



City of La Quinta

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CITY COUNCIL AGENDA

CITY HALL COUNCIL CHAMBERS
78-495 Calle Tampico, La Quinta

REGULAR MEETING ON TUESDAY, MARCH 15, 2016
3:00 P.M. CLOSED SESSION | 4:00 P.M. OPEN SESSION

CALL TO ORDER

ROLL CALL: Councilmembers: Franklin, Osborne, Peña, Radi, Mayor Evans

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

At this time, members of the public may address the City Council on any matter not listed on the agenda. *Please complete a "Request to Speak" form and limit your comments to three minutes.* The City Council values your comments; however in accordance with State law, no action shall be taken on any item not appearing on the agenda unless it is an emergency item authorized by GC 54954.2(b).

CONFIRMATION OF AGENDA

CLOSED SESSION

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY LOCATED AT: SILVERROCK RESORT (APNS 770-200-026; 776-150-021; 776-150-023; 770-060-056; 770-060-057; 770-060-058; 770-060-059; 770-060-061; 770-060-062; 777-490-004; 777-490-006; 777-490-007; 777-490-012 AND 777-490-014)
CITY NEGOTIATOR: FRANK J. SPEVACEK, CITY MANAGER
NEGOTIATING PARTY: SILVERROCK DEVELOPMENT COMPANY, LLC.
UNDER NEGOTIATION: PRICE AND TERMS OF PAYMENT FOR ACQUISITION AND/OR DISPOSITION OF THE PROPERTY IDENTIFIED

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1). ALVERIZ ET AL. V. CITY OF LA QUINTA ET AL., RIVERSIDE COUNTY SUPERIOR COURT CASE NO. PSC 1503161; BARTON ET AL. V. CITY OF LA QUINTA ET AL., RIVERSIDE COUNTY SUPERIOR COURT CASE NO. PSC 1505200

RECESS TO CLOSED SESSION

RECONVENE AT 4:00 P.M.

REPORT ON ACTION(S) TAKEN IN CLOSED SESSION

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

At this time, members of the public may address the City Council on any matter not listed on the agenda. *Please complete a "Request to Speak" form and limit your comments to three minutes.* The City Council values your comments; however in accordance with State law, no action shall be taken on any item not appearing on the agenda unless it is an emergency item authorized by GC 54954.2(b).

ANNOUNCEMENTS, PRESENTATIONS AND WRITTEN COMMUNICATIONS

1. PROCLAMATIONS RECOGNIZING ADVISORY COMMITTEE MEMBERS

CONSENT CALENDAR

NOTE: Consent Calendar items are routine in nature and can be approved by one motion.

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2. APPROVE SPECIAL MEETING MINUTES OF FEBRUARY 24, 2016	13
3. ADOPT RESOLUTION TO REAFFIRM ADOPTION OF ANNUAL ASSESSMENT FOR COUNTY SERVICE AREA 152; AUTHORIZE RIVERSIDE COUNTY TO CONTINUE TO LEVY ASSESSMENTS, AND INDEMNIFY AND HOLD THE COUNTY HARMLESS FOR LEVYING ASSESSMENTS ON CITY PARCELS [RESOLUTION 2016-006]	17
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1. INTRODUCE FOR FIRST READING AN ORDINANCE ADDING CHAPTER 5.82 TO THE LA QUINTA MUNICIPAL CODE TO PROHIBIT CERTAIN RETAIL SALES OF DOGS AND CATS IN THE CITY OF LA QUINTA [ORDINANCE NO. 534]	81
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1. DISCUSS TITLES 8 AND 9 OF MUNICIPAL CODE DEVELOPMENT REVIEW PROCESS	123
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PUBLIC HEARINGS – NONE

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MAYOR’S AND COUNCILMEMBERS’ ITEMS

REPORTS AND INFORMATIONAL ITEMS

- 1. CVAG COACHELLA VALLEY CONSERVATION COMMISSION (Evans)
- 2. CVAG ENERGY AND ENVIRONMENTAL RESOURCES COMMITTEE (Evans)
- 3. CVAG EXECUTIVE COMMITTEE (Evans)
- 4. GREATER PALM SPRINGS CONVENTION AND VISITORS BUREAU (Evans)
- 5. LEAGUE OF CALIFORNIA CITIES DELEGATE (Evans)
- 6. COACHELLA VALLEY WATER DISTRICT POLICY COMMITTEE (Evans)
- 7. SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (Evans)
- 8. CALIFORNIA JOINT POWERS INSURANCE AUTHORITY (Franklin)
- 9. COACHELLA VALLEY MOUNTAINS CONSERVANCY (Franklin)
- 10. JACQUELINE COCHRAN REGIONAL AIRPORT AUTHORITY (Franklin)
- 11. SUNLINE TRANSIT AGENCY (Franklin)
- 12. AD HOC COMMITTEE TO EVALUATE CITY CANNABIS OPTIONS (Franklin and Peña)
- 13. CVAG PUBLIC SAFETY COMMITTEE (Osborne)
- 14. DESERT SANDS SCHOOL DISTRICT COMMITTEE (Osborne and Franklin)
- 15. IID ENERGY CONSUMERS’ ADVISORY COMMITTEE (Osborne)
- 16. EAST VALLEY COALITION (Osborne)
- 17. ANIMAL CAMPUS COMMISSION (Peña)
- 18. CHAMBER OF COMMERCE INFO EXCHANGE COMMITTEE (Peña)
- 19. CVAG VALLEY-WIDE HOMELESSNESS COMMITTEE (Peña)
- 20. RIVERSIDE COUNTY TRANSPORTATION COMMISSION (RCTC) (Radi)
- 21. CVAG TRANSPORTATION COMMITTEE (Radi)
- 22. COACHELLA VALLEY UNIFIED SCHOOL DISTRICT COMMITTEE (Franklin and Radi)
- 23. ARCHITECTURAL AND LANDSCAPING REVIEW BOARD MINUTES DATED DECEMBER 16, 2015 235
- 24. HISTORIC PRESERVATION COMMISSION MINUTES DATED NOVEMBER 23, 2015 241
- 25. PLANNING COMMISSION MINUTES DATED JANUARY 12, 2016 AND FEBRUARY 23, 2016 243

ADJOURNMENT

The next regular meeting of the City Council will be held on April 5, 2016 commencing with closed session at 3:00 p.m. and open session at 4:00 p.m. at the City Hall Council Chambers, 78-495 Calle Tampico, La Quinta, CA 92253.

DECLARATION OF POSTING

I, Susan Maysels, City Clerk, of the City of La Quinta, do hereby declare that the foregoing Agenda for the La Quinta City Council meeting was posted on the City's website, near the entrance to the Council Chambers at 78-495 Calle Tampico, and the bulletin boards at the Stater Brothers Supermarket at 78-630 Highway 111, and the La Quinta Cove Post Office at 51-321 Avenida Bermudas, on March 11, 2016.

DATED: March 11, 2016

SUSAN MAYSELS, City Clerk
City of La Quinta, California

Public Notices

- The La Quinta City Council Chamber is handicapped accessible. If special equipment is needed for the hearing impaired, please call the City Clerk's office at 777-7103, twenty-four (24) hours in advance of the meeting and accommodations will be made.
- If special electronic equipment is needed to make presentations to the City Council, arrangements should be made in advance by contacting the City Clerk's office at 777-7103. A one (1) week notice is required.
- If background material is to be presented to the Councilmembers during a City Council meeting, please be advised that eight (8) copies of all documents, exhibits, etc., must be supplied to the City Clerk for distribution. It is requested that this take place prior to the beginning of the meeting.
- Any writings or documents provided to a majority of the City Council regarding any item(s) on this agenda will be made available for public inspection at the Community Development counter at City Hall located at 78-495 Calle Tampico, La Quinta, California, 92253, during normal business hours.

[CLICK HERE TO RETURN TO AGENDA](#)



**CITY COUNCIL
MINUTES
TUESDAY, MARCH 1, 2016**

A regular meeting of the La Quinta City Council was called to order at 3:00 p.m. by Mayor Evans.

PRESENT: Councilmembers Franklin, Osborne, Peña, Radi, Mayor Evans

ABSENT: None

PUBLIC COMMENT ON MATTERS NOT ON AGENDA - None

CONFIRMATION OF AGENDA

Councilmember Franklin requested that Consent Calendar Item No. 11 be moved to Business Session for discussion and separate vote. Council concurred.

CLOSED SESSION

**1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (QUARTERLY REVIEW)
PURSUANT TO GOVERNMENT CODE SECTION 54957, COUNCIL APPOINTED
POSITION – CITY MANAGER**

*COUNCIL RECESSED THE OPEN SESSION PORTION OF THE MEETING AND MOVED
INTO CLOSED SESSION AT 3:02 P.M.*

*MAYOR EVANS RECONVENED THE OPEN SESSION PORTION OF THE CITY COUNCIL
MEETING AT 4:00 P.M. WITH ALL MEMBERS PRESENT*

REPORT ON ACTION(S) TAKEN IN CLOSED SESSION:

Mayor Evans reported no actions were taken in closed session that require reporting pursuant to Government Code section 54957.1 (Brown Act).

Councilmember Osborne led the audience in the pledge of allegiance.

PUBLIC COMMENT ON MATTERS NOT ON AGENDA

PUBLIC SPEAKER: Michael Harrington, Rancho Mirage – Mr. Harrington spoke in support of the Riverside County Sheriff's Department and the need for more judges in the east Valley.

Mayor Evans explained the Coachella Valley Association of Government's resolution on this subject and her plans to bring it before Council in the future. She stated that as Mayor, she fully supports the City's relationship with the Sheriff's Department.

ANNOUNCEMENTS, PRESENTATIONS AND WRITTEN COMMUNICATIONS - None

CONSENT CALENDAR

1. APPROVE MINUTES OF FEBRUARY 16, 2016
2. APPROVE COMMUNITY WORKSHOP SPECIAL MEETING MINUTES OF JANUARY 16, 2016
3. AUTHORIZE OVERNIGHT TRAVEL FOR COMMUNITY PROGRAMS AND WELLNESS SUPERVISOR TO ATTEND CALIFORNIA PARKS AND RECREATION SOCIETY “LEVEL UP” CONFERENCE AND EXPO ON MARCH 8-11, 2016, IN LONG BEACH, CALIFORNIA
4. APPROVE DEMAND REGISTERS DATED FEBRUARY 12 AND 19, 2016
5. ACCEPT PAVEMENT MANAGEMENT PLAN, WASHINGTON STREET IMPROVEMENTS FROM CALLE TAMPICO TO AVENUE 52
6. ADOPT RESOLUTION APPROVING FINAL PARCEL MAP FOR THE ESTATES AT GRIFFIN LAKE PROJECT (PARCEL MAP NO. 36745) [RESOLUTION 2016-005]
7. APPROVE PLANS, SPECIFICATIONS, AND ENGINEER’S ESTIMATE AND ADVERTISE THE MADISON STREET MEDIAN LANDSCAPE CONVERSION IMPROVEMENTS FOR BID
8. APPROVE AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH ROGERS, MALODY & SCOTT, LLP FOR TEMPORARY CONTRACT ACCOUNTING MANAGER SERVICES
9. RECEIVE AND FILE REVENUE AND EXPENDITURE REPORTS DATED DECEMBER 31, 2015 AND JANUARY 31, 2016
10. RECEIVE AND FILE THE SECOND QUARTER FISCAL YEAR 2015/16 TREASURY REPORTS FOR THE PERIOD OF OCTOBER 1, 2015 THROUGH DECEMBER 31, 2015
11. *pulled by Councilmember Franklin and moved to Business Session for discussion and separate vote >>>* APPROVE TWO-YEAR EXTENSION FOR TENTATIVE TRACT MAP 2015-0009 (TTM 35060) AND SITE DEVELOPMENT PERMIT 2015-0007 FOR THE CANYON RIDGE PROJECT LOCATED ON THE WEST SIDE OF WASHINGTON STREET, NORTH OF AVENUE 48
12. EXCUSE ABSENCE OF ARCHITECTURAL AND LANDSCAPING REVIEW BOARD MEMBER RICHARD GRAY FROM MEETING OF MARCH 2, 2016

COUNCILMEMBER FRANKLIN RECUSED HERSELF FROM VOTING ON CONSENT CALENDAR ITEM NO. 7 DUE TO THE PROXIMITY OF THIS PROJECT TO HER PROPERTY.

MOTION – A motion was made and seconded by Councilmembers Peña/Franklin to approve the Consent Calendar Item Nos. 1-6, 8-10 and 12 as recommended, with Item No. 6 adopting Resolution No. 2016-005. Motion passed unanimously.

MOTION – A motion was made and seconded by Councilmembers Radi/Osborne to approve Consent Calendar No. 7 as recommended. Motion passed: ayes 4, noes 0, abstain 1 (Franklin)

BUSINESS SESSION

- 1. APPROVE TWO-YEAR EXTENSION FOR TENTATIVE TRACT MAP 2015-0009 (TTM 35060) AND SITE DEVELOPMENT PERMIT 2015-0007 FOR THE CANYON RIDGE PROJECT LOCATED ON THE WEST SIDE OF WASHINGTON STREET, NORTH OF AVENUE 48** *[moved from Consent Calendar Item No. 11]*

MAYOR EVANS RECUSED HERSELF AND LEFT THE DAIS DURING THE DISCUSSION AND VOTE ON THIS ITEM DUE TO THE PROXIMITY OF THIS PROJECT TO HER PROPERTY.

MAYOR PRO TEMPORE PEÑA SAT AS PRESIDING OFFICER IN THE MAYOR'S ABSENCE.

Councilmember Franklin said the windscreen fence is old and unattractive and needs to be removed or replaced. Councilmembers agreed.

PUBLIC SPEAKER: Stephen Hester, West Coast Housing Partners, the property developer – Mr. Hester explained the timing of the project and the status of negotiations with the adjacent church property. He stated that his company would be replacing the entire windscreen fencing, cleaning up the site, including the retention basins and spraying a sealant to prevent sand blowing off the site.

MOTION – A motion was made and seconded by Councilmember Radi/Osborne to approve the two year extension as recommended. Motion passed: ayes 4, noes 0, absent 1 (Evans)

MAYOR EVANS RETURNED TO THE DAIS AND RESUMED AS PRESIDING OFFICER FOR THE REMAINDER OF THE MEETING.

STUDY SESSION

- 1. UPDATE ON ENVIRONMENTAL ANALYSIS OF POTENTIAL ALTERNATIVES FOR A BARRIER TO BIGHORN SHEEP IN LA QUINTA**

City Management Assistant Villalpando and Coachella Valley Association of Governments Environmental Resources Director Barrows presented the report, which is on file in the City Clerk's Office.

Councilmembers and Ms. Barrows discussed the March 10, 2016 scoping meeting; the timeline and agencies involved in developing a solution; the need to study the effect of denying lowland water and vegetation to the health of the endangered Sheep; the apparent Sheep population increase and the formal population count results due in the Fall; findings expected from the 20-22 collared Sheep in the La Quinta area; the option of fencing from the top of the Cove to the Quarry, over the mountain; the health of the La Quinta herd; the ineffectiveness of a partial fence; the option of replicating the Sheep's natural habitat in a remote area and providing the food and water they need; the scope and timing of the environmental impact report, which will include a study of the impact of a fence, and; the fencing around the canal resulting in the elimination of Sheep drowning or being trapped.

Councilmembers support the thorough examination of alternatives rather than a State mandate to build a partial fence.

Mayor Evans encouraged residents to attend the scoping meeting, understand the budget, consider the animals, and let the State know your position.

2. DISCUSS FOCUSED AREA DRAINAGE STUDY

Design and Development Director Jonasson and consultants from Michael Baker International and Dudek presented the report, which is on file in the City Clerk's Office.

Consultants from Michael Baker International: John McCarthy and Zachary Snyder
Consultant from Dudek: Tom Ryan

Councilmembers discussed the flow of the evacuation channel; the runoff volume of different size events; the value of additional retention basins in various areas; the standard of municipalities to build to accommodate 100-year storms; the satisfactory efficiency of the current drainage system to handle 100-year storms; the unprecedented and unfundable concept of building a drainage system to accommodate a 500-year storm; the priority of resident safety and emergency access; and, flood insurance subsidies.

The Council directed staff to reallocate budgeted funds to improve the drainage on the primary emergency access route, Washington Street, and secondarily to problematic Eisenhower Drive intersections by bringing a design determination and prices back to Council.

PUBLIC HEARINGS – None

DEPARTMENT REPORTS

All reports are on file in the City Clerk's Office.

City Clerk Maysels reported on the annual Board and Commission appointments for 19 seats coming up in June.

Chris Escobedo, Community Resources Director and Community Resources Manager Larson reported on the mobile library program launched in the north end of the City.

Mayor Evans complimented the Chamber of Commerce Executive Director on the impressive report and her leadership skills, and noted that the Council appreciates the addition of the information kiosk in the lobby, but would like one that is fully functional.

MAYOR'S AND COUNCIL MEMBER'S ITEMS

Councilmember Radi commented on the positive results of the annual joint Council, and Boards and Commissions meeting and suggested that they be held more than once a year.

Mayor Evans asked Councilmembers to consider what meaningful tasks could be assigned to Board and Commission Members.

Councilmember Franklin congratulated staff on their new positions, noted how smoothly everything is running and expressed pride in the quality of the City's staff.

Councilmember Peña thanked the Sheriff's Department for the safe and successful gang sweep done last week.

REPORTS AND INFORMATIONAL

La Quinta's representative for 2016, Mayor Evans reported on her participation in the following organization's meeting:

- CVAG EXECUTIVE COMMITTEE

La Quinta's representative for 2016, Councilmember Franklin reported on her participation in the following organization's meeting:

- SUNLINE TRANSIT AGENCY

La Quinta's representative for 2016, Councilmember Peña reported on his participation in the following organizations' meeting:

- CVAG VALLEY-WIDE HOMELESSNESS COMMITTEE
- AD HOC COMMITTEE RE: CANNABIS

ADJOURNMENT

There being no further business, a motion was made and seconded by Councilmembers Osborne/Peña to adjourn at 6:02 p.m. Motion passed unanimously.

Respectfully submitted,

SUSAN MAYSELS, City Clerk
City of La Quinta, California



JOINT COUNCIL AND CITY BOARDS AND COMMISSIONS MEETING MINUTES TUESDAY, FEBRUARY 24, 2016

A special meeting of the La Quinta City Council and City Boards, Commissions and Committees was called to order at 5:33 p.m. by Mayor Evans at the La Quinta Library, 78275 Calle Tampico, La Quinta, CA.

PRESENT: Councilmembers Franklin, Osborne, Peña, Radi, Mayor Evans

ALSO PRESENT: FINANCIAL ADVISORY COMMITTEE MEMBERS:

- James Cathcart
- George Batavick (also Investment Advisory Board Member)
- Mark Johnson (also Community Services Commissioner)
- Frank Kalb
- Bob Leidner
- Michele McDonough (also Housing Commissioner)
- Doug Motz
- Bette Myers
- Steven Rosen

ARCHITECTURE & LANDSCAPING REVIEW BOARD MEMBERS:

- Richard Gray
- Kevin McCune
- Ray Rooker

CONSTRUCTION APPEALS BOARD MEMBERS:

- Bob Edwards
- Joseph Venute

COMMUNITY SERVICES COMMISSIONERS:

- Sharrell Blakeley
- Felice Chiapperini
- Heather Engel
- Paula Simonds

HISTORIC PRESERVATION COMMISSIONERS:

- Kevin Maevers
- Peggy Redmon
- Linda Williams

HOUSING COMMISSIONERS:

- Sue Marie Leidner
- E. Howard Long

INVESTMENT ADVISORY BOARD MEMBERS:

- Jennifer Donais
- Kurt Mortenson

PLANNING COMMISSIONERS:

- Philip Bettencourt
- Frank Blum
- Kathleen Fitzpatrick
- Robert Wilkinson
- Robert Wright

CV MOSQUITO & VECTOR CONTROL BOARD MEMBER:

- Douglas Hassett

CVAG TRAILS MANAGEMENT SUBCOMMITTEE MEMBER:

- Helene Novak

Mayor Evans led the audience in the pledge of allegiance.

PUBLIC COMMENT ON MATTERS NOT ON AGENDA

PUBLIC SPEAKER: William Bresnaham, La Quinta – Mr. Bresnaham spoke in opposition to the proposed rezoning of the parcel at the southeast corner of Washington Street and Avenue 50.

CONFIRMATION OF AGENDA - Confirmed

STUDY SESSION

1. SILVERROCK DEVELOPMENT COMPONENTS AND TIMELINE

City Manager Spevacek presented the report, which is on file in the City Clerk’s Office. Design and Development Director Jonasson presented the golf course realignment plan.

Councilmembers, Commissioners, Board and Committee Members discussed golf operation during construction; Big Horn Sheep and a barrier fence; course realignment approved by Arnold Palmer designers; status of developer’s plans; hotel design planned to be “single-loaded” rooms all facing the mountains; conference center uses; types of hotels planned; entrance locations planned; use of the 2002 and 2011 bond funds and limitations to use of tax-exempt bond funds; City’s contribution to the project infrastructure; Developer responsibilities in the project, and; project timeline.

2. ADVISORY COMMITTEE FINAL REPORT

Bob Leidner, Advisory Committee Chairperson introduced fellow Committee Members. Mark Johnson, Advisory Committee Member presented the report, which is on file in the City Clerk’s Office.

Councilmembers, Commissioners, Board and Committee Members discussed the clarity and completeness of the Committee’s report; Transient Occupancy Tax (TOT) rates both current and recommended; impact of increased sales tax on auto sales;

voter approval of 50 percent plus 1 needed for a general tax increase; pros and cons of placing two tax measures on the same ballot (i.e. sales tax increase and TOT increase); need to formulate a “tag line” for measures; likely cuts in service unless City revenues increase – compromises the Council and residents will have to face; different pools of money and the spending restrictions imposed; plans for public education regarding the need for a sales tax increase; contract relationship with the Riverside County Sheriff’s Department and negotiations regarding the best utilization of resource and possible areas for reductions; percentage of sales tax, TOT and property tax the City receives; need to explain long-range projections so residents understand increases; the cost reductions enacted to date by the City; the effect another downturn in the economy would have on the current bare-bones operation; Silverrock property purchased with forethought as an ongoing City revenue source; the positive results of the community services resident survey, and; the need to include seasonal residents in conversation and education since they too have a large stake in the continued high quality of the City’s infrastructure and services.

Mayor Evans explained that the Council has not yet voted on whether to put one or more revenue propositions on the November 2016 ballot, but Council plans to take it up at their April 5, 2016, meeting. She noted that approval by four-fifths of the Council is required and that once a tax ordinance is approved by a Council, cities may not promote its passage – only provide education on the matter.

Mayor Evans noted actions that Board and Commission Members could take to educate friends and neighbors:

- Take every opportunity to educate your neighbors on what your commission does;
- Clear up misconceptions such as the recent art purchase of the T-Rex and Big Horn Sheep with funds from developer fees that can only be spent on art;
- Become very familiar with the facts in the Advisory Committee’s report summary;
- Consider ways Commissioners can continue the educational process, and;
- Encourage Residents to promote and educate and spread the word.

Speaking about the Advisory Committee, Steven Rosen said the Members are from many different backgrounds, which resulted in very lively discussions and disagreements. At the start, he said he was dead set against increased taxes but is now wholly for it. Mr. Rosen said that the decision boils down to a decision about the greater good and that all Commissioners must be advocates because residents have a lot to lose; the alternative is not good. Advocacy is needed in order to continue to live in a great city.

Assistant City Attorney Molko explained the line between advocacy and education. She noted that her office would be very involved in checking the wording and timing of any City publications on the matter.

ITEMS OF INTEREST TO ELECTED / APPOINTED MEMBERS

Mayor Evans announced a Hike-with-the-Mayor event scheduled for Saturday, February 27, 2016, at 7:00 a.m., starting at the top of the Cove, and the Annual La Quinta Arts Festival, March 4-6, 2016.

ADJOURNMENT

There being no further business, a motion was made and seconded by Councilmembers Peña/Osborne to adjourn at 7:42 p.m. Motion passed unanimously.

Respectfully submitted,

SUSAN MAYSELS, City Clerk
City of La Quinta, California

City of La Quinta

CITY COUNCIL MEETING: March 15, 2016

STAFF REPORT

AGENDA TITLE: ADOPT RESOLUTION TO REAFFIRM ADOPTION OF ANNUAL ASSESSMENT FOR COUNTY SERVICE AREA 152; AUTHORIZE RIVERSIDE COUNTY TO CONTINUE TO LEVY ASSESSMENTS; AND INDEMNIFY AND HOLD THE COUNTY HARMLESS FOR LEVYING ASSESSMENTS ON CITY PARCELS

RECOMMENDATION

Adopt a Resolution to reaffirm adoption of the annual assessment for County Service Area 152 for Fiscal Year 2016/17; authorize Riverside County to continue to levy assessments; and indemnify and hold the County harmless for levying assessments on City parcels.

EXECUTIVE SUMMARY

- The City has an agreement with Riverside County (County) wherein the County assesses properties within the City for the maintenance and operations of street sweeping, flood control, retention basin and other drainage activities within the City in order to improve overall storm water quality.
- These activities are required under the Clean Water Act and the National Pollutant Discharge Elimination System Program.
- Annually, the City Council must adopt a resolution authorizing the County to assess City parcels and holding the County harmless for levying the assessments.
- For 2016/17, the assessment rate per parcel will remain unchanged from its original 1997 rate of \$9.99 per Benefit Assessment Unit.

FISCAL IMPACT

County Service Area (CSA) 152 assessments will generate approximately \$260,000 during 2016/17, of which \$100,000 is used to offset retention basin maintenance in the City's Lighting and Landscape District budget.

BACKGROUND/ANALYSIS

In 1991, the County enacted CSA 152 to provide funding for local jurisdictions to maintain flood control and storm drain facilities. In 1994, the City joined CSA 152 and in 1997, the City Council adopted a resolution approving the maximum Benefit Assessment Unit rate of \$9.99. The City/County Agreement is available for review in the Design and Development Department.

The recommended action continues the City's participation in CSA 152 and authorizes the County to levy and collect these assessments for 2016/17.

ALTERNATIVES

The City Council may elect not to reaffirm adoption of the annual assessment for CSA 152 for 2016/17. Since this would result in the City not being eligible to receive approximately \$260,000 in assessments for flood control and storm drain maintenance no alternative is recommended.

Prepared by: Bryan McKinney P.E., Principal Engineer

Approved by: Timothy R. Jonasson, P.E., Design and Development Director/City Engineer

RESOLUTION NO. 2016 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, MAKING FINDINGS AND REAFFIRMING THE ESTABLISHMENT AND SETTING OF RATES FOR THE COUNTY SERVICE AREA 152 TO FUND THE CITY'S STREET SWEEPING PROGRAM AND OPERATE AND MAINTAIN THE CITY'S DRAINAGE AND FLOOD CONTROL SYSTEMS

WHEREAS, the Riverside County Service Area 152 (CSA 152) was created under the Benefit Assessment Act of 1982 (Government Code Section 54702, *et seq.*), which authorized local agencies to impose benefit assessments to finance the maintenance and operation costs of flood control and drainage systems, based on the proportionate storm water runoff from each parcel; and

WHEREAS, under the federally-mandated but unfunded National Pollutant Discharge Elimination System Program, the City is required to have a valid permit from the Regional Water Quality Control Board to discharge water runoff from properties within the boundaries of the City; and

WHEREAS, street sweeping is a pro-active method of ensuring pro-active maintenance from street runoff into the flood control and drainage systems of the City; and

WHEREAS, the City is a co-permittee of Permit No. CAS-617002 with the Coachella Valley Water District, County of Riverside and the incorporated cities therein; and

WHEREAS, the City, by its Resolution No. 97-39, adopted on May 20, 1997, authorized Riverside County to levy and establish a Benefit Assessment Unit rate for the 1997/1998 Fiscal Year CSA 152 assessments; and

WHEREAS, the City by its Resolution No. 97-39, adopted on May 20, 1997, agreed to indemnify and hold the County harmless for levying Assessments on the City parcels under CSA 152; and

WHEREAS, the City uses revenues from CSA 152 assessments solely for the purpose of maintaining and operating the City's flood control and drainage system to comply with the National Pollutant Discharge Elimination System Permit and to provide street sweeping within the City of La Quinta; and

WHEREAS, Proposition 218, adopted by voters on November 6, 1996, established new procedures and approval requirements for all existing assessments, unless the assessment is exempt from the new requirements; and

WHEREAS, certain assessments that existed on November 6, 1996, are specifically exempt from the Proposition 218 procedures and approval requirements, including assessments imposed exclusively to finance the capital costs and maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems or vector control.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of La Quinta, California, as follows:

SECTION 1. The City Council finds the foregoing recitals to be true and correct.

SECTION 2. The City Council finds and declares that the City's CSA 152 charges are assessments within the definition of California Constitution Article XIIID, Section 2(b), in that they confer special benefits upon each parcel of property subject to the assessments.

SECTION 3. The City Council finds and declares that pursuant to Article XIIID, Section 5(a), the City's CSA 152 assessments are exempt from the new procedures and approval requirements of Article XIIID, Section 4, because the City's CSA 152 assessments existed before November 6, 1996, and the assessments are imposed exclusively to finance the capital costs and maintenance and operation expenses for street sweeping, flood control, and drainage systems in the City.

SECTION 4. The City Council hereby reaffirms its adoption of the annual assessment for CSA 152 and hereby determines that the annual assessment rate for Fiscal Year 2016/2017 for CSA 152 is to be set at nine dollars and ninety-nine cents (\$9.99) per Benefit Assessment Unit. The method of computation has not been changed nor has the rate of assessment been increased since August 6, 1996.

SECTION 5. The City Council hereby authorizes the County of Riverside to levy assessments under CSA 152 for the benefit of the City. The City agrees that it shall indemnify, defend and hold County and members of its Board, and its officers, employees and agents harmless from (1) any and all claims, demands, and causes of action of any kind or nature whatsoever and (2) any and all liability of any kind or nature whatsoever that may arise out of or be caused by, or be attributable to the imposition, collection, or allocation of any tax (special or general), assessment fees or charges, and/or any other revenue generated through City's application of reliance on or use of CSA 152.

PASSED, APPROVED and ADOPTED at a regular meeting of the La Quinta City Council held on this 15th day of March 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

LINDA EVANS, Mayor
City of La Quinta, California

ATTEST:

SUSAN MAYSELS, CITY CLERK
City of La Quinta, California

(CITY SEAL)

APPROVED AS TO FORM:

WILLIAM H. IRHKE, City Attorney
City of La Quinta, California

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City of La Quinta

CITY COUNCIL MEETING: March 15, 2016

STAFF REPORT

AGENDA TITLE: APPROVE PLANS, SPECIFICATIONS, AND ENGINEER'S ESTIMATE AND ADVERTISE THE EISENHOWER DRIVE SOIL STABILIZATION IMPROVEMENT PROJECT FOR BID

RECOMMENDATION

Approve the plans, specifications, and engineer's estimate, and authorize staff to advertise the Eisenhower Drive Soil Stabilization Improvement Project.

EXECUTIVE SUMMARY

- This project is in response to sink holes, which have undermined the paving between Avenida Fernando and Coachella Drive on northbound Eisenhower Drive; it's designed to stabilize the roadway substructure through a series of high density polyurethane injections (Attachment 1).
- A separate project to repair the pavement surface will be included as part of the City's Pavement Management Program (PMP).

FISCAL IMPACT

Council included this project in the 2015/16 Capital Improvement Program (CIP) and assigned Measure A Funds in the amount of \$400,000. The following is the approved project budget and anticipated project budget:

	Approved Project Total	Anticipated Project Total
Professional:	\$21,312	\$15,000
Design:	\$27,500	\$9,650
Inspection/Testing/Survey:	\$26,813	\$26,813
Construction:	\$275,000	\$322,000
City Administration:	\$13,750	\$13,750
Contingency:	\$35,625	\$12,787
Total Budget:	\$400,000	\$400,000

Additional pavement degradation increased the original construction budget of \$275,000 to \$322,000. However, since the additional work can be covered within the

anticipated budget, staff does not believe an increase to the total budget is necessary at this time.

BACKGROUND/ANALYSIS

For some time, the outside (No. 2) lane of northbound Eisenhower Drive, between Avenida Fernando and Coachella Drive, has been slowly sinking along the trench line of an existing sewer main buried 20 feet below the road surface. The City hired a geotechnical consultant who recommended two options: 1) reconstructing the trench over the sewer line; or 2) injecting high density polyurethane material in the subsided pavement areas to stabilize the roadway substructure (i.e., bedding). Option 1 is more expensive and disruptive and has lasted only a few years since it was last done; thus, staff recommends pursuing Option 2 to address the underlying soil condition.

Once the road substructure is repaired and the street section is stable, crack sealing will be done to prevent any further water intrusion into the pavement until the street is overlaid as part of the PMP.

Contingent upon City Council’s approval to advertise the project for bid on March 15, 2016, the following represents the project schedule:

City Council Bid Authorization	March 15, 2016
Bid Period	March 15 to April 14, 2016
Council Considers Project Award	May 3, 2016
Execute Contract and Mobilize	May 3 to May 30, 2016
Construction (14 Working Days)	May/June 2016
Accept Improvements	July 2016

ALTERNATIVES

Since the street will become more expensive to repair as it continues to fail, no alternative is recommended.

Prepared by: Ed Wimmer, P.E., Principal Engineer

Approved by: Timothy R. Jonasson, P.E., Design and Development Director/City Engineer

Attachment: 1. Site Plan

NOTE: CONTRACTOR SHALL DETERMINE EXACT AREA FOR SOIL STABILIZATION IN THE FIELD. AREA MUST BE APPROVED BY THE CITY PRIOR TO CONSTRUCTION



SOIL STABILIZATION LOCATION MAP

EISENHOWER DRIVE BETWEEN AVENIDA FERNANDO AND COACHELLA DRIVE

[CLICK HERE TO RETURN TO AGENDA](#)

City of La Quinta

CITY COUNCIL MEETING: March 15, 2016

STAFF REPORT

AGENDA TITLE: AWARD CONTRACT TO THREE PEAKS CORP FOR CONSTRUCTION OF THE LA QUINTA PARK RESTROOM PROJECT

RECOMMENDATION

Award a contract to Three Peaks Corp in the amount of \$203,236 to construct the La Quinta Park Restroom Project.

EXECUTIVE SUMMARY

- This project will provide additional restroom capacity at La Quinta Park by installing a prefabricated restroom facility adjacent to the existing restrooms (Attachment 1).
- Three Peaks Corp of Calimesa, California, submitted the lowest responsive bid in the amount of \$203,236.

FISCAL IMPACT

The project is included in the 2015/16 Capital Improvement Program and is assigned Quimby funding. The following is the original budget and anticipated budget:

	Original Project Budget	Anticipated Project Budget
Professional:	\$ 15,000	\$ 15,000
Design:	\$ 30,000	\$ 30,000
Inspection/Testing/Survey:	\$ 16,000	\$ 14,188
Construction:	\$194,000	\$203,236
City Administration:	\$ 8,300	\$ 8,300
Contingency:	\$ 9,924	\$ 2,500
Total Budget:	\$273,224	\$273,224

Adequate funding is available to support staff's recommendation.

ALTERNATIVES

Since the improvement is necessary to accommodate the increased demand for restrooms at La Quinta Park and rebidding the project would not likely result in a lower overall bid, no alternative is recommended.

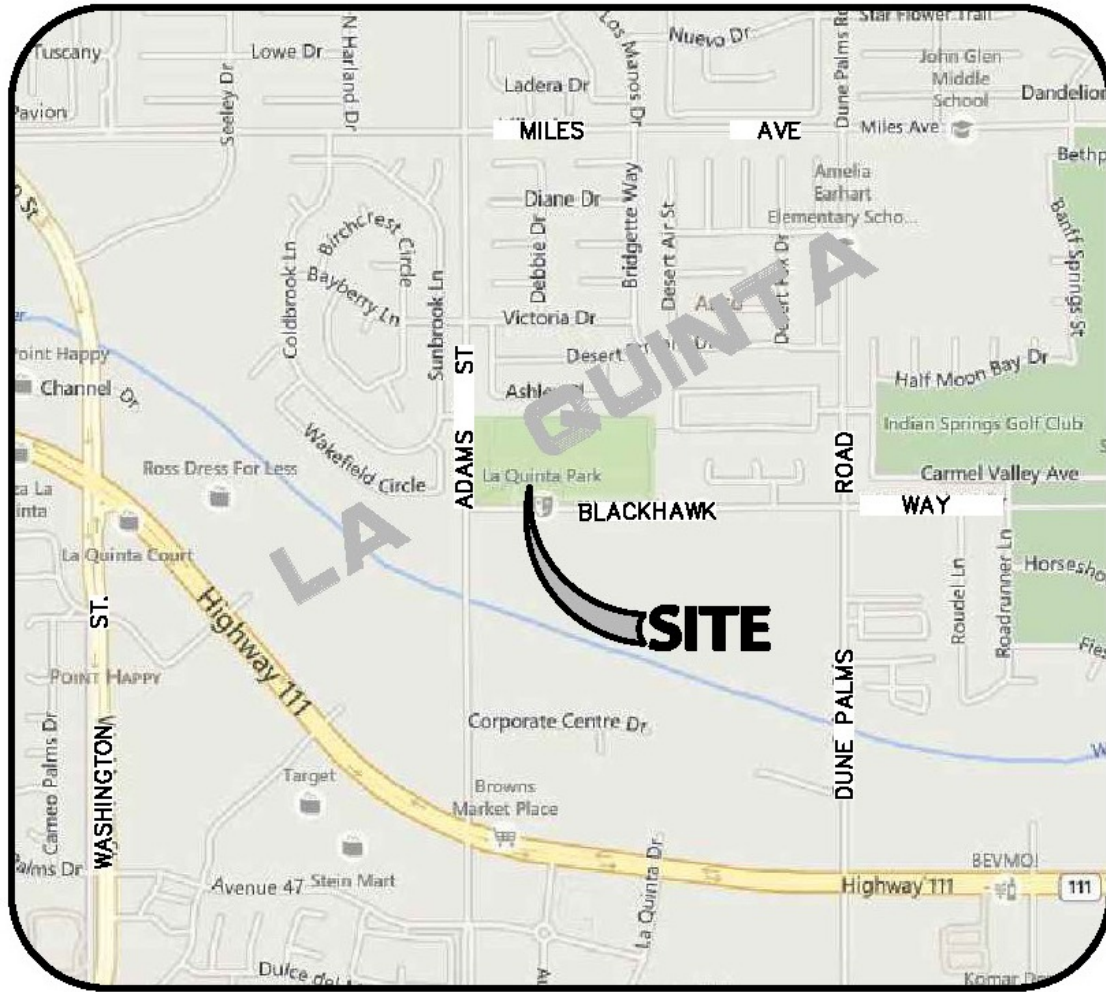
Prepared by: Edward J. Wimmer, P.E., Principal Engineer

Approved by: Timothy R. Jonasson, P.E., Design and Development Director/City Engineer

Attachments: 1. Vicinity Map
2. Bid Comparison Summary

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ATTACHMENT 1
LA QUINTA PARK RESTROOM



VICINITY MAP

N.T.S.

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 LA QUINTA PARK RESTROOM
 PROJECT NO. 2013-12

BID OPENING: February 25, 2016

Engineers Estimate						Three Peaks Corp		Earth Sculptures		TriStar Contracting		AToM Engineering Construction		McNabb Construction	
Item	Description	QTY	Unit	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
1	Mobilization	1	LS	\$ 4,000.00	\$ 4,000.00	\$ 8,000.00	\$ 8,000.00	\$ 10,000.00	\$ 10,000.00	\$ 12,329.00	\$ 12,329.00	\$ 15,377.00	\$ 15,377.00	\$ 42,000.00	\$ 42,000.00
2	Traffic Control	1	LS	\$ 1,500.00	\$ 1,500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 1,615.00	\$ 1,615.00	\$ 2,200.00	\$ 2,200.00	\$ 3,500.00	\$ 3,500.00
3	Dust Control	1	LS	\$ 3,500.00	\$ 3,500.00	\$ 2,000.00	\$ 2,000.00	\$ 800.00	\$ 800.00	\$ 8,999.00	\$ 8,999.00	\$ 2,200.00	\$ 2,200.00	\$ 2,100.00	\$ 2,100.00
4	Demolition - Remove and Replace as necessary, including but not limited to landscape, irrigation, fencing.	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 6,500.00	\$ 6,500.00	\$ 9,500.00	\$ 9,500.00	\$ 9,779.00	\$ 9,779.00	\$ 12,000.00	\$ 12,000.00	\$ 28,350.00	\$ 28,350.00
5	Install Utilities, Sidewalk, Hardscape, and Grading for New Restroom Structure per Plan.	1	LS	\$ 30,000.00	\$ 30,000.00	\$ 33,000.00	\$ 33,000.00	\$ 34,500.00	\$ 34,500.00	\$ 35,604.00	\$ 35,604.00	\$ 31,000.00	\$ 31,000.00	\$ 42,280.00	\$ 42,280.00
6	Purchase and Installation of Public Restroom Company SP-132 Restroom Package (or approved equal.) Provide Final Utility Connections and finish work for the Restroom and Appurtenances.	1	LS	\$ 150,000.00	\$ 150,000.00	\$ 153,236.00	\$ 153,236.00	\$ 150,000.00	\$ 150,000.00	\$ 143,360.00	\$ 143,360.00	\$ 154,621.00	\$ 154,621.00	\$ 171,500.00	\$ 171,500.00
TOTAL BASE BID AREA:					\$ 194,000.00	\$ 203,236.00		\$ 205,300.00		\$ 211,686.00		\$ 217,398.00		\$ 289,730.00	

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City of La Quinta

CITY COUNCIL MEETING: March 15, 2016

STAFF REPORT

AGENDA TITLE: ADOPT RESOLUTION URGING THE GOVERNOR, LEGISLATURE, AND JUDICIAL COUNCIL TO WORK TOGETHER TO REALLOCATE JUDICIAL RESOURCES TO ENSURE EQUAL ACCESS TO JUSTICE FOR ALL CALIFORNIANS

RECOMMENDATION

Adopt a resolution urging the Governor and Legislature to allocate and fund judgeships, including support staff and court security, to the Riverside County and San Bernardino County court systems.

EXECUTIVE SUMMARY

- According to a 2014 study, Riverside County requires 51 additional judges.
- In 2015, the Governor vetoed SB 229, which would have provided 4 additional judges to San Bernardino County and 3 to Riverside County.
- Riverside and San Bernardino Counties have two of the highest ratios of caseload per judge in the State of California.
- This Resolution would urge the Governor to cooperate with the Legislature and Judicial Council to fix this imbalance in judgeships across the State and allocate resources to Riverside and San Bernardino Counties.

FISCAL IMPACT – None.

BACKGROUND/ANALYSIS

There is a verified need for more judges in San Bernardino and Riverside Counties, which rank first and second respectively in terms of judicial needs throughout the State of California. According to the Judicial Council's 2014 update of the Judicial Needs Assessment, San Bernardino County Superior Court has a verified need for 143 judges yet only has 86 judges currently, resulting in a deficiency of 57 judges. The same holds true for the Riverside County Superior Court, which has a verified need for 127 judges, yet only has 76 currently, resulting in a deficit of 51 judges. This fact, coupled with the 37% population growth over the last 15 years, results in severe delays and a lack of equal access to justice for the citizens of these counties.

Senate Bill (SB) 229 (2015 Regular Session) was the latest effort in a series of bills attempting to fund new judgeships in California. This bill would have appropriated \$5 million from the State General Fund for the purpose of funding 12 superior court judge positions currently authorized by the Legislature but never funded. Of these, San Bernardino County likely would have received four judgeships and Riverside County would have received three.

SB 229 passed both houses of the Legislature without a dissenting vote; however, the Governor vetoed the bill. In his proposed budget released in January 2016, the Governor proposed working with the Judicial Council to reallocate up to five vacant superior court judgeships, together with funding for staff and security complements needed to support and implement the proposal. This would shift judgeships to where the workload is highest without increasing the overall number of judges statewide.

The attached Resolution urges the Governor, Legislature and Judicial Council to work together to create and implement an acceptable methodology which allocates funded judicial positions where they are most needed: Riverside and San Bernardino Counties.

ALTERNATIVES

Staff does not recommend an alternate action.

Prepared by: William H. Ihrke, City Attorney.

Approved by: Frank J. Spevacek, City Manager

RESOLUTION NO. 2016-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, URGING THE GOVERNOR, LEGISLATURE AND JUDICIAL COUNCIL TO WORK TOGETHER TO REALLOCATE JUDICIAL RESOURCES TO ENSURE EQUAL ACCESS TO JUSTICE FOR ALL CALIFORNIANS

WHEREAS, the population of Riverside County and San Bernardino Counties has grown 37 percent over the last 15 years, but funded judicial positions have not increased sufficiently to meet the increased need, resulting in lengthy delays for the residents of these counties in accessing justice through their court systems; and

WHEREAS, San Bernardino and Riverside Counties have two of the highest caseload ratios per judge in the State; and

WHEREAS, the Chief Justice and Judicial Council, through modification of the Workload Allocation Funding Model, have taken significant initial steps to promote equal access to justice by creating a model to allocate funding more equitably to the trial courts; and

WHEREAS, according to the 2014 Judicial Needs Assessment, San Bernardino County has a need for 57 additional judges, and Riverside County has a need for 51 additional judges, surpassing the needs of any other county in the State and ranked first and second, respectively, in terms of need; and

WHEREAS, in 2015, SB 229, which would have funded 12 additional judgeships in California, including 4 in San Bernardino County and 3 in Riverside County, was passed by the State Legislature unanimously but vetoed by the Governor; and

WHEREAS, in his veto message, the Governor stated: “I am aware that the need for judges in many courts is acute—Riverside and San Bernardino are two clear examples. However, before funding any positions, I intend to work with the Judicial Council to develop a more system-wide approach to balance the workload and the distribution of judgeships around the state”; and

WHEREAS, the Governor’s 2016/17 budget proposes to reallocate up to 5 vacant judgeships, including the necessary staffing and security needed to support them, to areas where workloads are highest.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of La Quinta, California, as follows:

That the Governor, Legislature, and Judicial Council are hereby urgently requested to work together to create and implement an acceptable methodology that allocates funded judicial positions, with funding for support staff and court security, where they are needed most – most urgently in Riverside and San Bernardino Counties – so that all California residents can enjoy equal access to justice.

PASSED, APPROVED, and ADOPTED at a regular meeting of the La Quinta City Council held on this 15th day of March, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

LINDA EVANS, Mayor
City of La Quinta, California

ATTEST:

SUSAN MAYSELS, City Clerk
City of La Quinta, California

(CITY SEAL)

APPROVED AS TO FORM:

WILLIAM H. IHRKE, City Attorney
City of La Quinta, California

City of La Quinta

CITY COUNCIL MEETING: March 15, 2016

STAFF REPORT

AGENDA TITLE: APPROVE DEMAND REGISTERS DATED FEBRUARY 26, 2016 MARCH 3, AND 4, 2016

RECOMMEDATION

Approve demand registers dated February 26, 2016 and March 3, and 4, 2016.

EXECUTIVE SUMMARY – None.

FISCAL IMPACT

Demand of Cash:

--	City	\$ 7,529,537.39
--	Successor Agency of RDA	\$ 4,168.00
--	Housing Authority	\$ 1,025.48
--	Housing Authority Commission	\$ 0.00
		<u>\$ 7,534,730.87</u>

BACKGROUND/ANALYSIS

Between City Council meetings, routine bills and payroll must be paid. Attachment 1 details the weekly demand registers from February 20 through March 4, 2016.

Warrants Issued:

	110196 - 110263}	\$ 197,067.08
	110264 - 110320}	\$ 1,155,129.07
	110321 - 110323}	\$ 9,000.00
	Voids}	\$ (0.00)
	Wire Transfers}	\$ 5,932,175.33
P/R Check No. 37105 and Direct Deposit}		\$ 184,424.25
Payroll Tax Transfers}		\$ 56,935.14
		<u>\$ 7,534,730.87</u>

The most significant expenditures on the demand registers listed above are as follows:

Vendor:	Account Name:	Amount:	Purpose:
Riverside Co. Sheriff	Various	\$ 965,253.91	Police Services 10/15/15-11/11/15
Kirkpatrick Landscaping	Technical	\$ 38,211.08	Feb-Landscaping
Conserve Landcare	Technical	\$ 37,365.00	Feb-Landscaping
Rutan & Tucker	Attorney	\$ 76,531.81	Dec-Legal Fees

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Wire Transfers: Nine wire transfers totaled \$5,932,175.33. Of this amount, \$5,496,901.56 was to US Bank Debt Service payment; \$306,009.15 to Landmark for golf course management; \$90,087.72 to CalPERS for health insurance premiums; and \$32,627.75 to CalPERS for retirement costs (see Attachment 2 for a full listing).

[ALTERNATIVES](#)

Council may approve, partially approve, or reject the demand registers.

