

ORDINANCE NO. 609

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, AMENDING SECTION 9.60.340 OF TITLE 9 OF THE LA QUINTA MUNICIPAL CODE

WHEREAS, the City Council of the City of La Quinta, California did, on January 16, 2024, hold a duly noticed public hearing for review of a City-initiated request of Zoning Ordinance Amendment 2023-1001 to amend Section 9.60.340 of Title 9 of the La Quinta Municipal Code; and

WHEREAS, previous to said Public Hearing, the Planning Commission of the City of La Quinta did, on December 12, 2023, consider a resolution to recommend City Council adopt Zoning Ordinance Amendment 2023-1001 and the resolution did not pass by unanimous vote; and

WHEREAS, the Design and Development Department published a public hearing notice for this request in *The Desert Sun* newspaper on January 5, 2024, as prescribed by the Municipal Code; and

WHEREAS, the zoning ordinance amendment allows the placement of flagpoles for residential zoning districts managed by a homeowner association (HOA), to not be limited to the minimum setback from a property line, with the approval of the board of directors of the HOA; and

WHEREAS, at said public hearing, upon hearing and considering all public testimony and arguments, if any, of all interested persons wanting to be heard, the City Council did make the following mandatory findings to justify adoption of said Zoning Ordinance Amendment, enclosed as Exhibit A, and incorporated herewith by this reference:

1. Consistency with General Plan

The code amendment is consistent with the goals, objectives, and policies of the General Plan. The proposed amendment is supported by Policy LU-1.2 for land use decisions to be consistent with General Plan policies and programs and uphold the rights and needs of property owners and the public; and

2. Public Welfare

Approval of the code amendment will not create conditions materially detrimental to the public health, safety, and general welfare. The amendment allows for flexibility on the placement of flagpoles on single family property managed by a homeowner association and consistent with the covenants, conditions, and restrictions (CC&Rs) governing the single family property, with the approval of the board of directors of the HOA, and does not incorporate any changes that affect

the regulation and/or provision of public services, utility systems, or other foreseeable health, safety, and welfare considerations.

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

SECTION 1. TITLE 9 shall be amended as written in “Exhibit A” attached hereto.

SECTION 2. The proposed zoning code amendment has complied with the requirements of "The Rules to Implement the California Environmental Quality Act of 1970" (CEQA) as amended (Resolution 83-63). The zoning code amendment is consistent with the previously approved findings of the General Plan 2035 EIR (Environmental Assessment 2012-622) as the proposed amendment implements the goals, policies, and programs of the General Plan.

SECTION 3. That the City Council does hereby approve Zoning Ordinance Amendment 2023-1001, as set forth in attached “Exhibit A” for the reasons set forth in this Ordinance.

SECTION 4. **EFFECTIVE DATE:** This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 5. **POSTING:** The City Clerk shall, within 15 days after passage of this Ordinance, cause it to be posted in at least two public places designated by resolution of the City Council, shall certify to the adoption and posting of this Ordinance, and shall cause this Ordinance and its certification, together with proof of posting to be entered into the Book of Ordinances of the City of La Quinta.

SECTION 6. **CORRECTIVE AMENDMENTS:** That the City Council does hereby grant the City Clerk the ability to make minor amendments to “Exhibit A” to ensure consistency of all approved text amendments prior to the publication in the La Quinta Municipal Code.

SECTION 7. **SEVERABILITY:** If any section, subsection, subdivision, 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. The City Council hereby declares that it would have adopted this Ordinance and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared unconstitutional.

PASSED, APPROVED and ADOPTED, at a regular meeting of the La Quinta City Council held this 6th day of February 2024, by the following vote:

AYES: Councilmembers Fitzpatrick, McGarrey, Peña, Sanchez, and Mayor Evans

NOES: None

ABSENT: None

ABSTAIN: None



LINDA EVANS, Mayor
City of La Quinta, California

ATTEST:



MONIKA RADEVA, City Clerk
City of La Quinta, California



APPROVED AS TO FORM:



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

9.60.340 - Flagpoles.

Flagpoles shall be allowed in all residential zoning districts subject to the following standards:

- A. Height of flagpoles shall not exceed twenty (20) feet.
- B. Flagpoles shall not be allowed within any yard, except if a yard abuts open space, a golf course, or a street, flagpoles shall maintain a minimum setback distance of 5 feet from any property line.
- C. Installation of flagpoles shall require a building permit.
- D. For residential zoning districts, in which single family dwellings are located within a common interest development and subject to a declaration of covenants, conditions, and restrictions (CC&Rs) and managed by a homeowner association, the placement of flagpoles on lots with single family dwellings shall not be limited to the standard set forth in Subsection (B) of this section, if the proposed placement of a flagpole is consistent with the CC&Rs governing the single family dwelling and the board of directors of the homeowner association approves the placement of the flagpole. The applicant shall submit a letter or other city-required document from the homeowner association that confirms the approval of the placement of the flagpole with a building permit application.
- E. Flagpoles that were installed prior to February 14, 2019, but otherwise meet the height limitation in this section, shall be allowed to remain in place so long as a building permit is obtained if there was no building permit issued previously. Proof of installation or existence of flagpoles prior to February 14, 2019, may be required.

9.280.030 - Definition of terms.

"Abandoned" means a structure or use, the development or operation of which has been ceased or suspended.

"Abutting" or "adjacent" means two (2) or more parcels sharing a common boundary at one (1) or more points.

"Access/egress" means provision for entering a site from a roadway and exiting a site onto a roadway via motorized vehicle.

"Accessory building or structure" means a building or structure, the use of which is subordinate and incidental to the main building or use on the same building site. As it pertains to [Section 9.140.060](#), Equestrian overlay district, "accessory building" means any building subordinate to a permitted or

conditionally permitted equestrian use, including, but not limited to, hay and tack barns, stables and other structures and uses customarily appurtenant to the primary permitted use. Also pertaining to [Section 9.140.060](#), Equestrian overlay district, "accessory structure" means any structure subordinate to a permitted or conditionally permitted equestrian use, including, but not limited to, arenas, grandstand seating, corrals, exercise rings, and other structures associated with the permitted use. Fences are not considered structures for the purposes of this section.

"Accessory use" means a land use subordinate and incidental to the principal use on the same building site.

"Actual construction" means the actual placing of construction materials in their permanent position fastened in a permanent manner except that where a basement is being excavated, such excavation shall be deemed to be actual construction, or where demolishing or removal of an existing building or structure has begun, such demolition or removal shall be deemed to be actual construction, providing in all cases that actual construction work be diligently carried on until the completion of the entire building or structure involved.

"Administrative office" means a place of business for the rendering of service or general administration, but not including retail sales.

Adult Business, Adult Entertainment Business or Adult Oriented Business. See Sexually oriented businesses, [Chapter 5.80](#) of the municipal code.

Advertising Device or Display. See sign definitions, [Section 9.160.130](#).

"Affordable housing cost" bears the same meaning as defined in Section 50052.5 of the California Health and Safety Code.

"Affordable housing unit" means a dwelling unit within a housing development which will be rented or sold to and reserved for very low income households, lower income households, moderate income households (where qualified) and/or senior citizens at an affordable housing cost for the respective group(s) in accordance with Section 65915 of the California Government Code and Section 9.60.260 of this code.

"Affordable rent" means that level of rent defined in Section 50053 of the California Health and Safety Code.

"Agricultural activity, operation, or facility, or appurtenances thereof" includes all uses allowed under the agricultural overlay district, including, but be limited to, the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural commodity, including timber

viticulture, apiculture, or horticulture, the raising of livestock, fur bearing animals, fish, or poultry, and any practices performed by a farmer or on a farm as incident to or in conjunction with such farming operations, including preparation for market, delivery to storage or to market, or to carriers for transportation to market.

