

CITY OF WOODLAND PARK NOTICE OF PUBLIC HEARING
Public Hearing on Ordinance No. 1460, Series, 2023, will be held on OCTOBER 5, 2023 at 6:30pm. The aforesaid Ordinance was posted on the City's website SEPTEMBER 22, 2023 prior to the City Council meeting, passed on first reading SEPTEMBER 21, 2023 ordered published, as required by Section 7.6 of the Charter of the City of Woodland Park

**CITY OF WOODLAND PARK, COLORADO
ORDINANCE NO. 1460, SERIES 2023**

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WOODLAND PARK, COLORADO FURTHER EXTENDING A TEMPORARY MORATORIUM ON THE SUBMISSION, ACCEPTANCE, PROCESSING AND APPROVAL OF APPLICATIONS FOR SHORT-TERM RENTAL LICENSES

WHEREAS, the City of Woodland Park, 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 C.R.S. § 31-15-501, the City also possesses the authority to regulate the operation and licensing of businesses generally within its jurisdiction; and

WHEREAS, pursuant to such authority, the City has previously adopted certain regulations within Title 5, concerning business licenses and regulations, and Title 18, concerning zoning, of the Woodland Park Municipal Code (“Code”); and

WHEREAS, on July 7, 2022, through Ordinance 1426, 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 preserve the status quo while the City conducted public engagement, neighborhood meetings, surveys and work sessions, and while City Council, Planning Commission and City staff completed its review and draft of the City’s regulatory framework for short-term rentals and its impact on neighborhood character and availability of housing stock; and

WHEREAS, on October 6, 2022, through Ordinance 1430, the City Council extended said temporary moratorium, originally set to expire on October 15, 2022, to December 15, 2022, because the Planning Commission and City Council were still in the process of holding meetings and public hearings to obtain further relevant public comment, and so that City staff could continue diligently researching and drafting these requested short-term rental regulations appropriate for the needs of the Woodland Park community; and

WHEREAS, on October 20, 2022, City Council heard public comment from numerous residents and property owners on this important issue to the community, and determined that more time was necessary to obtain further input from the community before implementing regulations, as well as to consider all available options with sufficient time to do so, and therefore directed legal staff to draft an ordinance further extending the moratorium an additional six months past the December 15, 2022 expiration; and

WHEREAS, thereafter, on December 1, 2022, through Ordinance 1432, the City Council extended the moratorium through June 24, 2023; and

WHEREAS, through Ordinance No. 1431, Series 2022, City Council adopted comprehensive short-term rental regulations; and

WHEREAS, a referendum petition was subsequently filed in December 2022 which suspended Ordinance No. 1431 from taking effect, said petition as deemed sufficient by the City Clerk on January 23, 2023, and on February 16, 2023, Council repealed Ordinance No. 1431, rather than setting the referendum for a special election; and

WHEREAS, on April 6, 2023, through Ordinance No. 1443, Series 2023, City Council further extended the temporary moratorium for an additional six (6) months to December 31, 2023, so that staff, Planning Commission and City Council had ample time to gather additional public input to consider amended short-term rental regulations; and

WHEREAS, since that time, a citizen-led initiative regarding short-term rental regulations has been filed and deemed sufficient, with a special election on the matter being scheduled for [REDACTED], 2023; and

WHEREAS, Council finds that three (3) additional months for the temporary moratorium is an appropriate length of time to consider, hold further public hearings, and finalize short-term rental regulations after the results of the special election and initiative are certified; and

WHEREAS, in order for equitable enforcement and consistent application of the Code and the City's administrative regulations, it is crucial that the temporary moratorium be extended until April 1, 2024, for three (3) additional months past the current expiration date of December 31, 2023; and

WHEREAS, the Council also finds and determines that the subject regulations concerning short-term rentals, as well as this short extension of the temporarily moratorium on short-term rental license applications, are necessary to the preservation of the public health, safety and welfare, as well as consistent and equitable enforcement and applicability.

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

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

Section 2. Extension of Temporary Moratorium. Effective upon the effective date of this Ordinance, the moratorium previously extended until December 31, 2023, upon the submission, acceptance, processing, and approval of all applications for short-term rental licenses within the City of Woodland Park is hereby extended until April 1, 2024. 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. City Staff and the City Council are directed to develop and amend and adopt

regulations appropriate to short term rentals prior to the expiration of this moratorium period.

Section 3. Effective Date; Expiration. The subject moratorium originally imposed on July 7, 2022, and extended until December 15, 2022, and then until June 24, 2023, and then December 31, 2023 shall continue, and shall expire on April 1, 2024, unless repealed prior to that date, or extended to a later date.

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. *Effective Date.* This Ordinance shall be in full force and effect from and after its publication as required.

PASSED BY CITY COUNCIL ON SECOND AND FINAL READING FOLLOWING PUBLIC HEARING THIS 5th DAY OF OCTOBER, 2023.

City of Woodland Park

Hilary LaBarre, Mayor

ATTEST:

City Clerk, Suzanne Leclercq