



CITY OF GRASS VALLEY

APPEAL FORM

City Clerk's Office
125 East Main Street
Grass Valley, CA 95945

You may use this form, or provide a letter that includes the following information, to appeal a decision made by the Community Development Director, Development Review Committee or Planning Commission. All appeals shall be filed with the Community Development Department, or to the City Clerk's Office to appeal a Planning Commission action, within fifteen (15) calendar days following the date of the decision. The appeal shall include the specific action or decision, and describe the reasons for the appeal. Provide this form or a letter, along with the current appeal fee to initiate the appeal.

I, Cherie Kraus 115 High St. GV
(Printed Name of Appellant) Hereby appeal the below noted action(s):

Date of City Action: Jan. 24, 2024

Project Name/Application No. (s): 23 PLN-0046

Permit Type (Use Permit, Subdivision map, etc.): minor use for Heather Aldi

Mailing Address: 438 Neal St. GV ←

Phone: _____ Email: _____

Purpose of the Appeal (List Specific Issue): _____

Please see attached

Signature of Appellant Cherie Kraus Date: Feb. 8, 2024

For City Staff Use Only

Date: 2/8/2024 Receipt No.: R00073279 Received by: MB Fee Paid: 440

**Appeal of a Multiple Use Permit
for a vacation rental to be operated at
438 Neal Street
and approved on
01/24/2024**

The following includes all the information requested in the appeal form available from the Grass Valley City Clerk's Office. The names of the appellants, and their contact information and signatures, are included at the end of this submission.

Basis for Appeal

Please review the highlighted/bolded sections on the Grass Valley code, on the following pages.

Situation

Multiple use permits aren't intended to be granted without scrutiny. The permit being appealed doesn't comply with the highlighted criteria on the following pages, and should be denied.

In this case, the applicants are successful real estate professionals who are starting a different turn-key business located hundreds of miles away from where they live. They will not be here to do any of the actual work, and will probably be absentee landlords who are collecting income from a vacation rental management service which will run the entire operation for them.

Their livelihood is not dependent on operating the business they desire to open – which ironically, would be prohibited in their own neighborhood, located in Carmel by the Sea.

Jenny Scicluna, their local contact, is a hospitality director who says that she manages reservations, contracts, guests, and housekeeping.

This permit will allow a fully commercial vacation accommodations business, which will be run by a subcontractor, to open up in a currently quiet and entirely residential neighborhood.

In addition, the vacation rental business is dependent on favorable reviews. This adds a further bias toward putting the needs and wants of customers ahead of those living around the business.

The house will no longer be used as a residence, it will be an overnight accommodations facility for travelers who live elsewhere – who will have activities and schedules that are out of sync with the year-round residents, quietly living adjacent to the proposed accommodations.

The focus and goal of businesses is to earn income. This often creates conflicts with residential occupancies, which is why we try to keep the two uses geographically separated. There is no compelling reason to make an exception in this situation.

17.72.060 Use permits and minor use permits.

- A. Purpose. A use permit or minor use permit provides a process for reviewing uses and activities that may be appropriate in the applicable zone, but whose effects on a site and surroundings **cannot be determined before being proposed for a specific site**. Guarantees to ensure compliance with the terms and conditions of the permit may be required by the review authority in compliance with Section 17.74.050 (performance guarantees).
- B. Applicability. A use permit or minor use permit is required to authorize proposed land uses identified by Article 2 (zones, allowable land uses, and zone standards) as being **allowable in the applicable zone subject to the approval of a use permit or minor use permit**.
- C. ...
- D. ...
- E. ...
- F. Findings Required. Use permit or minor use permit approval shall require that the review authority first make all of the following findings:
 - 1. The proposed use is consistent with the general plan and any applicable specific plan;
 - 2. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this development code and the Municipal Code;
 - 3. The design, location, size, and **operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity**; and
 - 4. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), **to ensure that the density, intensity, and type of use being proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity** and zone in which the property is located.
- G. ...
- H. ...

17.44.205 Short-term rentals.

This section provides standards for short-term rentals where allowed by Article 2 (zones, allowable land uses, and zone standards).

- A. Purpose. This section provides standards for vacation rental homes and hosted short-term rental units as an alternative to hotels, motels, and bed and breakfast inns and establishes a minor use permit requirement and permit procedures for vacation rental homes. **The intent of this section is to minimize impacts on surrounding residential areas and to protect the residential character of the neighborhoods.** Each property is limited to one short-term rental, and short-term rental units are not permitted in ADUs/second units.
- B. ...
- C. Standards for Vacation Rental Homes.
 - 1. The property owner of a vacation rental home shall obtain approval of a minor use permit pursuant to Section 17.72.060 of the Grass Valley Municipal Code.
 - 2. A vacation rental home shall require a business license;
 - 3. The owner or manager of a vacation rental home shall be subject to applicable transient occupancy taxes, pursuant to Chapter 3.16 of the Grass Valley Municipal Code;
 - 4. The owner or manager must live within thirty miles of the vacation rental home. The owner shall provide to the city as part of the minor use permit, the name and telephone number of the local contact person who shall be responsible for responding to questions or concerns about the operations of the vacation rental home. The local contact person shall be available to accept and immediately respond to telephone calls on a twenty-four-hour basis at all times the vacation rental home is rented or occupied;
 - 5. The owner shall post up-to-date information in the rented room to assist renters in dealing with natural disasters, power outages, and other emergencies;
 - 6. No exterior signs advertising the business shall be allowed on the property;
 - 7. Off-street parking shall be provided as required by Section 17.36.040 (number of parking spaces required) for a vacation rental home;
 - 8. A vacation rental home with five or more guest rooms, or capacity for ten or more total occupants, including permanent residents, shall meet current fire and building codes, and accessibility requirements;
 - 9. Renters shall comply with the noise regulations in Chapter 8.28 of the Grass Valley Municipal Code;
 - 10. **The vacation rental home shall operate without unduly interfering with the surrounding residential neighborhood;** and
 - 11. Pursuant to the intent of Government Code Section 65852(e)(D)(4), second units are prohibited from being used for vacation home rentals.
- D. ...

Map of Parking Limitations

The area around the proposed business has much less parking available than the generic circumstances which were assumed for vacation rentals in general. High Street is already impacted daily by people who live along Neal Street or on the far side of Main Street.

It is even worse when there are events downtown or at the Center for the Performing Arts.



