



CITY OF FULLERTON

Community and Economic Development Department

Item No. 2
December 11, 2024
6:30 p.m.
Public Hearing

**TO: Chair Gambino and
Members of the Planning Commission**

APPLICATION

STR-2023-0038

APPLICANT

Faiqa Siddiqui

LOCATION

1850 Edgecliff Drive

SUMMARY AND APPLICATION REQUESTED

Pursuant to Resolution PC-2023-25, STR-2023-0038 is valid for one year from the date of issuance (November 22, 2023) 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 years as per FMC Section 15.55.020.F3(b).

The Director of Community and Economic Development has the ability to revoke the Short-Term Rental (STR) permit as per Section 15.55.020.F13, independent of the Planning Commission.

CEQA DETERMINATION

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per state CEQA Guidelines 15301 (Class 1 – Existing Facilities).

AUTHORIZATION/GUIDELINES

STR-2023-0038 was approved by the City of Fullerton Planning Commission subject to the following condition of approval:

The approval of STR-2023-0038 is valid for one 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 years as per FMC Section 15.55.020.F3(b).

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.

PUBLIC NOTICE

On November 27, 2024, the City sent a Public Hearing Notice to a total of 30 property owners within a 300-foot radius of the project site. Notification was posted in front of the subject site on that same date.

PROJECT BACKGROUND

Applicant:	Faiqa Siddiqui
Property Owner:	Naeem and Faiqa Siddiqui
Property Location:	1850 Edgecliff Drive (approximately 150 feet west of Raymond Avenue, South side of street)
Parcel Number:	029-363-02
Existing Community Development Type (General Plan Land Use Designation):	Low Density Residential
Existing Zoning Classification:	R-1-20 (One family residential, 20,000 SF minimum lot size)
Surrounding Land Uses and Zoning:	North, South, East, and West: R-1-20 (One family residential, 20,000 SF minimum lot size)

The application for a Partial Home Short-Term Rental (STR-2023-0038) was originally scheduled for the September 27, 2023, Planning Commission meeting. Due to equipment failure, the meeting was cancelled, and the item was heard on October 11, 2023. The application was approved by the Planning Commission by a vote of 4-0-1 (Absent: Gambino). No appeals were filed against the Planning Commission's decision and Resolution No. PC-2023-25 was then adopted at the November 22, 2023, Planning Commission meeting by a vote of 3-1-1 (No: Gambino; Absent: Tutor).

ANALYSIS

Staff Review

In instances where Staff receives negative comments as a result of the noticing, a more intensive review is conducted which includes a request for police activity at the subject site (referred to as "Calls for Service"). For the subject property, zero calls were logged between September 2023 and November 2024.

The City of Fullerton also maintains a contracted service that monitors rental activity within the City through searches of online services such as Airbnb, Vrbo, Vacasa, and HomeAway, for instance. This service, called “Host Compliance,” monitors when rentals are advertised, when units are rented out, and allows complaints to be filed. Between November 22, 2023, and November 22, 2024, the residence was rented out 14 times, as confirmed and documented through Host Compliance. During this same period, two complaints were logged in Host Compliance. The concerns were as follows:

1. December 9, 2023 - Nuisance at a Short-Term Rental: 4 vehicles parked overnight on the street (driveway also full of cars).

While two documented stays were recorded by Host Compliance during the month of December 2023, City of Fullerton Staff has been unable to determine whether the reported vehicles parked overnight belong to the property owner and their guests or customers of the short-term rental. Per City of Fullerton Good Neighbor Guidelines, overnight parking must be on the property; either in the driveway or in the garage/carport. Vehicles are not to be parked on lawns or in a manner which blocks sidewalks or alleys.

2. January 12, 2024 - Advertising Violation: Owners obtained a Short-Term Rental Permit for a partial home short-term rental, not a whole-home short-term rental. The add on Airbnb advertises for whole home.