Prepared by: Sandra Mancilla, Account Technician

Approved by: Rita Conrad, Finance Director

Attachments: 1. Demand Registers
2. Wire Transfers

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City of La Quinta, CA

Demand Register

Packet: APPKT00663 - SHM 2/26/16

Vendor Name	Payment Number	Payment Date	Description (Payable)	Account Number	Amount
Fund: 101 - GENERAL FUND					
2XL CORPORATION	110196	02/26/2016	GYM WIPES	101-3002-60420	656.57
ALTEC	110197	02/26/2016	CHECK REQ FORMS	101-1006-60410	233.94
ALVAREZ, MARIA ISABEL	110198	02/26/2016	INSTRUCTOR PAYMENT	101-3002-60107	409.50
AMERIPRIDE SERVICES INC	110199	02/26/2016	JANITORIAL EOW 2/18/16	101-3002-60115	151.58
AMSPROTECTME.COM	110200	02/26/2016	FEB-MAR FIRE ALARM MONI	101-3002-60123	170.00
AMSPROTECTME.COM	110200	02/26/2016	FEB-MAR FIRE ALARM MONI	101-3008-60123	170.00
ANGELOS, JOHANNA	110201	02/26/2016	INSTRUCTOR PAYMENT	101-3003-60107	14.00
ANSAFONE CONTACT CENTE	110202	02/26/2016	JAN-DUST CONTROL HOTLIN	101-7006-60104	122.19
BAUER, FARA	110204	02/26/2016	INSTRUCTOR PAYMENT	101-3002-60107	224.00
BIO CLEAR WATER SOLUTION	110205	02/26/2016	LAKE MAINT 1/26-2/16	101-3005-60117	665.00
CALPERS LONG-TERM CARE	110206	02/26/2016	LONG TERM CARE	101-0000-20949	144.16
CIGNA HEALTH CARE	110207	02/26/2016	MAR-DENTAL INSUR	101-0000-20943	6,841.69
CLASSIC PARTY RENTALS	110208	02/26/2016	STATE OF THE CITY EQUIP	101-3007-60461	88.10
COACHELLA VALLEY WATER	110209	02/26/2016	WATER SERVICE	101-2002-61200	629.45
COACHELLA VALLEY WATER	110209	02/26/2016	WATER SERVICE	101-3005-61204	130.58
COACHELLA VALLEY WATER	110209	02/26/2016	WATER SERVICE	101-3005-61208	20.44
COACHELLA VALLEY WATER	110209	02/26/2016	WATER SERVICE	101-3005-61209	164.61
COACHELLA VALLEY WATER	110209	02/26/2016	WATER SERVICE	101-3008-61200	79.48
CONSERVE LANDCARE	110210	02/26/2016	CAMPUS-NEW PLANTS	101-3005-60113	285.00
CONSERVE LANDCARE	110210	02/26/2016	FEB-LANDSCAPING MAINT	101-3005-60108	28,575.00
CROTEAU, LAURA MARIE	110211	02/26/2016	INSTRUCTOR PAYMENT	101-3002-60107	72.80
DESERT SUN, THE	110212	02/26/2016	MAR-SUBSCRIPTION	101-6001-60450	34.56
DISH NETWORK	110213	02/26/2016	JAN-EOC DISH 1/13-2/12	101-2002-60406	72.73
DIVISION OF THE STATE ARC	110214	02/26/2016	JAN'15-MAR'15 30% SB 1186	101-0000-42130	797.40
DUNE, CLARE	110215	02/26/2016	INSTRUCTOR PAYMENT	101-3002-60107	31.50
EISENHOWER OCCUPATIONA	110216	02/26/2016	P/T REC LEADER	101-1004-60104	230.00
ENGLER, MARK A JR	110217	02/26/2016	DEV DEP 15-003	101-0000-22810	3,780.00
FAMILY YMCA OF THE DESER	110218	02/26/2016	'15 YMCA/FB AQUATIC SEAS	101-3001-60184	19,119.16
FRANCHISE TAX BOARD	110219	02/26/2016	GARNISHMENT	101-0000-20985	125.00
GOLDEN TOUCH CLEANING I	110220	02/26/2016	JAN-JANITORIAL MAINT	101-3002-60115	1,795.00
GOLDEN TOUCH CLEANING I	110220	02/26/2016	JAN-JANITORIAL MAINT	101-3003-60157	200.00
GOLDEN TOUCH CLEANING I	110220	02/26/2016	JAN-JANITORIAL MAINT	101-3005-60115	890.00
GOLDEN TOUCH CLEANING I	110220	02/26/2016	JAN-JANITORIAL MAINT	101-3008-60115	3,100.00
GUMMER, BRAD	110221	02/26/2016	INSTRUCTOR PAYMENT	101-3003-60107	189.00
HERMANN DESIGN GROUP I	110222	02/26/2016	LQ DEL ORO DESIGN	101-7006-60104	923.20
HERMANN DESIGN GROUP I	110222	02/26/2016	LQ PARKWAY DESIGN	101-7006-60104	9,056.25
HOLIDAYGOO	110223	02/26/2016	SP EVENT SUPPLIES-EASTER	101-3003-60149	680.78
IMPERIAL IRRIGATION DIST	110225	02/26/2016	ELECTRICAL SERVICE	101-2002-61101	161.78
IMPERIAL IRRIGATION DIST	110225	02/26/2016	ELECTRICAL SERVICE	101-3005-61108	12.34
KEPLER, KRISTOFFER	110226	02/26/2016	INSTRUCTOR PAYMENT	101-3002-60107	243.20
KLEIN, SANDRA	110227	02/26/2016	INSTRUCTOR PAYMENT	101-3003-60107	182.00
LA QUINTA FARMS LLC	110228	02/26/2016	JAN-SRR PM10	101-7006-60146	23,339.46
LASARZIG, BRENDA	110229	02/26/2016	INSTRUCTOR PAYMENT	101-3002-60107	140.00
OFFICE DEPOT	110231	02/26/2016	PAPER	101-1007-60402	646.22
OFFICE TEAM	110232	02/26/2016	TEMP STAFFING WKEND 1/2	101-7002-60125	475.79
ONTRAC	110233	02/26/2016	OVERNIGHT MAIL	101-1007-60470	49.63
PALM SPRINGS MOTORSPOR	110234	02/26/2016	HONDA'05 REPAIRS	101-2001-71031	763.53
PALM SPRINGS MOTORSPOR	110234	02/26/2016	HONDA'06 REPAIRS	101-2001-71031	2,146.32
PI MIDWEST	110235	02/26/2016	MAR'16-MAR'17 PREDICTIVE	101-1004-51701	5,500.00
RIVERSIDE COUNTY SHERIFF'	110237	02/26/2016	GARNISHMENT	101-0000-20985	44.19
RIVERSIDE DEPARTMENT OF	110238	02/26/2016	GARNISHMENT	101-0000-20985	200.00
ROGERS, ANDERSON, MALO	110239	02/26/2016	DEC-PROFESSIONAL SVC	101-1006-60102	8,837.50
ROJAS, MIGUEL ANGEL	110240	02/26/2016	INSTRUCTOR PAYMENT	101-3003-60107	544.43

Demand Register

Vendor Name	Payment Number	Payment Date	Description (Payable)	Account Number	Amount
RUDE, SHARON	110241	02/26/2016	INSTRUCTOR PAYMENT	101-3002-60107	94.50
RUTAN & TUCKER	110242	02/26/2016	DEC-LEGAL FEES	101-1003-60153	400.50
RUTAN & TUCKER	110242	02/26/2016	DEC-LEGAL FEES	101-1003-60153	7,826.16
RUTAN & TUCKER	110242	02/26/2016	DEC-LEGAL FEES	101-1003-60153	245.50
RUTAN & TUCKER	110242	02/26/2016	DEC-LEGAL FEES	101-1003-60153	4,000.00
RUTAN & TUCKER	110242	02/26/2016	DEC-LEGAL FEES	101-1003-60153	2,366.98
RUTAN & TUCKER	110242	02/26/2016	DEC-LEGAL FEES	101-1003-60153	184.50
RUTAN & TUCKER	110242	02/26/2016	DEC-LEGAL FEES	101-1003-60154	3,648.50
RUTAN & TUCKER	110242	02/26/2016	DEC-LEGAL FEES	101-1003-60154	2,042.52
RUTAN & TUCKER	110242	02/26/2016	DEC-LEGAL FEES	101-1003-60154	7,538.13
RUTAN & TUCKER	110242	02/26/2016	DEC-LEGAL FEES	101-1003-60154	2,947.12
SALCEDO, KATHLEEN	110243	02/26/2016	INSTRUCTOR PAYMENT	101-3002-60107	28.00
SHIRY, TERESA	110244	02/26/2016	INSTRUCTOR PAYMENT	101-3003-60107	207.20
SIGN A RAMA	110245	02/26/2016	POSTER BOARD	101-1002-60400	108.00
SMART & FINAL	110246	02/26/2016	LUNCHEON SUPPLIES	101-3002-60420	205.58
SNYDER, JANICE	110247	02/26/2016	INSTRUCTOR PAYMENT	101-3002-60107	691.20
STAPLES ADVANTAGE	110248	02/26/2016	OFFICE SUPPLIES-CALENDAR	101-3001-60400	32.93
STAPLES ADVANTAGE	110248	02/26/2016	OFFICE SUPPLIES	101-1002-60400	195.89
STAPLES ADVANTAGE	110248	02/26/2016	OFFICE SUPPLIES	101-6001-60400	129.05
STAPLES ADVANTAGE	110248	02/26/2016	TONER	101-6001-60400	67.49
STAPLES ADVANTAGE	110248	02/26/2016	OFFICE SUPPLIES-POINTER	101-1002-60420	42.33
STAPLES ADVANTAGE	110248	02/26/2016	OFFICE SUPPLIES	101-1002-60400	55.14
STAPLES ADVANTAGE	110248	02/26/2016	OFFICE SUPPLIES	101-3001-60400	34.55
STAPLES ADVANTAGE	110248	02/26/2016	OFFICE SUPPLIES	101-1002-60400	5.54
STAPLES ADVANTAGE	110248	02/26/2016	OFFICE SUPPLIES	101-1002-60400	29.35
STAPLES ADVANTAGE	110248	02/26/2016	PRINTER INK	101-2001-60175	1,250.52
STAPLES ADVANTAGE	110248	02/26/2016	PRINTER INK	101-2001-60175	84.23
STAPLES ADVANTAGE	110248	02/26/2016	OFFICE SUPPLIES	101-7001-60400	73.97
STAPLES ADVANTAGE	110248	02/26/2016	OFFICE SUPPLIES	101-6001-60400	12.95
STAPLES ADVANTAGE	110248	02/26/2016	OFFICE SUPPLIES	101-6001-60400	132.90
STAPLES ADVANTAGE	110248	02/26/2016	RECYCLE CONTAINERS	101-3008-60115	135.86
STAPLES ADVANTAGE	110248	02/26/2016	PRINTER TONER	101-7001-60400	73.97
STAPLES ADVANTAGE	110248	02/26/2016	OFFICE SUPPLIES-KEY BOX	101-3008-60420	231.10
STAPLES ADVANTAGE	110248	02/26/2016	OFFICE SUPPLIES	101-1006-60420	75.04
SUNLINE TRANSIT AGENCY	110250	02/26/2016	JAN-BUS PASSES	101-0000-20305	1,788.50
SUNLINE TRANSIT AGENCY	110250	02/26/2016	JAN-BUS PASSES	101-0000-42301	-139.50
TASC - FEES	110251	02/26/2016	TASC FEES 4/1/16-6/30/16	101-0000-20946	193.74
THYSSENKRUPP ELEVATOR C	110252	02/26/2016	ANN'L ELEVATOR TEST	101-3008-60665	214.00
TRUE, ARTHUR ALLEN	110255	02/26/2016	INSTRUCTOR PAYMENT	101-3003-60107	28.00
UNITED WAY OF THE DESERT	110256	02/26/2016	CONTRIBUTION	101-0000-20981	40.00
US DEPARTMENT OF EDUCAT	110257	02/26/2016	GARNISHMENT	101-0000-20985	213.30
VALLEY CRIME STOPPERS	110258	02/26/2016	ANN'L GLF TOURNEY SPONS	101-1002-60320	700.00
VEGA, MARIA DE LOURDES	110259	02/26/2016	INSTRUCTOR PAYMENT	101-3003-60107	22.40
VERIZON CALIFORNIA	110260	02/26/2016	SPORTS CMLPX 1/28-2/27	101-3005-61303	39.36
VIELHARBER, KAREN	110261	02/26/2016	INSTRUCTOR PAYMENT	101-3002-60107	84.00
VISION SERVICE PLAN - (CA)	110262	02/26/2016	MAR-VISION INSUR	101-0000-20945	1,319.68
WELLNESS WORKS	110263	02/26/2016	JAN-EMP ASSISTANCE PRG	101-1004-60104	245.00
Fund 101 - GENERAL FUND Total:					164,104.74
Fund: 201 - GAS TAX FUND					
GOLDEN TOUCH CLEANING I	110220	02/26/2016	JAN-JANITORIAL MAINT	201-7003-60115	150.00
PROPER SOLUTIONS INC	110236	02/26/2016	TEMP STAFFING WKEND 11/	201-7003-60125	204.24
PROPER SOLUTIONS INC	110236	02/26/2016	TEMP STAFFING WKEND 12/	201-7003-60125	314.87
Fund 201 - GAS TAX FUND Total:					669.11
Fund: 202 - LIBRARY FUND					
COACHELLA VALLEY WATER	110209	02/26/2016	WATER SERVICE	202-3004-61200	184.78
COACHELLA VALLEY WATER	110209	02/26/2016	WATER SERVICE	202-3006-61200	87.71
CONSERVE LANDCARE	110210	02/26/2016	FEB-LANDSCAPING MAINT	202-3004-60112	1,575.00
CONSERVE LANDCARE	110210	02/26/2016	FEB-LANDSCAPING MAINT	202-3006-60108	1,115.00
GOLDEN TOUCH CLEANING I	110220	02/26/2016	JAN-JANITORIAL MAINT	202-3004-60115	1,900.00
GOLDEN TOUCH CLEANING I	110220	02/26/2016	JAN-JANITORIAL MAINT	202-3006-60115	550.00

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Packet: APPKT00663 - SHM 2/26/16

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Vendor Name	Payment Number	Payment Date	Description (Payable)	Account Number	Amount
THYSSENKRUPP ELEVATOR C	110252	02/26/2016	ANN'L ELEVATOR TEST	202-3006-60691	214.00
Fund 202 - LIBRARY FUND Total:					5,626.49
Fund: 215 - LIGHTING & LANDSCAPING FU					
CONSERVE LANDCARE	110210	02/26/2016	FEB-LANDSCAPING MAINT	215-7004-60189	5,815.00
Fund 215 - LIGHTING & LANDSCAPING FU Total:					5,815.00
Fund: 237 - SUCCESSOR AGCY PA 1 ADMIN					
RUTAN & TUCKER	110242	02/26/2016	DEC-LEGAL FEES	237-9001-60153	168.00
RUTAN & TUCKER	110242	02/26/2016	DEC-LEGAL FEES	237-9001-60153	4,000.00
Fund 237 - SUCCESSOR AGCY PA 1 ADMIN Total:					4,168.00
Fund: 241 - HOUSING AUTHORITY PA1					
RUTAN & TUCKER	110242	02/26/2016	DEC-LEGAL FEES	241-9101-60153	1,025.48
Fund 241 - HOUSING AUTHORITY PA1 Total:					1,025.48
Fund: 401 - CAPITAL IMPROVEMENT PROGR					
MATICH CORPORATION	110230	02/26/2016	MONROE REHAB/FINAL 201	401-0000-60188	11,177.08
TKD ASSOCIATES INC	110254	02/26/2016	LANDSCAPE DESIGNS	401-0000-60185	589.93
TKD ASSOCIATES INC	110254	02/26/2016	LANDSCAPE DESIGNS	401-0000-60185	252.82
Fund 401 - CAPITAL IMPROVEMENT PROGR Total:					12,019.83
Fund: 501 - EQUIPMENT REPLACEMENT					
STONE'S, CAM AUTOMOTIVE	110249	02/26/2016	TK#61 BRAKES/SERVICE	501-0000-60676	1,430.84
Fund 501 - EQUIPMENT REPLACEMENT Total:					1,430.84
Fund: 502 - INFORMATION TECHNOLOGY					
APPLE FINANCIAL SERVICES	110203	02/26/2016	FEB-IPAD LEASE	502-0000-80100	429.70
TIME WARNER CABLE	110253	02/26/2016	WELLNESS CTR CABLE 2/15-3	502-0000-60108	119.52
Fund 502 - INFORMATION TECHNOLOGY Total:					549.22
Fund: 601 - SILVER ROCK RESORT					
HOWLETT, STEVE	110224	02/26/2016	REIMB-TRAINING/LODGING	601-0000-60320	1,658.37
LANDMARK GOLF MANAGE	DFT0000957	02/29/2016	LANDMARK WIRE	601-0000-60200	17,308.55
LANDMARK GOLF MANAGE	DFT0000957	02/29/2016	LANDMARK WIRE	601-0000-60201	21,346.32
LANDMARK GOLF MANAGE	DFT0000957	02/29/2016	LANDMARK WIRE	601-0000-60203	86,100.21
LANDMARK GOLF MANAGE	DFT0000957	02/29/2016	LANDMARK WIRE	601-0000-60205	13,710.00
LANDMARK GOLF MANAGE	DFT0000957	02/29/2016	LANDMARK WIRE	601-0000-60206	11,843.85
LANDMARK GOLF MANAGE	DFT0000957	02/29/2016	LANDMARK WIRE	601-0000-60207	8,343.18
LANDMARK GOLF MANAGE	DFT0000957	02/29/2016	LANDMARK WIRE	601-0000-60209	2,862.09
LANDMARK GOLF MANAGE	DFT0000957	02/29/2016	LANDMARK WIRE	601-0000-60211	21,648.71
Fund 601 - SILVER ROCK RESORT Total:					184,821.28
Grand Total:					380,229.99

Fund Summary

Fund	Expense Amount
101 - GENERAL FUND	164,104.74
201 - GAS TAX FUND	669.11
202 - LIBRARY FUND	5,626.49
215 - LIGHTING & LANDSCAPING FU	5,815.00
237 - SUCCESSOR AGCY PA 1 ADMIN	4,168.00
241 - HOUSING AUTHORITY PA1	1,025.48
401 - CAPITAL IMPROVEMENT PROGR	12,019.83
501 - EQUIPMENT REPLACEMENT	1,430.84
502 - INFORMATION TECHNOLOGY	549.22
601 - SILVER ROCK RESORT	184,821.28
Grand Total:	380,229.99

Account Summary

Account Number	Account Name	Expense Amount
101-0000-20305	Due to SunLine	1,788.50
101-0000-20943	Dental Insurance Pay	6,841.69
101-0000-20945	Vision Insurance Pay	1,319.68
101-0000-20946	Flex Compensation Paya	193.74
101-0000-20949	LT Care Insurance Pay	144.16
101-0000-20981	United Way Deductions	40.00
101-0000-20985	Garnishments Payable	582.49
101-0000-22810	Developer Deposits	3,780.00
101-0000-42130	SB 1186 Revenue	797.40
101-0000-42301	Miscellaneous Revenue	-139.50
101-1002-60320	Travel & Training	700.00
101-1002-60400	Office Supplies	393.92
101-1002-60420	Operating Supplies	42.33
101-1003-60153	Attorney	15,023.64
101-1003-60154	Attorney/Litigation	16,176.27
101-1004-51701	Standzd. Recruitmt Tests	5,500.00
101-1004-60104	Consultants	475.00
101-1006-60102	Administration	8,837.50
101-1006-60410	Printing	233.94
101-1006-60420	Operating Supplies	75.04
101-1007-60402	Forms	646.22
101-1007-60470	Postage	49.63
101-2001-60175	Special Enforcement Fun	1,334.75
101-2001-71031	Vehicles	2,909.85
101-2002-60406	Disaster Prep Supplies	72.73
101-2002-61101	Utilities - Electricity	161.78
101-2002-61200	Utilities - Water	629.45
101-3001-60184	Fritz Burns Park	19,119.16
101-3001-60400	Office Supplies	67.48
101-3002-60107	Instructors	2,018.70
101-3002-60115	Janitorial	1,946.58
101-3002-60123	Security & Alarm	170.00
101-3002-60420	Operating Supplies	862.15
101-3003-60107	Instructors	1,187.03
101-3003-60149	Special Events	680.78
101-3003-60157	Rental Expense	200.00
101-3005-60108	Technical	28,575.00
101-3005-60113	Landscape Improvement	285.00
101-3005-60115	Janitorial	890.00
101-3005-60117	Civic Center Lake Mainte	665.00
101-3005-61108	Utilities - Electric - Colon	12.34
101-3005-61204	Utilities - Water -Fritz Bu	130.58
101-3005-61208	Utilities - Water -Season	20.44
101-3005-61209	Utilities - Water -Commu	164.61
101-3005-61303	Phone - Sports Complex	39.36

Account Summary

Account Number	Account Name	Expense Amount
101-3007-60461	Economic Development/	88.10
101-3008-60115	Janitorial	3,235.86
101-3008-60123	Security & Alarm	170.00
101-3008-60420	Operating Supplies	231.10
101-3008-60665	Maint.-Other Equipment	214.00
101-3008-61200	Utilities - Water	79.48
101-6001-60400	Office Supplies	342.39
101-6001-60450	Advertising	34.56
101-7001-60400	Office Supplies	147.94
101-7002-60125	Temporary Agency Servi	475.79
101-7006-60104	Consultants	10,101.64
101-7006-60146	PM 10 SilverRock	23,339.46
201-7003-60115	Janitorial	150.00
201-7003-60125	Temporary Agency Servi	519.11
202-3004-60112	Landscape Contract	1,575.00
202-3004-60115	Janitorial	1,900.00
202-3004-61200	Water - Inside	184.78
202-3006-60108	Technical	1,115.00
202-3006-60115	Janitorial	550.00
202-3006-60691	Repair & Maintenance	214.00
202-3006-61200	Water - Inside	87.71
215-7004-60189	Technical	5,815.00
237-9001-60153	Attorney	4,168.00
241-9101-60153	Attorney	1,025.48
401-0000-60185	Design	842.75
401-0000-60188	Construction	11,177.08
501-0000-60676	Vehicle Repair & Mainte	1,430.84
502-0000-60108	Technical	119.52
502-0000-80100	Machinery & Equipment	429.70
601-0000-60200	Cart Barn/Range	17,308.55
601-0000-60201	Golf Shop	21,346.32
601-0000-60203	Maintenance	86,100.21
601-0000-60205	General & Administrativ	13,710.00
601-0000-60206	Marketing	11,843.85
601-0000-60207	Temporary Club House	8,343.18
601-0000-60209	Insurance	2,862.09
601-0000-60211	Rental Payment	21,648.71
601-0000-60320	Travel & Training	1,658.37
	Grand Total:	380,229.99

Project Account Summary

Project Account Key	Expense Amount	
None	368,210.16	
141516CT	11,177.08	
151605D	589.93	
151614D	252.82	
	Grand Total:	380,229.99



City of La Quinta, CA

Demand Register

Packet: APPKT00671 - VLO 3/3/16

Vendor Name	Payment Number	Payment Date	Description (Payable)	Account Number	Amount
Fund: 270 - ART IN PUBLIC PLACES FUND					
ALDRICH, BART	110321	03/03/2016	2016 CIVIC CTR ART PURRCH	270-0000-74800	1,000.00
JONES, DAMIEN	110322	03/03/2016	2016 CIVIC CTR ART PURCHA	270-0000-74800	4,000.00
STEPHENSON, MARK	110323	03/03/2016	2016 CIVIC CTR ART PURCHA	270-0000-74800	4,000.00
Fund 270 - ART IN PUBLIC PLACES FUND Total:					9,000.00
Grand Total:					9,000.00

Fund Summary

Fund	Expense Amount
270 - ART IN PUBLIC PLACES FUND	9,000.00
Grand Total:	9,000.00

Account Summary

Account Number	Account Name	Expense Amount
270-0000-74800	Art Purchases	9,000.00
	Grand Total:	9,000.00

Project Account Summary

Project Account Key	Expense Amount
None	9,000.00
Grand Total:	9,000.00



City of La Quinta, CA

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Packet: APPKT00667 - SHM 3/4/16

Vendor Name	Payment Number	Payment Date	Description (Payable)	Account Number	Amount
Fund: 101 - GENERAL FUND					
AMERICAN FORENSIC NURSE	110265	03/04/2016	BLOOD ALCOHOL	101-2001-36310	160.00
BIO-TOX LABORATORIES	110267	03/04/2016	BLOOD ALCOHOL	101-2001-36310	438.20
BIO-TOX LABORATORIES	110267	03/04/2016	BLOOD ALCOHOL	101-2001-36310	237.00
CALIFORNIA BUILDING OFFIC	110268	03/04/2016	BLDG INSPECTOR AD	101-1004-60450	30.00
CAPITAL ONE COMMERCIAL	110269	03/04/2016	SUPPLIES	101-1001-60420	21.59
CAPITAL ONE COMMERCIAL	110269	03/04/2016	SUPPLIES	101-1001-60420	34.36
CAPITAL ONE COMMERCIAL	110269	03/04/2016	EDIE'S RETIREMENT	101-3001-60400	101.97
DATA TICKET, INC.	110270	03/04/2016	JAN-CITATION SVC	101-6004-31190	296.00
DATA TICKET, INC.	110270	03/04/2016	JAN-CITATION SVC	101-6004-31190	707.68
DEPARTMENT OF ANIMAL SE	110271	03/04/2016	JAN-SHELTER SERVICES	101-6004-51070	5,129.16
DESERT SANDS UNIFIED SCH	110273	03/04/2016	SCHOOL OFFICER 11/12/15-	101-2001-60168	12,003.62
DESERT SUN PUBLISHING CO	110274	03/04/2016	ADS	101-6001-60450	334.00
DESERT SUN PUBLISHING CO	110274	03/04/2016	ADS	101-6001-60450	286.00
DESERT SUN PUBLISHING CO	110274	03/04/2016	ADS	101-6001-60450	462.00
DESERT SUN PUBLISHING CO	110274	03/04/2016	ADS	101-6001-60450	306.00
DESERT SUN PUBLISHING CO	110274	03/04/2016	ADS	101-6001-60450	358.00
GRAPHTEK INTERACTIVE	110276	03/04/2016	FEB-RETAINER	101-3007-60461	11,500.00
GRAPHTEK INTERACTIVE	110276	03/04/2016	MAR-RETAINER	101-3007-60461	11,500.00
GRAPHTEK INTERACTIVE	110276	03/04/2016	FEB'16-JAN'17 HOSTING FEE	101-2001-60420	240.00
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	101-2002-60670	8.50
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	101-3007-60461	164.04
HONDA YAMAHA OF REDLA	110279	03/04/2016	HONDA'06 REPAIR	101-2001-98140	219.85
HONDA YAMAHA OF REDLA	110279	03/04/2016	HONDA'06 REPAIRS	101-2001-98140	674.64
JAS PACIFIC INC	110281	03/04/2016	JAN-BLDG PLAN CHECK	101-6003-60118	10,946.00
JNS MEDIA SPECIALISTS	110282	03/04/2016	MARKETING SVC 1/1-2/13	101-3007-60461	13,414.70
LA QUINTA CHAMBER OF CO	110285	03/04/2016	FEB-GEM ADS	101-3007-60461	2,300.00
LA QUINTA CHAMBER OF CO	110285	03/04/2016	MAR-GEM ADS	101-3007-60461	2,250.00
LOCK SHOP INC, THE	110286	03/04/2016	FACILITY KEYS	101-3008-60420	89.42
MAILFINANCE	110288	03/04/2016	PROPERTY TAX RECOVERY	101-1007-60661	160.37
NATIONAL NOTARY ASSOCIA	110290	03/04/2016	ERRORS & OMISSIONS INSU	101-1005-60351	33.00
NATIONAL NOTARY ASSOCIA	110290	03/04/2016	ERRORS & OMISSIONS INSU	101-1005-60351	33.00
NATIONAL NOTARY ASSOCIA	110290	03/04/2016	ERRORS & OMISSIONS INSU	101-1005-60351	33.00
OFFICE DEPOT	110292	03/04/2016	OFFICE SUPPLIES	101-1005-60400	12.01
PATTON DOOR & GATE	110294	03/04/2016	FS#93 DOOR REPAIR	101-2002-60670	250.00
POWERS AWARDS INC	110296	03/04/2016	COUNCIL NAME PLATES	101-1001-60320	32.40
PVP COMMUNICATIONS INC	110297	03/04/2016	HELMET-MO452	101-2001-60175	851.24
REFUGE PREGNANCY CENTE	110299	03/04/2016	DEPOSIT REFUND	101-0000-22830	200.00
RIVERSIDE COUNTY SHERIFF	110301	03/04/2016	POLICE SVC 10/15/15-11/11/	101-2001-60161	565,276.23
RIVERSIDE COUNTY SHERIFF	110301	03/04/2016	POLICE SVC 10/15/15-11/11/	101-2001-60162	15,210.42
RIVERSIDE COUNTY SHERIFF	110301	03/04/2016	POLICE SVC 10/15/15-11/11/	101-2001-60163	163,237.15
RIVERSIDE COUNTY SHERIFF	110301	03/04/2016	POLICE SVC 10/15/15-11/11/	101-2001-60164	45,290.89
RIVERSIDE COUNTY SHERIFF	110301	03/04/2016	POLICE SVC 10/15/15-11/11/	101-2001-60166	11,132.80
RIVERSIDE COUNTY SHERIFF	110301	03/04/2016	POLICE SVC 10/15/15-11/11/	101-2001-60167	11,132.80
RIVERSIDE COUNTY SHERIFF	110301	03/04/2016	POLICE SVC 10/15/15-11/11/	101-2001-60169	64,757.00
RIVERSIDE COUNTY SHERIFF	110301	03/04/2016	POLICE SVC 10/15/15-11/11/	101-2001-60170	30,082.36
RIVERSIDE COUNTY SHERIFF	110301	03/04/2016	POLICE SVC 10/15/15-11/11/	101-2001-60171	17,584.00
RIVERSIDE COUNTY SHERIFF	110301	03/04/2016	POLICE SVC 10/15/15-11/11/	101-2001-60172	34,621.81
RIVERSIDE COUNTY SHERIFF	110301	03/04/2016	POLICE SVC 10/15/15-11/11/	101-2001-60178	2,570.26
RIVERSIDE COUNTY SHERIFF	110301	03/04/2016	POLICE SVC 10/15/15-11/11/	101-2001-60179	4,358.19
ROYAL GYM SERVICES	110302	03/04/2016	JAN-GYM PREVENTIVE MAIN	101-3002-60420	315.00
STANDARD INSURANCE COM	110304	03/04/2016	MAR-INSURANCE	101-0000-20947	495.90
STANDARD INSURANCE COM	110304	03/04/2016	MAR-INSURANCE	101-0000-20955	3,905.89
STANDARD INSURANCE COM	110305	03/04/2016	MAR-ADD'L LIFE	101-0000-20948	284.77

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Vendor Name	Payment Number	Payment Date	Description (Payable)	Account Number	Amount
STAPLES ADVANTAGE	110306	03/04/2016	PRINTER INK	101-2001-60420	140.38
STAPLES ADVANTAGE	110306	03/04/2016	INK CARTRIDGE	101-2001-60420	70.19
STAPLES ADVANTAGE	110306	03/04/2016	RETURN REFUND	101-2001-60420	-140.38
STAPLES ADVANTAGE	110306	03/04/2016	BATTERIES	101-2001-60420	17.91
STAPLES ADVANTAGE	110306	03/04/2016	OFFICE SUPPLIES	101-6001-60400	244.43
STAPLES ADVANTAGE	110306	03/04/2016	OFFICE SUPPLIES	101-6001-60400	73.97
STAPLES ADVANTAGE	110306	03/04/2016	OFFICE SUPPLIES	101-1007-60401	77.75
STAPLES ADVANTAGE	110306	03/04/2016	OFFICE SUPPLIES	101-3001-60400	82.46
TERRA NOVA PLANNING & R	110307	03/04/2016	JAN-PLANNING CONSULTANT	101-6002-60103	9,052.05
TIME WARNER CABLE	110308	03/04/2016	FS#32 CABLE 2/16-3/15	101-2002-61101	65.38
UNITED SITE SERVICES OF CA	110311	03/04/2016	19TH HOLE BLOCK PARTY	101-3007-60461	3,198.68
VACATION RENTAL COMPLIA	110312	03/04/2016	FEB-STVR SVC	101-6001-60103	3,780.00
VALLEY ANIMAL MEDICAL CE	110313	03/04/2016	ANIMAL SERVICES 1/14/16	101-6004-33253	70.00
VERIZON COMMUNICATIONS	110316	03/04/2016	INTERNET 2/10-3/9	101-1007-61300	95.00
VERIZON COMMUNICATIONS	110316	03/04/2016	INTERNET 1/25-2/24	101-1007-61300	85.00
WALMART COMMUNITY	110317	03/04/2016	DISC GOLF PRIZES	101-3003-60420	40.00
WILSON, RICHARD ELECTRIC	110319	03/04/2016	ELECTRICAL SERVICE	101-3002-60691	101.36
WILSON, RICHARD ELECTRIC	110319	03/04/2016	ELECTRICAL SERVICE	101-3005-60554	92.00
YOUNG ENGINEERING SVC	110320	03/04/2016	JAN-BLDG PLAN CHECK	101-6003-60118	2,485.00
Fund 101 - GENERAL FUND Total:					1,065,704.40
Fund: 201 - GAS TAX FUND					
ALSCO INC	110264	03/04/2016	UNIFORM RENTAL	201-7003-60690	88.05
ELMS EQUIPMENT RENTAL I	110275	03/04/2016	EQUIPT RENTAL	201-7003-61701	485.55
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	201-7003-60431	42.45
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	201-7003-60431	39.88
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	201-7003-60431	69.93
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	201-7003-60431	875.30
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	201-7003-60431	133.30
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	201-7003-60431	15.79
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	201-7003-60431	18.50
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	201-7003-60431	105.41
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	201-7003-60431	25.49
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	201-7003-60432	26.64
JOHNSON MACHINERY CO.	110283	03/04/2016	EQUIPT RENTAL	201-7003-61701	96.00
MOWERS PLUS INC	110289	03/04/2016	SAW INSPECTION	201-7003-60432	25.00
MOWERS PLUS INC	110289	03/04/2016	CHAIN SAW REPLACEMENTS	201-7003-60432	478.60
TOPS'N BARRICADES INC	110309	03/04/2016	STRIPING SHEETS	201-7003-60141	430.43
TOPS'N BARRICADES INC	110309	03/04/2016	BARRICADE LIGHTS	201-7003-56430	1,146.03
Fund 201 - GAS TAX FUND Total:					4,102.35
Fund: 202 - LIBRARY FUND					
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	202-3004-60665	17.27
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	202-3004-60665	30.73
LUXE WATER SOLUTIONS LLC	110287	03/04/2016	FEB-WATER COOLER	202-3006-61200	37.80
Fund 202 - LIBRARY FUND Total:					85.80
Fund: 215 - LIGHTING & LANDSCAPING FU					
DESERT ELECTRIC SUPPLY	110272	03/04/2016	ELECTRICAL MATERIAL	215-7004-60431	181.06
DESERT ELECTRIC SUPPLY	110272	03/04/2016	ELECTRICAL MATERIAL	215-7004-60431	89.00
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	215-7004-60423	210.41
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	215-7004-60423	305.89
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	215-7004-60423	17.72
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	215-7004-60423	32.39
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	215-7004-60423	81.37
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	215-7004-60431	37.25
INLAND POWER EQUIPMENT	110280	03/04/2016	STRAW HATS	215-7004-60427	21.60
KIRKPATRICK LANDSCAPING	110284	03/04/2016	FEB-LANDSCAPING SVC	215-7004-60189	38,211.08
VERIZON CALIFORNIA	110315	03/04/2016	TRFF SIGNAL 2/7-3/6	215-7004-61116	0.28
VERIZON CALIFORNIA	110315	03/04/2016	FEB-TRFF SIGNAL	215-7004-61116	87.48
WALTERS WHOLESALE ELECT	110318	03/04/2016	ELECTRICAL MATERIAL	215-7004-60431	252.63
WALTERS WHOLESALE ELECT	110318	03/04/2016	ELECTRICAL MATERIAL	215-7004-60431	96.42

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Packet: APPKT00667 - SHM 3/4/16

Demand Register

Vendor Name	Payment Number	Payment Date	Description (Payable)	Account Number	Amount
WALTERS WHOLESAL ELECT	110318	03/04/2016	ELECTRICAL MATERIAL	215-7004-60431	6.72
WALTERS WHOLESAL ELECT	110318	03/04/2016	ELECTRICAL MATERIAL	215-7004-60431	6.36
Fund 215 - LIGHTING & LANDSCAPING FU Total:					39,637.66
Fund: 218 - CV VIOLENT CRIME TASK FOR					
NEXTEL GANG TASK FORCE	110291	03/04/2016	CELL PHONES 1/12-2/11	218-0000-61300	38.34
SPARKLETTS GANG TASK FOR	110303	03/04/2016	DRINKING WATER	218-0000-61200	34.00
VERIZON CA - GANG TASK FO	110314	03/04/2016	CLETS LINE 2/13-3/12	218-0000-61300	309.30
Fund 218 - CV VIOLENT CRIME TASK FOR Total:					381.64
Fund: 221 - AB 939					
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	221-0000-91120	576.72
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	221-0000-91120	2,373.84
Fund 221 - AB 939 Total:					2,950.56
Fund: 248 - SA 2004 LO/MOD BOND FUND					
RGA LANDSCAPE ARCHITECT	110300	03/04/2016	WSA DESIGN	248-0000-60185	16,500.00
Fund 248 - SA 2004 LO/MOD BOND FUND Total:					16,500.00
Fund: 401 - CAPITAL IMPROVEMENT PROGR					
DESERT SUN PUBLISHING CO	110274	03/04/2016	ADS	401-0000-60185	966.00
DESERT SUN PUBLISHING CO	110274	03/04/2016	ADS	401-0000-60185	447.00
DESERT SUN PUBLISHING CO	110274	03/04/2016	ADS	401-0000-60185	934.00
DESERT SUN PUBLISHING CO	110274	03/04/2016	ADS	401-0000-60185	447.00
HERMANN DESIGN GROUP I	110277	03/04/2016	JAN-PLAN CHECK 2015-051/	401-0000-60185	336.00
HERMANN DESIGN GROUP I	110277	03/04/2016	JAN-PLAN CHECK 2015-051/	401-0000-60185	784.00
OMNIS	110293	03/04/2016	JAN-FEB DESIGN	401-0000-60185	18,150.00
PLANIT REPROGRAPHICS SYS	110295	03/04/2016	LQ PARK RESTROOM	401-0000-60188	5.00
PLANIT REPROGRAPHICS SYS	110295	03/04/2016	CONTRUCTION SPECS 2015-	401-0000-60188	142.40
Fund 401 - CAPITAL IMPROVEMENT PROGR Total:					22,211.40
Fund: 501 - EQUIPMENT REPLACEMENT					
AUTOZONE	110266	03/04/2016	SWEeper TRUCK	501-0000-60678	20.44
RAN AUTO DETAIL	110298	03/04/2016	CAR WASH 2/7/16	501-0000-43430	499.00
TOWER ENERGY GROUP	110310	03/04/2016	FUEL 1/16/16-1/31/16	501-0000-60674	1,241.20
Fund 501 - EQUIPMENT REPLACEMENT Total:					1,760.64
Fund: 502 - INFORMATION TECHNOLOGY					
TIME WARNER CABLE	110308	03/04/2016	WELLNESS CTR 2/20-3/19	502-0000-60108	8.83
TIME WARNER CABLE	110308	03/04/2016	FIBER 2/10-3/9	502-0000-60104	1,763.67
Fund 502 - INFORMATION TECHNOLOGY Total:					1,772.50
Fund: 601 - SILVER ROCK RESORT					
HOME DEPOT CREDIT SERVIC	110278	03/04/2016	HOME DEPOT 12/25/15-1/2	601-0000-60556	22.12
Fund 601 - SILVER ROCK RESORT Total:					22.12
Grand Total:					1,155,129.07

Fund Summary

Fund	Expense Amount
101 - GENERAL FUND	1,065,704.40
201 - GAS TAX FUND	4,102.35
202 - LIBRARY FUND	85.80
215 - LIGHTING & LANDSCAPING FU	39,637.66
218 - CV VIOLENT CRIME TASK FOR	381.64
221 - AB 939	2,950.56
248 - SA 2004 LO/MOD BOND FUND	16,500.00
401 - CAPITAL IMPROVEMENT PROGR	22,211.40
501 - EQUIPMENT REPLACEMENT	1,760.64
502 - INFORMATION TECHNOLOGY	1,772.50
601 - SILVER ROCK RESORT	22.12
Grand Total:	1,155,129.07

Account Summary

Account Number	Account Name	Expense Amount
101-0000-20947	Life Insurance Pay	495.90
101-0000-20948	Add'l Life Insurance Pay	284.77
101-0000-20955	Disability Insurance Pay	3,905.89
101-0000-22830	Miscellaneous Deposits	200.00
101-1001-60320	Travel & Training	32.40
101-1001-60420	Operating Supplies	55.95
101-1004-60450	Advertising	30.00
101-1005-60351	Membership Dues	99.00
101-1005-60400	Office Supplies	12.01
101-1007-60401	Operating Supplies	77.75
101-1007-60661	Postage Machine	160.37
101-1007-61300	Utilities - Telephone	180.00
101-2001-36310	Blood/Alcohol Testing	835.20
101-2001-60161	Sheriff - Patrol	565,276.23
101-2001-60162	Patrol Deputy Overtime	15,210.42
101-2001-60163	Target Team	163,237.15
101-2001-60164	Community Services Offi	45,290.89
101-2001-60166	Gang Task Force	11,132.80
101-2001-60167	Narcotics Task Force	11,132.80
101-2001-60168	School Officer	12,003.62
101-2001-60169	Motor Officer	64,757.00
101-2001-60170	Dedicated Sargeant	30,082.36
101-2001-60171	Dedicated Lieutenant	17,584.00
101-2001-60172	Sheriff - Mileage	34,621.81
101-2001-60175	Special Enforcement Fun	851.24
101-2001-60178	COPS Robbery Preventio	2,570.26
101-2001-60179	COPS Burglary/Theft Pre	4,358.19
101-2001-60420	Operating Supplies	328.10
101-2001-98140	Facility & Fleet Mainten	894.49
101-2002-60670	Fire Station	258.50
101-2002-61101	Utilities - Electricity	65.38
101-3001-60400	Office Supplies	184.43
101-3002-60420	Operating Supplies	315.00
101-3002-60691	Repair & Maintenance	101.36
101-3003-60420	Operating Supplies	40.00
101-3005-60554	LQ Park Building	92.00
101-3007-60461	Economic Development/	44,327.42
101-3008-60420	Operating Supplies	89.42
101-6001-60103	Professional	3,780.00
101-6001-60400	Office Supplies	318.40
101-6001-60450	Advertising	1,746.00
101-6002-60103	Professional	9,052.05
101-6003-60118	Plan Check	13,431.00
101-6004-31190	Admin Citation Services	1,003.68

Account Summary

Account Number	Account Name	Expense Amount
101-6004-33253	Veterinary Service	70.00
101-6004-51070	Animal Shelter	5,129.16
201-7003-56430	Barricades	1,146.03
201-7003-60141	Street Striping	430.43
201-7003-60431	Materials	1,326.05
201-7003-60432	Small Tools/Equipment	530.24
201-7003-60690	Uniforms	88.05
201-7003-61701	Equipment Rental	581.55
202-3004-60665	Maint-Other Equipment	48.00
202-3006-61200	Water - Inside	37.80
215-7004-60189	Technical	38,211.08
215-7004-60423	Supplies-Graffiti	647.78
215-7004-60427	Safety Gear	21.60
215-7004-60431	Materials	669.44
215-7004-61116	Utilities - Electric - Signal	87.76
218-0000-61200	Utilities - Water	34.00
218-0000-61300	Utilities - Telephone	347.64
221-0000-91120	Service & Supply	2,950.56
248-0000-60185	Design	16,500.00
401-0000-60185	Design	22,064.00
401-0000-60188	Construction	147.40
501-0000-43430	Car Washes	499.00
501-0000-60674	Fuel & Oil	1,241.20
501-0000-60678	Street Sweeper	20.44
502-0000-60104	Consultants	1,763.67
502-0000-60108	Technical	8.83
601-0000-60556	SilverRock Buildings	22.12
	Grand Total:	1,155,129.07

Project Account Summary

Project Account Key	Expense Amount
None	1,116,417.67
121307D	18,150.00
131412CT	5.00
151605D	1,231.00
151610CT	142.40
151610D	966.00
151613D	934.00
151614D	783.00
999901D	16,500.00
	Grand Total:
	1,155,129.07

CITY OF LA QUINTA
BANK TRANSACTIONS 02/20/16 - 03/04/16

02/22/16 WIRE TRANSFER - DEBT SERVICE PAYMENT	\$5,496,901.56
02/24/16 WIRE TRANSFER - PERS	\$265.77
02/24/16 WIRE TRANSFER - LANDMARK	\$186,291.24
02/26/16 WIRE TRANSFER - PERS	\$32,361.98
02/26/16 WIRE TRANSFER - ICMA	\$5,404.00
02/26/16 WIRE TRANSFER - LQCEA	\$391.00
03/01/16 WIRE TRANSFER - TASC	\$754.15
03/04/16 WIRE TRANSFER - HEALTH INSUR PREMIUM	\$90,087.72
03/04/16 WIRE TRANSFER - LANDMARK	\$119,717.91
TOTAL WIRE TRANSFER OUT	<u>\$5,932,175.33</u>

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City of La Quinta

CITY COUNCIL MEETING: March 15, 2016

STAFF REPORT

AGENDA TITLE: APPROVE A MITIGATION IMPLEMENTATION AGREEMENT WITH THE BUREAU OF RECLAMATION AND CORAL CANYON, LLC. FOR THE CORAL CANYON PROJECT AND RELATED PUBLIC ROADWAY AND MULTI-PURPOSE TRAIL

RECOMMENDATION

Approve a Mitigation Implementation Agreement for the Coral Canyon Project and Related Public Roadway and Multi-Purpose Trail; and authorize the City Manager to execute the Agreement.

EXECUTIVE SUMMARY

- The City has granted approval to Coral Canyon LLC (Developer) to develop Tentative Tract Map No. 33444, consisting of 219 single-family homes located southeast of the Quarry development, at the southerly terminus of Jefferson Street (Project) (Attachment 1).
- To adequately serve the development's transportation needs, Jefferson Street must be realigned and extended to provide the main access to the subdivision.
- This extension crosses federal lands, which triggered environmental mitigation measures the Developer must meet for the Project to move forward.
- By entering into a Mitigation Implementation Agreement (Agreement) (Attachment 2), the City agrees to enforce the mitigation measures upon the Developer during construction, and upon future homeowners after the Project is completed.

FISCAL IMPACT – None.

BACKGROUND/ANALYSIS

Federal permits were required for the realignment and extension of Jefferson Street, which mandated certain mitigation measures to be imposed on the Project upon approval. Specifically, the United States Fish and Wildlife Service recommends mitigation measures to protect Bighorn Sheep and requires that they be memorialized through an agreement. Below is a summary of the measures:

- 1) 12.29 acres of land within Bighorn Sheep critical habitat will be excluded from the subject subdivision and set aside as open space.

- 2) 209 acres of the total project area will be placed in permanent conservation through a conservation easement.
- 3) In the event that the sheep are attracted to the residential areas, a committee will be formed to address the need for a fence.
- 4) Exotic plants known to be toxic to the Bighorn Sheep will be excluded from the landscaping area.
- 5) Any artificial water features (i.e., ponds or lakes) in areas adjoining Nelson Bighorn Sheep habitat will be designed to preclude shallow, vegetated edges.

The above mitigation measures have been incorporated as conditions of approval for Tentative Tract Map No. 33444. The Developer will be solely responsible for their completion and full implementation. The Developer has accepted all of these conditions.

