

MEMORANDUM

Date: January 13, 2017

To: Zoning Administrator

From: Jerry Busch (x3234)

Re: Application 151280 and 151281 – Liebig Vacation Rentals

At a public hearing held on December 16, 2016, the Zoning Administrator approved application 151281, for a two-bedroom vacation rental at 345 34th Avenue. The ZA continued the public hearing on application 151280, for a one-bedroom vacation rental on the same parcel at 321 33rd Avenue, to February 3, 2017.

In continuing the hearing, the Zoning Administrator noted that the County Board of Supervisors was concerned about neighborhood compatibility issues associated with 2-unit vacation rentals and had voted to revise the Vacation Rental Ordinance to prohibit any new or renewed 2-unit Vacation Rentals, although the amendment was not effective at the time of the hearing and not used as a basis for the decision. The ZA indicated that application 151280 would not be approved unless the applicant could propose changes to the application – such as a solid wall dividing the parcel – to insure that there would be no potential for large vacation rental celebrations generating neighborhood conflicts. The ZA also indicated that the approval of 151281 could be switched to 151280 if desired by the applicant or modified if the applicant proposed additional mitigation measures.

The applicant does not propose to remove the existing fence and locked gate dividing the property and construct a solid wall, and, as of the date of this memo, has proposed no alternative new measures to meet the Zoning Administrator's request to insure that celebration gatherings will always remain compatible with the neighborhood.

If the Zoning Administrator denies application 151280, staff recommends revising the conditions of approval for 151281. The original conditions proposed for application 151281 would allow 10 celebration guests and four associated vehicles – a reduced standard that staff proposed in order to mitigate the potential impacts of a 2-unit vacation rental. Staff recommends allowing up to 12 celebration guests and five vehicles, in conformance with Santa Cruz County Code section 13.10.694(D)(2)(c)(iv). The applicable language of this section of the code was not amended by the recent updates to the Vacation Rental Ordinance. The amended ordinance reads:

(iv) Copy of a rental/lease agreement, which shall include, but not necessarily be limited to, the following: number of guests allowed (two/bedroom plus two, prior to November 1, 2016, children under 12 not counted, on or after November 1, 2016, children under 8 not counted.); for celebrations and gatherings between 8:00 a.m. and 10:00 p.m., the maximum number of people allowed is twice the maximum number of guests allowed);

number of vehicles allowed (not to exceed the number of existing on-site parking spaces, plus two additional that will be considered to use on-street parking in the vicinity, but will not have any exclusive or assigned use of on-street parking); address noise, illegal behavior and disturbances including an explicit statement that fireworks are illegal in Santa Cruz County, trash management (e.g., trash to be kept in covered containers only).

Since the proposed vacation rental at 34th Avenue has two bedrooms, it is allowed six overnight guests and 12 overnight guests under the Zoning Ordinance. For vehicle use, three of the five proposed offstreet parking spaces of the subject site are adjacent to the 2-bedroom vacation rental unit on 34th, so the use is allowed five vehicles – three onsite spaces plus two at large.

Attachments:

Staff report for applications 151280 and 151281, Zoning Administrator meeting of 2/16/2016.

Comments received after deadline for Zoning Administrator agenda of December 16, 2016, meeting



Staff Report to the Zoning Administrator

Application Numbers:
151280, 151281

Applicant: Kara Liebig
Owner: Liebig
APN: 03222103

Agenda Date: December 16, 2016
Agenda Item #:
Time: After 9:00 a.m.

Project Description: Proposal to establish a new one-bedroom residential Vacation Rental at 321 33rd Avenue (151280) and a new two-bedroom residential Vacation Rental at 345 34th Avenue (151281), on the same parcel.

Location: Property is a double frontage located on the west side of 34th Avenue (345 34th Ave.) and east side of 33rd Ave. (321 33rd Ave.) approximately 100 feet south of the intersection with Hawes Drive.

Supervisory District: 1st District (District Supervisor: Leopold)

Permits Required: Two Vacation Rental Permits

Staff Recommendation:

- Determine that permit application 151280, for a new one-bedroom residential Vacation Rental at 321 33rd Avenue, together with permit application 151281, for a new two-bedroom residential Vacation Rental at 345 34th Avenue (Unit A), are exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 151280, based on the attached findings and conditions.
- Approval of Application 151281, based on the attached findings and conditions.

Exhibits for 151280 and 151282:

- | | |
|--|-------------------------------------|
| A. Categorical Exemption (CEQA) | E. Assessor's, Location, Zoning and |
| B. Findings | General Plan Maps |
| C. Conditions | F. Comments & Correspondence |
| D. Project plans, rental agreements and supporting documentation | |

Parcel Information

Parcel Size: 4,500 square feet
Existing Land Use - Parcel: Single-family residential

County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor, Santa Cruz CA 95060

Existing Land Use - Surrounding: Single and multi-family residential
Project Access: Driveways off of both 33rd and 34th Avenues
Planning Area: Live Oak
Land Use Designation: R-UM (Residential, Urban Medium)
Zone District: R-1-4-PP (Single-family residential, 4,000 sq.ft. min.)

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Fire Hazard: Not a mapped constraint
Slopes: N/A
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Drainage: Existing drainage adequate
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: X Inside Outside
Water Supply: City of Santa Cruz
Sewage Disposal: County Sanitation
Fire District: Central
Drainage District: 5

History

The small unit on 33rd Avenue was originally built as a garage. In the late 70s, it was converted to a one-bedroom dwelling, according to the Assessor's building records. In 2003, the County Planning Department recognized the conversion by issuing separate gas and electrical services to this unit, erroneously interpreting Assessor's records as indicating it was converted prior to 1955.

The larger dwelling on 34th Avenue was built around 1950, as a two-bedroom dwelling unit, and shows two bedrooms and a storage room under building permit B-173744, finalized on 9-6-2006.

Therefore, the proposal is for two vacation rental units, one a one-bedroom and one a two-bedroom.

Project Setting

The surrounding Pleasure Point neighborhood is comprised of small, residential lots with primarily single-family homes, many with single-car garages or no covered parking.

Staff has received a petition and numerous letters and emails regarding the proposed vacation rental from concerned neighbors, all of which opposed the project, citing parking concerns,

commercialization and noise. All of these were received when the proposed vacation rental was based on a three-bedroom unit and a two-bedroom unit. The proposal was revised to a one-bedroom unit and a two-bedroom unit when the application was determined to be complete, on November 16, 2016.

Zoning & General Plan Consistency

The subject property is a parcel of approximately 4,500 square feet, located in the R-1-4-PP (Single-family residential, 4,000 sq.ft. minimum and Pleasure Point combining) zone districts, a designation which allows single family residence uses. The existing dwelling group exceeds the dwelling unit density for the zoning district and the site's R-UM (Residential, Urban Medium) General Plan designation. The five parking spaces on site plan comply with the Zoning Ordinance standards for residential structures – three spaces for a two-bedroom dwelling and two spaces for a one-bedroom.

The maximum number of overnight adult guests allowed for a one-bedroom vacation rental unit is four, with up to eight total guests for celebrations between 8 a.m. and 10 p.m.; the maximum for a two-bedroom vacation rental is six, with up to 12 guests for celebrations.

The proposed vacation rental complies with the County Code, seeking six overnight guests and 12 celebration guests for the two-bedroom unit, and four overnight guests / eight celebration guests for the one-bedroom unit. Staff has proposed a condition of approval that would reduce the maximum number of celebration guests at the two-bedroom unit to 10, so that the total maximum for the facility would be 10 overnight guests and 18 celebration guests. As discussed below, this condition would reduce parking impacts to a low or negligible level (discussed below) and help to address neighborhood concerns about loud celebrations.

