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# Summer rentals curbed in Capitola

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CAPITOLA — Most residents here won't have to worry about increased noise, traffic and parking from summer-rental users this summer.

Thursday night, the City Council put the final touches on a long-debated ban on summer rentals in residential areas. The action does not affect downtown Capitola, which is a mix of residences and businesses. Instead, it covers only residential areas, both single-family and multiple-family zones.

A lawsuit has already been threatened by summer-rental owners calling themselves the Society for Accommodating Vacations for Everyone. Because of that threatened court action, the new ordinance includes a one-year grace period for longtime summer rentals that have been operating in residential areas legally. The grace period is viewed as building a stronger case for the city should the issue wind up in court.

Even before the ordinance becomes effective, however, residents of one neighborhood are already petitioning for a zoning change, which would — if approved — exempt that neighborhood, and allow the continued operation of summer rentals.

The neighborhood is Riverview Avenue, north of the railroad trestle and south of Macdonald

Lane, and includes some three dozen property owners. A public hearing will be held by the council April 26.

Planning Director Susan Tupper said afterward that she is not worried about additional neighborhoods asking for zoning changes to get around the residential summer rental ban. She cited special circumstances for that portion of Riverview Avenue, noting it is not only contiguous to the central village zone, but is also next to a neighborhood commercial zone along Capitola Avenue.

Approval of the second reading of the ordinance came on the same 4-1 vote as two weeks ago. Only Councilman Bob Bucher voted against. Bucher has said that some summer rentals have been rentals since before Capitola became a city. He has said he feels it is unfair to change the law now.

As approved, the summer rental ban in residential areas will become effective in 30 days.

Only those rental owners in residential areas who have been operating with city permits and paying transient occupancy taxes will be allowed the one-year grace period. City Manager Steve Burrell has said that only a "handful" of rental owners will be allowed to operate for another year.

No one spoke against the ordinance.