Purpose of this Appeal

All of the appellants are concerned that the proposed use is not compatible with the existing and future land uses in the vicinity; that it will damage the character of our neighborhood; and that it will be materially injurious to our persons, property, and our use of our own existing homes.

Vacationing customers will disrupt the current character of the surrounding neighborhood.

This neighborhood is characterized by people who have owned and lived in their homes for many decades. Currently, only a single property on High Street is occupied by other than the homeowner(s) and/or their family, and it has stable, quiet, friendly, long-term tenants.

We are all familiar with each other and enjoyed several neighborhood barbecues last year.

Several neighbors, who live adjacent to the proposed business, go to bed early because they leave for work before 7 am.

In contrast, the vacationers may arrive late at night, after traveling here, visiting a ski resort, or going to concerts and events. This may involve a lot of doors opening and closing, banter and commotion while getting situated, and other disturbances, such as car alarms chirping on or off.

In addition, the vacationers will keep different hours and have different priorities from those of us living near their accommodations. From their perspective, a loud gathering they have is a single occurrence, without considering that we are also subjected to other customers' parties. And, since it is a special occasion for them, they will expect their desires to be accommodated.

The associated business activities will disrupt our lives unpredictably.

Workers associated with the business will show up at irregular times, based on when customers are scheduled to arrive at and/or leave the accommodation facility. This may cause business-related disturbances early or late in the day, or on weekends.

Work will typically be done between customers, so the workers won't be as concerned about keeping regular hours or being quiet, as they would at a house which was being lived in.

The management service and their employees will undoubtedly have other responsibilities in other facilities, rather than being focused solely on this facility and its neighborhood, as a long-term resident would be. Finishing their job in the most convenient manner will be more important to them than reducing their impact on the people living nearby.

Those of us currently living in the immediate area routinely check with each other when we see something of concern, such as if our neighbor is having plumbing repairs or other work done.

In addition to all the unfamiliar vacationing customers, we will have the comings and goings of service people associated with running the accommodation facility. This will complicate keeping up with each other and increase the unknown activities and people we are subjected to.

Traffic and parking along High Street and Neal Street are not like other neighborhoods, and this creates an individual situation which can't support the proposed business.

The insufficient parking available on both Neal and Main Streets means that their residents are using High Street as their regular and primary parking area. Many of us have dealt with cars parked in ways that prevented us from entering or leaving our driveway.

Many people who attend events downtown or at the Center for the Performing Arts park on High Street. When there are events, we have learned to move our cars into open parking places on the street during the day – if possible – so visiting friends can park in our driveways.

Although the application complies with generic parking requirements, those requirements are inadequate for a business located on Neal Street since it has no on-street parking available for their customers to use, if needed.

The applicant acknowledged, at the initial hearing, that their customers may end up parking in ways which cause problems for those of us who live near her business. She said she could leave placards for the customers to place on their dashboards, so we would know where to find a car owner, if need be.

This indicates that the business owners are aware of the likelihood that their customers will impact the people living nearby. Unfortunately, placing a placard on their dashboard may be construed by their customers as a way to get away with parking inappropriately.

Having a Vacation Rental Business in our neighborhood will be materially injurious to the improvements, persons, property, or uses in the vicinity

Many of us have invested in improvements to our houses and worked hard to fix up our yards. Our homes are our nest eggs and our pride, not simply a remote source of additional income.

Having a vacation industry facility in our midst will both reduce the monetary values of our properties values and discourage potential buyers from wanting to live in our neighborhood.

The unpredictable bustle of customers and workers will reduce our ability to relax and enjoy our homes and yards; and the unpredictable addition of unknown people and activities caused by that business's customers and workers will cause us stress.

Our quiet neighborhood will no longer be residential. It will be disrupted with the addition of a temporary vacation industry accommodations facility, with its associated employees and customers who are out of sync with our daily routines and our peaceful residential lifestyle.

Appellants

Contact information

Signature

Cherie Kraus
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Cherie Kraus

Rick Kraus

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Phil Champagne

Holly Champagne

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no email
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John McAlister

Michael McAlister

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Grass Valley, CA 95945

Debra L. Fordyce

Appellants
(continued)

Contact information

Signature

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Grass Valley, CA 95945

Cheryl Wicks

Curt Romander

August Brooks
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August Brooks

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no email
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motral@yahoo.com
435 Main Street Street
Grass Valley, CA 95945

Lazelle Larkin

Thomas Larkin

Dan Walmsley



*(Dan is out of town and can supply a signature,
if needed, when he gets back)*

Information redacted
as signature was not
provided

Appellants
(continued)

Contact information

Signature

Bruce Bottrell
(530) 477-7942
bruce@bottrell.org
120 and 122 High Street
Grass Valley, CA 95945

Michael (Bruce) Bottrell

Appellants
(continued)

Contact information

Eli Gallup
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eligallup@yahoo.com

Emily Gallup

[REDACTED]

Information redacted
as signature was not
provided

No email
432 Neal Street
Grass Valley, CA 95945

Signature

Eli Gallup

is unavailable at this time



**MINOR USE PERMIT
HEARING
STAFF REPORT
January 24, 2024**

Prepared by: Lucy Rollins, Senior Planner

DATA SUMMARY

Application Number: 23PLN-46
Subject: Short Term Rental application
Location/APNs: 438 Neal Street / APN 008-335-019
Applicant: Heather Aldi
Zoning/General Plan: Neighborhood General 2 (NG-2) / Urban Low Density (ULD)
Entitlement: Minor Use Permit
Environmental Status: Categorical Exemption

RECOMMENDATION:

1. That the Director approve the Minor Use Permit for a Short Term Rental at 438 Neal Street as presented, or as may be modified by the Director, which includes the following actions:
 - a. Recommend that the Director determine the project Categorically Exempt pursuant to Section 15301, Class 1, of the California Environmental Quality Act (CEQA) and Guidelines, as detailed in the Staff Report;
 - b. Recommend that the Director adopt Findings of Fact for approval of the Minor Use Permit as presented in the Staff Report; and,
 - c. Recommend that the Director approve the Minor Use Permit in accordance with the Conditions of Approval, as presented in this Staff Report.

