



Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
FAX: (760) 872-2712
E-Mail: inyoplanning@inyocounty.us

AGENDA ITEM NO.: 5(Action Item – Public Hearing)

**PLANNING COMMISSION
 MEETING DATE:** April 24, 2019

SUBJECT: Non-Hosted Short-Term Rental Permit
 No. 2018-07/Jellison

EXECUTIVE SUMMARY

The applicant has applied for a Non-hosted Short-Term Vacation Rental permit, located at 2476 Dixon Lane and 2478 Dixon Lane, in Bishop. This permit is required for the applicant to begin renting residential space for periods of 30-days or less, and to achieve compliance with Inyo County Code Chapter 18.73.

PROJECT INFORMATION

Supervisory District: 1
Project Applicant: Robert Jellison
Site Address: 2476 Dixon Lane and 2478 Dixon Lane
Community: Bishop, CA
A.P.N.: 010-081-40
General Plan: Residential Medium Density (RM)
Zoning: RMH Single Residence or Mobilehome 7,200 (RMH-7,200)
Size of Parcel: Approximately 0.35-Acres

SURROUNDING LAND USE:

Location:	Use:	Gen. Plan Designation	Zoning
Site	Residential	Residential Medium- Density (RM)	Single Residence or Mobilehome Combined – 7,200 square foot minimum (RMH-7,200)
North	Agriculture	Natural Resource (NR)	Open Space -40 Acre Minimum
East	Residential	Residential Medium- Density (RM)	Single Residence or Mobilehome Combined – 7,200 square foot minimum (RMH-7,200)

South	Residential	Residential Medium- Density (RM)	Single Residence or Mobilehome Combined – 7,200 square foot minimum (RMH-7,200)
West	Residential	Residential Medium- Density (RM)	Single Residence or Mobilehome Combined – 7,200 square foot minimum (RMH-7,200)

Staff Recommended Action: 1.) Approve the Non-Hosted Short-Term Vacation Rental Permit 2018-07/Jellison

Alternatives:

- 1.) Deny the Non-Hosted Short-Term Vacation Rental Permit
- 2.) Approve the Non-Hosted Short-Term Vacation Rental Permit with additional conditions of approval
- 3.) Continue the public hearing to a future date, and provide specific direction to staff regarding what additional information and analysis is needed.

Project Planner: Ryan Standridge

STAFF ANALYSIS

Background and Overview

The applicant has applied for and received a Hosted Short-Term Vacation Rental Permit from the Inyo Planning Department, for the residence located at 2476 Dixon Lane and 2478 Dixon Lane in Bishop. There is a primary residence with an Accessory Dwelling unit which the applicant would like to rent as a non-hosted vacation rental. This structure was built in compliance with the standards set by the Inyo County Building and Safety Department and the Inyo County Environmental Health Department.

The proposed application for a Non-Hosted Short-Term Vacation Rental Permit aligns with Inyo County Code Section 18.73-*Short-Term Rental of Residential Property*, which allows for the rental of dwelling unit where the owner of the dwelling unit does not concurrently occupy the dwelling unit with the transient lodger. The application for this non-hosted rental has met the requirements of the Inyo County Planning Department and, per County Code Section 18.73.060, and now requires that the Inyo County Planning Commission give final approval in order to issue the Non-Hosted Short-Term Vacation Rental Permit.

The residence is in a location surrounded by developed residential parcels to the north, south east and west. The residence is in the Bishop community.

General Plan Consistency

The goal of this review is to allow the applicant to rent residential space in compliance with the County’s zoning ordinance. The project is consistent with Short-Term Rental Ordinance, which

was added as Chapter 18.73 of the Inyo County Code, following approval by the Inyo County Board of Supervisors on February 20, 2018. This use will not conflict with the General Plan designation of Residential Medium Density (RM) as it does not change the size or density of the residential development currently on the site and in the General Plan.

Zoning Ordinance Consistency

The applicant's residence is zoned RMH Single Residence or Mobilehome (RMH-5,800), which is defined as an eligible zoning area for short term rentals. The current use will not change and therefore remains consistent with the current zoning ordinance.

ENVIRONMENTAL REVIEW

As per Section Two of the approved County Ordinance (Chapter 18.73), the Hosted/Non-Hosted Short-Term Rental Permit 2018-07/Jellison was reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA guidelines, and the County's environmental procedures, and was found to be exempt pursuant to Section 15061(b)(3) (general rule) of the CEQA guidelines, as it constitutes an extension of residential use, with no new development, and can be seen with certainty that there will be no significant effect on the environment.

