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CHAPTER 21.37 (Public Benefit Zone Development Standards) of Title 21 (Zoning Code) of the Indian Wells Municipal Code is hereby added in its entirety as follows (additions in red text; deletions in ~~strikethrough~~ text):

21.37.010 General.

This Chapter contains the regulations for the Public Benefit Zone established by the City. The actual designation of each area will be PB followed by a corresponding number (e.g., PB-1).

21.37.020 Purpose.

The purpose of the Public Benefits Zone is to provide space for the provision of uses that are beneficial to the public, including affordable housing and supporting uses, such as public park, recreation, open space, and parking.

21.37.030 Permitted uses.

The following uses are permitted in the Public Benefit Zone:

- a) Accessory Structures
- b) Public Parking
- c) Recreational Facilities/Sports Complex Non-Commercial
- d) Residential/Attached
- e) Residential/Cluster Development
- f) Small Family Day Care
- g) Agriculture, subject to approval of a Conditional Use Permit
- h) Antennas, Residential, subject to approval of a Conditional Use Permit
- i) Antennas, Commercial, subject to approval of a Conditional Use Permit
- j) Day Care Center, subject to approval of a Conditional Use Permit
- k) Utility Buildings & Facilities, subject to approval of a Conditional Use Permit
- l) Other uses which benefit the public which the City Council may designate from time to time

21.37.040 General development requirements.

The following general development standards apply to PB-1:

- a) Up to a maximum of 29 percent, and less than 10 acres, may be developed with residential uses (“Residential Area”).
- b) The maximum number of residential units that may be within the Residential Area is 238 units.

21.37.050 Residential development standards.

The following standards apply to residential development in PB-1:

a) Development Standards Table:

Item	Standard
Minimum density	20 du/gross acre
Maximum density	24 du/gross acre
Maximum building height	35 feet
Minimum setbacks	
• Front	15 feet
• Side	10 feet
• Rear	10 feet
Minimum distance between main buildings	10 feet

- b) Residential uses shall occupy at least 50 percent of the total gross floor area of a mixed-use development.
- c) For developments in which 20 percent or more of the units are affordable to lower income households (income and affordability levels set forth in Sections 50079.5, 50093, and 50105 of the Health and Safety Code shall apply), owner-occupied and rental multifamily uses are considered a use by right pursuant to subdivisions (h) and (i) of Government Code Section 65583.2 and shall be reviewed ministerially by the Director.
- d) An applicant for a project pursuant to this Section may apply for a density bonus, incentives or concessions, waivers or reductions in development standards, and reduced parking ratios in accordance with Government Code Section 65915 and Section 21.20.040.

21.37.060 Residential design standards.

Residential development within the Public Benefit Zone must implement the following design standards which are intended to provide developers, builders, and architects with a clear standard of the desired site design characteristics.

- a) Site design and parking
 1. Primary building entrances (individual or shared) must include at least two of the following building materials: stucco, brick, stone, or wood. Entrances that do not face a public street and sidewalk (such as within deep or large lots) must face an internal pedestrian path that connects to a public sidewalk.
 2. At least two different building types must be included in projects with multiple buildings. Building types must be differentiated through variations to building materials, color, rooflines, and the use of architectural features such as awnings and light fixtures.
 3. Lighting must be recessed or hooded and downward directed.

