



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Elizabeth Gibbs, City Manager

PREPARED BY: Phaedra Norton, City Attorney

MEETING DATE: July 14, 2026

SUBJECT:

- (1) Adopt Resolution 2026-111 a Resolution of the City Council of the City of Banning, California, Accepting the Riverside County Registrar of Voters Certificate of Sufficiency for the Referendum Petitions for Ordinance Nos. 1618, 1619, and 1620 Adopted by the City Council on April 14, 2026.**
- (2) Reconsider and Provide Direction to Repeal Ordinance Nos. 1618, 1619, and 1620.**
 - a. Ordinance No. 1618 – amending the city’s zoning map from High Density Residential, Medium Density Residential, Low Density Residential, General Commercial, Open Space – Resources and Open Space – Parks land uses to the Sunset Crossroads Specific Plan that provides for General Commercial, Industrial, Open Space – Parks, and Open Space – Resources land uses.**
 - b. Ordinance No. 1619 – amending the city’s zoning map to change the zoning of 41 acres of a 49.2 acre site within the jurisdiction of the City from Public Facilities School to Very High Density Residential to ensure “no net loss” of the City’s residential development capacity.**
 - c. Ordinance No. 1620 – approving a statutory Development Agreement between the City and NP Banning Industrial (Owner). Under the terms of the Development Agreement and in exchange for vested development rights to develop a master planned project including industrial and commercial uses and various public facilities including parkland and open space, with on and off site related improvements on approximately 533.8 acres of Owners real property located within the City of Banning and the County of Riverside. The Development Agreement requires the Owner to provide fees, facilities, and public benefits subject to the timing and terms of the Development Agreement.**
- (3) If the City Council does not direct the repeal of Ordinances Nos. 1618, 1619, and 1620, in their entirety:**
 - a. Adopt Resolution 2026-112, Calling for the holding of a General Municipal Election on November 3, 2026, for the Submission to the Qualified Voters of the City of Banning, Ordinance Nos. 1618, 1619, and 1620; Request the County of Riverside to consolidate said election with**

the Statewide General Election on November 3, 2026; Request the Board of Supervisors to consent to the Registrar of Voters performing election services for the City of Banning; Setting rules and deadlines for arguments and rebuttals for and against each Ordinance.

STAFF RECOMMENDATION:

Adopt Resolution No. 2026- 111, a Resolution of the City Council of the City of Banning, California, Accepting the Riverside County Registrar of Voters Certificate of Sufficiency for the Referendum Petitions for Ordinance Nos. 1618, 1619, and 1620.

Option 1:

Reconsider and provide direction to Repeal Ordinance Nos. 1618, 1619, and 1620 in their entirety.

Option 2:

If the City Council does not provide direction to repeal Ordinances Nos. 1618, 1619, and 1620, in their entirety:

Adopt Resolution 2026-112, Calling for the holding of a General Municipal Election on November 3, 2026, for the Submission to the Qualified Voters of the City of Banning, Ordinance Nos. 1618, 1619, and 1620; Request the County of Riverside to consolidate said election with the Statewide General Election on November 3, 2026; Request the Board of Supervisors to consent to the Registrar of Voters performing election services for the City of Banning; Setting rules and deadlines for arguments and rebuttals for and against each Ordinance.

BACKGROUND:

On April 14, 2026, the City Council adopted the following Ordinances:

Ordinance No. 1618 – amending the city’s zoning map from High Density Residential, Medium Density Residential, Low Density Residential, General Commercial, Open Space – Resources, and Open Space – Parks, to the Sunset Crossroads Specific Plan that provides General Commercial, Industrial, Open Space – Parks, and Open Space – Resources land uses.

Ordinance No. 1619 – amending the city’s zoning map to change the zoning of 41 acres of a 49.2 acre site within the jurisdiction of the City from Public Facilities School to Very High Density Residential to ensure “no net loss” of the City’s residential development capacity.

Ordinance No. 1620 – approving a statutory Development Agreement between the City and NP Banning Industrial (Owner). Under the terms of the Development Agreement and in exchange for vested development rights to develop a master planned project including industrial and commercial uses and various public facilities including parkland and open space, with on and off site related improvements on approximately 533.8 acres of Owners real property located within the City of Banning and the County of Riverside. The Development Agreement requires the Owner to provide fees, facilities, and public benefits subject to the timing and terms of the Development Agreement.

On April 17, 2026, proponents of an effort to protest the adoption of the Ordinances by referendum timely filed a draft summary of each Ordinances with the City Clerk’s Office for the City Attorney’s review and possible amendment.

On April 24, 2026, the City Attorney timely prepared an amended summary of each Ordinance for the proponents to include in a referendum petition for each Ordinance to be circulated among City of Banning voters for signature.

On May 26, 2026, the referendum proponents timely filed with the City Clerk’s Office a signed petition

protesting each Ordinance by referendum. A prima facie count of the signatures for each referendum petition was conducted, and it was determined that there were sufficient unverified signatures to refer and submit the petitions and signatures to County of Riverside Registrar of Voters (ROV) for official verification in accordance with the elections code.

On June 26, 2026, the verification was completed by the ROV and the certificate and petition summary report for each Ordinance was transmitted to the City Clerk. Per the ROV, the Report of Registration was submitted to the Secretary of State on May 18, 2026. Based upon that report, the total number of registered voters for the City of Banning was 19,842.

Per the elections code, a referendum petition must be signed by not less than ten percent (10%) of the registered voters of the City. Therefore, each referendum petition is required to contain the verified signatures of at least 1,984 Banning registered voters. Based upon the certificate of the ROV each petition has sufficient verified signatures on the petition. The ROV Certificate of Sufficiency for each Ordinance is attached to Resolution 2026-111.

Pursuant to the elections code, since the petition protesting the adoption of the Ordinances have received sufficient verified signatures the effective date of the Ordinances are suspended.

JUSTIFICATION:

CITY COUNCIL OPTIONS:

Option 1 – Reconsider and provide direction to repeal Ordinance Nos. 1618, 1619, and 1620 in their entirety.

If the City Council chooses this option, the Ordinances shall not be enacted again by the City Council for a period of one year after the date of the repeal of the Ordinances.

Option 2 – Adopt the Resolutions to Submit the Ordinances to the Voters

If the City Council does not provide direction to repeal the Ordinances in their entirety, the City Council shall submit the Ordinances to the voters, either at the next regular municipal election occurring not less than 88 days after the order of the City Council, or at a special election called for the purpose, not less than 88 days after the order of the City Council.

The next regular municipal election is scheduled for Tuesday, November 3, 2026, which is a consolidated election with the statewide general election. The cost of an election will depend on whether it is a standalone or consolidated election. Standalone elections tend to be more expensive while consolidated elections are more cost effective.

FISCAL IMPACT:

Any election costs related to the submission of the Ordinances to the voters.

ATTACHMENTS:

1. [CC Resolution No. 2026-111.docx](#)
2. [Exhibits A, B and C to Resolution 2026-111.pdf](#)
3. [CC Resolution No. 2026-112.docx](#)
4. [EXHIBITS A, B, C to Resolution 2026-112.pdf](#)