a qualified biologist within 30 days prior to ground disturbance at the Development Site and submitted to the City. If construction activities occur during the breeding season (February 1 through August 31) and burrowing owl is determined to be present within any portion of the study area during the pre-construction survey, consultation with the California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS) shall take place, and no construction activity shall take place within a 300-foot buffer zone. This buffer area may be reduced at the discretion of the biological monitor in consultation with CDFW and/or USFWS, until it has been determined that the nest/burrow is no longer active and all juveniles have fledged the nest/burrow.

To avoid active nests, no grading or heavy equipment activity shall take place in the buffer zone during the breeding season (February 1 through August 31). If construction activities cannot avoid the nesting season and an occupied burrow is identified in a proposed development area, the burrows shall be avoided or the owls passively relocated. A Burrowing Owl Protection and Relocation Plan will be required and is included under MM BIO-8.

- MM BIO-8** Burrowing Owl Protection and Relocation Plan. Within 90 days of the commencement of grading, a Burrowing Owl Protection and Relocation Plan would be drafted and reviewed by CDFW to ensure MSHCP guidelines for protection and/or relocation are followed. As part of that plan, one-way doors shall be installed as part of a passive relocation program. Burrowing owl burrows shall be hand-excavated by a qualified biologist when determined to be unoccupied and backfilled to ensure animals do not re-enter. Disturbance to active burrows shall be minimized to the extent feasible.

If three or more pairs of burrowing owl are identified, MSHCP guidelines require additional conservation land be set aside to off-set the significant impacts to burrowing owl in a project site outside of a cell criteria area. In all scenarios, including the detection of additional burrowing owls, mitigation and equivalency will be achieved through the Development Project following all MSHCP guidelines and the direction of the Environmental Programs Department, Western Riverside County Regional Conservation Authority, and/or the Wildlife Agencies.

- MM BIO-9** Los Angeles Pocket Mouse. Prior to commencement of grading, nighttime trapping surveys will occur in areas within the known habitat and other areas providing the key constituent habitat elements based on historical surveys and those conducted for the Development Project, in riparian areas (the three identified drainage features) and adjacent upland habitat that will be permanently impacted by the Development Project. An exclusion fence will be installed along the perimeter of the construction footprint associated with the drainage crossings. Trapping and relocation of LAPM shall be performed immediately prior to grading or other construction on the Development Site within areas known to be occupied by LAPM within the existing drainage features and/or uplands. Where new roads cross the riparian corridors, undercrossings suitable for safe passage of wildlife will be constructed. The exclusion fencing will be monitored through construction activities within suitable habitat to ensure animals do not return.

Restoration of a total of 3.21 acres of Development Site riparian habitat may bring project related impacts to a level that allows for 90 percent conservation of suitable habitat within the Development Site. Mitigation and equivalency may be achieved through the conservation of 7.92 of 8.99 acres of riparian/riverine lands on the Development Site as well as a surrounding buffer of approximately 32.58 acres, including the use of a deed restriction and/or conservation easement (see MM BIO-15 below). As part of the

restoration effort, all non-native invasive species, such as tamarisk, arundo, and pampas grass, will be removed prior to any seeding or planting of native species.

- MM BIO-10** Prior to issuance of construction permits, a conservation easement will be applied to upland conservation areas adjacent to drainages. During construction and operation, light pollution into the conservation areas will be reduced by shielding light sources and aiming them only into active construction areas during construction, and focused on parking, and commercial areas during operation where lighting is needed. If unforeseen circumstances were to arise that required hazard reduction within an area considered environmentally sensitive or a part of the MSHCP Conservation Area, such as lands proposed for conservation on the Development Site, it would require approval from the appropriate agencies prior to any vegetation management activities. These could include, but are not limited to, the Western Riverside County Regional Conservation Authority (WRCRCA), California Department of Fish and Wildlife (CDFW), Regional Water Quality Control Board (RWQCB), United States Fish and Wildlife Service (USFWS), and the United States Army Corps of Engineers (USACE).
- MM BIO-11** Upland conservation areas, adjacent to the existing drainages, within the Development Project will be avoided during construction and operation. Light sources during construction and operation will be angled and shielded to avoid light pollution into drainages and adjacent upland conservation areas.
- MM BIO-12** During construction, upland conservation areas will be fenced to prevent personnel and construction equipment from entering the conservation areas. Standard construction fencing will be sufficient to prevent personnel and equipment from entering the conservation areas.
- MM BIO-13** Mitigation for impacts to Riparian/Riverine areas covered under the MSHCP would be achieved by conserving all remaining riparian/riverine lands on the Project Site (7.92 of 8.99-acres) as well as a surrounding buffer of approximately 32.58-acres. These areas will be preserved in perpetuity through the use of a deed restriction and/or conservation easement as further described in MM BIO-15. To mitigate for Project impacts to 1.07-acre of riparian/riverine, a minimum of 3.21-acres of Project Site riparian habitat will be enhanced and restored (a 3:1 ratio for permanent impacts), with riparian habitat spread throughout all three features within the Project Site, for compliance with the requirements of the MSHCP. Non-native invasive species will be removed (enhancement) and native riparian species will be planted (restored) which will increase the function and value of the currently disturbed drainage features following mitigation. In the event that land on the Project Site cannot be conserved, then the applicant shall either (1) contribute land at a 3:1 ratio containing similar habitat and jurisdictional areas to the Reserve Assembly; or (2) make a fee payment to a mitigation bank pursuant to an in-lieu fee program at a 3:1 mitigation ratio.
- MM BIO-14** If habitat mitigation on the Project Site or at land contributed by the applicant is the selected means of mitigation, then as part of the restoration effort, a Habitat Restoration and Monitoring Plan (HRMP) will be prepared by a qualified restoration consultant and will be reviewed and approved by the City prior to commencement of construction activities on the Project Site. The exact location of the proposed riparian restoration areas (whether on-site or off-site) will be provided to the City for review and approval. If off-site mitigation areas are selected, the applicant shall have control of the mitigation area prior to commencement of construction. However the off-site mitigation option is not anticipated at this time.

The HRMP shall provide a plan for removal of non-native invasive species (enhancement) and planting of native riparian species (restoration) which will increase the function and value of the currently disturbed drainage features following mitigation and will be designed to assure that installation of the proposed mitigation will result in an outcome that would

be biologically equivalent or superior to an avoidance measure. The HRMP will include species information, success criteria and mapped location(s) for the proposed on-site riparian/riverine mitigation, and a habitat viability analysis for the proposed new areas of riparian vegetation and will also include:

- Removal of non-native invasive species, such as tamarisk (*Tamarix aphylla*), giant reed (*Arundo donax*), and castor bean (*Ricinus communis*);
- Removal of trash and debris associated with human disturbance will be removed.
- Planting of boxed riparian trees, container plantings, and hand broadcasting, with Riparian/Riverine species to be planted to match the existing riparian/riverine trees and include plant species such as Fremont cottonwood (*Populus fremontii*), Goodding's black willow, arroyo willow (*Salix lasiolepis*), and/or mule fat and, along the upland benches, planting of more upland species such as scale broom (*Lepidospartum squamatum*), California buckwheat (*Eriogonum fasciculatum*), California sagebrush (*Artemisia californica*), brittlebush (*Encelia californica*), pinebush (*Ericameria pinifolia*), and deerweed (*Lotus scoparius*).
- Planting of plants with mycorrhizal fungi and root hormone to increase survivability. Following the installation of the plant material, mulch will be used at boxed trees and container plants for additional moisture and protection.
- Maintenance and monitoring for 5-years following the installation, to include:
 - Irrigation for the first three years, if feasible.
 - If instigated, removal of irrigation after year three to allow the plants to acclimate to existing climatic conditions during the last two years of monitoring, to ensure that the vegetation has long-term survivability.
 - Monitoring by a qualified biologist quarterly for the first year, then annually for years two through five.
 - A qualitative assessment will be completed by the qualified biologist and reported to the Wildlife Agencies, and will include Project Site specific photo locations and an aerial photograph (with drone) documenting vegetation progress.
 - To determine if the restoration has been successful, minimum success criteria at the end of five years will be specified in the HRMP. If the minimum success criteria is not achieved, then the applicant shall be responsible for taking the appropriate corrective measures, as determined by a qualified restoration ecologist. Correction actions will continue until the success criteria have been met.
- A Weed Management Plan prepared by a qualified biologist and approved by CDFW will be prepared prior to commencing of grading on the Project Site setting forth best management practices (BMPs) to reduce the amount of non-native weedy species introduced into the Project during construction activities. The plan will focus on specific BMPs that will be used to reduce the risk of spreading non-native invasive seeds within the Project during construction, to include, but not limited to annual monitoring of sprouting vegetation in early spring, removing non-native invasive species, and utilizing water-wise native landscaping in the surrounding development areas. The purpose of the Weed Management Plan is to substantially reduce the potential for weeds to grow on-site and then monitor the Project Site and implement BMP so that weeds that do occur on-site can be removed before they go to seed.

- MM BIO-15** A third-party conservation organization will be chosen to monitor and maintain all portions of the Development Site within the designated conservation area, as outlined in a conservation easement covering the drainage features and adjacent upland buffer zones adjacent to drainages. The conservation easement should be in place prior to or immediately following regulatory agency permits being issued. Additionally, any additional off-site land acquired for project mitigation, if any, will be incorporated into the managed land, with approval from relevant agencies such as the Western Riverside County Regional Conservation Authority, California Department of Fish and Wildlife, Regional Water Quality Control Board, and United States Fish and Wildlife Service. Although a designated organization has not been chosen, one will be selected and approved by the City before the project's implementation.
- MM BIO-16** Sediment Transport and Scour Analysis: The Project proposes to construct concrete-lined box culverts at two drainage crossings on the Project Site. To avoid significant changes to downstream sediment transport and deposition, floodplain modification, and potential streambed aggradation or incision above and below each of the proposed stream crossings consistent with the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), the applicant shall prepare and submit a sediment transport and scour analysis to the City and Western Riverside County Regional Conservation Authority for review and approval prior to construction of any drainage crossing on the Project Site. The sediment transport and scour analysis shall identify and compare pre- and post-crossing development of sediment transport and deposition, floodplain modification, and potential streambed aggradation and incision above or below each proposed drainage crossing to confirm that the Project would not have significant impacts on the CVMSHCP conservation sediment transport system strategy. It is anticipated based on the results of the sediment deposition analysis performed by Albert A. Webb and Associates for the City of Banning's Sun Lakes Boulevard Extension Project, which adjoins the Project Site and crosses the same drainages that the concrete-lined box culvert in the referenced drainages, would have nearly no sediment deposition. However, if the results of the Project specific sediment transport and scour analysis determine that the proposed concrete-lined box culvert option would have a significant impact on the sedimentation transport system, the applicant shall either mitigate the impacts of the design to have a less than significant impact or will consider other methods of on-site drainage crossing.

Cultural Resources (Thresholds 4.5.1)

Although no known historic resources are located on the Development Site, the potential exists for Project-related ground-disturbing activities to result in a direct impact to historic resources should such resources be discovered during Project-related ground-disturbing activities. The City finds that mitigation measures MM CUL-1 through MM CUL-6 are feasible, and if adopted would reduce impacts to less than significant.

- MM CUL-1** The applicant shall retain a qualified professional archaeological monitor who meets U.S. Secretary of the Interior (SOI) Standards. The monitor shall be present during all ground-disturbing activities to identify any known or suspected archaeological and/or cultural resources. The monitor will conduct an Archaeological Sensitivity Training "Sensitivity Workshop," in conjunction with the Consulting Tribe(s)'s Tribal Historic Preservation Officer (THPO). The training session will focus on the archaeological and tribal cultural resources that may be encountered during earthmoving activities and the procedures to be followed in such an event.
- MM CUL-2** The qualified archaeologist shall develop an Archaeological Monitoring and Treatment Plan to address the details, timing, and responsibility of all archaeological and cultural resource activities that occur on the Development Site, in coordination with the Consulting Tribe(s).

- MM CUL-3** Prior to the issuance of grading permits, the applicant shall enter into a Native American monitoring agreement with one of the Consulting Tribes for the Development Project. The Native American Monitor shall be on site during all initial ground-disturbing activities, including clearing, grubbing, vegetation removal, grading, and trenching, within native soils. The Native American Monitor shall have the authority to temporarily divert, redirect, or halt the ground-disturbing activities in accordance with MM CUL-5 to allow identification, evaluation, and potential recovery of cultural resources. The applicant shall meet and confer with the Tribe on the consideration of a “Sensitivity Workshop” training on possible things that could come up in case a Native American Monitor is not on site to monitor at certain times.
- MM CUL-4** In the event of discovery of human remains during grading or other ground disturbance, work in the immediate vicinity (within a 100-foot buffer of the discovery) shall cease and the applicant shall comply with State Health and Safety Code Section§ 7050.5 and Public Resources Code (PRC) Section§ 5097.98. In the event human remains are found and identified as Native American, the applicant shall also notify the City Planning Department so that the City can ensure PRC Section§ 5097.98 is followed.
- MM CUL-5** In the event that archaeological or tribal cultural resources are unearthed during ground-disturbing activities, ground-disturbing activities shall stop (within a 100-foot buffer of the discovery) or shall be diverted away from the vicinity of the find, so that the find can be evaluated by the qualified archaeologist. A treatment plan shall be developed by a qualified archaeologist (meeting SOI standards) in consultation with the Tribe and the City Planning Department to include relinquishment of all artifacts through one of the following methods:
- A fully executed reburial agreement with the appropriate culturally affiliated Native American tribe or band. This reburial area should be away from any future impacts. Reburial shall not occur until all cataloguing, analysis, and any necessary special studies have been completed on the cultural resources. Details of contents and location of the reburial shall be documented in a final report.
 - Curation at a Riverside County Curation facility that meets federal standards per 36 CFR Part 79 and therefore will be professionally curated and made available to other archaeologists/researchers and tribal members for further study. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be provided in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.
- MM CUL-6** Any and all cultural documents created as a part of the Development Project (Archaeological Monitoring and Treatment Plans, isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to the Consulting Tribe.

Geology and Soils (Threshold 4.7.6.)

The following Mitigation Measure shall be implemented to reduce impacts to paleontological resources that could be discovered on the Development Site during Development Project grading/excavation activities.

- MM GEO-1** Paleontological Resources Monitoring. All mass grading, excavation, drilling, and trenching activities within the old alluvial fan deposits (“Qof”), which underlie the majority of the Development Site, starting at the surface shall be monitored full-time by a qualified paleontological monitor for paleontological resources. Prior to initiation of any grading, drilling, and/or excavation activities, a pre-construction meeting shall be held and attended by the paleontologist of record, the grading contractor and subcontractors, the

Development Site applicant, and a representative of the lead agency. The nature of potential paleontological resources shall be discussed, as well as the protocol that is to be implemented following discovery of any fossiliferous materials.