BACKGROUND:

The two-story, three-bedroom home at 438 Neal Street was constructed in the late 1800s. The property also includes a 392-square foot detached garage. In 2001, an application was submitted to replace the foundation under the house. At that time, the applicant provided drawings that show that the on-site driveway is 47 feet in length by 14 feet in width, providing two off-street parking spaces per city standards. The detached garage provides a third off-street parking space.

PROJECT PROPOSAL:

The applicant has proposed to operate the home as a 3-bedroom short term rental to be managed by a local manager.

Regulatory Authority: Pursuant to Section 17.72.060 of the Grass Valley Municipal Code (GVMC), a minor use permit is to be reviewed and approved or denied by the director. Any approval may include conditions.

GENERAL PLAN AND ZONING:

General Plan: The Grass Valley 2020 General Plan identifies the site as Urban Low Density Residential (ULD). The ULD General Plan designation is intended primarily for single family detached houses, although higher density single family patio homes or town houses could be accommodated, if offset with sufficient open space to maintain the gross density within the indicated range.

Zoning: The intent NG-2 Zoning designation is to strengthen the character of existing historic neighborhoods within Grass Valley. The NG-2 zone permits a range of residential uses and residential-adjacent uses including day care homes, bed and breakfast inns, hosted short-term rentals, and vacation home rentals.

Section 17.44.205 of the GVMC requires vacation home rentals, or short-term rentals, to acquire a minor use permit and business license prior to operation. The intent of this section is to minimize impacts on surrounding residential areas and to protect the residential character of the neighborhoods. The owner or manager of the short-term rental must live within thirty miles of the rental home and must provide contact information to the city. One off-street parking space must be provided for each guest room; parking may be accommodated through on-site tandem parking (Section 17.36, Table 3-3). Renters of short-term rentals must comply with noise regulations identified in Section 8.28.060 for residential zones (55dBA), including reduced ambient noise levels (45 dBA) between 8 p.m. and 7 a.m.

SITE DESCRIPTION AND ENVIRONMENTAL SETTING:

The site is built out with a 2,070 square foot, 2-story single family home fronting the intersection of Neal Street and High Street. At the rear of the property, at the end of the driveway, there is a 392 square foot detached garage.

ENVIRONMENTAL DETERMINATION:

The proposed project qualifies for a Categorical Exemption pursuant to Section 15301, Class 1, of the California Environmental Quality Act (CEQA) and Guidelines. A Class 1 Categorical Exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alternation of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The proposed short-term rental converts the operation of the home from owner- to renter-occupied. Therefore, will not result in expansion of use of the residential property.

FINDINGS:

1. The City received a complete application for Minor Use Permit Application 23PLN-46.
2. The Director reviewed Minor Use Permit Application 23PLN-46 at the scheduled hearing on January 24, 2024.
3. The Director reviewed the project in compliance with the California Environmental Quality Act and concluded that the project qualifies for a Class 1, Categorical Exemption in accordance with the California Environmental Quality Act and CEQA Guidelines.
4. The proposed use is consistent with the City's General Plan and any applicable specific plan.
5. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this development code and the Municipal Code.
6. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity.
7. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the density, intensity, and type of use being proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zone in which the property is located.

B. RECOMMENDED CONDITIONS:

1. The detached garage must remain accessible and available for short-term renters to utilize as a parking space.
2. The applicant agrees to defend, indemnify, and hold harmless the City of Grass Valley in any action or proceeding brought against the City of Grass Valley to void or annul this discretionary land use approval.

ATTACHMENTS:

1. Vicinity Map
2. Aerial Map
3. Universal Application
4. Minor Use Permit Application
5. Vacation Rental Home Compliance Checklist
6. Signed Vacation Rental Home Standards
7. Transit Occupancy Tax Registration
8. Report of Transit Occupancy Tax
9. Business License Application
10. Public Comment

