

# City of Jurupa Valley

## STAFF REPORT

**DATE:** JUNE 14, 2023  
**TO:** CHAIR SHULTZ AND MEMBERS OF THE PLANNING COMMISSION  
**FROM:** JOE PEREZ, COMMUNITY DEVELOPMENT DIRECTOR  
**BY:** ROB GONZALEZ, SENIOR PLANNER  
**SUBJECT:** ZONING CODE AMENDMENT NO. 22004 (ZCA22004) ADDING CHAPTER 4.15 AND AMENDMENTS TO TITLE 9 (“PLANNING AND ZONING”) OF THE JURUPA VALLEY MUNICIPAL CODE TO PROHIBIT SHORT TERM RENTALS AND FIND THAT THE PROJECT IS EXEMPT FROM CEQA REVIEW PURSUANT TO THE COMMONSENSE EXEMPTION, CEQA GUIDELINES SECTION 15061(b)(3)

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### RECOMMENDATION

By motion, adopt Resolution No. PC-2023-12 recommending denial of Zoning Code Amendment No. 22004 (ZCA22004) to add Chapter 4.15 and amendments to Title 9 (“Planning and Zoning”) of the Jurupa Valley Municipal Code to prohibit short term rentals.

### BACKGROUND

On May 24, 2023, the Planning Commission conducted a public hearing to discuss the proposed amendment, ZCA22004. The meeting provided an opportunity for all individuals with an interest in the proposed amendment to express their views before the Planning Commission. Following the receipt of public testimony, the Planning Commission officially closed the public hearing. Subsequently, they instructed staff to draft a resolution that would recommend the denial of the proposed amendment. This resolution is scheduled to be presented to the Planning Commission for its consideration at the June 14, 2023 meeting. The requested resolution to deny the proposed code amendment is included as Attachment 1.

### DELIBERATION

During deliberation, the Planning Commission discussed recommending the need to explore the feasibility of implementing regulations rather than pursuing a complete prohibition. The key points and highlights from the deliberation are summarized below:

- The Planning Commission suggested that staff research and analyze the possibilities to regulate short-term rentals, which includes requiring the presence of the homeowner during the rental period, limiting the number of guests, and implementing an annual registration fee.
- Regulations should be considered to ensure safety and community benefits while considering the circumstances of people requiring short-term rentals.

The Planning Commission has recommended denying the adoption of the proposed ordinance and recommends that staff conduct an analysis of different regulatory

approaches. Specifically requested staff to gather information on regulations implemented by other cities and provide insights and research findings on potential alternatives.

Based on the deliberations, staff has been directed to prepare a resolution for review and consideration at the June 14, 2023, regular meeting. This resolution will formally memorialize the Planning Commission's denied recommendation of the adoption of the proposed amendment resolution.

The resolution, once adopted by the Planning Commission, will be forwarded to the City Council for consideration and final decision-making authority. Any future staff analysis will be based upon the final action taken by the City Council.

### **ENVIRONMENTAL REVIEW**

Denial of the proposed amendment recommendation is exempt from CEQA by the common-sense exemption.

### **NOTICING REQUIREMENTS**

The public hearing for the item was advertised in the Press-Enterprise Newspaper on May 14, 2023, in accordance with the required notification procedures. On May 24, 2023, the Planning Commission provided direction to staff to bring forth a resolution recommending denial of the proposed amendment at the upcoming Planning Commission Meeting scheduled for June 14, 2023. Furthermore, the agenda item was appropriately noticed 72 hours in advance of the meeting, ensuring compliance with the notice requirements. No public notice is required to bring forth the resolution of denial.

### **CONCLUSION**

The Resolution No. PC-2023-12 denying Zoning Code Amendment No. 22004 (ZCA22004) has been prepared in accordance with the Planning Commission's direction for action.

Prepared by:



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Rob Gonzalez  
Senior Planner

Submitted by:



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Joe Perez  
Community Development Director

Reviewed by:

//s// Maricela Marroquin

Maricela Marroquin

**ATTACHMENTS**

1. Resolution No. PC-2023-12

**RESOLUTION NO. 2023-12**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF JURUPA VALLEY RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY DENY THE PROPOSED ZONING CODE AMENDMENT TO PROHIBIT SHORT-TERM RENTALS; AND FINDING AN EXEMPTION FROM CEQA UNDER SECTION 15270(A) OF THE CEQA GUIDELINES**

**THE PLANNING COMMISSION OF THE CITY OF JURUPA VALLEY DOES RESOLVE AS FOLLOWS:**

**Section 1. Project and Findings.**

(a) At the January 19, 2023, regular City Council meeting, the City Council initiated a zoning code amendment to prohibit short-term rentals in any zone classification (the “Zoning Code Amendment”).