For earthmoving within young alluvial fan deposits (“Qyf”) and young alluvial valley deposits (“Qya”) mapped at the Development Site, periodic “spot check” monitoring shall be conducted, consisting of approximately one to three scheduled site visits per week by a qualified paleontological monitor during construction ground disturbance. If fossils are discovered, full-time monitoring for paleontological resources shall be warranted.

In the field, the primary monitor or the monitors under the direction and supervision of the site-specific paleontologist shall be the responsible persons on site with the assigned authority and responsibility to control all grading operations that might adversely affect any salvage efforts.

Isolated fossils will be collected by hand, wrapped in paper, and placed in temporary collecting flats or five-gallon buckets. Notes will be taken on the map location and stratigraphy of the site, which will be photographed before it is vacated and the fossils are removed to a safe place.

All paleontological monitors shall immediately notify all concerned parties (client and lead agency [i.e., the City of Banning]) at the time of any discovery. The City of Banning shall ensure that the recommendations from the qualified, professional paleontologist shall be followed by the Applicant/Developer.

Within 90 days of final paleontological monitoring, a final monitoring and mitigation report of findings and significance will be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). The report, when submitted to, and accepted by, the appropriate lead agency, will signify satisfactory completion of the Project program to mitigate impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place.

Hydrology and Water Quality (Thresholds 4.10.3)

For impacts related to sediment transport, mitigation measures MM HYD-1 and MM HYD-2 are feasible, and if adopted would reduce impacts to less than significant. To address the potentially sediment transport-related impact at the proposed Lincoln Street crossings, the following mitigation measures have been identified:

- MM HYD-1** Prior to the issuance of a grading permit(s) for roadway work in or adjacent to the proposed Lincoln Street creek crossings, the Applicant shall submit a sediment transport and scour analysis to the City of Banning and Western Riverside County Regional Conservation Authority for review and approval. As appropriate, the submittal may include equivalent detail on alternative proposals for the proposed creek crossings. The sediment transport and scour analysis shall identify pre-project conditions associated with channel morphology, hydrologic flow patterns, existing sedimentation and scouring, sediment size, and depth at each crossing. These same attributes will be analyzed based on post-project conditions to determine if there are any substantial changes to the existing conditions. The purpose of the sediment transport and scour analysis is to compare the functions and values of the drainage features in the pre- and post-project conditions and to ensure that following construction of the Lincoln Street crossings, the functions and values of the drainages with respect to downstream sedimentation are consistent with the long-term preservation of sand dune and sand sheet habitat within the Coachella Valley under the CVMSHCP. It is anticipated based on the results of the sediment deposition analysis performed by Albert A. Webb and Associates for the City of Banning’s Sun Lakes Boulevard Extension Project, which adjoins the Project Site and crosses the same

drainages that the concrete-lined box culvert in the referenced drainages, would have nearly no sediment deposition. However, if the results of the Project specific sediment transport and scour analysis determine that the proposed concrete-lined box culvert option would have a significant impact on the sedimentation transport system, the applicant shall either mitigate the impacts of the design to have a less than significant impact or will consider other methods of on-site drainage crossing.

- MM HYD-2** Prior to City of Banning's approval of roadway improvement plans for Lincoln Street, including the proposed Lincoln Street crossings, the Applicant shall submit evidence to the City that the Lincoln Street crossings of Pershing and Smith Creeks have been designed to avoid impacts to or, if impacted, to maintain the development transport capacity identified in the approved sediment transport and scour analysis required under Mitigation Measure HYD-1.

Tribal and Cultural Resources (Thresholds 4.18.1 and 4.18.2)

The following mitigation measures as identified in Section 4.5 are also identified as Cultural Resource Conditions in the Development Project's Cultural Resources Assessment and are considered standard project procedures to be conducted if a cultural resource is encountered during construction to reduce potential impacts to undiscovered archaeological resources:

- MM CUL-1** The applicant shall retain a qualified professional archaeological monitor who meets U.S. Secretary of the Interior (SOI) Standards. The monitor shall be present during all ground-disturbing activities to identify any known or suspected archaeological and/or cultural resources. The monitor will conduct an Archaeological Sensitivity Training "Sensitivity Workshop," in conjunction with the Consulting Tribe(s)'s Tribal Historic Preservation Officer (THPO). The training session will focus on the archaeological and tribal cultural resources that may be encountered during earthmoving activities and the procedures to be followed in such an event.
- MM CUL-2** The qualified archaeologist shall develop an Archaeological Monitoring and Treatment Plan to address the details, timing, and responsibility of all archaeological and cultural resource activities that occur on the Development Site, in coordination with the Consulting Tribe(s).
- MM CUL-3** Prior to the issuance of grading permits, the applicant shall enter into a Native American monitoring agreement with one of the Consulting Tribes for the Development Project. The Native American Monitor shall be on site during all initial ground-disturbing activities, including clearing, grubbing, vegetation removal, grading, and trenching, within native soils. The Native American Monitor shall have the authority to temporarily divert, redirect, or halt the ground-disturbing activities to allow identification, evaluation, and potential recovery of cultural resources. The applicant shall meet and confer with the Tribe on the consideration of a "Sensitivity Workshop" training on possible things that could come up in case a Native American Monitor is not on site to monitor at certain times.
- MM CUL-4** In the event of discovery of human remains during grading or other ground disturbance, work in the immediate vicinity (within a 100-foot buffer of the discovery) shall cease and the applicant shall comply with State Health and Safety Code Section§ 7050.5 and Public Resources Code (PRC) Section§ 5097.98. In the event human remains are found and identified as Native American, the applicant shall also notify the City Planning Department so that the City can ensure PRC Section§ 5097.98 is followed.
- MM CUL-5** In the event that archaeological or tribal cultural resources are unearthed during ground-disturbing activities, ground-disturbing activities shall stop (within a 100-foot buffer of the discovery) or shall be diverted away from the vicinity of the find, so that the find can be evaluated by the qualified archaeologist. A treatment plan shall be developed by a qualified archaeologist (meeting SOI standards) in consultation with the Tribe and the City

Planning Department to include relinquishment of all artifacts through one of the following methods:

- A fully executed reburial agreement with the appropriate culturally affiliated Native American tribe or band. This reburial area should be away from any future impacts. Reburial shall not occur until all cataloguing, analysis, and any necessary special studies have been completed on the cultural resources. Details of contents and location of the reburial shall be documented in a final report.
- Curation at a Riverside County Curation facility that meets federal standards per 36 CFR Part 79 and therefore will be professionally curated and made available to other archaeologists/researchers and tribal members for further study. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be provided in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

MM CUL-6 Any and all cultural documents created as a part of the Development Project (Archaeological Monitoring and Treatment Plans, isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to the Consulting Tribe.

Significant and Unavoidable Impacts

Section 15126 of the CEQA Guidelines requires that the EIR identify the significant environmental effects that cannot be avoided if the proposed project should be implemented (CEQA Guidelines Section§ 15126(b)), and the significant irreversible environmental changes that would be involved if the proposed project is implemented (CEQA Guidelines Section§ 15126(c)). As further described below, the City finds the Development Project would result in significant and unavoidable impacts with respect to air quality, greenhouse gas emissions, noise and transportation after implementation of all feasible mitigation measures. In accordance with CEQA Guidelines Section 15092(b)(2), the City cannot approve the Development Project unless it first finds (1) under Public Resources Code Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment opportunities to highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the EIR; and (2) under CEQA Guidelines Section 15092(b), that the remaining significant effects are acceptable due to overriding considerations described in CEQA Guidelines Section 15093 because the economic, legal, social, technological or other benefits of the proposed project outweigh its unavoidable adverse environmental effects. Therefore, a Statement of Overriding Considerations has been prepared.

