

Appeal of Short-Term Rental Permit Denial

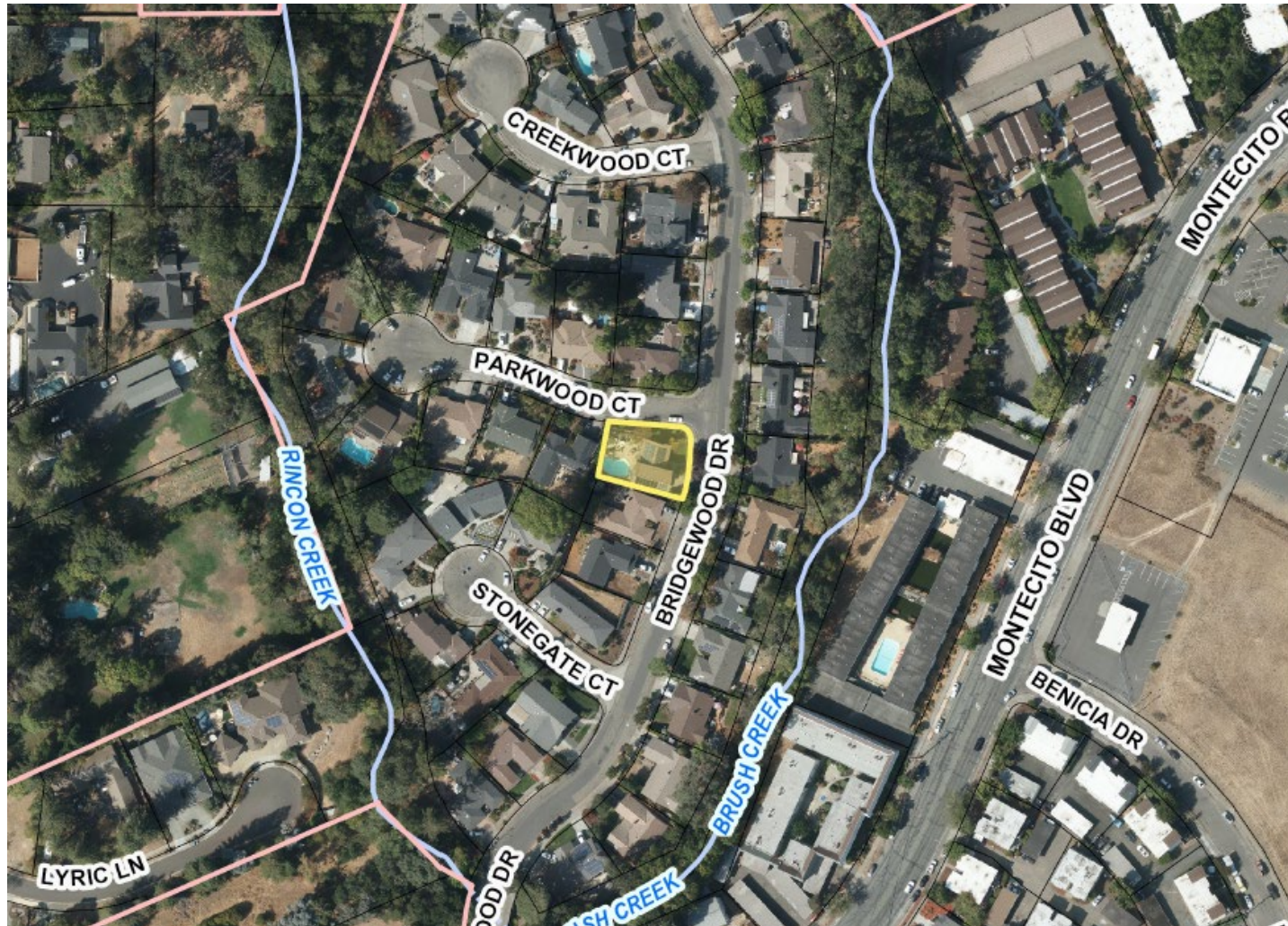
SVR22-020

6241 Bridgewood Dr

May 11, 2023

Sachnoor Bisla, City Planner
Planning and Economic Development

Project Site Location



Background

- March 6, 2022 – Application for non-hosted short-term rental submitted
- March 30, 2022 – Code violation complaint received for unpermitted short-term rental and violation of Noise Ordinance
- April 12, 2022 – City inspection performed
- October 10, 2022 – Code enforcement case closed

Background (continued)

- December 13, 2022 – Code violation complaint received for unpermitted short-term rental
- December 28, 2022 – City inspection performed
- January 3, 2023 – Code enforcement case closed
- January 26, 2023 – Code violation complaint received for unpermitted short-term rental (this case is still open)

Background (continued)

- January 3, 2022 – Notice of Denial sent to Applicant
- January 4, 2023 – Application denied by the Planning and Economic Development Director due to location being within 1,000 feet of another non-hosted short-term rental
- January 13, 2023 – Appeal filed by Applicant

Grounds for Appeal

The Appellant has provided the following Grounds for Appeal:

- The Appellant is an Operator in Good Standing
- Due to Operator in Good Standing Status, the 1,000 foot Rule Doesn't Apply
- Filing a Permit After December 3, 2021 Does Not Affect the Appellant's Operator in Good Standing Status

Staff Response

- Zoning Code Section 20-48.040(B) states that Operators in Good Standing shall apply by December 3, 2021, and that New Operators may not apply until after December 3, 2021
- The Appellant filed an application on March 6, 2022, and is therefore considered a New Operator
- 20-48.040(B)(3): “After December 3, 2021, no non-hosted short-term rentals may be proposed within 1,000 feet from the property line of another existing or proposed non-hosted short-term rental”
- Property is approximately 870 feet from non-hosted short-term rental at 2220 Fremont Dr (October 28, 2022)

Denial Findings

Zoning Code Section 20-48.040(H): a Short-Term Rental Permit may be denied if ***any one*** of the following findings can be made:

1. The application is incomplete; or
2. The application is inconsistent with the requirements of this chapter; or
3. The application fee has not been received; or
4. The application contains a false or misleading statement or omission of a material fact; or
5. The application seeks authorization at an address where a Short-Term Rental Permit has been suspended, revoked, or is subject to suspension or revocation proceedings for violation of any of the provisions of this chapter.

Recommendation

It is recommended by the Planning and Economic Development Department that the Planning Commission, by resolution:

- Deny the Appeal of Carrie Richey and uphold the Director's decision to deny a non-hosted short-term rental application for the property located at 6241 Bridgewood Drive.

Questions

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