

Michael Lam

From: Andrea Rosenfeld <andrea.rosenfeld88@gmail.com>
Sent: Wednesday, April 16, 2025 11:54 AM
To: Michael Lam
Cc: Manu Koenig; Justin Cummings
Subject: 241286 Miracle

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Mr Lam:

I am writing regarding the appeal for the approval of the above vacation rental permit.

I am a life-long resident of Redwood drive who strongly opposes the permit.

I could not state my reasons any clearer than did my neighbor Mary Alice Davis, of Miracle Lane, in the letter she sent to you with the request that it be added to the Staff Report relating to this matter.

The inaccuracies in the Staff Report that were not addressed at the hearing, along with the fact that a final determination by the Planning Commission re: the Board of Supervisor's subcommittee recommendations regarding new rules regulating vacation rentals throughout the County have not been completed, point to this decision being made prematurely without proper due process or consideration. New rules would very likely prevent this vacation rental from being approved.

As a community member, although my comments were "spoken out loud" at the hearing, I felt as though myself and my neighbors were glad-handed through this process, only to have all of our concerns fall on deaf ears. This is your opportunity to redeem yourselves, and make the citizenry feel as though the work of the subcommittee and the new regulations/guidelines, are truly being made in the best interests of the community, rather than in the self-interest of a property owner who chooses profit ahead of community.

I urge you to do the right thing by revoking this application permit, at least until inaccuracies have been investigated and corrected, addressed publicly, and the new regulations have been established.

Thank you.

Regards,

Andrea Rosenfeld
andrea.rosenfeld88@gmail.com
415.370.2154

Michael Lam

From: GerryandSteven Rieger <gandsrieger1@msn.com>
Sent: Wednesday, April 16, 2025 12:50 PM
To: Michael Lam
Subject: Addition to Staff Report submitted April 15th, 2025

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Please include my information into the Staff Report to be presented April 23, 2025.

As a widowed, senior woman living directly across from the 220 Miracle Lane house, I strongly oppose the approval of this property as a vacation rental. I feel that the approval that was given at a meeting held February 21, 2025 was based on a report that was full of inaccuracies and lacking significant information that was not allowed to be shared at the February 21 meeting. The swift approval that was given simply ignored the objections of an entire neighborhood and seemed more interested in the financial gains of the county.

My objections stem from the fact that we live on a private, one-lane road that is solely repaired and maintained by the neighbors. The county provides NO financial assistance for the repair and maintenance of this road. Our neighborhood is in the process of completing a road agreement that has been generated with input from all the neighbors and will be covering the maintenance and repairs of our road. All neighbors on the road will sign the agreement and approval for this permit should not take place before this task has been completed.

Fire safety in this heavily wooded area is critical to the safety of life and property and MUST be seriously considered. Short term visitors may not be aware of the possible fire hazards and a lit cigarette carelessly tossed could create a disaster. I feel that providing ashtrays on the deck is a 'band aid' at best, and that 'no smoking is the only way to protect our fragile area.

Please include my concerns as part of the staff report for the April 23rd meeting.

Thank you,
Gerry Rieger
225 Miracle Lane, Santa Cruz

Michael Lam

From: Terri Fisher- Mastick <tfarch@aol.com>
Sent: Tuesday, April 15, 2025 2:53 PM
To: Nicholas Brown; Michael Lam
Subject: Objection to Zoning Administrator Approval of Vacation Rental on Miracle Lane

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Planning Commission of Santa Cruz County
701 Ocean Street
Santa Cruz, CA

Attention: Planning Commission Members
Regarding: Zoning Administrator Approval of a Vacation Rental at 220 Miracle Lane, Santa Cruz
Item #: 2 241286
A.P. N. 068-271-06

Dear Commissioners,

The neighborhood opposition to this vacation rental IS and HAS been consistent since we first became aware of this request. It is extremely important for the Commission to read all of the correspondence that has been previously sent to the Planner. There were a number of items that were not included in the staff report. This leads me to make the Commission aware of the disappointing and frustrating experience in the Planning Approval process. The timeline as listed below did not allow for adequate timing to address the County's position on this application, and I left the hearing as if I was not heard at all.

Timeline for the Vacation Rental Proposal

- Mid - November 2024

Sign went up at 220 Miracle Lane with an application for a conditional Use permit for a Vacation Rental

- Mid - Late November 2024

Flurry of letters sent in to the County from the neighbors ALL in opposition to the Vacation Rental request

- February 8th 2025

First notification of a Public Hearing is received from the County which is scheduled for February

21st.

We as a neighborhood are now aware after 2 1/2 months of silence on the subject from either the owner or the planner. We also have no idea of the County's stance on the request.

- February 10th 2025

Found out there will be no staff report available until February 14th on line.

- February 12th 2025

I wrote a letter of opposition and sent it to the Planner completely unaware of the County's opinion, but felt it was what a concerned citizen should do.

I received notification that my letter was received and would be included for the public hearing. It was not in the staff report, but on a chair as you entered in to the meeting on February 21st. I'm not sure if the Zoning Administrator even saw it. This was not the only letter sent in that was not included in the staff report. We were given only 3 - 4 days to have written letters of opposition and only a remote chance that they would be included in the packet presented to the Zoning Administrator for review. And most **frustrating** is that we still hadn't seen the staff report.

