



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

NOTICE OF ENVIRONMENTAL REVIEW PERIOD

SANTA CRUZ COUNTY

APPLICANT: County of Santa Cruz

APPLICATION NO.: Vacation Rental Section of County Code

PARCEL NUMBER (APN): County Wide

The Environmental Coordinator has reviewed the Initial Study for your application and made the following preliminary determination:

XX Negative Declaration
(Your project will not have a significant impact on the environment.)

 Mitigations will be attached to the Negative Declaration.

XX No mitigations will be attached.

 Environmental Impact Report
(Your project may have a significant effect on the environment. An EIR must be prepared to address the potential impacts.)

As part of the environmental review process required by the California Environmental Quality Act (CEQA), this is your opportunity to respond to the preliminary determination before it is finalized. Please contact Matt Johnston, Environmental Coordinator at (831) 454-3201, if you wish to comment on the preliminary determination. Written comments will be received until 5:00 p.m. on the last day of the review period.

Review Period Ends: November 27, 2010

Staff Planner: Steve Guiney

Phone: (831) 454-3182

Date: October 28, 2010



County of Santa Cruz

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www.sccoplanning.com

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) ENVIRONMENTAL REVIEW INITIAL STUDY

Date: October 25, 2010

Application Number: N/A

Staff Planner: Steve Guiney

I. OVERVIEW AND ENVIRONMENTAL DETERMINATION

APPLICANT: County of Santa Cruz

APN(s): N/A

OWNER: N/A

SUPERVISORAL DISTRICT: All

PROJECT LOCATION: All residentially zoned parcels in the unincorporated portion of the County.

SUMMARY PROJECT DESCRIPTION: Proposal to add sections to the County Code to regulate vacation rentals, which are currently not regulated. This document considers three alternative ordinances.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: All of the following potential environmental impacts are evaluated in this Initial Study. Categories that are marked have been analyzed in greater detail based on project specific information.

- | | |
|---------------------------------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Hydrology/Water Supply/Water Quality | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Greenhouse Gas Emissions |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Visual Resources & Aesthetics | <input type="checkbox"/> Utilities & Service Systems |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Land Use and Planning |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Population and Housing |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Mandatory Findings of Significance |

DISCRETIONARY APPROVAL(S) BEING CONSIDERED:

- | | |
|-------------------------------------------------|-----------------------------------------------------|
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Coastal Development Permit |
|-------------------------------------------------|-----------------------------------------------------|

- | | |
|---------------------------------------------|--------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Land Division | <input type="checkbox"/> Grading Permit |
| <input type="checkbox"/> Rezoning | <input type="checkbox"/> Riparian Exception |
| <input type="checkbox"/> Development Permit | <input checked="" type="checkbox"/> Other: Add new sections to County Code regulating vacation rentals |

NON-LOCAL APPROVALS

Other agencies that must issue permits or authorizations: California Coastal Commission

DETERMINATION: (To be completed by the lead agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Matthew Johnston
Environmental Coordinator

10/28/10
Date

II. BACKGROUND INFORMATION

EXISTING SITE CONDITIONS

Parcel Size: N/A

Existing Land Use: Residential

Vegetation: N/A

Slope in area affected by project: ☒ 0 - 30% ☒ 31 - 100%

Nearby Watercourse: N/A

Distance To: N/A

ENVIRONMENTAL RESOURCES AND CONSTRAINTS

Water Supply Watershed: N/A

Groundwater Recharge: N/A

Timber or Mineral: N/A

Agricultural Resource: N/A

Biologically Sensitive Habitat: N/A

Fire Hazard: N/A

Floodplain: N/A

Erosion: N/A

Landslide: N/A

Liquefaction: N/A

Fault Zone: N/A

Scenic Corridor: N/A

Historic: N/A

Archaeology: N/A

Noise Constraint: N/A

Electric Power Lines: N/A

Solar Access: N/A

Solar Orientation: N/A

Hazardous Materials: N/A

Other: N/A

SERVICES

Fire Protection: N/A

School District: N/A

Sewage Disposal: N/A

Drainage District: N/A

Project Access: N/A

Water Supply: N/A

PLANNING POLICIES

Zone District: All residential zone districts

General Plan: All residential designations

Urban Services Line: ☒ Inside

Coastal Zone: ☒ Inside

Special Designation: N/A

☒ Outside

☒ Outside

ENVIRONMENTAL SETTING AND SURROUNDING LAND USES:

The proposed vacation rental ordinance would apply to all residential zone districts in the unincorporated portion of the county and therefore to all of the various environments of the county. Surrounding land uses would be all of the land uses found in the unincorporated portion of the county, but mostly would be residential land uses.

PROJECT BACKGROUND:

This proposal is to add sections to the County Code regulating vacation rentals in all residential zone districts in the unincorporated portion of the County. Vacation rentals in residential areas are currently not regulated in County Code.

General Plan Housing Element Program 4.13 directs the Planning Department and the Board of Supervisors to "[d]evelop Policies for regulating the conversion of existing

housing units to vacation rentals in order to limit the impact of such conversions on the stock of housing and on the integrity of single-family neighborhoods.”

In June of 2010, the Board of Supervisors directed the Planning Department to draft an ordinance regulating vacation rentals.

DETAILED PROJECT DESCRIPTION:

There are three alternative potential vacation rental ordinances. All would apply countywide, would require a permitting/registration process, would require payment of Transient Occupancy Tax (TOT), would require signage identifying a structure as a vacation rental and giving a local contact responsible for responding to complaints, would require a dispute resolution process, and would subject the property owner to the enforcement provisions found in County Code Chapter 19.

1. Alternative ordinance I (Attachment 1) would establish a simple permit and registration system that would require vacation rental owners to obtain a vacation rental ministerial permit. The County would not have any discretion to approve an application for a vacation rental ministerial permit if the required application material was provided and the required fee paid.

2. Alternative ordinance II (Attachment 2) would require approval of a discretionary permit, an administrative use permit, to legally operate a vacation rental. Under this alternative, the County would have the discretion to deny a permit application. Salient features of this alternative include:

- a. New vacation rentals would be restricted from being closer than 200 feet to a parcel that has an existing vacation rental on it. Existing vacation rentals would be grandfathered and not subject to any restriction on location relative to another vacation rental.
 - (i) This alternative would provide for an exception process to the 200-foot restriction, based on parcel size or location (abutting agriculturally or commercially zoned land).
 - (ii) In certain areas, identified as "Special Consideration Areas", there would not be any restriction on location relative to other vacation rentals, whether existing and grandfathered or new (the Special Consideration Areas are suggested to include Pajaro Dunes; the portion of Oceanview Drive along the ocean in La Selva; Beach Drive, Rio del Mar Boulevard between Aptos Beach Drive and Cliff Court, and Las Olas Drive in Aptos).
- b. Vacation rentals could be rented no more than once in any seven-day period, while the length of stay could be from one to seven days.
 - (i) There would be no restrictions on number of rentals during any seven-day period or on the length of stay for grandfathered vacation rentals or for new or grandfathered vacation rentals in the Special Consideration Areas.
 - (ii) There would be exceptions for one 30 day or less tenancy per year and for house trades between owners where there is no monetary compensation.