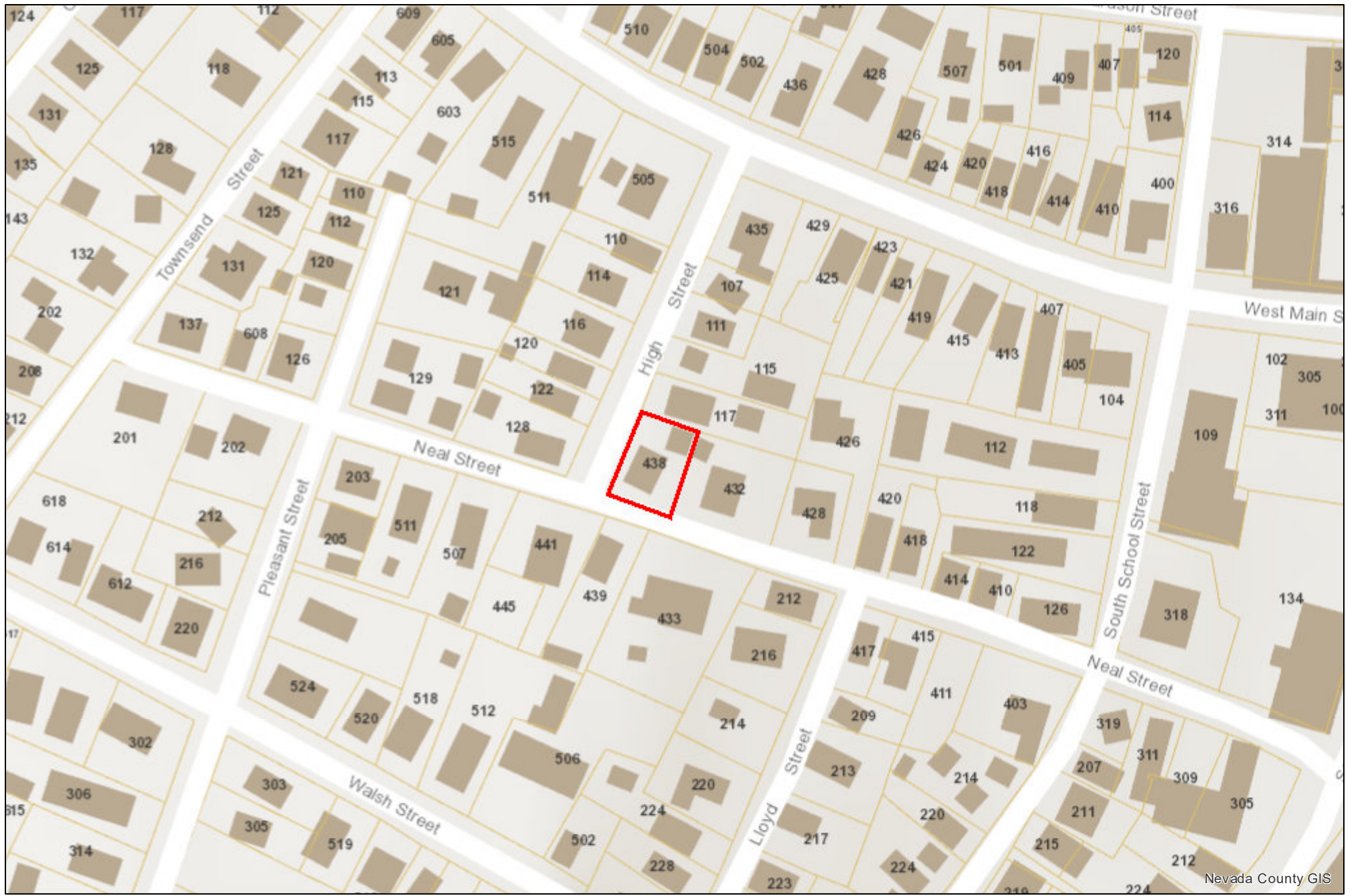
438 Neal Street

Short Term Rental

Attachments

1. Vicinity Map
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438 Neal Street Vicinity

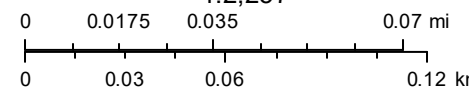


Nevada County GIS

January 17, 2024

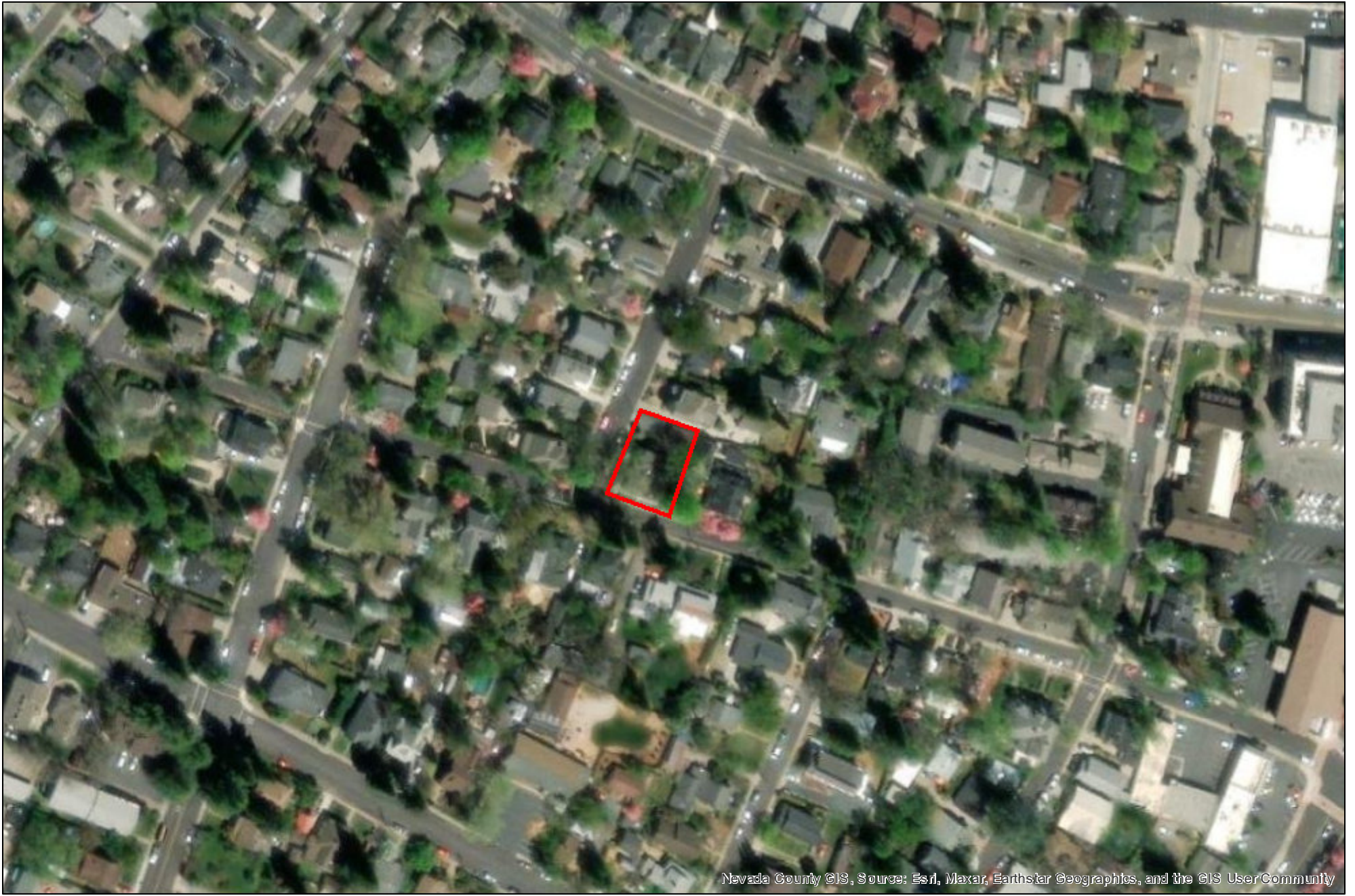
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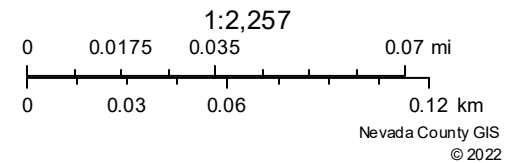
Nevada County GIS
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438 Neal Street Aerial



Nevada County GIS, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

January 17, 2024
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UNIVERSAL PLANNING APPLICATION

* DUE WITH EVERY PLANNING APPLICATION *



Application Types

Administrative

- Limited Term Permit
\$698.00
- Zoning Interpretation
\$224.00

Development Review

- Minor Development Review – 10,000 or less sq. ft.
\$1,813.00
- Major Development Review – over 10,000 sq. ft.
\$3,293.00
- Conceptual Review - Minor
\$459.00
- Conceptual Review – Major
\$782.00
- Plan Revisions – Staff Review
\$316.00
- Plan Revisions – DRC / PC Review
\$831.00
- Extensions of Time – Staff Review
\$282.00
- Extensions of Time – DRC / PC Review
\$607.00

