

ORDINANCE NUMBER 1378

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, ADDING CHAPTER 19.88 TO TITLE 19 OF THE PERRIS MUNICIPAL CODE, WHICH IDENTIFIES SHORT-TERM RENTALS AS PERMITTED USES IN THE CITY'S RESIDENTIAL ZONES AND WHICH COMPLIMENTS CHAPTER 5.38 OF TITLE 5 OF THE PERRIS MUNICIPAL CODE WHICH REGULATES SHORT-TERM RENTAL OPERATIONS

WHEREAS, the City of Perris (the "City"), pursuant to the police powers delegated to it by Section 7 of Article XI of the California Constitution, has the authority to enact laws which promote the public health, safety, morals and general welfare; and

WHEREAS, in order to protect the public peace, safety and general welfare, the City Council adopted 2nd Reading Ordinance No. 1374 to add Chapter 5.38 to Title 5 of the Perris Municipal Code on November 13, 2018, for the purpose of providing reasonable regulations upon short-term rentals; and

WHEREAS, the City must now amend its zoning code, found under Title 19 of the Perris Municipal Code, so that it is consistent with Ordinance No. 1374; and

WHEREAS, on December 19, 2018, the Planning Commission conducted a legally noticed public hearing for this Ordinance, which adds Chapter 19.88 to Title 19 of the Perris Municipal Code and which identifies short-term rentals as permitted uses in the residential zones to compliment Chapter 5.38 of Title of the Perris Municipal Code which regulates short-term rental operations; and

WHEREAS, after its public hearing on December 19, 2018, the Planning Commission recommended that the City Council adopt this Ordinance; and

WHEREAS, on January 29, 2019, the City Council conducted a legally noticed public hearing for this Ordinance; and

WHEREAS, in order to permit short term rentals in residential zones, after considering the information contained in the agenda submittal and supporting exhibits and all oral and written presentations and testimony made by City staff and members of the public, the City Council now desires to adopt this Ordinance.

THE CITY COUNCIL OF THE CITY OF PERRIS DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Recitals Incorporated. The City Council finds the above recitals are true and correct and incorporated herein by this reference.

Section 2. CEQA. Based upon its own independent judgment and substantial evidence in the record of proceedings, and after considering the information contained in the

agenda submittal and supporting exhibits and all oral and written presentations and testimony made by City staff and members of the public, the City Council finds and determines that, pursuant to CEQA Guidelines, Sections 15060(c)(2) and 15061(b)(3), the Ordinance is not subject to CEQA, because adoption of this Ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment.

Section 3. New Chapter 19.88 Added to Title 19. Chapter 19.88, “Short Term Rentals Permitted,” is hereby added to Title 19, “Zoning,” of the Perris Municipal Code as follows:

“Chapter 19.88 – SHORT-TERM RENTALS PERMITTED

19.88.010 Short Term Rental in Residential Uses – Permitted.

Short-term rentals, as defined by Chapter 5.38 of Title 5 of the Perris Municipal Code, shall be permitted in all dwellings; apartment houses; boardinghouses, roominghouses, and lodging houses; multiple- or multi-family dwellings; mobile homes; one-family dwellings; and single-room occupancies (as those terms are defined by Chapter 19.08 of Title 19 of the Perris Municipal Code) which are located in

- (1) A zoning district where residential uses are allowed, or
- (2) A zoning district as a legal nonconforming use.”

Section 4. Severability. If any subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional or otherwise unenforceable, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declare that they would have passed each subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more subsection, subdivision, paragraph, sentence, clause, or phrase be declared unconstitutional or otherwise unenforceable.

Section 5. Effective Date. This Ordinance shall take effect 30 days after its adoption.

Section 6. Certification. The City Clerk shall certify as to the passage and adoption of this Ordinance and shall cause the same to be posted at the designated locations in the City of Perris.

ADOPTED, SIGNED and APPROVED this 12th day of February, 2019.

Michael M. Vargas, Mayor

ATTEST:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, DO HEREBY CERTIFY that the foregoing Ordinance Number 1378 was duly introduced by the City Council of the City of Perris at a regular meeting of said Council held on the 29th day of January, 2019 and was duly adopted by the City Council of the City of Perris at a regular meeting of said Council held on the 12th day of February, 2019, and that it was so adopted by the following vote:

AYES: RABB, ROGERS, MAGAÑA, CORONA, VARGAS
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

City Clerk, Nancy Salazar