"Alley" means a secondary means of access to abutting property located at the rear or side of the property.

"Alteration" means any physical change in the internal or external composition of a building or other structure.

Animal Hospital or Animal Clinic. See "Veterinary clinic."

"Antenna" means a device for transmitting or receiving radio, television, satellite, microwave or any other transmitted signal.

"Apartment" means a dwelling unit within an apartment building designed and used for occupancy by one (1) family on a rental basis.

"Apartment building" or "apartment project" means a building or group of buildings in a single ownership with three (3) or more dwelling units per building and with most or all units occupied on a rental basis.

Area, Project Net. See "Project net area."

"Arena" means an enclosure physically similar to a corral, designed and constructed so as to be used for conducting equine-related entertainment and events open to the public, including, but not limited to, rodeos, polo matches, riding shows and exhibitions, etc.

"Attached structures" means two (2) or more structures which are physically connected with a wall, roof, deck, floor, bearing or support structures, trellises, architectural features or any other structure, fixture or device that exceeds thirty (30) inches in height above the finished grade.

Attached Dwelling or Attached Residential. See "Dwelling, attached."

"Automobile repair specialty shop" means a retail and service place of business engaged primarily in light repair and sale of goods and services for motor vehicles, including brake, muffler and tire shops and their accessory uses. Heavier automobile repair such as major body and paint work, transmission repair, or engine repair are not included in this definition.

"Automobile service station" means a retail place of business engaged primarily in the sale of motor fuels and supplying those incidental goods and services which are required in the day-to-day operation of motor vehicles.

"Automobile wrecking" or "automobile dismantling" means the storage or taking apart of damaged or wrecked vehicles or the sale of such vehicles or their parts.

"Awning" means a roof-like cover that is attached to and projects from the wall of a building for the purpose of decoration and/or providing shielding from the elements.

"Bar and cocktail lounge" means an establishment whose primary activity is the service of alcohol, beer or wine.

"Basement" means a habitable building level which is partly or completely underground. A basement shall be counted as a building story if more than five (5) feet of the height of any portion is above adjoining finish grade.

"Bed and breakfast" means a residential dwelling occupied by a resident, person, or family, containing individual living quarters occupied for a transient basis for compensation and in which a breakfast may be provided to guests. The breakfast provided shall not constitute a restaurant operation and may not be provided to persons other than guests of the inn.

"Bedroom" means any habitable room that may be used for sleeping purposes other than a kitchen, bathroom, hallway, dining room or living room.

"Berm" means a mound or embankment of earth.

Billboard. See sign definitions, [Section 9.160.130](#).

"Boardinghouse" means any building or portion thereof with access provided through a common entrance to guest rooms having no cooking facilities. Guest rooms are rented on a monthly basis or longer and meals are provided.

"Buildable area" means the portion of a building site remaining after deducting all required setbacks and meeting any requirements regarding maximum lot coverage or minimum open area.

"Building" means an enclosed structure having a roof supported by columns or walls.

"Building height" means the height of a building relative to the surrounding ground area. Measurement of maximum building height is defined in Sections [9.50.050](#) and [9.90.010](#).

Building, Main. "Main building" means the building containing the main or principal use of the premises.

Building, Relocatable. "Relocatable building" means a building which is not placed on a permanent foundation and is designed to be movable from one (1) location to another without the need for a special permit such as that required to move a conventional house. Relocatable buildings include, but are not limited to, mobilehomes, construction trailers, and modular buildings.

"Building site" means a parcel or contiguous parcels of land established in compliance with the development standards for the applicable zoning district and the city's subdivision code.

"Building site area" means the horizontal area within a building site expressed in square feet, acres or other area measurement.

Building Site Coverage. See "Lot coverage."

Building Site, Panhandle or Flag. See "Lot" definitions.

Building Site, Through. "Through building site" means a building site having frontage on two (2) parallel or approximately parallel streets. See "Through lot."

Business Park. See "Industrial park."

"CEQA" means the California Environmental Quality Act.

"Caretaker" means a person who lives on the premises for the purposes of managing, operating, maintaining or guarding the principal use or uses permitted on the premises.

"Caretaker residence" means a residential unit not exceeding one thousand (1,000) square feet, which is not the principal use on the property, to be occupied by a caretaker or watchman who is responsible for the security of the principal use of the property.

"Carport" means a roofed structure or a portion of a building which is open on two (2) or more sides for the parking of automobiles belonging to the occupants of the property.

"Cattery" means any building, structure, enclosure or premises within which five (5) or more cats are kept or maintained primarily for financial profit for the purpose of boarding, breeding, training, marketing, hire or any other similar purpose.

"Cellar" means a nonhabitable building level which: (1) has more than one-half ($\frac{1}{2}$) of its height below the adjoining finish grade at all points; and (2) has a floor area no more than one-half ($\frac{1}{2}$) that of the floor immediately above. A cellar is not counted as a building story.

"Certificate of occupancy" or *"certificate of use and occupancy"* means a permit issued by the city prior to occupancy of a structure or the establishment of a land use to assure that the structure or parcel is ready for occupancy or use and that all ordinance requirements and project conditions of approval are fulfilled.

"Child day care center" or *"preschool"* means a child day care facility operated by a person, corporation or association used primarily for the provision of daytime care, training or education of children at any location other than their normal place of residence. The maximum number of children accommodated is determined by state licensing provisions and city use permit conditions.

"Child day care facility" means, consistent with Section 1596.750 of the State Health and Safety Code, a facility which provides nonmedical care to children under eighteen (18) years of age in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a twenty-four (24)-hour basis. Child day care facility includes both child day care centers and child day care homes.

"Child day care home" or *"family day care home"* means, consistent with Section 1596.78 of the State Health and Safety Code:

1. *"Family day care home"* means a home that regularly provides care, protection, and supervision for fourteen (14) or fewer children, in the provider's own home, for periods of less than twenty-four (24) hours per day, while the parents or guardians are away, and is either a large family day care home or a small family day care home.

2. *"Large family day care home"* means a home that provides family day care for seven (7) to fourteen (14) children, inclusive, including children under the age of ten (10) years who reside at the home.

3. *"Small family day care home"* means a home that provides family day care for eight (8) or fewer children, including children under the age of ten (10) years who reside at the home.

"City" means the city of La Quinta.

"City council" means the city council of the city of La Quinta.

"Cleaning plant" or *"laundry plant"* means a central processing facility for dry cleaning or laundering of clothing and fabrics collected from and returned to patrons and dry cleaning and laundry agencies.

Clinic, Medical. "Medical clinic" means an organization of medical doctors providing physical or mental health service and medical or surgical care of the sick or injured, but not including inpatient or overnight care.

"Club" means an association of persons for some common purpose, but not including organizations which provide goods or services and which are customarily carried on as businesses.

"Code" means this zoning code unless another code, ordinance or law is specified.

"Commercial" means operated or conducted on a frequent basis for the purpose of financial gain.

"Commercial filming" means the production of still or moving pictures on public property.

Commercial Center. See "Shopping center."

"Commercial recreation" means any use or activity where the primary intent is to provide amusement, pleasure or sport but which is operated for financial gain. It includes establishments where food and beverages are sold as a secondary or ancillary use, but does not include restaurants, nightclubs and cocktail lounges.

"Commercial stable" means any facility specifically designed or used for the stabling of equine animals not owned by the residents of the subject property, for purposes such as on-site breeding, boarding, training, riding or other recreational use as a commercial service to the owners of said animals.