Entitlements

- Annexation
\$7,843.00 (deposit)
- Condominium Conversion
\$4,923.00 (deposit)
- Development Agreement – New
\$18,463.00 (deposit)
- Development Agreement – Revision
\$6,903.00
- General Plan Amendment
\$7,377.00
- Planned Unit Development
\$8,150.00 (minimum charge) + 100.00 / dwelling
unit and / or \$100 / every 1,000 sq. ft.
commercial floor area
- Specific Plan Review - New
Actual costs - \$16,966.00 (deposit)
- Specific Plan Review - Amendments / Revisions
Actual costs - \$6,986.00 (deposit)
- Zoning Text Amendment
\$3,102.00
- Zoning Map Amendment
\$5,073.00

Environmental

- Environmental Review – Initial Study
\$1,713.00
- Environmental Review – EIR Preparation
\$31,604.00 (deposit)
- Environmental Review - Notice of Determination
\$149.00 (+ Dept. of Fish and Game Fees)
- Environmental Review - Notice of Exemption
\$149.00(+ County Filing Fee)

Sign Reviews

- Minor – DRC, Historic District, Monument Signs
or other districts having specific design criteria
\$313.00
- Major – Master Sign Programs
\$1,279.00
- Exception to Sign Ordinance
\$964.00

Subdivisions

- Tentative Map (4 or fewer lots)
\$3,493.00
- Tentative Map (5 to 10 lots)
\$4,857.00
- Tentative Map (11 to 25 lots)
\$6,503.00
- Tentative Map (26 to 50 lots)
\$8,915.00
- Tentative Map (51 lots or more)
\$13,049.00
- Minor Amendment to Approved Map
(staff) \$1,114.00
- Major Amendment to Approved Map
(Public Hearing) \$2,436.00
- Reversion to Acreage
\$765.00
- Tentative Map Extensions
\$1,047.00
- Tentative Map - Lot Line Adjustments
\$1,200.00

Use Permits

- Minor Use Permit - Staff Review
\$480.00
- Major Use Permit - Planning Commission Review
\$3,035.00

Variances

- Minor Variance - Staff Review
\$518.00
- Major Variance - Planning Commission Review
\$2,029.00

Application	Fee
Total:	\$ 480

Below is the Universal Planning Application form and instructions for submitting a complete planning application. In addition to the Universal Planning Application form, a project specific checklist shall be submitted. All forms and submittal requirements must be completely filled out and submitted with any necessary supporting information.

Upon receipt of the **completed forms, site plan/maps, and filing fees**, the Community Development Department will determine the completeness of the application. This review will be completed as soon as possible, but within thirty (30) days of the submittal of the application. If the application is determined to be complete, the City will begin environmental review, circulate the project for review by agencies and staff, and then schedule the application for a hearing before the Planning Commission.

If sufficient information **has not** been submitted to adequately process your application, you will receive a notice that your application is incomplete along with instructions on how to complete the application. Once the City receives the additional information or revised application, the thirty (30) day review period will begin again.

Since the information contained in your application is used to evaluate the project and in the preparation of the staff report, it is important that you provide complete and accurate information. Please review and respond to each question. If a response is not applicable, N/A should be used in the space provided. Failure to provide adequate information could delay the processing of your application.

Additional information may be obtained at www.cityofgrassvalley.com regarding the 2020 General Plan and Zoning. You may also contact the Community Development Department for assistance.

ADVISORY RE: FISH AND GAME FEE REQUIREMENT

Permit applicants are advised that pursuant to Section 711.4 of the Fish and Game Code a fee of **\$3,539.25** for an Environmental Impact Report and **\$2,548.00** for a Negative Declaration* shall be paid to the County Recorder at the time of recording the Notice of Determination for this project. This fee is required for Notices of Determination recorded after January 1, 1991. A Notice of Determination cannot be filed and any approval of the project shall not be operative, vested, or final until the required fee is paid. This shall mean that building, public works and other development permits cannot be approved until this fee is paid. These fees are accurate at the time of printing, but **increase the subsequent January 1st** of each year.

This fee is **not** a Grass Valley fee; it is required to be collected by the County pursuant to State law for transmission to the Department of Fish and Game. This fee was enacted by the State Legislature in September 1990, to be effective January 1, 1991.

*If the City finds that the project will not have an impact on wildlife resources, through a De Minimus Impact Finding, the City will issue certificate of fee exemption. Therefore, this fee will not be required to be paid at the time an applicant files the Notice of Determination with the County Recorder. The County's posting and filing fees will still be required.

<u>Applicant/Representative</u>	<u>Property Owner</u>
Name: Heather Aldi	Name: Same
Address: 438 Neal St Grass Valley CA	Address: 7412 Cypress Ln Carmel CA 93923
Phone: 310 729 7353 95945	Phone: 310 729 7353
E-mail: HALDI@ZEARLY.com	E-mail: HALDI@ZEARLY.com

<u>Architect</u>	<u>Engineer</u>
Name:	Name:
Address:	Address:
Phone: ()	Phone: ()
E-mail:	E-mail:

1. Project Information

- a. Project Name _____
- b. Project Address _____
- c. Assessor's Parcel No(s) _____
(include APN page(s))
- d. Lot Size _____

2. Project Description List vacation rental on AirBnB

3. General Plan Land Use: _____

4. Zoning District: _____

4. **Cortese List:** Is the proposed property located on a site which is included on the Hazardous Waste and Substances List (Cortese List)? Y ___ N

The Cortese List is available for review at the Community Development Department counter. If the property is on the List, please contact the Planning Division to determine appropriate notification procedures prior to submitting your application for processing (Government Code Section 65962.5).

5. **Indemnification:** The City has determined that City, its employees, agents and officials should, to the fullest extent permitted by law, be fully protected from any loss, injury, damage, claim, lawsuit, expense, attorney's fees, litigation expenses, court costs or any other costs arising out of or in any way related to the issuance of this permit, or the activities conducted pursuant to this permit. Accordingly, to the fullest extent permitted by law, the applicant shall defend, indemnify and hold harmless City, its employees, agents and officials, from and against any liability, claims, suits, actions, arbitration proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including, but not limited to, actual attorney's fees, litigation expenses and court costs of any kind without restriction or limitation, incurred in relation to, as a consequence of, arising out of or in any way attributable to, actually, allegedly or impliedly, in whole or in part, the issuance of this permit, or the activities conducted pursuant to this permit. Applicant shall pay such obligations as they are incurred by City, its employees, agents and officials, and in the event of any claim or lawsuit, shall submit a deposit in such amount as the City reasonably determines necessary to protect the City from exposure to fees, costs or liability with respect to such claim or lawsuit.