The active listing title on VRBO states, “Charming entire 3 bedroom Fullerton home with private pool & yard!!” In reading through the “about this property” section, the listing states, “This home is divided into two units, yours, being on the one downstairs, a 3 bedroom, 3.5 bath vacation rental...” While the current listing title may be misleading, Staff can confirm that the property is approved for and operated as a partial home short-term rental. It is Staff’s suggestion that the listing title be revised to indicate that the rental is not for an entire home, but only a portion thereof. This administrative change would allow for greater clarity on the operation of the short-term rental for both community members and potential renters. There are no active listings on Airbnb or Booking.com.

In addition to complaints logged in Host Compliance, there are two previous Code Enforcement cases between November 22, 2023, and November 22, 2024. The most recent case, COD-2024-1066, involving the investigation of an oil spill, was resolved on November 20, 2024. While neighborhood complaints have alleged the operation of an illegal auto repair business at the residence, citing it as the source of the recently investigated oil spill, Code Enforcement has not observed any vehicle repair or signs of repairs taking place. The source of the oil spill was determined to be cooking related and allegations of oil originating from a vehicle were unfounded.

COD-2024-0064, opened on January 29, 2024, and resolved on April 22, 2024, involved the investigation of numerous trash bags being stored outside the home for extended periods of time. Upon inspection by Code Enforcement, no garbage was located outside the premise, trash cans were not located in public view, and the case was ultimately closed/resolved. City of Fullerton Good Neighbor Guidelines stipulate that trash and recycling containers are to be returned to their designated location (in this instance, on the west side of the home) within 24-hours of trash pickup; the property is to be kept clean, presentable, and free of trash.

No active Code Enforcement cases are recorded for the property at 1850 Edgecliff Drive.

Five letters were received (Attachment 3) following the Notice of Public Hearing that was posted on site and sent to properties within a 300-foot radius of the project site on November 27, 2024.

ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per state CEQA Guidelines 15301 (Class 1 – Existing Facilities) because the project proposes no construction or substantial change in use of the existing structure. A notice of exemption was previously filed for PC-2023-25/STR-2023-0038.

REQUIRED FINDINGS

As previously described in this report, should the Planning Commission determine that operation of the Short-Term Rental has been detrimental to the neighborhood 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 years. The adopted and signed resolution, PC-2023-25, is dated November 22, 2023. As such, the current expiration date of STR-2023-0038 is November 22, 2026.

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.

RECOMMENDED ACTION

Allow STR-2023-0038 to continue to operate until its current expiration date of November 22, 2026.

- Approve, Deny, or Conditionally Approve

DATED: December 11, 2024

Prepared by:



Benjamin Koff
Associate Planner

Approved for Agenda by:



Sunayana Thomas
Director of Community and Economic Development

Attachments to Report:

1. Planning Commission Resolution No. PC-2023-25 dated November 22, 2023
2. Current Vrbo Listing
3. Public Comments

Attachment No. 1

Planning Commission Resolution No. PC-2023-25 dated November 22, 2023

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.

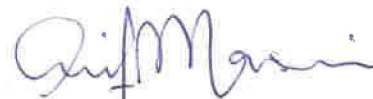
Fact: Staff has reviewed the application and determined it conforms to the application requirements contained in FMC Section 15.55.020.F.

- 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.

A handwritten signature in blue ink, appearing to read 'Arif Mansuri', is written over a horizontal line.

Arif Mansuri, Chairman

Attachment No. 2

Current Vrbo Listing

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Charming entire 3 bedroom Fullerton home with private pool & yard!!, Fullerton



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Entire home

Charming entire 3 bedroom Fullerton home with private pool & yard!!

[Overview](#)[Amenities](#)[Policies](#)[Location](#)[Host](#)8.0 **Very good**[See 1 review >](#)

3 bedrooms



4 bathrooms



Sleeps 6

Popular amenities



Washer



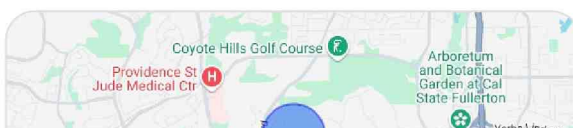
Air conditioning



Dryer

[See all >](#)