"Commercial vehicle" means a vehicle customarily used as part of a business for the transportation of goods or people.

"Commission" means the planning commission of the city unless another commission is indicated.

"Common interest development" bears the same meaning as defined in Section 4100 of the California Civil Code (or successor provision).

"Community apartment project" means a project in which an undivided interest in the land is coupled with the right of exclusive occupancy of any apartment located thereon.

"Community auction and sales yard" means a facility which periodically holds auctions of farm equipment, fixtures and other related materials in an enclosed building.

Community Care Facility. See "Residential care facility."

"Community center" means a non-commercial use established for the benefit and service of the population of the community in which it is located, including senior centers.

Conditional Use Permit. See "Use permit."

"Condominium" means, consistent with Section 4125 of the California Civil Code (or successor provision), an undivided interest in common in a portion of real property coupled with a separate interest in space in a residential, industrial or commercial building on such real property, such as an office or store or multifamily dwelling. A condominium may include, in addition, a separate interest in other portions of such real property.

"Condominium hotel" means a "hotel" or "group hotel" all or part of which constitutes a condominium project in which one (1) or more of the units are individually owned, but are intended to be available for "transient" use (as those terms are defined in [Section 3.24.020](#) of the La Quinta Municipal Code), when not being used by the unit owner. See also "First class condominium hotel."

"Congregate care facility" means a facility providing care on a monthly basis or longer and which is the primary residence of the people it serves. It provides services to the residents such as the following: dining, housekeeping, security, medical, transportation and recreation. Any commercial services provided are for the exclusive use of the occupants of the facility. Such a facility may be located in more than one (1) building and on contiguous parcels within the building site.

"Congregate living facility" means a single family residential facility which is licensed by the state to provide living and treatment facilities on a monthly or longer basis for six (6) or fewer developmentally disabled persons or six (6) or fewer persons undergoing treatment for alcohol or drug abuse and which is

permitted in single-family residences by operation of state law. (See also "Residential care facility.")

"Convalescent home" or "convalescent hospital" means a facility licensed by the State Department of Health Services which provides bed and ambulatory care for more than six (6) patients with postoperative convalescent, chronic illness or dietary problems and persons unable to care for themselves, including persons undergoing psychiatric care and treatment both as inpatients and outpatients, but not including persons with contagious diseases or afflictions. A convalescent home may also be known as a nursing home, convalescent hospital, rest home or home for the aged.

"Conversion project" means an apartment house or multiple or group dwelling which is existing, under construction or for which building permits have been issued, and which is proposed for conversion to a residential condominium, community apartment, residential stock cooperative or planned development.

Corner Lot. See definitions under "Lot."

"Corral" means an enclosure designed for use as an open holding area for horses for the purpose of confinement within that area for an indeterminate period of time.

"Cottage food operation" means an enterprise wherein an individual prepares and packages non-potentially hazardous foods in a primary residential dwelling unit, which serves as his or her private residence, said foods being for the direct and/or indirect sale to consumers, and that does not have more than one (1) full-time equivalent employee, and generates not more than: (1) thirty-five thousand (\$35,000.00) dollars in gross annual sales in 2013; (2) forty-five thousand (\$45,000.00) dollars in gross annual sales in 2014; (3) fifty thousand dollars (\$50,000.00) in gross annual sales in 2015 and beyond as identified in California Health and Safety Code Section 113758.

"County" means the county of Riverside unless another county is indicated.

Day Care Center. See "Child day care center."

"Declaration of covenants, conditions, and restrictions (CC&Rs)" has the same meaning as "declaration" set forth in Section 4135 of the California Civil Code (or successor provision) as applicable to a common interest development.

"Decision-making authority" or "decision-making body" means a person or group of persons charged with making decisions on proposals, applications, or other items brought before the city.

"Density" means the number of dwelling units per gross acre, unless another area measurement is specified.

"Density bonus" means a density increase over the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan as of the date of application by the applicant to the city.

"Detached building or structure" means a building or other structure that does not have a wall or roof in common with any other building or structure.

"Development" means, on land or in or under water: the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid or thermal waste; grading, removing, dredging, mining or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act, and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition or alteration of the size of any structure, including any facility of any private, public or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes.

"Development standard" means site or construction conditions that apply to a housing development pursuant to any ordinance, general plan element, specific plan, charter amendment, or other local condition, law, policy, resolution, or regulation.

"Director" or "planning director" means the city manager or designee.

District. See "Zoning district."

District, Nonresidential. See "Nonresidential district."

District, Residential. See "Residential district."

District, Special Purpose. See "Special purpose district."

"Downtown village directional sign panel" means an interchangeable sign panel which does not require a sign permit, mounted on a monument base structure. The sign panels list businesses in the village commercial zoning district.

"Drive-in" or "drive-through" means designed or operated so as to enable persons to receive a service or purchase or consume goods while remaining within a motor vehicle.

"Driveway" means a vehicular passageway providing access from a public or private street to a structure or parking area or, in the case of residences, to a garage, carport, or legal parking space. A driveway is not a street.

"Driveway approach" means a designated area between the curb or traveled way of a street and the street right-of-way line that provides vehicular access to abutting properties. When vehicular access to a building site is provided by way of a common driveway, the driveway approach is the line of intersection where the individual driveway abuts the common driveway.

"Duplex" means a permanent building containing two (2) dwelling units on a single lot.

"Dwelling" means a building or portion thereof designed and used for residential occupancy, but not including hotels or motels.

Dwelling, Attached. "Attached dwelling" means a main dwelling unit attached to one (1) or more other main dwelling units by means of a roof or interior wall.

Dwelling, Main or Primary Residence. "Main dwelling or primary residence" means the dwelling unit permitted as the principal use of a parcel or building site, either by itself or with other dwelling units (as in multifamily buildings).

Dwelling, Multifamily. "Multifamily dwelling" means a building containing more than one (1) separate residential dwelling unit, which is used or occupied, or is intended to be used or occupied, in whole or in part, as the home or residence of one (1) or more persons on a single parcel or building site.

Dwelling, Patio Home. "Patio home dwelling" means a single-family detached dwelling shifted to one (1) side of the lot, i.e., placed on the lot so that one (1) side setback is zero (0) or nearly zero (0) and the other side setback is larger than if both side setbacks were approximately equal.

Dwelling, Single-Family. "Single-family dwelling" means one (1) main dwelling unit on a single parcel or building site.

Dwelling, Single-Family Attached. "Single-family attached dwelling" means a main dwelling unit attached to one (1) other main dwelling unit by means of a roof and/or interior wall, with each dwelling unit occupying its own lot.

Dwelling, Single-Family Detached. "Single-family detached dwelling" means a main dwelling unit not attached to any other main dwelling unit.

Dwelling, Townhome. "Townhome dwelling" means a main dwelling unit attached typically to two (2) or more other main dwelling units by means of a roof and/or interior wall, with each dwelling unit occupying its own lot.

"Dwelling unit" means one (1) or more rooms, including a bathroom and kitchen, designed and used for occupancy by one (1) family for living and sleeping purposes.

Dwelling Unit, Second. See "Second unit."

"Easement" means a recorded right or interest in the land of another which entitles the holder thereof to some use, privilege or benefit in, on, over or under such land.

"Educational institution" means a private or public elementary or secondary school, college or university qualified to give general academic instruction equivalent to the standards prescribed by the state board of education.

"Elevation" means the vertical distance above sea level.

"Emergency shelter" means housing with services for homeless persons that is limited to occupancy of six (6) months or less by a homeless person. Low Barrier Navigation Centers are also included in this definition. No individual or household may be denied emergency shelter because of an inability to pay.

