Print Form

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Riverside
P.O. Box 751
Riverside, CA 92502

From: (Public Agency): City of Banning
99 E. Ramsey Street, P.O. Box 998
Banning, CA 92220
(Address)

Project Title: Butterfield Specific Plan Amendment 26-0003

Project Applicant: TriPointe Homes, Inc

Project Location - Specific:
Wilson St (S), Highland Springs Ave (W); Unincorp.(N&NE), Highland Home Rd (E)

Project Location - City: Banning Project Location - County: Riverside

Description of Nature, Purpose and Beneficiaries of Project:
Specific Plan Amendment No. 26-0003 is to allow minor amendments that would foster economic development and allow for a more effective mix of permitted uses on the commercial properties in Planning Areas 17 and 18. The proposed amendment would amend Table 5-13 to include retail and service commercial uses that were previously excluded by the table, in addition to changing some uses from requiring a CUP (C) to Permitted (P).

Name of Public Agency Approving Project: City of Banning

Name of Person or Agency Carrying Out Project: Matthew Bassi, City of Banning

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☑ Categorical Exemption. State type and section number: CEQA Guidelines Section 15183
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:
See attached pages

Lead Agency Contact Person: Matthew Bassi Area Code/Telephone/Extension: 951-922-3182

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☑ Yes No

Signature: Matthew Bassi Date: 11/12/2026 Title: Interim Community Dev. Director

☑ Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Memo

2550 Fifth Avenue, Suite 640
San Diego, CA 92103

Date: October 22, 2026

To: Matthew Bassi, Interim Community Development Director, City of Banning

From: Eric J. Ruby, Principal

Subject: Butterfield Specific Plan Amendment CEQA Section 15183 Consistency Analysis
Specific Plan Amendment 26-0003, Updated Specific Plan Table 5-13

1 INTRODUCTION

The City of Banning (City) City Council adopted the Butterfield Specific Plan (Specific Plan) and certified the Butterfield Specific Plan Final Environmental Impact Report (Specific Plan FEIR) (State Clearinghouse [SCH] No. 2007091149) on March 27, 2012. The Specific Plan FEIR evaluated implementation of the proposed Specific Plan and associated actions and entitlements (individually known as the "Development Project" and collectively as the "Approved Project"). The Specific Plan was adopted to establish zoning regulations for residential, commercial, recreational, and public facilities uses on the 1,543-acre property (Development Site) located within the City of Banning. Implementation of the Specific Plan would result in a total of 5,382 residential dwelling units, 36-acres of commercial uses, public facilities and recreational uses within 75 Planning Areas. The Specific Plan was initially amended on February 14, 2017, to realign Home Road to intersect with Highland Springs Avenue. An Addendum was prepared for the certified Final EIR for the specific plan amendment. There are two commercial planning areas (17 and 18) within the Specific Plan.

This Memorandum describes proposed minor modifications to the Specific Plan (herein referred to as the Specific Plan Amendment or "SPA") to modify Table 5-13 (Commercial Permitted, Conditionally Permitted and Prohibited Land Uses) which describes land uses that are permitted, conditionally permitted and/or prohibited within the Development Project Site and confirms that the scope of the proposed SPA falls within the scope of the Specific Plan FEIR. Accordingly, the proposed SPA is being evaluated pursuant to Section 15183 of the *California Environmental Quality Act (CEQA) Guidelines* to determine whether its environmental effects were adequately addressed in the Specific Plan FEIR, and whether any project-specific effects require additional environmental review.

2 PROPOSED CHANGES TO THE BUTTERFIELD SPECIFIC PLAN

Tri Pointe Homes (the SPA applicant) is proposing a SPA to modify Table 5-13 of the Specific Plan. Table 5-13 identifies permitted, conditionally permitted, and prohibited land uses within the commercial planning areas (PA 17 and PA 18). The proposed changes to the Specific Plan (Table 5-13) are identified below:

- Change "Membership Organizational Facilities" to "Service Clubs", and change from Prohibited to Permitted
- Change "Recreational Vehicle (RV) Storage" from Conditionally Permitted to Prohibited
- Change "Building Material Stores" from Prohibited to Permitted

- Change “Drug Stores” from N/A to Permitted
- Change “Farm and Ranch Supply” from Prohibited to Permitted
- Change “Restaurants, Dine In, Take Out, Fast Food” from Prohibited to Permitted
- Change “Cargo/Storage Containers” from Permitted to Conditionally Permitted
- Change “Car Wash” from Prohibited to Permitted
- Change “Repair/Maintenance of Consumer Products” from Prohibited to Permitted
- Change “General Retail/Gift Shops (Ancillary Use)” from Prohibited to Permitted
- Change “Restaurants (Ancillary Use)” from Prohibited to Permitted

3 CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES 15183 AND 15162 CONSISTENCY ANALYSIS

This consistency analysis is prepared pursuant to *State CEQA Guidelines* Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning (Specific Plan). *State CEQA Guidelines* Section 15183 states that projects that are “consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.” These provisions streamline the review of such projects and reduce the need to prepare repetitive environmental studies.