Parking

Parking in this neighborhood of Pleasure Point is constrained by the small size of the parcels, limited offstreet parking and narrow streets. Parking on 34th Ave., between the subject site and the ocean, on weekends from April through early September, requires a Live Oak Parking Permit. Parking on 33rd Avenue is constrained by the narrow travel lane and fire access requirements, indicated by red stripes on the pavement margins. All vehicles must be parked outside of the red lines, away from the travel lanes.

The proposed vacation rental on 33rd Avenue would provide two offstreet parking spaces and one on its street frontage; the rental on 34th Avenue would provide three offstreet spaces and one on its street frontage, for a grand total of seven spaces. The proposed vacation rental agreement would allow a maximum of eight vehicles, so that during celebrations only one car would be allowed to park away from the proposed facilities.

Evidence from *Parking Generation 4th Edition* by the Institute of Traffic Engineers, indicates an occupancy rate of approximately two adults per vehicle for a vacation rental, based on rates provided for hotels, motels and church events. This means that all of the overnight guests and up to 14 total adults for celebrations would potentially be accommodated without impacting neighborhood parking. With a conservative assumption of two guests ridesharing, up to 16

adults could be allowed for special gatherings without affecting neighborhood parking, if guests use onsite parking whenever available. A condition of approval is proposed that would allow participants to park on the street only when no offstreet spaces are available.

In comparing the impact of this proposed, two-unit vacation rental to a more typical, four-bedroom, single-unit vacation rental, a typical 4-bedroom vacation rental is allowed 10 overnight guests and 20 celebration guests, while the parking standard for a new, four-bedroom dwelling unit is three offstreet spaces. Around six cars per celebration could impact street parking.

The conditions of approval will require the rental agreement to be amended to notify renters of the Live Oak Parking Permit program affecting 34th Avenue, and to prohibit any parked vehicles from intruding into the 33rd Avenue fire lane.

Pending Ordinance Amendment

A vacation rental ordinance amendment, approved by the Board of Supervisors on September 13, 2016, and scheduled for Coastal Commission review on December 7-9, would prohibit the use of two dwelling units for vacation rentals on a single parcel. No change is proposed to the maximum number of guests allowed (two/bedroom plus two) or to the maximum number of guests for celebrations (twice the maximum number of guests allowed). The number of vehicles allowed is also unchanged: not to exceed the number of existing on-site parking spaces, plus two additional that will be considered to use on-site street parking in the vicinity. The proposed vacation rental on Assessor's parcel 03222103 was determined to be complete on November 18, 2016, and is therefore subject to the ordinance in effect at the time the application was determined complete.

Only one of the two units at the subject site could be renewed. If the two-bedroom unit on 34th Avenue was renewed, the maximum number of overnight guests would be 6 and the maximum number for celebrations would be 12. If a building permit application was submitted, approved and finalized to allow conversion of the storage space in the two-bedroom unit to a third bedroom, the guest maximums would be 8 overnight and 16 for celebrations. The maximum number of cars could be 9.

Local Coastal Program Consistency

The proposed vacation rental is in conformance with the County's certified Local Coastal Program, in that the vacation rental site is designed to be visually compatible, in scale with, and integrated with the character of, the surrounding neighborhood. The parcel frontages and side lines are partially landscaped, and a condition of approval is proposed that would provide additional landscaping to screen the existing spa from the view of the adjacent neighbors on the sides and to buffer noise impacts. The proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Environmental Exemption

The project is exempt from the provisions of CEQA as specified in Section 15303 (Class 3) for New Construction or Conversion of Small Structures, which exempts conversions of up to three

unit structures from one use to another where only minor modifications are made in the exterior of the structure.

Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

- Determine that permit application 151280, for a new one-bedroom residential Vacation Rental at 321 33rd Avenue, together with permit application 151281, for a new two-bedroom residential Vacation Rental at 345 34th Avenue, are exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application 151280, based on the attached findings and conditions.
- **APPROVAL** of Application 151281, based on the attached findings and conditions.

Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

Report Prepared By: Jerry Busch
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3234
E-mail: jerry.busch@santacruzcounty.us

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 151280, 151281

Assessor Parcel Number: 03222103

Project Location: 321 33rd Ave. and 345 34th Ave.

Project Description: Two vacation rentals on one site

Person or Agency Proposing Project: Kara Liebig

Contact Phone Number: 408-921-9454

- A. ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.
B. ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
C. ☐ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment.
D. ☐ Statutory Exemption other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).
E. ☒ Categorical Exemption

Specify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303)

F. Reasons why the project is exempt:

Project represents a conversion of a two-unit dwelling group from residential dwellings to vacation rentals. Only minor modifications are made in the exterior of the structure and site.

In addition, none of the conditions described in Section 15300.2 apply to this project.

Jerry Busch, Project Planner

Date: _____

Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated for single family residence uses and vacation rentals and is not encumbered by physical constraints to development. The proposed vacation rental agreement is consistent with the County Code. The new use will not deprive adjacent properties or the neighborhood of light, air, or open space and will provide adequate parking.

2. That the proposed location of the project and the conditions under which they would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that the proposed location of the vacation rentals and the conditions under which they would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-4-PP (Single-family residential, 4,000 sq.ft. minimum, Pleasure Point combining) zone district as the primary use of the property will be two vacation rentals that meet standards provided by 13.10.694 Vacation Rentals and 13.10.550 et seq - parking.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed vacation rentals are consistent with the residential uses implementing the R-UM (Residential, Urban Medium) land use designation in the County General Plan.

A specific plan has not been adopted for this portion of the County.

4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed vacation rentals will be established in two existing dwelling units. The expected level of traffic generated by the proposed project is anticipated to be approximately 8 trips per day, and such an increase will not adversely impact existing roads or intersections in the surrounding area.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the location of the proposed vacation rentals do not exceed the 20% maximum density per block established by the Zoning Ordinance, and is typical in number

of bedrooms and associated cars of most vacation rentals in the area and in the county.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that the proposed vacation rentals and grounds provide landscape barriers and fencing to screen the site activities. The facilities will be of an appropriate scale and type of design to enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

Conditions of Approval

Exhibit D, Permit 151280 and Exhibit D, Permit 151281:

- I. This permit authorizes establishment of a vacation rental use in two dwellings on APN 03222103, known as 321 33rd Avenue and 345 34th Avenue. The dwelling at 321 33rd Avenue is limited to a maximum of 4 overnight guests per day, a maximum of 8 guests for gatherings 8 a.m. to 10 p.m., and a maximum of four vehicles per day. The dwelling at 345 34th Avenue is limited to a maximum of 6 overnight guests per day, 10 guests per day for special gatherings and celebrations, and a maximum of 4 automobiles per day.
- II. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Submit a revised Rental Agreements for 321 33rd Avenue that shall:
 1. Limit vacation rental use to a maximum 4 overnight guests per day, a maximum of 8 guests for gatherings from 8 a.m. to 10 p.m., and a maximum of four vehicles per day.
 2. Notify renters of the days, times and locations on 34th Avenue when parking is not allowed without a Live Oak Parking Permit. Live Oak Parking permits are not required on 33rd Ave.
 3. Notify renters that no parked vehicles shall intrude into the 33rd Avenue fire lane – no vehicles may be parked over the red stripe along the edge of the pavement.
 4. Include an explicit statement that fireworks are illegal in Santa Cruz County and prohibited on the premises.
 - C. Submit a revised Rental Agreements for 345 34th Avenue that shall:
 1. Limit vacation rental use to a maximum of 6 overnight guests per day, a maximum of 10 guests for gatherings from 8 a.m. to 10 p.m., and a maximum of four vehicles per day.
 2. Notify renters of the days, times and locations on 34th Avenue when parking is not allowed without a Live Oak Parking Permit
 3. Notify renters that no parked vehicles shall intrude into the 33rd Avenue fire lane.
 4. Allow participants to park on the street only when no offstreet spaces are available.
 5. Include an explicit statement that fireworks are illegal in Santa Cruz County and prohibited on the premises.
 - D. Install all site improvements shown on the approved Exhibit D, including, but not limited to, landscaping that provides dense visual and auditory screen of the hot

tub and associated deck from neighbors to the side.