"Employee's quarters" means quarters, which may include full bathroom and/or kitchen or cooking facilities, for the housing of domestic employees and located upon the same building site occupied by their employer.

"Enclosed" means roofed and contained on all sides by walls which are pierced only by windows, vents or customary entrances and exits.

"Environmental review" means all actions and procedures required of the city and of applicants by the California Environmental Quality Act ("CEQA," State Public Resources Code Section 21000 et seq.), the CEQA Guidelines (Public Resources Code Section 15000 et seq.) and local environmental procedures.

"Exception" means a city-approved deviation from a development standard based on the following types of findings by the decision-making authority:

1. General finding such as that notwithstanding the exception, the resulting project will still be consistent with the goals and/or policies underlying the development standard; and

2. One (1) or more specific findings justifying the particular exception requested.

"Family" means one (1) or more persons occupying one (1) dwelling unit. The word "family" includes the occupants of congregate living and residential care facilities, as defined herein, serving six (6) or fewer persons which are permitted or licensed by the state. The word "family" does not include occupants of a fraternity, sorority, boardinghouse, lodginghouse, club or motel.

Family Day Care Home. See "Child day care home."

"Farm" means a parcel of land devoted to agricultural uses where the principal use is the propagation, care and maintenance of viable plant and animal products for commercial purposes.

"Farmworker housing" means any building or group of buildings where six (6) or more farm employees are housed.

"First class condominium hotel" means a condominium hotel where both of the following apply:

1. The condominium hotel has a brand operator or an independent operator that is experienced in the upscale segment or luxury segment of the hospitality industry as defined by J.D. Power and Associates; and

2. The condominium hotel satisfies the published requirements that will be sufficient for a ranking of no fewer than three (3) stars in the most recent annual awards list published from time to time by AAA Travel Guides or by the Mobil Travel Guide.

Flag. See sign definitions, [Section 9.160.130](#).

Flag Lot or Panhandle Lot. See definitions under "Lot."

"Flood" means a general and temporary condition of partial or complete inundation of land areas from the overflow of inland and tidal waters, the rapid accumulation of runoff of surface waters from any source, or mudslides (i.e., mudflows) which are proximately caused or precipitated by accumulations of water on or under the ground.

"Flood insurance rate map (FIRM)" or "flood boundary and floodway map" mean the official maps provided by the Federal Emergency Management

Agency (FEMA) which delineate the areas of special flood hazard, the risk premium zones and the floodways applicable to the city.

"Floodplain" means the land area adjacent to a watercourse and other land areas susceptible to being inundated by water.

"Floodproofing" means any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

"Floodway" means the channel of a river or other watercourse and that part of the floodplain reasonably required to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

Floor Area, Gross. See "Gross floor area."

Floor Area, Livable. See "Livable floor area."

"Floor area ratio" means the numerical value obtained by dividing the gross floor area of all buildings, except parking structures, located on a building site by the building site area.

"Fraternity house" or "sorority house" means a building or portion of a building occupied by a chapter of a regularly organized college fraternity or sorority officially recognized by an educational institution.

Freestanding Sign. See sign definitions, [Section 9.160.130](#).

Front Lot Line. See definitions under "Lot line."

"Garage" means a building or portion of a building used primarily for the parking of motor vehicles.

Gas Station or Service Station. See "Automobile service station."

"General plan" means the general plan of the city of La Quinta.

"Government code" means the California Government Code.

Grade, Average. "Average grade" means the elevation determined by averaging the highest and lowest elevations of a parcel, building site or other defined area of land.

Grade, Average Finish. "Average finish grade" means the elevation determined by averaging the highest and lowest elevations of a parcel, building site or other defined area of land after final grading.

Grade, Finish. "Finish grade" means the ground elevation at any point after final grading.

"Grading" means the filling, excavation or other movement of earth for any purpose.

"Granny flat" or "granny housing" means a secondary dwelling unit which is: (1) intended for the sole occupancy of one (1) or two (2) adult persons sixty-two (62) years of age or over; and (2) located on a building site containing an existing single family detached dwelling. The floor area of an attached granny flat does not exceed thirty percent (30%) of the existing floor area of the primary single family residence and the floor area of a detached granny flat does not exceed one thousand two hundred (1,200) square feet. (See also "Second unit.")

"Grazing" means the act of pasturing livestock on growing grass or other growing herbage or on dead grass or other dead herbage existing in the place where grown as the principal sustenance of the livestock so grazed.

"Gross acreage" means the land area, expressed in acres, within a parcel or group of contiguous parcels minus any right-of-way for arterial highways not including collector streets. Each acre so determined is a gross acre.

Gross Density. See "Density."

"Gross floor area" means the total square footage of all floors of a building, including the exterior unfinished wall structure but excluding courtyards and other outdoor areas.

Gross Lot or Parcel Area. See "Lot area, gross."

"Ground floor area" means all enclosed area within the ground floor of a structure, including exterior walls and mechanical spaces. Carports, garages, accessory buildings and parking structures are included in ground floor area but swimming pools and unenclosed post-supported roofs over patios and walkways are not included.

Ground Sign. See "Freestanding sign" in sign definitions, [Section 9.160.130](#).

"Guest house" means a detached or attached unit which has sleeping and sanitary facilities, which may include full bathroom and/or kitchen or cooking

facilities, and which is used primarily for sleeping purposes by members of the family occupying the main building, their nonpaying guests, and domestic employees.

"Guest ranch" means any property of five (5) acres or more operated as a ranch which offers guest rooms for rent and which has outdoor recreational facilities such as horseback riding, swimming or hiking.

Habitable area. See "Livable floor area."

"Habitable room" means any room usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A room designed and used only for storage purposes is not a habitable room.

"Hazardous waste" means a waste or combination of wastes which, because of its quantity, concentration, toxicity, corrosiveness, mutagenicity or flammability, or its physical, chemical or infectious characteristics, may: (1) cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Home for the aged. See "Convalescent home."

Homeless Shelter. See "Emergency shelter."

"Home occupation" means an occupation or activity conducted as an accessory use within a dwelling unit incidental to the residential use of the property. See [Section 9.60.110](#).

"Homeowner association" or "HOA" means the "association," as defined in Section 4080 of the California Civil Code (or successor provision) that serves as the nonprofit corporation or unincorporated association created for the purpose of managing a common interest development.

"Hospital" means a facility licensed by the State Department of Health Services providing clinical, temporary or emergency service of a medical, obstetrical, surgical or mental health nature to human patients.

"Hotel" means any building or portion thereof with access provided through a common entrance, lobby or hallway to guest rooms which are rented on a daily or weekly basis.

Identification Sign. See sign definitions, [Section 9.160.130](#).

"Industrial park," "business park" or "office park" means a nonresidential development wherein the permitted uses are planned, developed, managed and maintained as a unit, with landscaping, amenities, and common off-street parking provided to serve all uses on the property.

"Intensity" means the level of development or activity associated with a land use, as measured by one (1) or more of the following:

- 1.The amount of parking required for the use per [Chapter 9.150](#).
- 2.The operational characteristics of the use such as hours of operation, the inclusion of dancing or live entertainment as part of the use, or similar characteristics.
- 3.The floor area occupied by the use.
- 4.The percentage of the building site occupied by the use or by the structure containing the use.

Interior Lot Line. See definitions under "Lot line."

"Kennel" means any building, structure, enclosure or premises within which five (5) or more dogs are kept or maintained primarily for financial profit for the purpose of boarding, breeding, training, marketing, hire or any other similar purpose.

"Kitchen" means any room all or part of which is designed and/or used for the cooking or other preparation of food.

Land Use. See "Use."

Land Use Intensity. See "Intensity."