6. **Appeal:** Permits shall not be issued until such time as the appeal period has lapsed. A determination or final action shall become effective on the 16th day following the date by the appropriate review authority, where no appeal of the review authority's action has been filed in compliance with Chapter 17.91 of the City's Development Code.

The 15-day period (also known as the "appeal" period in compliance with Chapter 17.91) begins the first full day after the date of decision that the City Hall is open for business, and extends to the close of business (5:00 p.m.) on the 15th day, or the very next day that the City Hall is open for business.

I hereby certify, to the best of my knowledge, that the above statements are correct.

Property Owner/*Representative Signature: _____

**Property owner must provide a consent letter allowing representative to sign on their behalf.*

Applicant Signature: _____

--OFFICE USE ONLY--	
Application No.:	Date Filed:
Fees Paid by:	Amount Paid:
Other Related Application(s):	

MINOR USE PERMIT



SUPPLEMENTAL APPLICATION INFORMATION

Attached are the filing forms and instructions for submitting a complete Minor Use Permit application. A Minor Use Permit provides a process for reviewing uses and activities that may be appropriate in the applicable zone, but whose effects on a site and surroundings cannot be determined before being proposed for a specific site. Minor Use Permits may be approved by the Community Development Director; however, the Community Development Director may choose to refer the Minor Use Permit application to the Planning Commission for hearing and decision.

The following items shall be submitted for a Minor Use Permit application:

A. Application Checklist:

- One completed copy of Universal Application form.
- One completed copy of the Environmental Review Checklist (if applicable).
- Eight (8) copies of the site plan and all other applicable plans/information Provide a map showing all property lines, buildings and other structures, and indicating the proximity to streets and exact location of the proposed use on the property. 1 copy: 8 1/2 x 11 or 11 x 17 (if greater than 11 x 17, include 4 sets) and email pdf.
- The appropriate non-refundable filing fee.

B. Justification Statement: Provide written justification to support the findings listed in Section 17.72.060 of the Development Code including the following:

- The proposed use is consistent with the General Plan and any applicable specific plan.
- The proposed use is allowed within the applicable zone and complies with all other applicable provisions of the Development Code and the Municipal Code.
- The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity; and,
- The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency.



CITY OF GRASS VALLEY
Community Development Department

125 East Main Street
Grass Valley, CA 95945

Building Division

530-274-4340

Planning Division

530-274-4330

Fax 530-274-4399

Vacation Rental Home Compliance Checklist

Once the minor use permit is approved, please submit the following items within 2 weeks:

STR Owner Name: Heather & Justin Aldi
STR Owner Address: 7412 Cypress Ln, Carmel CA 93923
STR Owner Phone(s): 310-729-7353, 818-402-2101
Number Off-Street Parking Spaces (see Rental Standards #7): 3

- Completed *Vacation Rental Home Compliance Checklist*
- Signed copy of *Vacation Rental Home Standards*
- Active Business License or pending application. URL for application and instructions:
<https://grassvalley.hdlgov.com>
- Completed *Transient Occupancy Tax Registration*
- Monthly submission of *Report of Transient Occupancy Tax**

***The City of Grass Valley does not have a TOT collection agreement established with AirBnB or similar providers. As a STR Operator within city limits it is your responsibility to ensure TOT is collected and remitted directly to the City of Grass Valley.**



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Vacation Rental Home Standards

On May 24, 2018, the City of Grass Valley adopted ordinance 792, amending several sections of the Development Code, including definitions and development standards for Vacation Rental Homes. Vacation Rental Homes are permitted by obtaining a Minor Use Permit in the NC-Flex, NG-2, R-1, R-2, and R-3 zones subject to the Development Standards in Section 17.44.205 B listed below.

Vacation Rental Home – The rental of a single-family dwelling for lodging of less than 30 consecutive days that may or may not be occupied by the owner or full-time resident.

To minimize impacts on surrounding residential areas and to protect the residential character of the neighborhoods the following standards are required to operate a Vacation Rental Home.

Your signature below signifies that the operation of the Vacation Rental Home will comply with the following standards at all times:

1. The property owner of a vacation rental home shall obtain approval of a Minor Use Permit pursuant to Section 17.72.060 of the Grass Valley Municipal Code.
2. A vacation rental home shall require a business license;
3. The owner or manager of a vacation rental home shall be subject to applicable transient occupancy taxes, pursuant to Chapter 3.16 of the Grass Valley Municipal Code;
4. The owner or manager must live within 30 miles of the vacation rental home. The owner shall provide to the City as part of the Minor Use Permit, the name and telephone number of the local contact person who shall be responsible for responding to questions or concerns about the operations of the vacation rental home. The local contact person shall be available to accept and immediately respond to telephone calls on a 24-hour basis at all times the vacation rental home is rented or occupied;
5. The owner shall post up-to-date information in the rented room to assist renters in dealing with natural disasters, power outages, and other emergencies;
6. No exterior signs advertising the business shall be allowed on the property;
7. Off-street parking shall be provided as required by Section 17.36.040 (Number of Parking Spaces Required) for a vacation rental home;
8. A vacation rental home with five or more guest rooms, or capacity for 10 or more total

occupants, including permanent residents, shall meet current fire and building codes, and accessibility requirements;

9. Renters shall comply with the noise regulations in Chapter 8.28 of the Grass Valley Municipal Code; and,

10. The vacation rental home shall operate without unduly interfering with the surrounding residential neighborhood.

I, Heather Aldi, hereby agree to comply with the terms and conditions for operating a Vacation Rental Home, as outlined above. I further understand that if at any time I do not comply with the standards required to operate, any business conducted on the property would be required to cease operation. Also, I understand that if I continue to operate after receiving a notice to cease operation I am subject to penalties as set forth by City of Grass Valley Development Code section 17.44.205 (d).



