

CITY COUNCIL COMMUNICATION FORM

FROM: Dan Foote, City Attorney

THROUGH: N/A

DATE: January 4, 2022

ITEM: FIRST READING OF ORDINANCE: An ordinance extending the term of the moratorium related to Vacation Home Rental uses imposed by ordinance Nos. 2819 and 2822.

_____ DIRECTION
_____ INFORMATION
 _____ ORDINANCE
_____ MOTION
_____ RESOLUTION
_____ PROCLAMATION

I. REQUEST/ISSUE & BACKGROUND INFORMATION:

The moratorium on vacation home rental uses imposed by Ordinance Nos. 2819 and 2822 is scheduled to expire on January 31, 2022. Council has directed staff to prepare an ordinance extending the term of the moratorium through June 30, 2022. The draft ordinance implements this direction.

In addition to extending the term of the moratorium through January 31, 2022, Ordinance No. 2822 narrowed the geographic scope of the moratorium by excluding from the moratorium several neighborhoods. Council determined that these neighborhoods were characterized by short term rental uses and were therefore unlikely to be subject to the restrictive area of the overlay zone being considered by the Council. The draft ordinance extends the moratorium as defined by Ordinance No. 2822, i.e. the moratorium with the narrower geographic scope. A map showing the current scope of the moratorium is attached.

II. SUMMARY AND ALTERNATIVES:

Adopt the proposed ordinance as drafted, adopt it with revisions, or decline to adopt the proposed ordinance.

III. STAFF RECOMMENDATION:

Staff recommends adopting the proposed ordinance as drafted. The proposed ordinance implements Council's direction and will allow additional time for the Planning Commission and City Council to consider the appropriate land use policy for short term rental uses. Declining to adopt the proposed ordinance would mean that the moratorium would expire on January 31, 2022 regardless of whether Council is ready to consider revised land use regulations for short term rental uses.

Adopting the ordinance with revisions is also an option. One potential revision that has been discussed would be to modify the scope of the moratorium by reverting to the map originally approved by Ordinance No. 2819, i.e. applying the moratorium to those neighborhoods that were excluded from it by Ordinance No. 2822. Staff questions whether this revision would have any practical effect. Owners of property in the neighborhoods excluded from the scope of the moratorium by Ordinance No. 2822 have had two months to apply for vacation home rental permits.

IV. FISCAL IMPACT:

None.

V. LEGAL ISSUES:

None

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

Various interested parties have in the past objected to adoption or extension of the moratorium.

VII. CONSISTENCY WITH COUNCIL GOALS AND POLICIES:

This item directly addresses Council's draft goal of adopting short term rental policies.

ATTACHMENTS:

Attachment 1: Map

Attachment 2: Public Comment