

KAUFMAN LEGAL GROUP

A PROFESSIONAL CORPORATION

June 1, 2022

VIA E-MAIL

Mayor Linda Evans
(levans@laquintaca.gov)
Mayor Pro Tem Kathleen Fitzpatrick
(kfitzpatrick@laquintaca.gov)
Councilmember John Peña
(jpena@laquintaca.gov)
Councilmember Robert Radi
(rradi@laquintaca.gov)
Councilmember Steve Sanchez
(ssanchez@laquintaca.gov)
City Manager Jon McMillen
(jmcmillen@laquintaca.gov)
City Clerk Monika Radeva
(mradeva@laquintaca.gov)
City Attorney William H. Ihrke
(BIhrke@rutan.com)
City Hall
City of La Quinta
78-495 Calle Tampico
La Quinta, CA 92253

**Re: REJECTION OF INITIATIVE AND PETITION DUE TO
FAILURE TO COMPLY WITH ELECTIONS CODE**

Dear Honorable Mayor Evans, Mayor Pro Tem Pena, City Councilmembers, City Clerk, City Manager, and City Attorney:

This office represents Vacation Rental Owners & Neighbors-LA Quinta (VRON-LQ) as legal counsel. As you know, an initiative measure petition has been circulated in the City of La Quinta that aims to impose a series of restrictions on short-term vacation rentals in the City (the "Initiative"). We are informed that the Initiative proponents submitted the petition for signature verification and elections officials of the City and County. We have reviewed the initiative petition that was presented to voters and must alert you to the fact that it contains serious defects which require you to reject the initiative petition as invalid and to desist from taking any action to adopt the initiative outright or to order that it be placed on the ballot of an upcoming election. In short, the petition does not follow *critical* format requirements found in the Elections Code.

Generally, upon presentation of an initiative petition, City officials have a duty to enforce the procedural requirements of the Elections Code and to make sure they have been followed. (*See Farley v. Healy* (1967) 67 Cal. 2d 325, 327; *Billig v. Voges* (1990) 223 Cal. App. 3d 962, 968-69 [elections official is “mandated by Constitution to implement and enforce statutes procedural requirements.”]; *Myers v. Patterson* (1957) 196 Cal. App. 3d 130, 136.) As stated in Elections Code section 9015, “Officers required by law to receive or file in their offices any initiative or referendum petition **shall not** receive or file any initiative or referendum petition not in conformity with this article.” (Emphasis added.)

Importantly, the City’s duty is not discretionary and does not include authority to determine that the format of the petition is “close enough” or that the initiative proponents “substantially complied” with the requirements of the Elections Code. That being said, as you will see below, the nature of the defects contained in the initiative petition, which directly pertain to what and how necessary information is required to be disclosed to the voters, are so serious that no excuse for these defects can be sustained. (*See San Francisco Forty-Niners v. Nishioka* (1999) 75 Cal. App. 4th 637, 643-645 [holding “statutes designed to protect the elector from confusing or misleading information should be enforced so as to guarantee the integrity of the process”]; *see e.g., Boyd v. Jordan* (1934) 1 Cal. 2d 468, 470-71 [holding elections official prohibited from placing initiative on ballot because voters had been insufficiently informed as to its nature and purpose]; *Clark v. Jordan* (1936) 7 Cal. 2d 248 [rejection for misleading short title and summary]; *Mervyn’s v. Reyes* (1998) 69 Cal. App. 4th 93 [rejection for failure to include required text]; *Chase v. Brooks* (1986) 287 Cal. App. 3d 657 [rejection for failure to include required text].) Moreover, the California Supreme Court has held that under state law and policy, “a paramount concern is whether the defective form of the petition frustrates the purpose of the technical requirement” (*Assembly v. Deukmejian* (1982) 30 Cal. 3d 638, 652.) And, numerous decisions have affirmed the invalidity of initiatives with defective petitions “for Elections Code violations resulting in voter confusion or misinformation.” (*San Francisco Forty Niners, supra*, 75 Cal. App. 4th at 644.) Here, the Initiative petition violates the law and frustrates public policy.