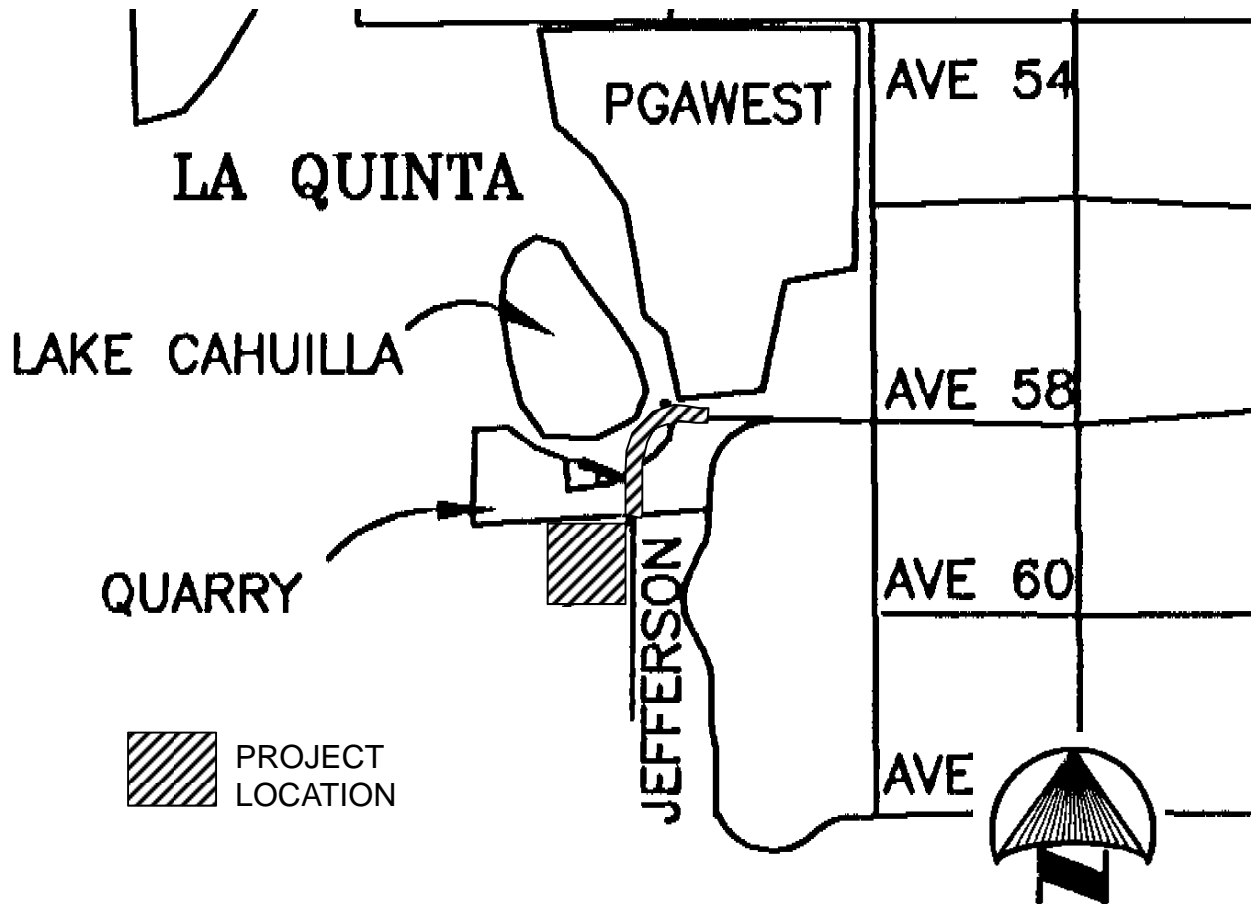
ALTERNATIVES

The City Council may elect not to approve this agreement, which would result in this Project not going forward. Since the Developer has agreed to all conditions of this agreement, staff does not recommend this alternative.

Prepared by: William H. Ihrke, City Attorney

Approved by: Frank J. Spevacek, City Manager

Attachments: 1. Vicinity Map
2. Mitigation Implementation Agreement for Coral Canyon Project and Related Public Roadway and Multi-Purpose Trail



VICINITY MAP

NOT TO SCALE

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ATTACHMENT 2

United States Department of the Interior

BUREAU OF RECLAMATION
Lower Colorado Region
Yuma Area Office
7301 Calle Agua Salada
Yuma, AZ 85364

IN REPLY REFER TO:
YAO-7100
LND-6.00

FEB 02 2016

RECEIVED

FEB 04 2016

FEDERAL EXPRESS

CITY OF LA QUINTA
COMMUNITY DEVELOPMENT
Design & Development @

Mr. Tim Jonasson
Director
Public Works
City of La Quinta
78-495 Calle Tampico
La Quinta, CA 92253

Subject: Mitigation Implementation Agreement (Agreement) for Coral Canyon Project and Related Public Roadway and Multi-Purpose Trail – Tentative Tract No. 33444 – Boulder Canyon Project – All-American Canal System – Coachella Division, California

Dear Mr. Jonasson:

Enclosed is the subject Agreement for execution by the City of La Quinta. The Agreement provides for mitigation measures recommended by the U.S. Fish and Wildlife Service for the endangered Peninsular Bighorn Sheep.

If the terms are acceptable, please have the original and three duplicate originals of the Agreement signed where indicated. Upon execution, please return the Agreement package to this office, Attention: YAO-7100. Duplicate originals of the Agreement will be provided to all parties upon execution by the Bureau of Reclamation.

If you have any questions, please contact me at 928-343-8261 or by email to cflores@usbr.gov.

Sincerely,

Cindy M. Flores, Manager
Water and Lands Contracts Group

Enclosures

cc: See next page.

cc: Mr. Thomas R. Cullinan
Senior Vice President
Chief Operations Officer
Lowe Destination Development – Desert
74-001 Reserve Drive
Indian Wells, CA 92210

Ms. Jenness McBride
Chief
Coachella and Imperial Valley Division
U.S. Fish and Wildlife Service
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, CA 92262

Ms. Chris Bogan
Senior Right-of-Way Specialist
Coachella Valley Water District
P.O. Box 1058
Coachella, CA 92236
(w/copy of encl to each)

Contract No. 06-07-34-L1502

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
LOWER COLORADO REGION
YUMA AREA OFFICE
YUMA, ARIZONA

BOULDER CANYON PROJECT,
ALL-AMERICAN CANAL SYSTEM,
COACHELLA DIVISION,
CALIFORNIA

MITIGATION IMPLEMENTATION AGREEMENT
FOR
CORAL CANYON PROJECT AND RELATED PUBLIC ROADWAY AND
MULTI-PURPOSE TRAIL

THIS MITIGATION IMPLEMENTATION AGREEMENT (Agreement), is made this ____ day of _____, 2016, pursuant to provisions of the Reclamation Act of June 17, 1902 (32 Stat. 388); the Reclamation Project Act of August 4, 1939 (53 Stat. 1187), as amended August 18, 1950 (64 Stat. 463); and acts amendatory thereof or supplementary thereto; and the provisions of 43 CFR § 429, among the United States of America, acting through the Bureau of Reclamation, hereinafter referred to as "Reclamation," represented by the officer executing this Agreement, hereinafter referred to as the "Area Manager;" the City of La Quinta, hereinafter referred to as the "City;" and Coral Canyon, LLC, a Delaware Limited Liability Company hereinafter referred to as the "Developer;" individually referred to as "Party," collectively referred to as "Parties."

WITNESSETH:

WHEREAS, Reclamation is the owner of the hereinafter described lands upon which are located works of the United States commonly known as Dike No. 2, which is maintained by the Coachella Valley Water District; and

WHEREAS, the U.S. Fish and Wildlife Service (Service) has jurisdiction over the conservation, protection, restoration, enhancement, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species to the extent set forth in the federal Endangered Species Act (ESA), 16 U.S.C. §§ 1531, et seq., the Fish and Wildlife Coordination Act, 16 U.S.C. §§ 661-666c, the Fish and Wildlife Act of 1956, 16 U.S.C. § 742(f) et seq., and other federal laws.

WHEREAS, the Developer has obtained tentative approval from the City for development of Tentative Tract No. 33444 (Coral Canyon and/or Project), Environmental Assessment No. 2005-543; and

WHEREAS, as part of an informal consultation conducted under Section 7 of the ESA, the Service has recommended certain mitigation measures (Mitigation Measures) for the endangered Nelson Bighorn Sheep (Peninsular Ranges Distinct Population Segment; Peninsular Bighorn Sheep, "PBS") (*Ovis canadensis nelsoni*) which have been incorporated as developer conditions of approval into the City's approval of Tentative Tract No. 33444, Environmental Assessment No. 2005-543; and

WHEREAS, the purpose of this Agreement is to ensure the compliance and enforcement of the Mitigation Measures; and

WHEREAS, Reclamation and the City are anticipating execution of an easement agreement regarding the use of certain property owned by Reclamation, including Dike No. 2.

NOW, THEREFORE, in consideration of the foregoing, the covenants and obligations hereinafter set forth, the Parties hereby agree as follows:

1. DESCRIPTION OF MITIGATION MEASURES:

a. The following Mitigation Measures and the corresponding method of implementation after each Measure have been agreed upon between Reclamation, the Service, the City, and Developer, and are hereby imposed upon the Coral Canyon Project:

1. 12.29 acres of Desert Dry Wash Woodland (DDWW) habitat, which were proposed for development and are located within designated PBS critical habitat, will be excluded from the Coral Canyon Project and set aside as part of the permanently protected "Reserve Lands" in the Santa Rosa and San Jacinto Mountains Conservation Area per the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP).

The City and Developer will work with the Coachella Valley Association of Governments (CVAG) or Coachella Valley Conservation Commission (CVCC), as appropriate, to prepare and record a conservation easement consistent with California Civil Code Section 815 et seq. in order to dedicate the 209 acres (which also includes the 12.29 acres of DDWW) to the CVMSHCP Reserve System. A model conservation easement for use under the CVMSHCP has been reviewed and approved by the Service and California Department of Fish and Wildlife (CDFW) (see Attachment A); if the operative language is not modified, further

review and approval by the Service and CVCC, and their legal counsel, will not be required. CDFW will require a final review of the conservation easement. Once the conservation easement is recorded, a copy will be provided to both Reclamation and the Service. The easement shall be recorded prior to commencement of grading/construction activities associated with the Project.

2. Approximately 209 acres of the total Project area will be placed in permanent conservation in the CVMSHCP through a conservation easement (per the California Civil Code Section 815 et seq.). This will be done prior to commencement of grading/construction activities on the eastern portion of the 317 acre holding that is proposed for development.

See the mechanism described in item No. 1 above.

3. In the event that PBS are found to be attracted to the residential site, a four-person committee shall be formed, consisting of a representative of the future Coral Canyon Homeowners Association (HOA), a representative of the Service, a representative of the CDFW, and the City Community Development Director (CCDD). The purpose of the committee shall be to assess the need for a fence to keep PBS from entering the Project site, reduce human disturbance within PBS habitat, and to overall discourage the unauthorized use of adjacent and nearby preservation open spaces by users such as hikers and their pets. The committee shall monitor PBS activity through various means, including interviews with residents and visitors and any scientific data available and/or funded by the HOA, at its own expense, the HOA shall construct and maintain (long term) an 8-foot high fence along the property line between the Project and the hillside. Gaps in the fence shall be 11 centimeters or less. At the request of CDFW and the Service, temporary fencing may be required between the time that sheep are seen on the site and the time that permanent fencing may be required. The committee shall exist for a period of 10 years from the date of formation, unless PBS are documented to no longer inhabit the Santa Rosa Mountains. At the end of 10 years, if any one member of the committee deems it necessary, the committee shall continue until such time as it is dissolved by a unanimous vote by all members.

The City and the Developer shall be responsible for assuring that conservation measure No. 3 is required as part of the HOA's Conditions, Covenants, and Restrictions (CC&R's) for TTM

33444. The CC&Rs shall be completed with the establishment of the HOA and prior to the initial sale of any lots/residences. Once the CCDD is made aware of the presence of PBS within or near the residential site, the CCDD will be responsible for coordinating the meetings between the CDFW, the Service, and the HOA representative. A copy of the CC&Rs shall be provided to both Reclamation and the Service for their files.

4. No exotic plants known to be toxic to PBS, or invasive in desert environments, will be used in Project landscaping. As generally described in the Recovery Plan for Bighorn Sheep in the Peninsular Ranges, California (PBS Recovery Plan) (October 25, 2000) (p. 218), a requirement that new landscape plans for the Project will incorporate native and local plant materials and avoid invasive species and toxic plants, such as oleander and ornamentals in the nightshade (Solanaceae) family. The PBS Recovery Plan states in pertinent part: "Landscape plants can cause sickness or death. Only local native plants should be used along the wildland interface. Known and potential toxic plants should not be used in areas accessible to bighorn sheep. Ornamental plants currently known to be toxic to sheep include oleander, *Prunus* species, and plants in the nightshade (Solanaceae) family."

The Developer will be responsible for ensuring that no exotic plants known toxic to PBS will be allowed in the Project landscaping, and that only native plants shall be used as described above. This measure will be validated through the TTM 33444's master landscape plan approved by the City. In addition, native vegetation planting requirements will adhere to CDFW's Section 1602 Streambed Alteration Agreement (see attachment B) and referenced by the TTM 33444 EA. A copy of the landscape plan shall be provided to both Reclamation and the Service for their files.

5. As described in the PBS Recovery Plan (p.219), a requirement that any artificial water features (i.e., ponds or lakes) in areas adjoining PBS habitat shall be designed to preclude shallow, vegetated edges that provide breeding habitat for *Culicoides* midges, an invertebrate disease vector for bluetongue virus.

*The Developer will be responsible for ensuring that any artificial water features near adjoining PBS habitat will preclude shallow, vegetated edges that provide breeding habitat for *Culicoides* midges and invertebrate disease vector or bluetongue virus. This*

measure will be validated through the master landscape plan approved by the City. A copy of the landscape plan shall be provided to both Reclamation and the Service for their files.

2. OBLIGATIONS OF DEVELOPER:

Developer shall be responsible for the completion and full implementation of the Mitigation Measures as previously identified in Section 1 above. The CC&Rs referenced in the Mitigation Measures shall be subject to the approval of both the City and the Service. Prior to the issuance of the first certificate of occupancy for the Project, Developer shall be responsible to prepare a report demonstrating compliance with all Mitigation Measures, which report shall be provided to the Service, Reclamation, and the City.

3. OBLIGATIONS OF CITY:

The City shall take all reasonably necessary steps, as determined by the Service, to ensure the Developer's compliance with the Mitigation Measures and to further ensure that the Mitigation Measures are binding upon the Coral Canyon development project. If the Developer is not in compliance with any of the Mitigation Measures, no further permits or approvals shall be issued by the City for the Coral Canyon development project until such time as the Developer becomes fully compliant with the Mitigation Measures.

4. REMEDIES:

a. Default

Any material breach or violation of this Agreement shall be deemed a default under this Agreement.

b. Notice and Opportunity to Cure

On occurrence of a default by any Party hereunder, any other non-defaulting Party hereunder may notify the defaulting Party and the other non-defaulting Parties in writing that a default has occurred and identify the reasons therefor. The defaulting Party shall have sixty (60) days to respond to or refute the allegation, to cure such default, or to commence to cure a default which cannot reasonably be cured within a 60-day time period, provided that such cure is diligently pursued.

c. Ordinary Remedies

After notice of and time to cure a default, the non-defaulting Parties shall have all remedies available at law or equity, including specific performance and injunction. The Parties acknowledge that the species intended to be protected through the Mitigation Measures are unique and that their loss as species would result in irreparable damage to the environment and that therefore injunctive and temporary relief may be appropriate.

5. AMENDMENTS:

This Agreement may be altered, amended, or repealed only in writing and signed by all Parties to this Agreement.

6. NO PARTNERSHIP:

Nothing in this Agreement shall make or be deemed to make any Party to this Agreement the agent for, or the partner of any other Party.

7. EXECUTION:

- a. Further Instruments and Assurances. Each of the Parties shall, promptly upon the request of the others, execute, acknowledge, and deliver to the others any documents contemplated by this Agreement and shall take such further action as reasonably requested or appropriate to evidence or give effect to the provisions of this Agreement.
- b. Duplicate Originals. This Agreement may be executed in any number of duplicate originals. A complete original of this Agreement shall be maintained in the official records of each Party.
- c. Faxed Signatures. Any Party may deliver its signed duplicate of this Agreement to any other Party by facsimile transmission, and such delivery shall be deemed made and completed upon receipt of such facsimile transmission by such other Party. Any Party delivering a signed duplicate by facsimile transmission shall promptly send the duplicate original bearing its original signature to such other Party; provided that a delay or failure to do so shall not negate the effectiveness of the delivery made by the facsimile transmission.

8. NOTICES:

- a. Any notices required by this Agreement shall be served by certified mail addressed to the respective addresses given herein and the mailing of any such notice properly enclosed, addressed, stamped and certified, shall be considered service.
- b. Any notice, demand or request required or authorized by this Agreement to be given or made to or upon Reclamation shall be deemed properly given or made if delivered or mailed postage-prepaid, to the Area Manager, Yuma Area Office, Bureau of Reclamation, 7301 Calle Agua Salada, Yuma, Arizona 85364.
- c. Any notice, demand or request required or authorized by this Agreement to be given or made to or upon the Service shall be deemed properly given or made if delivered

or mailed postage-prepaid, to the Assistant Field Supervisor, Palm Springs Fish and Wildlife Office, 777 Tahquitz Canyon Way, Suite 208, Palm Springs, California 92262.

- d. Any notice, demand or request required or authorized by this Agreement to be given or made to or upon the City shall be deemed properly given or made if delivered or mailed postage-prepaid, to the City Manager, City of La Quinta, 78-495 Calle Tampico, La Quinta, California 92253.
- e. Any notice, demand or request required or authorized by this Agreement to be given or made to or upon the Developer shall be deemed properly given or made if delivered or mailed postage-prepaid, to Coral Canyon LLC, 74-875 Highway 111, Suite 105, Indian Wells, California 92210, Attn: Pat Hall.
- f. The designation of the person to or upon whom any notice, demand or request is to be given or made, or the address of such person may be changed at any time by notice given in the same manner as provided in this Article for other notices.

9. SUCCESSORS AND ASSIGNS:

This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the Parties hereto; provided, however, that no assignment or transfer of any of the rights of the City hereunder shall be made without the prior written consent of Reclamation.

10. SEVERABILITY:

Each provision of this Agreement shall be interpreted in such a manner as to be valid under applicable law, but if any provision of this Agreement shall be deemed or determined by competent authority to be invalid or prohibited hereunder, such provision shall be ineffective and void only to the extent of such invalidity or prohibition, but shall not be deemed ineffective or invalid as to the remainder of such provision or any other remaining provisions, or of the Agreement as a whole.

IN WITNESS WHEREOF, the Parties hereto have signed their names to this AGREEMENT which shall become effective the day and year first above written.

THE UNITED STATES OF AMERICA

By: _____
Area Manager
Yuma Area Office
Lower Colorado Region
Bureau of Reclamation

Approved as to Form:

City Attorney
City of La Quinta

CITY OF LA QUINTA

By: _____
Title: _____

ATTEST:

Susan Maysels, City Clerk
City of La Quinta

CORAL CANYON, LLC

By: _____
Title: _____

**THE UNITED STATES OF AMERICA
FISH AND WILDLIFE SERVICE**

Reviewed By: _____
Name: Kennon A. Corey
Title: Assistant Field Supervisor
Palm Springs Fish and Wildlife Office

CONSERVATION EASEMENT

RECORDING REQUESTED BY AND)
 WHEN RECORDED MAIL TO:)
)
 Coachella Valley Conservation Commission)
 73-710 Fred Waring Drive, Suite 200)
 Palm Desert, CA 92260)
)

Space Above Line for Recorder's Use Only

CONSERVATION EASEMENT DEED

THIS CONSERVATION EASEMENT DEED is made this ____ day of _____,
 20____, by _____ ("Grantor"), in favor of
 the COACHELLA VALLEY CONSERVATION COMMISSION, a California Joint Powers
 Authority, ("Grantee,") with reference to the following facts:

RECITALS

A. Grantor is the sole owner in fee simple of certain real property consisting of approximately ____ acres in the [*name of city,*] [*unincorporated area of*] County of Riverside, State of California, and more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference (the "Property"). An approximately ____ acre portion of the Property is more particularly described in Exhibit B attached hereto and incorporated herein by reference (the "Easement Property"); [*Note: depending on the parcel, it may also be necessary to reference a tract map, parcel map, etc. in this section;*]

B. The Easement Property possesses wildlife and habitat values (collectively, "conservation values") of great importance to Grantee, the people of the State of California, and the people of the United States;

C. The Easement Property provides potential habitat for the [*list species with common and scientific names;*] and contains natural communities including [*list names; also list sand transport areas and/or wildlife linkages, as applicable;*]

D. The California Department of Fish and Game ("CDFG") has jurisdiction, pursuant to California Fish and Game Code section 1802 and other laws, over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species;

E. The United States Fish & Wildlife Service ("USFWS") has jurisdiction over the conservation, protection, restoration, enhancement, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species to the

extent set forth in the Federal Endangered Species Act, 16 U.S.C. sections 1531, *et seq.*, and other federal laws;

F. The Coachella Valley Conservation Commission ("CVCC") is a California joint powers authority pursuant to Government Code sections 6500-6511 created to implement the Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan ("MSHCP") and is a governmental agency qualified to hold conservation easements pursuant to Civil Code section 815.3;

G. This Conservation Easement provides mitigation for certain impacts of a [*describe project type if applicable; e.g. residential development project*]; in [*the city of _____, or in the unincorporated area of*] County of Riverside, State of California, pursuant to the California Natural Community Conservation Planning Act Permit 2035-2008-001-06 dated September 9, 2008, issued by CDFG under the authority of California Fish and Game Code sections 2800 *et seq.* ("NCCP Permit"), and Permit No TE104604-0 dated October 1, 2008, issued by USFWS under the authority of section 10(a)(1)(B) and section 10(a)(2) of the Endangered Species Act of 1973 as amended (FESA) ("Section 10(a) Permit"), and the corresponding MSHCP dated September 2007 and Implementing Agreement, as same may be amended from time to time. The Section 10(a) Permit, the NCCP Permit, the Implementing Agreement, and the MSHCP, and any amendments thereto, are all incorporated herein by this reference. Information regarding these documents may be obtained from USFWS and CDFG, for each respective permit, and from CVCC regarding the Implementing Agreement and the MSHCP. Contact information for USFWS, CDFG, and CVCC is provided in the Notices section of this Conservation Easement Deed.

COVENANTS, TERMS, CONDITIONS AND RESTRICTIONS

In consideration of the above recitals and mutual covenants, terms, conditions, and restrictions contained herein, and pursuant to United States and California law, including Civil Code sections 815, *et seq.*, Grantor hereby voluntarily grants and conveys to Grantee a Conservation Easement in perpetuity over the Easement Property.

1. Purpose. The purpose of this Conservation Easement is to ensure the Easement Property will be retained forever in a natural condition and to prevent any use of the Easement Property that will impair or interfere with the conservation values of the Easement Property. Grantor intends that this Conservation Easement will confine the use of the Easement Property to such activities, including, without limitation, those involving the preservation and enhancement of native species, their habitat, and natural communities, in a manner consistent with the habitat conservation purposes of this Conservation Easement.

1.1 The term "natural condition," as referenced in the preceding paragraph and other portions of this Conservation Easement Deed, shall mean the condition of the Easement Property, as it exists at the time this Conservation Easement Deed is executed, as well as future enhancements or changes to the Easement Property that occur directly as a result of in-perpetuity

maintenance and management obligations that occur on the Easement Property as described herein.

1.2 Grantor certifies to Grantee that to Grantor's actual knowledge there are no structures or improvements existing on the Easement Property at the time this Deed is executed. Grantor further certifies to Grantee that to Grantor's actual knowledge there are no previously granted easements existing on the Easement Property that interfere or conflict with the purpose of this Conservation Easement.

1.3 Grantee's acceptance of this Conservation Easement is expressly conditioned on the receipt from Grantor, prior to recordation, of either (a) a baseline report on the condition of the Easement Property in a form acceptable to Grantee or (b) payment of the sum necessary to reimburse Grantee for the cost of obtaining a baseline report as quoted by a contractor approved by Grantee. The baseline report shall be deemed evidence of the natural condition of the Easement Property at the time of the grant of the Conservation Easement. Exhibits to the baseline report shall include (a) an aerial photograph(s) of the Easement Property at an appropriate scale taken as close in time as possible to the date this Conservation Easement is executed; (b) an overlay of the boundaries of the Easement Property on such aerial photograph(s); and (c) on-site color photographs showing the major, distinct natural features of the Easement Property.

2. Grantee's Rights. To accomplish the purposes of this Conservation Easement, Grantor hereby grants and conveys to Grantee, and to USFWS and CDFG as third party beneficiaries hereof, or their respective designee(s), all mineral, air, and water rights necessary to protect and to sustain the biological resources of the Easement Property, and all present and future development rights, as well as all of the following rights:

- (a) To preserve and protect the conservation values of the Easement Property;
- (b) To enter upon the Easement Property at reasonable times in order to monitor Grantor's compliance with and to otherwise enforce the terms of this Conservation Easement, and for scientific research and interpretive purposes by Grantee or its designees, provided that Grantee shall not unreasonably interfere with Grantor's authorized use and quiet enjoyment of the Property;
- (c) To enter upon the Easement Property at reasonable times to carry out management and monitoring consistent with the conservation goals, monitoring program, and management plans for the MSHCP;
- (d) To prevent any activity on or use of the Easement Property that is inconsistent with the purposes of this Conservation Easement and to require the restoration of such areas or features of the Easement Property that may be damaged by any act, failure to act, or any use that is inconsistent with the purposes of this Conservation Easement; and
- (e) To enforce, by any means, including without limitation, injunctive relief, the terms and conditions of this Conservation Easement.

3. Prohibited Uses. Any activity on or use of the Easement Property inconsistent with the purposes of this Conservation Easement is prohibited, except as allowed by Grantor and Grantee pursuant to an express written approval. Without limiting the generality of the foregoing, the following uses by Grantor, Grantor's agents, and third parties, are expressly prohibited:

- (a) The application of water; the use of fertilizers, pesticides, biocides, herbicides or any agricultural chemical; incompatible fire protection activities; and any and all other activities and uses which may adversely affect the purposes of this Conservation Easement;
- (b) Use of off-road vehicles and use of any other motorized vehicles except on existing roadways;
- (c) Grazing or other agricultural activity of any kind;
- (d) Recreational activities except as may be expressly authorized in writing by both Grantor and Grantee;
- (e) Residential, commercial or industrial uses;
- (f) [After recordation of the final map for Tract _____] [Any/any] further legal or de facto division, subdivision or partitioning of the Easement Property;
- (g) Construction, reconstruction or placement of any building, billboard or sign, or any other structure or improvement of any kind;
- (h) Dumping, depositing or accumulation of soil, trash, ashes, refuse, waste, biosolids or any other materials;
- (i) Planting, introduction or dispersal of non-native or invasive plant or animal species, except as otherwise approved by Grantee;
- (j) Filling, dumping, excavating, draining, dredging, mining, drilling, removing or exploring for or extraction of minerals, loam, soil, sands, gravel, rocks or other material on or below the surface of the Easement Property, except as necessary to conduct authorized natural or cultural resources research or preservation in consultation with Native American Tribes, State Historic Preservation Office, and other entities/agencies as required by state or federal law;
- (k) Altering the surface or general topography of the Easement Property, including building of roads except as necessary to conduct authorized natural or cultural resources research or preservation in consultation with Native American Tribes, State Historic Preservation Office, and other entities/agencies as required by state or federal law;
- (l) Removing, destroying, or cutting of trees, shrubs or other vegetation, except as required by law for fire breaks, maintenance of existing foot trails or roads, or prevention or treatment of disease;

(m) Manipulating, impounding or altering any natural water course, body of water or water circulation or underground water table on the Easement Property, and activities or uses detrimental to water quality, including but not limited to, degradation or pollution of any surface or subsurface waters;

(n) Shining artificial light into the Easement Property. Artificial lighting on the Property shall be shielded to prevent spillover of light into the Easement Property;

(o) Any activities prohibited under the MSHCP; and

(p) Without the prior written consent of Grantee, which Grantee may withhold, transferring, encumbering, selling, leasing, or otherwise separating the mineral, air or water rights for the Easement Property; changing the place or purpose of use of the above and below ground water rights; abandoning or allowing the abandonment of, by action or inaction, any water or water rights, ditch or ditch rights, spring rights, reservoir or storage rights, wells, ground water rights, or other rights in and to the use of water historically used on or otherwise appurtenant to the Easement Property.

4. Grantor's Duties. To accomplish the purposes of this Conservation Easement, Grantor, its successors and assigns shall:

(a) Undertake all reasonable actions to prevent the unlawful entry and trespass by persons whose activities may degrade or harm the conservation values of the Easement Property;

(b) Undertake all necessary actions to perfect and defend the rights of the Grantee and third party beneficiaries identified in section 2 hereunder;

(c) Comply with the terms of this Conservation Easement and cooperate with Grantee in the protection of the conservation values;

(d) Pursuant to the requirements set out herein, repair and restore damage to the Conservation Easement directly or indirectly caused by Grantor, Grantor's guests, representatives, employees or agents, and third parties within Grantor's control; provided, however, Grantor, its successors or assigns shall not engage in any repair or restoration work on the Easement Property without first consulting with Grantee; and

(e) Obtain any applicable governmental permits and approvals for any activity or use permitted by this Conservation Easement and conducted by Grantor, and any such activity or use shall be undertaken in accordance with all applicable federal, state, local and administrative agency statutes, ordinances, rules, regulations, orders or requirements.

5. Reserved Rights. Grantor reserves to itself, and to its personal representatives, heirs, successors, and assigns, all rights accruing from its ownership of the Easement Property, including the right to engage in or to permit or invite others to engage in all uses of the Easement Property that are consistent with the purposes of this Conservation Easement.

6. Grantee's Remedies. USFWS and CDFG, as third-party beneficiaries under this Conservation Easement, shall have the same rights as Grantee under this section to enforce the terms of this Conservation Easement. If Grantee determines that Grantor is in violation of the terms of this Conservation Easement or that a violation is threatened, Grantee shall give written notice to Grantor, CDFG, and USFWS of such violation and demand in writing the cure of such violation. If Grantor fails to cure the violation within thirty (30) days after receipt of written notice and demand from Grantee, or if the cure reasonably requires more than thirty (30) days to complete and Grantor fails to begin the cure within the 30-day period or fails to continue diligently to complete the cure, Grantee may bring an action at law or in equity in a court of competent jurisdiction to enforce compliance by Grantor with the terms of this Conservation Easement, to recover any damages to which Grantee may be entitled for violation by Grantor of the terms of this Conservation Easement or for any injury to the conservation values of the Easement Property, to enjoin the violation, *ex parte* as necessary, by temporary or permanent injunction without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies, or for other equitable relief, including, but not limited to, the restoration of the Easement Property to the condition in which it existed prior to any such violation or injury. Prior to implementation of any remedial or restorative actions, Grantor shall consult with Grantee. Without limiting Grantor's liability therefor, Grantee may apply any damages recovered to the cost of undertaking any corrective action on the Easement Property.

If Grantee, in its sole discretion, determines that circumstances require immediate action to prevent or mitigate damage to the conservation values of the Easement Property, Grantee may pursue its remedies under this section without prior notice to Grantor or without waiting for the period provided for cure to expire. Grantee's rights under this section apply equally to actual or threatened violations of the terms of this Conservation Easement Deed. Grantor agrees that Grantee's remedies at law for any violation of the terms of this Conservation Easement Deed are inadequate and that Grantee shall be entitled to the injunctive relief described in this section, both prohibitive and mandatory, in addition to such other relief to which Grantee may be entitled, including specific performance of the terms of this Conservation Easement Deed, without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies. Grantee's remedies described in this section shall be cumulative and shall be in addition to all remedies now or hereafter existing at law or in equity, including but not limited to, the remedies set forth in Civil Code sections 815, *et seq.*, inclusive. The failure of Grantee to discover a violation or to take immediate legal action shall not bar Grantee from taking such action at a later time.

If at any time in the future Grantor, Grantee, or any successor in interest uses or threatens to use the Easement Property for purposes inconsistent with this Conservation Easement, or Grantee or any successor in interest releases or abandons this Conservation Easement in whole or in part, then, notwithstanding Civil Code section 815.7, the California Attorney General, USFWS, or any entity or individual with a justifiable interest in the preservation of this Conservation Easement has standing as interested parties in any proceeding affecting this Conservation Easement.

6.1 Costs of Enforcement. Any costs incurred by Grantee, where Grantee is the prevailing party, in enforcing the terms of this Conservation Easement against Grantor, including, but not limited to, costs of suit and attorneys' and experts' fees, and any costs of

restoration necessitated by Grantor's negligence or breach of this Conservation Easement shall be borne by Grantor.

6.2 Grantee's Discretion. Enforcement of the terms of this Conservation Easement Deed by Grantee shall be at the discretion of Grantee, and any forbearance by Grantee to exercise its rights under this Conservation Easement Deed in the event of any breach of any term of this Conservation Easement Deed by Grantor shall not be deemed or construed to be a waiver by Grantee of such term or of any subsequent breach of the same or any other term of this Conservation Easement Deed or of any of Grantee's rights under this Conservation Easement Deed. No delay or omission by Grantee in the exercise of any right or remedy upon any breach by Grantor shall impair such right or remedy or be construed as a waiver.

6.3 Acts Beyond Grantor's Control. Nothing contained in this Conservation Easement Deed shall be construed to entitle Grantee to bring any action against Grantor for any injury to or change in the Easement Property resulting from: (a) any natural cause beyond Grantor's control, including, without limitation, fire not caused by Grantor, flood, storm, and earth movement, or any prudent action taken by Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Easement Property resulting from such causes; or (b) acts by Grantee or its employees, directors, officers, agents, contractors, or representatives.

6.4 CDFG and USFWS Right of Enforcement. All rights and remedies conveyed to Grantee under this Conservation Easement Deed shall extend to and are enforceable by CDFG and USFWS. These rights are in addition to, and do not limit, the rights of enforcement under any other applicable permit, agreement or authority, including, but not limited to, the rights of enforcement under the NCCP and Section 10(a) Permits.

7. Access. This Conservation Easement does not convey a general right of access to the public.

8. Costs and Liabilities. Grantor retains all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep, and maintenance of the Easement Property. Grantor agrees that Grantee shall have no duty or responsibility for the operation or maintenance of the Easement Property, the monitoring of hazardous conditions thereon, or the protection of Grantor, the public or any third parties from risks relating to conditions on the Easement Property.

8.1 Taxes; No Liens. Grantor shall pay before delinquency all taxes, assessments, fees, and charges of whatever description levied on or assessed against the Easement Property by competent authority (collectively "taxes"), including any taxes imposed upon, or incurred as a result of, this Conservation Easement, and shall furnish Grantee with satisfactory evidence of payment upon request. Grantor shall keep Grantee's interest in the Easement Property free from any liens, including those arising out of any obligations incurred by Grantor or any labor or materials furnished or alleged to have been furnished to or for Grantor at or for use on the Easement Property.

8.2 Hold Harmless. Grantor shall hold harmless, protect and indemnify Grantee, USFWS and CDFG, and their respective directors, officers, employees, agents, contractors,

volunteers, and representatives and the heirs, personal representatives, successors and assigns of each of them (each an "Indemnified Party" and, collectively, "Indemnified Parties,") from and against any and all liabilities, penalties, costs, losses, damages, expenses (including, without limitation, reasonable attorneys' fees and experts' fees), causes of action, claims, demands, orders, liens or judgments (each a "Claim" and, collectively, "Claims"), arising from or in any way connected with (a) injury to or the death of any person, or physical damage to any property, resulting from any act, omission, condition, or other matter related to or occurring on or about the Easement Property, regardless of cause, unless due solely to the negligence of the party to be indemnified; (b) Grantor's obligations hereunder, including but not limited to the obligations specified in the (sub)sections above entitled "Grantor's Duties," "Costs and Liabilities," and "Taxes; No Liens"; and (c) the existence or administration of this Conservation Easement. If any action or proceeding is brought against any of the Indemnified Parties by reason of any such Claim, Grantor shall, at the election of and upon written notice from Grantee, defend such action or proceeding by counsel reasonably acceptable to the Indemnified Party or reimburse Grantee for all charges incurred in defending the action or proceeding.

8.3. **Extinguishment.** If circumstances arise in the future that render the purposes of this Conservation Easement impossible to accomplish, this Conservation Easement can only be terminated or extinguished, in whole or in part, by judicial proceedings in a court of competent jurisdiction.

8.4 **Condemnation.** The purposes of the Conservation Easement are presumed to be the best and most necessary public use as defined at Code of Civil Procedure section 1240.680, notwithstanding Code of Civil Procedure sections 1240.690 and 1240.700.

9. **Assignment by Grantee.** This Conservation Easement is transferable, but Grantee or any successor in interest shall give Grantor, USFWS, and CDFG, at least thirty (30) days prior written notice of the transfer. Grantee or any successor in interest may assign its rights and obligations under this Conservation Easement in favor of an entity or organization authorized to acquire and hold conservation easements pursuant to Civil Code section 815.3 and reasonably acceptable to the USFWS and CDFG. Grantee or any successor in interest shall require the assignee to agree in writing that the conservation purposes that this Deed is intended to advance shall continue to be fulfilled by such assignee in accordance with the terms of this Conservation Easement Deed, the NCCP Permit and the Section 10(a) Permit, and shall require the assignee to record the assignment in the county where the Easement Property is located. The failure of Grantee to perform any act provided in this section shall not impair the validity of this Conservation Easement or limit its enforcement in any way.

10. **Release or Abandonment.** Grantee or any successor in interest shall not release, modify, relinquish or abandon its rights and obligations under this Conservation Easement without the prior written consent of USFWS and CDFG.

11. **Subsequent Transfers.** Grantor agrees to incorporate the terms of this Conservation Easement Deed in any deed or other legal instrument by which Grantor divests itself of any interest in all or any portion of the Property, including, without limitation, a leasehold interest. Grantor further agrees to give written notice to Grantee, USFWS and CDFG of the intent to transfer any interest in the Easement Property at least thirty (30) days prior to the date of such

transfer. Grantee, USFWS and CDFG shall have the right to prevent subsequent transfers in which prospective subsequent claimants or transferees are not given notice of the covenants, terms, conditions and restrictions of this Conservation Easement Deed. The failure of Grantor or Grantee to perform any act provided in this section shall not impair the validity of this Conservation Easement Deed or limit its enforceability in any way.

12. Notices. Any notice, demand, request, consent, approval, or communication that Grantor or Grantee desires or is required to give to the other shall be in writing, with a copy to the USFWS and CDFG, and be served personally or sent by recognized overnight courier that guarantees next-day delivery or by first class mail, postage fully prepaid, addressed as follows:

To Grantor:

To Grantee:

Coachella Valley Conservation Commission
73-710 Fred Waring Drive, Suite 200
Palm Desert, California 92260

With a copy:

To CDFG:

Department of Fish and Game
Office of the General Counsel
1416 Ninth Street, 12th Floor
Sacramento, California 95814-2090
Attn: General Counsel

To USFWS:

U.S. Fish and Wildlife Service
Attn: Field Supervisor
6010 Hidden Valley Road, Suite 101
Carlsbad, CA 92011

or to such other address as either party shall designate by written notice to the other. Notice shall be deemed effective upon delivery in the case of personal delivery or delivery by overnight courier or, in the case of delivery by first class mail, five (5) days after deposit into the United States mail. The parties agree to accept facsimile signed documents and agree to rely upon such documents as if they bore original signatures. Each party agrees to provide to the other parties, within seventy-two (72) hours after transmission of such a facsimile, the original documents that bear the original signatures.

13. Amendment. This Conservation Easement Deed may be amended by Grantor and Grantee only by mutual written agreement, with the written approval of the USFWS and CDFG (which approval shall not be unreasonably withheld or delayed). Any such amendment shall be consistent with the purposes of this Conservation Easement and shall not affect its perpetual duration. Any such amendment shall be recorded in the official records of Riverside County, State of California.

14. No Hazardous Materials Liability. Grantor represents and warrants that it has no knowledge of any release, threatened release, storage or disposal of Hazardous Materials (defined below) in, on, under, about or affecting the Easement Property.

14.1 Without limiting any other indemnification obligations set out hereinabove, Grantor agrees to indemnify, protect and hold harmless the Indemnified Parties (as defined hereinabove) against any and all Claims (as defined hereinabove) arising from or connected with any Hazardous Materials present, alleged to be present, or otherwise associated with the Easement Property at any time, except any Hazardous Materials placed, disposed or released by Grantee, its employees or agents. This release and indemnification includes, without limitation, Claims for injury to or death of any person or physical damage to any property; and the violation or alleged violation of, or other failure to comply with, any Environmental Laws (defined below). If any action or proceeding is brought against any of the Indemnified Parties by reason of any such Claim, Grantor shall, at the election of and upon written notice from Grantee, defend such action or proceeding by counsel reasonably acceptable to the Indemnified Party or reimburse Grantee for all charges incurred in defending the action or proceeding.

14.2 Despite any contrary provision of this Conservation Easement Deed, the parties do not intend this Conservation Easement to be, and this Conservation Easement shall not be, construed such that it creates in or gives to Grantee any of the following:

(a) The obligations or liabilities of an "owner" or "operator," as those terms are defined and used in Environmental Laws (defined below), including, without limitation, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (42 U.S.C. sections 9601, *et seq.*; hereinafter, "CERCLA"); or

(b) The obligations or liabilities of a person described in 42 U.S.C. section 9607(a)(3) or (4); or

(c) The obligations of a responsible person under any applicable Environmental Laws; or

(d) The right to investigate and remediate any Hazardous Materials associated with the Easement Property; or

(e) Any control over Grantor's ability to investigate, remove, remediate or otherwise clean up any Hazardous Materials associated with the Easement Property.

14.3 The term "Hazardous Materials" includes, without limitation, (a) material that is flammable, explosive or radioactive; (b) petroleum products, including by-products and fractions thereof; and (c) hazardous materials, hazardous wastes, hazardous or toxic substances, or related

materials defined in CERCLA; the Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6901, *et seq.*); the Hazardous Materials Transportation Safety and Security Reauthorization Act of 2005 (49 U.S.C. sections 5101, *et seq.*); the Hazardous Materials Transportation Act (49 U.S.C. sections 6901 *et seq.*); the Hazardous Waste Control Law (California Health & Safety Code sections 25100, *et seq.*); the Carpenter-Presley-Tanner Hazardous Substance Account Act (California Health & Safety Code section 25300, *et seq.*); and in the regulations adopted and publications promulgated pursuant to them, or any other applicable federal, state or local laws, ordinances, rules, regulations or orders now in effect or enacted after the date of this Conservation Easement Deed. The term "Environmental Laws" includes, without limitation, any federal, state, local or administrative agency statute, ordinance, rule, regulation, order or requirement relating to pollution, protection of human health or safety, the environment or Hazardous Materials.

14.4 Grantor represents, warrants and covenants to Grantee that Grantor's activities (including those of its agents, employees, invitees and contractors) upon and use of the Easement Property will comply with all Environmental Laws.

15. General Provisions.

15.1 Controlling Law. The interpretation and performance of this Conservation Easement Deed shall be governed by the laws of the State of California, disregarding the conflicts of law principles of such state, and by applicable federal law (including the FESA).

15.2 Liberal Construction. Any general rule of construction to the contrary notwithstanding, this Conservation Easement Deed shall be liberally construed to affect the purposes of this Conservation Easement and the policy and purpose of Civil Code sections 815, *et seq.* If any provision in this instrument is found to be ambiguous, an interpretation consistent with the purposes of this Conservation Easement that would render the provision valid shall be favored over any interpretation that would render it invalid.

15.3 Severability. If a court of competent jurisdiction voids or invalidates on its face any provision of this Conservation Easement Deed, such action shall not affect the remainder of this Conservation Easement Deed. If a court of competent jurisdiction voids or invalidates the application of any provision of this Conservation Easement Deed to a person or circumstance, such action shall not affect the application of the provision to other persons or circumstances.

15.4 Entire Agreement. This instrument sets forth the entire agreement of the parties with respect to the Conservation Easement and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Conservation Easement. No alteration or variation of this instrument shall be valid or binding unless contained in a written amendment in compliance with all provisions herein.

15.5 No Forfeiture. Nothing contained herein will result in a forfeiture or reversion of Grantor's title in any respect.

15.6 Successors. The covenants, terms, conditions, and restrictions of this Conservation Easement Deed shall be binding upon, and inure to the benefit of, the parties hereto

and their respective personal representatives, heirs, successors, and assigns and shall constitute a servitude running in perpetuity with the Easement Property.

15.7 Termination of Rights and Obligations. A party's rights and obligations under this Conservation Easement Deed terminate upon the transfer of its interest in the Conservation Easement or Easement Property, except that liability for acts or omissions occurring prior to transfer shall survive transfer.

15.8 Captions. The captions in this instrument have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon its construction or interpretation.

15.9 Warranty. Grantor represents and warrants that there are no outstanding mortgages, liens, encumbrances or other interests in the Easement Property which have not been expressly subordinated to this Conservation Easement Deed, and that the Easement Property is not subject to any other conservation easement or interest that is adverse to this Conservation Easement.

15.10 Additional Easements. Grantor shall not grant any additional easements, rights of way or other interests in the Easement Property (other than a security interest that is subordinate to this Conservation Easement Deed), or grant or otherwise abandon or relinquish any water agreement relating to the Easement Property, without first obtaining the written consent of Grantee, USFWS and CDFG. Grantee, USFWS and CDFG may withhold such consent if it determines that the proposed interest or transfer is inconsistent with the purposes of this Conservation Easement or will impair or interfere with the conservation values of the Easement Property. This section shall not prohibit transfer of a fee or leasehold interest in the Easement Property that is subject to this Conservation Easement Deed and otherwise complies with the terms of this Deed.

15.11 Counterparts. The parties may execute this instrument in two or more counterparts, which shall, in the aggregate, be signed by both parties. Each counterpart shall be deemed an original instrument as against any party who has signed it. In the event of any disparity between the counterparts produced, the recorded counterpart shall be controlling.

15.12 Recording. Grantee shall record this Conservation Easement in the Official Records of the County in which the Property is located, and may re-record it at any time as Grantee deems necessary to preserve its rights in this Conservation Easement.

IN WITNESS WHEREOF Grantor has executed this Conservation Easement Deed the day and year first above written.

GRANTOR:

By: _____

TITLE: _____
Authorized Representative

Approved as to form:

By: _____
General Counsel for Grantor

GRANTEE:

Coachella Valley Conservation Commission

By: _____

TITLE: _____
Authorized Representative

Approved as to form:

By: _____
Toni Eggebraaten, General Counsel
Coachella Valley Association of Governments

Approved as to form:

By: _____
, General Counsel
California Department of Fish & Game

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the foregoing Conservation Easement Deed by _____ dated _____, is hereby accepted by the undersigned officer on behalf of the Grantee, Coachella Valley Conservation Commission, pursuant to authority conferred by the Commission on _____.

COACHELLA VALLEY CONSERVATION COMMISSION

By: _____

TITLE: _____
Authorized Representative

DATE: _____

City of La Quinta

CITY COUNCIL MEETING: March 15, 2016

STAFF REPORT

AGENDA TITLE: INTRODUCE FOR FIRST READING AN ORDINANCE ADDING CHAPTER 5.82 TO THE LA QUINTA MUNICIPAL CODE TO PROHIBIT CERTAIN RETAIL SALES OF DOGS AND CATS IN THE CITY OF LA QUINTA

RECOMMENDATION

- A. Move to take up Ordinance No. 534 by title and number only and waive further reading.
- B. Move to introduce at first reading, Ordinance No. 534 adding Chapter 5.82 to the La Quinta Municipal Code to prohibit certain retail sales of dogs and cats.

EXECUTIVE SUMMARY

- In December 2015, residents requested that the City adopt an ordinance to prohibit the retail sale of dogs and cats in La Quinta.
- This ordinance will prohibit pet stores from selling dogs and cats; but will allow them to offer adoption of animals obtained from shelters, humane society, or non-profit rescue organizations.

FISCAL IMPACT – None.

BACKGROUND/ANALYSIS

In an effort to decrease the number of unwanted dogs and cats, and increase the adoption rates of these animals, residents have requested all Coachella Valley Cities adopt an ordinance prohibiting the retail sale of dogs and cats. Staff, in concert with the City Attorney, drafted an ordinance to prohibit the retail sale of certain dogs and cats in La Quinta. If approved, the City will be actively discouraging substandard breeding practices, such as commercial breeding facilities where the animals' wellbeing is disregarded to maximize profits. In addition, in 2015 Council adopted a ban on backyard breeding of dogs and cats, which helps to foster a better environment for animals and support adoptions. The proposed ordinances would:

- Ban any store retail sales of dogs or cats,
- Allow stores to make dogs and cats available for adoption,
- Ensure animals for adoption are obtained from a city or county shelter or agency, humane society, or a non-profit rescue organization,
- Require stores to maintain the animal(s)' source certificate identifying their background origin for verification by authorities.

Per City Ordinance 530 residents are allowed to sell, transfer or give away all or part of one litter, or up to eight dogs, that were bred and reared on a residentially zoned property during a 12 month period

On February 25, 2016, staff met with residents to gain their input on the proposed ordinance. These residents made recommendations to eliminate some of the language that provided exemptions to the ordinance, and regulates pet stores, to only allow them to offer dogs and cats obtained from a city or county animal shelter or animal control agencies. Residents were also concerned about the certification process for reputable breeders. Therefore, based on their recommendations, the City will establish an annual certification process to approve breeders as reputable, which will require a business license, information about their breeding facilities, and a site inspection by the City. Furthermore, the City will have the right to conduct additional site inspections and monitor their business to ensure humane treatment of the animals.

