

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
DENYING AN APPEAL AND UPHOLDING THE DECISION OF THE PLANNING AND
ECONOMIC DEVELOPMENT DIRECTOR TO DENY A NON-HOSTED SHORT-TERM
RENTAL PERMIT LOCATED AT 6241 BRIDGEWOOD DRIVE; ASSESSOR'S PARCEL
NUMBER 182-060-033; FILE NUMBER SVR22-020

WHEREAS, on March 6, 2022, an application was submitted requesting the approval of a non-hosted Short-Term Rental Permit to be located at 6241 Bridgewood Drive; and

WHEREAS, Zoning Code sections 20-48.030 and 20-48.040(B) provide that applications submitted prior to December 3, 2021 may be reviewed as "Operators in Good Standing" if certain conditions are satisfied, and applications submitted after December 3, 2021 shall be reviewed as "New Operators"; and

WHEREAS, because the application was submitted after December 3, 2021, the application was reviewed pursuant to Zoning Code sections 20-48.040(B)(2) and (3) governing new operators;

WHEREAS, Zoning Code Section 20-48.040(B)(3) prohibits new non-hosted short-term rentals from being proposed within 1,000 feet of another existing or proposed non-hosted short-term rental; and

WHEREAS, on January 4, 2023, the Planning and Economic Development Director denied the application for a new non-hosted Short-Term Rental located at 6241 Bridgewood Drive because the proposed non-hosted Short-Term Rental Permit is located approximately 870 feet from an approved non-hosted Short-Term Rental at 2220 Fremont Drive, for which an application was submitted on February 17, 2022 and a permit was issued on October 28, 2022; and

WHEREAS, on January 13, 2023, the Planning and Economic Development Department received an Appeal Application submitted by the property owner, Carrie Richey (Appellant); and

WHEREAS, the Appeal Application asserts that the Appellant is an Operator in Good Standing and therefore, the 1,000 foot rule shall not apply; and

WHEREAS, on May 11, 2023, the Planning Commission held a duly noticed public hearing on the appeal at which all those wishing to be heard were allowed to speak or present written comments and other materials; and

WHEREAS, the Planning Commission has considered the Appeal, all comments made at the public hearing, and all other information in the administrative record; and

WHEREAS, the Appeal is exempt from the California Environmental Quality Act

Resolution No. _____

pursuant to CEQA Guidelines sections 15061(b)(3) and 15378 in that there is no possibility that the implementation of this action may have significant effects on the environment, and the action will not result in a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

NOW, THEREFORE, BE IT RESOLVED, that after consideration of the reports, documents, testimony, and other materials presented, and pursuant to City Code Section 20-48.040(H)(2), Short-Term Rental Permit Requirements – Denial, the Planning Commission of the City of Santa Rosa finds and determines that the application is not consistent with the requirements of Chapter 20-48, Short-Term Rentals. Specifically, the property at 6241 Bridgewood Drive is located less than 1,000 feet from another issued non-hosted short-term rental. While the appellant submitted information confirming the required Transient Occupancy Tax (TOT) registration as identified in Zoning Code Section 20-48.030(O), the definition of Operator in Good Standing, per Zoning Code Sections 20-48.040(B)(1) and (2)(a), the final day to file an application as an Operator in Good Standing was December 3, 2021. The appellant submitted the non-hosted Short-Term Rental Permit application for the property located at 6241 Bridgewood Drive on March 6, 2022, and therefore is not an Operator in Good Standing. The property is a new non-hosted short-term rental and is subject to the 1,000 foot distance requirement between non-hosted short-term rentals, as required by Zoning Code Section 20-48.040(B)(3). Because the property is located approximately 870 feet from the issued non-hosted short-term rental at 2220 Fremont Drive, which was submitted to the City of Santa Rosa on February 17, 2022 and issued on October 28, 2022, a non-hosted short-term rental permit cannot be issued for the property at 6241 Bridgewood Drive.

BE IT FURTHER RESOLVED, that the Planning Commission of the City of Santa Rosa denies the appeal and upholds the Planning and Economic Development Director's denial of the Short-Term Rental Permit Application (SVR22-020) for the property located at 6241 Bridgewood Drive.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 11th day of May, 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____
KAREN WEEKS, CHAIR

ATTEST: _____
JESSICA JONES, EXECUTIVE SECRETARY