Air Quality

Emissions associated with the operation of the Development Project would remain significant and unavoidable, even with implementation of the planned project design features and Mitigation Measures AIR-1 and AIR-2 as revised. No additional feasible mitigation measures are available that can reduce impacts to less than significant. As such, the Project would not be consistent with the attainment of the AAQS or emission reductions assumptions indicated in the AQMP. Therefore, based on the requirements for consistency with emission control strategies in the AQMP, the Development Project would conflict with or obstruct the implementation of the AQMP and/or applicable portions of the SIP. Therefore, this impact would be significant and unavoidable. In order to reduce air quality impacts to the maximum extent feasible, the following mitigation measures are required:

MM AIR-1 The following multi-part mitigation measure shall be implemented during Project construction:

- Plans submitted for grading permit issuance and building permit issuance shall specify a designated area of the construction site where electric or non-diesel vehicles,

equipment, and tools can be fueled or charged. The provision of temporary electric infrastructure for such purpose shall be approved by the utility provider, Banning Electric Utility (BEU). If BEU does not approve the installation of temporary power for this purpose, the establishment of a temporary electric charging area will not be required. If electric equipment will not be used on the construction site because the construction contractor(s) does not have such equipment in its fleet (as specified in this Mitigation Measure below), the establishment of a temporary electric charging area also will not be required. If the contractor(s) equipment fleet includes this equipment and BEU approval is secured, the temporary charging location shall be established upon issuance of grading permits and building permits.

- If electric or non-diesel off-road trucks and construction support equipment, including but not limited to hand tools, forklifts, aerial lifts, materials lifts, hoists, pressure washers, plate compactors, and air compressors are available in the construction contractor's equipment fleet and can fulfill the construction requirements during the building, construction, paving, and architectural coating phases of Project construction, such equipment shall be used during on-site construction. This requirement shall be noted on plans submitted for building permit issuance.
- If electric or non-diesel off-road truck and construction support equipment are not available then the Project contractor shall ensure all 50 horsepower or more off-road diesel-powered construction equipment is powered with California Air Resources Board (CARB) certified Tier 4 Final engines or the equivalent.
- Construction contractors shall maintain records of all off-road diesel construction equipment associated with on-site construction to document that each off-road diesel construction equipment used meets required emission standards. Records shall be kept on-site for the duration of construction activities and shall be made available for periodic inspection by City staff or their designee.
- During construction activities, the City shall conduct periodic inspections to verify compliance with construction-related mitigation measures pursuant to the Mitigation Monitoring and Reporting Program.
- During construction of the proposed Development Project, the Project contractor shall only use interior paints with low volatile organic compound (VOC) content with a maximum concentration of 30 grams per liter (g/L) for residential building architectural coating to reduce VOC emissions. All building and site plans shall note use of paints with a low VOC content with a maximum concentration of 30 g/L verified.
- The City of Banning shall verify these requirements have been incorporated into construction plans prior to issuance of any construction permits and during architectural coating activities.

MM AIR-2 The following multi-part mitigation measure shall be implemented during Project operation:

- Implement mitigation measures MM GHG-4, MM GHG-5, MM GHG-6, and GHG-7.
- All facility-owned and operated fleet equipment with a gross vehicle weight rating greater than 14,000 pounds accessing the site shall meet or exceed 2010 model-year emissions equivalent engine standards as currently defined in California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025. Facility operators shall maintain records on site demonstrating compliance with this requirement and shall make records available for inspection by the City of Banning, SCAQMD, and State upon request.

- All on-site cargo handling equipment including yard trucks, hostlers, yard goats, pallet jacks, forklifts, and other on-site equipment shall be electric with the necessary electrical plug-in charging included in the design of the Development Project electrical system, buildings, and equipment storage and parking areas.
- Tenant lease agreements for the Development Project shall include contractual language restricting trucks and support equipment from nonessential idling longer than 3 minutes while on site. The idling restriction will be presented on signs at the entrance to the industrial portions of the Development Project as well as at loading docks and truck parking areas.
- All facility operators shall train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.
- Interior- and exterior-facing signs, including signs directed at all dock and delivery areas, shall be provided identifying idling restrictions and contact information to report violations to CARB, the air district, and the building manager.
- At buildout of the industrial land uses a minimum of 50 Class 8 electric vehicle (EV) truck chargers shall be installed at the tractor trailer parking spaces in logical locations to facilitate electric truck charging. These chargers shall have the power rating sufficient to charge a Class 8 truck battery.
- For the warehouse/industrial portions of the Development Project, the buildings' electrical room shall be sufficiently sized to hold additional panels that may be needed to supply power for installation of electric charging systems for electric trucks and power transport refrigeration units (TRUs). Conduit shall be installed from the electrical room to all tractor trailer parking spaces in logical locations on site to facilitate future electric truck charging.
- The Development Project shall include the higher value of either:
 - At least 350 Level 2 AC EV chargers; or
 - A percentage of total parking spaces with Level 2 AC EV chargers to comply with the minimum requirements of CCR, Title 24, Part 11: California Green Building Standards Code.
 - The provision of EV charges in each parking lot shall occur prior to the occupancy of uses for said lots.
- All truck/dock bays that serve cold storage facilities within the proposed buildings shall be electrified to facilitate plug-in capabilities and support use of electric standby and/or hybrid electric TRUs. A condition of approval shall be included for the cold storage facility that requires that by buildout at least 90 percent of trucks with TRUs are fully electric.
- Prior to issuance of occupancy permits for the industrial/warehouse area, the Development Project operators employing 200 or more employees shall be required to establish and promote a rideshare program and prepare and submit a Transportation Demand Management Program detailing strategies that discourage single-occupancy vehicle trips by employees by increasing and providing financial incentives for alternate modes of transportation, including carpooling/vanpools, public transit, and biking.
- Signs at every truck exit driveway shall be provided showing directional information to the truck route.

- Every tenant shall be required to train staff in charge of keeping vehicle records in diesel technologies and compliance with CARB regulations, by attending CARB-approved courses. Facility operators shall also be required to maintain records on site demonstrating compliance and make records available for inspection by the City of Banning, SCAQMD, and State upon request.
- Tenants shall be required to enroll in the United States Environmental Protection Agency's SmartWay program, and tenants shall be required to use carriers that are SmartWay carriers.
- Industrial and commercial buildings within the Development Project shall be all electric unless the land use requires natural gas (i.e., restaurants, bakeries, dental and medical laboratories).
- Tenants shall be provided with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets.

Construction emissions of all pollutants except for VOCs associated with the Project would be reduced to a less than significant level with implementation of Mitigation Measure AIR-1. However, emissions associated with operation of the Development Project would remain significant and unavoidable, even with implementation of the planned project design features and Mitigation Measure AIR-2, as revised, which would require all feasible measures to reduce potential impacts. Therefore, this impact would be significant and unavoidable.

In order to reduce impacts to the maximum extent feasible, the following mitigation measures are required: Implementation of Mitigation Measure AIR-1 and Mitigation Measure AIR-2, described above.

RCM AQ-1 SCAQMD Rule 403. During clearing, grading, earth moving, or excavation operations, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventative measures by using the following procedures, in compliance with South Coast Air Quality Management District (SCAQMD) Rule 403 during construction. The applicable Rule 403 measures are as follows:

- Apply nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more).
- Water active sites at least twice daily (locations where grading is to occur shall be thoroughly watered prior to earthmoving).
- Cover all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least 2 feet (0.6 meter) of freeboard (vertical space between the top of the load and the top of the trailer) in accordance with the requirements of California Vehicle Code Section 23114.
- Pave construction access roads at least 100 feet (30 meters) onto the site from the main road.
- Reduce traffic speeds on all unpaved roads to 15 mph or less.