Heather Aldi
Name

11.2.23

Date

Violations; Revocation of Permit; Penalties

In accordance with Section 17.44.205 D, the following steps are intended to provide a streamlined compliance and permit revocation process for persons violating the provisions of Vacation Rental Homes requirements. This process is intended to protect residential neighborhoods from conditions that can negatively impact the general health, safety and welfare of the City's residents that are created when persons fail to abide by the rules, requirements, and regulations of their Minor Use Permit and the Municipal Code. To the extent the provisions of this Section conflict with provisions elsewhere in the Grass Valley Development Code, the provisions in this Section shall control and take precedence.

1. Violations and noncompliance. Failure by the permittee to comply with any requirement imposed by this Section or any requirement or condition imposed by the Minor Use Permit ("MUP") shall constitute a violation of the MUP and shall be grounds for its suspension, non-renewal, and/or revocation, in the city manager's discretion, depending on the nature or severity of the violation, the permittee's failure to correct a noticed violation, or on repeated violations by the permittee, even if such violations are corrected.
2. Notice of Violation. Upon discovery that a violation exists, the city manager shall issue a Notice of Violation to the Permittee, which Notice shall describe the nature of the violation and the date on which it occurred and cite the specific Permit requirement or Code Section is alleged to have been violated. Said Notice of Violation shall be personally served or sent by U.S. certified mail. The Permittee shall have ten (10) days of the date of the Notice within which to correct

the violation(s), unless in the discretion of the city manager or designee, the nature of the violation requires the Permit be immediately suspended.

3. Right to Appeal. The right to appeal shall terminate on the tenth calendar day after the date of the Notice or, if the tenth day falls on a day that City Hall is closed, on the next business day. An appeal shall be filed with the City Clerk and be accompanied by the filing fee identified in the City's Planning Fee Schedule.
4. Appeal Hearing and Rules of Evidence -
 - a. The city manager or designee shall hold the hearing during ordinary business hours in a room in City Hall;
 - b. Oral evidence shall be taken only under oath or affirmation. The city manager or designee shall have authority to administer oaths and to receive and rule on admissibility of evidence;
5. Following a hearing with the city manager where a permit is revoked, the owner may reapply for a new permit no sooner than one (1) year after the date of revocation. Revocation shall not constitute a waiver of the fees and taxes due under the MUP at time of revocation.
6. Penalties.
 - a. Each day in which the property is used in violation of any part of this ordinance shall be considered a separate violation;
 - b. Any person who violates any provision of this Section is guilty of a misdemeanor.
 - c. Any short term rental establishment operated, conducted or maintained contrary to the provisions of this Section shall be unlawful and declared to be a public nuisance, and the city may, in addition to or in lieu of prosecuting a criminal action hereunder, commence an action or actions, proceeding or proceedings, for the abatement, removal and enjoinder thereof, in the manner provided by law, and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such short term rental establishments and restrain and enjoin any person from operating, conducting or maintaining a short term rental establishment contrary to the provisions of this Section.
 - d. The penalties set forth herein are cumulative and in addition to all other remedies, violations and penalties set forth in this chapter, or in any other ordinances, laws, rules or regulations of the City of Grass Valley, Nevada County and the State of California, including, without limitation, administrative enforcement pursuant to Chapter 1.14 of this Code.

12-26-2023

1
City of Grass Valley – Community Development
Department
Attn: City Planner

We are long-term residents of High Street and are requesting a hearing on the proposed short-term vacation rental at 438 Neal Street. The notice to file only arrived on December 19, as we prepared for the holidays, and City Hall closed December 22 to January 2, making it near impossible to file during the time period.

We, and the neighbors we have talked to, are opposed to a short-term vacation rental at 438 Neal for several reasons. Our main concerns are parking, noise, traffic, trash, and property values. This is a small, quiet neighborhood that is filled with long-term Grass Valley residents. Some of the homeowners on High Street have lived here over 50 years.

High street already has two short-term rentals properties on the one block long street, a one-bedroom home and a granny unit over a garage. The two current rentals already here cause parking and noise issues. Another short-term vacation rental in the neighborhood would just increase issues of traffic, noise, trash and parking issues.



Additionally, there is an apartment property on Neal street directly across the street from the proposed vacation rental that causes parking issues on High Street already. With the vacation rental being a three-bedroom home (sold this year as a four-bedroom home), there will likely be several vehicles for the people renting the property. There is little to no parking nearby on Neal Street so the renters would park on High Street, possibly blocking driveways. It will also encourage more than one family to stay at the vacation

rental as it is a three (four) bedroom home.

The short-term rental code of the City of Grass Valley states no more than two rooms per property shall be rented at the same time. This home is a three bedroom home and does not fit the City code of ordinance. The code also states that off-street parking shall be provided as required by section 17.26.040 for a hosted short-term rental, and that they must provide one off-street parking space for each bedroom.

438 Neal Street has a small one car garage and short, small driveway. As we already stated earlier, there is very little off-street parking on High Street and we have residents from both Neal Street and West Main Street parking on High Street due to lack of parking spots on those streets. If the city keeps approving short-term rentals it will push out all the long-term homeowners and drive down home values in the neighborhood with vacant home or party houses.

We are requesting a hearing so that our grievances on this issues can be heard by the city. This is something that should not have been dumped into the mess of the year-end holidays and confusion. Thank you for your consideration in denying a short-term vacation rental in the neighborhood.



Annabelle Robbins
John McAlister
Michael McAlister

116 High Street
Grass Valley, CA 95945
(530) 273-9268
gam917@netscape.com

From: John McAlister <info@cityofgrassvalley.com>
Sent: Tuesday, December 26, 2023 4:57 PM
To: Amy Kesler-Wolfson <awolfson@cityofgrassvalley.com>
Subject: Form submission from: Contact us

You don't often get email from info@cityofgrassvalley.com. [Learn why this is important](#)



12/26/2023 - 4:56pm

City of Grass Valley »

WEBFORM SUBMISSION

Submitted by anonymous user:
[2603:8001:3900:c40b:ed51:e655:69e8:5d07]

Your name:

John McAlister

Your e-mail:

[REDACTED]

Your Phone Number:

[REDACTED]

Message:

Attention City Planner Amy Wolfson,
We received the notice for a public hearing request. Below is my request for a hearing. We attempted to deliver this in person, however, the offices are closed due to the holiday. Please accept this written response requesting a hearing by the requested close of business December 26th, 2023. We also left a phone message and sent a letter via USPS regarding this matter.