RECOMMENDATION

Find the proposed project is exempt from the requirements of the California Environmental Quality Act; make the findings specified below; and, approve Non-Hosted Short-Term Vacation Rental Permit 2018-07/Jellison, subject to the Conditions of Approval:

Recommended Findings for NH-STR 2018-07/Jellison:

1. The proposed Non-Hosted Short-Term Vacation Rental Permit is exempted from further CEQA review, and the provisions of the California Environmental Quality Act have been satisfied.
[Evidence: Pursuant to Section 15061(b)(3) (general rule) of the CEQA guidelines, the proposed permit application constitutes an extension of residential use with no new development or change in density and can be seen with certainty that there will be no significant effect on the environment.]
2. The proposed Non-Hosted Short-Term Vacation Rental Permit is consistent with the Inyo County General Plan Land Use Designation of Residential Medium Density (RM).
[Evidence: The proposed project is consistent with the goals and policies of the General Plan's Land Use designation of Residential Medium Density, which allows single family dwellings within urban type areas. The applicant's proposal to rent the primary dwelling unit is consistent with Inyo County's General Plan designation for Residential Medium Density, designation of Residential Medium Density, which allows for 4.6 to 7.5 dwelling units per acre. The applicant's proposal is to have one primary and one accessory dwelling unit on the parcel, and is consistent with Inyo County's General Plan designation for this property and in accordance with Government Code Section

65852.2.(a)(8) An accessory dwelling unit that conforms to this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot.]

3. The proposed Non-Hosted Short-Term Vacation Rental Permit is consistent with the Inyo County Zoning Ordinance.

[Evidence: The approved ordinance of Short-Term Rentals (Transient Occupancy – a rental for 30-Days or less), as adopted by the Board of Supervisors on February 20, 2018, allows for the short-term rental of residential dwellings in the Zoning Districts of: One Family Residential (R1), Single Residence and Mobile Home Combined (RMH), Rural Residential (RR), Rural Residential Starlite Estates (RR- Starlite), and the Open Space Zone (OS) with a conditional use permit. The applicant’s property is zoned Single Residence and Mobile Home Combined and is therefore consistent with Inyo County’s zoning ordinance upon receiving the conditional use permit.]

4. The proposed Non-Hosted Short-Term Vacation Rental Permit is necessary or desirable.

[Evidence: With the proliferation of Short-Term Vacation Rentals through on-line hosts, such as Air B&B, etc., the Board of Supervisors found it necessary and desirable to create an ordinance that regulated transient occupancy. The proposed non-hosted vacation rental permit application is consistent with the requirements stipulated in the short-term rental ordinance, as adopted by the Board of Supervisors in February 2018.]

5. The proposed Non-Hosted Short-Term Vacation Rental Permit is properly related to other uses and transportation and service facilities in the vicinity.

[Evidence: The proposed Non-Hosted Short-Term Vacation Rental Permit is properly related to transportation and service facilities and will not adversely affect these facilities. All completed applications for Hosted/Non-Hosted Short-Term Rental Permits require site plans that demonstrate the availability of on-site parking at the applicant’s residence.]

6. The proposed Non-Hosted Short-Term Vacation Rental Permit would not under all the circumstances of this case, affect adversely the health or safety of persons living or working in the vicinity or be materially detrimental to the public welfare.

[The proposed Non-Hosted Short-Term Vacation Rental Permit does not adversely affect public health or safety of persons living in the vicinity. The Inyo County Public Health Department evaluated the application for sewer, septic, and water issues and found no problems with the application. The rental unit, was evaluated by the County’s Building and Safety Department and no problems were identified.]

7. Operating requirements necessitate the proposed Non-Hosted Short-Term Vacation Rental Permit for the site.

[Evidence: Use of the applicant’s property for non-hosted short-term rental requires the Non-Hosted Short-Term Vacation Rental Permit, as per Chapter 18.73 of the Inyo County Code.]

