



CITY COUNCIL ACTION FORM

Originating Dept.	Presented by	Date
Community Development	Nina P. Williams - City Attorney	October 5, 2021

ITEM Ordinance 2021-16- Extending a temporary moratorium on the submission, acceptance, processing and approval of any application for a short-term rental license, and declaring an emergency

BACKGROUND

On July 20, 2021, via Ordinance 2021-11, City Council imposed a three month moratorium, or temporary halt, on the issuance of new or transferred STR licenses to give staff, Planning Commission and City Council the opportunity to analyze and review various options and solutions to address the shortage of housing, as well as evaluate the impacts of short-term rental units on affordability and availability.

Ordinance 2021-15, amending the City's short-term rental regulations, becomes effective on November 8, 2021, while the 3 month STR moratorium expires on October 20, 2021. Therefore, in order for equitable enforcement and consistent application of the Code and the City's administrative regulations, it is crucial that this temporary moratorium be extended until November 8, 2021, when the new regulations become effective.

STAFF RECOMMENDATION

Staff recommends extending this temporary moratorium until November 8, 2021.

SUGGESTED MOTION



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"I move to approve Ordinance 2021-16, extending a temporary moratorium on the submission, acceptance, processing and approval of any application for a short-term rental license, and declaring an emergency," followed by a roll call vote.

CITY OF SALIDA, COLORADO
ORDINANCE NO. 16
(Series of 2021)

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA,
COLORADO EXTENDING A TEMPORARY MORATORIUM ON THE
SUBMISSION, ACCEPTANCE, PROCESSING AND APPROVAL OF ANY
APPLICATION FOR A SHORT-TERM RENTAL LICENSE, AND DECLARING
AN EMERGENCY**

WHEREAS, the City of Salida, Colorado (“City”) is a statutory city, duly organized and existing under the laws of the state of Colorado; and

WHEREAS, pursuant to C.R.S. § 31-15-401, the City by and through its City Council (“Council”), possesses the authority to adopt laws and ordinances within its police power in furtherance of the public health, safety and welfare; and

WHEREAS, pursuant to C.R.S. § 31-23-301 the Council also possesses the authority to adopt and enforce zoning regulations; and

WHEREAS, pursuant to such authority, the City has previously adopted certain regulations concerning short-term rentals within Chapter 6 and Chapter 16 of the Salida Municipal Code (“Code”); and

WHEREAS, on July 20, 2021, through Ordinance 2021-11, the City Council imposed a three (3) month temporary moratorium on receiving applications for review and issuing or approving short-term rental licenses in order to preserve the status quo while the Planning Commission and City Council completed its review of the City’s regulatory framework for short-term rentals and its impact on the housing crisis; and

WHEREAS, said temporary moratorium expires on October 20, 2021, and the effective date of Ordinance 2021-15, amending the City’s short term rental regulations, is November 8, 2021; and

WHEREAS, in order for equitable enforcement and consistent application of the Code and the City’s administrative regulations, it is crucial that this temporary moratorium be extended until November 8, 2021, the effective date of Ordinance 2021-15; and

WHEREAS, the Council finds and determines that this brief extension of the temporary moratorium on short term rental license applications is necessary to the immediate preservation of the public health, safety and welfare and that this ordinance should therefore become effective immediately upon adoption, as authorized by C.R.S. § 31-16-105.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO as follows:

Section 1. The City Council incorporates the foregoing recitals as conclusions, facts, determinations and findings by the City Council.

Section 2. Extension of Temporary Moratorium. Effective immediately, upon the date of this Ordinance, the three (3) month moratorium imposed on July 20, 2021, upon the submission, acceptance, processing, and approval of all applications for short-term rental licenses within the City of Salida is hereby extended. No application for a short-term rental license shall be submitted to or accepted by the City, and no such application shall be reviewed or license issued or approved in response to such an application. This moratorium does not apply to those properties governed by already-existing Planned Development Agreements, Subdivision Improvement Agreements and Annexation Agreements with the City.

Section 3. Effective Date; Expiration. The moratorium imposed on July 20, 2021 and extended by this Ordinance shall continue as of the effective date of this Ordinance and shall expire on November 8, 2021.

Section 4. Should any one or more sections or provisions of this Ordinance or of the Code provisions enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or of such Code provision, the intention being that the various sections and provisions are severable.

Section 5. Emergency declaration. Pursuant to C.R.S. § 31-16-105, the City Council hereby finds, determines and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of the public health, safety and welfare and the financial well-being of the City because there must be a data-driven analysis conducted on the impact on City residents, workforce and property owners concerning short-term rentals and affordable housing, and therefore, this ordinance must be passed as an emergency ordinance.

**INTRODUCED, READ AND PASSED, ADOPTED AND ORDERED PUBLISHED
IN FULL** in a newspaper of general circulation in the City of Salida by the City Council this 5th day of October, 2021.

CITY OF SALIDA

By: _____
Mayor P.T. Wood

ATTEST: (SEAL)

By: _____
City Clerk