I am opposed to the vacation rental at 438 Neal St. due to several reasons.

This is a small quiet neighborhood that is filled with long-term grass Valley residence. Some of the homeowners on High Street and Neil Street have been there for over 50 years. High street already has two short term rental properties on the street. The two current rental properties already cause parking and noise issues. Another vacation rental property in the neighborhood would just further increase noise,

traffic, trash and parking issues. There is an apartment property directly across the street from the requested vacation rental property that already uses parking on High and Neil Street causing severe parking issues already. With the vacation rental being a three-bedroom home there will be several vehicles for the people renting the property. There is very little parking on Neil Street so the renters would park on High Street possibly blocking driveways. It will also encourage more than one family to stay at the vacation rental as it is a three bedroom home.

In The city of grass Valley short term rental code of ordinance it states no more than two rooms Per property she'll be rented at the same time. This home is a three bedroom home and does not fit the cities code of ordinance.

To address the parking for this home the code of ordinances states that offstreet parking shall be provided as required by section 17.36.040 for a hosted short term rental unit. It also states they must provide one offstreet parking for a vehicle for each bedroom. That would be three parking spots on High Street or down at the bottom of Neil Street. As I stated earlier there is currently very little to no offstreet parking on High Street and no parking on Neil Street near the home.

If the city keeps approving short term rental properties it will push out all the long-term homeowners. And it will drive down home values in the area when the properties are vacant or when they are party situation's. I am requesting a hearing so that my grievances can be heard on this issue by the city planner.

Thank you for your consideration in denying a vacation property in the neighborhood.

Annabelle Robbins, John McAlister and Michael McAlister
116 High Street
Grass Valley, CA. 95945
(530) 273-9268
Gam917@netscape.com

Attachment(s) (if applicable):

CONTEXT INFORMATION

Profile contacted:

[Amy Kesler-Wolfson](#)

[View results](#)[Download results](#)

These are my concerns regarding an application for a "Minor Use Permit" of a three bedroom home at 438 Neal St. Grass Valley to operate a "Vacation Home Short-Term Rental".

1. The house at 438 Neal St. is very large and while it claims to only have three bedrooms, I have been in that house and it can easily accommodate 8-10 adults. That means there is a possibility that there could be 4-5 cars for those people.
2. High Street is already highly impacted by the current residence in the area regarding traffic and parking. During event times, such as Cornish Christmas, we residents often have difficulty getting into our own driveway and there is no parking available on the street for us or our guests.
3. Neal Street, which has no parking, has become increasingly busy with traffic by local residents and visitors. This street is very narrow and people often don't stop at the four way stop sign at Neal & High. Adding any more traffic to Neal will increase the problems on this street.
4. Will the property owner be onsite while it is being rented? This is a huge concern to our High Street neighborhood. Most of us are senior citizens and there are two families with young children living here. A house this size has the risk of becoming a "party house" or any other situation that would require immediate attention. We residents do not want to be in a situation where our neighborhood is being violated and the only recourse we have is to call the police.

Thank you for your time and attention.

Sincerely,

Cherie Kraus
115 High St.
Grass Valley
530-270-0412

Lucy Rollins

From: Alena Loomis
Sent: Thursday, January 4, 2024 9:02 AM
To: Lucy Rollins
Subject: FW: Minor use permit application for house on 438 Neal street question
Attachments: Vacation Rental Homes- Compliance Ageement.pdf

From: Alena Loomis
Sent: Monday, December 18, 2023 1:31 PM
To: holly@pchampagne.com
Cc: Phil champagne <philc@pchampagne.com>
Subject: RE: Minor use permit application for house on 438 Neal street question

Good afternoon Holly,

Yes, you are correct, the property is supposed to have one space per room being rented. This does count garage space if that is made available for parking. The owners have stated they would make the garage available for renters. We also allow tandem parking to satisfy this requirement. From looking at the property, it looks to me like between the garage and tandem parking spaces in the driveway, it would satisfy the three-space requirement.

As far as noise restrictions, the vacation home standards defer to our general Municipal Code noise regulations. This code states that quiet hours are before 7AM and after 8PM. If there is a violation it is addressed by our police department as a general noise violation. This is chapter 8.28 of our municipal code and is referenced in the vacation rental agreement in item #9 (compliance agreement is attached). In item #10 they also agree that the rental will not disrupt the neighborhood. If we do receive complaints of disruptions we could potentially revoke their minor use permit.

I was also told by the new owners that they are only planning on doing this temporarily, maybe for the next year until they move into this house permanently.

Please let me know what other questions you may have.

Thank you,

Alena Loomis



Community Services Analyst
Community Development Department
(P): (530) 274-4715 | (F): (530) 274-4399
City of Grass Valley | 125 E Main St, Grass Valley, CA 95945
www.cityofgrassvalley.com

From: [REDACTED]
Sent: Saturday, December 16, 2023 5:49 PM
To: Alena Loomis <alenal@cityofgrassvalley.com>
Cc: Phil champagne [REDACTED]
Subject: Minor use permit application for house on 438 Neal street question

You don't often get email from holly@pchampagne.com. [Learn why this is important](#)

Hello,

We received notice that the new owners of the house next door to ours at 438 Neal Street have applied for a vacation home short-term rental minor use permit. Do I recall correctly that the house is required to have one space of off-street parking for each bedroom? If so, my concern is that the driveway at the house could not accommodate 3 cars for off-street parking. Parking is always a concern on our street, as the Victorian house directly across the street from 438 Neal Street, which is broken up into apartments, does not have enough parking for their tenants. Thus, those tenants use the parking spaces on the High Street side of the 438 Neal Street house, and often park in front of our house as well.

I was wondering if we could receive some general information about the minor use requirements for the owners and tenants? For example, the requirement for "quiet hours" and any other guidelines? Two of our bedrooms are upstairs and adjacent to our driveway, which is next to the driveway of the 438 Neal house and so we'd like to learn more about what rules the short-term renters would be required to observe.

We have been very fortunate to have lived in our house for 30 years and have always had a great relationship with the three owners who have lived in 438 Neal Street during that time. Our hope is that this short-term rental will not disrupt our neighborhood.

We appreciate any information you can share. I work in Roseville, and so am unable to come in person into the Community Development Department this week to learn more about this application.

Sincerely,
Holly and Phil Champagne
117 High Street
Grass Valley, CA 95945