- E. Provide five off-street parking spaces consistent with the approved plans – two for the unit at 321 33rd Ave. and three for the unit at 345 34th Ave. Parking spaces must be 8.5 feet wide by 18 feet long, be located entirely outside vehicular rights-of way. New spaces shall be paved with two inches of asphalt concrete over five inches of Class II base rock, pavers or equivalent permeable or nonpermeable surface so as to provide a durable, dustless surface, and shall be graded and drained so as to prevent erosion and disperse surface water. Parking areas, aisles and access drives together shall not occupy more than 50 percent of the cumulative required front yard setback area.
- F. Provide each vacation rental with 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, which shall be placed no more than 20 feet back from the nearest street. The sign may not exceed 216 square inches and shall be legible from the nearest street. The sign shall be continuously maintained while the dwelling is rented.
- G. Post vacation rental rules inside each vacation rental in a location readily visible to all guests. The rules shall include, but not necessarily be limited to, the following: number of guests allowed, the maximum number for celebrations and gatherings between 8:00 a.m. and 10:00 p.m., the maximum number of vehicles allowed, a requirement that street parking be used only when no offstreet spaces are available, prohibitions on noise, illegal behavior and disturbances, and required trash management (e.g., trash to be kept in covered containers only).
- H. Insure that residential vacation rentals shall comply with the standards of Chapter 8.30 SCCC, Noise. A copy of that chapter shall be posted inside the vacation rental in a location readily visible to all guests. No 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 is allowed.
- I. Pay any outstanding balance due to the Planning Department.
- J. Obtain any required Building Permit or Demolition Permit from the Santa Cruz County Building Official.
- K. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- L. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning

Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.

- M. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.

III. Operational Conditions

- A. The vacation rentals shall be operated, managed and monitored to insure that all of these conditions of approval are fully implemented.
- B. The existing and approved landscaping shown on Exhibit D shall be maintained free of physical damage or injury from lack of water, excess chemical fertilizer or other toxic chemical, blight or disease. Any vegetation which shows signs of such damage or injury at any time shall be replaced by the same, similar, or substitute vegetation of a size, form, and character which will be comparable at full growth.
- C. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

IV. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.

- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval

Holder.

- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

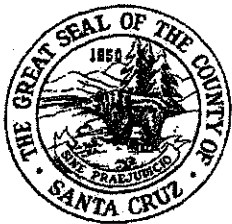
Please note: This permit expires three years from the effective date listed below unless the conditions of approval are complied with and the use commences before the expiration date.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.



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

NEW Vacation Rental Permit Application

Carefully read the List of Required Information (LORI) on page 7 and ensure that ALL required information is included with this application. If you do not have ALL of the required information, your application will not be accepted.

Permit and Property Information

Current vacation Rental Permit Number: 151280

Assessor's Parcel Number (APN): 03222103

(APNs MAY BE OBTAINED FROM THE ASSESSOR'S OFFICE AT (831) 454-2002)

Street Address: 321 33rd Ave, Santa Cruz

Applicant Information (Complete only if different from Owner Information)

NAME: _____

MAILING ADDRESS: _____

CITY/STATE _____

ZIP _____

PHONE NO. (____) _____

EMAIL: _____

Owner Information

NAME: Mike Furlong and Kara Liebig

MAILING ADDRESS: 1820 McBain Ave

CITY/STATE San Jose, CA 95125

ZIP _____

PHONE NO. (____) 408. 921. 9454

EMAIL: kara.liebig@gmail.com

NOTE:

If the application submittal is made by anyone other than the owner, a signed Owner/Agent form (attached) or a property management agreement must be submitted with the application.

24-HOUR CONTACT

NOTE: 24-Hour Contact must reside within a 30 mile radius of the vacation rental

NAME: Kara Liebig
MAILING ADDRESS: 1820 McBain Ave
CITY/STATE: San Jose, CA ZIP: 95125
PHONE NO.: (408) 921.9454
EMAIL: kara.liebig@gmail.com

If the contact person identified above is an elected or appointed official (including a public safety official) as defined by sections 6254.21 or 6254.24 of the California Government Code, this application must be signed below by the contact person, and constitutes written permission under Government Code section 6254.21 that the contact person's name and phone number may be placed on the County's internet website. If the contact person identified above is an employee of the County of Santa Cruz within the scope of section 468 of the County Procedures Manual, this application must be signed below by the contact person, it constitutes a waiver of the provisions of that section, and it constitutes written permission to place the contact person's name and phone number on the County's internet website.

X N/A

Contact person signature, if contact person is an elected or appointed official or a Santa Cruz County employee

VACATION RENTAL SAFETY CERTIFICATION

The following items require verification to assure the vacation rental unit is equipped and maintained to minimum safety standards to help provide for a safe vacation experience. Verification can be performed by owner (self certified), certified home inspector, County Building Inspector, or by the property manager/agent. All items must be checked with form signed and dated.

☒ **Smoke alarms** (listed and approved by the State Fire Marshall) installed in the following locations per the 2013 California Residential Code, Sec. R314.1.

- In each sleeping room.
- Outside each separate sleeping area in the immediate vicinity of the bedroom(s).
- At least one alarm on each story, including basements and habitable attics.

☒ **Carbon Monoxide alarms** (listed by an approved agency such as UL) installed in the following locations per the 2013 California Residential Code, Sec. R315.1.

- Outside each separate sleeping area in the immediate vicinity of the bedroom(s).
- At least one alarm on each story, including basements and habitable attics but not including crawl spaces or uninhabitable attics.

- ☒ Working GFCI's (ground fault circuit interrupters) required at all receptacles within 6 feet of all kitchen, bathroom, bar and laundry sinks per the 2013 California Electrical Code, Art. 210-8.
- ☒ All sleeping rooms shall be provided with at least one **emergency egress window** with a minimum net clear opening of 5 square feet, with a minimum opening height of 24 inches and minimum net clear opening width of 20 inches, with the bottom of the clear opening being not greater than 44" measured from the floor. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided such devices are releasable or removable from the inside without the use of a key, tool or special knowledge. Per the 2013 California Residential Code, Sec. R310.
- ☒ All stairs shall have at least one continuous **handrail** running the full length of the stairs per the 2013 California Residential Code, Sec. R311.7.8
- ☒ All walking surfaces measured vertically more than 30" above grade or other floor levels, including mezzanines, platforms, stairs, ramps and landings shall have **guard railing** a minimum of 42" in height with openings no greater than 4" per the 2013 California Residential Code, Sec. R312.1. Exception: Guards on the open sides of stairs shall have a height not less than 34" measured vertically from a line connecting the leading edges of the treads.
- ☒ **Pool/spa safety barrier** enclosures shall comply with Santa Cruz County Code, Sec. 12.10.216. Exception: Self-contained spas or hot tubs with listed/approved safety covers need not comply with barrier requirements.
- ☒ Rental equipped with at least one **fire extinguisher** (type 2A10BC) installed in a readily visible/accessible location near the kitchen.

I hereby certify that the safety standard conditions listed above are fully complied with and will be maintained in a useable and functioning condition. Form must be signed by one of the following four parties.