- c. The maximum number of people allowed would be set at two (2) per bedroom plus two (2) additional. Children under 12 would not count. For celebrations and larger gatherings not exceeding 12 hours in duration, the number of people may be twice the maximum allowed number. Any operative restrictions on occupancy in County Code Chapter 12, the California Building Code, would still apply.
- d. For grandfathered vacation rentals, the existing parking would be accepted. For new vacation rentals, all parking must be on-site.
- e. Advertising the vacation rental as a venue for weddings, receptions, corporate meetings, retreats, or similar functions would be prohibited.

3. Alternative ordinance III (Attachment 3) envisions a phased approach to regulating vacation rentals. The proposed first phase is described in the proposed ordinance. Future phases would consist of adopting additional regulations if they are found to be needed after an evaluation of how the first phase regulations are functioning. The first phase would require approval of a discretionary permit, an administrative use permit, to legally operate a vacation rental. Under this alternative, the County would have the discretion to deny a permit application.

- a. With proof of operation as a vacation rental, existing vacation rentals would be grandfathered
- b. There would no be any restriction on location relative to another vacation rental.
- c. There would not be any Special Consideration Areas.
- d. Parking would not all have to be on-site, i.e., street parking would be allowed.
- e. There would not be any limitations on number of rentals in any given time period.
- f. There would not be any maximum number of renters.
- g. There would not be any restrictions on advertising.
- h. One year after the effective date of the ordinance, the Planning Department would return to the Board of Supervisors with a report on the vacation rental issue, to include the number of responses by the Sheriff's Office to complaints, other neighbor complaints made to the Planning Department, etc. Depending on the results of the first year of regulating vacation rentals, if necessary, and at the direction of the Board, the Planning Department could craft additional regulations to address any unresolved concerns.

III. ENVIRONMENTAL REVIEW CHECKLIST

The proposed ordinances are directed toward controlling impacts that may be associated with the use of a property as a vacation rental. Currently, there are no land use regulations that place limits on vacation rentals and they are legal in all zone districts. Each of the three alternative ordinances will reduce physical impacts of vacation rentals on the environment over the baseline condition. For example, even alternative ordinance number 1, which imposes the fewest regulations, will create a registration and permit system that will facilitate enforcement of existing noise and disturbance regulations and will therefore decrease noise over the existing, unregulated condition. Any impact of the proposed ordinances will be positive, relative to the baseline, which is the existing situation, where vacation rentals are not regulated.

A. GEOLOGY AND SOILS

Would the project:

1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

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| A. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| C. Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion (A through D): The proposed ordinance would apply to all residential zone districts in the county and some residentially-zoned parcel are located within the limits of the State Alquist-Priolo Special Studies Zone (County of Santa Cruz GIS Mapping, California Division of Mines and Geology, 2001). Each fault in Santa Cruz County is capable of generating moderate to severe ground shaking from a major earthquake. Consequently, large earthquakes can be expected in the future. The October 17, 1989 Loma Prieta earthquake (magnitude 7.1) was the second largest

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| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
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earthquake in central California history.

All of Santa Cruz County is subject to some hazard from earthquakes. There is no authorization in any of the three alternative proposed ordinances that would increase exposure of any existing or new residence to earthquake hazards. Any given residential parcel could be subject to geological hazards. It is unknown where every vacation rental is located; however, the vast majority of vacation rentals are located in the immediate coastal area of the County from Live Oak to and including Pajaro Dunes and there are no county or State mapped fault zones in those areas. It is unlikely that many, if any, new dwellings will be built specifically to be used as vacation rentals. Further, any new dwellings that are located in a mapped fault zone would have been constructed to meet current seismic safety standards, which include minimum setbacks from fault traces.

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| 2. | Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. The proposed ordinance would apply to all residential zone districts in the county and some residentially-zoned parcel are located

All three of the alternative draft proposed ordinances would specifically allow vacation rentals in all residential zone districts in the County. Vacation rentals currently are not regulated, except for the requirement to pay Transient Occupancy Tax. Any given residential parcel could be subject to geological hazards. It is unknown where every vacation rental is located. By requiring that no new vacation rental be located closer than 200 feet from an existing vacation rental parcel, alternative ordinance II could have the effect of a new vacation rental being located on unstable geologic units or soils. However, most new vacation rentals would be in existing dwellings that, if located on an unstable geologic unit or soil, could already be subject to substantial risks to property. A proposed new dwelling, whether used for a vacation rental or not, would be subject to the California Building Code requirements related to geologic and soils safety issues. Currently, there are no land use regulations regarding vacation rentals.

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| 3. | Develop land with a slope exceeding 30%? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposed ordinance does not authorize or facilitate any new development. Any newly constructed dwelling used as a vacation rental will have met all requirements of the General Plan, County Code, and California Building Code relating to development on slopes exceeding 30%. Most new vacation rentals would

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| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
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be in existing dwellings.

4. Result in substantial soil erosion or the loss of topsoil? ☐ ☐ ☐ ☒

Discussion: The proposed ordinance does not authorize or facilitate any new development. Any newly constructed dwelling used as a vacation rental would be subject to all requirements of the General Plan, County Code, and California Building Code relating to erosion control and, as required, would have an approved Erosion Control Plan, which would specify detailed erosion and sedimentation control measures.

5. Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property? ☐ ☐ ☐ ☒

Discussion: By requiring that no new vacation rental be located closer than 200 feet from an existing vacation rental parcel, alternative ordinance II could have the effect of a new vacation rental being located on expansive soil. However, most new vacation rentals would be in existing dwellings that, if located on expansive soils, could already be subject to substantial risks to property. A new dwelling, whether used for a vacation rental or not, would be subject to all California Building Code requirements related to soils safety issues. Currently, there are no land use regulations regarding vacation rentals.

6. Place sewage disposal systems in areas dependent upon soils incapable of adequately supporting the use of septic tanks, leach fields, or alternative waste water disposal systems where sewers are not available? ☐ ☐ ☐ ☒

Discussion: No septic systems are proposed. The proposal does not authorize or facilitate any development. Any new dwelling constructed to be used as a vacation rental would have met the requirements of and received approval from the County Environmental Health Services.

7. Result in coastal cliff erosion? ☐ ☐ ☐ ☒

Discussion: The proposal does not authorize or facilitate any new development. Any newly constructed dwelling on or near a coastal cliff would be subject to all requirements of the General Plan and County Code regarding slope stability and erosion control.

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| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
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B. HYDROLOGY, WATER SUPPLY, AND WATER QUALITY

Would the project:

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| 1. | Place development within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does authorize or facilitate any new development. Any newly constructed dwelling used as a vacation rental would be subject to all County Code requirements regarding location in flood hazard areas.

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| 2. | Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does authorize or facilitate any new development. Any newly constructed dwelling used as a vacation rental would be subject to all County Code requirements regarding location in flood hazard areas.