- February 14th 2025

a. I read the staff report and saw that the Planner recommended approval.

b. I was surprised about the number of inaccuracies in the staff report and based on the nature of the inaccuracies, I was not sure that there was even a Site visit from the Planner.

c. It was now necessary to prepare for the meeting.

- February 21 2025 - The Zoning Administrator Meeting

Of the neighborhood of 8 parcels, there were 5 separate property owners in attendance and one

more waiting to be heard on a Zoom call. All of these 6 are in opposition. Yes, we had the opportunity to speak, but trying to combine a message stating all of the concerns as well as pointing

out the flaws in the staff report is hard to condense into a small window of time. The information that

was being voted on needed to be correct and would consume some of the valuable 3 minutes each of the objecting neighbors would have prior to the microphone being rudely turned off.

After we were given our 3 minutes, the ZA then voted as if there was no opposition from the entire

neighborhood on a private lane. We all said that this was not welcome and we did not want to be subject to the problems, uncertainty and potential issues this could cause for our quiet lane.

- February 21 2025 ----- Present

Still absolutely mystified about how the ZA could disregard the concerns and the desires that entire neighborhood on a small private lane justifiably have. With one inaccurate staff report time constrained public hearing, this was approved. How does this even come close to a good planning decision when you overrule the majority who will be affected. The ZA has changed the nature of our neighborhood for a minimum of 5 years and to what benefit to the County? The ZA has granted this absentee owner, from outside of the County, the right to earn money from a house and not participate in the neighborhood and the neighborhood concerns?

Remember this is where we live! I am not sure why the concept of a majority rule on a private lane would be objectionable when analyzing a planning decision. Clearly the majority has spoken and would be most appreciative if you would overturn the Zoning Administrator's approval.

Respectfully,
Bruce Mastick
285 Miracle Lane
Santa Cruz, Ca

Michael Lam

From: Terri Fisher- Mastick <tfarch@aol.com>
Sent: Tuesday, April 15, 2025 8:29 PM
To: County Counsel; Michael Lam
Subject: Planning Department interpretation of Vacation Rental Approvals

******CAUTION:**This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Jason Heath, County Counsel
701 Ocean Street, Room 505
Santa Cruz, Ca 95060

Dear Mr. Heath,

The application for a Vacation Rental located on 220 Miracle Lane, Santa Cruz has brought to light many issues.

1. Is the Planning Department interpreting the Vacation Rental Ordinance correctly?

Both the Planning Staff report and the Zoning Administrator take the position that Vacation Rentals are "allowed." Because of the language in the current Ordinance " 13.10.694(B) Vacation rentals are allowed in all zone districts that allow residential use with no requirement for any other use, except that any vacation rental meeting the requirements of subsections (C)(2) and (D)(1) of this section may be permitted in any zone district. New Vacation Rentals: For new applications for vacation rentals consisting of four or more bedrooms, the application shall be considered at a public hearing in accordance with Level V Use permit public hearing procedures as provided in SCCC 18.10.131(C). Any new vacation rental permit issued for vacation rentals consisting of four or more bedrooms will be given a one-year provisional permit subject to review for compliance with vacation rental code requirements prior to granting the remainder of the standard five-year term."

This terminology should actually read Vacation rentals are **accepted** in all zone districts. It is not without review, staff findings and public hearing procedures to gather public input that these rentals are **allowed**. **This puts them in the category of a conditional use. They are not being treated as a conditional use by the Planning Department or its decision makers.** Vacation rentals are not an "allowed" use.

2. Is the Planning Department process operating under allowed procedure? When a notice of a Public Hearing is posted on a property isn't it required that a staff report be complete and available to the public? In the case of the 220 Miracle Lane Vacation Rental application, prior to posting, the neighbors called the Planning staff asking for the staff report. The response was that the report was not ready yet. **At the time that the Public Notice was posted the staff report was still not available.** The public, at that point, had no idea what the County stance on the Vacation Rental was, the public had no report to read for accuracy, and no basis on which to know how to react or respond to the Planning Department.

If a report is not available at the time of the posting of a Public Hearing, then because no further public input is provided to the ruling body prior to the hearing, no feed back from the public regarding

inaccuracies in the report or concerns raised because of the report can be provided to the ruling body on which they can make their decision. Any reaction or response to the report is left to the 3 minutes of time allowed to the public at the Public Hearing. Three minutes is not enough! Isn't it required that the Staff Report be available early enough that the public can react and respond in time to have the information available to the decision maker?

3. Should a Vacation Rental Use be allowed on a private lane, that provides the only access to the rental, and is the financial responsibility, liability and maintenance responsibility of multiple property owners? No this should not be allowed.

This is the case of the 220 Miracle Lane vacation rental application. The neighbors have stated the hazards of the lane. It is an un-lighted one lane road, a deep drainage swale along one edge of the road and a blind intersection where it meets Redwood Drive. The responsibility and the liability for the lane which provides the access to this proposed Vacation Rental, which allows 10 - 20 vacationers, will be placed on all of the property owners along Miracle Lane. **The county should not allow Vacation Rentals to be accessed by any private lane.** When multiple property owners share the responsibility for upkeep and the liability for any occurrence along the lane, the use should not be allowed.