DEFECT 1: The Petition Has Omitted the “Summary” Portion of the City Attorney’s Title and Summary from Every *Critical* Location on the Petition for which it is Specifically Required

Elections Code section 9203 sets forth requirements for the placement of the title and summary in specific places on the Initiative petition. In pertinent part, Section 9203 states:

- (a) Any person who is interested in any proposed measure shall file a copy of the proposed measure with the elections official with a request that a ballot title and summary be prepared Within 15 days after the proposed measure is filed, the city attorney shall provide and return to the city elections official a ballot title for and summary of the proposed measure In providing the ballot title, the city attorney shall give a true and impartial statement of the purpose of the proposed

measure in such language that the ballot title shall neither be an argument, nor be likely to create prejudice, for or against the proposed measure.

(b) The elections official shall furnish a copy of the ballot title and summary to the person filing the proposed measure. **The person proposing the measure shall, prior to its circulation, place upon each section of the petition, above the text of the proposed measure and across the top of each page of the petition on which signatures are to appear, in roman boldface type not smaller than 11 point, the ballot title prepared by the city attorney The heading of the proposed measure shall be in a boldface type in substantially the following form:**

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

The city attorney has prepared the following title and summary of the chief purpose and points of the proposed measure:

(Here set forth the title and summary prepared by the city attorney. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

(Emphasis added.) Notwithstanding the clear charge to include the City Attorney’s title *and summary* at the heading of the petition for the proposed measure, the proponents have omitted not only the language required by statute described above from the top of Page 1 of the Initiative petition (*i.e.*, missing “The city attorney has prepared the following title and summary”) but they have also entirely omitted the City Attorney’s *summary* from the heading on the top of Page 1 of the Initiative petition. In addition, the proponents have totally ignored the requirement that the City Attorney’s “title *and summary must* also be printed across the top of each page of the petition whereon signatures are to appear.” (Emphasis added.) This requirement requires that the City Attorney’s summary appear at the top of each page containing signature lines, which are on Page 4 and 5 of the Initiative petition.

These omissions are serious ones that must not be excused particularly since they “frustrate[] the purpose of the technical requirement” (*Assembly v. Deukmejian, supra*, 30 Cal. 3d at 652.) As courts have noted, “[t]he purposes served by the ballot title and summary requirement of section 9203, subdivision (b), are: (1) to reduce the risk that voters were misled when signing the petition; (2) to allow verification that the signers had a neutral explanation of the proposed ordinance available to them when they signed; and (3) to prevent signatures from being submitted in support of a different measure than that for which they were procured.” (*MHC Financing Limited Partnership Two v. City of Santee* (2005) 125 Cal. App. 4th 1372, 1389.) In the present case, the absence of the City Attorney’s *summary* from the petition in the places specifically required by statute means that these legislative and judicially recognized policies have been frustrated.

We note that the proponents instead chose to place the title and summary on Page 3, which is not the place where Section 9203 states that the title and summary is supposed to be. Indeed, if the proponents had complied with the law, a prospective petition signer could simply look at the top of the front page of the petition (*i.e.*, top of Page 1 of the Initiative petition), or above the place on the petition where they are supposed to sign (the top of Page 4 and top of Page 5) and immediately see and read a neutral summary written by the City Attorney of what the Initiative is about. Instead, the proponents chose to hide the title and summary on Page 3, which is in the wrong place on the petition, and printed it in what appears to be a smaller, non-compliant font size and style rather than the larger, bolded type that is required to make it stand out from the rest of the Initiative text. The Initiative proponents have thus made the City Attorney's title and summary harder to find, harder to read, not readily apparent, and simply not where it is supposed to be to enable voters to have the necessary neutral and unbiased information they need and to which they are entitled.

There is simply no way for the Initiative petition to be deemed compliant with California law and public policy; therefore, the Initiative petition must be rejected, and the City Council must not adopt it or place it on the ballot for a future election.

DEFECT 2: The Notice of Intent Is Missing Required Information about Initiative Proponents

Elections Code section 9207 requires that “[*e*]ach section of the petition shall bear a copy of the notice of intention . . .” According to Elections Code section 9202 provides that “[*t*]he notice shall be signed by at least one, but not more than three, proponents . . .” Thus, the entirety of the notice of intention, that is, “a copy” of it, must be reproduced on the Initiative petition. Yet, an examination of the notice of intent on the petition (see Initiative Petition page 3) reveals that none of the proponents are identified. Thus, signers cannot see the identities of the proponents as required by state law, denying petition signers another required piece of valuable information designed to reduce the chances of being misled or misinformed. This is another factor indicating that the Initiative petition should be rejected and not acted upon since it “does not furnish the information the statute requires . . .” (*Assembly v. Deukmejian, supra*, 30 Cal. 3d at 652.)