RCM AQ-2 All trucks that are to haul excavated or graded material shall comply with State Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2), and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.

- RCM AQ-3** Prior to approval of the Project plans and specifications, the City shall confirm that the construction bid packages specify:
- Contractors shall use high-volume low-pressure paint applicators with a minimum transfer efficiency of at least 50 percent;
 - Coatings and solvents that will be utilized have a volatile organic compound content lower than required under SCAQMD Rule 1113; and
 - To the extent feasible, construction/building materials shall be composed of pre-painted materials.
- RCM AQ-4** The Project shall comply with SCAQMD Rule 402. Rule 402 prohibits the discharge of air contaminants or other material from any type of operations, which can cause nuisance or annoyance to any considerable number of people or to the public or which endangers the comfort or repose of any such persons, or the public.

Greenhouse Gas Emissions

Based upon the analysis presented in Section 4.8, Greenhouse Gas Emissions of the EIR, mitigation measures GHG-1 through GHG-7 have been identified to address this impact are feasible and made binding through the MMRP. In addition, MM AIR-1 and AIR-2, as revised, would also be applicable and reduce GHG impacts to the extent feasible. (Draft EIR Section 4.8.5.1).

The Project shall implement mitigation measure MM AIR-2 (discussed above and in the EIR), many provisions of which in addition to reducing air quality emissions would result in a reduction in GHG emissions. Despite imposition of these feasible mitigation measures, the volume of GHG emissions generated by the Development would not be reduced below established significance threshold.

The following are additional mitigation measures that would be required to address significant GHG emissions:

- MM GHG-1** Provide separate recycling bins within each commercial/industrial building and provide large external recycling collection bins at central locations in the commercial and industrial land uses for collection truck pickup. Provide a commercial recycling/composting program that provides 70 percent diversion of waste for the commercial land uses. Provide an industrial recycling program that provides 80 percent diversion of waste for the industrial land uses.
- MM GHG-2** Provide drought tolerant low-water landscaping and trees throughout the Development Site and use recycled (purple pipe) irrigation water with drip irrigation and weather based smart irrigation controllers.
- MM GHG-3** Prior to the issuance of building permits, the Project Applicant or successor in interest shall provide documentation to the City of Banning demonstrating that the Project is designed to achieve energy efficient buildings exceeding Title 24 standards with the following design criteria:
- Building envelopes insulation of conditioned space within all commercial and industrial buildings shall be R15 or greater for walls and R30 or greater for attics/roofs.
 - Windows of commercial and industrial buildings shall have an insulation factor of 0.28 or less U-factor and 0.22 or less SHGC.
 - All roofing material for commercial buildings shall be CRRC Rated 0.15 aged solar reflectance or greater and 0.75 thermal emittance.

- All heating/cooling ducting within the commercial and industrial buildings shall be insulated with R6 or greater insulation.
- All heating and cooling equipment shall be ERR 14/78 percent AFUE, or 7.7 HSPF levels of efficiency or greater.
- All water heaters in the commercial and industrial buildings shall be high efficiency electric water heaters with a minimum 0.72 Energy Factor or greater.
- Lighting within the commercial and industrial buildings shall be high efficiency LED lighting with a minimum of 40 lumens/watt for 15 watt or less fixtures, 50 lumens/watt for 15–40-watt fixtures, and 60 lumens/watt for fixtures greater than 40 watts.
- Building roofs shall be in compliance with solar requirements of the California Building Code Title 24 standards.

- MM GHG-4** All appliances within the commercial and industrial land uses shall be energy star rated appliances.
- MM GHG-5** All water fixtures shall be water efficient (toilets/urinals [1.5 GPM or less], showerheads [2.0 GPM or less], and faucets [1.28 GMM or less]).
- MM GHG-6** All landscape equipment used to maintain the landscaping within the Development Project shall be electric.
- MM GHG-7** Prior to issuance of building permits, the Project shall provide documentation to the City as part of the plan check process, demonstrating that the Project will implement the measures specified in Table 4.8.K which were obtained from the Riverside County Greenhouse Gas Emissions Screening Tables. The Project may also achieve equivalent emission reductions from other measures approved by the City. Implementing these mitigation measures shall be verified by the City prior to the issuance of final Certificate of Occupancy.

Noise

Noise generated by project construction activities would be reduced to a less than significant level with the implementation of the Mitigation Measure NOI-1. Mitigation Measure NOI-1 includes the installation of minimum 10-foot high temporary construction barriers when Development Project construction activities are within 100 feet from the nearest residential structure and other measures to reduce noise impacts will reduce construction noise impacts associated with on-site construction of the Development Project to less than significant. However, because it has is yet to be determined if a noise barrier can be constructed on City right-of-way during construction of roadway and utilities on Sunset Avenue, the City finds that construction noise impacts for construction of the roadway and utilities on Sunset Avenue is considered significant and unavoidable.

- MM NOI-1** The construction contractor shall limit construction activities to between the hours of 7:00 a.m. and 6:00 p.m.

During grading, site work, paving and utility construction, the construction contractor shall install a minimum 10-foot high temporary construction barrier along the eastern construction boundary to shield residences along Sunset Avenue between Lincoln Street and Westward Avenue, along the southern construction boundary to shield residences along Bobcat Road, and along the eastern construction boundary to shield the school located at the southeast corner of Sunset Avenue and Westward Avenue when project construction activities are within 100 feet from the nearest residential structure to that activity. The temporary construction barrier may be any material that has a minimum Sound Transmission Class (STC) rating of 28. For off-site construction, including for

construction of the roadway and utilities, on Sunset Avenue, the City will determine whether the noise barrier can be constructed on City right of way without impacting roadway access and the construction contractor shall install such barrier on City-owned property provided that such roadway access can be maintained during construction.

During all Development Site excavation and grading, the Development Project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.

The construction contractor shall locate equipment staging in areas that will create the greatest feasible distance between construction-related noise sources and noise-sensitive receptors nearest the Development Site during all project construction.

The construction contractor shall place all stationary construction equipment so that the emitted noise is directed away from the sensitive receptors nearest the Development Site.

Transportation

The following mitigation measure would require the preparation of a Transportation Demand Management (TDM) strategy report to reduce employee VMT. While the inclusion of PDFs T-1 through T-3 would reduce HBW VMT by 8.4 percent, Project generated VMT per employee still exceeds the City's adopted VMT impact threshold. Therefore, even with the implementation of MM TRA-1, Threshold 4.17.2 would remain significant and unavoidable.

MM TRA-1: Prior to issuance of occupancy permits, the project applicant shall prepare a Transportation Demand Management (TDM) strategy report (as discussed in the Sunset Crossroads Vehicle Miles Traveled (VMT) Analysis) for review and approval by the City Traffic/Transportation Manager, Transportation Demand Management (TDM) strategies have been incorporated into the project design including commute trip reduction marketing, rideshare program, and end-of-trip bicycle facilities.

PUBLIC COMMUNICATION:

A Notice of Public Hearing was published in the Record Gazette newspaper and mailed to property owners within a 300-foot radius of the Project boundary on October 18, 2024. The project has also been noticed on the City's webpage, on social media platforms, interested parties who have registered for notifications were sent electronic notifications via email. As of the writing of this report, staff has received written communication from seven City of Banning residents who have expressed their opposition to the proposed project, and two letters of support for the Project. Planning Commissioners were also emailed more than 200 letters in support of the project.



