

TRINIDAD CITY HALL
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Dwight Miller, Mayor
Gabriel Adams, City Clerk



ORDINANCE NO. 2015-02b

INTERIM URGENCY ORDINANCE OF THE CITY OF TRINIDAD MAKING FINDINGS AND ESTABLISHING A TEMPORARY MORATORIUM ON ACCEPTANCE OF NEW LICENSE APPLICATIONS FOR OPERATING A VACATION DWELLING UNIT

FINAL 1-YEAR EXTENSION

The City Council of the City of Trinidad does ordain as follows:

SECTION 1. Interim Urgency Ordinance

This is an Interim Urgency Ordinance necessary for the immediate preservation of the public peace, health, and safety. The City Council finds that there is a current and immediate threat to the public health, safety, or welfare, and that the approval of use permits or any other applicable entitlement for use which is required in order to comply with a zoning ordinance would result in that threat to public health, safety, or welfare. This Interim Urgency Ordinance shall go into effect immediately.

SECTION 2. Findings and Declarations

The City Council finds and declares the following facts constituting this necessity are as follows:

- a. There has been a steady increase in the number of short-term vacation rentals in the City of Trinidad over the past 15 years;
- b. The proportion of homes in the City being used primarily as vacation rentals has gone from about 5% of the total dwelling units in the City in 2000 to approximately 18% in 2014.
- c. A City Ordinance regulating some aspects of vacation rentals went into effect in 2015, but this Ordinance does nothing to limit the overall number of vacation rentals in Trinidad;
- d. Vacation rentals have the potential to alter the residential character of neighborhoods with impacts related to traffic, parking, noise, occupancy, septic system capacity, housing availability, real estate prices, neighborhood character, city population, the availability of citizens to participate in the community; and the quality of life in the City of Trinidad;
- e. Residents have indicated growing concern over the impacts and number of short-term vacation rentals and the increased number of homes becoming vacation rentals; and have called on the City to find a balance between residential and vacation rental uses;
- f. In the absence of an urgency moratorium, any effort by the City to develop new limitations on Vacation Dwelling Units will not take effect for over a year due to the timeline for Coastal Commission review of City Land Use changes, during which time the City will have no ability to prevent further conversion of residences to vacation rentals; and
- g. The City implemented this moratorium in June 2015, and in August 2015 extended it, to allow the City time to study the matter further and consider options to address the impact to public welfare of further expansion of this industry in Trinidad.

- h. The City has been working steadily to develop new regulations to address this urgency situation since instituting the moratorium in June of 2015, but has not completed that task, and still needs time for the Coastal Commission's review process.
- i. Therefore the City finds it necessary and appropriate to extend this urgency moratorium for one final year, from June 29, 2016 until June 28th 2017, as provided for in California Government Code Section 65858.

SECTION 3. Definition of Short-Term Vacation Rentals

The term "short-term vacation rental" means and applies to every person carrying on the business of renting residences or apartments for a period of less than 30 days. The term does not apply to hotels, motels, campgrounds, bed and breakfasts with an onsite host, or other such commercial establishments.

SECTION 4. Moratorium on the Acceptance of New VDU Business License Applications for the Purpose of Short-Term Vacation Rentals

A moratorium on the acceptance and processing of VDU business licenses for the purpose of short-term vacation rentals is hereby extended for a period of one (1) year from June 29, 2016, as allowed by law. The City shall accept no new VDU business license applications during this period

SECTION 5. No Effect on Current VDU Business Licenses or VDU Business Licenses Applications Received Prior to this Ordinance Taking Effect

This Interim Urgency Ordinance in no way affects any current valid VDU License, or any VDU license application received by the City as of the effective date of this Ordinance. The City will process and issue VDU Licenses based on complete applications received prior to the effective date of this Ordinance. Any such valid Licenses may be renewed during this moratorium period.

SECTION 6. Property Transfers and Existing VDU Business Licenses.

If a property with a valid VDU license goes through a change in ownership during this moratorium, the new owner may amend the existing VDU license to reflect the change in ownership and continue operation assuming all conditions and requirements of said license are fulfilled.

SECTION 7. Reporting Requirement

The City Council authorizes the City Manager to issue a written report before June 19, 2016, consistent with Government Code 65858, describing the measures taken to date, to alleviate the condition which led to the adoption of the ordinance.

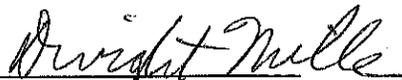
Passed, approved, and adopted at a special meeting of the City Council of the City of Trinidad, on the 8th Day of June, 2016, by the following roll call vote:

AYES: West, Miller, Baker, Tissot
NAYS: None
ABSTAIN: None
ABSENT: Fulkerson

Attest:



Gabriel Adams
Trinidad City Clerk



Dwight Miller
Mayor