Kara Liebig
Owner of Rental Unit

10/27/16
Date

Certified Home Inspector

License #

Date

County Building Inspector

Date

Property Manager/Agent

Date

For questions regarding these safety certification requirements please contact the Building Official at (831) 454-3195

APPLICANT'S SIGNATURE

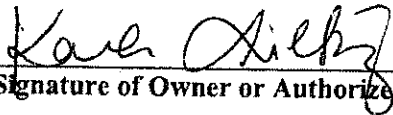
I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the County of Santa Cruz is not responsible for inaccuracies in information presented, and that inaccuracies may result in the revocation of planning permits as determined by the Planning Director.

I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, and that proof of such is on file with the Zoning Section.

I further certify that there are no restrictions against vacation rentals associated with the subject property, including, but not limited to, Homeowner's Association regulations, and I understand that any vacation rental permit issued will be rendered void if there are restrictions against vacation rentals on the subject property.

I understand that the County of Santa Cruz has attempted to request everything necessary for an accurate and complete review of your proposal; however, after Planning staff has taken in the application and reviewed it further, it may be necessary to request additional information and clarification.

I understand that if this application will require a public hearing pursuant to County Code Section 13.10.694(D)(3), the application will be converted to an "at cost" application and I will be required to sign a contract and be billed for staff time associated with processing the application as provided in County Code Section 13.10.694(D)(3)(b)(ii).


Signature of Owner or Authorized Agent

10/27/14
Date

VACATION RENTAL / LEASE AGREEMENT

Pleasure Point is a very special community, and it is our commitment as homeowners to ensure that the neighborhood is respected by our Guests. You will note throughout this Rental Agreement various rules are in place to maintain harmonious relationships with our neighbors, so that we can continue to share the Pleasure Point coastal resource with you and others. Please be respectful and courteous in your interactions with our neighbors. We do hope you enjoy your stay at the house in Santa Cruz!

1. **AGREEMENT:** Contract is between Owner and the signer of this contract, herein referred to as "Signer Guest". Signer Guest is an adult over the age of 25 and WILL BE an occupant of the unit during the entire reserved period. The term "Guests" includes all of the occupants that are with the Signer Guest. Other occupants may be family members, friends or children under the Signer Guest's direct supervision. Use of the premises is denied to persons not falling within the foregoing categories. If any Guests are being obnoxious to the neighbors, All Guests will have to vacate the property immediately without any refund of deposit or payment.
2. **CHECK IN:** Check in time is 3:00 PM. Early check-in times are allowed only when the Home is cleaned and ready for occupancy. **PRIOR APPROVAL IS REQUIRED.** The key will be in a lockbox on the front door. The combination to the lockbox will be provided via e-mail 24 hours prior to arrival. The code is changed constantly and will not be operable until the day you are scheduled to arrive. The combination WILL NOT be issued with a balance due or without a signed rental agreement in the Owner's possession. Codes may not be copied or given to any other persons besides Guests.
3. **CHECK OUT:** Check out time is 11:00 AM. If Owner has not granted explicit permission for a late checkout, a \$50 per hour standby fee will be charged for each hour (or portion thereof) past the required check out time if the maid is not able to get in. We often have guests arriving the same day and the maid only has a 4-hour time frame to make the Home ready for the next Guests. Please be sure to lock all doors and windows, close all window shades, and secure the property prior to leaving.
4. **RENTAL PAYMENT AND SECURITY DEPOSIT:** Sign and send Contract with credit card information or check in the amount of 30% of the rental amount to secure your reservation. This deposit is due **WITHIN 4 DAYS** of making your reservation. **FAILURE TO RECEIVE YOUR MONIES WITHIN THE 4-DAY PERIOD MAY RESULT IN CANCELLATION OF YOUR REQUESTED RESERVATION.** 45 days before check-in the remaining 70% of the rental amount and a \$500.00 security deposit must be received. Please notify the Owner by phone or email when you have sent the Contract and payment. The security deposit is fully refundable within 14 days after departure date provided that real and personal property are in the same condition as when occupancy commenced and all terms of this agreement are met. Signer Guest is liable for all replacements and repairs that are outside what is considered normal wear and tear.
5. **ADDITIONAL FEES:** Additional fees may apply if property is not returned in identical condition as it was when Signer Guest took occupancy.
6. **TRANSIENT OCCUPANCY TAX (TOT)** Pursuant to Santa Cruz Municipal Code §3.28.030, a tax is imposed on each transient occupant for the privilege of occupancy in any "hotel" within the City. The tax constitutes a debt owed by the transient occupant to the City, which is extinguished only by payment by the operator to the City. Each hotel, motel and property management operator must collect this tax to the same extent and at the same time as the rent is collected from every transient occupant. The TOT for Santa Cruz County is 11% of the base rent.
7. **CANCELLATION, RESERVATION & PAYMENT POLICY:** Payment for the full amount of the Reservation **MUST BE RECEIVED 45 DAYS PRIOR TO ARRIVAL DATE** or reservation may be cancelled. The Owner understands that sometimes cancellations are unavoidable. Therefore, we will only charge for cancelled Reservations should we be financially disadvantaged as a result. Therefore, the Owner will charge no more than the \$25 processing fee in the event we subsequently are able to re-reserve the same Home, at the same or more time, something we will always strive to do. Reservations cancelled more than 45 days **BEFORE** arrival will have a full refund less a \$25 processing fee. **NO REFUNDS** are issued for cancellations or early departure due to inclement weather or personal circumstances.
8. **IF THE GUEST NEEDS TO CANCEL A RESERVATION:** Notice of this cancellation **MUST BE IN WRITING AND WILL BE CONFIRMED BACK TO THE GUEST, BY THE OWNER:** email abeachhouseinsantacruz.com or address: 345 34th Avenue, Santa Cruz, CA 95062
9. **SLEEPING CAPACITY:** The maximum number of guests who are allowed to stay overnight is four (4) adults, plus children under the age of 12. The house and associated facilities are designed to accommodate this number comfortably. Linens are provided only for the number of overnight guests allowed.
10. **PARKING:** Parking near the beach is always a challenge, so we encourage you and your guests to carpool. The maximum number of vehicles allowed is four (4), which includes two current on-site parking spaces, plus up to two (2) on-street spaces in the vicinity. Because these on-street spaces are not exclusive, they cannot be guaranteed.

11. GATHERING CAPACITY: This home is located in a residential area. For gatherings between 8:00 a.m. and 10:00 p.m., the maximum number of people allowed is eight (8) adults, plus children under the age of 12. IF YOU ARE PLANNING ON HAVING FRIENDS OVER: The Home's neighbors have the Owner's emergency numbers and have promised to contact the Owner if there is any loud noise after 10pm. If the Owner is called, we will make one attempt to contact you directly. If the first call is not sufficient enough to stop the noise, you will be required to immediately vacate the property, and there will be no refund for any unused time.

12. NOISE: The neighborhood has a 10:00 p.m. to 8:00a.m noise curfew, which is every night, *including weekends*. We value our relationships with our neighbors. If any of them are annoyed by any of Guests or their behavior, it is our policy to make one phone call to alert you and your guests that you are breaking the terms of your rental agreement by not respecting the noise curfew of 10pm. If that call proves insufficient in stopping the noise, you and your guests will be required to immediately vacate the premises, and there will be no refund for any unused time.

For clarity, the Santa Cruz County Noise Ordinance is:

A. No persons shall, between the hours of ten p.m. and eight a.m., make, cause, suffer, or permit to be made any offensive noise:

1. Which is made within one hundred feet of any building or place regularly used for sleeping purposes; or
2. Which disturbs any person of ordinary sensitivities within his or her place of residence.