CITY OF BANNING STAFF REPORT

TO: PLANNING COMMISSION

FROM: David Newell, Community Development Director

PREPARED BY: Emery Papp, Senior Planner

MEETING DATE: October 29, 2024

SUBJECT:

Consideration of an application by the City of Banning, CA for General Plan Amendment No. 22-2502 and Zone Change No. 22-3502 to change the land use designation and zoning of approximately 41 acres of land owned by Mount San Jacinto Community College District located at the southeast corner of Westward and Sunset Avenues from PF-S (Public Facilities-Schools) to Very High Density Residential (VHDR) to transfer capacity for development of no less than 1,146 residential units from the Sunset Crossroads Specific Plan. The Planning Commission will consider whether to recommend that the City Council approve General Plan Amendment No. 22-2502 and Zone Change No. 22-3502; certify the related Final Environmental Impact Report (Sch No. 2021020011); and adopt Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program pursuant to the California Environmental Quality Act.

PROJECT APPLICANT:

City of Banning
99 East Ramsey Street
Banning, CA 92220

BACKGROUND:

NP Banning Industrial, LLC has submitted multiple entitlement applications for approval of the Sunset Crossroads Specific Plan, which will appear before the Planning Commission as a separate public hearing item. Approval of the proposed new Specific Plan Project will result in approximately 141.2 acres of existing residentially zoned properties within the City of Banning to convert to commercial and industrial land uses. The City has determined that adoption of a General Plan Amendment and Zone Change for the Sunset Crossroads Project would result in the reduction of the City's residential capacity by a maximum of 1,146 units. This is a conservative estimate because it assumes the maximum number of units that could be developed and developments typically do not achieve maximum density due to a variety of factors, including topography and infrastructure requirements.

State law, set forth in California Government Code Section 66300 et seq., requires that the City identify and rezone other land in the City concurrently with adoption of the Sunset Crossroads Project to ensure 'no net loss' of the City's residential development capacity. The City has therefore identified a suitable site of approximately 49.2 acres located adjacent to the Sunset Crossroads development site, east of Sunset Avenue and south of Westward Avenue (MSJC Site), that is owned by the Mt. San Jacinto

Community College District (MSJCCD) for that purpose. A portion of the MSJC site houses the existing MSJCCD San Geronio Campus.

To avoid a net loss to the City's residential capacity that would otherwise occur if the Sunset Crossroads Specific Plan Project is approved, the City is proposing to concurrently amend the general plan land use designation and change the zoning classification of the approximately 41 acres of the MSJC site to Very High Density Residential, which would permit residential development from 24 to 30 dwelling units per acre, which would create capacity for no less than 1,146 units at the MSJC site.

The proposed amendments are: (1) General Plan Amendment (GPA) 22-2502; and (2) Zone Change (ZC) 22-3502, which together would change the land use designation and zoning of the MSJC Site from PF-S (Public Facilities-Schools) to Very High Density Residential (VHDR) with a density range of 24 to 30 dwelling units per acre (24-30 DU/AC).

No residential development on the MSJC site has been proposed nor is any application pending. If the site is developed in the future, it would occur under the VHDR designation and in conformance with the applicable development standards found in the City's General Plan and Zoning Ordinance. For example, the City's VHDR land use designation allows for development condominiums, townhomes, and apartments, or a combination of these types, along with the provision of common area amenities and open space. The City's regulations also provide for clustering of such units development of a new specific plan to provide for orderly development or provide for adequate public infrastructure (i.e., roads, storm drain, electricity, sewer, potable and recycled water availability).

Chapter 5 of the Draft EIR evaluates the environmental impacts of the MSJC Entitlements at a programmatic level.

Approval of the proposed MSJC entitlements will effectively serve to avoid any net loss of residential capacity and would not result in an increase in capacity or number of residential units in the City. Therefore, the proposed MSJC entitlements are consistent with existing City planning documents and baseline assumptions identified in the environmental impact report, with only the location of the residential uses changing. A programmatic level analysis of potential environmental impacts pertaining to the MSJC entitlements and cumulative analysis was analyzed in the Final EIR and is provided in Chapters 5.0 and 6.0 of the Sunset Crossroads Specific Plan EIR. The Sunset Crossroads development project is discussed in detail in the project-level analysis of the development project in Chapter 3.0 of the Environmental Impact Report (EIR). The use of this EIR as both a project-level and programmatic-level document is detailed in Chapter 1.0 of the EIR.

DESCRIPTION:

The entire MSJC Site totals 49.2 acre and is located at the southeast corner of Sunset Avenue and Westward Avenue. The MSJC campus - including structures, off-street parking, and other features - is located on 3 parcels (APNs 537-140-001, 537-140-002, and 537-140-003) that constitute approximately 8.3 acres. The remaining 41-acres is undeveloped sage scrub, grassland, and water habitats. Pershing Creek crosses Sunset Avenue from the west, bordering the southern portion of the MSJC site.

Project setting for the MSJC Site:

North: Westward Avenue is located in the City, directly north of the MSJC Site, and a single-family residential neighborhood is located north of Westward Avenue. Land to the north of the MSJC Site has a City of Banning General Plan Land Use Designation and Zoning Classification of Medium Density Residential (MDR) (0-10 DU/AC).

West: Sunset Avenue is located west of the MSJC Site and to the west of Sunset Avenue is the Sunset Crossroads development site. Currently, property west of Sunset Avenue and south of the Sun Lakes Boulevard Extension is within the City's SOI and will be annexed into the City upon approval of the

Development Project.

East: Land to the east of the MSJC site is within the City but not developed and is occupied by natural vegetation and natural topography. A small, 0.11-acre area of land to the east of the MSJC site is occupied by a well and water reservoir that is fenced on its perimeter. Land to the east of the MSJC site has a City of Banning General Plan and Zoning designation of Specific Plan. The approved Rancho San Gorgonio Specific Plan (RSG SP or RSG site) encompasses 831 acres and envisions the creation of a master planned community offering up to 3,385 residential units, as well as commercial uses, public facility, school, and public open space uses.

South: Land to the south of the MSJC Site within the City is undeveloped and is occupied by natural vegetation and natural topography. This area is General Plan designated and zoned Specific Plan. The natural drainage of Pershing Creek is also located south of the MSJC Site, within the approved RSG SP.

FINDINGS:

REQUIRED FINDINGS FOR GENERAL PLAN AMENDMENT

Section 17.64.070 of the Banning Municipal Code (BMC) requires that General Plan Amendment applications meet certain findings prior to recommendation of approval by the Planning Commission. Section 17.96.080 BMC requires that the Zoning Map shall be consistent with the adopted General Plan Map. The Planning Commission of the City of Banning does hereby recommend that the City Council find and determine that General Plan Amendment 22-2502 and Zone Change 22-3502 can be approved because the following required findings can all be met in the affirmative:

Finding A: That the proposed amendment is internally consistent with the General Plan.

Findings of Fact: California Government Code Section 65302 requires that a General Plan consist of seven (7) State-mandated elements, including Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety. The Land Use Element is one of the seven State-mandated elements of the General Plan and includes the Land Use Map for the City of Banning. The Land Use map and the Zoning map are 100% consistent with one another and, therefore, the same map doubles to serve both purposes. The transfer of residential density is consistent with state law, and with programs contained in the recently certified Housing Element.

The General Plan Land Use Map Amendment and Zone Change would allow for potential development of very high density residential units that will provide greater diversity of housing across income levels and housing types including affordable housing opportunities as required for the General Plan land use map. The proposed amendments would also be consistent with the nearby residential development, the school use currently on the site, and the commercial development and job opportunities afforded by the commercial and industrial development within the proposed Sunset Crossroads Specific Plan.