DEFECT 3: The Petition Is Missing Required Disclosures in the Declaration of the Circulator Regarding the Showing of a Top Funder Sheet

Due to the adoption of SB-47 in late 2019, which became effective on January 1, 2020, the Elections Code now requires, among other things, that an “Official Top Funders” disclosure be made either on the petition form or on a separate sheet made pursuant to specific formatting requirements. These requirements, as referenced in Elections Code section 104, include:

(a) Wherever any petition or paper is submitted to the elections official, each section of the petition or paper shall have attached to it a declaration signed by the circulator of the petition or paper, setting forth, in the circulator's own hand, the following:

- (1) The printed name of the circulator.
 - (2) The residence address of the circulator, giving street and number, or if no street or number exists, adequate designation of residence so that the location may be readily ascertained.
 - (3) The dates between which all the signatures to the petition or paper were obtained.
- (b) Each declaration submitted pursuant to this section shall also set forth the following:
- (1) That the circulator circulated that section and witnessed the appended signatures being written.
 - (2) That according to the best information and belief of the circulator, each signature is the genuine signature of the person whose name it purports to be.
 - (3) That the circulator is 18 years of age or older.
- (4) If the petition does not include the disclosure statement described by subdivision (b) of Section 107, that the circulator showed each signer a valid and unfalsified "Official Top Funders" sheet, as required by Section 107.***
- (c) The circulator shall certify the content of the declaration as to its truth and correctness, under penalty of perjury under the laws of the State of California, with the signature of the circulator's name.*** The circulator shall state the date and the place of execution on the declaration immediately preceding the circulator's signature.

(Emphasis added; *see also* Cal. Elec. Code §§ 101, 107.)

Under this law, if the Initiative petition does not include the required "Top Funder" disclosures on the petition itself, such disclosures must be listed on a separate sheet that petition circulators are required to carry with them and which they must show to each prospective signer before they sign the petition. (*See* Cal. Elec. Code §§ 101, 104, 107.) However, the Declaration of Circulator on the Initiative proponents' petition does not include any statement affirming that the petition circulator "showed each signer a valid and unfalsified 'Official Top Funder' sheet." Thus, as a matter of fact and law, every petition circulator for every single one of the proponents' petition "sections" has not attested "under penalty of perjury" that this duty proscribed by law was ever done. There is no way to establish that this necessary and mandatory financial disclosure requirement was followed by any of the petition circulators carrying the proponents' Initiative petition. Again, the result of the Initiative proponents' omission is to frustrate the Legislature's policy goal of ensuring that signers/voters are not misled or confused and ensuring

that signers/voters get the information that they need about the Initiative effort. (*See generally Assembly v. Deukmejian, supra*, 30 Cal. 3d at 652.)

CONCLUSION

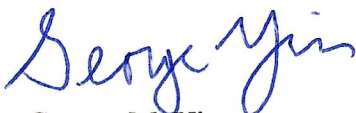
The Elections Code uses the term “shall” and “must” to mean that the requirement is “mandatory.” (*See e.g.*, Cal. Elec. Code § 354 [“shall’ is mandatory and ‘may’ is permissive”].) Indeed, all of the Elections Code provisions cited above use the term “shall” and “must” to impose mandates that proponents and their petition circulators must follow to meet those specific petition format and circulation requirements. The proponents’ demonstrated failure to follow these mandated rules, especially the one regarding placement of the Title and Summary, requires your rejection of their petition. Doing otherwise would subject the City to liability should the City Council take action to adopt the measure or to place it on the ballot of a future election.

Rejection of the proponents’ Initiative petition is especially warranted because all of the laws and policies ignored by the Initiative proponents pertain to the provision of information that the Legislature wanted petition signers to have in order to make an informed decision before signing an initiative petition, as well as to mitigate the risk of fraud, confusion, and misinformation for the residents of the City of La Quinta. Non-compliance with the requirements for the City Attorney’s Summary is indeed already an egregious defect warranting rejection. However, as stated above, there exists a series of petition defects that violated state law.

