



**OFFICE OF THE CITY MANAGER
TEL (760) 777-7100**

EXECUTIVE ORDER NO. 10

AS AMENDED by this FOURTH AMENDMENT

ORDER IMPOSING A MORATORIUM UNTIL **JUNE 1, 2021,
ON PROCESSING ANY NEW APPLICATIONS FOR SHORT-TERM
VACATION RENTALS IN THE CITY OF LA QUINTA
EFFECTIVE 12:00 P.M. MARCH 23, 2021**

Date of Executive Order: August 4, 2020

Date AS AMENDED: August 21, 2020

Date of SECOND AMENDMENT: October 7, 2020

Date of THIRD AMENDMENT: January 19, 2021

Date of FOURTH AMENDMENT: March 22, 2021

Pursuant to Chapter 2.20 of the La Quinta Municipal Code and City Council Resolution No. EM 2020-001, the City Manager for the City of La Quinta hereby ORDERS the following:

1. Commencing on the original date of this order and through and until 11:59 p.m. (Pacific Standard Time) on **JUNE 1, 2021** (the "moratorium period"), there shall be a moratorium on processing any new application for a "short-term vacation rental permit" required to use or operate a "short-term vacation rental unit," as those terms are defined in La Quinta Municipal Code Section 3.25.030. Any application for a short-term vacation rental permit, submitted to the City prior to the original effective date of August 4, 2020 for this order, may be processed by the City in the ordinary course of procedure. Any application for a short-term vacation rental permit, submitted to the City during the moratorium period imposed by this order, shall not be processed by the City notwithstanding any provisions to the contrary in La Quinta Municipal Code, including Section 3.25.060, Subsection (E).

2. "Short-term vacation rental unit" is defined in La Quinta Municipal Code Section 3.25.030 as follows: "a privately owned residential dwelling, such as, but not limited to, a single-family detached or multiple-family attached unit, apartment house, condominium, cooperative apartment, duplex, or any portion of such dwellings, rented for occupancy for dwelling, lodging, or sleeping purposes for a period of thirty consecutive calendar days or less, counting portions of calendar days as full days." Nothing in this order releases or relieves short-term vacation rental units from complying with all applicable provisions of the La Quinta Municipal Code (including but not limited to Chapters 3.24 and 3.25), and all applicable executive orders from the City Manager's Office (including Executive Order No. 9, original date: July 14, 2020).

3. Notwithstanding Paragraph 1 of this order, an application for a short-term vacation rental permit, submitted to the City during the moratorium period imposed by this order, may be exempt from this order and may still be processed by the City *only if* the application meets one or more of the criteria set forth in clauses (i), (ii), or (iii), below:
 - (i) The application is for a residential dwelling unit within a residential project subject to all of the following: (a) A development agreement entered into between the City and the developer of the residential project prior to the date of this order, still in full force and effect, and, pursuant to which, the residential dwelling unit is included in the "Rental Tracking System" required to be administered by the homeowners association (HOA) for the residential project or the HOA's agents or contractors; (b) A specific plan for the residential project approved by the City Council prior to the date of this order, (c) A condition of approval for the specific plan imposed by the City that required the residential project to have a declaration of covenants, conditions, and restrictions (CC&Rs) restricting the rental of residential dwelling units in the residential project to periods of 30 consecutive days or less; (d) A statement by the City in the conditions of approval for the specific plan that residential dwelling units in the residential project have been designed to facilitate short-

term rental; (e) CC&Rs that restrict the rental of residential dwelling units in the residential project to periods of 30 consecutive days or less; and (f) CC&Rs that are currently enforceable by the HOA for the residential project. The City may request and review any documents necessary or proper to determine whether the residential dwelling unit meets all of the criteria in this paragraph and to determine whether the application for a short-term vacation rental permit is exempt from the moratorium imposed by this order; or,

(ii) The short-term vacation rental unit is located: (a) in the Village Commercial (VC) District zone, as defined in La Quinta Municipal Code Section 9.70.100 and depicted in the City's Official Zoning Map; (b) within the following boundaries: north of Calle Tampico, west of Desert Club Drive, south of the Northern Boundary of the Village Commercial District zone, east of Avenida Bermudas (and east of a boundary line if Avenida Bermudas continued due north to the Northern Boundary of the Village Commercial District zone); and (c) adjacent to a "Hotel" or "Group Hotel" as defined La Quinta Municipal Code Section 3.24.020; or,

