

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, UPHOLDING THE DEVELOPMENT SERVICES DIRECTOR DETERMINATION THAT A LIVING ROOM CANNOT BE COUNTED AS A BEDROOM FOR PURPOSES OF A SHORT-TERM RENTAL AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, On March 25, 2024 the Development Services Director, in accordance with Palm Desert Municipal Code 2.72.020 provided as Written Determination to Ms. Carrie Kropfl, Applicant, that a living room cannot count as a bedroom for purposes of a short-term rental unit; and

WHEREAS, On April 9, 2024, Mr. Shaun Murphy, Esq. on behalf of the Applicant filed an appeal of the Development Services Director's determination that a living room cannot count as a bedroom for purposes of a short-term rental unit; and

WHEREAS, on May 9, 2024, the City Council conducted a hearing to consider the Applicant's appeal, and duly considered all evidence, testimony of the applicant and interested parties, and the evaluation and recommendation by staff, at said hearing; and

WHEREAS, notices of said hearing were made at the time and in the manner required by law.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Palm Desert as follows:

SECTION 1. RECITALS. That the foregoing recitals are true and correct and are incorporated herein as substantive findings of this Resolution.

SECTION 2. FINDINGS. The findings for denial of the Applicants appeal are hereby adopted as follows:

1. PDMC §5.10.090(G) establishes that the maximum number of overnight guests shall not exceed two persons per bedroom coupled with fact that on-site short-term rental owners must occupy at least one bedroom, which shall diminish the number of bedrooms for overnight guests. It was the intent of the City Council that this limitation would not allow any guests, or even an owner, to stay overnight in a room other than a bedroom.
2. The Development Services Director's interpretation of a definition of bedroom for purposes of a short-term rental unit is correct, as stated, "*a private room intended for sleeping that is separated from other rooms by a door, having at least one window that meets the Emergency Escape and Rescue Opening requirements of the California Building code, has a closet/storage area, and is accessible to a bathroom without crossing into another bedroom.*"

SECTION 3. ACTION. Based on the evidence and testimony presented, and the findings contained in Section 2, the City Council does hereby deny the subject appeal

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filed by Mr. Shaun Murphy, Esq., and upholds the Development Services Director's determination that a living room cannot count as a bedroom for purposes of a short-term rental unit.

ADOPTED ON \_\_\_\_\_ 2024.

\_\_\_\_\_  
KARINA QUINTANILLA  
MAYOR

ATTEST:

\_\_\_\_\_  
ANTHONY J. MEJIA  
CITY CLERK

I, Anthony J. Mejia, City Clerk of the City of Palm Desert, hereby certify that Resolution No. 2024-\_\_\_\_\_ is a full, true, and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Desert on \_\_\_\_\_, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:  
RECUSED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Desert, California, on \_\_\_\_\_, 2024.

\_\_\_\_\_  
ANTHONY J. MEJIA  
CITY CLERK