Accordingly, we respectfully advise and request that City and County elections officials be immediately directed to cease verifying signatures, that the City Clerk cease taking any actions to certify the petition, that the City Clerk and City Council reject the petition regardless of whether or not it technically has the requisite number of signatures to qualify for the ballot (particularly since these signatures were obtained without signers having required information and without necessary procedural checks to mitigate the risk of fraud, misinformation, and confusion), and that the City Council refrain from taking any action to adopt the Initiative ordinance or to place it on the ballot for a future election. Regardless of your actions up to this point, you are now on notice of the serious defects noted above.

If you have any questions, please contact us. We also request that you contact us if your intention is to proceed with adopting the Initiative or to place it on the ballot of a future election despite the serious petition defects discussed above, so that all legal avenues may be considered.

Respectfully submitted,



George M. Yin

Enclosures

Initiative Ordinance: Phase-Out and Permanent Ban of Non-Hosted Short-Term Vacation Rentals in Non-Exempt Areas of the City of La Quinta

FEB 03 '22 PM 1:47 KR

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

TEXT OF INITIATIVE BY THE PEOPLE OF THE CITY OF LA QUINTA, CALIFORNIA

THE PEOPLE OF THE CITY OF LA QUINTA, CALIFORNIA FIND AND DECLARE AS FOLLOWS: SECTIONS OF THE CITY OF LA QUINTA MUNICIPAL CODE SHALL BE AMENDED TO PHASE-OUT NON-HOSTED SHORT-TERM VACATION RENTALS IN NON-EXEMPT AREAS BY DECEMBER 31, 2024

WHEREAS, Chapter 3.25 of the La Quinta Municipal Code relates to short-term vacation rentals (STVRs); and

WHEREAS, pursuant to the authority granted to the City of La Quinta ("City") by Article XI, Sections 5 and 7 of the California Constitution and the City Charter, the City has the police power to regulate the use of land, property and businesses within the City in a manner designed to promote public convenience and general prosperity, as well as public health, welfare, and safety; and

WHEREAS, the people of La Quinta have repeatedly expressed objections to their City Council regarding the proliferation and density of non-hosted STVRs in residential neighborhoods due to the negative impact on their quality of life, and the character and livability of their neighborhoods; and

WHEREAS, the detrimental impacts of non-hosted STVRs on residential neighborhoods has not been adequately mitigated by the City Council resulting in ongoing interruption to residents' peaceful enjoyment of their homes and forcing residents to police continuous STVR issues such as excessive noise, disorderly conduct, overcrowding, traffic, parking, and trash; and

WHEREAS, STVRs are a commercial use of residential dwellings, generating income based on the short-term rental of residential dwellings akin to other commercial uses banned in residential neighborhoods, and the people of La Quinta have determined that the public nuisances created by non-hosted STVR commercial activities in residential neighborhoods is incompatible with surrounding residential uses; and

WHEREAS, the proliferation of non-hosted STVRs in residential neighborhoods has depleted the availability of housing for new homeowners and long-term tenants who contribute to the fabric of the community, spend their earnings locally, populate the school district, and operate local businesses or provide labor to local businesses; and

WHEREAS, this Initiative phases out all types of non-hosted STVRs including general STVRs and primary residence STVRs, in all residential dwelling units in the City not exempted by the provisions of Section 3.25.055(A) below, by December 31, 2024, including residential dwelling units governed by homeowners' associations (HOAs) and covenants, conditions & restrictions (CC&Rs), but shall have no effect on hosted homeshare STVRs, vacation rentals exempted by the provisions of Section 3.25.055(A) below, or bed and breakfast operations; and

WHEREAS, the people of La Quinta acknowledge the importance of tourism to the La Quinta economy and call for the expansion of STVR units in exempt areas that meet the provisions of Section 3.25.055(A) below; and

WHEREAS, the people of La Quinta shall provide a phase-out period to minimize the economic impacts to existing non-hosted STVR permit holders but shall prohibit the issuance of any new non-hosted STVR permits in residential neighborhoods (not exempted by the provisions of Section 3.25.055(A) below) as of the effective date of this Initiative.

NOW THEREFORE, THE PEOPLE OF THE CITY OF LA QUINTA DO HEREBY ORDAIN AS FOLLOWS:

ITEM 1: Section 3.25.030 of the La Quinta Municipal Code shall be amended to add the following definition:
"Non-hosted short-term vacation rental" is a type of short-term vacation rental whereby the owner rents a short-term vacation rental unit (as defined herein), for compensation, for periods of thirty (30) consecutive calendar days or less, while the owner does not live on-site or in the dwelling unit, throughout the occupant's stay.