Explore the area



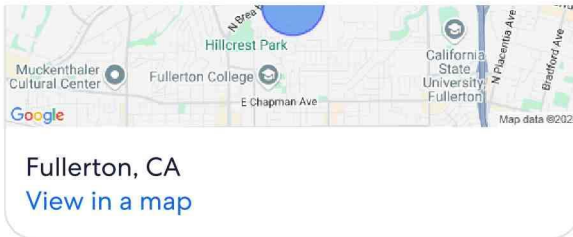
Fullerton College

3 min drive



Fullerton Downtown Plaza

4 min drive



- California State University, Fullerton 5 min drive
 - Fullerton, CA (FUL-Fullerton Municipal) 17 min drive
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Travelers 1 room, 2 travelers	

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About this property

Charming entire 3 bedroom Fullerton home with private pool & yard!!

Comfortable & spacious haven with numerous activities to do within this home! This home is divided into two units, yours, being on the one downstairs, a 3 bedroom, 3.5 bath vacation rental that is perfect for groups seeking on-site entertainment and access to the area's top attractions, this lower-level unit features a smart flat-screen TV, in-unit laundry, equipped kitchen, a pool, and an awesome outdoor space with endless amenities! Close to DTF, Disneyland, and more!

Property manager

Faiqa

Languages

English

Amenities



Washer



Dryer



Air conditioning

[See all 13 amenities](#)

Attachment No. 3

Public Comments

Benjamin Koff

From: Haseeb Qureshi <[REDACTED]>
Sent: Tuesday, December 3, 2024 5:52 PM
To: Benjamin Koff; sunaya.thomas@cityoffullerton.com; Guillermina Torrico; Oami [REDACTED]
Subject: [EXTERNAL MAIL]RE: STR at 1850 Edgecliff Drive/PC Hearing 12/11/24

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

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RE: STR at 18850 Edgecliff Drive

Dear Members of the Planning Commission,

I am writing to you regarding the hearing concerning the STR at 1850 Edgecliff Drive in Fullerton and would like to address some specific complaints raised by the neighbors, which are unfounded and misrepresent the situation – as I am party to both incidents in question. Faiqa Siddiqui, the owner of 1850 Edgecliff Drive is my sister.

Firstly, I want to highlight that my sister was so embarrassed by these incidents that she did not even tell me about them directly. The only way I found out was when my father texted me on Saturday, November 30th, the day after our family gathered at my sister's home (on the evening of November 29th) to break bread. The text from my father was simple, he asked what time we had all left my sister's home. I told him it was around 1:30 a.m. and asked if everything was okay. He explained that the neighbors had filed a complaint about noise, alleging it came from short-term renters. I was shocked, as the only people leaving the property at that time were my family and my brothers' family. Both my brother and I drive electric vehicles, which are incredibly quiet, and we have video evidence confirming the timing and nature of our departure.

Upon calling my sister to ask about this, she reluctantly confirmed the complaint and confided that the neighbors had previously filed a complaint about another unrelated incident in the past. On October 26th, 2024 I was at the local Fullerton Goodwill store making donations, after that, I stopped by my sister's house at the subject property to return an air fryer I had borrowed from her for my birthday party. While unloading my car, I accidentally spilled cooking oil from the air fryer onto the street (the whole air fryer collapsed, and I got oil all over my clothes and naturally it spilled onto the asphalt). This was an unfortunate and unintentional accident that was cleaned up promptly. However, I only later learned that this event was misconstrued by the neighbors as an attempt by my nephew to repair vehicles on the street, for profit—a claim that has no basis in reality.

Perhaps the most unfortunate part of this whole story is that about a year ago, I watched the same neighbors complain about many items, but more specifically about my sister's late dog allegedly barking at all hours of the day. The irony is that the dog has since gone (had to be put down due to the neighborhood complaints), but I have visited my sisters home several times over the past year and can still hear the

barking, in fact, I heard this barking on the night of November 29th well past 11pm – coming from one of the neighbors' homes...

As a long-time resident of Orange County and a business owner, I find it disappointing that such baseless complaints are being used to cast doubt on the responsible operation of my sister's property. These complaints lack merit and evidence, relying instead on mischaracterizations and conjecture.

