

Vacation rental ban won't be retroactive

A couple of school teachers and a Santa Cruz lawyer waged a successful battle Thursday night to derail a proposed ban on summer vacation rentals in Capitola's single family neighborhoods.

After listening to the arguments from attorney Kent Washburn, and talking it over among themselves, the City Council told City Attorney Richard Manning to draft an ordinance that will ban future conversions of homes in the city's three R-1 neighborhoods to the short term vacation rentals, but agreed to accommodate Washburn's clients, Mr. and Mrs. Alfred Bartz, of 102 Grand Ave., by sticking in a grandfather clause which allows the present vacation rentals to continue.

Two months ago, the council asked the planning commission to study ways to control the proliferation of the vacation rentals in the single family neighborhoods.

The focus of the Depot Hill complaints were four units then being converted by Jim Reding, purportedly for summer vacation rentals.

The planning commission recommended a total ban on the rentals, as opposed to the use permit procedure which is difficult to control.

Washburn argued that wasn't fair to Mr. and Mrs. Bartz, who have put their life savings in to the home at Grand and Cliff Drive.

"We are here to forestall something that was prejudicial," Washburn said, telling the council that it had no reason to impose a total ban on the lucrative rental practice.

"The evidence is lacking to justify enacting a total ban," Washburn said. "There have

been relatively few or no complaints."

Councilman Ron Graves said he asked for it after Depot Hill forum.

"It was all a result of questions and comments at the Depot Hill forum when four units three doors from you were proposed for weekly rents.

"I don't think that in an established R-1 neighborhood, the weekly rental business is appropriate.

"It is usually a short season, but we are being impacted today because our streets and parking are not designed for it.

"I personally feel," added Graves, "that the R-1 zones should not be impacted. These are not immediate problems, but if it is carried on, it will be detrimental to the neighborhoods.

Councilwoman Carin Mudgett argued the opposite view.

"I'm against any form of restriction at this point," she told the council, saying the Riverview Terrace neighborhood she lives in has been adversely affected by long term rentals to college students, and not by the weekly vacation rentals.

But Councilman Bob Garcia wanted some restrictions. "I live in Capitola Village (which would not be affected by the ban) and the impacts of vacation rentals are tremendous. I hate to see those impacts carried into other areas of the city. An additional impact is the person who has lived there for five or 10 years and is told to move out so the house can be rented to vacationers.

"That is the quickest way I know to destroy the neighborhood — having people there one week who care

nothing about the neighborhood.

"But I am willing to consider conditional use permits (for the pre-existing uses."

Mayor Jerry Clarke said he worried about the effects the growing trend will have on low and moderate income housing in Capitola.

Clark feared that landlords would view the vacation rental business as far more attractive than long term rentals to some of the city's permanent residents.

But he also favored the grandfathering clause, which would protect the Bartz's and similar uses today.

The issue will be discussed again June 26.

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