ITEM 2: Section 3.25.055 of the La Quinta Municipal Code shall be deleted in its entirety and the following shall be added in its place:

3.25.055 - non-issuance of new non-hosted short-term vacation rental permits and phase-out of existing non-hosted short-term vacation permits.

A. Commencing on the effective date of this Initiative, there shall be no processing of, or issuance for, any applications for a new non-hosted short-term vacation rental permit, required by this chapter to use or operate a non-hosted short-term vacation rental unit in the city, except applications for a new non-hosted short-term vacation rental permit covering a non-hosted short-term vacation rental unit that meets one (1) or more of the following:

Initiative Ordinance: Phase-Out and Permanent Ban of Non-Hosted Short-Term Vacation Rentals in Non-Exempt Areas of the City of La Quinta

1. A residential dwelling within a residential project located in the CT Tourist Commercial District zone, as defined in Section 9.70.070 (or successor section) of this code and depicted in the city's official zoning map.
2. A residential dwelling within a residential project located in the VC Village Commercial District zone, as defined in Section 9.70.100 (or successor section) of this code and depicted in the city's official zoning map.
3. A residential dwelling within a residential project subject to a development agreement with the city, or subject to a condition of approval(s) attached to any entitlement approved by the city (including but not limited to a specific plan, subdivision map, or site development permit), pursuant to which non-hosted short-term vacation rentals are a permitted use, and the residential dwelling's use as a non-hosted short-term vacation rental is authorized under a declaration of covenants, conditions, and restrictions (CC&Rs), for the residential project.
4. A residential dwelling within the area covered by the SilverRock Resort Specific Plan.
5. A residential dwelling is located adjacent to the CT Tourist Commercial District zone, as defined in Section 9.70.070 and depicted in the city's official zoning map, and within the following boundaries; west of Avenida Obregon, south of the Avenida Fernando, east of Calle Mazatlán, and north of the driveway access between Calle Mazatlán and Avenida Obregon that serves as a southern boundary for the La Quinta Tennis Villas/Tennis Condos area identified on page 25 of the La Quinta Resort Specific Plan, 121 E—Amendment 5 (as may be subsequently amended from time to time). For purposes of this subsection, "adjacent to" means across the street from or accessible by a driveway or service road designed to provide access to area(s) within the CT Tourist Commercial District zone.

B. The city manager or authorized designee shall have the authority to implement policies or procedures to review and verify whether an application for a new short-term vacation rental permit meets the criteria set forth in this section.

C. Until the expiration date of all non-hosted short-term vacation rental permits (not exempted by Section 3.25.055(A) above) in 2024 as defined below, this section shall not apply to applications for a renewal of an existing non-hosted short-term vacation rental permit and business license, submitted in compliance with this chapter, including when the short-term vacation rental permit is under suspension during the time for processing the renewal application. Applications for renewals must be submitted as prescribed by this chapter, and will be issued or denied based on the criteria pursuant to this chapter. Any short-term vacation rental unit, covered by a permit that is subject to an application for renewal, which is under temporary suspension in violation of this chapter or any other provisions of this code, shall not become permitted to use the dwelling as a short-term vacation rental unit until all violations that led to the temporary suspension have been remedied and the suspension has expired. Any revoked short-term vacation rental permit shall not be eligible for renewal or new short-term vacation rental permit.

D. Commencing with the effective date of this Initiative, holders of non-hosted, valid short-term vacation rental permits shall continue to be eligible for renewal of their non-hosted short-term vacation rental permit however, all non-hosted short-term vacation rental permits, not exempted by Section 3.25.055(A) above, shall have an expiration date of December 31, 2024 or earlier. Beginning January 1, 2025, all permits for non-hosted short-term vacation rental units, not exempted by Section 3.25.055(A) above, shall be invalid.

Commencing January 1, 2025, there shall be no non-hosted short-term vacation rental permits issued or renewed to use or operate any privately owned residential dwelling (as defined in Section 3.25.030) as a non-hosted short-term vacation rental unit unless the unit meets one or more of the provisions of Section 3.25.055(A) above, or the unit holds a valid homeshare short-term vacation rental permit.

