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Chairman Phil Mendelson

A PROPOSED RESOLUTION

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To declare the existence of an emergency with respect to requiring the Office of Zoning to contract for an analysis of short-term rental units to allow the Zoning Commission to move forward with any amendments to change short term rental uses.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Short-Term Rental Independent Analysis Emergency Declaration Resolution of 2018”.

Sec. 2. (a) There exists an immediate need to require the Office of Zoning to contract for an analysis of short-term rental units to allow the Zoning Commission to move forward with any amendments to change short term rental uses.

(b) In 2018, the Council adopted the Short-Term Rental Regulation Act of 2018 (D.C. Law 22-307) to regulate short term rental dwellings in the District of Columbia. The law is scheduled to take effect as of October 1, 2019. Administrative costs of the law were funded in the FY2020 budget.

(c) Under existing zoning regulations, short term rental units are not permitted in residential zones in the District. Law 22-307 does not change this prohibition because zoning regulations can only be amended by the independent Zoning Commission.

(d) On October 17, 2018, all Councilmembers signed a letter to the Chairman of the Zoning Commission urging the Commission to initiate a text case, as well as emergency rulemaking, to permit homesharing. In response, at the Commissions meeting on the same day, it asked OP to conduct an analysis of short-term rentals in order to inform a possible text amendment by the Commission.

(e) The Office of Planning has yet to issue the report requested by the Zoning Commission. At OP’s budget hearing before the Committee in March 2019, Director Truebood indicated that the report might be submitted in the following month. In response, Chairman Mendelson wrote to the Zoning Commission asking it to insist that the Office of Planning submit its analysis by a date certain. At the Commission’s next meeting, OP declined to give any timeframe for completion of its analysis.

(f) The Zoning Commission could act in response to a report with the same information from a source other than the Office of Planning, which the proposed emergency act would allow the Office of Zoning to procure for the Zoning Commission.

(g) Given the planned October 1, 2019 applicability of the new law, it is essential that the Office of Zoning procure the necessary analysis to allow the Zoning Commission to consider any possible changes to the Zoning Regulations it sees fit in response to the new law and the proliferation of homesharing services.

Sec. 3. The Council of the District of Columbia finds that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the “Hidden Figures Way Designation Emergency Act of 2018” be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.