

RESOLUTION NO. PC-2023-25

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FULLERTON,
CALIFORNIA APPROVING A SHORT-TERM RENTAL PERMIT (PARTIAL HOME) FOR
THE PROPERTY AT 1850 EDGECLIFF DRIVE

STR-2023-0038

APPLICANT: FAIQA SIDDIQUI
PROPERTY OWNER: NAEEM AND FAIQA SIDDIQUI

RECITALS

1. WHEREAS an application was filed for a Short-Term Rental permit (Partial Home) for the property at 1850 Edgcliff Drive, located within the R-1-20 (One family residential, 20,000 SF minimum lot size) zone, more specifically described as:

Assessor's Parcel No. 029-363-02

2. WHEREAS The Planning Commission of the City of Fullerton, in compliance with the noticing requirements of Fullerton Municipal Code (FMC) Chapter 15.55.020.F6(b), held a duly noticed public hearing for STR-2023-0038; and
3. WHEREAS FMC Section 15.55.020.F6(d) authorizes the Planning Commission to deny, approve, or conditionally approve a Short-Term Rental permit;
4. WHEREAS in accordance with the California Environmental Quality Act (CEQA) Section 15301 Class 1 – Existing Facilities, the proposed project is exempt from further review.

RESOLUTION

Now therefore, be it found, determined, and resolved by the Planning Commission of the City of Fullerton, as follows:

1. The Planning Commission finds as follows:

- a. Finding: The use is permitted in the zoning classification.

Fact: The proposed Short-Term Rental is a permitted use in residential zones as per FMC Table 15.17.020.A.

- b. Finding: The project meets all applicable standards.

Fact: Staff has reviewed the application and determined it conforms to the application requirements contained in FMC Section 15.55.020.F.

- c. Finding: The Director has the ability to make a determination that a public hearing is warranted in order to gather supplemental evidence to determine whether an applicant will adequately mitigate potential adverse impacts to the public health, safety, or welfare due to substantial concerns raised by neighbors whereby the Planning Commission will consider the application.

Fact: The application was presented to the Planning Commission at their regularly scheduled meeting which allows the Planning Commission to deny, approve, or conditionally approve the application with the Planning Commission's decision being final.

2. The Planning Commission does hereby APPROVE said STR-2023-0038 subject to the following conditions of approval:
 - a. The approval of STR-2023-0038 is valid for one (1) year from the date of issuance after which time a status report is required to be presented to the Planning Commission outlining any performance or activity issues of the Short-Term Rental at the subject property. Should the Planning Commission determine that operation of the Short-Term Rental has been detrimental to the neighborhood (i.e., nuisance) or that the Applicant has violated any provisions of the Fullerton Municipal Code or state law, the Planning Commission has the ability to revoke the permit. Conversely, if the permit has been determined to be operated responsibly, the permit shall be valid for the remaining portion of the three (3) years as per FMC Section 15.55.020.F3(b).
 - b. The Applicant/Property Owner shall agree to indemnify, hold harmless, and defend the City of Fullerton, its officers, agents, and employees, from any and all liability or claims that may be brought against the City arising out of this approval, or arising out of the operation of the business, save and except that caused by the City's active negligence.
 - c. The Applicant/Property Owner is subject to the Good Neighbor Guidelines as specified in Chapter 15.55.020.F10 of the FMC.
 - d. The Director of Community and Economic Development has the ability to revoke the Short-Term Rental permit as per Section 15.55.020.F13, independent of the Planning Commission.

ADOPTED BY THE FULLERTON PLANNING COMMISSION ON NOVEMBER 22, 2023.



Arif Mansuri, Chairman