

**ATTACHMENT #1**

**ORDINANCE NO. \_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, AMENDING SECTION 2.12.010 OF THE INDIAN WELLS MUNICIPAL CODE TO CLARIFY THE ESTABLISHMENT OF THE PLANNING AGENCY**

**WHEREAS**, the City Council of the City of Indian Wells ("City Council") is committed to maintaining clear and accurate provisions within the Municipal Code to ensure transparency and effective governance; and

**WHEREAS**, the Governance Ad Hoc Committee was established by the City Council in 2025 to review and recommend updates to City processes and policies in alignment with the City Charter; and

**WHEREAS**, the Committee identified outdated references and ambiguous language in the Municipal Code relating to the Planning Agency, including obsolete references to the Architecture and Landscape Committee; and

**WHEREAS**, the City Council desires to clarify that the City Council serves as the Planning Agency pursuant to Government Code Section 65100 et seq., with authority to delegate duties to the Planning Commission or the Building and Planning Departments as needed; and

**WHEREAS**, the proposed amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) and (c)(3) of the CEQA Guidelines because it will not result in a direct or reasonably foreseeable indirect physical change in the environment; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INDIAN WELLS DOES ORDAIN AS FOLLOWS:**

**Section 1.** Amendment. Section 2.12.010 of the Indian Wells Municipal Code is hereby amended to read as follows:

"2.12.010 – Establishment of Planning Agency Pursuant to the provisions of Section 65100 et seq. of the California Government Code, the Planning Agency is established for the City as the City Council. The Council may delegate related duties to the Planning Commission or the Building and Planning Departments, as needed."

**SECTION 2.** Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 3.** CEQA. The City Council finds that this Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) and (c)(3) of the CEQA Guidelines because the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.

**SECTION 4.** Effective Date. This Ordinance shall take effect thirty (30) days after its adoption.

**SECTION 5. Certification.** The City Clerk shall certify the adoption of this Ordinance and cause it to be published as required by law.

**Section 6. Effective Date.** This Ordinance takes effect immediately upon its adoption.

**Section 7. Publication.** The City Clerk certifies that this Ordinance was adopted by the City Council at a regular meeting on\_\_\_\_\_.

**Section 8. Custodian of Records.** The custodian of records for this Ordinance is the City Clerk and the records comprising the administrative record are located at 44950 Eldorado Drive, Indian Wells, California 92210.

**PASSED APPROVED AND ADOPTED** by the City Council of the City of Indian Wells, California, at a regular meeting held on the \_\_\_\_<sup>th</sup> day of \_\_\_\_ 2026.

\_\_\_\_\_  
**DR. TOPER TAYLOR**  
**MAYOR**

**STATE OF CALIFORNIA     )**  
**COUNTY OF RIVERSIDE    ) ss.**  
**CITY OF INDIAN WELLS    )**

**CERTIFICATION FOR ORDINANCE NO. \_\_\_\_**

I, Angelica Avila, City Clerk of the City Council of the City of Indian Wells, California, **DO HEREBY CERTIFY** that Ordinance No. \_\_\_\_, having been regularly introduced at the meeting of January 15, 2026, was again introduced, the reading in full thereof unanimously waived, and duly passed and adopted at a regular meeting of the City Council held on the \_\_ of \_\_\_\_ 2026 said ordinance was passed and adopted by the following stated vote, to wit:

AYES:  
NOES:

and was thereafter on said day signed by the Mayor of said City of Indian Wells.

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**ANGELICA AVILA**  
**CITY CLERK**

\_\_\_\_\_  
**TODD LEISHMAN FOR**  
**BEST BEST & KRIEGER LLP**