(iii) The short-term vacation rental unit is located: (a) in the CT Tourist Commercial District zone, as defined in La Quinta Municipal Code Section 9.70.070 and depicted in the City's Official Zoning Map; (b) within the following boundaries: north of Calle Mazatlan, west of Eisenhower Drive, south of the Avenida Fernando, and east of Avenida Obregon; and (c) adjacent to a "Hotel" or "Group Hotel" as defined La Quinta Municipal Code Section 3.24.020. For purposes of this clause and clause (ii) above, "adjacent to" means across the street from or accessible by a driveway or service road designed to provide access to the Hotel or Group Hotel. In clarification of this clause and (ii) above, no application for a short-term vacation rental unit located in any Residential District zone, as defined in La Quinta Municipal Code Chapter 9.30, is exempt from this order even if the short-term vacation rental unit is within the

street boundaries described in either this clause or clause (ii) above.

4. This order is issued to best protect the public health and welfare and follows recent orders and directives from the California Department of Public Health (DPH) as implemented by Riverside County Public Health Office, including the DPH Travel Advisory (updated January 6, 2021), the current DPH "Blueprint for a Safer Economy" and other DPH orders and guidelines, such as:
<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Travel-Advisory.aspx>;
<https://covid19.ca.gov/travel/#questions-and-answers>;
<https://covid19.ca.gov/safer-economy/>;
<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/COVID19CountyMonitoringOverview.aspx>; and
<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Guidance.aspx>.

As set forth in Questions And Answers regarding the DPH Travel Advisory and travel restrictions in California, "To prevent further spread of COVID-19 and help contain any new sources of infection, Californians should stay within 120 miles from their home or other place of residence, unless they are traveling for essential purposes. Essential travel includes: work and study, critical infrastructure support, economic services and supply chains, health, immediate medical care, and safety and security." Also as set forth in Questions And Answers regarding the DPH Travel Advisory and travel restrictions in California, "Traveling into California from other states or countries for tourism or recreation is also strongly discouraged, and anyone traveling into California should self-quarantine for 10 days, unless quarantining is impracticable and the travel is for the sole purpose of meeting critical healthcare needs or other emergency response."

Any subsequent order from the City Manager shall be based on further direction, if and when issued, from the DPH or the Riverside County Public Health Officer, including any further direction on the Internet Web site for DPH, at: <https://covid19.ca.gov/> and <https://covid19.ca.gov/stay-home-except-for-essential-needs/#top>, and Riverside County Public Health Office at: <https://www.rivcoph.org/coronavirus>,

or successor Web sites established by the state department or county public health office.


5. The Assistant to the City Manager is hereby directed to coordinate, deploy, and monitor compliance with this order, with notices to the public and any other reasonable means necessary or appropriate.
6. This order shall remain in effect until terminated or amended by subsequent order from the City Manager.

This Executive Order is issued because a Local Emergency, as defined in Section 2.20.020 of the La Quinta Municipal Code, has been proclaimed by the City Council of the City of La Quinta to exist due to the threat of the existence and spread of novel coronavirus disease 2019 (COVID-19) in and throughout the city. All of the findings set forth in the recitals to Resolution No. EM 2020-001 adopted by the City Council are hereby incorporated by reference into this Executive Order.

This Executive Order is issued, pursuant to Sections 3, 5, and 8 of Resolution No. EM 2020-001 and Section 2.20.100, Subsections (A) and (B), of the La Quinta Municipal Code, under which the City Manager has the authority and power to issue executive orders for any matters related to the Local Emergency.

This Executive Order is issued in furtherance of the authority and power to address the Local Emergency as provided in the California Emergency Services Act, Chapter 7 (commencing with Section 8550) of Title 2 of the Government Code, and implemented by Chapter 2.20 of the La Quinta Municipal Code. Any violation of this Executive Order may be determined to be a misdemeanor and punishable by a fine or imprisonment, or both, pursuant to Section 8665 of the Government Code, Section 2.20.140 of the La Quinta Municipal Code, the provisions in this order, and any other state or city law as may be applicable.

EXECUTED BY:



Jon McMillen, City Manager
City of La Quinta, California