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| 3. | Be inundated by a seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: Low lying coastal areas of Santa Cruz County could conceivably be subject to seiche or tsunami hazards. Area of the County with steep slopes and immediately down slope areas could be subject to mudflow hazards. However, the proposal does authorize any new development. Any newly constructed dwelling used as a vacation rental would be subject to all County Code requirements regarding location relative to these hazards.

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| 4. | Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. If a newly constructed dwelling were used as a vacation rental, the dwelling would be subject to the requirements of the particular water provider or the well requirement of County Environmental Health Services.

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
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5. Substantially degrade a public or private water supply? (Including the contribution of urban contaminants, nutrient enrichments, or other agricultural chemicals or seawater intrusion).

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| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. If a newly constructed dwelling were used as a vacation rental, the dwelling would be subject to the requirements of the Department of Public Works relative to runoff or the well and pumping requirement of County Environmental Health Services.

6. Degrade septic system functioning?

| | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. If a newly constructed dwelling were used as a vacation rental, the dwelling would be subject to the requirements of County Environmental Health Services regarding septic system functioning. Alternative ordinances II and III would require a septic tank pumping report as part of the application for a vacation rental permit.

7. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding, on- or off-site?

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| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. If a newly constructed dwelling were used as a vacation rental, the dwelling would be subject to the requirements of the Department of Public Works and all County Code requirements regarding drainage and flooding.

8. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems, or provide substantial additional sources of polluted runoff?

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| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. If a newly constructed dwelling were used as a vacation rental, the dwelling would be subject to the requirements of the Department of Public Works and all County Code requirements regarding drainage and runoff.

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| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
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9. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

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| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. All three of the alternative draft proposed ordinances would specifically allow vacation rentals in all residential zone districts in the County. Vacation rentals currently are not regulated, except for the requirement to pay Transient Occupancy Tax. Some residential parcels could be subject to flooding hazards from dam or levee failure. It is unknown where every vacation rental is located; however, the vast majority of vacation rentals are located in the immediate coastal area of the County from Live Oak to and including Pajaro Dunes. Few, if any of these would be subject to flooding from a dam failure. Some, mostly in Pajaro Dunes, could be subject flooding from levee failure. However, people and structures there are already potentially exposed to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. Any new dwellings would have met all required flood hazard requirements of County Code.

10. Otherwise substantially degrade water quality?

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| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development.

C. BIOLOGICAL RESOURCES

Would the project:

1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game, or U.S. Fish and Wildlife Service?

| | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. Any dwelling proposed to be constructed, whether for use as a vacation rental or not, would be subject to all requirements of County Code, Fish and Game, and US Fish and Wildlife Service (USFWS) regarding any species identified as a candidate, sensitive, or special status species.

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Significant
Impact | Less than
Significant
with
Mitigation
Incorporated | Less than
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Impact | No Impact |
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| 2. Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations (e.g., wetland, native grassland, special forests, intertidal zone, etc.) or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: The proposal does not authorize or facilitate any development. Any dwelling proposed to be constructed, whether for use as a vacation rental or not, would be subject to all requirements of County Code, Fish and Game, and USFWS regarding any riparian habitat or sensitive natural community.

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| 3. Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native or migratory wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. Any dwelling proposed to be constructed, whether for use as a vacation rental or not, would be subject to all requirements of County Code, Fish and Game, and USFWS regarding wildlife movement and habitat.

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| 4. Produce nighttime lighting that would substantially illuminate wildlife habitats? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. Any dwelling proposed to be constructed, whether for use as a vacation rental or not, would be subject to all requirements of County Code, Fish and Game, and USFWS regarding nighttime lighting and wildlife habitats.

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| 5. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
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Discussion: The proposal does not authorize or facilitate any development. Any dwelling proposed to be constructed, whether for use as a vacation rental or not, would be subject to all requirements of County Code, Fish and Game, USFWS, and the Army Corps of Engineers regarding wetland alteration.

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| 6. | Conflict with any local policies or ordinances protecting biological resources (such as the Sensitive Habitat Ordinance, Riparian and Wetland Protection Ordinance, and the Significant Tree Protection Ordinance)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. Any dwelling proposed to be constructed, whether for use as a vacation rental or not, would be subject to all requirements of the General Plan and County Code regarding protection of biological resources.

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| 7. | Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposal does not authorize or facilitate any development. Any dwelling proposed to be constructed, whether for use as a vacation rental or not, would be subject to all requirements of any adopted Habitat Conservation Plan Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, no impact would occur.

D. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

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| 1. | Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
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Farmland Mapping and Monitoring
 Program of the California Resources
 Agency, to non-agricultural use?

Discussion: The proposal does not authorize or facilitate any development. The proposal applies to residentially zoned properties only. No impact would occur from project implementation.

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| 2. | Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal applies in residential zone districts only. Therefore, the project does not conflict with existing zoning for agricultural use, or a Williamson Act Contract. No impact is anticipated.

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| 3. | Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal applies in residential zone districts only. Therefore, the project does not conflict with existing zoning for forest land or timber land use. No impact is anticipated.

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| 4. | Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal applies in residential zone districts only. Therefore, the project will not result in the loss of forest land or conversion of forest land to non-forest land. Therefore, there will be no impact

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| 5. | Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: Some residentially-zoned parcels that currently are or might be used for vacation rentals could be surrounded by or close to lands designated as Prime Farmland, Unique Farmland, Farmland of Statewide Importance or Farmland of Local Importance as shown on the maps prepared pursuant to the Farmland Mapping and

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| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
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Monitoring Program of the California Resources Agency. However, the proposal does not authorize any development and it applies in residential zone districts only. Therefore, no Prime Farmland, Unique Farmland, Farmland of Statewide, or Farmland of Local Importance would be converted to a non-agricultural use. Some residentially zoned parcels that currently are or might be used for vacation rentals could be surrounded by or close to lands designated forest land, and forest land could occur nearby. However, the proposal does not authorize any development and it applies in residential zone districts only. Therefore, the project will not result in the loss of forest land or conversion of forest land to non-forest land. Therefore, there will be no impact

E. MINERAL RESOURCES

Would the project:

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| 1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development and it applies in residential zones only. Existing vacation rental properties are already developed. Any proposed new dwelling, whether for use as a vacation rental or not, would not be constructed on a parcel that contains a known mineral resource such that the resource could not be extracted. Residentially zoned parcels do not contain any known mineral resources that would be of value to the region and the residents of the state. Therefore, no impact is anticipated from project implementation.

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| 2. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development and applies in residential zone districts only, which are not Extractive Use Zones (M-3) nor do they have a Land Use Designation with a Quarry Designation Overlay (Q) (County of Santa Cruz 1994). Therefore, no potentially significant loss of availability of a known mineral resource of locally important mineral resource recovery (extraction) site delineated on a local general plan, specific plan or other land use plan would occur as a result of this project.