B. "Offensive noise" means any noise which is loud, boisterous, irritating, penetrating, or unusual, or that is unreasonably distracting in any other manner such that it is likely to disturb people of ordinary sensitivities in the vicinity of such noise, and includes, but is not limited to, noise made by an individual alone or by a group of people engaged in any business, meeting, gathering, game, dance, or amusement, or by any appliance, contrivance, device, structure, construction, ride, machine, implement, instrument or vehicle. (Ord. 4001 § 1(part), 1989

13. WHAT IS SUPPLIED: The Home is equipped and set up as a fully furnished property that will include toilet paper, bedspreads, linens, blankets, pillows, bath towels (not beach towels), a TV and furnishings. Please note this home does NOT have a washer, dryer or dishwasher. The Home may not have all the items that you may be accustomed to having in your own home, so if there is an item you are accustomed to using such as a special type of cooking utensil, etc. please bring them with you. There will be charges against your Security Deposit for replacement of any missing items from the Home.

14. WHAT YOU SHOULD BRING: Items like paper towels, bath soap, shampoos, beach towels, and other personal effects.

15. WIFI ACCESS: The home is equipped with high speed wireless internet and digital cable.

16. YOUR LIABILITY: You agree to accept liability for any damages caused to the property (other than normal wear and tear) by your guests, including, but not limited to, landscaping, watermarks or scarring of hardwood floors, misuse of appliances, and/or equipment furnished. If damages are in excess of the security deposit of \$1000, you hereby agree to reimburse the Owners for costs incurred to repair/replace damaged item.

17. HOLD HARMLESS: The Owner does not assume any liability for loss, damage or injury to you or your guests or their personal property. Neither do we accept liability for any inconvenience arising from any temporary defects or stoppage in supply of water, gas, and electricity, outside construction noises or plumbing. Nor will the Owner accept liability for any loss or damage caused by use of Home's equipment, street construction, adverse weather conditions, natural disasters, acts of God, or other reasons beyond its control. We do encourage you to purchase Travel Insurance that will reimburse you if any of the above happen. Call the CSA Travel Insurance Protection for full details at 1-800-348-9505. By renting a property you are assuming all risk of and liability for any damage done to person or property, agents, employees or visitors occasioned by the present or future condition of the premises both latent and manifest. The Owner will not be responsible for accidents or injury to guest or loss of money or valuables of any kind.

18. NO GUARANTEES: Working condition of furnace, cable, internet service, appliances, barbeques, etc., are NOT guaranteed. NO REFUNDS or rate adjustments will be made for mechanical failures and malfunctioning equipment. These amenities are extras provided in addition to the vacation house rental. Although all attempts will be made to correct the situation, some breakdowns cannot be prevented or repaired during your occupancy.

19. PETS: No pets allowed. If this rule is violated, there will be a \$250.00 charge, in addition to forfeiture of your security deposit.

20. WOOD FIRE PIT, GAS BBQ: You hereby acknowledge that the property that you have reserved includes an outdoor fire pit and gas BBQ, and you and your guests are fully aware these features can be hazardous.

- An adult must be present at these locations when in use, and shall not leave children unattended around these features.
- You and your guests must observe & adhere to all rules & policies as noted in this contract and/or noted at the home.
- No running or horseplay around fire pit.

321 33rd Avenue, Santa Cruz, CA

21. BICYCLES: For your convenience, some bicycles and helmets are provided. Signer Guest acknowledges that these are used at guests' own risk. Bikes must be locked when not in use.

22. OWNERS CLOSET: Locked owners' closets are not included in your rental.

23. VACATE & FORFEITING RULES: You and all other guests will be required to vacate the premises and forfeit the rental fee and any security deposit for any of the following:

- Occupancy exceeding the sleeping capacity stated on the reservation confirmation after 10PM.
- Using the premises for any illegal activity including, but not limited to, the possession, serving or consumption of alcoholic beverages by or to persons less than 21 years of age and/or the use of illegal drugs.
- Use of Fireworks. Fireworks are illegal in Santa Cruz County
- Causing damage to the Home rented or to any of the neighboring properties.
- Smoking.
- Having any pets.
- Any illegal or unlawful behavior.
- Any reservation obtained under false pretense.
- Any other acts which Interferes with neighbors' right to quiet enjoyment of their property, including any loud noises after 10 PM.

WE RESERVE THE RIGHT to refund Initial Reservation Payments, refuse rental, or to discontinue occupancy if, in our judgment, your occupancy is detrimental to the property. We reserve the right to enter the premises at any time for the purpose of inspection, repair, management or showing to prospective buyer.

24. CLEANING & CHECK-OUT: A cleaning fee of \$125 will be applied to all rentals. This fee is for the normal cleaning and maintenance of the property following the rental. Each property will be inspected, sanitized and cleaned before you arrive and after you depart. You are to leave the property in the same general condition in which it was received, by making sure that:

- All personal belongings are collected and taken with you.
- Dishes are done and dishwasher is emptied. Kitchen items (dishes, cookware, etc.) are cleaned and returned to proper place.
- Used linens and towels are gathered. Any heating has been turned off.
- The home should be generally picked up and ready to be vacuumed, dusted and sanitized.
- All lights, television, etc. are turned off.
- All trash is placed in proper outside covered containers. Containers must be covered at all times and garbage must not be allowed to accumulate.
- Gas is turned off to the gas barbeque.
- Doors and windows are locked, window shades are closed, and key is returned to the lockbox upon exit.

IF ADDITIONAL CLEANING IS REQUIRED:

Appropriate charges will be deducted from your security deposit at the rate of \$40 per hour. The Owner will contact you if this additional charge is necessary. Remember, NO SMOKING on the premises anywhere at any time. A charge of \$500 will be levied if this rule is broken as it means that all curtains and furnishings must be dry-cleaned.

25. MAINTENANCE & DAMAGE REPORTING: Report all maintenance Issues promptly by calling 408.921.9454. Just as incidents might occur at your own well-maintained home, mechanical failures and other breakdowns could occur. Every effort will be made to correct the situation; however, no refunds or rate adjustments will be made for mechanical failures. Maintenance technicians and vendors may access the property for purposes of repairing previously reported issues. Please report any damage or breakage upon occurrence by calling 408.921.9454, so the matter can be settled before departure. Damages found by inspection crews upon departure will be billed and full payment for repairs will be collected via credit card.

26. ADDITIONAL TERMS AND CONDITIONS: You, for yourself, your heirs, assignors, executors, and administrators, fully release and discharge the Owners individually, of any claims, demands and causes of action by reason of any Injury or whatever nature which has or have occurred, or may occur to the undersigned, or any of your guests as a result of, or in connection with the occupancy of the premises and agree to hold the owners Individually, free and harmless of any claim or suit arising there from. In any action concerning the rights, duties or liabilities of the parties to this agreement, their principals, agents, successors or assignees, the prevailing party shall be entitled to recover reasonable attorney fees and costs.

27. PAYMENT BY CHECK: If you pay by personal check, and the check is returned for NSF there will be a \$100 service charge. Combinations will not be issued until the check has successfully cleared the bank. Checks should be made payable to Mike Furlong.

All rules and regulations at the property must be strictly observed.