By approving this ordinance the City will be advocating for animal welfare, by promoting the adoption of dogs and cats from local shelters; retail stores will not be supporting the expansion of puppy mills and kitten factories; and, the number of local homeless and unwanted dogs and cats should be decreased as a result of this ordinance.

ALTERNATIVES

As Council directed staff to prepare the proposed ordinance banning the retail sale of dogs and cats, per residents' request, staff does not recommend an alternative.

Prepared by: Anthony Moreno, Animal Control/Code Compliance Supervisor

Approved by: Chris Escobedo, Community Resources Director

ORDINANCE NO. 534

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, ADDING CHAPTER 5.82 TO THE LA QUINTA MUNICIPAL CODE TO PROHIBIT CERTAIN RETAIL SALES OF DOGS AND CATS IN THE CITY OF LA QUINTA

WHEREAS, the City Council of the City of La Quinta recently adopted amendments to the animal code provisions of the City's municipal code to provide a greater level of safety to the community after receiving feedback from residents at community outreach meetings;

WHEREAS, the amended animal code currently bans the backyard breeding (as defined) of dogs;

WHEREAS, the City Council finds that the backyard breeding and subsequent sales of dogs and cats from such breeders contributes to the proliferation of homeless or unwanted animals that end up in public animal shelters and humane societies;

WHEREAS, existing state and federal laws, including the Lockyer-Polanco-Farr Pet Protection Act (California Health and Safety Code section 122125, *et seq.*), the Polanco-Lockyer Pet Breeder Warranty Act (California Health and Safety Code section 122045, *et seq.*), the Pet Store Animal Care Act (California Health and Safety Code section 122350, *et seq.*), and the Animal Welfare Act (7 U.S.C. § 2131, *et seq.*), illustrate society's trend towards promoting the humane treatment of animals by regulating dog and cat breeders, as well as pet shops and stores;

WHEREAS, the need exists to regulate pet shops, retail businesses, and other commercial establishments that sell dogs and cats from backyard breeding practices or from other substandard breeding practices, such as inhumane, commercial breeding facilities where the health of dogs or cats is disregarded in order to maintain a low overhead and maximize profits;

WHEREAS, according to the Humane Society of the United States, hundreds of thousands of dogs and cats in the United States have been housed and bred at these substandard breeding facilities, known as "puppy mills" or "kitten factories," which mass-produce animals for sale to the public, and many of these animals are sold at retail pet stores;

WHEREAS, due to the lack of proper animal husbandry practices at these facilities, animals born and raised at these "puppy mills" or "kitten factories" are more likely to have genetic disorders and lack adequate socialization, and animals bred at

such facilities are often subject to inhumane housing conditions and indiscriminately disposed of when they reach the end of their profitable breeding cycle;

WHEREAS, according to the Humane Society of the United States, American consumers purchase dogs and cats from pet stores that the consumers believe to be healthy and genetically sound, but in reality the animals often face an array of health problems, including communicable diseases or genetic disorders that become apparent immediately after sale or may not become apparent until several years later, which may lead to costly veterinary bills and distress to consumers;

WHEREAS, prohibiting the unregulated sale of dogs and cats in pet shops, retail businesses, or other commercial establishments may lower the sale of dogs and cats from inhumane backyard breeding practices or substandard breeding facilities like “puppy mills” or “kitten factories,” may lower the shelter animal euthanasia rate, and may lead to a greater adoption rate of shelter animals;

WHEREAS, the homeless pet problem notwithstanding, the City Council recognizes there are many reputable dog and cat breeders who refuse to sell through pet stores, who refuse to engage in backyard breeding, and who work carefully to screen families and ensure good, lifelong homes for dogs and cats;

WHEREAS, there has been significant community activity within the City of La Quinta and across the Coachella Valley to convince local pet store operators to convert from unregulated puppy sales to humane business models for offering adoptable homeless dogs and cats to their customers;

WHEREAS, across the country, thousands of independent pet stores as well as large chains operate profitably with a business model focused on the sale of pet services and supplies and not on the sale of dogs and cats, and many of these stores collaborate with local animal shelters and rescue organizations to offer space and support for showcasing adoptable homeless pets on their premises;

WHEREAS, the City Council recognizes that not all dogs and cats retailed in pet stores are products of inhumane breeding conditions and would not classify every commercial breeder selling dogs or cats to pet stores as a “puppy mill” or “kitten factory,” but the City Council also recognizes that puppy mills and kitten factories continue to exist in part because of public demand and the sale of dogs and cats in pet stores;

WHEREAS, the City Council seeks to prohibit the retail sale of dogs and cats in pet stores, retail businesses, and commercial establishments unless the animals are obtained from a reputable breeder who has not engaged in backyard breeding or from a city or county animal shelter or animal control agency, humane society, or non-

profit rescue organization so as to prevent to the maximum extent possible any incentive for backyard breeding, puppy mills, and kitten factories;

WHEREAS, the City Council believes that eliminating the retail sale of dogs and cats in pet stores in the City will promote community awareness of animal welfare and, in turn, will foster a more humane environment in the City;

WHEREAS, the City Council of the City of La Quinta believes that elimination of the retail sale of dogs and cats in pet stores in the City will also encourage pet consumers to adopt dogs and cats from shelters, thereby saving animals' lives and reducing the cost to the public of sheltering animals; and

WHEREAS, the City Council of the City of La Quinta finds that, in addition to state and federal laws, the City of La Quinta has a local responsibility to promote animal welfare. The City Council believes that a community that promotes animal welfare will be a healthier community.

NOW THEREFORE, the City Council of the City of La Quinta does hereby ordain as follows:

SECTION 1. The above recitals are true and correct and incorporated herein.

SECTION 2. This Ordinance shall be known and may be cited as the "La Quinta Prohibition of the Retail Sale of Dogs and Cats Ordinance."

SECTION 3. Chapter 5.82 shall be added to the La Quinta Municipal Code as written in Exhibit A attached hereto.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions might subsequently be declared invalid or unconstitutional.

SECTION 5. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

Ordinance No. 534
Add Chapter 5.82 to Prohibit Certain Retail Sales of Dogs and Cats
Adopted:
Page 4 of 8

SECTION 6. The City Clerk shall certify to the passage and adoption of this Ordinance, and shall cause the same to be published within fifteen (15) days after passage in accordance with law, and shall cause this Ordinance and its certification, together with proof of publication, to be entered into the Book of Ordinances of the City of La Quinta.

PASSED, APPROVED and ADOPTED, at a regular meeting of the La Quinta City Council held this ___ day of _____, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

LINDA EVANS, Mayor
City of La Quinta, California

ATTEST:

SUSAN MAYSELS, City Clerk
City of La Quinta, California

(CITY SEAL)

APPROVED AS TO FORM:

WILLIAM H. IHRKE, City Attorney
City of La Quinta, California

Ordinance No. 534
Add Chapter 5.82 to Prohibit Certain Retail Sales of Dogs and Cats
Adopted:
Page 5 of 8

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LA QUINTA)

I, SUSAN MAYSELS, City Clerk of the City of La Quinta, California, do hereby certify the foregoing to be a full, true, and correct copy of Ordinance No. ___ which was introduced at a regular meeting on the __ day of _____, 2016, and was adopted at a regular meeting held on the __ day of _____, 2016, not being less than 5 days after the date of introduction thereof.

I further certify that the foregoing Ordinance was posted in three places within the City of La Quinta as specified in City Council Resolution No. 2014-013.

SUSAN MAYSELS, City Clerk
City of La Quinta, California

DECLARATION OF POSTING

I, SUSAN MAYSELS, City Clerk of the City of La Quinta, California, do hereby certify that the foregoing ordinance was posted on _____, 2016 pursuant to Council Resolution.

SUSAN MAYSELS, City Clerk
City of La Quinta, California

EXHIBIT A

CHAPTER 5.82 Prohibition of certain retail sales of dogs and cats.

5.82.010 Purpose and intent.

The purpose and intent of this chapter is to promote animal welfare and encourage best practices in the breeding and purchasing of dogs and cats offered for retail sale in the City of La Quinta.

5.82.020 Definitions.

The following definitions shall govern the meaning of words and phrases used in this chapter, unless it is plainly evident from the context that a different meaning is intended:

- A. “Animal shelter” means a municipal or related public animal shelter or duly incorporated nonprofit organization devoted to the rescue, care, and adoption of stray, abandoned, or surrendered animals, and which does not breed animals.
- B. “Backyard breeding” has the same meaning in Section 10.04.160 of the La Quinta Municipal Code, as may be amended from time to time.
- C. “Cat” means an animal of the Felidae family of the order Carnivora.
- D. “Certificate of source” means a document declaring the source of the dog or cat sold or transferred by the pet store. The certificate shall include the name and address of the source of the dog or cat.
- E. “Dog” means any member of the canine family.
- F. “Pet store” means a retail or commercial establishment open to the public and engaging in the business of, or having as a component of a business, the offering for sale and/or selling animals at retail.
- G. “Pet store operator” means a person who or entity (whether for-profit or nonprofit, corporation, limited liability company, unincorporated association or any other type of organization) that owns and/or operates a pet store.
- H. “Retail sale” includes display, offer for sale, sell, deliver, offer for adoption, barter, auction, give away, or otherwise transfer any cat or dog.

5.82.030 Prohibition of the retail sale of dogs and cats.

- A. No pet store operator shall offer for retail sale any live dog or cat in any pet store located in the City of La Quinta, unless the dog or cat was obtained from a city or county animal shelter or animal control agency, a humane society, or a non-profit rescue organization. In no event shall any pet store operator offer for retail sale any live dog or cat in any pet store from a source that has engaged in backyard breeding as prohibited pursuant to Section 10.24.140 of the La Quinta Municipal Code, as may be amended from time to time.
- B. All pet stores selling dogs or cats shall maintain a certificate of source for each of the animals and make it available upon request to animal control officers, law enforcement personnel, code enforcement officials, or any other City employee charged with enforcing the provisions of this chapter. It shall be the responsibility of the pet store operator to ensure compliance with this provision.

5.82.040 Exemptions.

This chapter does not apply to:

- A. A person or establishment that sells, delivers, offers for sale, barter, auctions, gives away, or otherwise transfers or disposes of only animals that were bred and reared on the premises of the person or establishment, provided that the person or establishment has not engaged in prohibited backyard breeding pursuant to Section 10.24.140;
- B. An animal shelter, as defined in this chapter;
- C. A private, charitable, nonprofit humane society or animal rescue organization; or
- D. A publicly operated animal control agency, nonprofit humane society, or nonprofit animal rescue organization that operates out of or in connection with a pet store.

5.82.050 Adoption of shelter and rescue animals.

Nothing in this chapter shall prevent a pet store operator or pet store located in the City of La Quinta from providing space and appropriate care for animals owned by a publicly operated animal control agency, nonprofit humane society, or nonprofit animal rescue agency and maintained at the pet store for the purpose of public adoption.

5.82.060 Public Nuisance.

Any violation of any provision of this chapter shall be, and is hereby declared to be, a public nuisance and may be summarily abated by the city pursuant to Section 731 of the California Code of Civil Procedure or any other remedy available at law.

5.82.070 Civil Penalties.

In addition to any other enforcement permitted by the La Quinta Municipal Code, the city attorney may bring a civil action for injunctive relief and civil penalties against any person who violates any provision of this chapter. In any civil action that is brought pursuant to this chapter, a court of competent jurisdiction may award civil penalties and costs to the prevailing party.

///

City of La Quinta

CITY COUNCIL MEETING: March 15, 2016

STAFF REPORT

AGENDA TITLE: UPDATE ON SILVERROCK RESORT DEVELOPMENT AND APPROVAL OF THE MASTER SITE DESIGN

RECOMMENDATION

Approve the Master Site Design for SilverRock Resort.

EXECUTIVE SUMMARY

- SilverRock Development Company's (SDC) development program locates a 140-room luxury hotel and spa on the Arnold Palmer Signature Golf Course; to accommodate the hotel/spa existing golf holes must be realigned.
- On January 19, 2016, Council approved the Golf Course Realignment for the Palmer Course at SilverRock Resort.
- SDC and Arnold Palmer Design Company (APDC) have nearly completed improvement plans to construct the golf course realignment.
- Per the Schedule of Performance contained in the Purchase, Sale and Development Agreement, the City Council must approve the Master Site Design by March 19, 2016.
- SDC and AKD Land Planning + Design (AKD) have collaborated to further refine and detail the Master Site Design (MSD) (Attachment 1).
- The MSD now propagates planning areas with accurately sized and shaped buildings, roads, pathways, and landscaping areas.

FISCAL IMPACT

This approval poses no financial impact; it is merely one of many required steps leading up to project development.

BACKGROUND/ANALYSIS

In November 2014, the City entered into a Purchase, Sale and Development Agreement (Agreement) with SDC to construct a luxury hotel and spa, a conference center, a lifestyle hotel, luxury and lifestyle branded residential, resort and mixed use villages, and a permanent golf clubhouse. SDC's original site plan called for locating the luxury hotel on the 17th hole. Subsequently the site plan has been refined several times with the latest incorporating the approved golf course realignment plan that was presented and approved at the January 19, 2016, Council meeting. This plan now locates the luxury

hotel and spa on the 11th and a portion of the 18th holes and on the land used for the current cart barn and staging area (adjacent to the temporary clubhouse). This new MSD incorporates a higher level of detail and refinement to all of the project areas with the exception of the Promenade and Mixed Use Village areas (PA 7 and 9). SDC has left these planning areas void of detail as they anticipate partnering with another entity to develop or bulk sell these areas in the future. These areas are still restricted to being developed as described in the Agreement.

At the October 20, 2015, and again at the January 19, 2016, Council meetings, SDC expressed interest in constructing the golf realignment starting in the summer of 2016 so that development of the luxury hotel and spa sites could be expedited. The Schedule of Performance provides SDC an outside completion date of November 2017 for Course realignment. Per the Agreement SDC is required to perform realignment work during the off-season (May thru November) minimizing lost revenues to the City. In addition the agreement assumes realignment work to commence after the phase 1 land closing (all planning areas less the lifestyle hotel and lifestyle residential), currently scheduled for January 2017. In consideration of the aforementioned staff is anticipating that SDC will be seeking a waiver in the sequencing of events as contemplated in the Schedule of Performance. This will necessitate staff preparing an implementation agreement for Council's approval at the April 19, 2016, Council meeting.

Approving the MSD enables SDC to accurately define the planning areas with enough detail so that infrastructure and site improvements can be accurately designed and engineered for the entire site. This is critical in order for SDC to meet the following approvals outlined in the Schedule of Performance: 1) site development plan submittal for the luxury hotel (PA 2), luxury branded residential development (PA 3), and conference and shared services facility (PA 4) all due May 2016; 2) preliminary engineering and mapping for the entire site due July 2016; and 3) infrastructure plan submittal for PA 2,3, and 4 due August 2016.

Included are a series of exhibits associated with the MSD (Attachments 2 through 8).

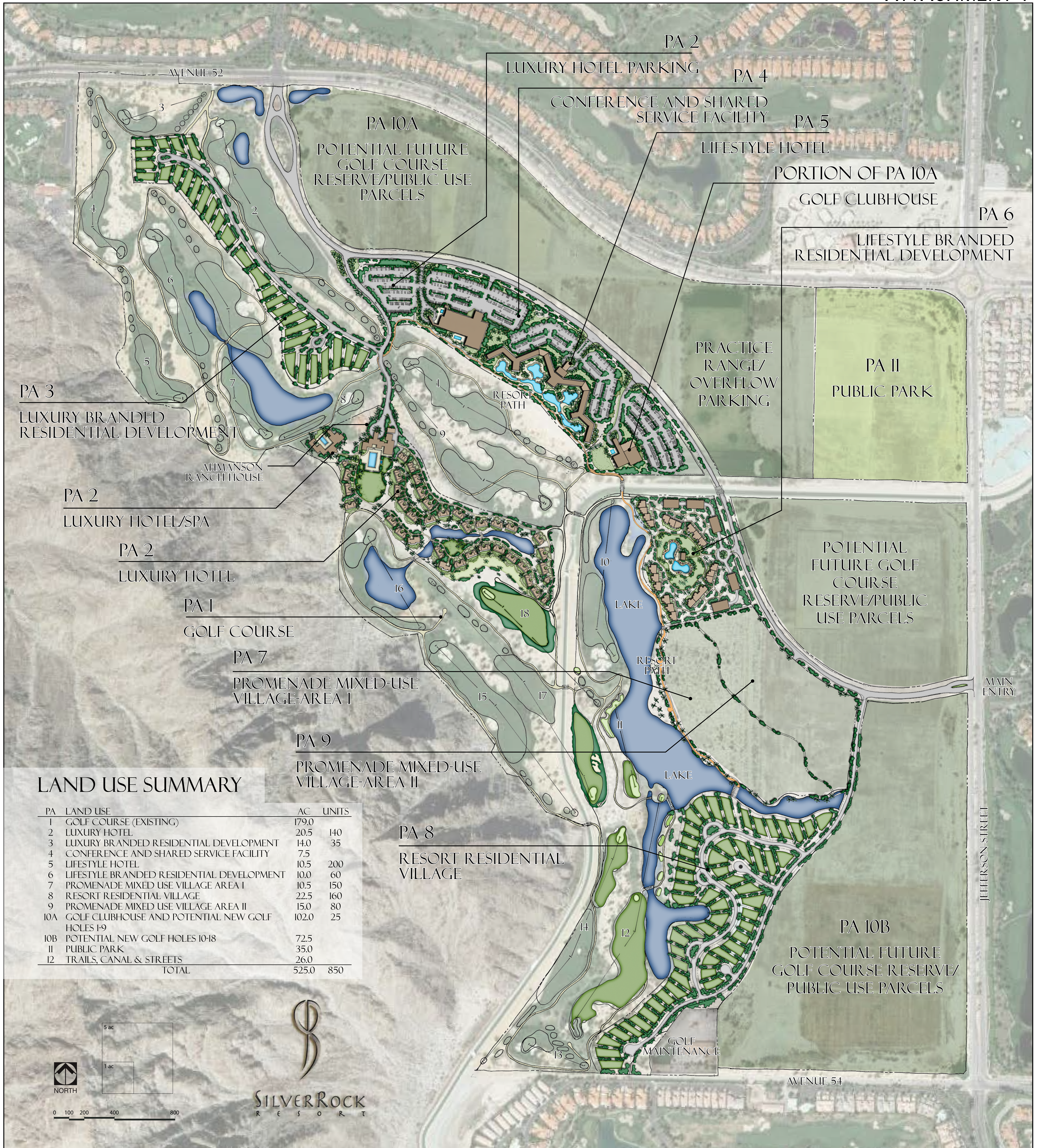
[ALTERNATIVES:](#)

The Council may request changes to the master site plan and require a resubmittal for approval.

Prepared by: Jon McMillen, City Economist

Approved by: Frank Spevacek, City Manager

- Attachment:
1. SilverRock Resort Master Plan
 2. Luxury Hotel Plan
 3. Luxury Branded Residential Plan
 4. Conference Center and Shared Services Building
 5. Golf Clubhouse
 6. Lifestyle Hotel
 7. Lifestyle Branded Residential
 8. Resort Village

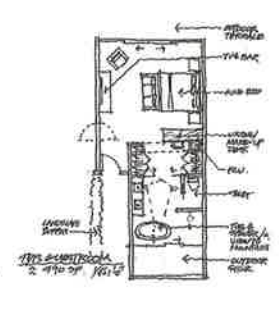
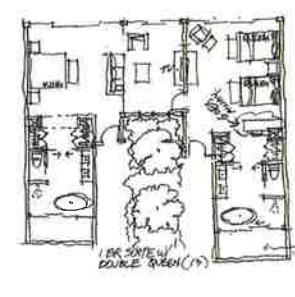
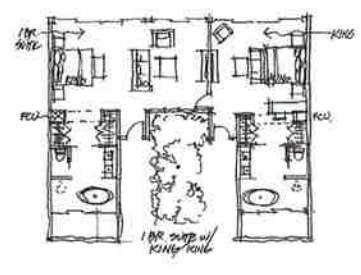
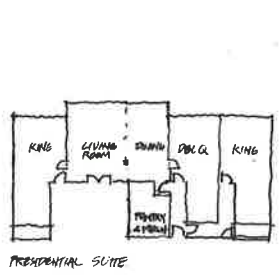


MASTER PLAN
SILVER ROCK RESORT
 LA QUINTA, CALIFORNIA

MARCH 15, 2016

THE
ROBERT GREEN
 COMPANY





Luxury Hotel Unit Types

PA 2 - LUXURY HOTEL CONCEPT PLAN

SILVER ROCK RESORT

LA QUINTA, CALIFORNIA

ROBERT GREEN
COMPANY



[CLICK HERE TO RETURN TO AGENDA](#)

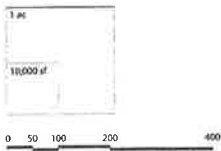
10,000 (+/-) sf lots
(Min. 75'x120')

Emergency Vehicle
Access Route



Neighborhood
Entry

Lots oriented
for Mountain Views



Key Map

PA 3 - LUXURY BRANDED RESIDENTIAL CONCEPT PLAN
SILVER ROCK RESORT
 LA QUINTA, CALIFORNIA

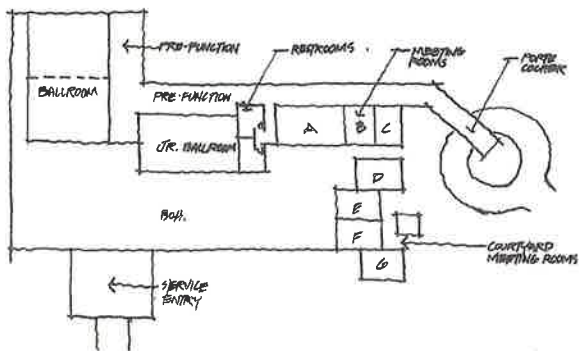
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Arrival Courtyard Outdoor Pre-Function Area for Ballrooms



Conference Center Concept Diagram



Key Map

PA 4 - CONFERENCE CENTER/
 SHARED SERVICES BUILDING
SILVER ROCK RESORT
 LA QUINTA, CALIFORNIA

MARCH 15, 2016

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 COMPANY



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PA 10A - GOLF CLUB CONCEPT PLAN SILVER ROCK RESORT LA QUINTA, CALIFORNIA

MARCH 15, 2016

THE
ROBERT GREEN
COMPANY



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Lifestyle Branded Residential Unit Concept Diagram

PA 6 - LIFESTYLE BRANDED RESIDENTIAL CONCEPT PLAN

SILVER ROCK RESORT

LA QUINTA, CALIFORNIA

MARCH 15, 2016

THE
ROBERT GREEN
COMPANY



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Lagoon Fronting Lots
(55 Lots, 10,000 (+/-) sf lots, Min. 75'x120')

Connection to Resort Path



All lots oriented for dramatic mountain views

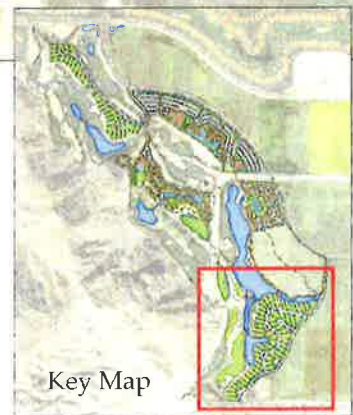
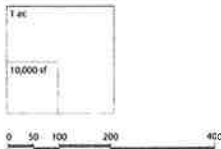
Lagoon & Golf Fronting Lots

Golf Fronting Mountain View Lots

Golf Maintenance

Avenue 54

Emergency Vehicle Access



Key Map

PA 8 - RESORT RESIDENTIAL CONCEPT PLAN SILVER ROCK RESORT LA QUINTA, CALIFORNIA

MARCH 15, 2016

THE
ROBERT GREEN
COMPANY



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City of La Quinta

CITY COUNCIL MEETING: March 15, 2016

STAFF REPORT

AGENDA TITLE: APPROVE LEGISLATIVE POLICY GUIDE UPDATE

RECOMMENDATION

Approve the Legislative Policy Guide and authorize the Mayor, one Council Member, and City Manager to issue letters within the scope of these policies.

EXECUTIVE SUMMARY

- The Legislative Policy Guide (Guide) will serve as a tool for the City to weigh in on legislative matters, which have direct impact on City operations.
- The Guide has been updated to incorporate legislative items that surfaced this calendar year and includes current active legislation; new municipal funding sources, preserving community revitalization, providing framework for medical marijuana, and Governor's sentencing reform initiative.
- The guide will serve as the Council's direction and will enable staff to immediately respond to proposed legislation in a timely matter.

FISCAL IMPACT – None.

BACKGROUND/ANALYSIS

The legislative landscape is constantly changing, producing impending legislation with potential impact on the City's ability to conduct business and provide services. The Guide (Attachment 1) enables the City to have a voice on emerging, key issues, and allows staff to take immediate action on pressing legislation. Attachment 2 presents the Legislative Calendar for 2016.

The Guide presents a set of guiding principles to align the City's policy positions with its interests and includes: enhance local authority, sustain fiscal responsibility, foster economic development, promote health and wellness, support public safety, and encourage preservation of environment.

In addition, the Guide provides an overview of important legislative developments in 2015 and connects them to emerging trends in 2016. The Guide also itemizes the City Council's policy position on key legislative areas such as economic development, finance, labor relations, and public safety among others.

Last year, the City opposed legislation aimed at undermining local authority to protect public health, safety, and welfare of our residents, by allowing the use of vehicles for human habitation (AB 718) (A list is presented in Attachment 3). Simultaneously, support positions were taken on a variety of bills including SB 25, a bill aimed to provide a new

funding source critical to stabilize four new Riverside County cities with funding other California cities have received.

The Governor's revised budget is expected in May; and June 3, 2016, is the last day for bills to be passed out of their respective house so increased legislation advocacy will be needed. By approving the City's position on a range of topics (outlined in the Guide), the organization can be more responsive to addressing issues that concern the City on short timelines.

The City receives informational updates on legislative efforts through a variety of channels, including directly from the League of California Cities, City lobbyist Gonsalves and Son, and the City Attorney.

ALTERNATIVES

As the Legislative Guide continues to be used as a resource for both Council and Staff to expedite responses on legislative matters, staff does not recommend an alternative.

Prepared by: Gil Villalpando, Management Assistant

Approved by: Frank J. Spevacek, City Manager

- Attachment:
1. Legislative Policy Guide 2016
 2. Legislative Calendar 2016
 3. List of Support and Oppose Letters 2015 - 2016

2016

Legislative Policy Guide



City of La Quinta



La Quinta

GEM of the DESERT

2016 Legislative Policy Guide

The Legislative Policy Guide is a tool for the City to navigate through the legislative landscape. This document details the City's policy positions on priority issues and provides a comprehensive approach to allow staff to take immediate action on pressing legislation under City Council direction. The guide identifies legislative trends and active legislation that may have an impact on the City's interests and affairs, and supplements other Council-established goals and policies. It is intended to be updated on a regular basis.

Guiding Principles

I. Enhance Local Authority

The City of La Quinta is a charter city that supports legislation aimed at preserving local authority. Additional regulation or mandates that undermine local control are detrimental to quality service delivery.

II. Sustain Fiscal Responsibility

The City of La Quinta has been able to successfully maneuver through redevelopment dissolution and economic downturn through prudent, disciplined spending and cost-effective stewardship of City resources. Therefore, the City supports measures that promote fiscal stability.

III. Foster Economic Development

The City of La Quinta generally supports legislative efforts designed to foster economic development tools and funding options for effective service delivery.

IV. Promote Health and Wellness

The City of La Quinta actively seeks to promote a healthy and vibrant community that provides various recreational activities and opportunities for residents to enjoy the unique benefits of La Quinta.

V. Support Public Safety

The City of La Quinta strongly supports community safety by providing high quality law enforcement and fire services and maintaining health and safety standards for its residents.

VI. Encourage Preservation of Environment

The City of La Quinta is a thriving desert oasis that supports a proactive and thoughtful stance regarding the enhancement and conservation of the desert environment that surrounds us.

In 2015, the City of La Quinta continued its mission to sustain long-term financial stability, regardless of the challenging economic environment. Healthcare, retail, and hospitality industries continued to thrive as the City's major economic base, while the biggest drivers of the local economy were tourism and the retail industry. Health and wellness became a City hallmark through increased programming, culminating with the grand opening of the La Quinta Wellness Center. 2015 was another successful year for the City.

This year's legislation continues to be fraught with challenges, as the Redevelopment Agency dissolution remains unresolved. Last year's legislative efforts materialized as Governor Brown signed SB 107, which sought to streamline the dissolution of Redevelopment by providing for an annual Recognized Obligation Payment Schedule (ROPS) process, ability to petition for a final and conclusive ROPS determination, repayment of city/agency loans and many other provisions.

A great concern last year was AB 278, which sought to require cities under 100,000 population to conduct district based elections. AB 278 has recently been amended and AB 2220 has been introduced to allow Cities to "voluntarily" enact district based elections without having to go to their voters.

Brief Analysis and Trends: 2015 IN REVIEW AND THE FUTURE OF 2016.



California's current drought continues to be a priority for Governor Brown and the California Legislature.

On January 17, 2014 Governor Brown issued an executive order B-29-15, which requires the State Water Resources Control Board ("Water Board") to enact a statewide 25% reduction in potable urban water usage through February 28, 2016. These restrictions require water suppliers to California's cities and towns to reduce usage as compared to the amount used in 2013.

Transportation funding will continue to be a top priority for the 2016 legislative session.

On June 19, 2015 Governor Brown convened an extraordinary session on transportation funding calling for a plan to generate \$3.6 billion annually.

LEGISLATION IMPACTING US

The public policy landscape is constantly changing and it is incumbent on the City to stay up to date on the latest developments. Anticipating the effects emergent legislation may have on the community is therefore imperative. Below is a short outline of impact in three key areas.

TRANSPORTATION & PUBLIC WORKS

Senate Democrats Transportation Plan:

- SB 1X (Beall) Aims to increase transportation revenues for 5 years and raise \$2.8-3.6 billion annually to focus on the preservation and maintenance of existing systems.
- The Assembly Speaker's transportation Plan proposes \$10 billion for transportation infrastructure \$2 billion per year over the next 5 years—starting in 2015-16.

The Speaker's Transportation Plan:

- \$1 billion per year by returning truck Weight Fees to transportation instead of using them to repay general obligation debt.
- \$200 million per year for transportation funding by accelerating repayment of transportation loans.
- \$800 million per year in new net funds for transportation by establishing a new Road User Charge.

POST REDEVELOPMENT AGENCY DISSOLUTION

AB 2492 expands upon AB2 (Chapter 319 Statutes of 2015) which Authorizes the creation of a Community Revitalization Investment Authority (CRIA) at the local level which intends to improve conditions leading to increased employment opportunities, including reducing high crime rates, repairing deteriorated and inadequate infrastructure, and developing affordable housing. AB2492 proposes to authorize the median household income requirements contained in AB2 to be made with a combination of census tracts and census block groups.

Our legislative advocates, Joe A. Gonsalves & Son, are sponsoring AB 806, which will be an “gut & amend” in the Senate Governance and Finance Committee to enable local governments to enter into loan agreements, sale agreements, lease agreements, or other agreements to create, retain, or expand new jobs. In addition, AB 806 will enable cities to acquire properties and sell, lease and/or transfer such properties to further economic development.

Utilization of SB 107, In February the City submitted its annual ROPS and we will continue to work towards a last and final determination as well as repayment of our city/agency loans.2 Authorizes the creation of a Community Revitalization.

PUBLIC SAFETY & ENVIRONMENT

Medical Marijuana:

AB 21 (Wood) amends the recently enacted Medical Marijuana Regulation and Safety Act (“MMRSA”), to clarify the authority of cities and counties to regulate medical marijuana cultivation in their jurisdictions.

Specifically, AB 21 deletes a provision of the MMRSA that grants the Department of Food and Agriculture (“DFA”), beginning March 1, 2106, sole licensing authority for medical marijuana cultivation applications in any city or county that lacks land use regulations or ordinances regulating or prohibiting the cultivation of marijuana, either expressly or otherwise under the principles of permissive zoning, or chooses not to administer a conditional permit program pursuant to MMRSA.

On February 3, 2016, Governor Brown signed AB 21 (Wood) into law. Since AB 21 was passed as an “urgency”, the bill takes effect immediately.

Governor’s Sentencing Reform Initiative:

On January 27, 2016, Governor Brown joined law enforcement and other leaders to announce support for the amended “Public Safety and Rehabilitation Act of 2016,” an initiative he purports will protect and enhance public safety reduce wasteful spending on prisons, improve rehabilitations and prevent federal courts from ordering the release of prisoners. Final amendments to the initiative, which is expected to appear on the November 2016 ballot, have not been filed.

The Initiative:

- Authorizes parole considerations for nonviolent inmates who complete the full sentence for their primary offense.
- Allows inmates to earn credits for good behavior, education and rehabilitative achievement.
- Requires judges rather than prosecutors to decide whether juveniles as young as 14-years-old should be tried as adults.

Policy Positions

ECONOMIC DEVELOPMENT

- The City of La Quinta supports economic development policies and funding mechanisms that foster a hospitable and thriving business environment.
- In light of budget shortfalls, the City supports public-private development opportunities that encourage economic activity and promote health and wellness within the City.
- The City supports retaining financial flexibility and authority with regard to redevelopment dissolution matters.
- Opposes measures that would make the City more dependent on the State for financial stability.
- Supports legislation that facilitates the recoupment of City costs derived from State and Federal mandates.

FINANCE

- The City of La Quinta is a charter city that relies on contract services to provide efficient service delivery.
- Opposes any change in revenue allocations which would negatively affect local governments.
- Opposes any action that would preempt local control over locally imposed taxes and other funding sources.

HOUSING

- Supports legislation that develops programs to increase housing opportunities to meet growth demand in our area.
- Supports legislative efforts that provide incentives to local governments and private developers to develop additional housing opportunities including affordable housing for low income and disabled seniors, adults, and veterans.

ENVIRONMENT

- The City of La Quinta supports the preservation of our environment.
- Supports financial incentives for water reuse and legislation that encourages the treatment of municipal wastewater for non-potable reuse and promote the development of reasonable regulations to encourage and maximize the responsible use of reclaimed water as an alternative to California's fresh water supply.

TRANSPORTATION & INFRASTRUCTURE

- The City of La Quinta supports measures that provide financing tools for increasing effective, clean transportation.
- Supports clean energy alternatives that are adequately funded.
- Supports State clean energy programs that are financially viable and direct funding to local government to invest in clean energy.
- The City of La Quinta supports developing vital infrastructure and streamlining the local, state, and federal process for infrastructure development in order to better meet local needs.
- Supports legislation that strengthens local authority over land use and infrastructure development.

PUBLIC SAFETY

- The City of La Quinta generally supports legislation that strengthens local law enforcement and safeguards communities.
- Supports measures aimed at providing sustained support for law enforcement to deal with the additional supervision and enforcement requirements of State-mandated realignment provisions.
- Opposes expansion of "early release" for offenders without necessary mechanisms in place for local law enforcement to provide corresponding services.

TOURISM

- The City of La Quinta strongly supports attracting tourism.
- Supports efforts that help promote the City's hospitality, parks and recreation, health and wellness offerings, and entertainment venues.
- Supports working closely with public and private agencies to help boost advertisement and other means of garnering tourism.
- Supports measures that provide funding for parks and recreation programs.

Monthly Overview of Legislative Calendar for 2016

Below is an overview that summarizes major legislative events and key dates that occur month to month, and following is the 2016 Legislative Calendar created by the Office of the Secretary of the Senate.

January: The previous year's laws go into effect during this month. Legislature reconvenes to discuss the new year of legislation ahead, and all bill requests must be submitted before the end of the month. Budgets must be submitted by the Governor during the beginning portion of the month.

February: The last day for bills to be introduced occurs at the end of February.

March: Spring Recess occurs at the end of the month. March 17 – March 28, 2016.

May: The beginning of this month marks the last day for policy committees to hear and report to fiscal committees regarding fiscal bills being introduced. Policy committees must also report non-fiscal bills by the middle of the month. Policy committees are given their last day to meet before convening in June near the end of this month, and report Floor bills for their house.

June: Floor session conducted in the beginning of the month, the last day for bills to be passed out of the house of origin occurs, and the committee meetings resume. All budgets must be passed by middle of month.

July: The last day for policy committees to meet and report bills occurs during the month before Summer Recess begins. July 1 – August 1, 2016.

August: Legislature reconvenes from Summer Recess. The last day for fiscal committees to report bills to the floor occurs at the end of the month. Floor session begins at the end of the month as well.

September: The last day to amend bills on the Floor occurs at the beginning of the month, with the last day for each house to pass bills occurring in the middle of the month. Interim Study Recess begins shortly after. September 30th Last day for Governor to sign or veto bills passed by the Legislature before Sept. 1 and in the Governor's possession on or after Sept. 1.

CLICK HERE TO RETURN TO AGENDA
2016 TENTATIVE LEGISLATIVE CALENDAR
 COMPILED BY THE OFFICE OF THE SECRETARY OF THE SENATE
 10/7/2015

DEADLINES

JANUARY						
S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

- Jan. 1** Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 4** Legislature **reconvenes** (J.R. 51(a)(4)).
- Jan. 10** Budget must be submitted by Governor (Art. IV, Sec. 12 (a)).
- Jan. 15** Last day for **policy committees** to hear and report to Fiscal Committees fiscal bills introduced in their house in the odd-numbered year. (J.R. 61(b)(1)).
- Jan. 18** Martin Luther King, Jr. Day observed.
- Jan. 22** Last day for any committee to hear and report to the **Floor** bills introduced in their house in 2015 (J.R. 61(b)(2)). Last day to submit **bill requests** to the Office of Legislative Counsel.
- Jan. 31** Last day for each house to **pass bills introduced in that house in the** odd-numbered year (J.R. 61(b)(3)), (Art. IV, Sec. 10(c)).

FEBRUARY						
S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29					

- Feb. 15** Presidents' day observed.
- Feb. 19** Last day for bills to be **introduced** (J.R. 61(b)(4), (J.R. 54(a)).

MARCH						
S	M	T	W	TH	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

- Mar. 17** **Spring Recess** begins upon adjournment (J.R. 51(b)(1)).
- Mar. 28** Legislature reconvenes from **Spring Recess** (J.R. 51(b)(1)).

APRIL						
S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

- Apr. 1** Cesar Chavez Day Observed.
- Apr. 22** Last day for **policy committees** to hear and report to Fiscal Committees **fiscal bills** introduced in their house (J.R. 61(b)(5)).

MAY						
S	M	T	W	TH	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

- May 6** Last day for **policy committees** to hear and report to the Floor **nonfiscal** bills introduced in their house (J.R. 61(b)(6)).
- May 13** Last day for **policy committees** to meet prior to June 6 (J.R. 61(b)(7)).
- May 27** Last day for **fiscal committees** to hear and report to the Floor bills introduced in their house (J.R. 61 (b)(8)). Last day for **fiscal committees** to meet prior to June 6 (J.R. 61 (b)(9)).
- May 30** Memorial Day observed.
- May 31 - June 3** **Floor Session only.** No committee may meet for any purpose (J.R. 61(b)(10)).

*Holiday schedule subject to Senate Rules committee approval

CLICK HERE TO RETURN TO AGENDA
2016 TENTATIVE LEGISLATIVE CALENDAR
 COMPILED BY THE OFFICE OF THE SECRETARY OF THE SENATE
 10/7/2015

JUNE						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

- June 3** Last day for each house to pass bills introduced in that house (J.R. 61(b)(11)).
- June 6** Committee meetings may resume (J.R. 61(b)(12)).
- June 15** Budget Bill must be passed by **midnight** (Art. IV, Sec. 12(c)(3)).
- June 30** Last day for a legislative measure to qualify for the Nov. 8 General election ballot (Elections Code Sec. 9040).

JULY						
S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

- July 1** Last day for **policy committees** to meet and report bills (J.R. 61(b)(13)). **Summer Recess** begins upon adjournment provided the Budget Bill has been passed (J.R. 51(b)(2)).
- July 4** Independence Day observed.

AUGUST						
S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

- Aug. 1** Legislature reconvenes from **Summer Recess** (J.R. 51(b)(2)).
- Aug. 12** Last day for **fiscal committees** to meet and report bills (J.R. 61(b)(14)).
- Aug. 15 - 31 Floor Session only.** No committees may meet for any purpose (J.R. 61(b)(15)).
- Aug. 19** Last day to **amend** on the Floor (J.R. 61(b)(16)).
- Aug. 31** Last day for **each house to pass bills**, except bills that take effect immediately or bills in Extraordinary Session (Art. IV, Sec. 10(c)), (J.R. 61(b)(17)).
Final Recess begins upon adjournment (J.R. 51(b)(3)).

IMPORTANT DATES OCCURRING DURING FINAL RECESS

2016

- Sept. 30 Last day for Governor to sign or veto bills passed by the Legislature before Sept. 1 and in the Governor's possession on or after Sept. 1 (Art. IV, Sec.10(b)(2)).
- Nov. 8 General Election.
- Nov. 30 Adjournment *Sine Die* at midnight (Art. IV, Sec. 3(a)).
- Dec. 5 12 Noon convening of the 2017-18 Regular Session (Art. IV, Sec. 3(a)).

2017

- Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).

*Holiday schedule subject to Senate Rules committee approval

Below are a list of letters that have been sent to Legislators supporting or opposing Federal or State Legislation 2015 - 2016.

SUPPORT:

AB 150 (Melendez & Gray) – Theft: Firearms

AB 21 (Bonta) – Medical Marijuana: Cultivation Licenses

AB 974 (Bloom) – Redevelopment Dissolution: Housing Projects: Bond Proceeds

S.414 – California Desert Conservation and Recreation Act of 2015

SB 25 (Roth) – Local Government Finance: Property Tax Revenue Allocation: Vehicle License Fee Adjustments.

SB 593 (McGuire) – Residential Units for Tourist or Transient Use: Transient Residential Hosting Platform.

Promise Zone Third Round (Castro) – Eastern Coachella Valley Promise Zone Application.

OPPOSE:

AB 57 (Quirk) – Wireless Telecommunications Facilities

AB 113 – Redevelopment Dissolution

AB 552 (O'Donnell) – Public Works Contracts: Damages

AB 718 (Chu) – Removal of Regulatory Authority: Vehicles Used for Human Habitation

AB 1707 (Linder) – Public Records Act: Response to Request

SB 239 (Hertzberg) – Local Services: Contracts: Fire Protection Services

SB 876 (Liu) – Enforcement of local Ordinances

Governor's Budget Proposal Affecting Redevelopment Dissolution (RN#15 09465)

[CLICK HERE TO RETURN TO AGENDA](#)

City of La Quinta

CITY COUNCIL MEETING: March 15, 2016

STAFF REPORT

AGENDA TITLE: DISCUSS TITLES 8 AND 9 OF MUNICIPAL CODE DEVELOPMENT REVIEW PROCESS

RECOMMENDATION

Discuss the Ad-hoc Committee's final recommendations on proposed changes to Titles 8 and 9 of the La Quinta Municipal Code related to the development review process.

EXECUTIVE SUMMARY

- City Council requested review of the City's development code (Code) to identify measures to modernize and improve the development review process.
- A Project Action Team (PAT) and an Ad-hoc Committee (Committee) were formed to solicit community input for the Development Code Tune Up and recommend improvements to the development review process.
- This study session will focus on the recommendations proposed for Title 8 (Buildings and Construction) and Title 9 (Zoning). Final recommendations will also include amendments to Titles 2 (Administration Personnel), 7 (Historic Preservation), and 13 (Subdivision Regulations).

FISCAL IMPACT – None.

BACKGROUND/ANALYSIS

In July 2015, the City Council directed staff to proceed with a Development Code Tune Up and identify ways to streamline the review of development applications. The code establishes the development approval procedures, and identifies standards and permitted land uses. It also identifies the required level of approvals by the Design and Development Director, Planning Commission, and/or City Council.

A Project Action Team (PAT) was formed comprised of representatives from the Building, Development Services (Public Works), and Planning Divisions, to inventory current permitting procedures and define key issues and concerns relevant to improving the permitting process. A Committee consisting of two Councilmembers, two Planning Commissioners, and one Architectural and Landscaping Review Board Member was also established to identify issues, and provide feedback and recommendations.

The objective was to allow greater flexibility and reduce the time and costs associated with the development review process. The review focused on the following Code sections:

- Title 2 (Administration and Personnel)
- Title 7 (Historic Preservation)
- Title 8 (Buildings and Construction)
- Title 9 (Zoning), and
- Title 13 (Subdivision Regulations)

The proposed changes to Titles 8 and 9, which are the subject of this staff report, are outlined in more detail in Attachments 1 and 2. Some highlights are provided below:

Title 8 Buildings and Construction

- Remove the City's landscape review function from single-family home sites when turf reduction is proposed.

Title 9 Zoning

Substantial changes were proposed to the Permitted Uses Table, Review Authority Table, and the General Permitting of Title 9. The proposed code changes modify the Review Authority Table and assign more responsibility for project decisions at the administrative level; this will result in significant time and money savings. New streamlined development review processes are recommended that include the following:

- Modify 61 use categories in the Permitted Uses Table to allow a faster development review process and reduced fees.
- Create an administrative level site development permit for smaller development projects to reduce current processing times and fees.
- Create a new Planned Unit Development permit option for residential projects to allow greater flexibility from the residential development standards. This is an alternative to the preparation of a Specific Plan, which requires longer processing times and costly plan preparation.
- Modify the minor adjustment process to allow up to three deviations of up to 10 percent of a numerical development standard such as a building setback, lot size, lot coverage or building height. The current process only allows for one deviation of a numerical development standard. For example, a property owner with plans for new home construction may request approval from the Design and Development Director of a minor adjustment to allow for a maximum 10 percent deviation from the minimum rear yard setback, front yard setback and maximum building coverage standards required by the La Quinta Municipal Code.

Due Process

The Committee also identified the need to modify the development review due process procedures. The proposed code changes modify the Review Authority Table and assign more project decision authority at the administrative level. The current process does not include a reporting mechanism for staff level decisions to the City Council, Planning

Commission or the general public, that facilitate an effective appeal and call-up review process. Therefore, new due procedures have been developed, which include:

- Clearly defined call-up review procedures.
- Weekly reporting of staff level decisions for permits and development projects to the Planning Commission, City Council, and the general public.

Next Steps

The Planning Commission considered the proposed Development Code Tune Up at their March 8, 2016 meeting and approved Resolution No. 2016-005 recommending that the City Council approve zoning ordinance amendments to Titles 2, 7, 8, 9, and 13. The proposed schedule for City Council consideration is as follows:

- April 5, 2016 - Title 13 (Subdivision Regulations) proposed streamline changes will be presented to the City Council in a study session.
- April 19, 2016 - Titles 2 (Administration and Personnel) and 7 (Historic Preservation) proposed streamline changes will be presented to the City Council at a public hearing, along with a request to adopt an ordinance to amend Titles 2, 7, 8, 9, and 13.

Per this schedule, these changes would then be in effect by mid-May 2016.

It is anticipated that the Development Code Tune Up will facilitate new development and attract new business. As the City approaches full build-out, there will be significant limitations to new development that will require greater development code flexibility that allows creative development approaches that are compatible with the City's expectations for high quality development.

Prepared by: Gabriel Perez, Planning Manager

Approved by: Timothy R. Jonasson, P.E., Design and Development Director/City Engineer

Attachments: 1. Title 8 - Development Code Tune Up Recommendations Analysis and Proposed Modifications
2. Title 9 - Development Code Tune Up Recommendations Analysis and Proposed Modification

[CLICK HERE TO RETURN TO AGENDA](#)

Title 8- Buildings and Construction Procedural Improvements (La Quinta Municipal Code)

Title 8; Chapters 8.13 and 8.80

Development Code Tune Up Recommendations Analysis

Highlighted text relates to streamlining change

Code Section	Review Process/Action	Inefficiency/Challenge	Proposed Improvement	Ad Hoc Direction of 11/19
8.13.030.A	Applicability of landscaping review	Turf reduction plans subject to full review process/application	-Clarify inapplicability to SFD homesites -Make section inapplicable to turf reduction plans	<ul style="list-style-type: none"> No further direction given
8.13.030.B	Clarify submittal items	Text not tied to actual application requirement	-Change text to cite application -Change reference to project and not PC	<ul style="list-style-type: none"> Changes reviewed 11/19; no further direction given
Due to upcoming revisions to CVWD Model Ordinance; no further changes are proposed to Chapter 8.13 as they may conflict. However, most of the remaining landscape code requirements are technical and do not impact potential for streamlining.				
8.80.050 Grading Bonds	Bonding requirements	N/A – Clean-up only	Minor clean-up language related to current bond requirements	<ul style="list-style-type: none"> No further direction given

Title 8 Buildings and Construction Ad Hoc Edits

8.13.030 Provisions for new or rehabilitated landscapes.

A. Applicability.

1. Except as provided in subsection (A)(3) of this section, this section shall apply to:
 - a. All new construction and rehabilitated landscaping for private, public, commercial and governmental development projects; and
 - b. All new construction and rehabilitated landscaping in single-family tracts and multifamily projects.
2. Projects subject to this section shall conform to the provisions in this section.
3. This section shall not apply to:
 - a. ~~Resident homeowner provided and/or homeowner-hired landscaping at~~ Single-family residential landscaping projects on individual lots/parcels with a total project landscape area less than five thousand square feet;
 - b. Homeowner-provided landscaping within individually-maintained patio areas, courtyards, or private gardens at a condominium, townhome, or similar multifamily project;
 - ~~b.c.~~ Turf-reduction/replacement landscaping projects, with no new or expansion of existing landscaped area(s) involved;
 - ~~c.d.~~ Registered local, state, or federal historic sites;
 - ~~d.e.~~ Ecological restoration projects that do not require a permanent irrigation system;
 - ~~e.f.~~ Mined-land reclamation projects that do not require a permanent irrigation system;
 - ~~f.g.~~ Plant collections, as part of botanical gardens and arboretums open to the public.