I appreciate your time and urge the Commission to consider the facts rather than the neighbors' baseless claims in evaluating this matter.

Sincerely,

Haseeb Qureshi

[REDACTED]
[REDACTED]
[REDACTED]

12/03/2024

Benjamin Koff

From: Naseer Qureshi [REDACTED]
Sent: Tuesday, December 3, 2024 5:27 PM
To: Benjamin Koff
Subject: [EXTERNAL MAIL]Party at my daughter's home

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I was asked by my daughter to write this:

On November 29, 2024 my wife and I visited my daughter Faiqa's home, located at 1850 Edgecliff Drive in Fullerton for a thanksgiving family get-together. We stayed at her home till 10pm while my other children were still there and they left very late. I am very saddened to write this to prove that we were at my daughter's home just because she looks different from her neighbours. We are now afraid to visit her and put her through the agony of someone complaining.

Sincerely,
Naseer Qureshi

Benjamin Koff

From: [REDACTED]
Sent: Monday, December 2, 2024 12:33 PM
To: Benjamin Koff
Subject: [EXTERNAL MAIL]Short-Term Rental - 1850 Edgecliff Drive

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Dear Staff and Planning Commissioners,

I would like to appear in person for this hearing, but I had a previous commitment which I could not move. Therefore, I would like to write in opposition to the renewal of this whole house short-term rental permit.

I spoke at the original hearing, and I outlined my concerns about this property. The owners had a well-documented history of operating without a permit. They explained that oversight as a misunderstanding of the process and an original permit application that was not in good order. The property also had several noise complaints and calls for Police services numbering close to 12 in the preceding 18 months since they moved into the home. Prior to the Airbnb they had attempted to use their home as an event center for wedding and large parties. Some of those events would go on well past midnight and resulted in the complaints and calls for police services.

Beyond the noise complaints it was well documented that the young adult son was operating an illegal car repair business in front of the house. That behavior continues to this day. In fact, it is my understanding that a large oil spill required the public works department to come out and apply a slurry seal to abate the problem.

[REDACTED], I was highly disappointed on how the original hearing was conducted and how it turned out. My first disappointment was with the staff handling of the matter in their report to the commissioners. This application had been turned down twice prior to approval. For all the reasons mentioned above. Staff had frequently told the neighbors that they understood the issues and would recommend disapproval of the 3rd application. The applicant explained away the prior disapprovals as just being minor flaws in the prior applications. While there was a significant amount of turnover in City Staff during that time, the fact remains that there was a history of non-compliance on multiple matters. But rather than fully document those issues for the Planning Commissioners, staff did a very surface level summary and made no recommendation on this application.

My Second disappointment was with the planning commission hearing itself. Rather than demand answers from staff regarding the prior history, it seemed that multiple commissions were willing to accept at face value the representations by the applicant that the two prior declinations were due to administrative errors rather than prior behavior at the property. When staff didn't have the information on prior police calls, the commissioners moved on without much weight put on that bit of history. Finally, one commissioner was actively talking with the applicant prior to the hearing and being encouraged to ignore the complaints of the neighbors as nothing more

than personal vendettas. Finally, when an appeal was filed with the City Council, we were informed that no appeal was possible under the statute. Well at least that has since been corrected.

In summary not much has changed. The applicant has been less active in renting, but renters still park on the street in front of other homes. They occasional rent to people that will smoke pot outside which spread to the surrounding homes next door. The son still repairs cars in the driveway and street outside the home. When challenged by the neighbors about that activity, he has become very hostile and dropped multiple F-bombs directed at the neighbor, code enforcement, the city and planning commission.

When we tolerate bad behavior, we get more bad behavior. I would hope that the Staff would do a complete job of documenting the prior violations going back to the purchase of the property by the applicant. Given what I know to be in the records, I would appreciate the staff making a clear recommendation for disapproval of this renewal application. Finally, I would hope the Planning Commissioners would be more attuned to the prior history and less inclined to grant the benefit of the doubt to the applicant.

Thank you for considering the impact on the neighborhood and please restore the tranquility by revoking this permit.