Finding B: That the proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

Findings of Fact: The proposed General Plan Land Use Map Amendment and Zone Change will allow for the orderly development of the proposed Sunset Crossroads development project in an industrial area, further strengthening economic development and job opportunities, while allowing for housing opportunities adjacent to a higher-education campus and ensuring there would be no net loss in the City's residential development capacity. The potential residential development on the MSJC proposed amendment is not anticipated to cause detrimental impacts to the public interest, health, safety, convenience, or welfare of the City, while preserving affordable, high density residential uses by transferring the residential density to the subject site, ensuring there will be no net loss of residential development capacity.

The proposed General Plan Land Use Map Amendment and Zone Change will allow for the orderly

development of the proposed Sunset Crossroads development project in an industrial area, further strengthening economic development and job opportunities, ensuring there will be no net loss of residential development capacity. Development of high density residential housing on the MSJC Site would not damage the public interest, health, safety, convenience, or welfare of the City and would preserve high density residential uses by transferring the residential density to a neighboring site.

Finding C: That the proposed amendment would maintain the appropriate balance of land uses within the City.

Findings of Fact: Table III -3, of the Community Development Chapter of the City's General Plan details that 252.1 acres of vacant land is designated as General Commercial, and 274.1 acres of vacant land is designated as Industrial. The approval of the Sunset Crossroads Specific Plan would increase the amount of vacant General Commercial land by 47.9 acres, and will increase the amount of vacant Industrial land by 392 acres, which provide a statistically significant positive change in the balance of vacant non -residential land uses within the City. With the proposed amendment, residential density will transfer adjacent to a higher-education campus and create additional housing opportunities for students, entry-level homes and increase the variety of housing options in the City. As such, the balance of land use designations will not be negatively impacted by the Project.

Finding D: The amendment is physically suitable for the surrounding environment; including, but not limited to site access, the provision of utilities, and compatibility with adjoining land uses, including the absence of any physical constraints, for the requested land use designation(s) and the anticipated land use development(s).

Findings of Fact: The land use amendment will not adjust or change the physical characteristics of the parcels, as there are currently no development proposals for the MSJC property. The existing backbone infrastructure, such as sewer, water, electricity, and other utilities, is in place to service the project location, and future development of the project site will dedicate additional right-of-way along the frontage of Sunset and Westward Avenues to accommodate widening to the General Plan Circulation Element ultimate configuration for these street segments. Any future residential development of the MSJC site would be designed to meet City standards, which provide satisfactory pedestrian and vehicular circulation, including emergency vehicle access and on-site improvements, streets, utilities, and drainage facilities consistent with the City's General Plan.

The Project will implement Policy 8 of the Community Development Chapter of the General Plan, which requires that the City assure the provision of adequate utilities, infrastructure, and other capital facilities" (General Plan, Page III-44).

The Project will implement Program 4.B, which "requires the City make regular assessments of infrastructure capacity and evaluate the necessary expansion and improvements needed to carry out responsible growth management" (General Plan, Page VI-19).

REQUIRED FINDINGS FOR AMENDMENT TO TITLE 17 (ZONING)

Section 17.116.030 of the Banning Municipal Code provides that the Planning Commission shall make a written recommendation on a proposed amendment to the Zoning Ordinance (Title 17) whether to approve, approve in modified form, or disapprove based upon their findings.

Finding A: The proposed Amendment is consistent with the goals and policies of the General Plan.

Findings of Fact: The Zone Change would implement the related General Plan amendment and is therefore consistent with the policies of the General Plan for the reasons discussed above.

Finding B: The proposed Amendment is internally consistent with the Zoning Ordinance.

Findings of Fact: The proposed Zone Change will transfer residential density from one project site to the subject site to accommodate a commercial/industrial development project. The proposed amendment will provide consistency with state housing law in that it ensures no net loss in the residential development capacity identified in the City's General Plan, and the proposed density range is from 24 to 30 dwelling units per acre, consistent with the Zoning Ordinance and development standards for the Very High Density Residential zone.

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

Findings of Fact: A Programmatic Analysis for the MSJC entitlements is contained in Chapter 5 of the Sunset Crossroads Specific Plan FEIR, in accordance with CEQA. The Planning Commission has conducted an independent review of the FEIR as will the City Council before the project can be approved.

ENVIRONMENTAL DETERMINATION:

The proposed GPA 22-2502 and ZC 22-3502 are entitlements for a residential density transfer to the MSJC site from the related Sunset Crossroads Specific Plan Project. Both projects have been evaluated in an Environmental Impact Report that was prepared for the Sunset Crossroads Specific Plan, both projects are to be heard by the Planning Commission on October 29, 2024, and both projects are intended to be scheduled together at a future City Council public hearing. Procedurally, the Planning Commission may recommend to the City Council the adoption and certification of the Final Environmental Impact Report for the Sunset Crossroads Specific Plan, that pursuant to CEQA Guidelines Section 15162, the proposed MSJC entitlements are consistent with the analysis contained in the FEIR, and therefore, no further analysis is required.

The Sunset Crossroads FEIR contains both a project-level and a programmatic-level of review. The Sunset Crossroads Development Project described in Chapter 4.0 of the FEIR is analyzed at a project level of detail consistent with CEQA Guidelines Section 15161 and considers the changes in the environment that would result during construction and operation of the development project. The MSJC entitlements are analyzed at a programmatic level, consistent with CEQA Guidelines §15168 because no specific development project is currently proposed for the MSJC site, but they are logical parts in the chain of contemplated actions. Consistent with the requirements set forth in Public Resources Code Section 21068.5 and CEQA Guidelines Sections 15152 and 15168(c), later activities could be tiered from, and would be examined in light of, the information in the programmatic analysis. The City would use the Sunset Crossroads FEIR to determine whether impacts of future development on the MSJC Site have been addressed in the analysis and whether or not additional environmental analysis shall be required. If an additional environmental document is necessary, under Section 15168(c)(1) of the CEQA Guidelines, and under tiering provisions in Public Resources Code Section 21068.5 and CEQA Guidelines Section 15152(a), it would incorporate the discussion, and applicable mitigation measures from the FEIR and focus the analysis on site specific issues not previously or sufficiently addressed. Such programmatic analysis is intended to assist the City in streamlining environmental documentation for future development projects at the MSJC Site that could tier from the FEIR. Factors to be used in determining whether subsequent environmental review is required include but are not limited to whether the subsequent, project-level development is within the scope of the MSJC entitlements, consistency of the later activity with the type of allowable land use, overall planned density and building intensity, geographic area analyzed for environmental impacts, and covered infrastructure described in the FEIR, and whether impacts from development of residential uses on the MSJC site have been fully analyzed and mitigated to less than significant in the programmatic analysis.