Guest/Lessee Initials _____

19

Owner / Lessor Initials _____

EXHIBIT D

321 33rd Avenue, Santa Cruz, CA

Agreed:

Check in Date:

Check out Date:

Rent per Night: _____ x # of nights = _____

Plus Cleaning Fee of \$125

Plus Transient Occupancy Tax of _____

Total of \$ _____ due and payable by _____

I have read and agree to abide by all terms of this Agreement:

Guest/Lessee Signature

Owner / Lessor Signature

Guest/Lessee Name (Printed)

Owner / Lessor Name (Printed)

Date

Date

CONTACT # for GUEST (to be used at any time): _____

Alternate Contact # if contact with first number is not made: _____

Guest/Lessee Initials _____

Owner / Lessor Initials _____ EXHIBIT D

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

VACATION RENTAL
 408 921 9454
 521 53rd Avenue Santa Cruz, CA 95062
 A.P.N. 032-221-05

ROBIN ALAGA
 250 Luning Road Santa Cruz, CA 95062
 (506) 837-2211
 robin@robinalaga.com

DATE	10/10/17
TIME	10:00
BY	10:00
REMARKS	
DATE	10/10/17
TIME	10:00
BY	10:00
REMARKS	

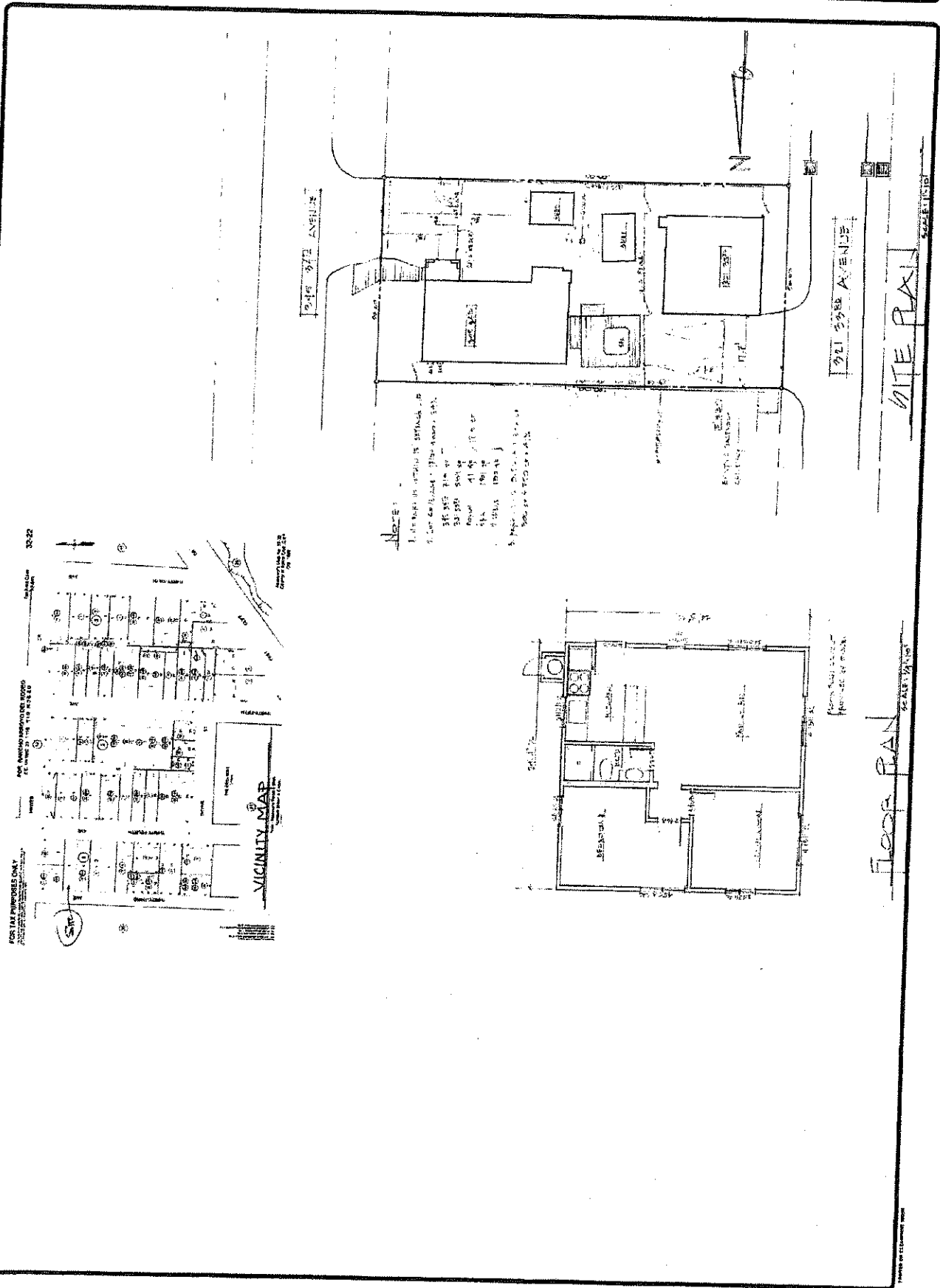


EXHIBIT D

POST THIS CERTIFICATE IN A CONSPICUOUS PLACE ON THE PREMISES

COUNTY OF SANTA CRUZ
TRANSIENT OCCUPANCY REGISTRATION CERTIFICATE

ISSUED PURSUANT TO CHAPTER 4.24 OF ORDINANCE

Certificate # CO00630

Date of Issue: October 19, 2016

This Transient Occupancy Registration Certificate signifies that the person named on the face hereof has fulfilled the requirements of the Uniform Transient Occupancy Tax Ordinance by registering with the Tax Administrator for the purpose of collecting from transients the Transient Occupancy Tax and remitting said tax to the Tax Administrator. This certificate does not authorize any person to conduct any unlawful business or conduct any lawful business in an unlawful manner, nor to operate a transient occupancy facility without strictly complying with all local applicable laws, including but not limited to those requiring a permit from any board, commission, department or office of this County. This certificate does not constitute a permit. This certificate becomes void upon any change of ownership or location whatsoever. Notify the Tax Collector immediately upon any change.

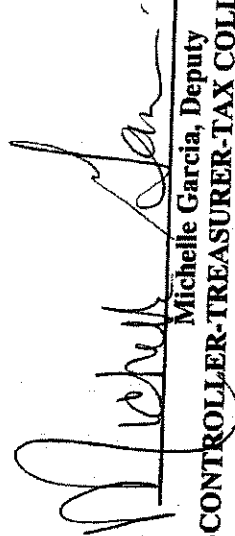
Name of Facility: Liebig/Furlong

Location of Facility: 321 33rd Ave Santa Cruz CA 95062

Operator: Kara Liebig / Mike Furlong

Mailing Address: 1820 McBain Ave San Jose CA 95125

By:



Michelle Garcia, Deputy

AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR



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

NEW Vacation Rental Permit Application

Carefully read the List of Required Information (LORI) on page 7 and ensure that ALL required information is included with this application. If you do not have ALL of the required information, your application will not be accepted.

Permit and Property Information

Current vacation Rental Permit Number: 151281

Assessor's Parcel Number (APN): 03222103

(APNs MAY BE OBTAINED FROM THE ASSESSOR'S OFFICE AT (831) 454-2002)

Street Address: 345 34th Ave, Santa Cruz, CA

Applicant Information (Complete only if different from Owner Information)

NAME: _____

MAILING ADDRESS: _____

CITY/STATE _____

ZIP _____

PHONE NO. (____) _____

EMAIL: _____

Owner Information

NAME: Mike Furlong and Kara Liebig

MAILING ADDRESS: 1820 McBain Ave

CITY/STATE San Jose, CA

ZIP 95125

PHONE NO. (408) 921-9454

EMAIL: kara.liebig@gmail.com

NOTE:

If the application submittal is made by anyone other than the owner, a signed Owner/Agent form (attached) or a property management agreement must be submitted with the application.