Off the record, this neighbor, especially the son has shown a strong prior history of verbal harassment. Therefore, I respectfully request that my email address, phone, and home address be redacted. [REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Any commissioner that has questions is free to call me on my cell phone or office number below.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Dear Mr. Koff and the City of Fullerton Planning Commission:

Project Reference NO: STR-2023-0038, whole-home, short-term rental at 1850 Edgecliff Drive.

We are still strongly **against** the approval of a request for a Whole-Home Short-Term-Rental at 1850 Edgecliff Drive. We have lived on Edgecliff Drive for over 57 years. We have seen homeowners come and go. Singles, couples, families, extended families-key word families. We take care of our homes. We love our homes. We live in our homes. We were against previous request for short-term and are even more against the whole-home short-term rental.

Approving this would turn our quiet residential street into a busy, car-filled, noise-filled, stranger-filled carnival of sorts on a weekly basis. Current residents have to remember to not leave any of their vehicles in the street overnight (including guests) or leave them there on Tuesdays for street cleaning. Our driveways were not created with so many vehicles in mind. Vehicles will likely be overflowing onto the street and left overnight, ignoring the rules and citations most-likely never collected. Renting an entire home this large would lead to multiple visiting vehicles.

Approving this would turn a beautiful home into a massive party house on the hill. The noise and disturbances are inevitable. We now have more visitors than ever that show up on July 4th to enjoy the fireworks from the top of the hill. That is once a year. We can deal with that. A short-term rental would affect our neighborhood wellbeing, health and safety.

Even if you have regulations in place, how will they be enforced? How will you be able to notify owners who are not in compliance? How would turning this home into a short-term rental benefit the city of Fullerton? How would it benefit anyone other than the current owners? Departments everywhere are already understaffed and underfunded, lacking resources to enforce ordinances.

How will you be able track continuous complaints on short-term rentals? Many owners of these types of rentals just ignore ordinances knowing there is such a back-log that there is no need for accountability.

So many other cities are unapproving/declining requests for VRBO/Airbnb rentals under the guise of 'short-term-rentals'.

A while back we were told by the City of Fullerton (on their most recent visit) that there are sewers in the neighborhood that have been combined since the 50's. This already creates overflow problems to homes in proximity to the existing (old) sewers. Short term tenants would not be concerned with the outcomes of their actions as they would be long gone when a problem would arise that would not only affect them but several residents of the neighborhood.

How could anyone think this would be a good idea? We hope you will take into consideration the livelihood of our neighborhood and not approve this request for a short-term rental.

Sincerely,
The Blangy Family, [REDACTED]

Benjamin Koff

From: Jacki O. [REDACTED]
Sent: Wednesday, December 4, 2024 8:10 PM
To: Benjamin Koff
Subject: [EXTERNAL MAIL]1850 Edgelcliff Dr. Fullerton Project #STR-2023-0038

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12/4/2024

Re: Project #STR-2023-0038

1850 Edgelcliff Dr., Fullerton

Dear Benjamin, or to whom it may concern:

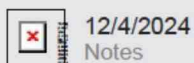
Last year, I was informed that Faiqa Siddiqui, the owner of 1859 Edgelcliff, spoke on my behalf regarding Airbnb's impact on the value of the house and the surrounding properties. I want to categorically denounce the claim that she made that I said such a statement. During my conversation with Ms. Siddiqui, she asked me if an ADU (Accessory Dwelling Unit) would help increase the value of a house and possibly improve the neighborhood. I responded that an ADU could indeed increase the value of a home and would be a comparable addition for the neighborhood. However, I never stated that having an Airbnb would increase the neighborhood's value.

I am fully aware that cities have been cracking down on Airbnb rentals due to concerns about noise and potential crime.

I am currently out of town, but I would have attended the council meeting to speak on my behalf and set the record straight. Thank you for your time and consideration.

Sincerely,

Jacki "O" Orzechowski
The First Lady of Real Estate
[REDACTED]



Jacki O. (Jacqueline Orzechowski)

TNG Real Estate Consultants

[REDACTED]

[REDACTED] For Correspondence

[REDACTED] For Contracts & Large Files

Cell: [REDACTED]

[REDACTED]

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