Landfill, Sanitary. "Sanitary landfill" means an area designed and used for the disposal of solid waste on land by spreading it in layers, compacting it and covering it daily with soil or other approved cover material.

Laundry Plant. See "Cleaning plant or laundry plant."

"Livable floor area" means the interior area of a dwelling unit which may be occupied for living purposes by humans, including basements and attics (if permitted). Livable floor area does not include a garage or any accessory structure.

"Live entertainment" means any act, play, revue, pantomime, scene, dance or song, or any combination of the foregoing performed in person by one (1) or more persons whether or not they are compensated for their performance.

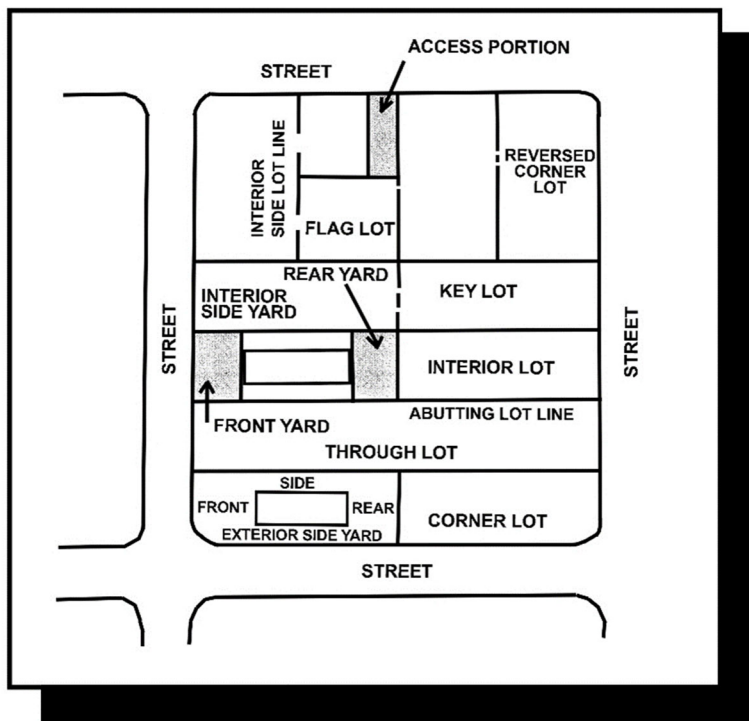
Living Area. See "Livable floor area."

Lodginghouse. See "Boardinghouse."

"Lot" means an area of land under one (1) ownership which is identified as a lot or parcel on a recorded final map, parcel map, record of survey recorded pursuant to an approved division of land, certificate of compliance, or lot line adjustment. The terms "lot" and "parcel" are interchangeable for purposes of this code. Types of lots and their definitions are as follows:

1. *"Corner lot"* means a lot abutting two (2) streets intersecting at an angle of not more than one hundred thirty-five (135) degrees. If the angle of intersection is more than one hundred thirty-five (135) degrees, the lot is an "interior lot."

2. *"Flag or panhandle lot"* means a lot connected to the street with a narrow access portion less than forty (40) feet wide and more than twenty (20) feet long and situated so that another lot is located between the main portion of the flag lot and the street.



Lot Types and Lot Lines

3. "*Interior lot*" means a lot abutting only one (1) street or abutting two (2) streets which intersect at an angle greater than one hundred thirty-five (135) degrees.

4. "*Key lot*" means a lot with a side lot line that abuts the rear lot line of one (1) or more adjoining lots.

5. "*Reverse corner lot*" means a corner lot, the rear of which abuts the side of another lot.

6. "*Through lot*" means a lot with frontage on two (2) parallel or approximately parallel streets.

"*Lot area*" means the horizontal land area within a lot expressed in square feet, acres, or other area measurement.

"*Lot coverage*" or "*building site coverage*" means the cumulative ground floor area of the structures on a lot expressed as a percentage of the net lot area. For purposes of this definition, "ground floor area" means all enclosed area within the ground floor of a structure, including exterior walls and mechanical spaces. Carports, garages, accessory buildings and parking structures are included in ground floor area but swimming pools and unenclosed post-supported roofs over patios and walkways are not included.

"*Lot frontage*" means the length of the front lot line. For corner lots the lot frontage shall be measured from the interior lot corner to the outside of the corner cut-back.

"*Lot line or property line*" means any boundary of a lot. The classifications of lot lines and their definitions are as follows:

1. "*Front lot line*" means the following:

- a. On an interior lot, the line separating the lot from the street;
- b. On a corner lot, the shorter line abutting a street. (If the lot lines are equal or approximately equal, the director shall determine the front lot line);
- c. On a through lot, the lot line abutting the street providing primary access to the lot.

2. "*Interior lot line*" means any lot line not abutting a street.

3. "*Rear lot line*" means a lot line which does not intersect the front lot line and which is most distant from and most parallel to the front lot line. In the case of an irregularly-shaped lot or a lot bounded by only three (3) lot lines, the rear lot

line is a ten (10)-foot long line parallel to and most distant from the front lot line for the purposes of determining setbacks and other provisions of this code.

4. "*Side lot line*" means any lot line which is not a front or rear lot line.

"*Low Barrier Navigation Center*" as defined in Government Code Section 65660 means a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

"*Lower income households*" bears the same meaning as defined in Section 50079.5 of the California Health and Safety Code.

"*Lowest floor*" means, with regard to flood protection, the lowest floor of the lowest enclosed area, including a basement or cellar. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of the applicable design requirements of the FP floodplain district, [Section 9.140.030](#).

"*Manufactured home*" means a residential building transportable in one (1) or more sections which has been certified under the National Manufactured Housing Construction and Safety Standards Act of 1974.

"*Master commercial development*" means a commercial center for which an overall site development permit was approved and implemented, which may have remaining unconstructed pads or buildings.

"*Master plan of arterial highways*" means a component of the circulation element of the city's general plan designating adopted and proposed routes for all commuter, secondary, primary and major highways within the city.

"*Master plan of drainage*" means an engineering report outlining the drainage facilities needed for the proper development of the city.

"*Maximum allowable residential density*" means the density allowed under applicable zoning ordinances, or if a range of density is permitted, means the maximum allowable density for the specific zoning range applicable to the subject project.

"*Median*" means a paved or planted area separating a street or highway into opposite-direction travel lanes.

Medical Clinic. See "Clinic, medical."

"Medical marijuana dispensary" means a facility or location which provides, makes available or distributes medical marijuana to a primary caregiver, a qualified patient, or a person with an identification card, in accordance with California Health and Safety Code Section 11362.5 et seq.

"Menagerie" means a lot on which more than one (1) wild, non-domestic reptile (not including turtles or tortoises), bird (not including poultry) or mammal is kept. A tamed or trained wild animal shall not be considered a domestic animal.

"Ministorage facility" means a building containing various size storage compartments not exceeding five hundred (500) square feet each, wherein each compartment is offered for rent or lease to the general public for the private storage of materials excluding materials sold at the facility or delivered directly to customers.

"Minor adjustments" are deviations in standards which have little or no potential for adverse impacts on the surrounding community and which are reviewed administratively.

Minor Use Permit. See "Use permit."

Mobilehome. See "Manufactured home."

"Mobilehome park" or "mobilehome development" means any area or tract of land used to accommodate mobilehomes for human habitation, including pads for mobilehomes, clubhouses, recreation facilities, and other ancillary structures and facilities. The term includes mobilehome parks and mobilehome subdivisions. See [Section 9.60.180](#).

"Moderate income" or "persons and families of moderate income" means those middle-income families as defined in Section 50093 of the California Health and Safety Code.