24-HOUR CONTACT

NOTE: 24-Hour Contact must reside within a 30 mile radius of the vacation rental

NAME: Kara Liebig

MAILING ADDRESS: 1820 McBain Ave

CITY/STATE San Jose, CA

ZIP 95125

PHONE NO. (408) 921-9454

EMAIL: kara.liebig@gmail.com

If the contact person identified above is an elected or appointed official (including a public safety official) as defined by sections 6254.21 or 6254.24 of the California Government Code, this application must be signed below by the contact person, and constitutes written permission under Government Code section 6254.21 that the contact person's name and phone number may be placed on the County's internet website. If the contact person identified above is an employee of the County of Santa Cruz within the scope of section 468 of the County Procedures Manual, this application must be signed below by the contact person, it constitutes a waiver of the provisions of that section, and it constitutes written permission to place the contact person's name and phone number on the County's internet website.

☒ N/A

Contact person signature, if contact person is an elected or appointed official or a Santa Cruz County employee

VACATION RENTAL SAFETY CERTIFICATION

The following items require verification to assure the vacation rental unit is equipped and maintained to minimum safety standards to help provide for a safe vacation experience. Verification can be performed by owner (self certified), certified home inspector, County Building Inspector, or by the property manager/agent. All items must be checked with form signed and dated.

☒ **Smoke alarms** (listed and approved by the State Fire Marshall) installed in the following locations per the 2013 California Residential Code, Sec. R314.1.

- In each sleeping room.
- Outside each separate sleeping area in the immediate vicinity of the bedroom(s).
- At least one alarm on each story, including basements and habitable attics.

☒ **Carbon Monoxide alarms** (listed by an approved agency such as UL) installed in the following locations per the 2013 California Residential Code, Sec. R315.1.

- Outside each separate sleeping area in the immediate vicinity of the bedroom(s).
- At least one alarm on each story, including basements and habitable attics but not including crawl spaces or uninhabitable attics.

- ☒ Working GFCI's (ground fault circuit interrupters) required at all receptacles within 6 feet of all kitchen, bathroom, bar and laundry sinks per the 2013 California Electrical Code, Art. 210-8.
- ☒ All sleeping rooms shall be provided with at least one **emergency egress window** with a minimum net clear opening of 5 square feet, with a minimum opening height of 24 inches and minimum net clear opening width of 20 inches, with the bottom of the clear opening being not greater than 44" measured from the floor. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided such devices are releasable or removable from the inside without the use of a key, tool or special knowledge. Per the 2013 California Residential Code, Sec. R310.
- ☒ All stairs shall have at least one continuous **handrail** running the full length of the stairs per the 2013 California Residential Code, Sec. R311.7.8
- ☒ All walking surfaces measured vertically more than 30" above grade or other floor levels, including mezzanines, platforms, stairs, ramps and landings shall have **guard railing** a minimum of 42" in height with openings no greater than 4" per the 2013 California Residential Code, Sec. R312.1. Exception: Guards on the open sides of stairs shall have a height not less than 34" measured vertically from a line connecting the leading edges of the treads.
- ☒ **Pool/spa safety barrier** enclosures shall comply with Santa Cruz County Code, Sec. 12.10.216. Exception: Self-contained spas or hot tubs with listed/approved safety covers need not comply with barrier requirements.
- ☒ Rental equipped with at least one **fire extinguisher** (type 2A10BC) installed in a readily visible/accessible location near the kitchen.

I hereby certify that the safety standard conditions listed above are fully complied with and will be maintained in a useable and functioning condition. Form must be signed by one of the following four parties.

Karee A. [Signature]
Owner of Rental Unit

10/27/16
Date

Certified Home Inspector

License #

Date

County Building Inspector

Date

Property Manager/Agent

Date

For questions regarding these safety certification requirements please contact the Building Official at (831) 454-3195

APPLICANT'S SIGNATURE

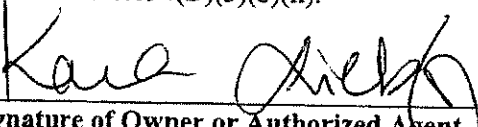
I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the County of Santa Cruz is not responsible for inaccuracies in information presented, and that inaccuracies may result in the revocation of planning permits as determined by the Planning Director.

I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, and that proof of such is on file with the Zoning Section.

I further certify that there are no restrictions against vacation rentals associated with the subject property, including, but not limited to, Homeowner's Association regulations, and I understand that any vacation rental permit issued will be rendered void if there are restrictions against vacation rentals on the subject property.

I understand that the County of Santa Cruz has attempted to request everything necessary for an accurate and complete review of your proposal; however, after Planning staff has taken in the application and reviewed it further, it may be necessary to request additional information and clarification.

I understand that if this application will require a public hearing pursuant to County Code Section 13.10.694(D)(3), the application will be converted to an "at cost" application and I will be required to sign a contract and be billed for staff time associated with processing the application as provided in County Code Section 13.10.694(D)(3)(b)(ii).


Signature of Owner or Authorized Agent

10/27/16
Date

OWNER-AGENT APPROVAL FORM

For persons other than the owner who wish to obtain a building, development, and/or other permit, the approval of the owner is required.

This is the County's authorization to issue a permit to the agent listed below:

Agent: Name: _____

Address: _____

City, State, Zip Code: _____

Telephone: _(_____)_____

Owner: Name: _____

Address: _____

City, State, Zip Code: _____

Telephone: _(_____)_____

Date

Signature of Owner

Assessor's Parcel Number(s)

Project Location

Note: One Owner-Agent form will be required for each permit required. In the case where there is more than one owner of a parcel, the owner signing this form represents that he/ she has the consent from all other owners of the parcel. By signing this form, the owner is authorizing the agent to legally bind the owner to responsibility for payment of the County's cost for all actions related to noncompliance with permit conditions. The agent will be required to provide proof of service, by mail, to the owner of a copy of the executed acceptance of permit conditions.

NEW Vacation Rental Permit Application Receipt
To be completed by staff

Check Number: _____

Amount: _____
(contact Zoning staff for current fee)

ANY REFUNDS WILL BE MADE TO WHOMEVER MADE THE PAYMENT

IF THIS APPLICATION REQUIRES A PUBLIC HEARING, IT WILL BE CONVERTED TO AN "AT COST" PROJECT
AND YOU WILL BE BILLED FOR STAFF TIME ASSOCIATED WITH PROCESSING THE APPLICATION

APN: _____

Application Number: _____

Intake Staff Signature _____

Date _____

LIST OF REQUIRED INFORMATION FOR NEW VACATION RENTAL APPLICATIONS

Submitted materials must include the following, unless otherwise stated:

1. **Completed application form.** Be sure to include owner agent form, if needed, and completed Vacation Rental Safety Certification.
2. **One (1) Set of Plans** (if the plan size exceeds 11 x 17, **one (1) 8 1/2 by 11 inch plan set** is also required). If comprising multiple sheets, plans shall be stapled together with site plan on top, and folded to no more than 8.5 inches x 11 inches. Plans must include the following:
 - Assessor's Parcel Number on every sheet.
 - Name, address, phone numbers and e-mail address of applicant, plan preparer, and owners.
 - Scale and north arrow on every sheet. Preferred scale is 1/4 inch = one foot. Other scales may be appropriate but must be approved by Planning staff before submitting application.
 - Date of preparation on every sheet.
 - **Site Plan** (refer to *Measuring your Vacation Rental and Drawing Scaled Plans* handout)
 - Location and dimensions of all property lines, drawn to scale and labeled.
 - Location and dimensions of all rights-of-way, vehicular easements, and edge of pavement, all labeled.
 - Location and dimensions of driveways and parking spaces (minimum dimensions 8.5 feet x 18 feet).
 - Location of all existing buildings.
 - **Floor Plan** (refer to *Measuring your Vacation Rental and Drawing Scaled Plans* handout)
 - Show all rooms, drawn to scale, including windows and doors
 - Label all rooms
3. **Name, address, and telephone number(s) of the local contact person.** Must be located within a 30-mile radius of the rental and be available 24 hours a day; may be the property owner, if within 30 miles and available 24 hours a day.
4. **Copy of rental/lease agreement.** Please indicate on the rental/lease agreement where the following information is stated:
 - The maximum number of guests that are allowed (2/bedroom +2 additional; children under 12 not counted).
 - The maximum number of people that are allowed for celebrations and gatherings between 8:00 a.m. and 10:00 p.m. (twice the maximum number of guests allowed).
 - The maximum number of vehicles that are allowed (the number of existing on-site parking spaces, plus two).
 - Information regarding limitations on noise (quiet hours between 10:00 p.m. and 8:00 a.m.).
 - Trash management (trash must be kept in closed containers and not allowed to accumulate).
 - Prohibition on illegal behavior.
5. **Transient Occupancy Tax Registration.** For information about registering to pay Transient Occupancy Tax, contact the Treasurer-Tax Collector, located on the first floor of the County Building at 701 Ocean Street, Santa Cruz CA; (831) 454-2510; TTC.WEBMAIL@santacruzcounty.us. Registration for and payment of Transient Occupancy Tax is required by County Code Section 4.24.010, et seq.