If in this case, a Vacation Rental Use is allowed, the County should take full responsibility for any occurrence along the lane caused by a vacationer visiting the property or the County should require that, before an approval is granted, a hold harmless should be required for all property Owners from the Owner of the Vacation Rental Property.

Thank you for your attention to these issues,

Sincerely,

Terri Mastick

285 Miracle Lane

Santa Cruz, CA

Michael Lam

From: Terri Fisher- Mastick <tfarch@aol.com>
Sent: Monday, April 14, 2025 1:52 PM
To: Nicholas Brown; Michael Lam
Cc: T F Architect
Subject: Opposition to the Approval of a Vacation Rental at 220 Miracle Lane

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Members of the Planning Commission of Santa Cruz County
and the Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Dear Planning Commission Members,

Subject: Opposition to the Vacation Rental Approval by the Zoning Administrator at the February 21, 2025
Zoning Administrator meeting.
Project address: 220 Miracle Lane, Santa Cruz, CA 95060
Item # 2 241286
A.P. N. 068-271-06

I have deep concerns about the approval of a Vacation Rental by the Zoning Administrator at the meeting held February 21, 2025. Miracle Lane is a private, one-lane easement with a deep road side drainage swale on one side of the lane, and a blind intersection where it connects to Redwood Drive. The responsibility for the upkeep and liability for the lane rests on all of the residents of Miracle Lane. The Zoning Administrator did not base the approval on concerns brought up by residents of the lane, but rather based the approval on a staff report containing many inaccuracies. These inaccuracies were not allowed to be corrected at the public hearing prior to approval. Listed below are many of the concerns that need to be considered.

Reasons for Denial of a Vacation Rental Use:

1. No approval of a Vacation Rental should be granted in which the access to the rental is by way of a private lane maintained and financed ALL property owners along Miracle Lane, not JUST the by the applicant/owner.
2. We request that no approval be granted until there is final determination by the Planning Commission regarding the Board of Supervisors subcommittee recommendations regarding new rules and regulations for Vacation Rentals throughout the County.
3. As a result of this application the neighbors of Miracle Lane are currently engaged in authoring a Road Agreement to be signed by all neighbors determining use and maintenance responsibilities along Miracle

Lane. An approval should not be made allowing the Vacation Rental until the Road Agreement is completed, signed by all neighbors and filed. Otherwise, the 220 Miracle Lane Owner or the County of Santa Cruz should hold harmless all of the residents along Miracle Lane for any issues along the lane caused by the vacation rental use.

Inaccuracy of the Staff Report:

1. Staff Report did not accurately represent that the Owner is not an individual, but rather an absentee Trust Ownership that owns other Vacation Rentals.
2. Staff did not represent that the access to the property is by way of a steep one-lane private easement that serves other single family residential properties, has a deep roadside drainage swale, a blind intersection where it connects to Redwood Drive and is the responsibility and liability of all of the Miracle Lane property owners.
3. The property was represented improperly and considered inaccurately by the Planning Staff. Such things as interior hand rails were deemed up to standards, while site access, location along a creek, exterior deck rails, WUI construction details and septic tank capacity were not considered. This residence exists in a wooded area, with one property line in the centerline of Boomer Creek. If some Building aspects are deemed adequate, then all Building, Health and Safety aspects must be considered.
4. Fire safety was ignored by the staff report and the Zoning Administrator did not apply adequate conditions to address the serious nature of the request by neighbors for NO OUTDOOR FIRES OR SMOKING. The Zoning Administrator condition for ASH TRAYS is inadequate and a slap in the face to concerned neighbors. No smoking should be allowed and no outdoor fires. Otherwise it will require that the neighbors be the watch dogs for the safety of the property and the neighborhood. As one neighbor stated, all it takes is a gust of wind or one tossed cigarette and it puts all of our properties and many acres of woodland are in danger.

Zoning Policy wrongly construed:

The Planning Department approaches Vacation Rentals as if they are “allowed” under all circumstance. The reason that the approvals of Vacation Rentals goes through an Administrative Use Permit or a Conditional Use Permit in an RA Zone is in order to determine IF a Vacation Rental is appropriate in a given location and IF the conditions merit the Use. When hazards and concerns are brought forward by the public they must be adequately studied and strictly considered. Not all Vacation Rentals should be allowed. This is one of them.

Summary:

I urge the Planning Commission to override this poorly considered approval by the Zoning Administrator. For the above stated reasons, the Vacation Rental at 220 Miracle Lane should be denied or at least continued to allow for the determination of the upcoming Vacation Rental rules and regulations throughout the County. It is

my understanding that upcoming rules would disallow this Vacation Rental. Also, a denial or continuance should be made until the residents of Miracle Lane can arrive at a mutually agreed upon Road Agreement.

Sincerely,

Terri Mastick
285 Miracle Lane
Santa Cruz, CA 95060
tfarch@aol.com
831-566-0196