ITEM 3: EFFECTIVE DATE. This initiative shall be adopted on the date the La Quinta City Council certifies the passage of this Initiative's ballot measure based on the election results and the effective date shall be ten (10) calendar days following that certification.

ITEM 4: CONFORMING CODE PROVISIONS. Any provision of the La Quinta Municipal Code or appendices thereto inconsistent with the provisions of this Initiative, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Initiative.

ITEM 5: SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Initiative or resulting ballot measure is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then such decision shall not affect the validity of the remaining portions of this Initiative or ballot measure. The People of the City of La Quinta hereby declare they would have voted for this ballot measure, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid or unconstitutional.

Notice of Intent to Circulate Petition

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the City of La Quinta for the purpose of phasing out all types of non-hosted short-term vacation rentals in non-exempt residential districts. A statement of the reasons of the proposed action as contemplated in the petition is as follows:

Initiative Ordinance: Phase-Out and Permanent Ban of Non-Hosted Short-Term Vacation Rentals in Non-Exempt Areas of the City of La Quinta

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The people of La Quinta have repeatedly expressed objections to their City Council regarding the proliferation and density of non-hosted STVRs in residential neighborhoods due to the negative impact on their quality of life, and the character and livability of their neighborhoods. The detrimental impacts of non-hosted STVRs on residential neighborhoods has not been adequately mitigated by the City Council resulting in ongoing interruption to residents' peaceful enjoyment of their homes and forcing residents to police continuous STVR issues such as excessive noise, disorderly conduct, overcrowding, traffic, parking, and trash. STVRs are a commercial use of residential dwellings, generating income based on the short-term rental of residential dwellings akin to other commercial uses banned in residential neighborhoods. The public nuisances created by non-hosted STVR commercial activities in residential neighborhoods is incompatible with surrounding residential uses. The proliferation of non-hosted STVRs in residential districts has depleted the availability of housing for new homeowners and long-term tenants who contribute to the fabric of the community, spend their earnings locally, populate the school district, and operate local businesses or provide labor to local businesses. This Initiative phases out all types of non-hosted STVRs including general STVRs and primary residence STVRs, in all non-exempt residential dwellings in the City by December 31, 2024, including residential dwellings governed by homeowners' associations (HOAs) and covenants, conditions & restrictions (CC&Rs), but shall have no effect on hosted homeshare STVRs, vacation rentals of any exempt residential dwelling or bed and breakfast operations. Residents acknowledge the importance of tourism to the La Quinta economy and call for the expansion of vacation rental businesses in exempt residential dwellings. To minimize the economic impact to existing non-hosted STVR permit holders, a phase-out period is provided but the issuance of any new non-hosted STVR permits in non-exempt areas shall be prohibited as of the effective date of this Initiative

The city attorney has prepared the following title and summary of the chief purpose and points of the proposed measure:

Title:

Initiative Ordinance: Phase-Out and Permanent Ban of Non-Hosted Short-Term Vacation Rentals in Non-Exempt Areas of the City of La Quinta

Summary:

This initiative, if adopted by a majority of the City of La Quinta electorate voting on the matter, would amend Chapter 3.25 of the La Quinta Municipal Code (LQMC), regarding City short-term vacation rental regulations.

The proposed Ordinance would add the definition "non-hosted short-term vacation rental" to mean a type of short-term vacation rental where the owner rents a property, for compensation, for periods of 30 days or less, but does not live on-site or in the dwelling throughout the occupant's stay.

The proposed Ordinance would phase-out by December 31, 2024, and commencing January 1, 2025, permanently ban all "non-hosted short-term vacation rentals" throughout the City, except those located in one or more of the following exempt areas: (1) The Tourist Commercial District zone; (2) The Village Commercial District zone; (3) A residential project subject to a development agreement with, or condition of approval by, the City wherein non-hosted short-term vacation rentals are a permitted use and authorized under a declaration of covenants, conditions, and restriction (CC&Rs); (4) In the area covered by the SilverRock Resort Specific Plan, and (5) Within the boundary, as specified, for the La Quinta Tennis Villas/Tennis Condos identified in the La Quinta Resort Specific Plan. The proposed Ordinance also would allow, from its effective date and even after the January 1, 2025 permanent ban, issuance of "homeshare short-term vacation rental permits." Units that have a "primary residence short-term vacation rental permit" or "general short-term vacation rental permit" would be subject to the January 1, 2025 permanent ban unless located in the above-referenced exempt areas.