CONDITIONS OF APPROVAL

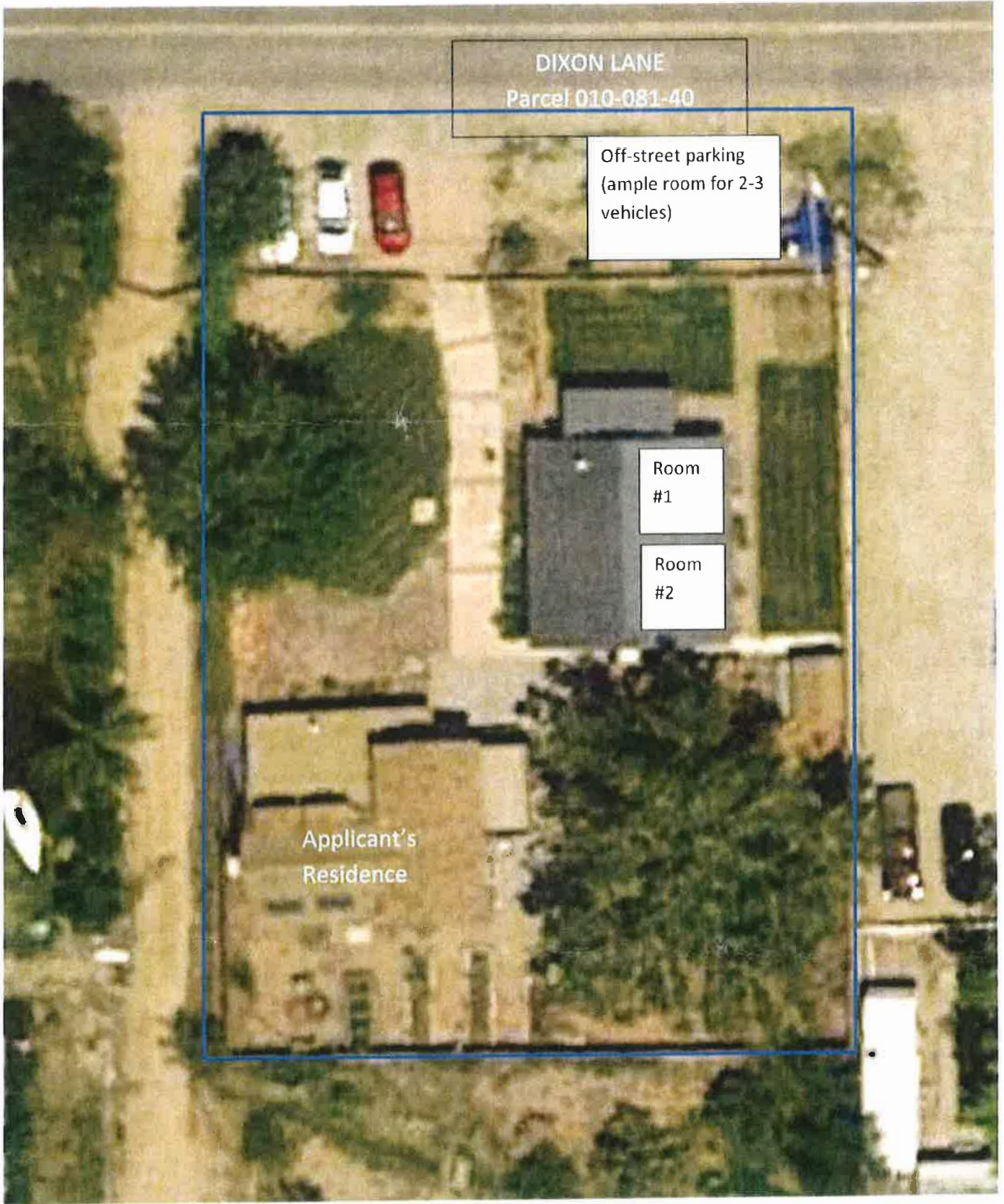
1. The applicant, landowner, and/or operator shall defend, indemnify and hold harmless Inyo County agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul an approval of the county, its advisory agencies, its appeals board, or legislative body concerning Non-Hosted Short-Term Vacation Rental Permit No. 2018-07/Jellison. The County reserves the right to prepare its own defense.
2. The applicant shall conform to all applicable provisions of Inyo County Code, failure to do so could cause the revocation of the permit. If the use provided by this Non-Hosted Short-Term Vacation Rental Permit is not established within one year of the approval date it will be become void.