Sections 4.1 through 4.20 of the Sunset Crossroads FEIR described the environmental setting of the development project and the impacts that are expected to result from implementation of the development project. Mitigation measures are proposed to reduce potential impacts where appropriate. The

environmental issues addressed included:

- 4.1 Aesthetics
- 4.2 Agriculture and Forestry Resources
- 4.3 Air Quality
- 4.4 Biological Resources
- 4.5 Cultural Resources
- 4.6 Energy
- 4.7 Geology and Soils
- 4.8 Greenhouse Gas Emissions
- 4.9 Hazards and Hazardous Materials
- 4.10 Hydrology and Water Quality
- 4.11 Land Use and Planning
- 4.12 Mineral Resources
- 4.13 Noise
- 4.14 Population and Housing
- 4.15 Public Services
- 4.16 Recreation
- 4.17 Transportation
- 4.18 Tribal Cultural Resources
- 4.19 Utilities and Services
- 4.20 Wildfire

A Programmatic Analysis for the MSJC entitlements is contained in Chapter 5 of the Sunset Crossroads Specific Plan FEIR, which includes a discussion of the existing environmental condition of the MSJC site relative to each of the environmental issues cited above. As the laws, regulations and City policies previously presented in Sections 4.1 through 4.20 of the FEIR would be applicable to actions related to the MSJC site, they are referenced, but not listed in the discussions contained in Chapter 5. For each environmental issue, the same Appendix G thresholds have been applied at a Programmatic Level. As there is no specific development planned for the MSJC site at this time, the precise nature, location, and/or design of future residential uses is not known. The MSJC entitlements merely relocate potential impacts from one property to an adjoining property to avoid the net loss of residential capacity and by definition would be equal to or incrementally increase residential capacity or unit count in the City if an application for full buildout of the entitlement envelope is sought. Impacts from the future development of the 1,146 units are already contemplated by the City's planning documents. Any new impacts would generally be those that create site specific modifications where the focus of the analyses is on the specific location for the proposed use or the density of the use rather than the nature of the use. Where appropriate, the assessment identifies future actions that may be required prior to development of the MSJC site. The cumulative effects resulting from implementation of the Sunset Crossroads development project, the proposed MSJC entitlements and future development on the MSJC Site, and other development activity in the City are provided in Chapter 6.0 of the FEIR. Relevant "Other CEQA Considerations" concerning the MSJC entitlements are discussed in Chapter 7.0 of the FEIR.

PUBLIC COMMUNICATION:

A Notice of Public Hearing was published in the Record Gazette newspaper and mailed to property owners within a 300-foot radius of the Project boundary on October 18, 2024. The project has also been noticed on the City's webpage, on social media platforms, interested parties who have registered for notifications were sent electronic notifications via email. As of the writing of this report, the City has received several comments related to the Sunset Crossroads project, but none specific to the subject amendment.

ATTACHMENTS:

- 1. [PC Reso re MSJC GPA & Zone Change \[October 29, 2024\].DOCX](#)
- 2. [Exhibit A - PROPOSED_ZONING_MSJC.pdf](#)

3. [Project Maps.pdf](#)
4. [PHN GPAZC_Final.pdf](#)

Public Notices



CITY OF BANNING NOTICE OF JOINT PUBLIC HEARING BEFORE THE CITY COUNCIL AND PLANNING COMMISSION

Specific Plan, SP 20-2002; General Plan Amendments, GPA 20-2501 & GPA 22-2502; Zone Changes, ZC 20-3502 & ZC 22-3502; Tentative Parcel Map, TPM 38118; Development Agreement
Sunset Crossroads Specific Plan

NOTICE IS HEREBY GIVEN that the City Council and Planning Commission of the City of Banning, California, will hold a joint public hearing at a special meeting on May 8, 2025. The meeting will begin at 5:00 p.m., in the Council Chambers at City Hall, 99 East Ramsey Street, Banning, CA 92220. To observe the live meeting through your personal computer or smart phone enter the following link: <https://banninglive.viebit.com> or view on the Banning Government Channel on Cable Television.

The purpose of this hearing is to receive an introduction on the subject applications and presentation by the applicant, NP Banning Industrial, LLC (however, no action to approve or deny the application will occur by either body). The project applications consist of the following:

- Specific Plan (SP 20-2002). Proposes to establish the Sunset Crossroads Specific Plan for the development of industrial and commercial uses on a 533.8-acre site, including up to 268,400 square feet of medical office, professional office, education, recreation, and commercial uses, a travel center with refueling uses, and a 125-room hotel (approximately 90,000 sf) on 47.9-acres; and up to 5,545,000 square feet of industrial uses (including up to 330,000 square feet of cold storage uses) on 392.0 acres. The Specific Plan text identifies the permitted land uses, development standards, design guidelines, and implementation provisions. The Specific Plan Area includes land located south of Interstate 10 between Highland Home Road and Sunset Avenue extending south to include land south of the City's current border (Assessor Parcel Numbers (APNs): 537-110-003 through -005, 537-110-011 through -014, 537-120-013, 537-120-025, and 537-120-028 through -036).
- General Plan Amendment and Zone Change for Specific Plan Area (GPA 20-2501 & ZC 20-2504). Proposes amending the land use designations and zoning of the Specific Plan area to General Commercial (GC), Industrial (I), Open Space – Parks (OS-P), and Open Space – Resources (OS-R). Additionally, approximately 65.6 acres of the Project site is proposed as Open Space – Resources (OS-R) and/or Open Space – Parks (OS-P), including a five-acre passive park.
- Development Agreement. The Development Agreement would grant the Project vested development rights in exchange for public benefits as specified in the agreement.
- Tentative Parcel Map (TPM 38118). A subdivision of the Specific Plan Area into thirty-four parcels and five lettered lots ranging in size from 1.0 acre to 78.7 acres in size, creating 19 Planning Areas.
- General Plan Amendment and Zone Change for Density Transfer (GPA 22-2502 & ZC 22-3502). Proposes amending the land use designation and zoning of approximately 40.9 acres of land located southeast of Sunset Avenue and East Westward Avenue, to Very High Density Residential.

ENVIRONMENTAL DETERMINATION: The Project has been reviewed in accordance with the California Environmental Quality Act (CEQA) and an Environmental Impact Report has been prepared for the project, together with Findings of Fact and a Statement of Overriding Consideration (SOOC), Findings in support of the SOOC, and a Mitigation Monitoring and Reporting Program for the Project, to be considered by the Planning Commission. A Notice of Availability to review the draft Environmental Impact Report for the Sunset Crossroads Specific Plan EIR (SCH No. 2021020011) was published in December 2023, with the 45-day public review and comment period for the Project beginning on December 15, 2023, and ending on January 30, 2024, and a Final Environmental Impact Report was prepared. Information regarding the Project and the Final EIR can be obtained by contacting the City's Community Development Department, Planning Division at (951) 922-3125, or by going to the City of Banning website at: <https://www.banningca.gov/762/Sunset-Crossroads-Specific-Plan>.

REVIEW OF PROJECT INFORMATION: The proposed application, site plan, and related documents are available for public review by contacting the Community Development Department during normal business hours (Monday – Friday, 8:00am to 5:00pm) by telephone at (951) 922-3125. Additional project information is also available on the City's website by visiting the following link: <https://www.banningca.gov/762/Sunset-Crossroads-Specific-Plan>

COMMENT ON THIS APPLICATION: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing:

- You may provide oral comments at the hearing. Agendas are available at least 72 hours in advance of the meeting online: https://banningca.granicus.com/ViewPublisher.php?view_id=1
- Written comments may be submitted to the City Council by email at CityClerks@banningca.gov or letter to the address below. Transmittal prior to the start of the meeting is required. Any correspondence received during or after the meeting will be distributed to the City Council as soon as practicable and retained for the official record.

City Clerk's Office
PO Box 998
99 E. Ramsey St
Banning, CA 92220

Any challenge of the proposed project in court may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at, or prior, to the public hearing (Government Code Section 65009[b][2]).

Si necesita ayuda con esta carta, por favor llame a la Ciudad de Banning y puede hablar con Sandra Calderon, teléfono (951) 922-3125.

BY ORDER OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF BANNING,
CALIFORNIA.

David A. Newell, AICP Dated: April 7, 2025

Community Development Director Publish: April 11, 2025