Modular Home. See "Manufactured home."

Monument Sign. See sign definitions, [Section 9.160.130](#).

"Motel" means a building or group of buildings containing guest rooms rented on a weekly basis or less and with most or all guest rooms gaining access from an exterior walkway.

Multifamily Dwelling or Residence. See "Dwelling, multifamily."

"Net project area" means all of the land area included within a development project excepting those areas with before-development slopes of thirty percent (30%) or steeper and those areas designated for public and private road rights-of-way, schools, public parks, and other uses or easements which preclude the use of the land therein as part of the development project.

"Net site area" or "net lot area" means the total land area within the boundaries of a parcel or building site after ultimate street rights-of-way and easements that prohibit the surface use of the site are deducted.

"Noncommercial coach" means a vehicle, with or without motive power, designed and equipped for human occupancy for classrooms and other nonresidential and noncommercial uses.

"Nonconforming lot" means a lot or parcel which was lawful and in conformance with the applicable zoning ordinances when established but which, due to subsequent ordinance changes, does not conform to the current development standards applicable to the zoning district in which it is located. See [Chapter 9.270](#).

"Nonconforming structure" means a structure which was lawful and in conformance with the applicable zoning ordinances when constructed but which, due to subsequent ordinance changes, does not conform to the current development standards applicable to the zoning district in which it is located. See [Chapter 9.270](#).

"Nonconforming use" means a land use which was lawful and in conformance with the applicable zoning ordinances when established but which, due to subsequent ordinance changes, is not currently permitted in the zoning district in which it is located or is permitted only upon the approval of a use permit and no use permit has been approved. See [Chapter 9.270](#).

"Nonconformity" means a land use, lot or structure which was lawful when established or constructed but, due to subsequent ordinance changes, is not in conformance with this zoning code. The term nonconformity does not include illegal uses, lots, or structures, i.e., which were not lawful when established or constructed. See [Chapter 9.270](#).

Nursery, Day Care. See "Child day care facility."

Nursing Home. See "Convalescent home."

Office Park. See "Industrial park."

Official Zoning Map. See "Zoning map."

"Off-site hazardous waste facility" means any structures, other appurtenances or improvements on land and all contiguous land serving more than one (1) producer of hazardous waste, used for the treatment, transfer, storage, resource recovery, disposal or recycling of hazardous waste, including, but not limited to:

1. Incineration facilities (i.e., rotary kiln, fluid bed, etc.);
2. Residual repository (i.e., receiving only residuals from hazardous waste treatment facilities);
3. Stabilization/solidification facilities;
4. Chemical oxidation facilities;
5. Neutralization/precipitation facilities; or
6. Transfer/storage facilities.

"Open space" means any parcel or area of land or water, public or private, which is reserved for the purpose of preserving natural resources, for the protection of valuable environmental features, or for providing outdoor recreation or education. Open space does not include roads, driveways or parking areas not related to recreational uses, any buildings, building setback areas or the required space between buildings, or surface utility facilities.

Open Space, Usable. "Usable open space" means open space which is predominately level (i.e., slopes less than five percent (5%)) but which may contain some steeper land (i.e., with slopes up to twenty percent (20%)) which has utility for picnicking or passive recreation activities and which complements surrounding usable open space. Usable open space is a minimum of fifteen (15) feet in width and three hundred (300) square feet in area and may include structures and impervious surfaces such as tot lots, swimming pools, basketball courts, tennis courts, picnic facilities, walkways or bicycle trails.

Outdoor Advertising Sign. See "Billboard" in sign definitions, [Section 9.160.130](#).

"Outdoor light fixtures" means outdoor artificial illuminating devices, outdoor fixtures, lamps and other devices, permanent or portable, used for illumination or advertisement. Such devices shall include, but are not limited to, search, spot, or flood lights for:

1. Buildings and structures;
2. Recreational areas;

3. Parking lot lighting;

4. Landscape lighting;

5. Billboards and other signs (advertising or other);

6. Street lighting;

7. General area and yard lighting.

"Outdoor vendors" include hotdog stands, ice cream carts, and other retail uses which utilize a movable or relocatable stand or cart for walk-up sales. The stand or cart must be of a size and design suitable for placement on a private sidewalk, plaza, or pedestrianway.

Panhandle Lot or Flag Lot. See definitions under "Lot."

"Parcel" means an area of land under one (1) ownership which is identified as a lot or parcel on a recorded final map, parcel map, record of survey recorded pursuant to an approved division of land, certificate of compliance or lot line adjustment. The terms "lot" and "parcel" are interchangeable for purposes of this code.

"Parking accessway" means a vehicular passageway that provides access and circulation from a street access point into and through a parking lot to parking aisles and between parking areas.

"Parking structure" means a structure which is open or enclosed and is used for the parking of motor vehicles.

"Parkway" means the area of a public street that lies between the curb and the adjacent property line or physical boundary, such as a fence or wall, which is used for landscaping and/or passive open space.

"Pasture" means an enclosed holding area consisting of grass or similar vegetation, specifically used for purposes of grazing or feeding of animals.

Patio Home. See "Dwelling, patio home."

"Permitted use" means a land use allowed within a zoning district under this zoning code and subject to the applicable provisions of this code.

"Person" means any individual, firm, copartnership, joint venture, association, social club, fraternal organization, company, joint stock association, corporation, estate, trust, organization, business, receiver, syndicate, public

agency, the state of California or its political subdivisions or instrumentalities, or any other group or combination acting as a unit.

"Person with a disability" is a person with a physical or mental impairment that limits or substantially limits one (1) or more major life activities, anyone who is regarded as having such an impairment, or anyone who has a record of such an impairment.

"Personal services" are establishments providing nonmedical services as a primary use, including, but not limited to, barber and beauty shops, spas and tanning salons, clothing rental, dry cleaning stores, home electronics and small appliance repair, laundromats (self-service laundries), shoe repair shops, and tailors.

"Planned unit development" means a residential development characterized by comprehensive planning for the entire project, the clustering of buildings to preserve open space and natural features, and provision for the maintenance and use of open space and other facilities held in common by the property owners within the project.

Pole Sign. See sign definitions, [Section 9.160.130](#).

Portable Sign. See sign definitions, [Section 9.160.130](#).

"Precise plan" or "precise plan of development" means the plan or plans for a project, development or other entitlement approved by the decision-making authority. A precise plan may include site, grading, architecture, landscaping plans and may also include a plan text describing the project design, development phasing, and other characteristics.

"Precise plan of highway alignment" means a plan, supplementary to the master plan of arterial highways, which establishes the highway centerline and the ultimate right-of-way lines and may establish building setback lines.

Primary Residence. See "Main dwelling."

"Primary unit" means a single-family or multifamily residential unit constructed and intended as the principal unit and building on a lot. The primary unit shall be the largest unit on the lot.

"Principal use" means the primary or predominant use of any parcel, building site or structure.

"Project area" means all of the land area included within a development project excepting those areas designated for public and private road rights-of-way,

schools, public parks, and other uses or easements which preclude the use of the land therein as part of the development project.

Projecting Sign. See sign definitions, [Section 9.160.130](#).

"Property line" means a lot line or parcel boundary.

"Public agency" means the United States, the state, the county or any city within the county, or any political subdivision or agency thereof.

Rear Lot Line. See definitions under "Lot line."

"Reasonable accommodation" means the process of providing flexibility in the application of land use, zoning, and building regulations, practices, and procedures to eliminate barriers to housing opportunities for persons with disabilities.

"Recreational vehicle" or "RV" means all trailers or any vehicle placed on a trailer such as a boat, watercraft, or other vehicle, plus any vehicle designed and used for temporary habitation, including motorhomes, travel trailers, "5th wheels" and camper shells.