B. Final Landscaping Plan Application Submittal Package Requirements.

1. Each final landscaping plan submittal shall include the following elements:
 - a. Water conservation concept statement;
 - b. Calculation of the maximum applied water allowance;
 - c. Calculation of the estimated applied water use;
 - d. Calculation of the estimated total water use;
 - e. Landscape design plan;
 - f. Irrigation design plan;
 - g. Grading design plan; and
 - h. Soil analysis.
2. ~~Five copies of the~~ The final landscaping plan ~~submittal conforming to this chapter~~ application shall be submitted to the city in accordance with the requirements and information as stipulated on the City application form. No ~~permit~~ City approval shall be issued until the city and the local water purveyor ~~reviews and approves~~ have reviewed and accepted the landscape documentation package. ~~Prior to preparation and submission of the final~~

Title 8 Buildings and Construction Ad Hoc Edits

~~landscaping plan submittal, with the exception of rehabilitated or home-owner provided landscaping, the preliminary landscape design shall be applicable, the final landscape plan submittal shall substantially conform to the project's preliminary landscape plan as approved by the planning commission for the project.~~

3. A copy of the approved final landscaping plan submittal shall be provided to the property owner or site manager along with the record drawings and any other information normally forwarded to the property owner or site manager.
- C. Elements of Final Landscaping Plan Submittal.

Chapter 8.80 GRADING

8.80.010 Purpose and intent.

A. Generally. The purpose of this chapter is to safeguard life, limb, health, property and public welfare by establishing minimum requirements for regulating grading and procedures by which these requirements may be enforced.

B. Scope. No person shall make, alter or maintain any excavation or fill except as provided by this chapter.

Exception: The provisions of this chapter shall not apply to the following:

1. Work accomplished under the auspices of land owned and controlled by the United States of America or by the State of California.
2. Work in a public right of way, drains and drainage structures constructed by or under contract with the city or county flood control district unless the structure forms a portion of the support for a building or a structure coming within the jurisdiction of the building and safety department.

C. Permissive Provisions. The permissive provisions of this chapter do not waive, and shall not be presumed to waive, any limitations imposed by other statutes or ordinances of the state or city.

D. Limitations. If two or more pertinent limitations are not identical, those limitations shall prevail which provide the greater safety to life, limb, health, property, and public welfare.

~~E.— Measurements. Measurements referred to in this chapter are shown as both English units (foot/pound/second) and metric units (metric units are in parenthesis following the English units). Measurements used in a grading project may be either English units or metric units. However, whatever type of unit is used (English or metric) in a grading~~

Title 8 Buildings and Construction Ad Hoc Edits

~~project; the type of unit selected must be used exclusively throughout that project in complying with the requirements of this chapter. (Ord. 406 § 1, 2004)~~

8.80.050 Grading bonds.

A. Requirements. A permit will not be issued for excavation or fill of more than five hundred cubic yards (three hundred eighty cubic meters) in hillside areas, more than one thousand cubic yards (seven hundred sixty cubic meters) in other areas, or for any work which requires retaining walls, until the permittee shall post with the city engineer a bond for the benefit of the city. The bond shall be executed by the owner and a corporate surety authorized to do business in this state as surety in an amount sufficient to cover the cost of the project, including corrective work necessary to remove and eliminate geological hazards. All bonds shall be in a form acceptable to the city engineer.

Exception: The city engineer may waive the requirement that a bond be posted before a permit is issued as provided in this section if the city engineer determines that no potential hazard would exist if the grading is not completed.

B. Cash or Deposit Agreement in Lieu of Bond. In lieu of a surety bond the applicant may file a deposit agreement or deposit cash with the city engineer upon the same terms and conditions and in an amount equal to that which would be required in the surety bond. The deposit submitted with the cash bond may be in the form of cash or negotiable United States securities. The deposit agreement shall be on forms approved by the city engineer.

C. Application of Bond to Adjacent Property. Where grading is required on property adjacent to the grading site under permit to complete a project satisfactorily, written consent must be obtained from the adjacent owner and a copy of the written consent submitted to the city engineer prior to commencement of grading on the adjacent property. The owner of such adjacent property need not provide an additional grading bond, if the original is of sufficient amount to include such additional grading.

D. Conditions of the Bond, Deposit Agreement, or Cash Deposit. Every bond, deposit agreement or cash deposit shall be conditioned that the permittee shall:

1. Comply with all of the provisions of this chapter and all other applicable laws and ordinances.
2. Comply with all of the terms and conditions of the permit for excavation and fill to the satisfaction of the city engineer.

E. Period and Termination of Bond, Deposit Agreement, or Cash Deposit.

Title 8 Buildings and Construction Ad Hoc Edits

1. The term of each security shall begin upon the date of filing with and shall remain in effect until the completion of the work to the satisfaction of the city engineer, plus an additional period of one year. Such completion shall be evidenced ~~by issuance of a grading certificate signed by the city engineer designated to issue said certificate by~~ inspection and acceptance of the work by the City Engineer or Designee. In the event of failure to complete the work and failure to comply with all of the conditions and terms of the permit, the city engineer may order the work to be completed as required by the permit and to the satisfaction of the city engineer's office. The surety executing such bond or such deposit, shall continue to be firmly bound under a continuing obligation for the payment of all necessary costs and expenses that may be incurred or expended by the city in causing any and all of such required work to be accomplished and that said surety or the depositor assents to any lawful extensions of time within which to construct and complete such work. In the case of a cash deposit or deposit agreement, any unused portion shall be refunded to the permittee.

2. After the work has been completed to the satisfaction of the city engineer, the city engineer may release or exonerate the bond, deposit agreement, or cash deposit earlier than the additional one-year period if the city engineer determines that the public health and welfare is not jeopardized. In no case shall the security be released earlier than four months after the grading work has been completed to the satisfaction of the city engineer.

F. Amount of Security. The amount of the security shall be ~~based upon the estimated cost plus twenty percent, as determined by the number of cubic yards of material in either excavation or fill, whichever is the greater amount, and shall include the cost of all retaining walls, drainage structures, erosion control, and other protective devices as may lawfully be required. (Ord. 406 § 1, 2004)~~ determined by the method outlined in Engineering Bulletin #04-09, which is available via the City website at www.la-quinta.org.

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Title 9- Zoning – (La Quinta Municipal Code) – 1-12-2016

Development Code Tune Up Recommendations Analysis

***Highlighted rows identify substantial changes from existing procedures**

Code Section	Review Process/Action	Inefficiency/Challenge	Possible Improvement	Outcome	Ad Hoc Direction
9.40.040 Permitted Uses in Residential District	Housing types not permitted by right in specific residential zones require approval of a Specific Plan (pg 1-2)	-Specific Plans require lengthier processing times, subject to SB 18, and can be costly to prepare. -Creative housing types and project designs are not allowed within the scope of the Code. -Creates staff challenge for tracking multiple standards for Specific Plans	Create new Code Provisions for Planned Unit Development Permits <ul style="list-style-type: none"> Maximum flexibility from existing development standards for residential projects, except Public Works Street Specifications and density and landscape setbacks. Allow the final review authority to be Planning Commission Approval See Page 59-60	<ul style="list-style-type: none"> Savings in Time Money 	<ul style="list-style-type: none"> Acceptable changes
9.40.040 Permitted Uses in Residential District	Duplexes (two units on the same lot) (pg 2)	-Specific Plan a challenge for small lots in cove and may not be desired	-Prohibit in Cove Residential Zone.	<ul style="list-style-type: none"> Easier to understand 	
9.40.040 Permitted Uses in Residential District	Townhomes and Condominiums Land Use (pg 2)	-Require a Specific Plan in Medium Density Residential Zone	-Allow as a Permitted Use in Medium Density Residential Zone	<ul style="list-style-type: none"> Savings in Time Money 	
9.40.040 Permitted Uses in Residential District	Condominium multifamily (“airspace” units)	-Condominium multifamily is compatible in the Medium Density Residential Zone	-Allow as a permitted use in the Medium Density Residential Zone	<ul style="list-style-type: none"> Flexibility 	
9.40.040 Permitted	Resort Residential Land Use (pg 3)	-Requires a CUP and approval at the	-Allow as a Permitted Use in all Residential Zones except Cove	<ul style="list-style-type: none"> Savings in Time 	

Code Section	Review Process/Action	Inefficiency/Challenge	Possible Improvement	Outcome	Ad Hoc Direction
Uses in Residential District		Planning Commission	Residential Zone -No review	<ul style="list-style-type: none"> • Money 	
9.40.040 Permitted Uses in Residential District	Senior Group Housing (pg 5)	-Not allowed in Medium Density Residential -Requires Planning Commission approval as a CUP in Medium High Density and High Density Residential zones	-Allow as a Minor Use Permit in Medium Density, Medium-High Density and High Density Residential zones -Administrative Level Review	<ul style="list-style-type: none"> • Savings in Time • Money 	
9.40.040 Permitted Uses in Residential District	Bed and Breakfast (pg 5)	-Requires a Conditional Use Permit	-Allow as Minor Use Permit in all residential zones -Administrative Level Review	<ul style="list-style-type: none"> • Savings in Time • Money 	
9.40.040 Permitted Uses in Residential District	Cottage Food Operations (pg 5)	-Requires a Minor Use Permit - Riverside County Environmental Health conducts health inspections -unnecessary	-Permit by right since Riverside County Environmental Health conducts health inspections and City currently does not reviews.	<ul style="list-style-type: none"> • Savings in Time • Money 	
9.40.040 Permitted Uses in Residential District	Lighted tennis and other game courts on private property (pg 6)	-Requires a Conditional Use Permit in Medium Density Residential, Medium High Density Residential and High Density Residential zones -Does this really need a public hearing?	-Allow as Minor Use Permit in Medium Density Residential, Medium High Density Residential and High Density Residential zones -Administrative Level Review	<ul style="list-style-type: none"> • Savings in Time • Money 	
9.40.040	Stand Alone Driving	-Requires a CUP	-Allow as Minor Use Permit in all	<ul style="list-style-type: none"> • Savings in 	

Code Section	Review Process/Action	Inefficiency/Challenge	Possible Improvement	Outcome	Ad Hoc Direction
Permitted Uses in Residential District	Range (pg 6)	-impacts can be evaluated at staff level	residential zones except Cove Residential -Administrative Level Review	<ul style="list-style-type: none"> Time Money 	
9.40.040 Permitted Uses in Residential District	Home Occupations (pg 7)	-Doesn't make sense in this table and is handled entirely by code enforcement	-Move to Title 8	<ul style="list-style-type: none"> Easier to Understand 	
9.40.040 Permitted Uses in Residential District	Museum or gallery displaying sculpture, artwork or crafts (pg 11)	-Conditional Use Permit unnecessary -Impacts can be evaluated at staff level or will already be evaluated with SDP if new construction	-Allow as Minor Use Permit in all Residential Zones. -Administrative Level Review	<ul style="list-style-type: none"> Savings in Time Money 	
9.40.040 Permitted Uses in Residential District	Recreational vehicle storage lots, associated with a planned community (pg 11)	-doesn't permit in Very Low Density or Low Density Residential zones when there is a need to store these vehicles.	- Allow as an accessory use in all residential zones if associated with a planned community and therefore can be located to minimize impacts to residents.	<ul style="list-style-type: none"> Easier to understand Potential savings to residents in storage fees Reduce demand for code enforcement services 	
9.80.040 Permitted Uses in Nonresidential Districts	Retail stores under 10,000 sq. ft. of floor area per business (pg 14)	-doesn't make sense to be an accessory use in Commercial Park, Tourist, or Office Commercial zones	-Allow as permitted use in all non-residential zones, except Major Community Facilities zone.	<ul style="list-style-type: none"> Easier to understand Encourage development 	
9.80.040 Permitted Uses in Nonresidential	Retail stores, 10,000—50,000 sq. ft. floor area (pg 14)	-Requires CUP approval by Planning Commission in Commercial Park,	-Allow as a permitted use in Commercial Park, Community Commercial, Neighborhood Commercial, and Village Commercial Zones.	<ul style="list-style-type: none"> Savings in Time Money 	<ul style="list-style-type: none"> Acceptable changes

Code Section	Review Process/Action	Inefficiency/Challenge	Possible Improvement	Outcome	Ad Hoc Direction
al Districts		Community Commercial, and Neighborhood Commercial Zone -No reason why a CUP is necessary if new construction requires an SDP.			
9.80.040 Permitted Uses in Nonresidential Districts	Retail stores, over 50,000 sq. ft. floor area (pg 14)	-CUP required for Regional Commercial and Community Commercial Zones -No reason why a CUP is needed for this use in these zones.	-Allow as permitted use in Regional Commercial . -Allow as a minor use permit in Community Commercial since the scale of commercial in this zone is intended for smaller scale commercial. The minor use permit allows for any impacts to be addressed through conditions of approval. -Not permitted in the Village Commercial Zone	<ul style="list-style-type: none"> • Savings in Time • Money 	<ul style="list-style-type: none"> • Acceptable changes
9.80.040 Permitted Uses in Nonresidential Districts	Food, liquor and convenience stores under 10,000 sq. ft. floor area, open 18 or more hours/day (pg 14)	-Requires a CUP for Regional Commercial, Community Commercial, Neighborhood Commercial, Tourist Commercial, and Village Commercial zones -Impacts related to the proposed use can be conditioned at the administrative level.	-Allows as minor use permit in the Regional Commercial, Community Commercial, Neighborhood Commercial, Tourist Commercial, and Village Commercial zone . -Administrative Level Review	<ul style="list-style-type: none"> • Savings in Time • Money 	<ul style="list-style-type: none"> • Not presented at Ad-Hoc Meeting #2- Direction needed.
9.80.040 Permitted Uses in Nonresidential Districts	Plant nurseries and garden supply stores, with no propagation of plants on the premises, subject to Section	-Requires a CUP in the Regional Commercial, Community Commercial, Neighborhood	-Permit by right in Regional Commercial, Community Commercial, Neighborhood Commercial, and Village Commercial zones	<ul style="list-style-type: none"> • Savings in Time • Money 	

Code Section	Review Process/Action	Inefficiency/Challenge	Possible Improvement	Outcome	Ad Hoc Direction
	9.100.120 (pg 15)	Commercial zones -No reason why they shouldn't be allowed			
9.80.040 Permitted Uses in Nonresidential Districts	General and professional offices (pg 15)	-No reason why not to allow in Commercial Park or major Community Facilities zones	-Allow as permitted use in the Commercial Park or major Community Facilities zones	<ul style="list-style-type: none"> Easier to understand Encourages investment, development 	
9.80.040 Permitted Uses in Nonresidential Districts	Medical offices—physicians, dentists, optometrists, chiropractors and similar practitioners (pg 15)	-No reason why not permitted in Commercial Park zone	-Allow as permitted use in Commercial Park zone	<ul style="list-style-type: none"> Easier to understand Encourages investment, development 	
9.80.040 Permitted Uses in Nonresidential Districts	Surgicenters/ medical clinics (pg 16)	-No reason why not permitted in Commercial Park zone	-Allow as permitted use in Commercial Park zone	<ul style="list-style-type: none"> Easier to understand Encourages investment, development 	
9.80.040 Permitted Uses in Nonresidential Districts	Veterinary clinics/animal hospitals and pet boarding (indoor only) (pg 16)	-No reason this should be a CUP approval at Planning Commission. -Can be reviewed at administrative level	-Allow as a Minor Use Permit in Regional Commercial, Commercial Park, Community Commercial, Neighborhood Commercial and Village Commercial Zones -Administrative Level Review	<ul style="list-style-type: none"> Savings in Time Money 	
9.80.040 Permitted Uses in Nonresidential Districts	Restaurants, drive-through (pg 16)	-Not permitted in Neighborhood Commercial or Tourist Commercial Zones -Limits development opportunities	-Allow as a permitted use in Neighborhood Commercial	<ul style="list-style-type: none"> Encourages investment, development 	<ul style="list-style-type: none"> No change
9.80.040 Permitted	Restaurants, counter take-out with ancillary	-We may want to allow restaurants and	-Allow as an Accessory use	<ul style="list-style-type: none"> Encourages investment, 	

Code Section	Review Process/Action	Inefficiency/Challenge	Possible Improvement	Outcome	Ad Hoc Direction
Uses in Nonresidential Districts	seating, such as yogurt, ice cream, pastry shops and similar (pg 16)	lessees in Public Facilities		development	
9.80.040 Permitted Uses in Nonresidential Districts	Micro-brewery or wine tasting, accessory to restaurant or bar. (pg 17)	-Not currently a land use designation and therefore not permitted. -No opportunities for these establishments that can be great attractions.	-Add as a new land use. -Allow as an accessory use in all commercial zones except Major Community Facilities zone.	<ul style="list-style-type: none"> • Savings in Time • Money • Encourages investment, development 	<ul style="list-style-type: none"> • Acceptable change but modify <u>bar</u> to <u>tasting room</u> • Will be presented separately in March 2016 as part of Zoning Consistency effort.
9.80.040 Permitted Uses in Nonresidential Districts	Bars and cocktail lounges (pg 16)	-Not allowed in Neighborhood Commercial Zone -limits economic development opportunities	-allow as a Conditional Use Permit in the Neighborhood Commercial Zone as we are still able to condition the use to address possible impacts.	<ul style="list-style-type: none"> • Encourages investment, development 	
9.80.040 Permitted Uses in Nonresidential Districts	Dancing or live entertainment as a principal use (pg 16)	-not allowed in Commercial Park zone	-allow in Commercial Park Zone with approval of a Conditional Use Permit.	<ul style="list-style-type: none"> • Encourages investment, development 	
9.80.040 Permitted Uses in Nonresidential Districts	Dancing or live entertainment as an accessory use (pg 16)	-not allowed in Commercial Park zone -requires CUP in Community Commercial, Neighborhood	-Allow as a permitted use in Commercial Park zone -Allow as an accessory permitted use in the Community Commercial, Neighborhood Commercial, and Tourist Commercial zones	<ul style="list-style-type: none"> • Savings in Time • Money 	

Code Section	Review Process/Action	Inefficiency/Challenge	Possible Improvement	Outcome	Ad Hoc Direction
		<p>Commercial, and Tourist Commercial zones -If this is an accessory use do we really need a CUP?</p>			
<p>9.80.040 Permitted Uses in Nonresidential Districts</p>	<p>Theaters, live or motion picture (pg 16)</p>	<p>-requires a CUP in Regional Commercial, Community Commercial zone, Neighborhood Commercial, and Tourist Commercial Zones. Theaters in a Regional Commercial zone should have the least impact. Impacts in other commercial zones can be mitigated in the conditions of approved under an MUP. -Not allowed in Major Community Facilities zone which limits ability to have a community theater in a City facility.</p>	<p>-Allow as permitted us in Regional Commercial Zone. -Allow as a minor use permit in the Commercial zone, Neighborhood Commercial, and Tourist Commercial Zones. -Administrative Level Review</p>	<ul style="list-style-type: none"> • Savings in Time • Money • Encourages investment, development • Easier to understand 	
<p>9.80.040 Permitted Uses in Nonresidential Districts</p>	<p>Tobacco shops without onsite smoking, as per the provisions of the Heath and Sanitation Code (pg 16)</p>	<p>-Requires a CUP in Community Commercial and Tourist Commercial Zones -Not permitted in Neighborhood Commercial Zone</p>	<p>-Allow as permitted use in Community Commercial and the Neighborhood Commercial Zones. -Allow as an accessory use in the Tourist Commercial Zone.</p>	<ul style="list-style-type: none"> • Savings in Time • Money 	

Code Section	Review Process/Action	Inefficiency/Challenge	Possible Improvement	Outcome	Ad Hoc Direction
		-Are there any business impacts that require special conditions?			
9.80.040 Permitted Uses in Nonresidential Districts	Cigar lounges, hookah bars, and similar uses with onsite smoking, as per the provisions of the Health and Sanitation Code (pg 17)	-Requires a CUP in the Regional Commercial and Tourist Commercial Zones -Not permitted in Community Commercial and Neighborhood Commercial Zones -Are these restrictions necessary? -Impacts can be addressed with conditions at administrative level.	-Allow as minor use permit in Regional Commercial, Community Commercial, Neighborhood Commercial, and Village Commercial zones. -Allow as Accessory in the Tourist Commercial Zone.	<ul style="list-style-type: none"> • Savings in Time • Money 	
9.80.040 Permitted Uses in Nonresidential Districts	Bowling alleys (pg 17)	-Requires a CUP and is added in same category as pool or billiards centers	-Allows as a permitted use in Regional Commercial, Commercial Park, Community Commercial zones. -Allow as a CUP in the Village Commercial zones	<ul style="list-style-type: none"> • Savings in Time • Money 	
9.80.040 Permitted Uses in Nonresidential Districts	Pool or billiard centers as a principal use a principal use (pg 17)	-Not allowed in Commercial Park zone	-Allow as a CUP in the Commercial Park and Village Commercial Zones	<ul style="list-style-type: none"> • Encourages investment, development 	<ul style="list-style-type: none"> • Will be presented separately with Zoning Consistency Changes in March 2016
9.80.040 Permitted Uses in Nonresidential Districts	Golf courses and country clubs (see GC district permitted uses, Chapter 9.120) (pg 17)		-Do not allow golf courses in Commercial Park, Tourist Commercial, or Office Commercial zone	<ul style="list-style-type: none"> • Encourages investment, development (encourage retail) 	

Code Section	Review Process/Action	Inefficiency/Challenge	Possible Improvement	Outcome	Ad Hoc Direction
				development)	
9.80.040 Permitted Uses in Nonresidential Districts	Health clubs, martial arts studios, and dance studios, 5,000 sq. ft. floor area or less (pg 17)	-requires a minor use permit in most commercial zones -biggest impacts for these uses are parking in existing retail centers which can be analyzed during tenant improvements	-Allow as a permitted use in all commercial zones. -allow as minor use permit in Major Community Facilities zone	<ul style="list-style-type: none"> • Savings in Time • Money 	
9.80.040 Permitted Uses in Nonresidential Districts	Health clubs, martial arts studios, and dance studios, over 5,000 sq. ft. floor area (pg 17)	-requires a Conditional Use Permit in commercial zones. -Parking impacts larger than same use less than 5,000 square feet but CUP is too much	-Allow as a minor use permit in all commercial zones, including Major Community Facilities zone.	<ul style="list-style-type: none"> • Savings in Time • Money • Easier to understand 	
9.80.040 Permitted Uses in Nonresidential Districts	Miniature golf/recreation centers (pg 18)	-requires a Conditional Use Permit in Tourist Commercial Zone. -it should be easier to approve miniature gold centers since the use is compatible.	-Allow as Minor Use Permit in Tourist Commercial Zone.	<ul style="list-style-type: none"> • Savings in Time • Money 	
9.80.040 Permitted Uses in Nonresidential Districts	Ice skating rinks (pg 18)	-requires a CUP in Regional Commercial, Community Commercial, and Major Community Facilities Zone. -Not permitted in Commercial Park and Tourist Commercial	-Allow as Minor Use Permit in Regional Commercial, Commercial Park, Community Commercial, Tourist Commercial, and Major Community Facilities zones.	<ul style="list-style-type: none"> • Savings in Time • Money 	

Code Section	Review Process/Action	Inefficiency/Challenge	Possible Improvement	Outcome	Ad Hoc Direction
		Zone			
9.80.040 Permitted Uses in Nonresidential Districts	Lodges, union halls, social clubs and senior citizen centers (pg 18)	-allow as a permitted use. Design with new construction is addressed as a site development permit	-allow as permitted use in Regional Commercial, Commercial Park, Community Commercial, Neighborhood Commercial and Major Facilities Zone.	<ul style="list-style-type: none"> Savings in Time Money 	
9.80.040 Permitted Uses in Nonresidential Districts	Churches, temples and other places of worship (pg 18)	-CUP is unnecessary. Impacts of use can be addressed with conditions of a minor use permit	-allow as a minor use permit in Regional Commercial, Commercial Park, Community Commercial, Neighborhood Commercial, and Office Commercial Zone.	<ul style="list-style-type: none"> Savings in Time Money 	
9.80.040 Permitted Uses in Nonresidential Districts	Mortuaries and funeral homes (pg 18)	-CUP is unnecessary. Impacts of use can be addressed with conditions of a minor use permit	-allow as a minor use permit in Regional Commercial, Commercial Park, Community Commercial and not permitted in Village Commercial Zone.	<ul style="list-style-type: none"> Savings in Time Money 	
9.80.040 Permitted Uses in Nonresidential Districts	Electrical Substations (pg 19)	-requires a minor use permit	-require Community Facilities zoning for electrical substation sites.	<ul style="list-style-type: none"> Too permissive and has potential impacts 	
9.80.040 Permitted Uses in Nonresidential Districts	Water wells and pumping stations (pg 19)		-allow as permitted in all commercial zones		
9.80.040 Permitted Uses in Nonresidential Districts	Reservoirs and water tanks (pg 19)	-requires a minor use permit in Major Community Facilities zone when the designation is already the most appropriate zone	-allow as a permitted use in Community Facilities zone	<ul style="list-style-type: none"> Savings in Time Money 	

Code Section	Review Process/Action	Inefficiency/Challenge	Possible Improvement	Outcome	Ad Hoc Direction
9.80.040 Permitted Uses in Nonresidential Districts	Colleges and universities (pg 19)	-not allowed in Commercial Park or Office Commercial Zones and therefore difficult for desired educational facilities and associated economic opportunities to operate in these zones.	-allow as a minor use permit in Commercial Park and Office Commercial Zone. -allow as a Conditional Use permit in Village Commercial Zone	<ul style="list-style-type: none"> • Savings in Time • Money • Easier to understand • Encourages investment, development 	
9.80.040 Permitted Uses in Nonresidential Districts	Vocational schools, e.g., barber, beauty and similar (pg 19)	-Conditional Permit unnecessary in Regional Commercial zone.	-allow as a Minor Use Permit in the Regional Commercial Zone.	<ul style="list-style-type: none"> • Savings in Time • Money 	
9.80.040 Permitted Uses in Nonresidential Districts	Private swim schools (pg 19)	-no need to regulate these. -Can be classified in health club category	-eliminate land use category	<ul style="list-style-type: none"> • Not a streamlining issue 	<ul style="list-style-type: none"> • Not a streamlining issue
9.80.040 Permitted Uses in Nonresidential Districts	Train, bus and taxi stations (pg 19)	-None exist and are there any reasons we would want these facilities?	-eliminate land use category	<ul style="list-style-type: none"> • Not a streamlining issue 	<ul style="list-style-type: none"> • Not a streamlining issue
9.80.040 Permitted Uses in Nonresidential Districts	Townhome and multifamily dwelling as a primary use (pg 19)	-Only allowed as a CUP in Regional Commercial and Commercial Park Zone - Not Permitted in Community Commercial,	-Permit by right in Regional Commercial, Commercial Park, Community Commercial, Neighborhood Commercial, Tourist Commercial, Office Commercial, and Village Commercial zones -Keep as CUP in Regional Commercial, Commercial Park. -Allow with CUP in Community	<ul style="list-style-type: none"> • Savings in Time • Money • Encourages investment, development 	<ul style="list-style-type: none"> • Staff recommended change not approved • Amend Code to require CUP approval in all

Code Section	Review Process/Action	Inefficiency/Challenge	Possible Improvement	Outcome	Ad Hoc Direction
		Neighborhood Commercial, Tourist Commercial or Office Commercial	Commercial, Neighborhood Commercial, Tourist Commercial, Office Commercial, and Village Commercial zones		Commercial zones.
9.80.040 Permitted Uses in Nonresidential Districts	Residential as an accessory use, e.g., caretaker residences per Section 9.100.160 (pg 19)	-Requires a CUP in all zones which is too rigid	-Allow with a minor use permit in all commercial zones.	<ul style="list-style-type: none"> Savings in Time Money 	
9.80.040 Permitted Uses in Nonresidential Districts	Timeshare facilities subject to Section 9.60.290 (pg 20)	-there is a difference between new development for timeshares and conversions -Conversions may create impact on existing residential developments -Existing CUP requirements is too cumbersome for new proposed timeshare development	-Divide timeshares into two categories 1) new development 2) conversions -Allow new development timeshares as permitted by right for Regional Commercial, Community Commercial, Tourist Commercial, and Village Commercial zones. -Require timeshare conversion as Conditional Use Permits for Regional Commercial, Community Commercial, Tourist Commercial, and Village Commercial zones	<ul style="list-style-type: none"> Savings in Time Money Easier to understand 	
9.80.040 Permitted Uses in Nonresidential Districts	Golf cart, neighborhood electric vehicle (NEV), and electric scooter sales (pg 21)	-Opportunities not available for NEV sales	-Allow sales as a minor use permit in the Neighborhood Commercial Zone	<ul style="list-style-type: none"> Flexibility 	
9.80.040 Permitted Uses in Nonresidential Districts	Car washes (pg 21)	- Minor Use Permit will allow a faster process and include conditions to mitigate impacts	-allow as a minor use permit in the Regional Commercial, Commercial Park, Community Commercial zones. Not permitted in the Village Commercial Zone	<ul style="list-style-type: none"> Savings in Time Money 	
9.80.040 Permitted Uses in	Auto and motorcycle sales and rentals (pg 21)	-CUP is unnecessary and impacts can be mitigated with	-Allow as a minor use permit in Regional Commercial and Commercial Park Zones	<ul style="list-style-type: none"> Savings in Time Money 	

Code Section	Review Process/Action	Inefficiency/Challenge	Possible Improvement	Outcome	Ad Hoc Direction
Nonresidential Districts		conditions under a Minor Use Permit			
9.80.040 Permitted Uses in Nonresidential Districts	Private parking lots/garages as a principal use subject to Chapter 9.150, Parking (pg 21)	-Requires a CUP in most Commercial Zones -May not be a desired use in some commercial zones as it may prevent retail development	-Prohibit in Regional Commercial and Community Commercial Zones -Allow as minor use permit in Tourist Commercial, Office Commercial, and Major Community Facilities, and Village Commercial zones. -Keep as a CUP in the zones where it is currently required.	<ul style="list-style-type: none"> • Savings in Time • Money 	<ul style="list-style-type: none"> • No
9.80.040 Permitted Uses in Nonresidential Districts	Auto parts stores, with no repair or parts installation on the premises (pg 21)	-CUP is unnecessary	-Allow as a permitted use in Neighborhood Commercial and Village Commercial Zone .	<ul style="list-style-type: none"> • Savings in Time • Money 	
9.80.040 Permitted Uses in Nonresidential Districts	Lumber yards, outdoor (see retail stores for indoor lumber sales) (pg 22)	-CUP is unnecessary when a MUP can include conditions of regulate use	-Allow as a Minor Use Permit in the Commercial Park Zone .	<ul style="list-style-type: none"> • Savings in Time • Money 	
9.80.040 Permitted Uses in Nonresidential Districts	Pest control services (pg 22)	-CUP is unnecessary when a minor use permit can include conditions of regulate use. Pest control seems to be a compatible use with the Commercial Park Zone	-Allow as a Minor Use Permit in the Regional Commercial Zone . -Allow as a permitted use in the Commercial Park Zone	<ul style="list-style-type: none"> • Savings in Time • Money 	
9.80.040 Permitted Uses in Nonresidential Districts	Contractor, public utility and similar equipment/storage yards (pg 22)	-CUP is unnecessary in Commercial Park zone when use can be regulated with conditions in a minor use permit.	-Allow as a Minor Use Permit in the Commercial Park Zone -Allow as a permitted use in the Major Community Facilities Zone	<ul style="list-style-type: none"> • Savings in Time • Money 	

Code Section	Review Process/Action	Inefficiency/Challenge	Possible Improvement	Outcome	Ad Hoc Direction
		-CUP is too restrictive in a Major Facilities zone and is compatible as a permitted use			
9.80.040 Permitted Uses in Nonresidential Districts	Central cleaning or laundry plants (pg 22)	-The restriction should be lifted in the Tourist Commercial since laundry plant may be central to services at a resort	-Allow as an accessory use in the Tourist Commercial Zone -Prohibit in the Regional Commercial, Commercial Park, and Community Commercial zone	<ul style="list-style-type: none"> Flexibility 	
9.80.040 Permitted Uses in Nonresidential Districts	Recording Studios (pg 22)	-Prohibited in Regional Commercial and Village Commercial zones	-Allow as minor use permit in Regional Commercial and Village Commercial zones	<ul style="list-style-type: none"> Flexibility 	
9.80.040 Permitted Uses in Nonresidential Districts	Swimming pools as an accessory use (pg 23)	-Minor Use Permit unnecessary if an accessory use	-Allow as an accessory use in all commercial zones	<ul style="list-style-type: none"> Saving in Time Money 	
9.80.040 Permitted Uses in Nonresidential Districts	Golf or tennis facilities as an accessory use (pg 23)	-Minor Use Permit unnecessary if an accessory use	-Allow as an accessory use in all commercial zones	<ul style="list-style-type: none"> Saving in Time Money 	
9.200.020 Authority	Site Development Permit (SDP) (pg 31, 41)	-Requires approval by Planning Commission -Some Site Development Permits require approval by City Council	-Allow SDP to be approved at the administrative level. -Create a Minor SDP process to be approved at the administrative level. -Staff Recommended Threshold is: <ul style="list-style-type: none"> New office or commercial buildings no more than 10,000 square feet that are not part of 	<ul style="list-style-type: none"> Savings in Time Money 	<ul style="list-style-type: none"> Create a Minor Site Development Review Process for administrative review. Keep Site

Code Section	Review Process/Action	Inefficiency/Challenge	Possible Improvement	Outcome	Ad Hoc Direction
			<p>an approved master commercial development or Specific Plan.</p> <ul style="list-style-type: none"> • New building construction or remodeling (single and multiple family residential, office, commercial and/or institutional) and landscape plans within an approved Specific Plan. • New buildings on vacant pads within an approved commercial development. • New single family models and landscaping plans in an approved tentative tract map. 		<p>Development Permit at Planning Commission for big projects</p> <ul style="list-style-type: none"> • Major concerns with Minor Site Development Permit will be referred to Planning Commission
9.200.020 Authority	Home Occupation Permit (pg 31)	-already reviewed by Code Enforcement	-Move to Title 11	<ul style="list-style-type: none"> • Easier to understand 	
9.200.020 Authority	Add: Planning Compliance Review (pg 30)	-No specific process for substantial conformance review	-add to authority table at staff level review	<ul style="list-style-type: none"> • Easier to understand 	
9.200.020 Authority	Sign Program (pg 31)	-Requires Planning Commission review	-Move to Staff review	<ul style="list-style-type: none"> • Savings in Time • Money 	<ul style="list-style-type: none"> • Yes
9.200.090 Modification by applicant (MBA)	C. Criteria (*this is the criteria for allowing minor changes to an approved development design) (pg 36)	-only allows for modification of building square footage if it increases. A decrease in square footage is subject to a Site Development Permit to be approved by the Planning Commission.	-Allow for decrease in building square footage through the Modification by Applicant process.	<ul style="list-style-type: none"> • Savings in Time • Money 	<ul style="list-style-type: none"> • Yes
9.200.090	C. Criteria (pg 36)	-MBA process does	-Allow for changes, additions or	<ul style="list-style-type: none"> • Savings in 	<ul style="list-style-type: none"> • Yes

Code Section	Review Process/Action	Inefficiency/Challenge	Possible Improvement	Outcome	Ad Hoc Direction
Modification by applicant (MBA)		not allow for minor changes to site or grading plans as an administrative function. -Any changes site or grading plans would require Site Development Permit approval by the Planning Commission.	substitutions for site and grading plans in the Modification by Applicant process.	<ul style="list-style-type: none"> Time Money 	
9.200.090 Modification by applicant (MBA)	C. Criteria (pg 36)	-MBA process does not allow for changes in residential model design. -Any changes to the residential model design would require a Site Development Permit approval by the Planning Commission.	-Allow for changes in residential model design in the Modification by Applicant process.	<ul style="list-style-type: none"> Savings in Time Money 	<ul style="list-style-type: none"> Approved
Chapter 9.210 Development Review Permits	D. Decision-making authority (pg 31)	-requirements that Site Development Permits for high density residential or non-residential permits with structures greater than one-story and twenty-two feet in height and within one hundred feet of residentially zoned properties be reviewed by Council is too rigid.	-Remove SDP from final approval authority	<ul style="list-style-type: none"> Savings in Time Money 	<ul style="list-style-type: none"> Approved

CLICK HERE TO RETURN TO AGENDA

Code Section	Review Process/Action	Inefficiency/Challenge	Possible Improvement	Outcome	Ad Hoc Direction
Chapter 9.210.040 Minor Adjustments	C. Applicability (pg 47)	-Only one deviation of 10% allowed for a numerical standard	-Allow for up to three adjustments per lot	• Flexibility	• As Directed by Ad-Hoc Committee

9.40.0340 Table of permitted uses.

Table 9-1: Permitted Uses in Residential Districts, following, specifies those areas and structures which are permitted within each residential district. The letters in the columns beneath the district designation mean the following:

- “P”: Permitted as a principal use within the district.
- “A”: Permitted only if accessory to the principal residential use on the site.
- “C”: Permitted if a conditional use permit is approved.
- “M”: Permitted if a minor use permit is approved.
- “H”: Permitted as a home occupation if accessory to the principal residential use and if a home occupation permit is approved.
- “S”: Permitted if a specific plan is approved per Section 9.40.030.
- “X”: Prohibited in the district.

Table 9-1 Permitted Uses in Residential Districts						
P = <u>Principal Permitted</u> use A = Accessory use C = Conditional use permit <u>PUD = Planned Unit Development</u> M = Minor use permit H = Home occupation permit S = Specific plan required <u>T = Temporary Use Permit</u> X = Prohibited use	Very Low Density Residential	Low Density Residential	Cove Residential	Medium Density Residential	Medium-High Density Residential	High Density Residential
Land Use	RVL	RL	RC	RM	RMH	RH
Single-family detached dwellings	P	P	P	P	P	S
Single-family detached patio homes (i.e., “zero lot-line”)	<u>PUDS</u>	<u>PUDS</u>	<u>PUDS</u>	<u>PUDS</u>	P	<u>PUDS</u>

Table 9-1 Permitted Uses in Residential Districts						
P = <u>Principal Permitted</u> use A = Accessory use C = Conditional use permit <u>PUD = Planned Unit Development</u> M = Minor use permit H = Home occupation permit S = Specific plan required <u>T = Temporary Use Permit</u> X = Prohibited use	Very Low Density Residential	Low Density Residential	Cove Residential	Medium Density Residential	Medium-High Density Residential	High Density Residential
	RVL	RL	RC	RM	RMH	RH
Duplexes (two units on the same lot)	<u>PUDS</u>	<u>PUDS</u>	<u>SX</u>	<u>PUDS</u>	P	P
Single-family attached dwellings (two units per building with each unit on its own lot)	<u>PUDS</u>	<u>PUDS</u>	X	<u>PUDS</u>	P	P
Townhome dwellings (two or more units per building with each unit on its own lot)	<u>PUDS</u>	<u>PUDS</u>	X	<u>SP</u>	P	P
Condominium multifamily (“airspace” units)	<u>PUDS</u>	<u>PUDS</u>	X	<u>SP</u>	P	P
Apartment multifamily (rental units)	X	X	X	P	P	P
Mobilehome parks	C	C	C	C	C	C

Table 9-1 Permitted Uses in Residential Districts							
P = <u>Principal Permitted use</u> A = Accessory use C = Conditional use permit <u>PUD = Planned Unit Development</u> M = Minor use permit H = Home occupation permit S = Specific plan required <u>T= Temporary Use Permit</u> X = Prohibited use	Very Low Density Residential	Low Density Residential	Cove Residential	Medium Density Residential	Medium-High Density Residential	High Density Residential	
	Land Use	RVL	RL	RC	RM	RMH	RH
	Mobilehome subdivisions and manufactured homes on individual lots, subject to Section 9.60.180	P	P	P	P	P	X
	Resort residential subject to Section 9.60.320	<u>CP</u>	<u>CP</u>	X	<u>CP</u>	<u>CP</u>	<u>CP</u>
	Guesthouses, subject to Section 9.60.100	A	A	A	A	A	A
	Second residential units subject to Section 9.60.090	A	A	A	A	A	A
	Group Living and Care Uses						
Child day care facilities as an accessory use, serving 8 or fewer children, subject to Section 9.60.190	A	A	A	A	A	X	

Table 9-1 Permitted Uses in Residential Districts							
P = <u>Principal Permitted use</u> A = Accessory use C = Conditional use permit <u>PUD = Planned Unit Development</u> M = Minor use permit H = Home occupation permit S = Specific plan required <u>T = Temporary Use Permit</u> X = Prohibited use	Very Low Density Residential	Low Density Residential	Cove Residential	Medium Density Residential	Medium-High Density Residential	High Density Residential	
	Land Use	RVL	RL	RC	RM	RMH	RH
	Child day care facilities as an accessory use, serving 9—14 children, subject to Section 9.60.190	M	M	M	M	M	X
	Congregate living facilities, 6 or fewer persons	P	P	P	P	P	X
	Congregate care facility	C	C	C	C	C	C
	Residential care facilities, 6 or fewer persons	P	P	P	P	P	P
	Senior citizen residences, 6 or fewer persons, subject to Section 9.60.200	P	P	P	P	P	P
	Senior group housing, 7 or more persons, subject to Section 9.60.200	X	X	X	<u>XM</u>	<u>CM</u>	<u>CM</u>

Table 9-1 Permitted Uses in Residential Districts							
P = <u>Principal Permitted use</u> A = Accessory use C = Conditional use permit <u>PUD = Planned Unit Development</u> M = Minor use permit H = Home occupation permit S = Specific plan required <u>T= Temporary Use Permit</u> X = Prohibited use	Very Low Density Residential	Low Density Residential	Cove Residential	Medium Density Residential	Medium-High Density Residential	High Density Residential	
	Land Use	RVL	RL	RC	RM	RMH	RH
	Time share facilities, subject to Section 9.60.280	<u>EM</u>	<u>EM</u>	<u>EM</u>	<u>EM</u>	<u>EM</u>	<u>EM</u>
	Bed and breakfast inns	<u>EM</u>	<u>EM</u>	<u>EM</u>	<u>EM</u>	<u>EM</u>	<u>EM</u>
	Supportive Housing	X	X	X	C	C	C
	Transitional Housing	X	X	X	C	C	C
	Cottage Food Operations, subject to Section 9.60.115	<u>MP</u>	<u>MP</u>	<u>MP</u>	<u>MP</u>	<u>MP</u>	<u>MP</u>
	Open Space and Recreational Uses						
Public parks, playfields and open space	P	P	P	P	P	P	
Bicycle, equestrian and hiking trails	P	P	P	P	P	P	
Clubhouses and community pools/cabanas	P	P	P	P	P	P	

Table 9-1 Permitted Uses in Residential Districts							
P = <u>Principal Permitted</u> use A = Accessory use C = Conditional use permit <u>PUD = Planned Unit Development</u> M = Minor use permit H = Home occupation permit S = Specific plan required <u>T= Temporary Use Permit</u> X = Prohibited use	Very Low Density Residential	Low Density Residential	Cove Residential	Medium Density Residential	Medium-High Density Residential	High Density Residential	
	Land Use	RVL	RL	RC	RM	RMH	RH
	Unlighted tennis and other game courts on private property, subject to Section 9.60.150	A	A	A	A	A	A
	Lighted tennis and other game courts on private property, subject to Section 9.60.150	M	M	M	<u>EM</u>	<u>EM</u>	<u>EM</u>
	Golf courses and country clubs per Section 9.110.040	P	P	P	P	P	P
	Driving range with or without lights	<u>EM</u>	<u>EM</u>	X	<u>EM</u>	<u>EM</u>	<u>EM</u>
	Accessory Uses and Structures						
Home occupations, subject to Section 9.60.110	H	H	H	H	H	H	

Table 9-1 Permitted Uses in Residential Districts							
P = <u>Principal Permitted use</u> A = Accessory use C = Conditional use permit <u>PUD = Planned Unit Development</u> M = Minor use permit H = Home occupation permit S = Specific plan required <u>T= Temporary Use Permit</u> X = Prohibited use	Very Low Density Residential	Low Density Residential	Cove Residential	Medium Density Residential	Medium-High Density Residential	High Density Residential	
	Land Use	RVL	RL	RC	RM	RMH	RH
	Patio covers, decks, and gazebos, subject to Section 9.60.040	A	A	A	A	A	A
	Fences and walls, subject to Section 9.60.030	P	P	P	P	P	P
	Satellite dishes and other antennas subject to Section 9.60.080	A	A	A	A	A	A
	Swimming pools, spas and cabanas, subject to Section 9.60.070	A	A	A	A	A	A
	Garages and carports, subject to Section 9.60.060	A	A	A	A	A	A
	Keeping of household pets, subject to Section 9.60.120	A	A	A	A	A	A

Table 9-1 Permitted Uses in Residential Districts						
P = <u>Principal Permitted</u> use A = Accessory use C = Conditional use permit <u>PUD = Planned Unit Development</u> M = Minor use permit H = Home occupation permit S = Specific plan required <u>T= Temporary Use Permit</u> X = Prohibited use	Very Low Density Residential	Low Density Residential	Cove Residential	Medium Density Residential	Medium-High Density Residential	High Density Residential
	RVL	RL	RC	RM	RMH	RH
On lots of 1 acre or more, the noncommercial keeping of hoofed animals, fowl (except roosters) and rabbits, subject to Section 9.60.120. Hoofed animals include horses, sheep, goats, pot bellied pigs, and similar. The keeping of horses is subject to Section 9.140.060 and limited to one horse per 2.5 acres.	A	A	X	X	X	X

Table 9-1 Permitted Uses in Residential Districts						
P = <u>Principal Permitted use</u> A = Accessory use C = Conditional use permit <u>PUD = Planned Unit Development</u> M = Minor use permit H = Home occupation permit S = Specific plan required <u>T= Temporary Use Permit</u> X = Prohibited use	Very Low Density Residential	Low Density Residential	Cove Residential	Medium Density Residential	Medium-High Density Residential	High Density Residential
	RVL	RL	RC	RM	RMH	RH
Other accessory uses and structures which are customarily associated with and subordinate to the principal use on the premises and are consistent with the purpose and intent of the zoning district.	A	A	A	A	A	A
Agricultural Uses						
Tree crop farming; greenhouses	P	X	X	X	X	X
Field crop farming	P	M	X	X	X	X
Produce stands, subject to Section 9.100.100	P	M	X	X	X	X
Temporary Uses						
Garage sales	A	A	A	A	A	A

Table 9-1 Permitted Uses in Residential Districts						
P = <u>Principal Permitted use</u> A = Accessory use C = Conditional use permit <u>PUD = Planned Unit Development</u> M = Minor use permit H = Home occupation permit S = Specific plan required <u>T= Temporary Use Permit</u> X = Prohibited use	Very Low Density Residential	Low Density Residential	Cove Residential	Medium Density Residential	Medium-High Density Residential	High Density Residential
	RVL	RL	RC	RM	RMH	RH
Construction and guard offices, subject to Section 9.60.210	M	M	M	M	M	M
Use of relocatable building	M	M	M	M	M	M
Model home complexes and sales offices, subject to Section 9.60.250	M	M	M	M	M	M
Special outdoor events, subject to Section 9.60.170	M	M	M	M	M	M
Parking of recreational vehicles, subject to Section 9.60.130	A	A	A	X	X	X
Other Uses						
Churches, temples and other places of worship	C	C	C	C	C	C

Table 9-1 Permitted Uses in Residential Districts						
P = <u>Principal Permitted use</u> A = Accessory use C = Conditional use permit <u>PUD = Planned Unit Development</u> M = Minor use permit H = Home occupation permit S = Specific plan required <u>T= Temporary Use Permit</u> X = Prohibited use	Very Low Density Residential	Low Density Residential	Cove Residential	Medium Density Residential	Medium-High Density Residential	High Density Residential
	Land Use	RVL	RL	RC	RM	RMH
Museum or gallery displaying sculpture, artwork or crafts, including schools for above, on 20 acres or more	<u>GM</u>	<u>GM</u>	<u>GM</u>	<u>GM</u>	<u>GM</u>	<u>GM</u>
Community recreational vehicle storage lots, noncommercial	<u>XA</u>	<u>XA</u>	X	<u>PA</u>	<u>PA</u>	<u>PA</u>
Communication towers and equipment (freestanding, new towers) subject to Chapter 9.170	C	C	C	C	C	C
Communication towers and equipment (co-location, mounted to existing facility) subject to Chapter 9.170	M	M	M	M	M	M

Table 9-1 Permitted Uses in Residential Districts						
P = <u>Principal Permitted use</u> A = Accessory use C = Conditional use permit <u>PUD = Planned Unit Development</u> M = Minor use permit H = Home occupation permit S = Specific plan required <u>T = Temporary Use Permit</u> X = Prohibited use	Very Low Density Residential	Low Density Residential	Cove Residential	Medium Density Residential	Medium-High Density Residential	High Density Residential
Land Use	RVL	RL	RC	RM	RMH	RH
Utility substations and facilities	M	M	M	M	M	M
Public flood control facilities and devices	P	P	P	P	P	P

(Ord. 492 § 1, 2011; Ord. 480 § 1, 2010; Ord. 466 § 1, 2009; Ord. 445 § 1, 2007; Ord. 414 § 1, 2005; Ord. 394 § 2 (Exh. A), 2003; Ord. 325 § 1 (Exh. A), 1998; Ord. 299 § 1, 1997; Ord. 284 § 1 (Exh. A), 1996)

Chapter 9.80 NONRESIDENTIAL PERMITTED USES

9.80.010 Development permits required.

Table 9-4 of this chapter specifies whether a land use or structure is permitted within a zoning district. However, in most cases development to establish a use also requires approval of a site development permit and/or other permits as set forth in Chapter 9.210., approval of a specific plan is required for any development or land division in the CR district. (Ord. 284 § 1 (Exh. A) (part), 1996)

9.80.020 Residential uses in the CR Regional Commercial district adjacent to Highway 111 in NR overlay district.

In accordance with General Plan Policy 2-3.1.4, no residential uses shall be established within the NR nonresidential overlay portion of the CR regional commercial district except for incidental residential uses which:

- A. Are incorporated into a project site which is twenty acres or more in size;
- B. Are a part of a larger mixed use project with predominantly nonresidential uses;
- C. Are no more than twenty percent of the total project square footage;
- D. Are well integrated into the larger development, i.e., not a separate use;
- E. Serve a legitimate necessary purpose for the development such as employee housing;
- F. Have at least fifty percent of the units in the affordable category, as defined in the general plan housing element; and
- G. Are approved by the city as an integral part of the overall mixed use project. (Ord. 284 § 1 (Exh. A) (part), 1996)

9.80.030 Residential uses outside NR overlay.

In accordance with the General Plan Policies 2-3.1.6 through 2-3.1.8, single-family residential uses may be established in the CR district outside the NR nonresidential overlay. Such projects may have up to a proportion of one hundred percent residential. The following requirements shall apply:

- A. A specific plan shall be approved and the project shall conform to the RSP residential specific plan standards of Section 9.30.0809.140.100 with regard to common open area and perimeter landscaping with the exception of single-family residential.
- B. A minimum of fifteen percent of the dwelling units are provided in the affordable "low" and/or "very low" income category per Section 9.60.270.

