

INDIAN WELLS CITY COUNCIL

December 19, 2024



To: City Council
From: City Attorney
Prepared by: Todd Leishman, Best, Best, & Krieger LLP
Subject: **Ordinance Amending Chapter 21.32 Relating to Time-Share Provisions of the Municipal Code**

RECOMMENDED ACTIONS:

Council **ADOPTS** Ordinance No. 761 by title only and waives further reading adding Chapter 21.32 Time-Share Uses and deleting Section 21.04.090 from Title 21 of the Indian Wells Municipal Code reinforcing the City's prohibition against time-share uses within the City and finding the action to be exempt from the provisions of the California Environmental Quality.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

This action has been reviewed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State and local CEQA Guidelines, and the environmental regulations of the City. The City, acting as Lead Agency, has determined this action is not subject to CEQA because the adoption of this ordinance is not a "project" pursuant to Sections 15060(c)(2) and 15060(c)(3) of Title 14 of the California Code of Regulations. Specifically, this ordinance only affirms and clarifies existing regulations regarding time-share uses within the City and merely authorizes administrative and implementation activities which will not result in a direct or reasonably foreseeable indirect physical change to the environment.

Moreover, under Section 15061(b)(3) of the State CEQA Guidelines, this ordinance is exempt from the requirements of CEQA because it can be seen with certainty that the provisions contained herein would not have the potential for causing a significant effect on the environment.

ATTACHMENTS:

1. Ordinance No. 761