The LQMC currently defines "short-term vacation rental unit" to mean, among other provisions, a privately owned residential dwelling, such as a single-family detached or multi-family attached unit, rented for occupancy for 30 consecutive calendar days or less. The LQMC currently requires every owner of a dwelling used as a short-term vacation rental to obtain a short-term vacation rental permit, which is valid for one year and must be renewed annually. A short-term vacation rental permit is not transferrable upon sale of the dwelling.

The LQMC currently prohibits the issuance of new short-term vacation rental permits, except for dwellings located in specified areas similar to the above-referenced exempt areas. The proposed Ordinance would remove the requirement for the City Council to periodically review the impacts or effects of this current prohibition.

The LQMC currently defines "homeshare short-term vacation rental permit" as a type of permit where the owner hosts visitors in the owner's dwelling, for compensation, for periods of 30 days or less, while living on-site and in the dwelling throughout the visiting occupant's stay. The LQMC currently defines "primary residence short-term vacation rental permit" as a type of permit for a dwelling where the owner spends the majority of the calendar year and identified by the county assessor as the primary residence. The LQMC currently defines "general short-term vacation rental permit" as a type of permit that is neither a homeshare nor primary residence permit.

Initiative Ordinance: Phase-Out and Permanent Ban of Non-Hosted Short-Term Vacation Rentals in Non-Exempt Areas of the City of La Quinta

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NOTICE TO THE PUBLIC

YOU HAVE THE RIGHT TO SEE AN "OFFICIAL TOP FUNDERS" SHEET.

THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.

THE PROPONENTS OF THIS PROPOSED INITIATIVE MEASURE HAVE THE RIGHT TO WITHDRAW THIS PETITION AT ANY TIME BEFORE THE MEASURE QUALIFIES FOR THE BALLOT

Official use
only

1	<hr/> <p style="text-align: center;">Print Name</p> <hr/> <p style="text-align: center;">Signature</p>	<hr/> <p style="text-align: center;">Resident Address (Only)</p> <hr/> <p style="text-align: center;">City Zip</p>	
2	<hr/> <p style="text-align: center;">Print Name</p> <hr/> <p style="text-align: center;">Signature</p>	<hr/> <p style="text-align: center;">Resident Address (Only)</p> <hr/> <p style="text-align: center;">City Zip</p>	
3	<hr/> <p style="text-align: center;">Print Name</p> <hr/> <p style="text-align: center;">Signature</p>	<hr/> <p style="text-align: center;">Resident Address (Only)</p> <hr/> <p style="text-align: center;">City Zip</p>	
4	<hr/> <p style="text-align: center;">Print Name</p> <hr/> <p style="text-align: center;">Signature</p>	<hr/> <p style="text-align: center;">Resident Address (Only)</p> <hr/> <p style="text-align: center;">City Zip</p>	
5	<hr/> <p style="text-align: center;">Print Name</p> <hr/> <p style="text-align: center;">Signature</p>	<hr/> <p style="text-align: center;">Resident Address (Only)</p> <hr/> <p style="text-align: center;">City Zip</p>	

Initiative Ordinance: Phase-Out and Permanent Ban of Non-Hosted Short-Term Vacation Rentals in Non-Exempt Areas of the City of La Quinta

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6	Print Name	Resident Address (Only)	
	Signature	City Zip	
7	Print Name	Resident Address (Only)	
	Signature	City Zip	
8	Print Name	Resident Address (Only)	
	Signature	City Zip	
9	Print Name	Resident Address (Only)	
	Signature	City Zip	
10	Print Name	Resident Address (Only)	
	Signature	City Zip	

DECLARATION OF CIRCULATOR
(to be completed after above signatures have been obtained)

I, _____ am 18 years of age or older. My residence address is _____ I circulated
(street address, city, state, zip)

this section of the petition and witnessed each of the appended signatures being written. Each signature on this petition is, to the best of my information and belief, the genuine signature of the person whose name is purported to be. All signatures on this document were obtained between the dates of (month) _____ (day) _____ (year) _____ and (month) _____ (day) _____ (year) _____. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____, at _____
(month/day/year) (place of signing)

(Complete signature indicating full name of circulator)