4. All surface level parking areas, covered and uncovered, must be screened from public streets. Screening must be accomplished through building placement, landscaping, a planted berm, decorative fencing with vines, topography, or some combination of the above. Landscaping used for screening purposes must be no less than two feet wide (from the back of the sidewalk or street curb to the parking lot paving, whichever is greater) and no less than forty-two inches in height.
 5. Structured parking must be designed such that all lighting is fully shielded and automobile headlamps within the structure are not visible from adjacent buildings, parcels, or streets. The minimum height of screening for automobile headlights must be forty-two inches in height.
 6. Parking areas must be separated from any building by a sidewalk or landscaping with a minimum width of five feet.
- b) Building design
1. Blank walls (façades without doors, windows, landscaping treatments) must be less than thirty feet in length.
 2. Buildings three stories and over must provide three distinctive materials, each a minimum of ten percent of the total street-facing building façade, and a minimum of two different building colors. Distinctive building materials must include a combination of stucco, brick, stone, and wood.
 3. Trim surrounds or recessed windows with a minimum depth of three inches must be provided at all exterior windows and door openings.
 4. Exterior front doors must be recessed a minimum of three feet or have a covered porch with a minimum depth of six feet.
 5. Exterior walls must include two or more of the following: windows, trellises, arcades, roof overhangs, recessed or projected massing, columns, balconies, wainscots, or awnings.
 6. Exterior stairwells must not be directly visible from the street. For safety and security, exterior stairwells must be oriented to interior spaces, such as plazas and gathering areas, parking areas, and pedestrian pathways and must not be separated from these areas by landscaping, fences, or walls taller than three feet.
- c) Massing and articulation
1. All building walls must have at least one minor massing break every fifty (50) lineal feet. A “minor massing break” means a variation in setback or a building entry, recess, or structural bay or other projection. A minor massing break that is a setback, recess, or projection must be at least twelve inches deep and four feet wide.
 2. Buildings over three stories tall must have at least one major massing break every one hundred lineal feet along all street frontages, adjacent public park, publicly accessible outdoor space, or open space area. A “major massing break” means a variation in setback or a building entry that is at least seventy-two inches deep and sixty inches wide and that extends the full height of the building.
 3. Rooflines, whether pitched or flat, must be vertically articulated at least every fifty feet along the street frontage. “Vertically articulated” means one or more of the following:

a parapet, a variation in cornice, a reveal, a clerestory window or windows, or a variation in roof height or form.

21.37.070 Nonresidential development.

All nonresidential improvements within the Public Benefit Zone must be consistent with accepted public use and/or park and recreation development standards and consistent with the objective to provide uses that are beneficial to the public.

21.37.080 Parking.

See Section 21.100.010.

21.37.090 Structure appendages and projections.

See Section 21.27.110.

21.37.100 Landscaping.

See Section 21.60 Architecture and Landscape Review

21.37.110 Roof mounted equipment.

See Section 21.27.140.

21.37.120 Utilities.

- a) All utilities services must be installed underground to the buildings.
- b) All utilities such as gas meters, electrical meters, telephone pedestal-mounted terminal boxes, surface-mounted electrical transformers, fire hydrants or any other potential obstructions must not be located within the required parking or turning area or driveway.
- c) All utility meters must be screened by architectural means from view from public or private streets.

21.37.130 Antennas.

See Section 21.90.060.

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SECTION 21.12.020 (Land use categories) of Chapter 21.12 (Establishment of Land Use Categories, Planning Areas and Overlay Zones) of Title 21 (Zoning Code) of the Indian Wells Municipal Code is hereby amended as follows (additions in red text; deletions in ~~striketrough~~ text):

“The chart on the following page shows a listing of the land use categories established by this division. The land use categories established by this division are defined and labeled in the chart. The label is used for identification and reference.

LAND USE CATEGORIES - CHART

CATEGORY	LABEL	DESIGNATION	DEVELOPMENT STANDARD	DEVELOPMENT CHARACTERISTICS
Residential	NPR	Natural Preserve	1 du/40 gross acres	Privately owned lands in the Santa Rosa Mountain range along the southern half of City. Limited residential development is permitted subject to restrictions of a Hillside Management Ordinance.
Residential	RVLD	Very Low Density	1 – 3 du/gross acre	Single family detached homes on large lots, often custom designed.
Residential	RLD	Low Density	3.1—4.5 du/gross acre	Single family detached subdivisions.
Residential	RMD	Medium Density	4.6—7.0 du/gross acre	Small lot, detached and/or attached single-family dwellings.
Residential	RMHD	Medium High Density	7.1—12.0 du/gross acre	Lower density town homes, condominiums and apartments. Would accommodate congregate housing facilities for seniors.
Residential	RVLD/ GOLF/ CELL	Wireless Facility Overlay		Commercial Antenna per Section 21.48.080 that allows consideration of wireless facilities in conjunction with a clubhouse facility that has a land use designation of Residential Very Low Density Zone with Golf Course Overlay.
Commercial	CC	Community Commercial	0.75 FAR*	A wide range of facilities, including grocery stores, retail shops and restaurants, resorts,