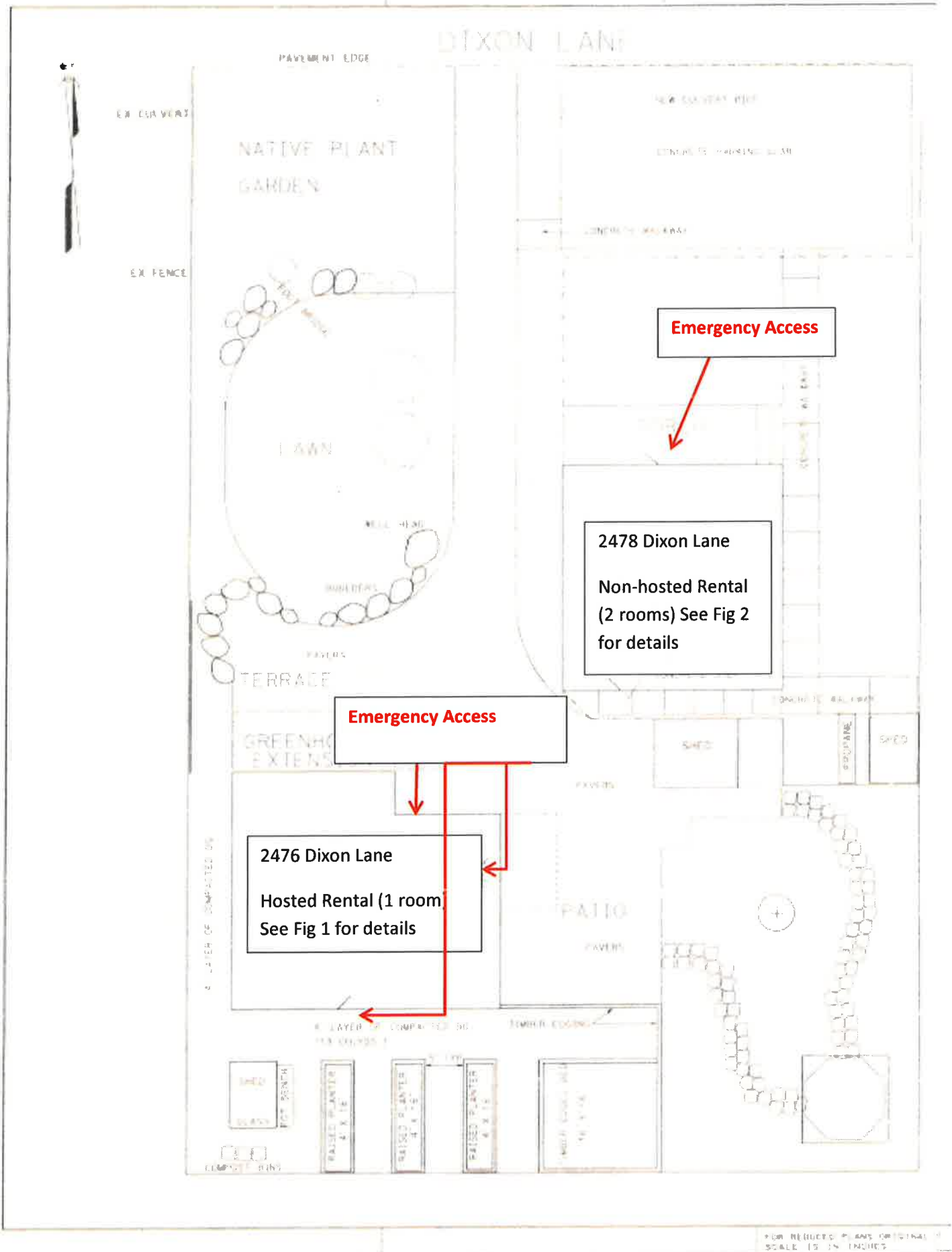
SUMMARY

Staff recommends that the Planning Commission make certain findings with respect to and approve Non-Hosted Short-Term Vacation Rental Permit No. 2018-07/Jellison and find it exempt from CEQA.

EXHIBITS

- A. Vicinity Map
- B. Site plan
- C. Rules





Emergency Access

2478 Dixon Lane
Non-hosted Rental
(2 rooms) See Fig 2
for details

Emergency Access

2476 Dixon Lane
Hosted Rental (1 room)
See Fig 1 for details

The following house rules will be posted online at the rental site and inside the front door or the rental units.

House Rental Rules

Complying with these House Rules is a requirement of the rental agreement. Failure to adhere to the below Rules may result in penalties such as deductions from the security deposit.

General Requirements

- a) All guests (and visitors) must comply with all House Rules and any other instructions from the Property Manager during their stay.
- b) Guests must notify the Owner and Property Manager of any disputes or complaints from neighbors as soon as reasonably practicable.
- c) Only the number of overnight guests specified in the reservation are allowed.
- d) A maximum of two (2) guests per guest room are allowed (excluding children <3 yr old).
- e) No smoking is allowed inside premises (allowed on porch).
- f) No pets are allowed.
- g) Check-in time is 3:00 PM unless prior arrangements have been made.
- h) Checkout time is 11:00 AM

Emergency Contacts

- a) Robert Jellison, Owner & Property Manager (760) 937-4640;
rjellison.us@gmail.com
- b) Irene Yamashita, Owner & Property Manager (760) 937-4650;
ireneyams@gmail.com

Noise, trash, and the Neighborhood

This rental property is located in a quiet residential neighborhood.

- a) Guests shall observe quiet hours from 9PM to 7AM.
- b) Outdoor amplified sound is prohibited.
- c) Outdoor fires are prohibited.
- d) Trash and recycling bins are located inside the fence on the northeast corner of the property.
- e) Overnight parking is only allowed in the provided parking area and is limited to one car per guestroom.