

ORDINANCE NO. 90

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, ADOPTING, AS AN URGENCY MEASURE, CERTAIN REGULATIONS CHANGING THE APPROVAL PROCEDURE FOR CERTAIN COMMERCIAL DEVELOPMENT PROJECTS WHICH MAY BE IN CONFLICT WITH A CONTEMPLATED ZONING PROPOSAL, SAID REGULATIONS TO BE IN EFFECT ON AN INTERIM STUDY BASIS PURSUANT TO GOVERNMENT CODE SECTION 65858.

The City Council of the City of La Quinta does ordain as follows:

SECTION 1. From and after the effective date of this ordinance, and for the period during which this ordinance remains in effect, and notwithstanding any other ordinance, resolution or regulation of the City to the contrary, no officer, employee or department administering City business shall accept or process any application for a building permit for certain commercial development projects, as defined within this ordinance, regardless of zoning district unless and until the Planning Commission has granted a plot plan approval for such commercial development project, utilizing in general the procedures and criteria set forth in Section 18.30 of the City's Zoning Ordinance and in particular making findings that:

- (a) The architectural aspects of the development will be compatible with, and not detrimental to, other existing and future developments in the surrounding area; and
- (b) Applicable development standards, including, but not limited to, setbacks, parking, landscaping, site design, signage and similar features, will be compatible with, and not detrimental to, other existing and future developments in the surrounding area; and
- (c) The proposed use and related development is consistent with the purpose and intent of applicable policies set forth in the La Quinta General Plan.

SECTION 2. DEFINITIONS. For the purposes of this ordinance, the following words or phrases shall have the following definitions:

- A. "Certain Commercial Development Projects" means offices retail establishments, restaurants, service businesses, hospitals, hotels, motels and other similar uses determined to be of a commercial nature wherein a new building or use is proposed for construction, an increase in floor area or use area for an existing building or use is proposed, or a remodeling of an existing building affecting its exterior appearance is proposed.

SECTION 3. EXCEPTIONS. Section 1 of the ordinance shall not apply to:

ORDINANCE NO. 90.

- (a) The remodeling of existing commercial buildings where there is no change to the exterior appearance of the building; and
- (b) Certain commercial development projects where existing zoning regulations require the approval of a conditional use permit or public use permit.

SECTION 4. URGENCY. This ordinance is adopted as an urgency measure pursuant to the authority of Section 65858 of the Government Code of the State of California, for the immediate preservation and protection of the public safety, health and welfare, and shall take effect immediately upon its adoption and passage by at least four-fifths vote of the City Council. The City Council finds and determines that there is a current threat to the public health, safety and welfare in that the City of La Quinta has recently adopted a new General Plan and because a number of commercial development proposals are expected in the immediate future, the public interest now requires a systematic review and comprehensive analysis of ordinances designed to implement that plan. It is contemplated that from such studies, which are soon to be conducted by the City, there will emerge new zoning regulations and development standards for commercial development projects, and during the interim period while this can be accomplished, it is essential that controls imposed by this ordinance be maintained, so that uses which would otherwise be established and developed during the interim period will not thereafter be in conflict with the contemplated zoning regulations and development standards.


SECTION 5. EFFECTIVE PERIOD OF ORDINANCE. This ordinance shall remain in effect for a forty-five-day period pursuant to Section 65858 of the Government Code of the State of California, unless sooner repealed or otherwise modified, and subject to any extension of the effective period duly enacted pursuant to and in accordance with said Section 65858.

SECTION 6. POSTING. The City Clerk shall, within 15 days after the passage of this ordinance, cause it to be posted in at least the three public places designated by Resolution of the City Council; shall certify as to the adopting and posting of this ordinance; and shall cause this ordinance and its certification, together with proof of posting, to be entered in the Book of Ordinances of this City.

APPROVED and ADOPTED by the La Quinta City Council at a regular meeting held this 18th day of February, 1986, by the following roll call vote:

AYES: Council Members Allen, Bohnenberger, Wolff and Mayor Pena.  
NOES: None.  
ABSENT: Council Member Cox.

ORDINANCE NO. 90

  
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MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

  
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CITY ATTORNEY

APPROVED AS TO CONTENT:

  
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CITY MANAGER

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

I, FRANK M. USHER, City Clerk of the City of La Quinta, do hereby certify the foregoing to be a full, true and correct copy of Ordinance No. 90 which was adopted at a regular meeting held on the 18th day of February 1986, not being less than five days following date of introduction. I further certify that the foregoing ordinance was posted in three (3) places within the City of La Quinta.



FRANK M. USHER, City Clerk  
City of La Quinta, California