

TOWN OF COUPEVILLE
Coupeville, Washington

ORDINANCE NO. 749

AN ORDINANCE OF THE TOWN OF COUPEVILLE, WASHINGTON, ADOPTING AN EXTENSION OF A MORATORIUM ON THE ESTABLISHMENT OF GUEST HOUSES IN ALL TOWN ZONES AND THE LICENSING AND PERMITTING THEREOF WITHIN THE TOWN OF COUPEVILLE; AMENDING ORDINANCE 745; EXTENDING THE WORK PROGRAM; PROVIDING THAT THE EXTENDED MORATORIUM, UNLESS EXTENDED, WILL SUNSET WITHIN SIX MONTHS OF THE DATE OF ADOPTION; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the Coupeville Town Code (CTC) contains regulations for the establishment of transient accommodations, including Hotels, Motels, Bed and Breakfast Inns, and Guest Houses; and

WHEREAS, the CTC provisions for Guest Houses and other transient accommodations have not been reviewed or modified since adoption of Ordinance 604 in 2000; and

WHEREAS, in recent years the ease of registering rooms and homes for transient accommodation, including Guest Houses as defined in Town Code, has increased due to the emergence and popularity of internet-based services for short-term rentals including but not limited to Airbnb and VRBO, which may negatively affect adjacent properties and the town overall in ways not previously contemplated; and

WHEREAS, a survey of facilities available for transient accommodations within the town indicates that a number of property owners currently rent residential properties for transient accommodation including Guest Houses, although not all such uses may be appropriately permitted through the Town's land use permitting process; and

WHEREAS, the Town Council is concerned that the current permitting requirements, and zoning regulations for transient accommodations, with particular reference to Guest Houses, may no longer be adequate to address parking issues, noise issues, property maintenance issues, and other issues associated with short-term property rentals and therefore may not be in the community's interest; and

WHEREAS, the Town Council intends to review and, if appropriate, amend regulations for Guest House uses as set forth in Town Code, including but not limited to CTC 16.10.080, for all Town zoning designations, which will be subject to public review and comment; and

WHEREAS, the Town is organized under chapter 35.27 RCW and authorized to adopt ordinances for the public health and welfare of its citizens and, pursuant to RCW 36.70A.390, is authorized to adopt a zoning moratorium; and

WHEREAS, a moratorium was enacted with adoption of Ordinance 745 to provide time for the review and legislative process to occur without allowing currently unpermitted transient accommodation uses to become vested under current regulations; and

WHEREAS, Town staff has conducted research, reviewed code provisions adopted by other jurisdictions, sought comment from interested parties, and commenced discussion of issues and options related to regulation of Guest Houses and other transient accommodations with the Planning Commission but a legislative recommendation to the Town Council is not yet ripe for review; and

WHEREAS, the Coupeville Town Council has reviewed a work plan for the amendment process as directed by Ordinance 745; and

WHEREAS, the Town Council has determined that the legislative process needs additional time to consider regulatory options and to allow appropriate community input; and

WHEREAS, a public hearing on the proposed moratorium extension was held on December 11, 2018, before the Coupeville Town Council;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF COUPEVILLE, WASHINGTON, as follows:

Section 1. Moratorium Extended. Pursuant to the provisions of RCW 36.70A.390, the zoning moratorium enacted with the adoption of Ordinance 745 prohibiting the licensing, permitting, or establishment of any Guest House, as defined in Coupeville Town Code section 16.04.060, in all commercial and residential zoning designations in the Town of Coupeville as set forth in the Coupeville Town Code is hereby extended and the findings, terms, and conditions of Ordinance 745 in the record and those set forth herein are incorporated herein by reference, and Ordinance 745 is hereby amended consistent herewith. Additionally, the above recitals to this Ordinance 749 are hereby ratified, adopted and incorporated as legislative findings of the Town Council relative to the extension of the Moratorium set forth herein.

Section 2. Effective Period for Moratorium. The moratorium set forth in this ordinance shall be in effect for a period of six months from the effective date of this ordinance and shall automatically expire at the conclusion of that six month period unless the same is extended by the Town as provided in Chapter 36.70A RCW or unless terminated sooner by ordinance.

Section 3. Severability. Each and every provision of this ordinance shall be deemed severable. If any provision of this ordinance should be deemed to be unconstitutional or otherwise contrary to law by a court of competent jurisdiction, then it shall not affect the validity of the remaining sections so long as the intent of the Ordinance can be fulfilled without the illegal section.

Section 4. Effective Date. This Ordinance shall take effect and be in full force and effect immediately upon publication.

ADOPTED by the Town Council and **APPROVED** by the Mayor this 11th day of December 2018.

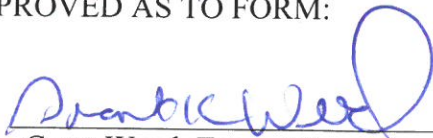
TOWN OF COUPEVILLE

By 
Molly Hughes, Mayor

ATTEST:

APPROVED AS TO FORM:

By 
Kelly Beech, Clerk-Treasurer

By 
Grant Weed, Town Attorney

Date of Publication: December 15, 2018