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**STAFF REPORT**

**TO: THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**MEETING DATE: APRIL 20, 2026**

**FROM: DEREK COLE, CITY ATTORNEY**

**SUBJECT: DISCUSS, CONSIDER, WAIVE THE FIRST AND SECOND READINGS BY SUBSTITUTION OF THE TITLE, AND INTRODUCE AND ADOPT ORDINANCE NO. 25-26-XX - AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUTTER CREEK EXTENDING A MORATORIUM ON THE PERMITTING OF TEMPORARY RESIDENTIAL USES WITHIN CITY LIMITS**

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**Background and Analysis**

For several years, the City has considered how to regulate temporary residential uses within City limits. In past years, the City Council considered various iterations of an ordinance regulating such uses. Ultimately, the City Council chose to use its existing conditional use permit (“CUP”) process to address the issue. The Council previously determined it would allow up to 20 CUPs to be issued, and at or around the issuance of this number, the Council would consider the adoption of permanent regulations.

As the City approached the 20-CUP threshold, the City Council, at its March 16, 2026 meeting, approved a 45-day moratorium on the issuance of new CUPs for temporary residential uses. The purpose of the moratorium was to create space to allow the City Council to formulate and enact a permanent ordinance regulating such uses.

With the 45-day deadline approaching, the City desires more time to both fully evaluate the impact of temporary residential uses on the residential quality of neighborhoods and to consider the adoption of a permanent ordinance regulating such uses. Under the California Government Code, the City is permitted to extend the moratorium two additional times, as follows: (1) for an extension of 10 months and 15 days, and (2) for an extension of an additional year. The ordinance may remain in effect for no longer than two years. A *four-fifths* vote of the Council is required to approve an extended moratorium.

This report is intended to serve as the report required by Government Code 65858(d) detailing the measures taken to alleviate the conditions that led to the adoption of the urgency ordinance.

**Fiscal Impact**

There is no material financial impact associated with the adoption of the extended moratorium.

**Recommendation**

The City Council should consider extending, for 10 months and 15 days, a moratorium on the review, processing, or approval of new temporary residential uses to give the City sufficient time to formulate a permanent ordinance regulating such uses.

**ATTACHMENT**

1. Urgency Ordinance Extending a Moratorium on the Permitting of Temporary Residential Uses Within City Limits