C. Project sites of less than twenty acres shall be single-use, either all residential or all nonresidential. (Ord. 325 § 1 (Exh. A) (part), 1998; Ord. 299 § 1 (part), 1997; Ord. 284 § 1 (Exh. A) (part), 1996)

9.80.040 Table of permitted uses.

A. Uses and Structures Permitted. Table 9-5, Permitted Uses in Nonresidential Districts, following, specifies those uses and structures which are permitted within each nonresidential district. The letters in the columns beneath the district designations mean the following:

1. "P": Permitted as a principal use within the district.
2. "A": Permitted only if accessory to the principal use on the site.
3. "C": Permitted as a principal or accessory use if a conditional use permit is approved.
4. "M": Permitted if a minor use permit is approved.
5. "T": Permitted as a temporary use only.
6. "X": Prohibited in the district.
7. "S": Permitted under a specific plan.

B. Uses Not Listed in Table. Land uses which are not listed in Table 9-5 are not permitted unless the planning or the planning commission determines that such use is within one of the permitted use categories listed (e.g., principal use, conditional use, etc.) in accordance with Section 9.20.040.

Table 9-5 Permitted Uses in Nonresidential Districts								
P = <u>Principal Permitted</u> use A = Accessory use C = Conditional use permit M = Minor use permit T = Temporary use permit X = Prohibited use	Regional Commercial	Commercial Park	Community Commercial	Neighbor-hood Commercial	Tourist Commercial	Office Commercial	Major Community Facilities	<u>Village Commercial</u>
Land Use	CR	CP	CC	CN	CT	CO	MC	<u>VC</u>
Retail Uses								
Retail stores under 10,000 sq. ft. floor area per business	P	<u>AP</u>	P	P	<u>AP</u>	<u>AP</u>	X	<u>P</u>
Retail stores ¹ , 10,000—50,000 sq. ft. floor area	P	<u>CP</u>	<u>CP</u>	<u>CP</u>	X	X	X	<u>P</u>
Retail stores ¹ , over 50,000 sq. ft. floor area	<u>CP</u>	C	<u>CM</u>	X	X	X	X	<u>X</u>
Food, liquor and convenience stores under 10,000 sq. ft. floor area, open less than 18 hours/day ²	P	A	P	P	A	A	X	<u>P</u>

Table 9-5 Permitted Uses in Nonresidential Districts

P = <u>Principal Permitted</u> use A = Accessory use C = Conditional use permit M = Minor use permit T = Temporary use permit X = Prohibited use	Regional Commercial	Commercial Park	Community Commercial	Neighborhood Commercial	Tourist Commercial	Office Commercial	Major Community Facilities	<u>Village Commercial</u>
Land Use	CR	CP	CC	CN	CT	CO	MC	<u>VC</u>
Food, liquor and convenience stores under 10,000 sq. ft. floor area, open 18 or more hours/day ²	<u>GM</u>	X	<u>GM</u>	<u>GM</u>	<u>GM</u>	X	X	<u>M</u>
Plant nurseries and garden supply stores, with no propagation of plants on the premises, subject to Section 9.100.120 (Outdoor storage and display)	<u>CP</u>	X	<u>CP</u>	<u>CP</u>	X	X	X	<u>P</u>
Showroom/catalog stores, without substantial on-site inventory	P	P	P	X	X	X	X	<u>X</u>
General Services								
Barbershops, beauty, nail and tanning salons and similar uses	P	A	P	P	P	A	X	<u>P</u>
Miscellaneous services such as travel services, photo developing, videotape rentals, shoe repair, appliance repair, and similar uses	P	A	P	P	P	A	X	<u>P</u>
Laundromats and dry cleaners, except central cleaning plants	P	X	P	P	P	X	X	<u>M</u>
Printing, blueprinting and copy services	P	P	P	P	P	P	X	<u>P</u>
Pet grooming—without overnight boarding	P	X	P	P	P	X	X	<u>P</u>
Office and Health Services								

Table 9-5 Permitted Uses in Nonresidential Districts

P = <u>Principal Permitted</u> use A = Accessory use C = Conditional use permit M = Minor use permit T = Temporary use permit X = Prohibited use	Regional Commercial	Commercial Park	Community Commercial	Neighbor-hood Commercial	Tourist Commercial	Office Commercial	Major Community Facilities	<u>Village Commercial</u>
Land Use	CR	CP	CC	CN	CT	CO	MC	<u>VC</u>
Banks	P	X	P	P	P	P	X	<u>P</u>
General and professional offices	P	<u>XP</u>	P	P	P	P	<u>GP</u>	<u>P</u>
Medical offices—physicians, dentists, optometrists, chiropractors and similar practitioners.	P	<u>XP</u>	P	P	P	P	X	<u>P</u>
Medical centers/clinics—four or more offices in one building	P	X	P	C	X	P	X	
Surgicenters/_medical clinics	P	<u>XP</u>	P	C	X	P	X	<u>X</u>
Hospitals	C	X	X	X	X	X	C	<u>X</u>
Convalescent hospitals	C	X	C	X	X	X	C	<u>X</u>
Veterinary clinics/animal hospitals and pet boarding (indoor only)	<u>GM</u>	<u>GM</u>	<u>GM</u>	<u>GM</u>	X	X	X	<u>M</u>
Dining, Drinking and Entertainment Uses								
Restaurants, other than drive-through	P	A	P	P	P	X	A	<u>P</u>
Restaurants, drive-through	P	A	P	X	P	X	X	<u>X</u>
Restaurants, counter take-out with ancillary seating, such as yogurt, ice cream, pastry shops and similar	P	P	P	P	P	X	<u>XA</u>	<u>P</u>
Bars, taverns and cocktail lounges	C	C	C	<u>XC</u>	C	X	X	<u>C</u>
Dancing or live entertainment as a principal use	C	<u>XC</u>	C	X	C	X	X	<u>C</u>
Dancing or live entertainment as an accessory use	A	<u>XA</u>	<u>GA</u>	<u>GA</u>	<u>GA</u>	X	X	<u>A</u>

Table 9-5 Permitted Uses in Nonresidential Districts

P = <u>Principal Permitted</u> use A = Accessory use C = Conditional use permit M = Minor use permit T = Temporary use permit X = Prohibited use	Regional Commercial	Commercial Park	Community Commercial	Neighborhood Commercial	Tourist Commercial	Office Commercial	Major Community Facilities	<u>Village Commercial</u>
Land Use	CR	CP	CC	CN	CT	CO	MC	<u>VC</u>
Theaters, live or motion picture	<u>GP</u>	X	<u>GM</u>	<u>XM</u>	<u>GM</u>	X	<u>XA</u>	<u>M</u>
Tobacco shops without onsite smoking, as per the provisions of the Health and Sanitation Code	P	X	<u>GP</u>	<u>XP</u>	<u>GA</u>	X	X	<u>P</u>
Cigar lounges, hookah bars, and similar uses with onsite smoking, as per the provisions of the Health and Sanitation Code	<u>GM</u>	X	<u>XM</u>	<u>XM</u>	<u>GA</u>	X	X	<u>M</u>
Recreation Uses								
Bowling, pool or billiard centers as a principal use	C	<u>XC</u>	C	X	C	X	X	<u>C</u>
Pool or billiard tables as accessory use (3 tables or less)	A	A	A	A	A	A	X	<u>A</u>
Game machines, 11 or more (as either a principal or accessory use)	C	X	C	C	C	X	X	
Game machines as an accessory use, 10 or fewer machines	A	A	A	A	A	A	X	<u>A</u>
Golf courses and country clubs (see GC district permitted uses, Chapter 9.120)	X	<u>AX</u>	X	X	<u>GA</u>	<u>AX</u>	X	<u>X</u>
Tennis clubs or complexes	C	A	C	X	X	A	C	
Health clubs, martial arts studios, and dance studios, 5,000 sq. ft. floor area or less	<u>MP</u>	<u>MP</u>	<u>MP</u>	<u>MP</u>	<u>MP</u>	<u>MP</u>	<u>AM</u>	<u>P</u>
Health clubs, martial arts studios, and dance studios, over 5,000 sq.	<u>GM</u>	<u>GM</u>	<u>GM</u>	<u>GM</u>	<u>GM</u>	<u>GM</u>	<u>XM</u>	<u>M</u>

Table 9-5 Permitted Uses in Nonresidential Districts								
P = <u>Principal Permitted</u> use A = Accessory use C = Conditional use permit M = Minor use permit T = Temporary use permit X = Prohibited use	Regional Commercial	Commercial Park	Community Commercial	Neighbor-hood Commercial	Tourist Commercial	Office Commercial	Major Community Facilities	<u>Village Commercial</u>
Land Use	CR	CP	CC	CN	CT	CO	MC	<u>VC</u>
ft. floor area								
Libraries	P	<u>XP</u>	P	<u>CP</u>	P	P	P	<u>P</u>
Museum or gallery displaying sculpture, artwork or crafts, including schools for above	P	P	P	P	P	P	P	<u>P</u>
Parks, unlighted playfields and open space	P	P	P	P	P	P	P	<u>P</u>
Lighted playfields	X	X	X	X	X	X	C	<u>C</u>
Bicycle, equestrian and hiking trails	P	P	P	P	P	P	P	<u>P</u>
Indoor pistol or rifle ranges	X	C	X	X	X	X	X	<u>X</u>
Miniature golf/recreation centers	C	X	X	X	<u>CM</u>	X	X	<u>X</u>
Assembly Uses								
Ice skating rinks	<u>CM</u>	<u>XM</u>	<u>CM</u>	X	<u>XM</u>	X	<u>CM</u>	<u>X</u>
Lodges, union halls, social clubs and senior citizen centers	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	X	X	<u>CP</u>	<u>P</u>
Churches, temples and other places of worship	<u>CM</u>	<u>CM</u>	<u>CM</u>	<u>CM</u>	X	<u>CM</u>	X	<u>M</u>
Mortuaries and funeral homes	<u>CM</u>	<u>CM</u>	<u>CM</u>	X	X	X	X	<u>X</u>
Public and Semipublic Uses								
Fire stations	P	P	P	P	<u>XP</u>	P	P	<u>P</u>
Government offices and police stations	P	P	P	P	P	P	P	<u>P</u>
Communication towers and equipment (freestanding, new towers) subject to Chapter 9.170	C	C	C	C	C	C	C	<u>C</u>
Communication towers and equipment (co-location, mounted to	M	M	M	M	M	M	M	

Table 9-5 Permitted Uses in Nonresidential Districts

P = <u>Principal Permitted</u> use A = Accessory use C = Conditional use permit M = Minor use permit T = Temporary use permit X = Prohibited use	Regional Commercial	Commercial Park	Community Commercial	Neighbor-hood Commercial	Tourist Commercial	Office Commercial	Major Community Facilities	<u>Village Commercial</u>
Land Use	CR	CP	CC	CN	CT	CO	MC	<u>VC</u>
existing facility) subject to Chapter 9.170								<u>M</u>
Electrical substations	<u>MX</u>	M	<u>MX</u>	X	X	X	M	<u>X</u>
Water wells and pumping stations	<u>MP</u>	<u>MP</u>	<u>MP</u>	<u>XP</u>	<u>XP</u>	<u>XP</u>	<u>MP</u>	<u>P</u>
Reservoirs and water tanks	X	X	X	X	X	X	<u>MP</u>	<u>X</u>
Public flood control facilities and devices	P	P	P	P	P	P	P	<u>P</u>
Colleges and universities	C	<u>XM</u>	X	X	X	<u>XM</u>	C	<u>C</u>
Vocational schools, e.g., barber, beauty and similar	<u>CM</u>	C	C	X	X	C	C	<u>C</u>
Private elementary, intermediate and high schools	C	C	C	C	C	C	C	<u>C</u>
<u>Private swim schools</u>	<u>G</u>	<u>G</u>	<u>G</u>	<u>X</u>	<u>G</u>	<u>X</u>	<u>G</u>	
<u>Train, bus and taxi stations</u>	<u>G</u>	<u>X</u>	<u>G</u>	<u>X</u>	<u>G</u>	<u>X</u>	<u>G</u>	
Helicopter pads	X	X	X	X	C	X	C	<u>X</u>
Public or private kennels and animal shelters (with indoor or outdoor pet boarding)	X	C	X	X	X	X	C	<u>X</u>
Golf courses and country clubs (see GC district permitted uses, Chapter 9.120)	C	A	C	X	C	A	P	
Driving range unlighted	P	A	C	X	P	A	P	
Tennis clubs or complexes	C	A	C	X	C	A	C	
Health clubs, martial arts studios, and dance studios, 5000 sq. ft. floor area or less	P	P	P	P	P	P	A	
Residential, Lodging and <u>Child Care/Child daycare</u> Uses								
Townhome and multifamily dwelling as a	C ³	C ⁴	<u>XC</u>	<u>XC</u>	<u>XC</u>	<u>XC</u>	X	<u>PC</u>

Table 9-5 Permitted Uses in Nonresidential Districts

P = <u>Principal Permitted</u> use A = <u>Accessory</u> use C = <u>Conditional</u> use permit M = <u>Minor</u> use permit T = <u>Temporary</u> use permit X = <u>Prohibited</u> use	Regional Commercial	Commercial Park	Community Commercial	Neighbor-hood Commercial	Tourist Commercial	Office Commercial	Major Community Facilities	<u>Village Commercial</u>
Land Use	CR	CP	CC	CN	CT	CO	MC	<u>VC</u>
primary use ^{3,4}								
Residential as an accessory use, e.g., caretaker residences per Section 9.100.160	<u>GM</u>	<u>GM</u>	<u>GM</u>	<u>GM</u>	<u>GM</u>	<u>GM</u>	<u>GM</u>	<u>M</u>
Child day-care facilities, centers and preschools as a principal use, subject to Section 9.100.250 (also see Accessory Uses)	<u>GM</u>	<u>GM</u>	<u>GM</u>	<u>GM</u>	<u>XX</u>	<u>GM</u>	<u>GM</u>	<u>M</u>
Senior group housing, subject to Section 9.100.260	<u>EX</u>	X	X	X	X	X	X	<u>M</u>
Rooming and boarding houses	<u>EX</u>	X	X	X	X	X	X	<u>M</u>
Single room occupancy (SRO) hotels, subject to Section 9.100.270	C	X	X	X	X	X	X	<u>X</u>
Emergency shelters	P	P	P	P	P	P	P	<u>X</u>
Transitional shelters for homeless persons or victims of domestic abuse	C	X	X	X	X	X	C	<u>X</u>
Single family residential	<u>SX</u>	X	X	X	X	X	X	<u>X</u>
Mixed-use projects: residential and office/commercial	<u>SP</u>	<u>XP</u>	<u>XP</u>	<u>XP</u>	<u>XP</u>	<u>XP</u>	X	<u>P</u>
RV rental parks and ownership/membership parks	<u>EX</u>	X	<u>EX</u>	X	<u>GM</u>	X	X	<u>X</u>
Resort residential	S	X	C	X	C	X	X	
Hotels and motels	<u>CP</u>	X	<u>CP</u>	X	<u>CP</u>	X	X	<u>P</u>
Timeshare facilities, subject to Section 9.60.290	<u>PG</u>	<u>XX</u>	<u>PG</u>	<u>XX</u>	<u>PG</u>	<u>XX</u>	<u>XX</u>	<u>P</u> <u>V</u>

Table 9-5 Permitted Uses in Nonresidential Districts

P = <u>Principal Permitted</u> use A = Accessory use C = Conditional use permit M = Minor use permit T = Temporary use permit X = Prohibited use	Regional Commercial	Commercial Park	Community Commercial	Neighborhood Commercial	Tourist Commercial	Office Commercial	Major Community Facilities	<u>Village Commercial</u>
Land Use	CR	CP	CC	CN	CT	CO	MC	<u>VC</u>
Caretaker residences	M	M	M	M	M	M	M	M
Automotive Automobile Uses⁵								
Golf cart, neighborhood electric vehicle (NEV), and electric scooter sales	P	P	P	X M	X	X	X	<u>M</u>
Automobile service stations, with or without minimart	C	C	C	C	X	X	X	C
Car washes	<u>EM</u>	<u>EM</u>	<u>EM</u>	X	X	X	X	<u>X</u>
Auto body repair and painting; transmission repair	X	C	X	X	X	X	X	<u>X</u>
Auto repair specialty shops, providing minor auto maintenance: tire sales/service, muffler, brake, lube and tune-up services—not including major engine or drivetrain repair	C	C	C	X	X	X	X	<u>X</u>
Auto and motorcycle sales and rentals	<u>EM</u>	<u>EM</u>	X	X	X	X	X	<u>X</u>
Used vehicle sales, not associated with a new vehicle sales facility, as per Section 9.100.030	C	C	X	X	X	X	X	<u>X</u>
Truck, recreation vehicle and boat sales	C	C	X	X	X	X	X	
Auto parts stores, with no repair or parts installation on the premises	P	P	P	<u>EP</u>	X	X	X	<u>P</u>
Auto or truck storage yards, not including dismantling	X	C	X	X	X	X	X	<u>X</u>
Private parking lots/garages as a principal use subject to	C	C	C	X	C	C	X	

Table 9-5 Permitted Uses in Nonresidential Districts

P = <u>Principal Permitted</u> use A = Accessory use C = Conditional use permit M = Minor use permit T = Temporary use permit X = Prohibited use	Regional Commercial	Commercial Park	Community Commercial	Neighborhood Commercial	Tourist Commercial	Office Commercial	Major Community Facilities	<u>Village Commercial</u>
Land Use	CR	CP	CC	CN	CT	CO	MC	<u>VC</u>
Chapter 9.150, Parking								<u>C</u>
Warehousing and Heavy Commercial Uses⁵								
Wholesaling/distribution centers, with no sales to consumers	C	P	X	X	X	X	X	<u>X</u>
General warehouses, with no sales to consumers	C	P	X	X	X	X	X	
Mini-storage warehouses	X	X ⁶	X	X	X	X	X	<u>X</u>
Lumber yards, outdoor (see retail stores for indoor lumber sales)	X	<u>GM</u>	X	X	X	X	X	<u>X</u>
Pest control services	<u>GM</u>	<u>PG</u>	X	X	X	X	X	<u>X</u>
Plumbing repair shops	C	P	X	X	X	X	X	
Contractor, public utility and similar equipment/storage yards	<u>EX</u>	<u>GM</u>	X	X	X	X	<u>EP</u>	<u>X</u>
Central cleaning or laundry plants	<u>EX</u>	<u>EX</u>	<u>EX</u>	X	<u>XA</u>	X	X	<u>X</u>
Communication or relay facilities/antennas as primary use	C	C	C	C	C	C	C	
Industrial and Research Uses								
Indoor manufacture and assembly of components or finished products from materials such as cloth, fiber, fur, glass, leather, stone, paper (except milling), plastics, metal, and wood	X	P	X	X	X	X	X	<u>X</u>
Research and development	P	P	X	X	X	X	X	<u>X</u>
Recording studios	<u>PM</u>	P	X	X	X	X	X	<u>M</u>
Bottling plants	X	P	X	X	X	X	X	<u>X</u>

Table 9-5 Permitted Uses in Nonresidential Districts

P = <u>Principal Permitted</u> use A = Accessory use C = Conditional use permit M = Minor use permit T = Temporary use permit X = Prohibited use	Regional Commercial	Commercial Park	Community Commercial	Neighborhood Commercial	Tourist Commercial	Office Commercial	Major Community Facilities	<u>Village Commercial</u>
Land Use	CR	CP	CC	CN	CT	CO	MC	<u>VC</u>
Sign making, except sandblasting	P	P	X	X	X	X	X	
Sign making, including sandblasting	X	P	X	X	X	X	X	
Recycling centers as a primary use, collection and sorting only, subject to Section 9.100.190	X	C	X	X	X	X	C	<u>X</u>
Off-site hazardous waste facilities, subject to Section 9.100.230	X	C	X	X	X	X	X	<u>X</u>
Accessory Uses and Structures								
Portable outdoor vending uses (such as flower stands, hotdog stands, etc.), subject to Section 9.100.100	M	M	M	M	M	M	M	<u>M</u>
Swimming pools as an accessory use	<u>MA</u>	<u>MA</u>	<u>MA</u>	<u>XA</u>	<u>AA</u>	<u>MA</u>	<u>AA</u>	<u>A</u>
Golf or tennis facilities as an accessory use	<u>MA</u>	<u>MA</u>	<u>MA</u>	<u>XA</u>	<u>AA</u>	<u>MA</u>	<u>AA</u>	<u>A</u>
Signs, subject to Chapter 9.160	A	A	A	A	A	A	A	
Fences and walls, subject to Section 9.100.030	A	A	A	A	A	A	A	
Antennas and satellite dishes, subject to Section 9.100.070	A	A	A	A	A	A	A	<u>A</u>
Reverse vending machines subject to Section 9.100.190	A	A	A	A	X	X	A	<u>M</u>
Recycling dropoff bins, subject to Section 9.100.190	M	A	M	M	X	X	A	
Incidental products or services for employees or businesses, such as	A	A	A	A	A	A	A	

Table 9-5 Permitted Uses in Nonresidential Districts								
P = <u>Principal Permitted</u> use A = Accessory use C = Conditional use permit M = Minor use permit T = Temporary use permit X = Prohibited use	Regional Commercial	Commercial Park	Community Commercial	Neighbor-hood Commercial	Tourist Commercial	Office Commercial	Major Community Facilities	<u>Village Commercial</u>
Land Use	CR	CP	CC	CN	CT	CO	MC	<u>VC</u>
child day care, cafeterias and business support uses								<u>A</u>
Other accessory uses and structures which are customarily associated with and subordinate to the principal use on the premises and are consistent with the purpose and intent of the zoning district, as determined by the director	A	A	A	A	A	A	A	<u>A</u>
Temporary Uses								
Christmas tree sales, subject to Section 9.100.080	T	T	T	T	X	X	T	<u>I</u>
Halloween pumpkin sales, subject to Section 9.100.090	T	T	T	T	X	X	T	<u>I</u>
Stands selling fresh produce in season, subject to Section 9.100.100	T	T	T	T	X	X	T	<u>I</u>
Sidewalk sales, subject to Section 9.100.130	T	T	T	T	T	T	X	<u>I</u>
Temporary outdoor events, subject to Section 9.100.140	T	T	T	T	T	T	T	<u>I</u>
Construction and guard offices, subject to Section 9.100.170	T	T	T	T	T	T	T	
Use of relocatable building, subject to Section 9.100.180	T	T	T	T	T	T	T	<u>I</u>
Other Uses								
Fortunetelling and	C	X	C	X	X	X	X	

Table 9-5 Permitted Uses in Nonresidential Districts								
P = <u>Principal Permitted</u> use A = Accessory use C = Conditional use permit M = Minor use permit T = Temporary use permit X = Prohibited use	Regional Commercial	Commercial Park	Community Commercial	Neighbor-hood Commercial	Tourist Commercial	Office Commercial	Major Community Facilities	<u>Village Commercial</u>
Land Use	CR	CP	CC	CN	CT	CO	MC	<u>VC</u>
palmistry								
Sexually oriented businesses, subject to Section 9.110.080 ⁷	C	X	X	X	X	X	X	<u>X</u>
Other uses not listed in this table: per Section 9.20.040, director of planning commission to determine whether use is permitted								

Notes:

- 1 Other than convenience stores. Items sold may include clothing, groceries, meat, drugs, jewelry, sundries, office supplies, pets, furniture, appliances, hardware, building materials (except lumber yards), and similar retail items.
- 2 With no consumption of alcohol on the premises.
- 3 If part of a mixed-use project per Section 9.80.020 or 9.80.030.
- 4 Subject to Section 9.30.070 (RH, High Density Residential District) for density, 9.60.270.
- 5 Subject to Section 9.100.120, Outdoor storage and display.
- 6 Mini-storage warehousing operating on December 17, 2008 (the effective date of the ordinance codified in this section), are considered legal, conforming land uses. Existing facilities may be reconstructed if damaged, and may be modified or expanded within the boundaries of the lot on which they occur as of December 17, 2008 with approval of a site development permit. Any modification or expansion shall conform to the development standards for the commercial park zoning district contained in Chapter 9.90, Nonresidential Development Standards.
- 7 Property must also be located within the SOB (sexually oriented business) overlay district.

(Ord. 492 § 1, 2011; Ord. 480 § 1, 2010; Ord. 472 § 1, 2009; Ord. 471 § 2, 2009; Ord. 466 § 1, 2009; Ord. 449 § 1, 2007; Ord. 429 § 1, 2006; Ord. 414 § 1, 2005; Ord. 397 § 1 (Exh. A), 2004; Ord. 325 § 1 (Exh. A), 1998; Ord. 307 § 1, 1997; Ord. 299 § 1, 1997; Ord. 284 § 1 (Exh. A), 1996)

Chapter 9.110 SPECIAL PURPOSE DISTRICTS

Chapter 9.120 SPECIAL PURPOSE PERMITTED USES

9.120.010 Development permits required.

Table 9-8 of this chapter specifies whether a use or structure is permitted within a zoning district. However, in most cases development to establish a land use requires approval of a site development permit and/or other permits as set forth in Chapter 9.210. (Ord. 284 § 1 (Exh. A) (part), 1996)

9.120.020 Table of permitted uses.

Table 9-8, Permitted Uses in Special Purpose Districts, following, specifies those uses and structures which are permitted within each special purpose district. The letters in the columns beneath the district designations mean the following:

1. "P": Permitted as a principal use within the district.
2. "A": Permitted only if accessory to the principal use on the site.
3. "C": Permitted as a principal or accessory use if a conditional use permit is approved.
4. "T": Permitted on a temporary basis if a temporary use permit is approved.
5. "X": Prohibited in the district.

	Parks and Recreation	Golf Course	Open Space	Floodplain	Hillside Conservation Overlay	Sexually Oriented Business Overlay	Equestrian Overlay	Affordable Housing Overlay
Land Use	PR	GC	OS	FP	HC*	SOB*	EOD*	AHO*
								**
Open space	P	P	P	P	P	P	**	**
Public parks, lakes and passive recreation facilities	P		P	P	P	X	**	**
Playfields, lighted or unlighted	P	X	X	X	X	X	**	**
Bicycle, equestrian	P		P	P	P	P	**	**

P = Permitted use A = Accessory use C = Conditional use permit T = Temporary use permit X = Prohibited use	Parks and Recreation	Golf Course	Open Space	Floodplain	Hillside Conservation Overlay	Sexually Oriented Business Overlay	Equestrian Overlay	Affordable Housing Overlay
and hiking trails								
Libraries and museums	C	X	X	X	C	X	**	**
Visitor centers	C	X	C	C	C	X	**	**
Clubhouses and community pools/cabañas	P	A	X	X	X	X	**	**
Tennis courts or complexes, public	P	A	X	X	X	X	**	**
Tennis clubs or complexes, private		A	X	X	X	X	**	**
Golf courses and country clubs, including clubhouses and other customary accessory uses	C	P	X	X	X	X	**	**
Golf courses without above-ground structures, including fairways, greens, tees and golf-cart paths	C	P	X	P	G	X	**	**
Signs, subject to Chapter 9.160	A	A	A		A	A	**	**
Fences and walls, subject to Section 9.100.030					A		**	**

P = Permitted use A = Accessory use C = Conditional use permit T = Temporary use permit X = Prohibited use	Parks and Recreation	Golf Course	Open Space	Floodplain	Hillside Conservation Overlay	Sexually Oriented Business Overlay	Equestrian Overlay	Affordable Housing Overlay
Satellite dish and other antennas, subject to Section 9.100.070	A	A	A			A	**	**
Temporary outdoor events, subject to Section 9.100.040	T	T	T	T	T	T	**	**
Commercial Filming, subject to Section 9.210.050	I	I	I	I	I	I	I	I
Single-family residential	X	X	C	X	C ¹	X	**	**
Multifamily residential, commercial (except sexually oriented businesses), office or industrial development	X	X	X	X	X	X	**	**
Sexually oriented businesses, subject to Section 9.140.050	X	X	X	X	X	C	**	** (1)
Communication towers and equipment (freestanding, new towers) subject to Chapter 9.170	C	C	C	C	C ¹	C	**	**
Communication towers and equipment (co-location, mounted to existing facility) subject to Chapter 9.170	M	M	M	M	M	M	**	**
Electrical	X	X	M	X	M ¹	X	**	**

	Parks and Recreation	Golf Course	Open Space	Floodplain	Hillside Conservation Overlay	Sexually Oriented Business Overlay	Equestrian Overlay	Affordable Housing Overlay
P = Permitted use A = Accessory use C = Conditional use permit T = Temporary use permit X = Prohibited use								
substations								
Water wells and pumping stations	P	P	P	P	M ¹	X	**	**
Water tanks and reservoirs	X	M	M	X	M ¹	X	**	**
Public flood control facilities and devices	P	P	P	P	P	P	**	**
Medical marijuana dispensaries	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u> **	<u>X</u>	<u>X</u>
Other principal, accessory or temporary uses not listed above								

(Ord. 492 § 1, 2011; Ord. 299 § 1, 1997; Ord. 284 § 1 (Exh. A), 1996)

Chapter 9.200 GENERAL PERMITTING PROCEDURES

9.200.010 Development review process.

- A. Purpose. Chapters 9.200 through 9.260 set forth the procedures for processing development review applications and the criteria and conditions necessary so that an appropriate decision may be made by the city on each such application.
- B. Applicable State Law. It is intended that the provisions of this chapter shall be consistent and in full compliance with Section 65920 et seq., and other applicable sections of the State Government Code and that such provisions shall be so construed.
- C. Persons Who May File Applications. An application for a permit or other action under Chapters 9.200 through 9.260 may be submitted only by a property owner of the subject property, by an agent with notarized written authorization from the property owner, or by a public agency.
- D. Application Filing. Applications shall be filed with the planning department on forms prescribed by the director, together with: (1) all maps, plans, documents and other materials required by the director, and (2) all required fees per Chapter 9.260. The director shall provide the necessary forms plus written filing instructions specifying all materials and fees required to any requesting person at no charge.
- E. Legal Actions. Any action or proceeding to challenge, attack, review, set aside, void or annul any discretionary action described in this chapter shall be governed by the applicable provisions of the State Planning and Zoning Law (Government Code Section 65000 et seq.). (Ord. 284 § 1 (Exh. A), 1996)

9.200.020 Authority.

- A. Decision-Making Authority. Table 9-23, following, specifies the decision-making authority for each of the various actions described in this code. An "A," "PH" or "CC" means that the official or body at the top of the column has decision-making authority for the application. An "A" means that the application is reviewed administratively without a public hearing. A "PH" means that a public hearing is required before action is taken. An "R(PH)" means that the planning commission is responsible for holding a public hearing and forwarding a recommendation to the city council. A "CC" means that the city council is responsible for considering the site development permit as a consent calendar item.

Table 9-23 Discretionary Review Authority			
PH = Decision-making body (public hearing required)			
R(PH) = Recommending body (public hearing required)			
A = Administrative review by director (no public hearing)			
CC = Decision-making body (City Council as consent calendar item)			
Type of Application	Decision-Making Authority		
	Staff	Planning Commission	City Council
General plan amendment		R(PH)	PH
Zoning code amendment		R(PH)	PH
Zone change		R(PH)	PH
Specific plan		R(PH)	PH
Development agreement		R(PH)	PH
Variance		PH	
Conditional use permit		PH	
Site development permit*** (not within scope of LQMC 9.210.010.D2)	<u>A</u>	PH	
Site development permit (per LQMC 9.210.010.D2)	-	PH	CC/PH***
Minor use permit	A*		
Minor adjustment	A*		
Temporary use permit	A*		
Home occupation permit	A**		
Sign permit	A*		
Sign program	<u>A*</u>	PH	
Subdivisions	Per city subdivision code		
Environmental review	Per city environmental review procedures		

* By planning director

** By director of building and safety

*** [Subject to the provisions of 9.210.010.](#)

*** ~~PH would be held if the item as not approved on CC as a consent calendar item~~**** [Also see Title 13, Subdivisions.](#)

- B. Administrative Action. Actions to be taken administratively per Table 9-23 preceding, are those which are relatively minor in nature and with relatively little potential for adverse impacts on the surrounding community or the environment. A public hearing or public notification is not required for administrative actions, although the director may notify residents or property owners near the subject property if the director determines on a case-by-case basis that the public interest would be served by such notification.
- C. Public Hearings. Public hearings shall be noticed and held in accordance with Section 9.200.110 for those applications shown in Table 9-23 as requiring a hearing. (Ord. 425 § 1, 2006: Ord. 284 § 1 (Exh. A), 1996)

9.200.030 Combined applications.

At the discretion of the director, applications for different types of actions may be combined and processed concurrently ~~in one application with one fee deposit~~ so long as all applicable processing requirements and all required findings are satisfied. The following rules shall apply to such combined applications:

- A. When an application requiring a public hearing is combined with one not requiring a public hearing, the combined application shall require a public hearing.
- B. The final decision on the combined application shall be made by the highest applicable decision-making authority pursuant to Table 9-23 preceding. For example, the decision on an application combining a zone change and a conditional use permit shall be made by the city council.
- C. The applicable fee(s) shall be collected in accordance with Chapter 9.260. (Ord. 284 § 1 (Exh. A), 1996)

9.200.040 General permit provisions.

- A. Applicability of Permits to Property. All rights granted by the approval of a development review permit remain with the affected property and all entitlements, conditions and requirements of a discretionary permit are passed on to the new property owner when there is a change of ownership.
- B. Enforceability of Permit Provisions. All conditions, requirements and standards specified either in writing or graphically as part of any approval granted by authority of this chapter shall have the same force and effect as this zoning code. Any land use or development established as a result of an approval which is not in compliance with all such conditions, requirements or standards shall be in violation of this chapter, and the enforcement provisions of the municipal code shall be applicable. (Ord. 284 § 1 (Exh. A), 1996)

9.200.050 Permit applications.

- A. Acceptance of Applications as Complete. Within thirty days of receipt of a permit application, the director shall determine whether the application is complete and shall transmit such determination to the applicant. If the application is determined not to be complete, the director shall specify in writing those parts of the application which are incomplete and shall indicate the manner in which they can be made complete.
- B. Preparation of Environmental Documents. When it is determined that an environmental impact report or a negative declaration is required for a proposal, the application for that proposal shall not be deemed complete until the applicant has deposited with the planning department sufficient funds to pay for the cost of completion of the environmental impact report

or negative declaration. The director shall determine the amount of funds required to be deposited for the preparation of an environmental impact report or negative declaration and shall advise the applicant of that amount within ten days after the application is filed. (Ord. 284 § 1 (Exh. A), 1996)

9.200.060 Action by decision-making authority.

- A. Possible Actions. The decision-making authority may take one of the following actions on each application:
1. Approval. Simple approval of an application means that no conditions or requirements other than those specified by the application are imposed. After the action's effective date defined in subsection C of this section and after approval of any required plan revisions per subsection D of this section, the proposed land use or development may be established in compliance with all applicable regulations and the approved project plans and specifications.
 2. ~~Conditional~~ Approval with Conditions. Any application may be approved subject to compliance with conditions. Conditions may require dedication of land, installation of improvements, the posting of financial security to guarantee performance, design modifications or other conditions necessary to achieve the objectives of the general plan and this zoning code. After the action's effective date as defined in subsection C of this section and after approval of any required plan revisions per subsection D of this section, the proposed land use or development may be established in compliance with all applicable regulations, the approved project plans and specifications, and the requirements of the conditions of approval.
 3. Denial. When a conditional use permit or site development permit application has been denied, an application for the same or a similar use on the same property shall not thereafter be accepted for a period of one year from the date of final determination, except that the decision-making authority may specify that this time limitation shall not apply. This time limitation on resubmittal of applications is not applicable to other discretionary permits.
 4. Withdrawal. With the concurrence of or at the request of the applicant, any application may be withdrawn. When an application is withdrawn, such action is effective immediately and is not subject to appeal. Thereafter, such application shall be null and void and the property shall have the same status as if no application had been filed.
- B. Action in Writing. The decision on each application, including any required findings and any other reasons that serve to explain the determination plus all conditions of approval shall be in writing. A copy of the written determination shall be forwarded to the applicant following the date of final determination and shall be made available at cost to any person requesting such a copy.

- C. Effective Date. The determination of the decision-making authority by Resolution shall be effective ~~fifteen calendar days after the date the decision is made and after all appeals, if any, have been acted on per Section 9.200.120~~immediately unless appealed. Ordinances shall be effective 30 days after second reading.
- D. Tie Votes.
 - 1. Development Review Applications. If action on a development review application results in a tie vote by the decision-making authority, such vote shall constitute a lost motion.
 - 2. Appeals. When all members of a decision-making authority are present, a tie vote on whether to grant an appeal shall be considered a denial of the appeal. The original action shall then stand unless the decision-making authority takes other action to further consider the matter. If a tie vote occurs when less than all members of the decision-making authority are present, the matter shall automatically be continued to the next regular meeting unless otherwise ordered by the decision-making authority.
- E. Use of More Restrictive Standards. In conjunction with approval of a development review permit, the decision-making authority may impose more restrictive site development standards than set forth in this code in order to make the required findings for each type of permit as specified in Chapter 9.210. (Ord. 284 § 1 (Exh. A), 1996)

9.200.070 Time limits on processing applications.

- A. Development review applications shall be processed within the time limits specified in Chapter 4.5 of the State Planning and Zoning Law (Government Code Section 65920 et seq.). Time periods specified in Section 9.200.120 regarding actions on appeals shall be in addition to the preceding Government Code time limits.
- B. Incomplete Application Sunset Provisions. All applications which remain incomplete ~~and or~~ inactive for a minimum six-month period shall have a written thirty-day warning notification forwarded to the applicant by means of certified mail or similar method. If no action is taken by the applicant regarding the application within thirty days thereafter, the application shall automatically be withdrawn and closed. (Ord. 466 § 1, 2009; Ord. 284 § 1 (Exh. A), 1996)

9.200.080 Permit expiration and time extensions.

- A. Period of Validity. The period of validity for a development review permit shall begin on the permit's effective date as set forth in Section 9.200.060. The period of validity shall run pursuant to subsection C of this section.
- B. Establishment. A development review permit shall be deemed established if the following actions occur within twenty-four months of the effective date

of the approval or within such other time period designated by the approval:

1. In the case of a development review permit where ministerial permits are required, such permits have been issued.
 2. In the case of a development review permit where no ministerial permits are required, the use authorized by the permit has been established. In circumstances where a certificate of occupancy is required, such certificate has been issued.
- C. Expiration. A development review permit shall expire and be of no further force or effect if:
1. The permit is not established within twenty-four months of the permits effective date or such other time period designated by the permit approval, by state law or by this code; or
 2. After establishment, the use or activity for which the permit was approved is discontinued or abandoned for a period of one year.
- D. Time Extensions.
1. Upon application before expiration of the period of validity, the original decision-making authority may grant an extension to the period of validity for up to two years if it finds that such an extension is justified by the circumstances of the project. The filing of an application for extension shall stay expiration of the permit until action is taken on the time extension by the decision-making authority unless the application has been deemed incomplete and inactive pursuant to Section 9.200.070(B). [Development Review Permits can be extended no more than twice.](#)
 2. Projects not requiring a time extension may be constructed in accordance with the requirements and standards in effect at the time of permit approval provided the construction complies with all project conditions of approval and all laws in effect at the time of the permit approval. However, any project or permit requiring a time extension shall conform to the requirements and standards in effect at the time the extension is granted. (Ord. 489 § 1, 2011; Ord. 284 § 1 (Exh. A), 1996)

E. Amendments to development review permits.

1. Content of Amendments. Permit amendments are required for substantial revisions to conditions of approval, alterations to approved plans which are more substantial than the modifications provided for in Section 9.200.090 new or additional land uses, or similar major changes.
2. Procedures. A development review permit may be amended any number of times by the approval of a subsequent application. All permit amendments shall be for the same parcel or property for which a development review permit was previously approved. Amendments shall be filed prior to the expiration of the previously approved permit in compliance with the same filing procedures and payment of the fee

required for an amendment. Amendments shall be processed in the same manner as an original application. (Ord. 325 § 1 (Exh. A), 1998; Ord. 284 § 1 (Exh. A), 1996)

9.200.090 Modifications by applicant.

- A. Plan Modifications by Applicant. Site development permit ~~and Village use permit~~ plans modified at the initiative of the applicant from those approved by the decision-making authority may be submitted to the director.
- B. Procedures. If the director determines that the proposed plan modification is minor, will not result in a significant change in the project approved by the decision-making authority, and complies with the spirit and intent of the original approving action, the director may approve the modified plan without further compliance with this section. If the director determines that the plan modification may result in a significant change in the project, the director shall refer the change to the original decision-making authority.
- C. Criteria. Modifications by applicant shall permit minor changes to an existing or approved site development permit ~~or Village use permit~~. The following criteria constitute minor changes that shall be deemed eligible for modification by applicant consideration:
 - 1. Increases in building square footage not to exceed ten percent from the original approval that have been determined to not result in a significant architectural, aesthetic, or visual impact to the existing project and require additional parking;
 - 2. Changes, additions, or adjustments to windows, window locations, or window treatments;
 - 3. Changes, substitutions, or adjustments to building materials, roofing materials, screening materials, lighting fixtures, or paving;
 - 4. Changes, additions, or substitutions to existing approved landscaping, including the removal of turf or water features site or grading plans;
 - 5. Minor adjustments, substitutions, or additions to architectural features such as pilasters, canopies, trellises, shade structures, overhangs, eaves, parapets, cornices, or portions of roof structures that do not result in a significant effect on the overall aesthetic or architectural style of the building;
 - 6. Changes, substitutions, or adjustments to the approved color palette or material colors.
 - ~~6-7.~~ Changes in residential model design.
- D. Ineligibility. Modifications by applicant which have been determined by the planning director, planning commission, or city council to exceed these standards or constitute a significant change shall require application and approval of an amended site development permit ~~or amended Village use permit~~. (Ord. 466 § 1, 2009; Ord. 284 § 1 (Exh. A), 1996)

~~Amendments to development review permits.~~

~~Content of Amendments. Permit amendments are required for substantial revisions to conditions of approval, alterations to approved plans which are more substantial than the modifications provided for in Section 9.200.090 new or additional land uses, or similar major changes.~~

~~Procedures. A development review permit may be amended any number of times by the approval of a subsequent application. All permit amendments shall be for the same parcel or property for which a development review permit was previously approved. Amendments shall be filed prior to the expiration of the previously approved permit in compliance with the same filing procedures and payment of the fee required for an amendment. Amendments shall be processed in the same manner as an original application. (Ord. 325 § 1 (Exh. A), 1998; Ord. 284 § 1 (Exh. A), 1996)~~

9.200.110 Public hearings.

- A. Applicable State Law. Public hearings required for development review actions shall be carried out in accordance with the procedures set forth in this section. It is intended that the provisions of this section shall be fully consistent and in full compliance with Section 65090 et seq., of the State Government Code and that such provisions shall be so construed.
- B. Failure to Receive Notice. Pursuant to State Government Code Section 65093, the failure of any person to receive notice shall not constitute grounds for any court to invalidate the action of the decision-making authority.
- C. Conduct of Hearings. Public hearings shall be noticed in accordance with subsection D of this section and then held by the decision-making authority prior to action on the relevant application. At the public hearing, the decision-making authority may take action on the application, continue the application to a specified date, or take the application under submission. An application taken under submission may later be taken out of submission for the purpose of taking action on the application without scheduling a new public hearing provided no additional testimony is heard and no further evidence is presented. Further testimony may be heard and further evidence may be presented regarding an application taken under submission only if a new public hearing is held in compliance with this section.
- D. Noticing Requirements. Not less than ten days prior to hearing. The city shall:
 - 1. Mail or deliver a public notice, which includes the date, time and place of the hearing, the application number, the applicants name, the location of the property affected, and a description of the land use, development or other action proposed, to:

- a. The owner of the subject real property,
 - b. The owners authorized agent, if any,
 - c. The project applicant,
 - d. Each local agency expected to provide water, sewage, street, roads, schools or other essential facilities or services to the project,
 - e. All owners of real property as shown on the last equalized assessment roll within five hundred feet of the subject real property. If the number of owners to whom notice would be mailed is greater than one thousand, the city may instead place a display advertisement of at least one-eighth page in a newspaper of general circulation; and
2. Publish a legal notice in a newspaper of general circulation or post a notice at two public places in the city and one place at the subject site.
- E. Additional Notice. The planning director may require that additional notice be given by enlarging the notification radius or by other means determined by the director.
- F. Other Notice. The city shall also provide any other notice required by law. (Ord. 325 § 1 (Exh. A), 1998; Ord. 299 § 1, 1997; Ord. 284 § 1 (Exh. A), 1996)

9.200.120 Appeals.

~~A.~~ Appealable Decisions. Any development review action by the director may be appealed to the planning commission and any development review action by the planning commission may be appealed to the city council in compliance with the provisions of this section.

~~B.A.~~ ~~Designation of Board of Appeals. The planning commission shall constitute the board of appeals for decisions by the planning director and the city council shall constitute the board of appeals for decisions by the Planning Commission.~~

~~C.B.~~ Persons Who May Appeal. Any interested person may appeal a decision of the director or the planning commission regarding the action taken on a development review permit application for a development project upon submittal of the required documents and information and the payment of the required fee.

~~D.C.~~ Call-Up Review. The board of appeals (either the planning commission or city council), on its own motion adopted by a majority vote of its total membership, may elect to call up and review any decision of the director or the planning commission regarding the action taken on a development review permit application. The ~~board of appeals~~ Planning cCommission's or cCity cCouncil's' call-up review shall be processed in accordance with subsection E of this section ~~and may be exercised at any time prior to the expiration of fifteen days from the date on which the decision was made.~~

~~E.D.~~ Appeal Procedures.