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				and services, such as dry cleaners and shoe repair.
Commercial	RC	Resort Commercial	0.25 FAR*	Resort hotels, resort complexes, and ancillary tourist commercial uses and condo-hotels.
Commercial	PO	Professional Office	0.50 FAR*	Administrative and professional offices such as financial institutions, medical/dental offices, law offices, and related commercial facilities.
Public/Quasi Public	PB	Public Benefit	8.0-24.0 du/gross acre in "Residential Area"	A limited range of uses providing public benefits, including affordable housing and supporting uses, such as public park, recreation, open space, and parking.
Public/Quasi Public	PF	Public Facilities		Civic Center and other publicly-owned facilities.
Public/Quasi Public	PP	Public Parks/Recreation		Publicly-owned parks.
Open Space	GOLF	Golf Course Overlay		Overlay zone applied to public and private golf course facilities.
Open Space	WC	Watercourse		Areas subject to flood hazard (see definition, Section 21.08.477)
Open Space	POS	Public-Owned Open Space		Publicly-owned open space lands. Comprised predominantly of Federal, State, and City-owned lands in the Santa Rosa Mountains.
Open Space	COS	Country Club Open Space		Privately-owned deed-restricted open space land.
Senior Housing	SHO	Senior Housing Overlay		Overlay zone applied to sites proposed for Senior Housing projects.
Affordable Housing	AHO	Affordable Housing Overlay		Overlay zone applied to sites proposed for Affordable Housing projects.
Special Study Area	SSAO	Special Study Area Overlay		Overlay zone that allows alternative land use consideration on sites that offer

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				unique planning and/or economic opportunities.
*Floor Area Ratio: A ratio of the floor area of building permitted on a given building site. Example: 0.25 FAR would permit a maximum of 10,000 square feet of building floor area on a 40,000 square foot building site.				

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SECTION 21.12.030 (Land use matrix) of Chapter 21.12 (Establishment of Land Use Categories, Planning Areas and Overlay Zones) of Title 21 (Zoning Code) of the Indian Wells Municipal Code is hereby amended as follows (additions in red text; deletions in ~~striktthrough~~ text):

“This section includes a matrix which lists the uses and indicates whether or not each use is permitted (P) or conditional (C) in each land use category. Prohibited uses are represented by an (X). Conditional uses listed in this section must be applied for in accordance with Section 21.06.040, Conditional Use Permits. In the event any of the prohibitions of uses set forth is held invalid or inapplicable for any reason whatsoever, then such use shall be categorized by the Community Development Director and declared subject to a Conditional Use Permit. See Land Use Matrix Table on the following pages.

LAND USE MATRIX TABLE														
TYPE	RESIDENTIAL					COMMERCIAL				PUBLIC				
	NPR	RVLD	RLD	RMD	RMHD	CC	RC	OP	SPX	PB	PF	PP	WC	POS
Accessory Structures	C	P	P	P	P	C	C	C	C	P	P	P	C	C
Agriculture	C	C	C	C	C	C	C	C	X	C	C	C	C	C
Amusement Arcades	X	X	X	X	X	X	C	X	X	X	X	X	X	X
Amusement Park	X	X	X	X	X	X	C	X	X	X	X	X	X	X
Antennas, Residential	X	C	C	C	C	C	C	C	X	C	C	C	X	X
Antennas, Commercial	X	X	X	X	X	C	C	C	C	C	C	C	X	X
Antennas, Commercial (RVLD w/Golf Course Overlay)	X	C	X	X	X	X	X	X	X	X	X	X	X	X
Auto Service Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Bar, Tavern, Cocktail Lounge	X	X	X	X	X	X	C	X	X	X	X	X	X	X
Boarding House/Rooming House	X	X	X	X	X	C	X	X	X	X	X	X	X	X
Caretakers Quarters	C	C	C	C	C	C	C	C	C	X	C	X	X	C
Churches	X	X	X	X	X	C	X	X	X	X	X	X	X	X
Cigar Club, including with on-site alcohol sales	X	X	X	X	X	C	X	X	X	X	X	X	X	X
Clinics	X	X	X	X	X	C	X	C	X	X	X	X	X	X
Condominium Hotels	X	X	X	X	X	X	C	X	X	X	X	X	X	X
Hotel Conversion to Condominium	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Conference/Convention Facility	X	X	X	X	X	X	C	X	C	X	X	X	X	X
Convalescent Home	X	X	X	X	X	C	X	C	X	X	X	X	X	X
Country Clubs/Golf Courses	C	C	C	C	C	C	C	X	X	X	X	X	C	X
Day Care Center	X	X	X	C	C	C	C	C	X	C	C	X	X	X
Emergency Generator 15,000 Kilowatt or Less	X	P	P	P	P	X	X	X	X	P	X	X	X	X
Government Facilities	X	X	X	X	X	X	X	C	C	X	C	C	X	C
Fraternal and Service Clubs	X	X	X	X	X	C	X	X	X	X	X	X	X	X
Health Clubs	X	X	X	X	X	C	X	X	X	X	X	X	X	X
Hospitals	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Hotel/Resort Hotel	X	X	X	X	X	C	C	X	X	X	X	X	X	X
Large Family Day Care	X	C	C	C	C	C	X	X	X	C	X	X	X	X
Library	X	X	X	X	X	X	X	X	X	X	C	X	X	X