Pursuant to *State CEQA Guidelines* Section 15183, the public agency shall limit its examination of environmental effects to those which the agency determines, in an Initial Study or other analysis:

1. Are peculiar to the project or the parcel on which the project would be located;
2. Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan with which the project is consistent;
3. Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action; or
4. Are previously identified significant effects which, as a result of substantial new information not known at the time of EIR certification, are determined to have a more severe adverse impact than discussed in the prior EIR.

The proposed changes to Specific Plan Tabe 5-13 are not peculiar for commercially zoned property and were analyzed in the general plan EIR. There are no offsite/cumulative impacts that were not previously evaluated and there are no more severe impacts than were previously evaluated in the general plan and Specific Plan EIRs.

In accordance with CEQA, as set forth in Public Resources Code (PRC) Section 21166 and *State CEQA Guidelines* Section 15162, no subsequent or supplemental EIR or other environmental analysis shall be required unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

- Substantial changes are proposed in the project that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

- Substantial changes occur with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted, shows any of the following:

    - The project will have one or more significant effects not discussed in the previous EIR;

    - Significant effects previously examined will be substantially more severe than shown in the previous EIR;

    - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

    - Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative (see *State CEQA Guidelines* Section 15162(a) and also PRC Section 21166).

4 Project Consistency with a Community Plan, General Plan, or Zoning (Specific Plan)

A project is consistent with a community plan if (1) the density of the project is the same or less than the standard expressed for the involved parcel in the general plan for which an EIR has been certified, and (2) the project complies with the density-related standards contained in that plan (*State CEQA Guidelines* Section 15183(i)(2)).

The proposed SPA would modify Table 5-13 of the Specific Plan to change certain land uses within the commercial planning areas (PA 17 and 18) to either permitted, conditionally permitted, or prohibited. No new use or increase in use that is peculiar to the planning areas in question is proposed. No other changes to the Specific Plan are proposed. The proposed SPA is consistent with the density/building coverage percentage standards established as part of the approved Specific Plan. The proposed commercial land uses would continue to comply with the City of Banning's stated goal of encouraging economic growth in the City to accommodate demand in the Inland Empire.

5 Environmental Effects

The proposed SPA would not change potential commercial uses in the Commercial Planning Areas associated with the approved Development Project. No new proposed use that is peculiar to the planning areas in question has been added to the Specific Plan as part of these revisions, which was not already contemplated in the FEIR. No physical changes to any Development Project are proposed with the SPA as described above. There is no increase in intensity or severity of environmental impacts. There are no off-site impacts or cumulative impacts. Therefore, all environmental effects were adequately analyzed in the Specific Plan FEIR, and the proposed SPA would not result in any new significant environmental effects that were not previously analyzed, nor would it substantially increase the severity of previously identified impacts.

The proposed SPA: (1) falls within the scope of the Specific Plan FEIR; (2) is consistent with the findings of the Specific Plan FEIR; and (3) would not result in any potential impacts during project construction or operation that were not previously analyzed in the Specific Plan FEIR or that are unique or peculiar to the Development Project Site. When specific development applications are submitted within the commercial planning areas, they will be required to undergo additional CEQA analysis to determine if they are consistent with revised Table 5-13 and the analysis contained in the Final EIR.

6 CONCLUSION

As demonstrated in this memorandum, the proposed SPA falls within the development density analyzed in the certified Specific Plan FEIR and is consistent with the applicable land use and development assumptions evaluated therein. In addition, the proposed SPA **would not result in any new significant environmental effects that were not previously analyzed, nor would it substantially increase the severity of previously identified impacts.**

Therefore, pursuant to Sections 15183 and 15162 of the *State CEQA Guidelines,* the environmental effects associated with the proposed SPA have been adequately addressed in the Specific Plan FEIR. No additional environmental review is required under CEQA, and the City may rely upon the prior environmental analysis in taking action on the proposed SPA and a Notice of Exemption (NOE) may be filed for the proposed SPA.