F. VISUAL RESOURCES AND AESTHETICS

Would the project:

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|----------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Have an adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. Any proposed new dwelling would be subject to the scenic resource policies of the General

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Plan and County Code. The project would not directly impact any public scenic resources, as designated in the County's General Plan (1994), or obstruct any public views of these visual resources.

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| 2. | Substantially damage scenic resources, within a designated scenic corridor or public view shed area including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. Any proposed new dwelling would be subject to the scenic resource policies of the General Plan and County Code. The project would not directly impact any public scenic resources, as designated in the County's General Plan (1994), or obstruct any public views of these visual resources. Therefore, no impact is anticipated.

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| 3. | Substantially degrade the existing visual character or quality of the site and its surroundings, including substantial change in topography or ground surface relief features, and/or development on a ridgeline? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. Any proposed new dwelling would be subject to the scenic resource policies of the General Plan and County Code protecting existing visual character and quality of a building site. No impact would occur.

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| 4. | Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. Any proposed new dwelling would be subject to the scenic resource and light and glare policies of the General Plan and County Code.

G. CULTURAL RESOURCES

Would the project:

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|----|--------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. | Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. Any new development involving a historical resource as defined in CEQA Guidelines Section

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15064.5 would be subject to the historic resources protection provisions of the General Plan and County Code.

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| 2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. Any new development involving an archaeological resource as defined in CEQA Guidelines Section 15064.5 would be subject to the archaeological resources protection provisions of the General Plan and County Code.

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| 3. Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. Any proposed new dwelling, whether for use as a vacation rental or not, would be subject to Section 16.40.040 of the Santa Cruz County Code regarding discovery of human remains

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| 4. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. Any proposed new dwelling, whether for use as a vacation rental or not, would be subject to all regulations of the Santa Cruz County Code regarding protection of paleontological resources and unique geological features.

H. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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| 1. Create a significant hazard to the public or the environment as a result of the routine transport, use or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development nor does it have any relationship to the transport, use, or disposal of hazardous materials.

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| 2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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release of hazardous materials into the environment?

Discussion: The proposal does not authorize or facilitate any development nor do vacation rentals involve hazardous materials.

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| 3. | Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: While some vacation rentals may be within one-quarter mile of an existing or proposed school, the proposal does not authorize or facilitate any development nor do vacation rentals involve hazardous materials.

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| 4. | Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: While the proposal does not authorize or facilitate any development, and while it is unknown where all the vacation rentals are located, it could be that some existing vacation rentals are already located on a site that is included in the list of hazardous material sites compiled pursuant to Government Code Section 65962.5. However, except for the provisions in alternative ordinance II requiring new vacation rentals to be at least 200 feet from a parcel with an existing vacation rental, the proposed ordinances govern operation of vacation rentals, not location. The proposal would not cause a vacation rental to be located on the list of hazardous sites. Any proposed dwelling, whether for use as a vacation rental or not, would be subject to all regulations regarding location on a site with hazardous materials. Currently, there are no regulations governing vacation rentals, other than the requirement to pay TOT.

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| 5. | For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development, nor are there currently any land use or location regulations for vacation rentals.

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Significant
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| 6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: The proposal does not authorize or facilitate any development, nor are there currently any land use or location regulations for vacation rentals.

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| 7. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. Vacation rentals per se do not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

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| 8. Expose people to electro-magnetic fields associated with electrical transmission lines? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. Except for the provisions in alternative ordinance II requiring new vacation rentals to be at least 200 feet from a parcel with an existing vacation rental, the proposed ordinances govern operation of vacation rentals, not location.

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| 9. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. While it is not known where all existing vacation rentals are located, the vast majority whose location is known are located in urban areas not generally subject to wild land fires. Any new dwelling, whether intended for use as a vacation rental or not, would be subject to all requirements of the responsible fire agency.

I. TRANSPORTATION/TRAFFIC

Would the project:

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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
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transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Discussion: The proposal does not authorize or facilitate any development. There would be no impact from existing vacation rentals because no additional traffic would be generated beyond that which already exists. Any new dwelling, whether intended for use as a vacation rental or not, would be subject to all traffic and transportation requirements. While it is possible that new vacation rentals would exceed the number of trips generated by a no-vacation rental dwelling, it is not anticipated that a small incremental increase in traffic on nearby roads and intersections would be significant or that such an increase would cause the Level of Service at any nearby intersections to drop below Level of Service D.

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| 2. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development.

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| 3. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development and has no relationship to transportation design features or uses incompatible with transportation features.

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| 4. Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. Most existing known vacation rentals are within a few blocks of the beach where there is often traffic congestion that could impede emergency access, however, such impediment to emergency access is temporary.

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| 5. Cause an increase in parking demand which cannot be accommodated by existing parking facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: See I-1, above. The proposal does not authorize or facilitate any

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| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
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development. Alternative ordinance II requires that all parking for new vacation rentals be located on site. For existing vacation rentals, none of the alternatives require all parking to be on site, so some parking could be located off-site, on the street. Overall, however, any of the ordinances would have a positive effect, due to the enhanced ability to track vacation rental locations and therefore any adverse effects they may have, including on neighborhood parking.

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|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. | Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development.

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| 7. | Exceed, either individually (the project alone) or cumulatively (the project combined with other development), a level of service standard established by the County General Plan for designated intersections, roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. See response I-1 above.

J. NOISE

Would the project result in:

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| 1. | A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|-----------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposal does not authorize or facilitate any development. All existing and any new vacation rental or other development is required by the General Plan and County Code to limit noise. All vacation rentals under any of the alternative ordinances would be subject to the enforcement provisions of County Code Chapter 19, which could include revocation of the permit for violations of the County Code, including violations of the noise regulations. This would be a beneficial impact over existing conditions.

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| 2. | Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
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Discussion: The proposal does not authorize or facilitate any development. Vacation rental use does not involve groundborne vibration or noise.

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| 3. | Exposure of persons to or generation of noise levels in excess of standards established in the General Plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. See J-1, above.

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| 4. | A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. See J-1, above.

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| 5. | For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development, nor are there currently any land use or location regulations for vacation rentals.

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| 6. | For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development, nor are there currently any land use or location regulations for vacation rentals.

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K. AIR QUALITY

Where available, the significance criteria established by the Monterey Bay Unified Air Pollution Control District (MBUAPCD) may be relied upon to make the following determinations. Would the project:

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| 1. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development

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| 2. Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project would not conflict with or obstruct implementation of the regional air quality plan. See K-1 above.

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| 3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project would not result in a cumulative considerable net increase of any criteria pollutant. See K-1 above.

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| 4. Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal would not expose sensitive receptors to substantial pollutant concentrations. See K-1 above.

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| 5. Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal would not create objectionable odors. See K-1, above.

L. GREENHOUSE GAS EMISSIONS

Would the project:

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| 1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
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Discussion: The proposal does not authorize or facilitate any development.

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| 2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposal does not authorize or facilitate any development. No impacts are anticipated.