1. Time Limits for Filing Appeals.

a. All appeals, except call-up reviews pursuant to Subdivision C, shall be filed with the director within fifteen calendar days of the date on which the decision being appealed was rendered. If the fifteenth day is a nonworking day for the city, the appeal period shall be extended to include the next city working day. No appeal shall be accepted after the appeal period has expired.

a.b. A request for call-up review pursuant to Subdivision C shall be initiated by a member of a board of appeals (either the planning commission or city council) delivering written request for call-up review to the city manager or his/her designee within fifteen calendar days of the date on which the decision of the director or the planning commission (as applicable) was rendered. Upon timely receipt of the request for call-up review, the city manager or his/her designee shall schedule as an agenda item at the next regular meeting of the board of appeals, on which the member calling up review is seated, the question whether an appeal shall be considered for the decision subject to call-up review. If the next regular meeting of the board of appeals is cancelled, the city manager or his/her designee shall reschedule the question whether an appeal shall be considered at the next regular meeting that is not cancelled. No appeal may be heard on a decision subject to call-up review unless a majority of the membership of the board of appeals votes to approve the consideration of the appeal. The board of appeals shall consider the appeal that was subject to call-up review not later than forty-five days after the board of appeals votes to approve consideration of the appeal. An appeal may be heard and decided at the same meeting at which the majority of the membership voted to approve the call-up review, provided no applicable law would be violated if the hearing of an appeal occurs at the same meeting. A member of the city council may initiate the call-up review process for a director's decision on a development review permit, without the need for review of that decision by the planning commission, in which case an appeal of the decision subject to call-up review may be considered directly by the city council if a majority of the membership of the city council vote to approve the consideration of the appeal pursuant to this section.

4-2. Required Documents. Each appeal, except for call-up reviews ~~initiated by a board of appeals on its own motion~~, shall be in writing and shall include all grounds for the appeal and sufficient information so as to make it clear to the ~~board of appeals~~ Planning cCommission or cCity cCouncil the substance of each of the grounds for appeal. The director may require that the written appeal be accompanied by such other documents and information that the director determines to be necessary to adequately explain and provide proper notification for the appeal. No appeal shall be accepted if it fails to contain the grounds for the appeal and the description of the grounds.

- ~~2.3.~~ Forwarding of Records. When an appeal has been received, the director shall forward to the ~~board of appeals~~ [pPlanning cCommission or cCity cCouncil](#)—all documents and information on file pertinent to the appeal together with the minutes or official action of the decision-making authority and a report on the basis of the decision.
- ~~3.4.~~ Public Hearing Requirements. If the original approving action did not require a public hearing, the appeal review shall not require a public hearing. If the original approving action required a public hearing, the appeal review shall also require a public hearing. Notice and scheduling requirements for an appeal hearing shall be the same as those for an original hearing as described in Section 9.200.110.
- ~~4.5.~~ Issues to be Considered. The ~~board of appeals~~ [pPlanning cCommission or cCity cCouncil](#)—may refuse to consider any issues which were not raised by the appellant or another person either by verbal testimony or written correspondence made at or before the time the decision-making authority took action. When reviewing a decision-making authority's decision via its own call-up review, the ~~board of appeals~~ [pPlanning cCommission or cCity cCouncil](#)—may raise and consider any issue it deems appropriate to the project application.
- ~~5.6.~~ Action on Appeal. Not later than forty-five days after an appeal has been received and accepted by the director, the ~~board of appeals~~ [pPlanning cCommission or cCity cCouncil](#)—shall consider the appeal and take one of the following actions:
- Take action to sustain, reverse or modify the original decision. If an original decision to approve a project is modified, the ~~board of appeals~~ [pPlanning cCommission or cCity cCouncil](#) may modify permitted land uses, place additional or different conditions of approval on the project, direct that revisions be made to project plans, or require other project modifications.
 - Continue the appeal for further consideration.
 - Refer the application back to the original decision-making authority with directions.
- ~~6.7.~~ Majority Vote. Action by the ~~board of appeals~~ [pPlanning cCommission or cCity cCouncil](#)—to reverse or modify an appealed decision shall require a majority vote of appeal board members present. If there is a tie vote, the original decision shall stand. (Ord. 284 § 1 (Exh. A), 1996)

9.200.130 Permit revocation.

- A. Grounds for Revocation. Any development review permit may be revoked by the decision-making authority or the city council pursuant to the provisions of this section on any of the following grounds:
- Such approval was based on inaccurate or misleading information.
 - One or more of the conditions upon which such approval was granted or extended have been violated.

3. A change in conditions occurring after the original grant of the approval or the continuation of the use as approved is contrary to public health, safety or general welfare, or is detrimental or incompatible with other permitted uses in the vicinity.
 4. The findings which were the basis for the original permit approval can no longer be made.
 5. Other grounds as set forth elsewhere in this code such as, but not limited to, those for sexually oriented businesses.
- B. Procedure. Prior to any action on revocation, the decision-making authority shall hold a public hearing noticed and held in accordance with Section 9.200.110, except that the permittee shall be given not less than fifteen days' notice. The notice shall state the causes for which the revocation is to be considered.
- C. Action of Decision-Making Authority. Following the hearing, the decision-making authority may revoke the permit or revoke the permit subject to reinstatement upon compliance with the conditions of the original permit.
- D. Amortization. If a revocation of any permit is ordered, the decision-making authority may at the same time provide for a reasonable period of time to amortize any lawful existing uses on the site. Extensions of this time period may be granted for good cause shown on later application to the decision-making authority by any affected person.
- E. Appeal. Any action by the decision-making authority pursuant to this section may be appealed as set forth in Section 9.200.120.
- F. New Decision-Making Authority. If the decision-making authority which granted a permit is no longer in existence or no longer issues such permits, the authority which would issue such permit at the time revocation is to be considered shall be the decision-making authority as that term is used in this section. (Ord. 284 § 1 (Exh. A), 1996)

Chapter 9.210 DEVELOPMENT REVIEW PERMITS

9.210.010 ~~Authority~~Site Development Permits.

- A. Terminology. For purposes of this code, site, architectural, lighting and preliminary landscape plans, related development plans, and sign programs are included within the term site development permit.
- B. Purpose. The purpose of a site development permit is to ensure that the development and design standards of this zoning code, including, but not limited to, permitted uses, development standards and supplemental regulations are satisfied. The site development permit process provides a means of achieving this purpose through city review of detailed plans for proposed development projects. Therefore, all development authorized under a site development permit and any land uses associated with the development shall be in compliance with the plans, specifications and conditions of approval shown on and/or attached to the approved permit.

- C. Applicability. A site development permit is required for all projects which involve building construction except the following:
1. Individual single-family houses and alterations to single-family houses or associated accessory structures, unless a site development permit is otherwise required by an applicable provision of this code or permit condition of approval.
 2. Temporary uses (requires temporary use permit per Section 9.210.050).
- D. Decision-Making Authority. Site development permits shall be processed as follows:

1. All permits shall be processed by the planning commission per this section. The Director shall be the Decision Making Authority for the following projects:

- a. New office or commercial buildings no more than 10,000 square feet that are not part of an approved master commercial development or Specific Plan.
- b. New building construction or remodeling (single and multiple family residential, office, commercial and/or institutional) and landscape plans within an approved Specific Plan.
- c. New buildings on vacant pads within an approved commercial development.
- d. New single family models and landscaping plans in an approved tentative tract map.

a.e. _____

2. The Planning Commission shall be the Decision Making Authority for the following projects:

- a. New office or commercial buildings of more than 10,000 square feet that are not part of an approved master commercial development or Specific Plan.
- b. New multi-family buildings and landscaping no part of an approved Specific Plan.
- c. New Mixed Use buildings and landscaping plans.

~~Following Planning Commission decision, all high-density residential and all non-residential permits with structures greater than one-story or twenty-two feet in height and within one hundred feet of residentially zoned properties, as measured by outer boundary of the parcel which is the subject of the permit, shall be reviewed by the City Council. If an appeal regarding the permit has been filed in accordance with Section 9.200.120, the appeal shall be heard by the City Council in accordance with that section. If no appeal is filed regarding the permit within the fifteen-calendar-day appeal period, approval of the Planning Commission action shall be placed on the City Council's consent calendar at a council meeting within thirty days of the Planning Commission's decision. Should any member of the City Council request that the item be removed from the consent calendar, or should the Planning Commission's action not be approved as a consent calendar item, the permit shall be noticed for public hearing~~

~~before the City Council. City Council's review of the item shall fully consider the application.~~

- E. ~~Precise Development Plan. Upon approval, a site development permit constitutes a precise development plan. Therefore, all development authorized under a site development permit and any land uses associated with the development shall be in compliance with the plans, specifications and conditions of approval shown on and/or attached to the approved permit.~~
- F. Required Findings. The following findings shall be made by the decision-making authority prior to the approval of any site development permit:
 - 2. Consistency with General Plan. The project is consistent with the general plan.
 - 3. Consistency with Zoning Code. The project is consistent with the provisions of this zoning code.
 - 4. Compliance with CEQA. Processing and approval of the permit application are in compliance with the requirements of the California Environmental Quality Act.
 - 5. Architectural Design. The architectural design of the project, including, but not limited to, the architectural style, scale, building mass, materials, colors, architectural details, roof style and other architectural elements are compatible with surrounding development and with the quality of design prevalent in the city.
 - 6. Site Design. The site design of the project, including, but not limited to, project entries, interior circulation, pedestrian and bicycle access, pedestrian amenities, screening of equipment and trash enclosures, exterior lighting, and other site design elements are compatible with surrounding development and with the quality of design prevalent in the city.
 - 7. Landscape Design. Project landscaping, including, but not limited to, the location, type, size, color, texture and coverage of plant materials, has been designed so as to provide visual relief, complement buildings, visually emphasize prominent design elements and vistas, screen undesirable views, provide a harmonious transition between adjacent land uses and between development and open space, and provide an overall unifying influence to enhance the visual continuity of the project.
 - ~~8. Sign Programs. Per Section 9.160.090 (Sign permit review), in order to approve a planned sign program the decision-making authority must find that:
 - a. ~~The sign program is consistent with the purpose and intent of Chapter 9.160 (Signs);~~
 - b. ~~The sign program is in harmony with and visually related to:
 - i. ~~All signs within the planned sign program, via the incorporation of several common design elements such as materials, letter style, colors, illumination, sign type or sign shape,~~~~~~

- ~~ii. The Buildings They Identify. This may be accomplished by utilizing materials, colors, or design motif included in the building being identified;~~
 - ~~iii. Surrounding Development. Implementation of the planned sign program will not adversely affect surrounding land uses or obscure adjacent conforming signs.~~
- G. Appeals. Appeals to decisions on-site development permits shall be reviewed pursuant to Section 9.200.120.
- H. Expiration and Time Extensions. The period of validity for establishment or time extension of a site development permit ~~is one year from its effective date as defined in Section 9.200.060. Time extensions may be granted~~shall be pursuant to Section 9.200.080.E
- I. Amendments. Amendments to site development permits shall be processed pursuant to Section 9.200.100.
- J. Staff Certification of Construction Documents. Prior to issuance of a building permit, the director shall certify that final construction documents conform to preliminary plans (schematic elevations, preliminary site and landscape plans, etc.) approved as part of the site development permit. (Ord. 425 § 1, 2006; Ord. 299 § 1, 1997; Ord. 284 § 1 (Exh. A), 1996)

9.210 020 Conditional use permits ~~and minor use permits.~~

- A. Purpose. The purpose of a conditional use permit or minor use permit is to provide for individual approval or denial of land uses requiring such permits under this code. Uses requiring these permits have potential for adverse impacts on surrounding properties, residents or businesses. Therefore, when such uses are approved, conditions are placed on their establishment and operation to mitigate or eliminate such impacts. ~~For purposes of this section, the term “use permit” includes both conditional use and minor use permits.~~
- B. Definitions. See Chapter 9.280.
- C. Applicability. A conditional use permit or a minor use permit is required for all land uses identified in this code as requiring such permits.
- D. Decision-Making Authority. Conditional use permits shall be reviewed by the planning commission in conjunction with a public hearing held pursuant to Section 9.200.110. ~~Minor use permits shall be processed administratively by the planning director pursuant to Section 9.200.020.~~
- E. Compliance with Permit. The establishment and operation of any land use authorized under a use permit and any development associated with the permit shall be in compliance with the approved permit and any plans, specifications and conditions of approval shown on and/or attached to the permit at all times.
- F. Required Findings. The following findings shall be made by the decision-making authority prior to the approval of ~~either a conditional use permit or a~~ minor use permit:

1. Consistency with General Plan. The land use is consistent with the general plan.
 2. Consistency with Zoning Code. The use is consistent with the provisions of this zoning code.
 3. Compliance with CEQA. Processing and approval of the permit application are in compliance with the requirements of the California Environmental Quality Act.
 4. Surrounding Uses. Approval of the application will not create conditions materially detrimental to the public health, safety and general welfare or injurious to or incompatible with other properties or land uses in the vicinity.
- G. Appeals. Appeals to decisions on use permits shall be reviewed pursuant to Section 9.200.120.
- H. Expiration and Time Extensions. The period of validity for establishment or time extension of a site development permit shall be pursuant to Section 9.200.080.~~The decision-making authority may impose a time limitation on establishment of the use, as defined in Section 9.200.080, and/or may establish an expiration date on the use permit itself. Time extensions may be granted pursuant to Section 9.200.080.~~
- I. Amendments. Amendments to use permits shall be processed pursuant to Section 9.200.~~400~~080.
- J. The use permit may be modified or revoked by the city council, or planning commission, should they determine that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare, or materially injurious to property, or improvements in the vicinity, or if the property is operated or maintained, so as to constitute a public nuisance. (Ord. 489 § 1, 2011; Ord. 325 § 1 (Exh. A), 1998; Ord. 284 § 1 (Exh. A), 1996)

9.210 020 Minor use permits

- A. Purpose. The purpose of a minor use permit or minor use permit is to provide for individual approval or denial of land uses requiring such permits under this code.
- B. Definitions. See Chapter 9.280.
- C. Applicability. A minor use permit is required for all land uses identified in this code as requiring such permits.
- D. Decision-Making Authority. Minor use permits shall be processed administratively by the Community Development Director pursuant to Section 9.200.020.
- E. Compliance with Permit. The establishment and operation of any land use authorized under a use permit and any development associated with the permit shall be in compliance with the approved permit and any plans, specifications and conditions of approval shown on and/or attached to the permit at all times.

- F. Required Findings. The following findings shall be made by the decision-making authority prior to the approval of a minor use permit:
 - 5. Consistency with General Plan. The land use is consistent with the general plan.
 - 6. Consistency with Zoning Code. The use is consistent with the provisions of this zoning code.
 - 7. Compliance with CEQA. Processing and approval of the permit application are in compliance with the requirements of the California Environmental Quality Act.
 - 8. Surrounding Uses. Approval of the application will not create conditions materially detrimental to the public health, safety and general welfare or injurious to or incompatible with other properties or land uses in the vicinity.
- G. Appeals. Appeals to decisions on use permits shall be reviewed pursuant to Section 9.200.120.
- K. Expiration and Time Extensions. The period of validity for establishment or time extension of a site development permit shall be pursuant to Section 9.200.080.
- H. Amendments. Amendments to use permits shall be processed pursuant to Section 9.200.100.
- I. The use permit may be modified or revoked by the City Council, or Planning Commission, should they determine that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare, or materially injurious to property, or improvements in the vicinity, or if the property is operated or maintained, so as to constitute a public nuisance. (Ord. 489 § 1, 2011; Ord. 325 § 1 (Exh. A), 1998; Ord. 284 § 1 (Exh. A), 1996)

9.210.030 Variances.

- A. Purpose. The purpose of a variance ~~permit~~ is to provide for deviations from applicable standards of this zoning code such as the development standards set forth in Chapter 9.50 and 9.90. Therefore, any development or other activity authorized under such a permit shall be in compliance with the plans, specifications and conditions of approval shown on and/or attached to the approved permit.
- B. Applicability. A variance ~~permit~~ is required for any development which is not consistent with applicable site development standards or other regulations of this code and which is not eligible for consideration as a minor adjustment pursuant to Section 9.210.040.
- C. Decision-Making Authority. Variances shall be reviewed by the planning commission in conjunction with a public hearing held pursuant to Section 9.200.110.

D. Conditions of Approval. If a variance is approved, conditions may be placed on the permit to mitigate or eliminate adverse impacts on surrounding properties, residents or businesses.

~~E. Precise Development Plan. Upon approval, a variance permit constitutes a precise development plan. Therefore, any development or other activity authorized under such a permit shall be in compliance with the plans, specifications and conditions of approval shown on and/or attached to the approved permit.~~

~~F.E.~~ Required Findings. The following findings shall be made by the decision-making authority prior to the approval of a variance ~~permit~~:

1. Consistency with General Plan. The variance is consistent with the general plan.
2. Consistency with Zoning Code. The variance is consistent with the provisions of this zoning code.
3. Compliance with CEQA. Processing and approval of the ~~permit~~ variance application are in compliance with the requirements of the California Environmental Quality Act.
4. Surrounding Uses. Approval of the application will not create conditions materially detrimental to the public health, safety and general welfare or injurious to or incompatible with other properties or land uses in the vicinity.
5. Special Circumstances. There are special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, which, when the zoning regulations are strictly applied, deprive the property of privileges enjoyed by other properties in the vicinity subject to the same zoning regulations. The special circumstances shall be specified in the adopted finding.
6. Preservation of Property Rights. The granting of the variance is necessary for the preservation of a substantial property right possessed by other property in the same vicinity and zoning district and otherwise denied to the subject property.
7. No Special Privileges. The variance's ~~permit's~~ required conditions of approval assure that the adjustment authorized will not constitute a grant of special privileges which are inconsistent with the limitations placed upon other properties in the vicinity subject to the same zoning regulations.
8. No Land Use Variance. The approval does not authorize a land use or activity which is not permitted in the applicable zoning district.

~~L.~~ Expiration and Time Extensions. The period of validity for establishment or time extension of a site development permit shall be pursuant to Section 9.200.080.

~~G.~~ ~~The decision-making authority may impose a time limitation on establishment of the variance permit, as defined in Section 9.200.080. Time extensions may be granted pursuant to Section 9.200.080.~~

~~H.F.~~ Amendments. Amendments to variance permits shall be processed pursuant to Section 9.200.~~400080~~

~~†~~G. Staff Certification of Construction Documents. If development is provided for under the variance ~~permit~~, prior to issuance of a building permit the director shall certify that final construction documents conform to preliminary plans (schematic elevations, preliminary site and landscape plans, etc.) approved as part of the variance. (Ord. 284 § 1 (Exh. A), 1996)

9.210.040 Minor adjustments.

- A. Purpose. The purpose of a minor adjustment permit is to provide for minor deviations from certain specific development standards set forth in this code.
- B. Definition. See Chapter 9.280.
- C. Applicability. A minor adjustment permit may be approved only for deviations of up to ten percent of a numerical development standard (for example, a reduction of one foot from a ten-foot setback requirement) ~~;~~ for an approved or proposed map; approved or proposed development permit review; single family home building permit ~~for deviations specifically identified in this code~~. Other deviations shall require consideration of a variance pursuant to Section 9.210.030. ~~Only one setback~~ Up to three adjustments per lot shall be allowed. ~~Example—an adjustment of the front and rear yard shall not be approved.~~
- D. Decision-Making Authority. Minor adjustments shall be reviewed administratively by the director pursuant to Section 9.200.020 unless combined with another application which requires discretionary review by the planning commission or city council pursuant to Section 9.200.030 and 9.200.090.B.
- E. Conditions of Approval. If a minor adjustment is approved, conditions may be placed on the permit to mitigate or eliminate adverse impacts on surrounding properties, residents or businesses.
- F. ~~Precise Development Plan. Upon approval, a minor adjustment permit constitutes a precise development plan. Therefore, a~~ Any development authorized under such a permit shall be in compliance with the plans, specifications and conditions of approval shown on and/or attached to the approved permit.
- G. Required Findings. The following findings shall be made by the decision-making authority prior to the approval of any minor adjustment permit:
 - 1. Consistency with General Plan. The project is consistent with the general plan.
 - 2. Consistency with Zoning Code. The project is consistent with the provisions of this zoning code.
 - 3. Compliance with CEQA. Processing and approval of the permit application are in compliance with the requirements of the California Environmental Quality Act.

4. Surrounding Uses. Approval of the application will not create conditions materially detrimental to the public health, safety and general welfare or injurious to or incompatible with other properties or land uses in the vicinity.
- H. Appeals. Appeals to decisions on minor adjustments shall be reviewed pursuant to Section 9.200.120.
- I. Expiration and Time Extensions. ~~The decision-making authority may impose a time limitation on establishment of the minor adjustment permit as defined in Section 9.200.080. Time extensions may be granted pursuant to Section 9.200.080. The minor adjustment will expire at the same time as the primary building or planning permit.~~
- J. Amendments to Minor Adjustment Permits. Amendments to minor adjustments shall be processed pursuant to Section 9.200.100.
- K. Staff Certification of Construction Documents. Prior to issuance of a building permit, the director shall certify that final construction documents conform to preliminary plans (schematic elevations, preliminary site and landscape plans, etc.) approved as part of the adjustment. (Ord. 325 § 1 (Exh. A), 1998; Ord. 284 § 1 (Exh. A), 1996)

9.210.050 Temporary use permits.

- A. Purpose. The purpose of a temporary use permit is to regulate certain temporary land uses and activities to ensure that adverse impacts on surrounding properties, residents and businesses are minimized, that the time limitations for temporary uses are specified and complied with, and that the site of the temporary use is restored to its condition prior to establishment.
- B. Applicability. A temporary use permit is required for temporary uses permitted under this code.
- C. Decision-Making Authority. Temporary use permits shall be reviewed administratively by the director pursuant to Section 9.200.020.
- D. Conditions of Approval. If a temporary use is approved, conditions may be placed on the permit to mitigate or eliminate adverse impacts on surrounding properties, residents or businesses.
- E. ~~Precise Development Plan. Upon approval, a temporary use permit constitutes a precise development plan. Therefore, a~~Any use or development authorized under such a permit shall be in compliance with the plans, specifications and conditions of approval shown on and/or attached to the approved permit.
- F. Required Findings. Findings required for approval of a temporary use permit shall be deemed to have been made if the director determines that the standards set forth for such temporary uses in the applicable section of this code have been satisfied. (Ord. 284 § 1 (Exh. A), 1996)

9.210.060 Home occupation permits.

- A. Purpose. The purpose of a home occupation permit is to regulate certain incidental and accessory home enterprises in residential neighborhoods under conditions that will ensure their compatibility with the neighborhood. Regulations for home occupations are set forth in Section 9.60.110.
- B. Applicability. A home occupation permit is required for home occupations conducted within a residence which are accessory to the main residential use of the dwelling and which are permitted pursuant to Section 9.60.110.
- C. Decision-Making Authority. Home occupation permits shall be reviewed administratively by the director of building and safety pursuant to Section 9.60.110.
- D. Conditions of Approval. If a home occupation is approved, conditions may be placed on the permit to mitigate or eliminate adverse impacts on surrounding properties, residents or businesses.
- E. Compliance with Permit. Any use or activity authorized under a home occupation permit shall be in compliance with the specifications and conditions of approval shown on and/or attached to the approved permit. Failure to comply with such specifications and conditions of approval may result in revocation of the permit.
- F. Required Findings. Findings required for approval of a home occupation permit shall be deemed to have been made if the director of building and safety determines that the standards set forth in Section 9.60.110 for home occupations have been or will be satisfied. These standards consist of the following:
 - G. The establishment and conduct of a home occupation shall be an incidental and accessory use and shall not change the principal character or use of the dwelling unit involved.
 - H. Only residents of the dwelling unit may be engaged in the home occupation.
 - I. A home occupation shall be conducted only within the enclosed living area of the dwelling unit or within the garage provided no garage space required for off-street parking is used. The home occupation shall not occupy more than twenty-five percent of the combined floor area of the house and garage.
 - J. A home occupation shall not be conducted within a detached accessory structure, although materials may be stored in such a structure.
 - K. There shall be no signs, outdoor storage, parked vehicles or other exterior evidence of the conduct of the home occupation. Neither the dwelling nor the lot shall be altered in appearance so that it appears other than a residence, either by color, materials, construction, lighting, sounds, vibrations or other characteristics.
 - L. Electrical or mechanical equipment which creates interference in radio, television or telephone receivers or causes fluctuations in line voltage outside the dwelling unit shall be prohibited.

- M. The home occupation shall not create dust, noise or odors in excess of that normally associated with residential use.
- N. No sales activity shall be conducted from the dwelling except for mail order sales. The dwelling unit shall not be the point of customer pickup or delivery of products or services, nor shall a home occupation create greater vehicular or pedestrian traffic than normal for the district in which it is located.
- O. Medical, dental or similar occupations in which patients are seen in the home are prohibited.
- P. All conditions attached to the home occupation permit shall be fully complied with at all times. (Ord. 284 § 1 (Exh. A), 1996)

~~9.210.070 Sign permits.~~

~~Signs shall be regulated and sign permits shall be processed in accordance with Section 9.160.090. (Ord. 284 § 1 (Exh. A), 1996)~~

Chapter 9.220 ZONE MAP CHANGES AND CODE AMENDMENTS

9.220.010 Zone map changes and rezoning.

- A. Purpose. A zone map change is a ~~development review~~legislative action by the city council to change the zone designation of a property or properties on the official zoning map. A rezoning is the zoning of property outside the city's boundaries in anticipation of annexation into the city. For purposes of this code, rezonings are included within the term "zone change."
- B. Applicable State Law. It is intended that the provisions of this section shall be fully consistent and in full compliance with Section 65853 et seq., of the State Government Code and that such provisions shall be so construed.
- C. Who May Apply.
 - 1. The owner of the property or by the owners agent (with written notarized authorization from the owner);
 - 2. The city council by a majority vote;
 - 3. The planning commission by a majority vote; or
 - 4. The planning director.
- D. Review Procedures.
 - 1. Zone changes shall be approved, approved with modifications or denied by ordinance of the city council after receipt of testimony at a public hearing held pursuant to Section 9.200.110.
 - 2. Prior to city council review, the planning commission shall hold a public hearing, review the application, and forward a recommendation to the council.
 - 3. If the council contemplates a modification to the application not previously considered by the planning commission, the proposed

modification may be referred to the planning commission for report back to council. A public hearing shall not be required for such planning commission review.

- E. Required Findings. The following findings shall be made by the city council prior to approval of any zone [map](#) change:
1. Consistency with General Plan. The zone [map](#) change is consistent with the goals, objectives and policies of the general plan.
 2. Public Welfare. Approval of the zone [map](#) change will not create conditions materially detrimental to the public health, safety and general welfare.
 3. Land Use Compatibility. The new zoning is compatible with the zoning on adjacent properties.
 4. Property Suitability. The new zoning is suitable and appropriate for the subject property.
 5. Change in Circumstances. Approval of the zone [map](#) change is warranted because the situation and the general conditions of the property have substantially changed since the existing zoning was imposed. (Ord. 367 § 1 (Exh. A), 2002; Ord. 284 § 1 (Exh. A), 1996)

9.220.020 Zoning ~~code-text~~ amendments.

- A. Purpose. A zoning ~~code-text~~ amendment is a development review action by the city council to change the text and/or graphics within this zoning code.
- B. Applicable State Law. It is intended that the provisions of this section shall be fully consistent and in full compliance with Section 65853 et seq., of the State Government Code and that such provisions shall be so construed.
- C. Who May Apply. A code amendment may be initiated by:
1. The city council;
 2. The planning commission by a majority vote; or
 - [3.](#) The planning director;
 - ~~3.4.~~ An interested party.
- D. Review Procedures. ~~Code-Text~~ amendments shall be reviewed under the same procedures as zone [map](#) changes as set forth in Section 9.220.010.
- E. Required Findings. The following findings shall be made by the city council prior to approval of any ~~code-text~~ amendment:
1. Consistency with General Plan. The code amendment is consistent with the goals, objectives and policies of the general plan.
 2. Public Welfare. Approval of the code amendment will not create conditions materially detrimental to the public health, safety and general welfare. (Ord. 367 § 1 (Exh. A), 2002; Ord. 284 § 1 (Exh. A), 1996)

Chapter 9.230 GENERAL PLAN AMENDMENTS

9.230.010 Application and referral.

- A. Purpose. A general plan amendment is a ~~discretionary~~ legislative action by the city council to change the text of the general plan or any map or diagram of the general plan.
- B. Applicable State Law. It is intended that the provisions of this section shall be fully consistent and in full compliance with Section 65350 et seq., of the State Government Code and that such provisions shall be so construed.
- C. Who May Apply.
 - 1. The owner of the property or by the owners agent (with written notarized authorization from the owner);
 - 2. The city council by a majority vote;
 - 3. The planning commission by a majority vote; or
 - 4. The planning director.
 - 4-5. An interested party.
- D. Referral of Proposed Amendments. Proposed general plan amendments shall be referred to the persons and agencies as specified in Section 65352 of the State Government Code.
- E. Frequency of General Plan Amendment.
 - 1. General Plan elements specified as mandatory in the State Government Code may be amended pursuant to City Council Resolution 2000-77. Each amendment may include more than one change to the general plan.
 - 2. ~~The limitation on frequency of amendments to the general plan set forth in subsection (E)(1) of this section does not apply to residential development projects with at least twenty-five percent of the dwelling units to be occupied by persons or families of low or moderate income. (Ord. 367 § 1 (Exh. A), 2002; Ord. 284 § 1 (Exh. A), 1996)~~
- 3-2.
- F. Review Procedures.
 - 1. ~~General Plan elements specified as mandatory in the State Government Code may be amended pursuant to city council Resolution 2000-77. Each amendment may include more than one change to the general plan.~~
 - 2. ~~The limitation on frequency of amendments to the general plan set forth in subsection (E)(1) of this section does not apply to residential development projects with at least twenty-five percent of the dwelling units to be occupied by persons or families of low or moderate income. (Ord. 367 § 1 (Exh. A), 2002; Ord. 284 § 1 (Exh. A), 1996)~~

~~A. 9.230.020 Review procedures and findings.~~

~~Review Procedures:~~

- 1. General plan amendments shall be approved, approved with modifications or denied by resolution of the city council after receipt of

testimony at a public hearing held pursuant to Section 9.200.110. Approval or approval with modifications shall require an affirmative vote of a majority of the total membership of the council.

2. Prior to city council review, the planning commission shall hold a public hearing, review the application, and forward a recommendation with findings to the council.
 3. If the council contemplates a modification to the application not previously considered by the planning commission, the proposed modification may be referred to the commission for report back to the council. A public hearing shall not be required for such commission review.
- G. Required Findings. The following findings shall be made by the city council prior to the approval of a general plan amendment:
1. Internal General Plan Consistency. The [General Plan](#) amendment is internally consistent with those goals, objectives and policies of the general plan which are not being amended.
 2. Public Welfare. Approval of the [General Plan](#) amendment will not create conditions materially detrimental to the public health, safety and general welfare.
 3. General Plan Compatibility. In the case of amendments to the general plan policy diagram, the new designation is compatible with the designations on adjacent properties.
 4. Property Suitability. In the case of amendments to the general plan policy diagram, the new designation is suitable and appropriate for the subject property.
 5. Change in Circumstances. In the case of amendments to the general plan policy diagram, approval of the amendment is warranted because the situation and the general conditions of the property have substantially changed since the existing designation was imposed. (Ord. 367 § 1 (Exh. A), 2002; Ord. 284 § 1 (Exh. A), 1996)

Chapter 9.240 SPECIFIC PLANS

9.240.010 Specific plan review.

- A. Purpose. A specific plan is a detailed plan covering a selected area of the city for the purpose of implementation of the general plan.
- B. Applicable State Law. It is intended that the provisions of this section shall be fully consistent and in full compliance with Section 65450 et seq., of the State Government Code and that such provisions shall be so construed.
- C. Who May Apply. A specific plan or specific plan amendment application may be initiated by:
 1. The city council

2. The owner of the property or by the owners agent (with written notarized authorization from the owner);
 3. The planning commission by a majority vote; or
 4. The planning director.
- D. Review Procedures. Specific plans shall be prepared, adopted and amended in the same manner as the general plan, except that a specific plan may be adopted either by resolution or ordinance.
- E. Required Findings. The following findings shall be made by the city council prior to approval of any specific plan or specific plan amendment:
1. Consistency with General Plan. The plan or amendment is consistent with the goals, objectives, and policies of the general plan.
 2. Public Welfare. Approval of the [Specific Plan](#) or amendment will not create conditions materially detrimental to the public health, safety and general welfare.
 3. Land Use Compatibility. The specific plan is compatible with zoning on adjacent properties.
- F. Property Suitability. The specific plan is suitable and appropriate for the subject property. (Ord. 367 § 1 (Exh. A), 2002; Ord. 284 § 1 (Exh. A), 1996)

Chapter 9.250 OTHER ACTIONS

~~9.250.010 Subdivisions.~~

~~Tract maps, parcel maps and related subdivision applications shall be processed in accordance with the city's subdivision code. (Ord. 284 § 1 (Exh. A) (part), 1996)~~

9.260250.020 Environmental review.

- A. Definition. See Chapter 9.280.
- B. Procedures. All discretionary applications shall be evaluated in compliance with CEQA the CEQA Guidelines, and the citys environmental review procedures to determine the proposals potential impacts. ~~Examples of potential impacts include but are not limited to: climate and air quality, soils, geology and seismicity, hydrology, biotic resources, archeology, paleontology and cultural resources, land use and zoning, traffic, noise, aesthetics, light and glare, health and safety, public services and utilities, and threatened or endangered species. (Ord. 284 § 1 (Exh. A) (part), 1996)~~

9.250.030 Development agreements.

- A. Purpose. A development agreement is a [discretionary legislative](#) action by the city council to provide certainty in the review and approval of development projects in order to make maximum efficient utilization of resources at the least economic cost to the public, strengthen the public

planning process, encourage private participation in comprehensive planning, reduce the economic costs of development, and provide for public facilities and infrastructure. Development agreements shall be prepared, reviewed, adopted, and maintained in accordance with the provisions of this section.

B. Applicable State Law. It is intended that the provisions of this section shall be fully consistent and in full compliance with Section 65864 et seq., of the State Government Code and that such provisions shall be so construed.

C. Review Procedures.

1. Application Forms. The director shall prescribe the form of each application, notice and document provided for or required under this chapter for the preparation, processing and implementation of development agreements. The application shall include as separate documents by reference, the following information:

- a. Duration of the agreement;
- b. The permitted uses of the property;
- c. The density or intensity of use of the property;
- d. The maximum height and size of proposed buildings;
- e. Provisions for reservation of dedication of land for public purposes;
- f. Fiscal impact statement to include revenue generated to the city and benefits received by the developer;
- g. Phasing and project completion date;
- h. Consistency with the general plan and any applicable specific plan.

In addition to the above, the director may require an applicant for a development agreement to submit such other information and supporting data as the director deems necessary to process the application.

2. Fees. The city council shall establish and from time to time amend by resolution a schedule of fees imposed for the filing and processing of each application and documentation required by this chapter. The fee may be waived in whole or in part by the city council for affordable housing that is in conformance with the general plan.

3. Who May Apply. An application for a development agreement may only be filed by a person who has a legal or equitable interest in the real property for which a development agreement is sought or the authorized representative of such person.

4. Proposed Form of Agreement. Each application shall be accompanied by draft development agreement in form which is mutually agreed upon by the applicant and the city at a pre-proposal meeting. This requirement may be met by using the city's standard development agreement form and including specific proposals for changes in or additions to the language of the standard form.

5. Review and Filing of Application. The director shall endorse on the application the date it is received. The director shall review the

- application and determine if additional requirements are necessary to complete the agreement. The application may be rejected if it is not completed in the manner required by these rules. After receiving the required information, the director shall prepare a staff report. The staff report shall analyze the proposed development agreement and shall contain a recommendation as to whether or not the development agreement proposed or in an amended form would be consistent with the general plan or any applicable specific plan. Before processing the application the director shall obtain the opinion of the city attorney as to sufficiency of the applicant's interest in the real property to enter into agreement.
6. Notice of Intention. Upon completion of the staff report required by subsection C5 of this section, in addition to any other notice required by law, the director shall give notice of intention to consider adoption of a development agreement. The notice shall contain:
 - a. The time and place of the public hearing;
 - b. A general explanation of the development agreement, including a general description of the property proposed to be developed;
 - c. Other information that the director considers necessary or desirable.
 7. Manner of Giving Notice. All notices required by these rules shall be processed in the manner provided in Section 9.200.110 of this code.
 8. Hearing and Recommendation of Planning Commission. The planning commission shall hold a public hearing on the proposed development agreement at the time and place specified in the notice of intention. The planning commission shall make its recommendation to the city council in writing within thirty days of the date set for the public hearing. The recommendation shall include whether or not the proposed development agreement:
 - a. Is consistent with the objectives, policies, general land uses and programs specified in the general plan and any applicable specific plan;
 - b. Is compatible with the uses authorized in and the regulations prescribed for the land use district in which the real property is located;
 - c. Is in conformity with the public necessity, public convenience, general welfare and good land use practices;
 - d. Will be detrimental to the health, safety and general welfare;
 - e. Will adversely affect the orderly development of property or the preservation of property values;
 - f. Will have a positive fiscal impact on the city.
 9. Hearing by City Council. After the recommendation of the planning commission or after the expiration of the time period specified in subsection C8 of this section, the director shall give notice of a public hearing before the city council in the manner provided for in subsections C6 and 7 of this section.
 10. Decision by City Council.

- a. After it completes the public hearing and considers the recommendation, if any, of the planning commission, the city council may accept, modify or disapprove the proposed development agreement. It may, but need not, refer the matters not previously considered by the planning commission during its hearing back to the planning commission for report and recommendation. The planning commission shall not be required to hold a public hearing on matters referred back to it by the city council.
 - b. The development agreement may not be approved unless the city council finds that the development agreement is consistent with the general plan and any applicable specific plan.
11. Approval of Development Agreement. The development agreement shall be approved by the adoption of an ordinance. Upon the adoption of the ordinance, the city shall enter into the development agreement by the execution thereof by the city manager.
12. Amendment and Cancellation.
- a. Either the city or the applicant or successor in interest thereto may propose an amendment or cancellation in whole or in part of the development agreement.
 - b. The procedure for proposing and approving an amendment to or cancellation in whole or in part of the development agreement shall be the same as the procedure for entering into a development agreement.
 - c. Notwithstanding the foregoing, a proposed amendment to a development agreement to delete certain real property from the terms and conditions of the agreement and sell such property to a public entity considered by the planning commission without a noticed public hearing so long as the planning commission holds a properly noticed public hearing in connection with a proposed general plan amendment and/or zone change for such property. Upon consideration of the proposed amendment and written recommendation to the city council by the planning commission, the city council shall hold a properly noticed public hearing and consider the amendment in accordance with the same procedure for entering into a development agreement.
 - d. Except as expressly set forth herein, each and every provision of this section concerning the procedures for processing and approval of development agreements remains in full force and effect.
 - e. Except as provided for in subsection C14c of this section, the development agreement may only be amended or canceled in whole or in part by the mutual consent of all parties to the development agreement.
13. Recordation.
- a. No later than ten days after the city enters into the development agreement, the city clerk shall record with the county recorder a copy of the development agreement.

- b. If the parties to the agreement or their successors in interest amend or cancel the agreement, or if the city terminates or modifies the agreement for failure of the applicant to comply in good faith with the terms or conditions of the agreement, the city clerk shall cause notice of such action to be recorded with the county recorder.
14. Periodic Review.
- a. The city council shall review the development agreement at least every twelve months from the date the development agreement is entered into until expiration of the term of the agreement.
 - b. The director shall give the applicant or successor in interest thereto at least thirty days' advance notice of the time at which the city council will review the development agreement.
 - c. The city council may refer the matter to the planning commission for further proceedings or for a report and recommendation.
 - d. The applicant or successor in interest thereto shall demonstrate good faith compliance with the terms of the development agreement.
 - e. If, as a result of such periodic review, the city council finds and determines, on the basis of substantial evidence, that the applicant or successor in interest thereto has not complied in good faith with the terms or conditions of the development agreement, the city council may commence proceedings to enforce, modify or terminate the development agreement.
15. Modification or Termination.
- a. If, upon a finding under subsection C14e of this section, the city council determines to proceed with modification or termination of the development agreement, the city council shall give notice to the applicant or successor in interest thereto of its intention to do so. The notice shall contain the time and place of the hearing.
 - b. At the time set for the hearing on the modification or termination, the city council may refer the matter back to the planning commission for further proceedings or for report and recommendation. The decision of the city council shall be final. (Ord. 284 § 1 (Exh. A) (part), 1996)

Chapter 9.60.015?? Planned Unit Development Standards

- K. Purpose. The purpose of the Planned Unit Development is to allow flexibility in the design of residential projects, and encourage the development of creative, high-quality residential projects that provide attractive living environments in a setting that is different from standard single family home development.
- L. Permit Required. Planned Unit Developments (PUD) shall require approval of a Conditional Use Permit.

M. Design Guidelines Required. All PUDs shall be required to submit design guidelines that include:

1. A site plan that shows building and unit footprints, common and private open space areas, parking areas, roadways/driveways/alleys, and access points.
2. Architectural plans that include elevations, floor plans, roof plans, lighting and landscaping plans. The graphic plans must be accompanied by text that describes minimum development standards, building materials, landscape palette and lighting details.
3. For projects proposing two or more story structures, a massing plan that depicts the relationship of the structures within the project to each other, and to development adjacent to the project. The massing plan shall be accompanied by text that describes how the project is compatible with surrounding development.
4. A common area plan that describes in text the area(s) to be devoted to common area, and the amenities to be provided, as well as a calculation of the percentage of common area provided in relation to the residential units.
5. A circulation plan that provides graphics and text describing the roadway/driveway/alleyway cross-section dimensions, parking areas, and entryway treatments.

N. Development Standards. All PUDs shall be subject to the following development standards.

1. Density. The maximum density allowed in a PUD shall not exceed the General Plan and Zoning designation on the property.
2. In order to encourage creative design, development standards in PUDs can be proposed by the applicant. The applicant must demonstrate in the project's Design Guidelines that reduced setbacks are offset with project amenities.
3. Common Areas. A PUD must provide 30% of the net project area (not including City street dedications, interior streets or parking areas), as common area. Common area cannot include parking lot landscape areas, landscaped areas of less than 5 feet in width, or any open space area provided for the exclusive use a residential unit. Common areas can include passive and active areas, and must provide amenities for the community as a whole. Amenities can include:

- Passive park, at least ½ acre in size, and not including retention basins
- Swimming pool, with or without spa

- [Clubhouse/recreation room](#)
- [Tot lot with play equipment](#)
- [Picnic tables and barbeque areas](#)
- [Tennis court](#)
- [Basketball court](#)
- [Volleyball court](#)
- [Bocce ball or horseshoe pitch](#)
- [Softball, baseball or soccer field](#)
- [Putting green, driving range or similar golf-oriented area](#)
- [Par course](#)
- [Off-street continuous trail or paseo \(allowing a loop through the project\)](#)
- [Community garden](#)
- [Daycare center or similar children's activity building](#)
- [Other facilities as determined appropriate by the Director](#)

[A minimum number of amenities shall be provided based on the number of units within a project, as shown below.](#)

<u>0-25 units</u>	<u>2 amenities</u>
<u>26-50 units</u>	<u>3 amenities</u>
<u>51-100 units</u>	<u>4 amenities</u>
<u>101 or more units</u>	<u>5 amenities</u>

4. [Parking: Parking shall be provided consistent with Chapter 9.150. As provided in that Chapter, variations from parking requirements can be proposed in a PUD, with appropriate substantiation.](#)
5. [Signage. Signage shall be provided consistent with Chapter 9.160.](#)
- O. [Required Findings. The following findings shall be made by the decision-making authority prior to the approval of any Planned Unit Development:](#)
 8. [Consistency with General Plan. The project is consistent with the general plan.](#)
 9. [Consistency with Zoning Code. The project is consistent with the provisions of this zoning code.](#)
 10. [Compliance with CEQA. Processing and approval of the permit application are in compliance with the requirements of the California Environmental Quality Act.](#)
 11. [Architectural Design. The architectural design of the project, including, but not limited to, the architectural style, scale, building mass, materials, colors, architectural details, roof style and other architectural elements](#)

are compatible with surrounding development and with the quality of design prevalent in the city.

12. Site Design. The site design of the project, including, but not limited to, project entries, interior circulation, pedestrian and bicycle access, pedestrian amenities, screening of equipment and trash enclosures, exterior lighting, and other site design elements are compatible with surrounding development and with the quality of design prevalent in the city.

13. Landscape Design. Project landscaping, including, but not limited to, the location, type, size, color, texture and coverage of plant materials, has been designed so as to provide visual relief, complement buildings, visually emphasize prominent design elements and vistas, screen undesirable views, provide a harmonious transition between adjacent land uses and between development and open space, and provide an overall unifying influence to enhance the visual continuity of the project.