(b) Section 9.285.030.(1) of the Jurupa Valley Municipal Code provides that the Planning Commission shall hold a public hearing on proposed amendments to the City’s Zoning Ordinance that propose to regulate the use of structures or buildings, and that the amendment must be processed pursuant to Section 9.285.040.(3) of the Jurupa Valley Municipal Code. The proposed amendments to the Zoning Ordinance will prohibit short-term rentals in any zone classification.

(c) Section 9.285.040.(3) of the Jurupa Valley Municipal Code provides that after closing the public hearing, the Planning Commission shall render its decision within a reasonable time and transmit it to the City Council in the form of a written recommendation, which shall contain the reasons for the recommendation. A copy of the recommendation shall be transmitted to the City Council. If the Planning Commission does not reach a decision due to a tie vote, that fact shall be reported to the City Council and the failure to reach a decision shall be deemed a recommendation against the proposed amendment.

(d) Section 9.285.040.(4)(a) of the Jurupa Valley Municipal Code provides that upon receipt of a recommendation for approval by the Planning Commission, the City Clerk shall set the matter for public hearing before the City Council at the earliest convenient day and give notice of the time and place of the hearing in the same manner as notice was given of the hearing before the Planning Commission.

**Section 2. Procedural Findings.** The Planning Commission of the City of Jurupa Valley does hereby find, determine and declare that:

(a) The Zoning Code Amendment was processed including, but not limited to a public notice, in the time and manner prescribed by State law and Jurupa Valley Ordinances.

(b) On May 24, 2023, the Planning Commission of the City of Jurupa Valley held a public hearing on the Zoning Code Amendment, at which time all persons interested in the

Zoning Code Amendment had the opportunity and did address the Planning Commission on these matters. Following the receipt of public testimony, the Planning Commission closed the public hearing, and, after weighing the evidence and considering the adequacy of Zoning Code Amendment, applied its own independent judgment and analysis to the review and directed the staff to prepare a resolution to recommend that the City Council of the City of Jurupa Valley deny the proposed prohibition of short-term rentals.

(c) All legal preconditions to the adoption of this Resolution have occurred.

Section 3. **California Environmental Quality Act Findings.** The Planning Commission of the City of Jurupa Valley, based on its own independent judgment, does hereby find, determine and declare that the Zoning Code Amendment is exempt from the requirements of the California Environmental Quality Act (“CEQA”) (Cal. Pub. Res. Code, § 21000 *et seq.*) and the State Guidelines (the “CEQA Guidelines”) (14 Cal. Code Regs. § 15000 *et seq.*) pursuant to Section 15270(a) of the CEQA Guidelines because CEQA does not apply to projects which a public agency rejects or disapproves.

Section 4. **Findings for Recommendation of Denial of Zoning Code Amendment.** The Planning Commission of the City of Jurupa Valley does hereby recommend that the City Council of the City of Jurupa Valley find and determine that the Zoning Code Amendment should be denied because short-term rentals provide certain financial and social benefits to the City and its residents, and tailored regulations of the use – rather than an outright prohibition – may address the negative impacts associated with short-term rentals.

Section 5. **Recommendation of Denial.** Based on the foregoing, the Planning Commission of the City of Jurupa Valley hereby recommends that the City Council of the City of Jurupa Valley deny the Zoning Code Amendment, attached hereto as Exhibit “A”.

Section 6. **Certification.** The Community Development Director shall certify to the adoption of this Resolution.

**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of Jurupa Valley on this 14th day of June, 2023.

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Laura Shultz  
Chair of Jurupa Valley Planning Commission

ATTEST:

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Joe Perez  
Community Development Director/Secretary to the Planning Commission

STATE OF CALIFORNIA )

COUNTY OF RIVERSIDE ) ss.

CITY OF JURUPA VALLEY )

I, Joe Perez, Community Development Director of the City of Jurupa Valley, do hereby certify that the foregoing Resolution No. PC-2023-12 was duly adopted and passed at a meeting of the Planning Commission of the City of Jurupa Valley on the 14th day of June, by the following vote, to wit:

AYES: COMMISSION MEMBERS:

NOES: COMMISSION MEMBERS:

ABSENT: COMMISSION MEMBERS:

ABSTAIN: COMMISSION MEMBERS:

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JOE PEREZ  
COMMUNITY DEVELOPMENT DIRECTOR