M. PUBLIC SERVICES

Would the project:

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| 1. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: | | | | |
| a. Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Parks or other recreational activities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Other public facilities; including the maintenance of roads? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion (a through e): The proposal does not authorize or facilitate any development. However, a new ordinance is expected to facilitate enforcement of the noise ordinance by the Sheriff's Office. Based on conversations with the Sheriff's Office (Sergeant Fish, person communication), the requirement for posting of a local contact, exterior identification of a property as a vacation rental, and the ability to track complaints will be beneficial to law enforcement.

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| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|--------------------------------------|----------------------------------------------------------------|------------------------------------|-----------|

N. RECREATION

Would the project:

- | | | | | | |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. | Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposal does not authorize or facilitate any development.

- | | | | | | |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposal does not authorize or facilitate any development.

O. UTILITIES AND SERVICE SYSTEMS

Would the project:

- | | | | | | |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. | Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposal does not authorize or facilitate any development.

- | | | | | | |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposal does not authorize or facilitate any development.

- | | | | | | |
|----|--------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. | Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposal does not authorize or facilitate any development.

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------------------------------------|------------------------------------|-------------------------------------|
| 4. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: The proposal does not authorize or facilitate any development.

| | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 5. Result in determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposal does not authorize or facilitate any development.

| | | | | |
|------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposal does not authorize or facilitate any development.

| | | | | |
|-------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 7. Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposal does not authorize or facilitate any development.

P. LAND USE AND PLANNING

Would the project:

| | | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposal does not authorize or facilitate any development. The proposal does not conflict with any regulations or policies adopted for the purpose of avoiding or mitigating an environmental effect.

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Significant
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with
Mitigation
Incorporated | Less than
Significant
Impact | No Impact |
|---------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------------------------------------|------------------------------------|-------------------------------------|
| 2. Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: The proposal does not authorize or facilitate any development.

- | | | | | |
|------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposal does not authorize or facilitate any development. The project would not include any element that would physically divide an established community.

Q. POPULATION AND HOUSING

Would the project:

- | | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposal does not authorize or facilitate any development.

- | | | | | |
|-----------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-----------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposal does not authorize or facilitate any development or use that would displace a substantial numbers of existing housing.

- | | | | | |
|-------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposal does not authorize or facilitate any development nor would it displace a substantial number of people necessitating construction of replacement housing elsewhere.

R. MANDATORY FINDINGS OF SIGNIFICANCE

- | | Potentially
Significant
Impact | Less than
Significant
with
Mitigation | Less than
Significant
Impact | No
Impact |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------|------------------------------------|-------------------------------------|
| 1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: The proposal does not authorize or facilitate any development. The potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory were considered in the response to each question in Section III of this Initial Study and no impacts were identified. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

- | | Potentially
Significant
Impact | Less than
Significant
with
Mitigation | Less than
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Impact | No
Impact |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------|------------------------------------|-------------------------------------|
| 2. Does the project have impacts that are individually limited, but cumulatively considerable? ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: The proposal does not authorize or facilitate any development. No individually limited, but cumulative considerable impacts have been identified. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

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Significant
Impact | Less than
Significant
with
Mitigation | Less than
Significant
Impact | No
Impact |
|---------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------|------------------------------------|-------------------------------------|
| 3. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: The proposal does not authorize or facilitate any development. In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to specific questions in Section III. Aesthetics, Air Quality, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Population and Housing, and Transportation and Traffic. As a result of this evaluation, no potentially significant effects to human beings were identified. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

IV. TECHNICAL REVIEW CHECKLIST

| | <u>REQUIRED</u> | <u>DATE COMPLETED</u> |
|----------------------------------------------------------|---------------------------------------------------------------------|----------------------------------|
| Agricultural Policy Advisory Commission (APAC) Review | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | _____ |
| Archaeological Review | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | _____ |
| Biotic Report/Assessment | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | _____ |
| Geologic Hazards Assessment (GHA) | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | _____ |
| Geologic Report | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | _____ |
| Geotechnical (Soils) Report | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | _____ |
| Riparian Pre-Site | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | _____ |
| Septic Lot Check | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | _____ |
| Other: | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | _____ |

**V. REFERENCES USED IN THE COMPLETION OF THIS ENVIRONMENTAL
REVIEW INITIAL STUDY**

County of Santa Cruz 1994.
*1994 General Plan and Local Coastal Program for the County of Santa Cruz,
California.* Adopted by the Board of Supervisors on May 24, 1994, and certified by
the California Coastal Commission on December 15, 1994.

County of Santa Cruz
Santa Cruz County Code, Volume II

VI. ATTACHMENTS

1. First alternative ordinance.
2. Second alternative ordinance.
3. Third alternative ordinance.

ORDINANCE ADDING NEW SECTION 13.10.326 AND ADDING A DEFINITION TO
SECTION 13.10.700-V OF THE SANTA CRUZ COUNTY CODE RELATING TO THE
REGULATION OF VACATION RENTALS

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Section 13.10.326 is hereby added to the Santa Cruz County Code to read as follows:

13.10.326 Vacation rentals

(a) The purpose of this section is to establish a simple permit and registration system for vacation rentals that will allow the County to be able to track the number and location of vacation rentals in order to:

1. Ensure that vacation rentals do not have an adverse effect on existing neighborhoods and on the long-term rental housing stock.
2. Ensure that Transient Occupancy Tax is paid.
3. Facilitate better enforcement of regulations (e.g., noise) applicable to vacation rentals.

(b) Vacation rentals are allowed in all residential zone districts in the County. The use of residentially zoned property as a vacation rental shall comply with the following standards:

1. Applicability. This section applies County wide to legal structures used as vacation rentals. Illegal structures may not be used as vacation rentals.

2. Permit requirements. Ministerial Permit and Transient Occupancy Tax Registration for each residential vacation rental.

3. Transient Occupancy Tax. Each residential vacation rental unit shall meet the regulations and standards set forth in Chapter 4.24 of the County Code, including any required payment of transient occupancy tax for each residential vacation rental unit.

4. Signs. A sign identifying the structure as a permitted vacation rental and listing a 24 hour, in-county contact responsible for responding to complaints and providing general information shall be placed in a front or other window facing a public street or may be affixed to the exterior of the front of the structure facing a public street. If the structure is more than 20 feet back from the street, the sign shall be affixed to a fence or post or other support at the front property line. The sign may be of any shape, but may not exceed 216 square inches. The view of the sign from the public street shall be unobstructed and the sign shall be maintained with legible information.

5. Noise. All residential vacation rentals shall comply with the standards of Chapter 8.30 of the County Code (Noise) and a copy of that chapter shall be posted in an open and conspicuous place in the unit and shall be readily visible to all tenants and guests. No vacation rental is to involve on-site use of equipment requiring more than standard household electrical current at 110 or 220 volts or that produces noise, dust, odor or vibration detrimental to occupants of adjoining dwellings.