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LAND USE MATRIX TABLE														
TYPE	RESIDENTIAL					COMMERCIAL				PUBLIC				
	NPR	RVLD	RLD	RMD	RMHD	CC	RC	OP	SPX	PB	PF	PP	WC	POS
Limited Deli	X	X	X	X	X	X	X	C	X	X	X	X	X	X
Non-Commercial Banks	X	X	X	X	X	C	X	C	X	X	X	X	X	X
Manufactured Structures	P	P	P	P	P	X	X	X	X	X	X	X	X	X
Theater (Motion Picture Theater)	X	X	X	X	X	C	C	X	X	X	X	X	X	X
Museums/Art Galleries	X	X	X	X	X	C	C	C	C	X	C	C	X	X
Offices— Admin./Business/Professional	X	X	X	X	X	C	C	C	X	X	X	X	X	X
Private Educational Facilities	X	X	X	X	X	C	X	X	X	X	X	X	X	X
Public Parking	X	X	X	X	X	P	P	P	P	P	P	X	X	X
Recreational Facilities/Non-Commercial	X	C	C	C	C	X	X	X	X	P	C	C	X	X
Residential/Attached	X	C	C	P	P	X	X	X	X	P	X	X	X	X
Residential/Single-Family Detached	C	P	P	P	P	X	X	X	X	X	X	X	X	X
Residential/Cluster Development	C	C	C	C	C	X	X	X	X	P	X	X	X	X
Residential/Second Units	P	P	P	P	P	X	X	X	X	X	X	X	X	X
Restaurants/Sit Down	X	X	X	X	X	C	C	X	X	X	X	X	X	X
Retail and Service Businesses	X	X	X	X	X	C	C	X	X	X	X	X	X	X
Small Family Day Care	X	P	P	P	P	X	X	X	X	P	X	X	X	X
Sports Complex	X	X	X	X	X	X	X	X	C	X	X	X	X	X
Utility Buildings & Facilities	C	C	C	C	C	C	C	C	C	C	C	C	X	X
Vehicle Sales/Service	X	X	X	X	X	C	X	X	X	X	X	X	X	X
Wind Turbines	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Uses defined in Chapter 5.24, Municipal Code, including bathhouses, escort services, introductory services, and massage parlors.	X	X	X	X	X	C	C	X	X	X	X	X	X	X
Uses defined in Chapter 5.30, Sexually Oriented Businesses, including adult arcade, adult Cabaret, adult bookstore, adult motel, adult motion picture theater, adult theater, nude model studio, sexual encounter establishment.	X	X	X	X	X	C	C	X	X	X	X	X	X	X

RESIDENTIAL	COMMERCIAL	PUBLIC/QUASI PUBLIC	
NPR - Natural Preserve	CC - Community Commercial	PB – Public Benefit	P = Permitted
RVLD - Very Low Density	RC - Resort Commercial	PF - Public Facilities	C = Conditional; Conditional Use Permit Required
RLD - Low Density	OP - Office Professional	PP - Public Parks/Recreation	
RMD - Medium Density	POS - Public Open Space	WC - Watercourse	X = Prohibited
RMHD - Medium High Density	SPX - Sports Complex		