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CITY COUNCIL, BOARDS, COMMISSIONS AND OUTSIDE AGENCY MEETINGS APRIL 2016—JUNE 2016



CITY OF LA QUINTA

CALENDAR

Date APRIL

April 5	CITY COUNCIL MEETING
April 6	ARCHITECTURAL & LANDSCAPING REVIEW BOARD
April 11	COMMUNITY SERVICES COMMISSION
April 12	PLANNING COMMISSION
April 13	HOUSING COMMISSION
April 13	INVESTMENT ADVISORY BOARD
April 19	CITY COUNCIL MEETING
April 21	HISTORIC PRESERVATION COMMISSION
April 26	PLANNING COMMISSION

Date MAY

May 3	CITY COUNCIL MEETING
May 4	ARCHITECTURAL & LANDSCAPING REVIEW BOARD
May 9	COMMUNITY SERVICES COMMISSION
May 10	PLANNING COMMISSION
May 11	INVESTMENT ADVISORY BOARD
May 17	CITY COUNCIL MEETING
May 19	HISTORIC PRESERVATION COMMISSION
May 24	PLANNING COMMISSION
May 30	CITY HALL CLOSED—MEMORIAL DAY

Date JUNE

June 1	ARCHITECTURAL & LANDSCAPING REVIEW BOARD
June 7	CITY COUNCIL MEETING
June 8	INVESTMENT ADVISORY BOARD
June 13	COMMUNITY SERVICES COMMISSION
June 14	PLANNING COMMISSION
June 16	HISTORIC PRESERVATION COMMISSION
June 21	CITY COUNCIL MEETING
June 28	PLANNING COMMISSION

CLICK HERE FOR THE AGENDA
OUTSIDE AGENCY
UPCOMING MEETING DATES
APRIL 2016

Day Time LINDA EVANS, MAYOR

14	11:00 a.m.	CVAG COACHELLA VALLEY CONSERVATION COMMISSION
14	12:00 p.m.	CVAG ENERGY & ENVIRONMENTAL RESOURCES COMMITTEE
	No Meeting	GREATER PALM SPRINGS CONVENTION & VISITORS BUREAU
25	4:30 p.m.	CVAG EXECUTIV E COMMITTEE
	No Meeting	COACHELLA VALLEY WATER DISTRICT POLICY COMMITTEE

Day Time KRISTY FRANKLIN, COUNCILMEMBER

	No Meeting	COACHELLA VALLEY MOUNTAINS CONSERVANCY
20	3:00 p.m.	JACQUELINE COCHRAN REGIONAL AIRPORT AUTHORITY
27	10:00 a.m.	SUNLINE TRANSIT AGENCY
	TBD	COACHELLA VALLEY SCHOOL DISTRICT COMMITTEE (Franklin & Radi)
	TBD	DESERT SANDS UNIFIED DISTRICT COMMITTEE (Franklin & Osborne)

Day Time LEE OSBORNE, COUNCILMEMBER

4	6:00 p.m.	IID ENERGY CONSUMERS' ADVISORY COMMITTEE
	No Meeting	CVAG PUBLIC SAFETY COMMITTEE
13	4:00 p.m.	ECONOMIC DEVELOPMENT SUB-COMMITTEE
	TBD	EAST VALLEY COALITION
	TBD	DESERT SAND UNIFIED DISTRICT COMMITTEE (Osborne & Franklin)

Day Time JOHN PEÑA, COUNCILMEMBER

	No Meeting	ANIMAL CAMPUS COMMISSION
	TBD	CHAMBER OF COMMERCE INFORMATION EXCHANGE
20	10:00 a.m.	CVAG VALLEY-WIDE HOMELESSNESS COMMITTEE

Day Time ROBERT RADI, COUNCILMEMBER

4	9:00 a.m.	CVAG TRANSPORTATION COMMITTEE
13	9:30 a.m.	RIVERSIDE COUNTY TRANSPORTATION COMMISSION
13	4:00 p.m.	ECONOMIC DEVELOPMENT SUB-COMMITTEE
	TBD	COACHELLA VALLEY SCHOOL DISTRICT COMMITTEE (Franklin & Radi)

CLICK HERE FOR FULL AGENDA
OUTSIDE AGENCY
UPCOMING MEETING DATES
MAY 2016

Day	Time	LINDA EVANS, MAYOR
12	11:00 a.m.	CVAG COACHELLA VALLEY CONSERVATION COMMISSION
12	12:00 a.m.	CVAG ENERGY & ENVIRONMENTAL RESOURCES COMMITTEE
	No Meeting	CVAG EXECUTIVE COMMITTEE (next meeting—June 6)
20	8:00 a.m.	GREATER PALM SPRINGS CONVENTION & VISITORS BUREAU
	No Meeting	COACHELLA VALLEY WATER DISTRICT POLICY COMMITTEE

Day	Time	KRISTY FRANKLIN, COUNCILMEMBER
9	3:00 p.m.	COACHELLA VALLEY MOUNTAINS CONSERVANCY
	No Meeting	JACQUELINE COCHRAN REGIONAL AIRPORT AUTHORITY
24	11:00 a.m.	SUNLINE TRANSIT AGENCY
	TBD	COACHELLA VALLEY SCHOOL DISTRICT COMMITTEE (Franklin & Radi)

Day	Time	LEE OSBORNE, COUNCILMEMBER
2	6:00 p.m.	IID ENERGY CONSUMERS' ADVISORY COMMITTEE
9	9:00 a.m.	CVAG PUBLIC SAFETY COMMITTEE
11	4:00 p.m.	ECONOMIC DEVELOPMENT SUB-COMMITTEE (Osborne & Radi)
	TBD	DESERT SANDS SCHOOL DISTRICT COMMITTEE (Osborne & Franklin)
	TBD	EAST VALLEY COALITION

Day	Time	JOHN PEÑA, COUNCILMEMBER
12	9:30 a.m.	ANIMAL CAMPUS COMMISSION
	TBD	CHAMBER OF COMMERCE INFORMATION EXCHANGE
18	10:00 a.m.	CVAG VALLEY-WIDE HOMELESSNESS COMMITTEE

Day	Time	ROBERT RADI, COUNCILMEMBER
2	9:00 a.m.	CVAG TRANSPORTATION COMMITTEE
11	9:30 a.m.	RIVERSIDE COUNTY TRANSPORTATION COMMISSION
11	4:00 p.m.	ECONOMIC DEVELOPMENT SUB-COMMITTEE
	TBD	COACHELLA VALLEY SCHOOL DISTRICT COMMITTEE (Franklin & Radi)

CLICK HERE TO RETURN TO AGENDA
OUTSIDE AGENCY
UPCOMING MEETING DATES
JUNE 2016

Day Time LINDA EVANS, MAYOR

9	11:00 a.m.	CVAG COACHELLA VALLEY CONSERVATION COMMISSION
9	12:00 p.m.	CVAG ENERGY & ENVIRONMENTAL RESOURCES COMMITTEE
17	8:00 a.m.	GREATER PALM SPRINGS CONVENTION & VISITORS BUREAU
27	4:30 p.m., No Meeting	CVAG EXECUTIVE COMMITTEE / GENERAL ASSEMBLY COACHELLA VALLEY WATER DISTRICT POLICY COMMITTEE

Day Time KRISTY FRANKLIN, COUNCILMEMBER

13	3:00 p.m. No Meeting	COACHELLA VALLEY MOUNTAINS CONSERVANCY JACQUELINE COCHRAN REGIONAL AIRPORT AUTHORITY
22	11:00 a.m. No Meeting No Meeting	SUNLINE TRANSIT AGENCY DESERT SANDS SCHOOL DISTRICT COMMITTEE (Osborne & Franklin) COACHELLA VALLEY UNIFIED SCHOOL DISTRICT ((Franklin & Radi)

Day Time LEE OSBORNE, COUNCILMEMBER

6	6:00 p.m.	IID ENERGY CONSUMERS' ADVISORY COMMITTEE
8	4:00 p.m.	ECONOMIC DEVELOPMENT SUB-COMMITTEE
13	9:00 a.m. No Meeting TBD	CVAG PUBLIC SAFETY COMMITTEE DESERT SANDS SCHOOL DISTRICT COMMITTEE (Osborne & Franklin) EAST VALLEY COALITION

Day Time JOHN PEÑA, COUNCILMEMBER

	No Meeting	ANIMAL CAMPUS COMMISSION
	No Meeting	CHAMBER OF COMMERCE INFORMATION EXCHANGE
15	10:00 a.m.	CVAG VALLEY-WIDE HOMELESSNESS COMMITTEE

Day Time ROBERT RADI, COUNCILMEMBER

6	9:00 a.m.	CVAG TRANSPORTATION COMMITTEE
8	4:00 p.m.	ECONOMIC DEVELOPMENT SUB-COMMITTEE
27	9:30 a.m. No Meeting	RIVERSIDE COUNTY TRANSPORTATION COMMISSION COACHELLA VALLEY UNIFIED SCHOOL DISTRICT (Franklin & Radi)

City of La Quinta

CITY COUNCIL MEETING

DEPARTMENT REPORT

TO: Madam Mayor and Members of the City Council

FROM: Chris Escobedo, Community Resources Director

DATE: March 15, 2016

SUBJECT: COMMUNITY RESOURCES REPORT – February 2016

Upcoming events of the Community Resources Department for April 2016:

Daily Activities	Social Bridge Mah Jongg Advance Ukulele Chair Massage Vitamin B-12 Injections
Events	Annual Picnic & Birthday Celebration, Civic Center Campus Moonlight Movies
Fitness	Morning Workout Mat Pilates Sunset Yoga PiYo (Pilates Yoga) Tai Chi Balance & Strength Tai Chi Chuan Tai Chi Intermediate Advanced Tai Chi Yoga for Health Chair Yoga Reiki (Meditation and Personal Healing) Nia the Workout HIIT (High Intensity Interval Training) Personal Training Gentle (Flex) & (Flow) Yoga Mindful Movement Zumba Morning & Day Golf Fitness

Leisure

La Quinta Glee 7-14yrs.
Ballroom Dance Beginning & Intermediate
Beginning Ballet 5-10yrs.
Dance, Play & Pretend 2.5-5yrs.
Friday Night Social Dance
Italian for Everyone
Beginning Spanish
Beginning & Second Level Guitar
Here & Now Discussion
AARP Safe Driver
Acrylic Painting
Sketch & Draw
Watercolor
Fara's Food
Use a Digital Camera
Beginning Computers
AARP Safe Driver
Beginning Bridge
QuickBooks 2

Sports/Aquatics

Rojas Taekwondo
*Hikes with Philip Ferranti, Garner Valley
*Nature Hike, Ranch of Seventh Range, Lake Cahuilla
*Nature Hike, Geology, Top of the Cove
*Disc Golf Tournament, The First Tee of Coachella Valley
*Rojas Martial Arts, La Quinta High School
*Open Gym (Volleyball/Basketball), B&G Club
*Y-Rookies T-ball, Colonel Mitchell Paige

**Denotes classes/events held at other locations*



**Community Resources Department
Attendance Report for February 2016
Summary Sheet**

Program	2016	2015	Variance	Sessions Per Month	
				2016	2015
Leisure Classes	277	143	134	86	43
Special Events	0	700	-700	0	1
Sports	603	509	94	28	27
Wellness Center	755	817	-62	89	69
Wellness Center (Free Services)	526	253	273	128	104
Total	2,161	2,422	-261	331	244
Wellness Center Fitness					
Fitness Center	4,968	2,725	2,243	75	72
Total	4,968	2,725	2,243	75	72
Sports User Groups					
La Quinta Park					
AYSO	250	200	50	21	17
La Quinta Youth & Sports	100			6	
Desert Boot Camp	50	50	0	10	9
Sports Complex					
La Quinta Youth & Sports	450	450	0	25	20
Y Flag Football (League Practices)	25	35	-10	16	16
Colonel Mitchell Paige					
Friday Night Lights	550	0	550	21	0
Facility/Park Rentals					
Wellness Center					
(Private Party)	50	400	-350	1	3
(Sunday Church)	300	300	0	4	4
Library					
Classroom	500	850	-350	10	17
Community Room	400	0	400	8	0
Museum					
Meeting Room/ Courtyard	845	540	305	13	9
Boys & Girls Club Gym					
(Sunday Church)	400	400	0	4	4
Civic Center Campus					
(Private Party)	100	100	0	2	1
Park Rentals					
La Quinta Park	50	150	-100	1	3
Total	4,070	3,475	495	142	103
Total Programs	11,199	8,622	2,477	548	419

Volunteer Hours

Wellness Center	166	176	-10
Total Volunteer Hours	166	176	-10

**Community Resources Department
Program Report for February 2016**

	2016	2015		2016	2015
	Participants	Participants	Variance	Meetings	Meetings
Leisure Classes					
La Quinta Glee	37	44	-7	4	4
Ballroom Dancing (Beg. & Int.)	73	0	73	8	0
Friday Night Dance	10	0	10	1	0
Dance, Play & Pretend & Sunset Yoga	21	9	12	12	4
Intermediate Computers	6	8	-2	4	4
Voiceovers & Here & Now Discussion	19	0	19	5	0
Beginning Guitar & Beg. Spanish	16	0	16	8	0
Taekwondo 4 - 8 (Beg.)	26	25	1	9	8
Taekwondo 4 - 8 (Inter.) & 9-up	44	39	5	18	16
Rojas Martial Arts 4 - up	9	9	0	9	7
CMP Library Program	16	0	16	8	0
Totals	277	134	143	86	43

	2016	2015		2016	2015
	Participants	Participants	Variance	Meetings	Meetings
Special Events					
None for month of February	NA	700	-700	NA	1
Totals	0	700	*-700	0	1

*Black History Month event not offered by organizer this year.

	2016	2015		2016	2015
	Participants	Participants	Variance	Meetings	Meetings
Sports					
Open Gym Basketball	254	181	73	8	8
Open Gym Volleyball	188	138	50	8	8
Disc Golf Tourn., Cove Oasis	14	0	14	1	0
Guided Hike w/Philip Ferranti	15	12	3	1	1
Nature Hike: Bear Creek Oasis	12	7	5	1	1
Nature Hike: Cahuilla Trails	10	9	1	1	1
Y Flag Football (League Games)	100	150	-50	4	4
Y Rookies Football	10	12	-2	4	4
Totals	603	509	94	28	27

Community Services Totals	880	1,343	-463	114	71
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Wellness Center Program Report for February 2016

	Participation	Participation	Variance	Meetings	Meetings
	2016	2015		2016	2015
Fitness Center					
Fitness Member Visits	4639	2293	2346	25	24
Daily Fitness Drop-ins @ \$5	202	149	53	25	24
Memberships Sold	127	283	-156	25	24
Smart Keys @ \$10	1	0	1	1	0
Fitness Center Total	4968	2725	2243	75	72
	Participation	Participation	Variance	Meetings	Meetings
	2016	2015		2016	2015
Volunteers					
Wellness Center	15	6	9	n/a	n/a
Hours	166	176	-10	n/a	n/a
	Participation	Participation	Variance	Meetings	Meetings
	2016	2015		2016	2015
Wellness Activities/Social Services (Free)					
Wellness Activities	755	817	-62	89	69
Wellness Activities/Services Total	755	817	-62	89	69
	Participation	Participation	Variance	Meetings	Meetings
	2016	2015		2016	2015
Wellness Classes/ Programs					
Fitness					
Yogas; Zumba, PiYo, Nia, & Basic Form/Core	164	42	122	34	19
Mat Pilates & Morning Workout	85	69	16	24	34
Tai Chi Classes & Personal Training	25	18	7	46	9
Leisure					
Beginning Bridge; Fara's Food; Floral Perfect	37	45	-8	8	24
February Luncheon	65	0	65	1	0
Acrylic Painting & Digital Camera	15	30	-15	8	9
Open Game Play					
Bridge: Social	46	22	24	3	3
Mah Jongg	89	27	62	4	6
Wellness Classes/Programs Total	526	253	273	128	104
WELLNESS CENTER TOTAL	6249	3795	2454	292	245

CLICK HERE TO RETURN TO AGENDA
Community Resources Department
Monthly Revenue Report for February 2016

Monthly Revenue - Facility Rentals	2016	2015	Variance
Library	\$ 575.00	\$ 656.00	\$ (81.00)
Museum	\$ 375.00	\$ 525.00	\$ (150.00)
Wellness Center	\$ 1,181.25	\$ 1,230.00	\$ (48.75)
Parks	\$ 1,090.00	\$ 770.00	\$ 320.00
Sports Fields	\$ 1,400.00	\$ 1,665.00	\$ (265.00)
Monthly Facility Revenue	\$ 4,621.25	\$ 4,846.00	\$ (224.75)

Monthly Revenue			
Wellness Center	\$ 8,957.00	\$ 6,144.00	\$ 2,813.00
Fitness Memberships/ Daily Passes & WC Keys	\$ 12,320.00	\$ 15,120.00	\$ (2,800.00)
Community Services	\$ 8,063.00	\$ 7,043.00	\$ 1,020.00
Total Revenue	\$ 29,340.00	\$ 28,307.00	\$ 1,033.00

Revenue Year to Date			
Facility Revenue	\$ 37,478.50	\$ 30,557.00	\$ 6,921.50
Wellness Center	\$ 38,862.11	\$ 17,977.00	\$ 20,885.11
Fitness Memberships & Daily Passes	\$ 66,825.00	\$ 36,490.00	\$ 30,335.00
Community Services	\$ 75,864.50	\$ 41,017.00	\$ 34,847.50
Total Revenue to Date	\$ 219,030.11	126,041.00	\$ 92,989.11



City of La Quinta

CITY COUNCIL MEETING

DEPARTMENT REPORT

TO: Madam Mayor and Members of the City Council

FROM: Anthony Moreno, Code Compliance/Animal Control Supervisor
Martha Mendez, Public Safety Manager

DATE: March 15, 2016

SUBJECT: Proactive Code Compliance Efforts and Update on Animal Control

On November 17, 2015, the City Council approved an agreement with Riverside County Department of Animal Services (DAS) to provide animal control, sheltering and licensing services for the City. This action allowed City's Code Compliance staff (Staff) to return to a proactive enforcement approach and begin neighborhood vitalization efforts throughout the City, beginning with the Cove (Phase 1). The following is a recap of recent efforts:

- On January 19, 2016, Staff sent out 30-day advance notices to residents informing them of the City's upcoming neighborhood improvement efforts. Phase 1 will address properties located on eight residential blocks, from 51-000 to 52-000 on Avenidas Navarro and Ramirez.
- On February 15, 2016, DAS actively began handling all animal control services with Staff providing training and technical assistance during the transition period.
- On February 23 and 24, 2016, Staff initiated a total of 90 cases via site inspections, consisting of 81 property maintenance, 7 vehicle, and 2 zoning (Attachment 1).
- On March 8 and 9, 2016, Staff re-inspected the properties and issued Notices of Violation to those with unresolved cases.
- On March 22 and 23, 2016, Staff will conduct a third inspection and issue Final Notices where necessary. On April 5 and 6, 2016, Staff will conduct a last inspection before issuing citations.

Overall, the tenor and interaction with residents has been positive. They expressed gratitude for the 30-day advance notice, which enabled them to resolve many issues. The next phase of this proactive approach will be focused on the Highway 111 commercial corridor, which is considered the City's main passageway and it is a vital part of the City's vibrant image.

Code Compliance Images



Stored unlicensed vehicle



Trash container storage and debris



Landscape maintenance



Trash container storage and debris



Trash container storage and debris

DESIGN AND DEVELOPMENT DEPARTMENT

FEBRUARY 2016 REPORT

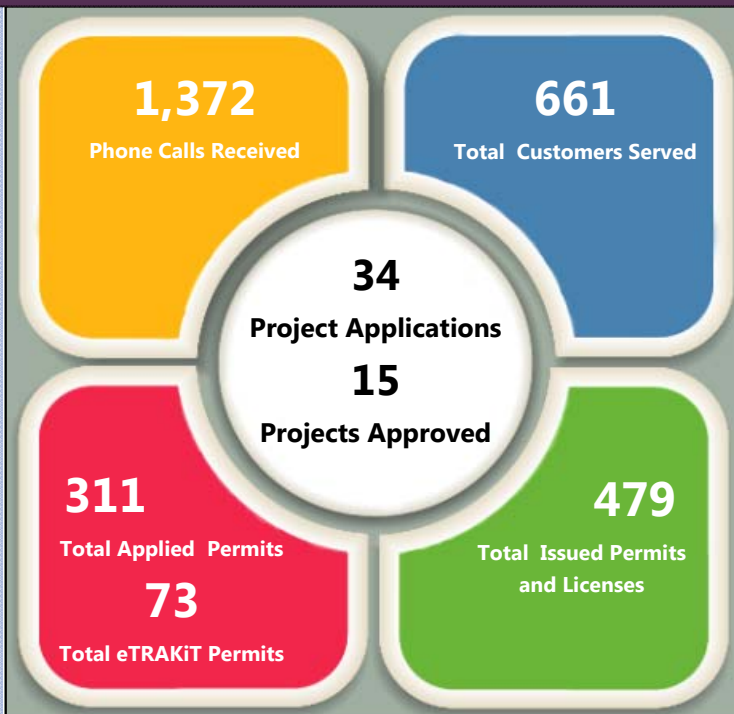


The Design and Development Department represents one of six City departments, and consists of five divisions: Customer Center, Planning, Building, Development Services, and Engineering Services. The hub of the department is the Customer Center. It provides all development related services in one location including plan checking, inspections, and permit services.

CUSTOMER CENTER

The Customer Center serves as a one-stop shop for La Quinta residents. It is the central location for obtaining permits for planning, building, engineering, garage sales, and special events. The Customer Center assists customers through the permitting process from initial questions and pre-application meetings through inspections and final certificate of occupancy.

FEBRUARY 2016 METRICS



The Planning Division works with residential and commercial property/business owners and developers to ensure development in the City is constructed consistent with the City's goals and policies.

Planning Activity

A Preliminary Review application was submitted for conceptual development plans for the Old Town Artisan Studio, located at the northwest corner of Avenida Montezuma and Avenida Navarro.

Administrative Permits

Includes sign applications, temporary use permits, minor use permits, final landscaping plans, etc.

Entitlement Permits

Includes site development permits, conditional use permits, subdivision maps, etc.

Submitted Applications

Year	2016	2015
February	6	15
Year To Date	17	17

Submitted Applications

Year	2016	2015
February	1	5
Year To Date	1	13

The Building Division administers all building permit applications and plans for compliance with requirements established in the entitlement process, La Quinta Municipal Code, and all currently applicable California Building Standards Codes.

Building Permits Submitted

Year	2016	2015
February	186	133
February eTRAKiT	29	0
Year To Date	356	299

Building Permits Issued

Year	2016	2015
February	166	134
February eTRAKiT	26	0
Year To Date	322	305

Building Inspections

Year	2016	2015
February	757	739
Year To Date	1,420	1,421

Building Activity

Certificate of Occupancy's were issued to the following establishments:

- Jimmy Johns Sandwiches at the Komar Desert Center (Adjacent to Costco) .
- In-N-Out Burger at the New La Quinta Square Development.
- The "Pizza Factory" at 78-772 Highway 111 located in the One Eleven Center (formerly Lamppost Pizza).

Development Services Permits

The Development Services Division provides engineering assistance with a variety of permits. During the month of February 2016, the following number of permits were issued:

Cut and Bore Permits			Driveway Permits			Traffic Permits		
Year	2016	2015	Year	2016	2015	Year	2016	2015
February	0	0	February	0	1	February	8	5
Year To Date	1	1	Year To Date	1	1	Year To Date	21	12

Excavation Permits			Rough Grading Permits			Transportation Permits		
Year	2016	2015	Year	2016	2015	Year	2016	2015
February	0	1	February	0	1	February	8	0
Year To Date	1	1	Year To Date	2	1	Year To Date	9	15

Engineering Services

The Engineering Services Division provides engineering design and construction oversight on a variety of infrastructure projects that help keep La Quinta safe and beautiful. Highlighted below are some activities for February 2016:

Projects Out to Bid

- ◆ **La Quinta Park Restroom**
 - ◇ To be awarded March 15
- ◆ **Madison Street Median Landscape Conversion**
 - ◇ Bid opening is March 31

Projects in Progress

- ◆ **Misc ADA Parks Imps**
- ◆ **Fritz Burns Park, Civic Center, Fire Station 70 Turf Conversions**
- ◆ **Jefferson Roundabout Art Pedestal**

Recently Completed

- ◆ **Washington Street Imps, Calle Tampico to Ave 52**
- ◆ **Jefferson Roundabout Striping**
- ◆ **Monroe Pavement Rehabilitation Improvements**

Traffic Division

- ◆ **41 requests for service were completed (in GOREquest) resulting in various maintenance work and equipment check/repair:**
 - ◇ Traffic signs
 - ◇ Battery back-up systems
 - ◇ Signal timing
 - ◇ Crosswalk lights
 - ◇ Pedestrian buttons

DEVELOPMENT

TRAFFIC / CIP

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City of La Quinta

CITY COUNCIL MEETING

DEPARTMENT REPORT

TO: Madam Mayor and Members of the City Council

FROM: Steve Howlett, Facilities Director

DATE: March 15, 2016

SUBJECT: FACILITIES DEPARTMENT REPORT – February 2016

1. For the month of February, the total for all maintenance expenditures recorded in GORquest was \$67,801 with street sweeping, graffiti removal, debris removal/right-of-way maintenance, street signs, pavement marking and gutter/storm drain maintenance being among the highest tasks in terms of cost. Public Works maintenance staff recorded nearly 1,142 task hours associated with this work. A detailed breakdown of tasks and associated costs is presented in the pie chart as Attachment 1.
2. Residents continue to submit customer satisfaction surveys through the GORquest system. The department received four surveys in the month of February, with residents commenting on how staff handled reported issues. Employees were rated on their response time, effectiveness, and courtesy. A summary of responses is provided below and detailed surveys are provided as Attachment 2:
 - 100 percent of respondents rated Response Times as “Superior” or “Good”
 - 75 percent of respondents indicated their expectations were “Exceeded” or “Met”
 - 100 percent of respondents rated Employee Effectiveness as “Superior”
 - 100 percent of respondents rated Employee Courtesy as “Superior”

Surveys also include positive feedback from residents such as: “I did fill out this survey when it was sent to me last week. My comment was that the pot hole was filled the day after I reported it. I am very satisfied”.

Attachments:

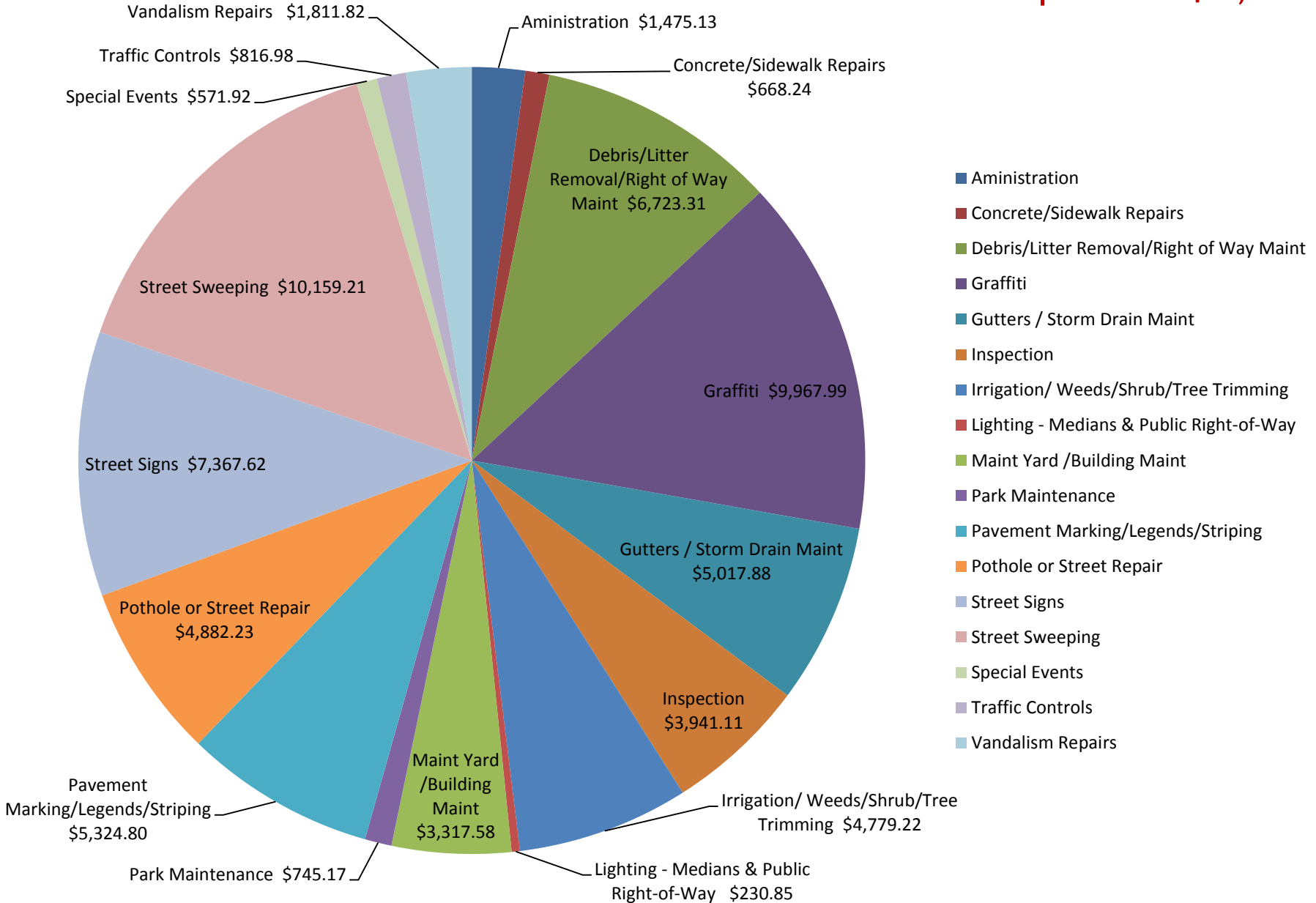
1. Maintenance Expenditures by Task for February 2016
2. Customer Satisfaction Survey Details for February 2016

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Maintenance Expenditures by Task for February 2016

Total Maintenance Expenditures: \$67,801



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Customer Satisfaction Survey Details

02/01/2016 to 02/29/2016

Request: 18155	Survey Entered: 02-08-2016 Request Entered: 01/26/2016 Closed: 02/01/2016 Days Open: 6 Topic: Pothole or Street Repair - 1001
Employee: James Lindsey	Customer: Ray Anderson
Description:	Pothole on Eisenhower Dr. S/B to Calle Tampico
Reason Closed:	done
Employee Effectiveness:	Superior
Response Times:	Superior
Employee Courtesy:	Superior
Expectations Met:	Exceeded
Comments:	I did fill this survey out when it was sent to me last week. My comment was that the pot hole was filled the day after I reported it. I am very satisfied

Request: 18222	Survey Entered: 02-08-2016 Request Entered: 01/29/2016 Closed: 02/01/2016 Days Open: 3 Topic: Property Maintenance
Employee: Steve Howlett	Customer: Alana Marston
Description:	four months ago the city pulled out three large plants out of the planters and never replaced with anything and the fountain no longer runs looks run down .
Reason Closed:	Referred to City Parks. Anthony Moreno, Code Supervisor, amoreno@la-quinta.org
Employee Effectiveness:	N/A
Response Times:	Good
Employee Courtesy:	No answer
Expectations Met:	Below
Comments:	it was sent to another dept and nothing has been corrected.

Request: 18237	Survey Entered: 02-29-2016 Request Entered: 02/01/2016 Closed: 02/29/2016 Days Open: 28 Topic: Park Maintenance
Employee: Steve Howlett	Customer: Wanda Bogin
Description:	Due to last night's storm, the maintenance crew was by today and cut part of a limb that was broken off the Australian pine on the bike path at Montezuma (& near Alvarado). I'm very disappointed that the trunk of the broken limb was not taken also. This is now an eye sore to our beautiful view. Can someone please send the back to cut it? We cherish our view... And this makes me sad,
Reason Closed:	The trunk of the broken limb was removed by landscapers.
Employee Effectiveness:	Superior
Response Times:	Superior
Employee Courtesy:	Superior
Expectations Met:	Exceeded

Request: 18348	Survey Entered: 02-17-2016 Request Entered: 02/09/2016 Closed: 02/10/2016 Days Open: 1 Topic: Street Sweeping (Hand) - 1026
Employee: James Lindsey	Customer: Ray Anderson
Description:	Broken glass in two places in the bike lane on Avenida Bermudas. East side if street, north of the horse on the hill. removed glass from bike lane.
Reason Closed:	completed.
Employee Effectiveness:	Superior
Response Times:	Superior
Employee Courtesy:	Superior
Expectations Met:	Exceeded

[CLICK HERE TO RETURN TO AGENDA](#)



ARCHITECTURAL AND LANDSCAPING REVIEW BOARD MINUTES

WEDNESDAY, DECEMBER 16, 2015

CALL TO ORDER

A special meeting of the La Quinta Architectural and Landscaping Review Board was called to order at 10:05 a.m. by Planning Manager Gabriel Perez.

PRESENT: Board Members Richard Gray, Kevin McCune, and Ray Rooker

ABSENT: None

STAFF PRESENT: Planning Manager Gabriel Perez, Principal Planner Jay Wu, Principal Planner Wally Nesbit, Principal Engineer Bryan McKinney, Executive Assistant Monika Radeva, Executive Assistant Wanda Wise-Latta, and Administrative Technician Dianne Hansen

Board Member McCune led the Board into the Pledge of Allegiance.

PUBLIC COMMENT – None

CONFIRMATION OF AGENDA – Confirmed

APPROVAL OF MINUTES

Motion – A motion was made and seconded by Board Members Gray/McCune to approve the Architectural and Landscaping Review Board Minutes of October 7, 2015 as submitted. Motion passed unanimously.

BUSINESS SESSION

1. Site Development Permit 2014-1006 submitted by George Velarde proposing the construction of a parking lot, landscaping, and lighting improvements for a vehicle storage lot for Torre Nissan on approximately 3.5 acres. Project: Torre Nissan Vehicle Storage Lot. Location: southeast corner of Adams Street and Auto Centre Drive.

Principal Planner Jay Wu presented the information contained in the staff report, a copy of which is on file in the Community Development Department.

Public Speaker: Mr. George Velarde, Applicant, La Quinta, CA – introduced himself and gave a detailed presentation of the project.

Discussion followed regarding sidewalk requirements along the entire site perimeter, zoning, specific plan requirements, allowed uses, lighting over the retention basin, parking, gate and proposed landscape palette.

The Board recommended upsizing the proposed 24-inch box Palos Verde to 36-inch box and the addition of at least two Washingtonia Robusta palm trees at the vehicular driveway entrance on Auto Centre Drive to better identify the entrance of the project.

Public Speaker: Mr. Dennis Lubas, La Quinta, CA – introduced himself and said that all businesses and residents within the city are required to maintain their properties based on standards established by the City. He emphasized the importance of keeping the entire City aesthetically pleasing and encouraged staff to enforce and uphold the same standards and requirements consistently for all commercial and residential owners.

Motion – A motion was made and seconded by Board Members Rooker/Gray recommending to the Planning Commission approval of Site Development Permit 2014-1006 as submitted with staff's recommendations and the addition of the following conditions of approval:

- Install 36-inch box Palos Verde trees
- Add a minimum of two Washingtonia Robusta palm trees at the vehicular driveway entrance on Auto Centre Drive
- Sidewalk installation along the perimeter of the entire site

Motion passed unanimously.

2. Site Development Permit 2015-0005 submitted by Chandi Group, USA, proposing the construction of a 52,000 square-foot commercial development, which consists of a 6,000 square-foot gas station with convenience store/deli and 4,000 square-foot car wash facility, two 3,000 square-foot drive-through restaurant pads, and two 18,000 square-foot office/retail buildings. Project: Washington 50. Location: southeast corner of Washington Street and Avenue 50.

Principal Planner Wally Nesbit presented the information contained in the staff report, a copy of which is on file in the Community Development Department.

Discussion followed regarding Pedestrian courtyard area; number of trash receptacles; restaurant pads; pipe diameter; wall; tree sizes along back of project as well as along the front street perimeter of the project; landscape palette; power lines, storm water retention; hydrology requirements to ensure street

drainage into the channel; building elevations and material used; and community outreach by the applicant.

Public Speaker: Ms. Gabriela Marks, Architect with Marks Architects, Inc., Rancho Mirage, CA – introduced herself, gave a detailed presentation of the proposed project, and answered the Board’s questions regarding the proposed stucco and wood architectural design features, emergency exits, sidewalk, wall height, lighting requirements, size and location of waste receptacles. She said the color palette creates depth and ensures the project blends in with the surrounding residential developments.

Public Speaker: Mr. Dennis Lubas, La Quinta, CA – introduced himself and favors a wall placed at the backside of the project and discussed the materials to be used; shared his concerns regarding potential congestion in parking lot when service vehicles are making deliveries; trash enclosures and size; and concerns regarding community notification.

Public Speaker: Mr. Dennis LoPresti, President of Duna La Quinta Homeowners Association, La Quinta, CA – introduced himself and stated that he represents over 200 homeowners from the Duna La Quinta residential development located at the southwest corner of Avenue 50 and Washington Street. He shared concerns regarding flooding; poor city planning; added traffic and its impact on the students who walk to and from nearby schools; and lighting intrusion. He is opposed to the rezoning and will take legal action if necessary.

Public Speaker: Mr. Henry Casden, Palmilla resident, La Quinta, CA – introduced himself and stated he is extremely opposed to the proposed project. His concerns included lack of notification to the community regarding the proposed project; increased traffic, noise and lighting issues; potential odors and exhaust from proposed restaurants and vehicles; impact on existing restaurants and gas stations in the Cove as well as the impact upon the developments of Palmilla, Painted Cove, Rancho La Quinta and the Estancias where multi-million-dollar homes are located. Mr. Casden questioned the use of wood in the architectural design elements and the challenge of maintaining the wood and stated that the back perimeter wall should not be painted or textured with stucco, but should be split-faced block with multi-colored designs or natural-looking colors. He shared his concerns regarding the potential for lack of tenants as seen in existing shopping centers such as the one located along Calle Tampico due to the economic downturn and stated that once you leave the commercial area along Highway 111 anything that you do is a problem due to the potential for a lack of economic vitality.

Board Member McCune offered clarification as to the Architectural and Landscaping Review Board’s scope of purview and its limitations and appreciates

the public's comments and also offered that the City's website offers quail mail notifications of all public meetings.

Public Speaker: Mr. Michael Elliott, La Quinta resident – introduced himself and said the notification boundaries should be extended beyond the 500 foot requirement.

Public Speaker: Mr. Dennis Lubas, La Quinta, CA – Mr. Lubas shared his concerns regarding the site plan and traffic flow as related to the proposed project.

Public Speaker: Ms. Jane Johnson, La Quinta resident – introduced herself and said she understood the Architectural and Landscaping Review Board's scope of purview is with regards to design review of architecture and landscaping only. She asked for an explanation as to the process as this proposed project moves forward.

Planning Manager Perez explained that the Architectural and Landscaping Review Board is an advisory board to the Planning Commission. The Board's recommendations are presented to the Planning Commission for review and consideration which is expected to be at the earliest sometime in February 2016. He explained there are still some outstanding items such as the results of tribal consultations, CVWD hydrology study, Public Works Department's comments, and 20-day public notification for the environmental review. Planning Manager Perez stated that the Initial Study for this project is underway and once it is completed it will be made available to the public review. Required notifications will be sent out to surrounding neighborhood, nearby homeowners associations and to anyone who has submitted comments.

Motion – A motion was made and seconded by Board Members McCune/Rooker recommending to the Planning Commission approval of Site Development Permit 2015-0005 as submitted with staff's recommendations and the addition of the following condition of approval:

- Extend the recommended block wall for entire length of the project frontage along the CVWD channel (south and east);
- Provide for additional trash enclosure/capacity as necessary;
- Replace 24-inch box trees with 48-inch box trees and Date Palms should be a minimum brown trunk height of 18 feet.
- Wooden architectural elements (trim, trellises, fascia, etc.) to be replaced with a suitable, more durable material; and
- Final landscaping plan to address screening of potential lighting impacts and the entire wall along the channel.

Motion passed unanimously.

CORRESPONDENCE AND WRITTEN MATERIAL – None

REPORTS AND INFORMATIONAL ITEMS

1. Planning Manager Perez announced the Development Code Tune Up Stakeholders community outreach meeting is scheduled to be held on December 16, at 4:00 p.m. at City Hall and encouraged the Board Members' attendance. The City Council and Planning Commission will hold a Joint Study Session to discuss the Ad-hoc Committee's final recommendations on proposed changes to Titles 8, 9, and 13 of the La Quinta Municipal Code related to the development review process on February 12, 2016 at 5:00 p.m. in the Study Session Room and Board Members are invited to attend.
2. Planning Manager Perez provided an update on the status of the Saxony Convention Center project.
3. Staff announced that the City Council is moving forward with implementing electronic agenda packets and doing away with the traditional paper packets and delivery. Staff would like to do the same with the Architectural and Landscaping Review Board packets.

BOARD MEMBER ITEMS – None

ADJOURNMENT

There being no further business, a motion was made and seconded by Board Members Gray/McCune to adjourn this meeting at 12:12 p.m. Motion passed unanimously.

Respectfully submitted,



MONIKA RADEVA, Executive Assistant
City of La Quinta, California

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HISTORIC PRESERVATION COMMISSION MINUTES MONDAY, NOVEMBER 23, 2015

CALL TO ORDER

A special meeting of the La Quinta Historic Preservation Commission was called to order at 4:04 p.m. by Chairperson Maevers.

PRESENT: Commissioners Leila Namvar, Peggy Redmon, Linda Williams and Chairperson Kevin Maevers

ABSENT: None

VACANCIES: One

STAFF PRESENT: Principal Planner Wally Nesbitt, Executive Assistant Wanda Wise-Latta, and Administrative Technician Dianne Hansen

Commissioner Redmon led the Commission in the Pledge of Allegiance.

PUBLIC COMMENT – None

CONFIRMATION OF AGENDA – Confirmed

APPROVAL OF MINUTES

Motion – A motion was made and seconded by Commissioners Redmon/Namvar to approve the Historic Preservation Commission Minutes of September 10, 2015, as submitted. Motion passed unanimously.

BUSINESS SESSION

1. Review of Draft Annual 2015/2016 Work Program.

Principal Planner Wally Nesbitt presented the information contained in the staff report, a copy of which is on file in the Community Development Department.

Motion – A motion was made and seconded by Commissioners Redmon/Williams approving the Annual 2015/2016 Work Program as submitted. Motion passed unanimously.

2. Review of the 2014/2015 Certified Local Government (CLG) Annual Report.

Principal Planner Wally Nesbitt presented the information contained in the staff report, a copy of which is on file in the Community Development Department.

Motion – A motion was made and seconded by Commissioners Redmon/Williams approving the submittal of the 2014/2015 CLG Annual Report as proposed. Motion passed unanimously.

The Commission requested that training and/or educational materials be provided with regards to the recent addition to the California Environmental Quality Act process and the Native American Historic Resources Protection Act (Assembly Bill 52) which are intended to minimize conflict between Native American and development interests.

Staff was encouraged to explore educational session opportunities from local professional archeologist.

CORRESPONDENCE AND WRITTEN MATERIAL – None

REPORTS AND INFORMATIONAL ITEM

Staff provided an update on the Development Code Tune Up efforts and the feedback received from the Ad-hoc Committee with regards to the roles of the City's Boards and Commissions.

COMMISSIONER ITEMS – None

ADJOURNMENT

There being no further business, it was moved and seconded by Commissioners Namvar/Redmon to adjourn this meeting at 4:47 p.m. Motion passed unanimously.

Respectfully submitted,



DIANNE HANSEN, Administrative Technician Assistant
City of La Quinta, California



**PLANNING COMMISSION
MINUTES
TUESDAY, JANUARY 12, 2016**

CALL TO ORDER

A regular meeting of the La Quinta Planning Commission was called to order at 7:15 p.m. by Chairperson Wilkinson.

PRESENT: Commissioners Bettencourt, Blum, Fitzpatrick, Wright, and Chairperson Wilkinson

ABSENT: None

STAFF PRESENT: Planning Manager Gabriel Perez, Principal Planner Jay Wu, Principal Planner Wally Nesbit, Principal Engineer Bryan McKinney, Executive Assistant Monika Radeva, Executive Assistant Wanda Wise-Latta and Office Assistant Marilyn Monreal

Commissioner Wright led the Commission in the Pledge of Allegiance.

CONFIRMATION OF AGENDA

Chairperson Wilkinson requested that Public Comment be moved after the Public Hearing. The Commission concurred.

APPROVAL OF MINUTES

Motion – A motion was made and seconded by Commissioners Fitzpatrick//Wright to approve the Planning Minutes of December 8, 2015 as submitted. Motion passed unanimously.

PUBLIC HEARINGS

1. Conditional Use Permit 2015-0004 submitted by Laser Oasis, LLC proposing an indoor family entertainment center within an existing 16,000 square-foot commercial building. Project: Laser Oasis. CEQA: exempt from environmental review pursuant to Section 15301, Existing Facilities, of the California Environmental Quality Act. Location: 46-805 Dune Palms Road.

Principal Planner Jay Wu presented the information contained in the staff report, a copy of which is on file in the Community Development Department.

Staff addressed the Commission's questions regarding annual review of executed development agreements and stated that a report will be provided to update the Planning Commission on the City's annual review process. The Commission expressed concern in that it appears many agreements are not being reviewed annually as required by the code.

Commissioner Fitzpatrick commended staff and the applicant for completing a parking study and not building additional parking area, but making use of existing facilities through a joint-use parking method.

Chairperson Wilkinson declared the PUBLIC HEARING OPEN at 7:22 p.m.

Public Speaker: Mr. Joseph Donati, Applicant, Marina Del Rey, CA – introduced himself, gave a detailed presentation of the project, and answered the Commission's questions with regards to the proposed suspended ropes course, laser maze, safety requirements, admission costs, the shared parking agreement; and noted the objective was to be operational in three months.

Chairperson Wilkinson declared the PUBLIC HEARING CLOSED at 7:34 p.m.

Motion – A motion was made and seconded by Commissioners Blum/Fitzpatrick to adopt Planning Resolution 2016-001 approving Conditional Use Permit 2015-004 for Laser Oasis, LLC., as submitted with staff's recommendations; and deem the project exempt from the California Environmental Quality Act. Motion passed unanimously.

PUBLIC COMMENT

Public Speaker – Mr. Rex McLennan, La Quinta Fairways resident, La Quinta – introduced himself and spoke in opposition of the Washington 50 project submitted by Chandi Group, USA. He said this proposed commercial development should not be located in such close proximity to the adjacent residential developments; and expressed concerns regarding noise levels, traffic, potential safety hazard for kids attending the surrounding schools and the Boys and Girls Club, and unsuitable zoning change proposal. He urged the Commission and the City Council to consider all comments received in opposition of this project and not approve it.

Public Speaker – Mr. Gordon Kelly, Rancho La Quinta resident, La Quinta, CA – introduced himself and spoke in opposition of the Washington 50 project submitted by Chandi Group, USA. Mr. Kelly said he concurred with all comments made by Mr. McLennan and would not reiterate them.

Public Speaker – Ms. Lynda Farnen, La Quinta, CA – introduced herself and spoke in opposition of the Washington 50 project submitted by Chandi Group, USA. She said she plans on retiring in La Quinta and would like to ensure the quality of life is not disrupted, and the City continues to encourage and cultivate residential communities and not

compromise them by building commercial projects in the midst of existing residential developments.

Staff encouraged all attendees to reach out to city staff and provide their contact information, so that staff can notify them when this project is scheduled for hearing.

BUSINESS SESSION – None

COMMISSIONER ITEMS

1. Report on City Council meetings of December 15, 2015.

The Commission requested that this standing item be removed from future agendas and staff distributes approved Council minutes to the Commission as soon as they are available.

2. Commissioner Wright is scheduled to attend the January 19, 2016 City Council meeting.

DIRECTOR'S ITEMS

1. Planning Manager Perez stated that the City will prepare an ordinance on water efficient landscape measures consistent with Governor Brown's Drought Executive Order, which will be presented to the Planning Commission. He noted the ordinance will include water reduction strategies discussed during the June 16, 2015, City Council meeting.
2. Planning Manager Perez provided an update on the Development Code Tune Up efforts, proposed development review draft changes, and community outreach.
3. The Commission inquired if they would be able to attend the 2016 annual League of California Cities Planning Academy. Staff replied the Commission is scheduled to attend the 2017 annual conference.

ADJOURNMENT

There being no further business, it was moved and seconded by Commissioners Wright/Fitzpatrick to adjourn this meeting at 8:08 p.m. Motion passed unanimously.

Respectfully submitted,



MONIKA RADEVA, Executive Assistant
City of La Quinta, California

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**PLANNING COMMISSION
MINUTES
TUESDAY, FEBRUARY 23, 2016**

CALL TO ORDER

A regular meeting of the La Quinta Planning Commission was called to order at 7:00 p.m. by Chairperson Wilkinson.

PRESENT: Commissioners Bettencourt, Blum, Fitzpatrick, Wright, and Chairperson Wilkinson

ABSENT: None

STAFF PRESENT: Planning Manager Gabriel Perez, Principal Planner Jay Wu, Principal Engineer Bryan McKinney, Executive Assistant Wanda Wise-Latta, and Executive Assistant Monika Radeva

Commissioner Wright led the Commission in the Pledge of Allegiance.

PUBLIC COMMENT – None

CONFIRMATION OF AGENDA – Confirmed

PUBLIC HEARINGS

1. Zoning Ordinance Amendment 2016-0001 submitted by the City of La Quinta recommending that the City Council amend several chapters of Titles 2, 7, 8, 9, and 13 of the La Quinta Municipal Code, related to streamlining of the development review process. CEQA: Exempt from environmental review under the California Environmental Quality Act, pursuant to Section 15061(b)(3), Review for Exemptions – General Rule.

Planning Manager Gabriel Perez presented the information contained in the staff report, a copy of which is on file in the Community Development Department.

Discussion followed regarding staff level development review, transparency, and approval guidelines; notification method options of any staff actions, such as a weekly report made available on the City’s website and Items of Interests; appeal process application, allowed timeframes, and the ability for “call up review” by Council and Planning Commission of staff decisions; options for full cost recovery of permit fees; explore the possibility of conducting a comparison study in six months to identify any realized time and cost

savings from the development code tune up and if necessary look into additional streamlining alternatives.

Staff noted that this item was scheduled to be presented to the Historic Preservation Commission on February 18, 2016; however, the meeting was cancelled due to the lack of quorum and rescheduled to February 25, 2016. Thus, staff suggested this item be continued to the Planning Commission of March 8, 2016.

Chairperson Wilkinson declared the PUBLIC HEARING OPEN at 8:03 p.m.

Motion – A motion was made and seconded by Commissioners Bettencourt/Wright to continue this item to the March 8, 2016, Planning Commission meeting to allow review by the Historic Preservation Commission. Motion passed unanimously.

BUSINESS SESSION – None

COMMISSIONER ITEMS

1. Commissioner Bettencourt said he visited the Beazer Homes development located at the northwest corner of Jefferson Street and Avenue 52. He spoke with Home Counselor Richard Marlow who indicated the developer hoped to begin vertical construction in April 2016.
2. The annual Special Meeting between the City Council and the City's Boards and Commissions is scheduled for Wednesday, February 24, 2016, at 5:30 p.m., at the La Quinta Library.

DIRECTOR'S ITEMS

1. Staff gave an update on the City's reorganizational changes and the creation of the new Design and Development Department encompassing Planning, Building, Engineering Services, and the Customer Service Center, under the leadership of Design and Development Director Tim Jonasson.
2. Planning Manager Perez noted that the Planning Commission will be attending the League of California Cities Planning Commissioners Academy in 2017.
3. Planning Manager Perez said the Los Angeles Section of the American Planning Association is hosting the 2016 California Planning Conference in Pasadena on October 22-25, 2016.
4. Planning Manager Perez gave an update on the upcoming Planning Commission items for the March 8, 2016, meeting.

5. Staff asked the Commission to provide feedback on changing of the Commission's meeting start time from 7:00 p.m. to 5:30 p.m. The Commission expressed general support and suggested that the start time be changed to 6:00 p.m.

ADJOURNMENT

There being no further business, it was moved and seconded by Commissioners Bettencourt/Blum to adjourn this meeting at 8:12 p.m. Motion passed unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Monika Radeva', written over a horizontal line.

MONIKA RADEVA, Executive Assistant
City of La Quinta, California