6. Local contact person. All vacation rentals shall designate an in-county property manager. The property manager shall be available 24 hours a day to respond to tenant and neighborhood questions or concerns. Where a property owner lives within the County the property owner may designate himself or herself as the local contact person. The name, address and telephone number(s) of the local contact person shall be submitted to the Planning Department, the local Sheriff Substation, the main county Sheriff's Office, the local fire agency, and supplied to the property owners within a 300 foot radius. The name, address and telephone number(s) of the local contact person shall be permanently posted in the rental unit in a prominent location(s). Any change in the in-county contact person's address or telephone number shall be promptly furnished to the agencies and neighboring property owners as specified in this subsection.

7. Dispute resolution. By accepting a vacation rental permit, all vacation rental owners agree to engage in dispute resolution and act in good faith to resolve disputes with neighbors arising from the use of a dwelling as a vacation rental. Unless an alternative dispute resolution entity is agreed to by all parties involved, dispute resolution shall be conducted through the Conflict Resolution Center of Santa Cruz County.

8. Violation. It is unlawful for any person to use or allow the use of property in violation of the provisions of this section. The penalties for violation of this section are set forth in Chapter 19.01 of this Title (Enforcement). All costs incurred by the Sheriff's Office when responding to complaints about vacation rentals shall be fully reimbursed by the property owner.

SECTION II

Section 13.10.700-V of the Santa Cruz County Code is hereby amended by adding a definition for "Vacation rental" preceding the definition of "Variance" to read as follows:

Vacation Rental: A dwelling unit, rented for the purpose of overnight lodging for a period of not more than thirty (30) days other than ongoing month-to-month tenancy granted to the same renter for the same unit. Accessory structures, second units, and legally restricted affordable housing units shall not be used as vacation rentals.

SECTION III

This ordinance shall take effect on the 31st day after the date of Final Passage, or upon certification by the California Coastal Commission, whichever date is later.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz this _____ day of _____, 2010, by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST:

Clerk of the Board

APPROVED AS TO FORM:

County Counsel

Copies to: Planning
Public Works
County Counsel

**ORDINANCE ADDING NEW SECTIONS 13.10.326, 13.10.327, AND 13.10.328, AND
ADDING A DEFINITION TO SECTION 13.10.700-V OF THE SANTA CRUZ COUNTY
CODE RELATING TO THE REGULATION OF VACATION RENTALS**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Section 13.10.326 is hereby added to the Santa Cruz County Code to read as follows:

13.10.326 Vacation Rentals

(a) The purpose of sections 13.0.326, 13.10.327, and 13.10.328 is to establish regulations applicable to structures on residentially zoned parcels that are rented as vacation rentals for periods of less than thirty days at a time. These regulations are in addition to all other provisions of this Title. In the adoption of these standards the Board of Supervisors find that residential vacation rentals have the potential to diminish the stock of housing available to long-term residential households and to be incompatible with surrounding residential uses, especially when multiple vacation rentals are concentrated in the same area, thereby having the potential for a deleterious effect on the adjacent full time residents and neighborhood character. Special regulation of these uses is necessary to preserve the housing stock and to ensure that they will be compatible with surrounding residential uses and will not harm or alter the neighborhoods in which they are located.

(b) Permit requirements. Administrative Use Permit and Transient Occupancy Tax Registration for each residential vacation rental.

(c) Location.

1. Except as set forth in (2) below, and in 13.10.327, in all residential zone districts no new vacation rental shall be located within 200 feet of a parcel on which any other vacation rental is located. This location standard may be modified by an exception if approved by Zoning Administrator, as set forth in Section 13.10.328(d).

2. For the purposes of this ordinance, Special Consideration Areas are defined as follows: Pajaro Dunes; the portion of Oceanview Drive along the ocean in La Selva; and on Beach Drive; Rio del Mar Boulevard between Aptos Beach Drive and Cliff Court; and Las Olas Drive in Aptos. In these areas there are no limits on location and the minimum separation given in section (c)1 does not apply.

(d) Vacation rental tenancy.

1. One tenancy per year of 30 days or less is exempt from the requirements of this section.

2. This section does not apply to house trades where there is no monetary compensation.

3. Except as described in 1 and 2, above, and 5, below, rental of a residence shall not exceed one individual tenancy within seven consecutive calendar days. Each individual tenancy may consist of from one to seven days. No additional occupancy (with the exception of the property owner) shall occur within that seven-day period.

4. A vacation rental shall only be used for the purposes of occupancy as a vacation rental and/or as a full time occupied unit.

5. In the Special Consideration Areas, there are no limits on tenancy or minimum number of days per tenancy.

(e) Number of people allowed. The maximum number of tenants allowed in an individual residential vacation rental shall not exceed two people per bedroom plus two additional people, except for celebrations and large gatherings not exceeding 12 hours in duration, during which time the total number of people allowed is twice the allowed number of tenants. Children under 12 are not counted toward the maximums.

(f) Signs. A sign identifying the structure as a permitted vacation rental and listing a 24-hour local contact responsible for responding to complaints and providing general information shall be placed in a front or other window facing a public street or may be affixed to the exterior of the front of the structure facing a public street. If the structure is more than 20 feet back from the street, the sign shall be affixed to a fence or post or other support within 20 feet of the front property line. The sign may be of any shape, but may not exceed 216 square inches. The view of the sign from the public street shall be unobstructed and the sign shall be maintained with legible information.

(g) On-site parking required. Except for pre-existing, non-conforming vacation rentals existing as of the date of the adoption of this ordinance by the Board of Supervisors, which are issued a valid Administrative Use Permit (see section 13.10.327), all parking associated with a Residential Vacation Rental shall be entirely onsite, in the garage, driveway or other on-site parking area and all tenants using the vacation rental shall not use on-street parking. All vacation rentals shall provide the minimum on-site parking required at the time the structure was permitted.

(h) Noise. All residential vacation rentals shall comply with the standards of Chapter 8.30 of the County Code (Noise) and a copy of that chapter shall be posted in an open and conspicuous place in the unit and shall be readily visible to all tenants and guests. No vacation rental is to involve on-site use of equipment requiring more than standard household electrical current at 110 or 220 volts or activities that produce noise, dust, odor or vibration detrimental to occupants of adjoining dwellings.

(i) Local contact person. All vacation rentals shall designate a property manager within a 15-mile radius of the particular vacation rental. The local property manager shall be available 24 hours a day to respond to tenant and neighborhood questions or concerns. Where a property owner lives within the County the property owner may designate himself or herself as the local contact person. The requirements of this section apply to both owners and designated property managers.

1. The name, address and telephone number(s) of the local contact person shall be submitted to the Planning Department, the local Sheriff Substation, the main county Sheriff's Office, the local fire agency, and supplied to the property owners within a 300 foot radius. The name, address and telephone number(s) of the local contact person shall be permanently posted in the rental unit in a prominent location(s). Any change in the local contact person's address or telephone number shall be promptly furnished to the agencies and neighboring property owners as specified in this subsection.

2. If the local contact person is unavailable or fails to respond, and the complaining party contacts the Sheriff's Office, the Sheriff may attempt to reach the local contact person. In cases where the Sheriff is unable to reach the local contact person the penalties as set forth in Subsection P may apply.