"Recycling" means the process by which waste products are reduced to raw materials and transformed into new products.

Relocatable Building. See "Building, relocatable."

"Residential care facility" or "community care facility" means a residential facility which is licensed by the state to provide living and treatment facilities on a monthly or longer basis for six (6) or fewer of the following: wards of the juvenile court, elderly persons, mentally disordered persons, handicapped persons or dependent and neglected children. Such a facility is permitted in all types of residences by operation of state law.

Residential, Multifamily. See "Dwelling, multifamily."

Residential, Single-Family. See "Dwelling, single-family."

"Restaurant" means any use providing for the preparation, retail sale and consumption on site of food and beverages. Restaurants include, but are not limited to, cafés, coffee shops, pubs, sandwich shops, ice cream parlors, fast food take-out and drive-through stores, whose primary activity is food service and places of business with similar uses. If any seating is provided in conjunction with a store where there is the preparation and retail sale of food and beverages, that use shall be classified as a restaurant. The term

"restaurant" may include the licensed sale of alcoholic beverages for consumption on the premises.

Restaurant, Drive-Through. "Drive-through restaurant" means a restaurant with one (1) or more automobile lanes which allow for the ordering and dispensing of food and beverages to patrons who remain in their vehicles.

Rest Home. See "Convalescent home."

"Retail" means the selling of goods or merchandise directly to the ultimate consumer.

"Reverse vending machine" means a machine which accepts recyclable materials, such as aluminum cans, newspapers, or other materials, from the public and dispenses money in return.

"Riding academy" means a facility designed and used primarily for recreational riding, training and instruction purposes, and allowing both on-site boarding or trailering of horses to the facility.

"Riding and hiking trail" means a trail or way designed for and used by equestrians, pedestrians and cyclists using nonmotorized bicycles.

"Right-of-way" means the entire width of property used for streets, highways, flood or drainage works, overhead or underground utilities, or any related improvements.

Roof Sign. See sign definitions, [Section 9.160.130](#).

Roominghouse. See "Boardinghouse."

"Satellite dish antenna" means an apparatus capable of receiving communications from a man-made satellite.

"Scenic highway" means any highway designated a scenic and/or historic highway by an agency of the city, state or federal government.

Second Unit. In accordance with Government Code Section 65852.2(i)(4), "second unit" means an attached or a detached residential dwelling unit which provides complete independent living facilities for one (1) or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation and shall be located on the same parcel as the single-family dwelling is situated. A second unit also includes the following:

1. An efficiency unit, as defined in Section 17958.1 of the Health and Safety Code;

2. A manufactured home, as defined in Section 18007 of the Health and Safety Code.

"*Section*" means a portion of this zoning code beginning immediately after a six (6)- or seven (7)-digit number beginning with 9., e.g., [9.10.010](#) or [9.280.030](#), and extending to the next such six (6)- or seven (7)-digit number. (See also "Subsection.")

"*Semi-permanent sign*" means a non-illuminated sign which requires a sign permit, such as advertising the future construction or opening of a facility, model home complex, commercial, or residential subdivision identification which is intended to be erected or posted for a minimum of sixty-one (61) days and a maximum of one (1) year. A permit for semi-permanent signs advertising future facility construction shall not be approved until a development review application has been submitted.

"*Senior citizen*" means a person fifty-five (55) years of age or older.

"*Senior citizen residence*" means a residential care facility which is licensed by the state to provide living and treatment facilities on a monthly or longer basis for six (6) or fewer senior citizens.

"*Senior group housing*" means a residential development which is developed or substantially renovated for and occupied by seven (7) or more senior citizens.

"*Service*" means an act or any result of useful labor which does not in itself produce a tangible commodity.

Service Station. See "Gas station."

"*Setback*" means the distance that a building or other structure or a parking lot or other facility must be located from a lot line, property line or other specified boundary.

Sexually Oriented Business. See [Chapter 5.80](#) of the municipal code.

"*Shopping center*" or "*commercial center*" means a commercial area or group of commercial establishments, planned, developed, managed and maintained as a unit, with common landscaping, amenities, and off-street parking provided to serve all uses on the property.

Side Lot Line. See definitions under "Lot line."

"Sidewalk sale" or "parking lot sale" means the temporary outdoor display and sale of merchandise which is normally displayed indoors at the location of an individual retail business not located within a shopping center. (See also "Special commercial event.")

"Sign" means any medium for visual communication, including, but not limited to, words, symbols and illustrations together with all parts, materials, frame and background, which medium is used or intended to be used to attract attention to, identify, or advertise an establishment, product, service, activity or location, or to provide information. Also, see sign definitions, [Section 9.160.130](#).

Single-Family Dwelling or Residence. See "Dwelling, single-family."

"Single room occupancy (SRO) facility" or "SRO hotel" means a residential facility which is rented on a weekly or longer basis and which provides living and sleeping facilities for one (1) or two (2) persons per unit. Each unit contains a toilet and sink. Shower, kitchen, and laundry facilities may be shared.

Site. See "Building site."

Site Area, Net. See "Net project or site area."

Site Coverage. See "Building site coverage."

Site Development Permit or Development Permit. See [Section 9.210.010](#).

"Slope" or "slope gradient" means the vertical distance between two (2) points on a slope divided by the horizontal distance between the same two (2) points, with the result expressed as a percentage; e.g., "the slope has a twenty percent (20%) gradient" (usually used to describe natural as opposed to manufactured, slopes).

"Slope ratio" means the steepness of a slope expressed as a ratio of horizontal distance to the vertical rise over that horizontal distance; e.g., 2:1 (usually used to describe manufactured as opposed to natural, slopes).

"Special commercial event" means the temporary outdoor display and sale of merchandise by two (2) or more tenants within a commercial center, or arts and crafts shows, fairs, or entertainment events within a commercial center.

"Specific plan" means a plan consisting of text, maps and other documents and exhibits regulating development within a defined area of the city, consistent with the general plan and State Government Code Section 65450 et seq.

"Stable" means a building or structure containing multiple stalls for the purposes of sheltering, feeding, boarding, accommodating or otherwise caring for several horses at one (1) time.

"Stall" means a division of a stable accommodating one (1) horse into an adequately sized enclosure for the purpose of confining individual horses within a sheltered environment as may be necessary for security, safety or other reasons pertinent to the health, welfare and daily care of each animal.

"Stock cooperative" means a corporation which is formed primarily for the purpose of holding title to, either in fee simple or for a term of years, improved real property, if all or substantially all of the shareholders of such corporation receive a right of exclusive occupancy in a portion of the real property, title to which is held by the corporation, which right of occupancy is transferable only concurrently with the transfer of the shares of stock or membership certificate in the corporation held by the person having such right of occupancy.

"Storage" means a place where goods, materials, and/or personal property is placed for more than twenty-four (24) hours.

"Story" means that portion of a building included between the surface of any floor and the surface of the floor immediately above it or if there is no floor above, then the space between the floor and the ceiling above it.

"Street" means a public or private vehicular right-of-way other than an alley or driveway, including both local streets and arterial highways.

"Structure" means anything that is erected or constructed having a fixed location on the ground or attachment to something on the ground and which extends more than thirty (30) inches above the finish grade. A mobilehome or relocatable building, except when used as a temporary use with its weight resting at least partially upon its tires, is a structure for the purposes of this definition.

"Subsection" means a portion of a section of this zoning code designated by a section number followed immediately by an upper case letter; for example, subsection [9.10.010](#)(A). (See also "Section.")