(j) Transient Occupancy Tax. Each residential vacation rental unit shall meet the regulations and standards set forth in Chapter 4.24 of the County Code, including any required payment of transient occupancy tax for each residential vacation rental unit.

(k) Operational measures. Rules about trash management (e.g., trash to be stored in covered containers only), number of tenants, illegal behavior and disturbances shall be listed in the Rental Agreement and shall be posted inside the vacation rental in an open and conspicuous place readily visible to all tenants and guests.

(l) Advertising. No vacation rental shall be advertised in any manner as a venue for weddings, receptions, corporate meetings, retreats, or similar functions.

(m) Effect on pre-existing, non-conforming residential vacation rentals. See Section 13.10.327.

(n) The manager shall maintain a log of characteristics of each rental tenancy to demonstrate compliance with tenancy regulations and shall make the logs available for inspection by the Sheriff and the Planning Department.

(o) Dispute resolution. By accepting a vacation rental permit, all vacation rental owners agree to engage in dispute resolution and act in good faith to resolve disputes with neighbors arising from the use of a dwelling as a vacation rental. Unless an alternative dispute resolution entity is agreed to by all parties involved, dispute resolution shall be conducted through the Conflict Resolution Center of Santa Cruz County.

(p) Violation. It is unlawful for any person to use or allow the use of property in violation of the provisions of this section. The penalties for violation of this section are set forth in Chapter 19.01 of this Title (Enforcement). If more than two documented, significant violations occur within any 12-month period the Administrative Use Permit may be reviewed for possible non-renewal, amendment, or revocation; this may occur before expiration of the subject Administrative Use Permit. Documented, significant violations include, but are not limited to: copies of citations, written warnings, or other documentation filed by law enforcement; copies of Homeowner Association warnings, reprimands, or other Association actions; written or photographic evidence collected by members of the public or County staff; and documented unavailability of the local contact three or more times within a six month period.

SECTION II

Section 13.10.327 is hereby added to the Santa Cruz County Code to read as follows:

13.10.327 Existing Vacation Rentals

(a) At the effective date of this ordinance, all existing vacation rentals are considered non-conforming uses. County Code Sections 13.10.10.260 and 13.10.261 normally apply to non-conforming residential uses. However, those sections shall not apply to existing vacation rentals that obtain an Administrative Use Permit under the provisions of this section.

(b) The purpose of this section is to provide a process to identify and register those vacation rentals as nonconforming uses which have been in lawful use prior to the adoption of this ordinance by the Board of Supervisors and to allow them to continue subject to obtaining an Administrative Use Permit as provided by this section.

(c) The owner, operator or proprietor of any vacation rental that is operating on the effective date of this ordinance, which is upon certification of this ordinance by the

Coastal Commission, shall within 180 days after the effective date obtain an Administrative Use Permit for vacation rentals.

(d) No Administrative Use Permit shall be issued by the Planning Director unless the use as a vacation rental is a legal use under the Zoning Ordinance, and the applicant provides a sworn affidavit and demonstrates to the satisfaction of the Planning Director that a dwelling unit was being used as a vacation rental on an on-going basis prior to the adoption of this ordinance by the Board of Supervisors and was in compliance with all State and County land use and planning laws. The Planning Director, in making the decision, shall take into consideration, among other things, the following guidelines:

1. The applicant paid County of Santa Cruz Transient Occupancy Tax on the lawful operation of the vacation rental; or

2. That applicant had transient guests occupy the subject property in exchange for compensation prior to the adoption of this ordinance by the Board of Supervisors; and

3. Reliable information, including but not limited to, records of occupancy and tax documents, reservation lists, and receipts showing payment is provided.

4. For those who provide adequate documentation, but have not registered and paid Transient Occupancy Tax, proof of retroactive payment of the Transient Occupancy Tax amount due to the County for the three prior years shall be submitted.

5. A copy of a recent (within 3 years of the application date) septic pumping report for those properties with on-site sewage disposal. The applicant is responsible for providing documentation, satisfactory to the Health Officer, showing that adequate information exists as to the location, construction, and proper functioning of the sewage disposal system prior to issuance of a vacation rental permit.

(e) No notice is required as part of the processing of an initial Administrative Use Permit for pre-existing, non-conforming vacation rentals. Renewals shall be subject to public notice.

(f) Failure to apply for an Administrative Use Permit within 180 days of the effective date of this Ordinance shall mean that the alleged nonconforming use is not a bona fide nonconforming use, and it shall be treated as an unlawful use, unless and until an Administrative Use Permit is obtained for a vacation rental use that meets all of the criteria under Section 13.10.326 and 13.10.327.

(g) Administrative Use Permits in the Special Consideration Areas shall be renewed every five years. In all other areas, the Administrative Use Permit shall be renewed every two years. During the renewal application process, the Planning Director shall take into consideration compliance with the permit conditions, as well as public complaints related to the loss of quiet enjoyment, record of unlawful activities, as well as non-compliance with all State and County land use or planning laws.

SECTION III

Section 13.10.328 is hereby added to the Santa Cruz County Code to read as follows:

13.10.328 New vacation rentals

(a) All new vacation rentals shall be subject to the requirements set forth in Section 13.10.326 and shall obtain an Administrative Use Permit. Every application for an Administrative Use Permit for a new vacation rental shall include the following.

1 Completed application form

2. Non-refundable application fee as established by the Board of Supervisors, but no greater than necessary to defer the cost incurred by the County in administering the provisions of this Chapter

3. Plans drawn to scale showing the following:

(i) Plot plan showing property lines, all existing buildings, and dimensioned parking spaces

(ii) Floor plan showing all rooms with each room labeled as to room type

(iii) Copy of a blank rental/lease agreement with the conditions of approval of the use permit listed in the agreement (i.e., occupancy limits, parking, trash, etc, pursuant to Section 13.10.326.

4. Copy of a County of Santa Cruz Transient Occupancy Registration Certificate for the purpose of the lawful operation of a vacation rental.

5. A copy of a recent (within 3 years of the application date) septic pumping report for those properties with on-site sewage disposal. The applicant is responsible for providing documentation, satisfactory to the Health Officer, showing that adequate information exists as to the location, construction, and proper functioning of the sewage disposal system prior to issuance of a vacation rental permit.

(b) Notice of the application shall be sent to all owners and residents of properties within 300 feet of the exterior boundaries of the parcel on which the new vacation rental is proposed.

(c) No public hearing shall be required unless a) an exception to the standards for new vacation rentals is requested, in which case the application shall be scheduled for public hearing at the Zoning Administrator, or b) if the Planning Director determines that a public hearing is required based on public responses to the application or for other good cause, in which case the application shall be scheduled for public hearing at the Zoning Administrator or the Planning Commission, at the discretion of the Planning Director.

(d) Exceptions to the requirements for new vacation rentals shall be requested in writing as part of the application, shall be limited to exceptions to the location and parking standards, and shall be heard by the Zoning Administrator at a noticed public hearing. An exception shall be granted only in the following cases.

1. Where two or more intersecting property lines of the subject parcel abut a non-residentially zoned parcel or parcels; or

2. Where the subject parcel is of such size that a vacation rental structure is located on the subject parcel more than 200 feet from the property line of a parcel with an existing vacation rental.

(e) Administrative Use Permits for new vacation rentals in the Special Consideration Areas shall be renewed every five years. In all other areas, the Administrative Use Permit shall be renewed every two years. During the renewal application process, the Planning Director shall take into consideration public complaints related to the loss of quiet enjoyment, record of unlawful activities, as well as non-compliance with all State and County land use or planning laws.

(f) Action on an Administrative Use Permit for a new vacation rental may be appealed according to the procedures set forth in Section 18.10.310 et seq.

SECTION IV

Section 13.10.700-V of the Santa Cruz County Code is hereby amended by adding a definition for "Vacation rental" following the definition of "VA" to read as follows:

Vacation Rental: A dwelling unit, rented for the purpose of overnight lodging for a period of not more than thirty (30) days other than ongoing month-to-month tenancy granted to the same renter for the same unit. Habitable accessory structures, non-habitable accessory structures, second units constructed under the provisions of County Code Section 13.10.681, and legally restricted affordable housing units shall not be used as vacation rentals.

SECTION VI

This ordinance shall take effect on the 31st day after the date of Final Passage, or upon certification by the California Coastal Commission, whichever date is later.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz
this _____ day of _____, 2010, by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: _____

Clerk of the Board

APPROVED AS TO FORM:

County Counsel

Copies to: Planning
Public Works
County Counsel

**ORDINANCE ADDING NEW SECTION 13.10.326 AND ADDING A DEFINITION TO
SECTION 13.10.700-V OF THE SANTA CRUZ COUNTY CODE RELATING TO THE
REGULATION OF VACATION RENTALS**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Section 13.10.326 is hereby added to the Santa Cruz County Code to read as follows:

13.10.326 Vacation Rentals

(a) The purpose of this section is to establish a simple permit and registration system for vacation rentals that will allow the County to be able to track the number and location of vacation rentals in order to:

1. Ensure that vacation rentals do not have an adverse effect on existing neighborhoods and on the long-term rental housing stock, and
2. Ensure that the required Transient Occupancy Tax is paid, and
3. Facilitate better enforcement of existing regulations (e.g., noise) applicable to vacation rentals.

(b) Location and Permit requirements. Vacation rentals are allowed in all residential zone districts. Administrative Use Permit and Transient Occupancy Tax Registration is required for each residential vacation rental. Every application for an Administrative Use Permit for a vacation rental shall include the following.

1. Completed application form
2. Non-refundable application fee as established by the Board of Supervisors, but no greater than necessary to defer the cost incurred by the County in administering the provisions of this Chapter
3. Copy of a County of Santa Cruz Transient Occupancy Registration Certificate for the purpose of the lawful operation of a vacation rental.
4. A copy of a recent (within 3 years of the application date) septic pumping report for those properties with on-site sewage disposal. The applicant is responsible for providing documentation, satisfactory to the Health Office, showing that adequate information exists as to the location, construction, and proper functioning of the sewage disposal system prior to issuance of a vacation rental permit.

(c) Notice of the application shall be sent to all owners and residents of properties within 300 feet of the exterior boundaries of the parcel on which the new vacation rental is proposed.

(d) No public hearing shall be required unless the Planning Director determines that a public hearing is required based on public responses to the application or for other good cause, in which case the application shall be scheduled for public hearing at the Zoning Administrator or the Planning Commission, at the discretion of the Planning Director.

(e) Transient Occupancy Tax. Each residential vacation rental unit shall meet the regulations and standards set forth in Chapter 4.24 of the County Code, including any required payment of transient occupancy tax for each residential vacation rental unit.

(f) Signs. A sign identifying the structure as a permitted vacation rental and listing a 24 hour, in-county contact responsible for responding to complaints and providing general information shall be placed in a front or other window facing a public street or may be affixed to the exterior of the front of the structure facing a public street. If the structure is more than 20 feet back from the street, the sign shall be affixed to a fence or post or other support at the front property line. The sign may be of any shape, but may not exceed 216 square inches. The view of the sign from the public street shall be unobstructed and the sign shall be maintained with legible information.

(g) Noise. All residential vacation rentals shall comply with the standards of Chapter 8.30 of the County Code (Noise) and a copy of that chapter shall be posted in an open and conspicuous place in the unit and shall be readily visible to all tenants and guests. No vacation rental is to involve on-site use of equipment requiring more than standard household electrical current at 110 or 220 volts or that produces noise, dust, odor or vibration detrimental to occupants of adjoining dwellings.

(h) Local contact person. All vacation rentals shall designate an in-county property manager. The property manager shall be available 24 hours a day to respond to tenant and neighborhood questions or concerns. Where a property owner lives within the County the property owner may designate himself or herself as the local contact person.

1. The name, address and telephone number(s) of the local contact person shall be submitted to the Planning Department, the local Sheriff Substation, the main county Sheriff's Office, the local fire agency, and supplied to the property owners within a 300 foot radius. The name, address and telephone number(s) of the local contact person shall be permanently posted in the rental unit in a prominent location(s). Any change in the local contact person's address or telephone number shall be promptly furnished to the agencies and neighboring property owners as specified in this subsection.

2. If the local contact person is unavailable or fails to respond, and the complaining party contacts the Sheriff's Office, the Sheriff may attempt to reach the local contact person. In cases where the Sheriff is unable to reach the local contact person the penalties as set forth in Subsection (ii) may apply.

(i) Dispute resolution. By accepting a vacation rental permit, all vacation rental owners agree to engage in dispute resolution and act in good faith to resolve disputes with neighbors arising from the use of a dwelling as a vacation rental. Unless an alternative dispute resolution entity is agreed to by all parties involved, dispute resolution shall be conducted through the Conflict Resolution Center of Santa Cruz County.

(j) Violation. It is unlawful for any person to use or allow the use of property in violation of the provisions of this section. The penalties for violation of this section are set forth in Chapter 19.01 of this Title (Enforcement). All costs incurred by the Sheriff's Office when responding to complaints about vacation rentals shall be fully reimbursed by the property owner.

SECTION II

Section 13.10.700-V of the Santa Cruz County Code is hereby amended by adding a definition for "Vacation rental" following the definition of "VA" to read as follows:

Vacation Rental: A dwelling unit, rented for the purpose of overnight lodging for a period of not more than thirty (30) days other than ongoing month-to-month tenancy granted to the same renter for the same unit. Habitable accessory structures, non-habitable

accessory structures, second units constructed under the provisions of County Code Section 13.10.681, and legally restricted affordable housing units shall not be used as vacation rentals.

SECTION III

This ordinance shall take effect on the 31st day after the date of Final Passage, or upon certification by the California Coastal Commission, whichever date is later.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz this _____ day of _____, 2010, by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS



CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: _____

Clerk of the Board

APPROVED AS TO FORM:

County Counsel

Copies to: Planning
Public Works
County Counsel