"Supportive housing" means housing with no limit on length of stay, that is occupied by the target population as defined in subdivision (d) of Section 53260 of the Health and Safety Code 50675.14(b) and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. ("Target population" includes adults with low income having one (1) or more disabilities, including mental

illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act and may, among other populations, include families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people.)

"Swimming pool" means an artificial body of water having a depth in excess of eighteen (18) inches, designed, constructed and used for swimming, dipping or immersion purposes by humans.

"Tandem parking" means any off-street parking space(s), or arrangement of such spaces, configured in such a manner such that one (1) or more spaces is not directly accessible to a street or other approved access without traversing any portion of another space.

"Temporary sign" means any non-illuminated sign which may require a sign permit and which is intended to be posted for a maximum of forty-five (45) days. Temporary signs include without limitation: political campaign signs, garage sale signs and seasonal sales signs.

"Temporary use" means a land use established for a specified period of time, which use is discontinued at the end of such specified time.

"Timeshare facility" means a facility in which a person receives the right in perpetuity, for life or for a specific period of time, to the recurrent, exclusive use or occupancy of a lot, parcel, unit, or portion of real property for a period of time which has been or will be allocated from twelve (12) or more occupancy periods into which the facility has been divided. A timeshare use may be coupled with an estate in the real property or it may entail a license, contract, membership, or other right of occupancy not coupled with an estate in the real property.

Townhome. See "Dwelling, townhome."

"Transient basis" means for a continuous period of two (2) weeks or less.

"Transitional housing" is buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six (6) months.

"Transitional shelter" means a shelter for homeless persons or victims of domestic abuse which provides accommodations for persons on a transient basis, i.e., for a continuous period of two (2) weeks or less.

Two (2)-Unit Attached Dwelling. See "Dwelling, two (2)-unit attached."

"Ultimate right-of-way" means the right-of-way shown as ultimate on an adopted precise plan of highway alignment or the street right-of-way shown within the boundary of a recorded tract map, a recorded parcel map or a recorded planned community development plan. The latest adopted or recorded document in such cases shall take precedence. If none of these exist, the ultimate right-of-way is the right-of-way required by the highway classification as shown in the general plan.

"Use" or "land use" means the purpose for which a structure or land is occupied, arranged, designed or intended, or for which either a structure or land is or may be occupied or maintained.

"Use permit" means a discretionary entitlement under the provisions of this zoning code which authorizes a specific use or development on a specific property subject to compliance with all terms and conditions imposed on the entitlement. Uses requiring a conditional use permit have moderate to significant potential for adverse impacts on surrounding properties, or residents while uses requiring a minor use permit have low to moderate potential for adverse impacts on surrounding properties, residents, or businesses. See [Section 9.210.020](#).

Variance. See [Section 9.210.030](#).

"Vehicular accessway" means a private, nonexclusive vehicular easement affording access to abutting properties.

"Very low income households" bears the same meaning as defined in Section 50105 of the Health and Safety Code.

"Veterinary clinic" means a place where animals no larger than the largest breed of dogs are given medical and surgical treatment, primarily on an outpatient basis, and where the boarding of animals under treatment is incidental to the principal clinic use.

"Village hospitality home" means a unit located on a parcel size between four thousand five hundred (4,500) square feet and ten thousand (10,000) square feet that is not occupied by an owner or manager and that is rented in its entirety to transient guests for a period of thirty (30) consecutive calendar days or less, subject to [Chapter 3.24](#) Transient Occupancy Tax.

Wall Sign. See "Building-mounted sign" in sign definitions, [Section 9.160.130](#).

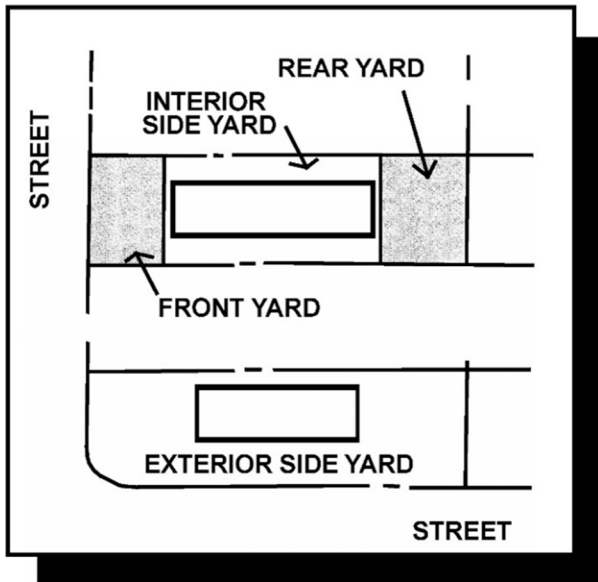
"Wing wall" means an architectural feature in excess of six (6) feet in height which is a continuation of a building wall projecting beyond the exterior walls of a building.

"Yard" means an open space on a parcel of land or building site unobstructed and unoccupied from the ground upward except for wall projections permitted by this code. Yards are classified as follows:

1. *"Front yard"* means a yard extending across the full width of the lot between the front lot line or the ultimate street right-of-way line and a setback line within the lot. The depth of the front yard is equal to the setback established in the development standards for the applicable zoning district and is measured along a line drawn at a ninety (90)-degree angle to whichever of the following results in the greatest setback: the front lot line or its tangent or the ultimate street right-of-way or its tangent.

2. *"Rear yard"* means a yard extending across the full width of the lot between the rear lot line and a setback line within the lot. The depth of the rear yard is equal to the setback established in the development standards for the applicable zoning district and is measured along a line drawn at a ninety (90)-degree angle to whichever of the following results in the greatest setback: the rear lot line or its tangent or the ultimate street right-of-way or its tangent.

3. *"Side yard"* means a yard extending from the front setback line to the rear setback line. The depth of the side yard is equal to the setback established in the development standards for the applicable zoning district and is measured along a line drawn at a ninety (90)-degree angle to whichever of the following results in the greatest setback: the side lot line or its tangent or the ultimate street right-of-way or its tangent.



TYPES OF YARDS

"Zoning code" or "code" means the zoning code of the city, i.e., [Title 9](#) of the city of La Quinta Municipal Code, including the official zoning map and other maps and graphics incorporated in the zoning code text or included therein by reference.

"Zoning district" or "district" means an area of the city designated on the official zoning map and subject to a uniform set of permitted land uses and development standards.


"Zoning map" or "official zoning map" means a map incorporated into this code by reference which covers the entire land area of the city and is divided into zoning districts for the purpose of specifying for each such land area the uses permitted, development standards required, and other applicable provisions of this code.

([Ord. 603](#) § 1(Exh. A), 2022; [Ord. 602](#) Exh. A, 2022; [Ord. 577](#) § 1, 2019; [Ord. 562](#) § 1, 2017; [Ord. 550](#) § 1, 2016; [Ord. 538](#) § 1, 2016; [Ord. 512](#) § 1, 2013; [Ord. 505](#) § 1, 2012; [Ord. 489](#) § 1, 2011; [Ord. 325](#) § 1, 1998; [Ord. 284](#) § 1, 1996)

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

I, MONIKA RADEVA, 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. 609 which was introduced at a regular meeting on the 16th day of January, 2024, and was adopted at a regular meeting held on the 6th day of February, 2024, 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 the Rules of Procedure adopted by City Council Resolution No. 2022-027.



MONIKA RADEVA, City Clerk
City of La Quinta, California

DECLARATION OF POSTING

I, MONIKA RADEVA, City Clerk of the City of La Quinta, California, do hereby certify that the foregoing ordinance was posted on February 7, 2024, pursuant to Council Resolution.



MONIKA RADEVA, City Clerk
City of La Quinta, California