VACATION RENTAL / LEASE AGREEMENT

1. **AGREEMENT:** Contract is between Owner and the signer of this contract, herein referred to as "Signer Guest". Signer Guest is an adult over the age of 25 and WILL BE an occupant of the unit during the entire reserved period. The term "Guests" includes all of the occupants that are with the Signer Guest. Other occupants may be family members, friends or children under the Signer Guest's direct supervision. Use of the premises is denied to persons not falling within the foregoing categories. If any Guests are being obnoxious to the neighbors, All Guests will have to vacate the property immediately without any refund of deposit or payment.
2. **CHECK IN:** Check in time is 3:00 PM. Early check-in times are allowed only when the Home is cleaned and ready for occupancy. **PRIOR APPROVAL IS REQUIRED.** The key will be in a lockbox on the front door. The combination to the lockbox will be provided via e-mail 24 hours prior to arrival. The code is changed constantly and will not be operable until the day you are scheduled to arrive. The combination WILL NOT be issued with a balance due or without a signed rental agreement in the Owner's possession. Codes may not be copied or given to any other persons besides Guests.
3. **CHECK OUT:** Check out time is 11:00 AM. If Owner has not granted explicit permission for a late checkout, a \$50 per hour standby fee will be charged for each hour (or portion thereof) past the required check out time if the maid is not able to get in. We often have guests arriving the same day and the maid only has a 4-hour time frame to make the Home ready for the next Guests. Please be sure to lock all doors and windows, close all window shades, and secure the property prior to leaving.
4. **RENTAL PAYMENT AND SECURITY DEPOSIT:** Sign and send Contract with credit card information or check in the amount of 30% of the rental amount to secure your reservation. This deposit is due **WITHIN 4 DAYS** of making your reservation. **FAILURE TO RECEIVE YOUR MONIES WITHIN THE 4-DAY PERIOD MAY RESULT IN CANCELLATION OF YOUR REQUESTED RESERVATION.** 45 days before check-in the remaining 70% of the rental amount and a \$750 security deposit must be received. Please notify the Owner by phone or email when you have sent the Contract and payment. The security deposit is fully refundable within 14 days after departure date provided that real and personal property are in the same condition as when occupancy commenced and all terms of this agreement are met. Signer Guest is liable for all replacements and repairs that are outside what is considered normal wear and tear.
5. **ADDITIONAL FEES:** Additional fees may apply if property is not returned in identical condition as it was when Signer Guest took occupancy.
6. **TRANSIENT OCCUPANCY TAX (TOT)** Pursuant to Santa Cruz Municipal Code §3.28.030, a tax is imposed on each transient occupant for the privilege of occupancy in any "hotel" within the City. The tax constitutes a debt owed by the transient occupant to the City, which is extinguished only by payment by the operator to the City. Each hotel, motel and property management operator must collect this tax to the same extent and at the same time as the rent is collected from every transient occupant. The TOT for Santa Cruz County is 11% of the base rent.
7. **CANCELLATION, RESERVATION & PAYMENT POLICY:** Payment for the full amount of the Reservation **MUST BE RECEIVED 45 DAYS PRIOR TO ARRIVAL DATE** or reservation may be cancelled. The Owner understands that sometimes cancellations are unavoidable. Therefore, we will only charge for cancelled Reservations should we be financially disadvantaged as a result. Therefore, the Owner will charge no more than the \$100 processing fee in the event we subsequently are able to re-reserve the same Home, at the same or more time, something we will always strive to do. Reservations cancelled more than 45 days **BEFORE** arrival will have a full refund less a \$100 processing fee. **NO REFUNDS** are issued for cancellations or early departure due to inclement weather or personal circumstances.
8. **IF THE GUEST NEEDS TO CANCEL A RESERVATION:** Notice of this cancellation **MUST BE IN WRITING AND WILL BE CONFIRMED BACK TO THE GUEST, BY THE OWNER:** email abeachhouseinsantacruz.com or address: 345 34th Avenue, Santa Cruz, CA 95062
9. **SLEEPING CAPACITY:** The maximum number of guests who are allowed to stay overnight is six (6) adults, plus children under the age of 12. The house and associated facilities are designed to accommodate this number comfortably. Linens are provided only for the number of overnight guests allowed.
10. **PARKING:** Parking near the beach is always a challenge, so we encourage you and your guests to carpool. The maximum number of vehicles allowed is four (4), which includes two current on-site parking spaces, plus up to two (2) on-street spaces in the vicinity. Because these on-street spaces are not exclusive, they cannot be guaranteed.
11. **GATHERING CAPACITY:** This home is located in a residential area. For gatherings between 8:00 a.m. and 10:00 p.m., the maximum number of people allowed is twelve (12) adults, plus children under the age of 8. **IF YOU ARE PLANNING ON HAVING FRIENDS OVER:** The Home's neighbors have the Owner's emergency numbers and have promised to contact the Owner if there is any loud noise after 10pm. If the Owner is called, we will make one attempt to contact you directly. If the first call is not sufficient enough to stop the noise, you will be required to immediately vacate the property, and there will be no refund for any unused time.

Home's neighbors have the Owner's emergency numbers and have promised to contact the Owner if there is any loud noise after 10pm. If the Owner is called, we will make one attempt to contact you directly. If the first call is not sufficient enough to stop the noise, you will be required to immediately vacate the property, and there will be no refund for any unused time.

12. NOISE: The neighborhood has a 10:00 p.m. to 8:00a.m noise curfew, which is every night, *including weekends*. We value our relationships with our neighbors. If any of them are annoyed by any of our Guests or their behavior, it is our policy to make one phone to alert you and your guests that you are breaking the terms of your rental agreement by not respecting the noise curfew of 10pm. If that call proves insufficient in stopping the noise, you and your guests will be required to immediately vacate the premises, and there will be no refund for any unused time.

For clarity, the Santa Cruz County Noise Ordinance is:

A. No persons shall, between the hours of ten p.m. and eight a.m., make, cause, suffer, or permit to be made any offensive noise:

1. Which is made within one hundred feet of any building or place regularly used for sleeping purposes; or
2. Which disturbs any person of ordinary sensitivities within his or her place of residence.

B. "Offensive noise" means any noise which is loud, boisterous, irritating, penetrating, or unusual, or that is unreasonably distracting in any other manner such that it is likely to disturb people of ordinary sensitivities in the vicinity of such noise, and includes, but is not limited to, noise made by an individual alone or by a group of people engaged in any business, meeting, gathering, game, dance, or amusement, or by any appliance, contrivance, device, structure, construction, ride, machine, implement, instrument or vehicle. (Ord. 4001 § 1(part), 1989

13. WHAT IS SUPPLIED: The Home is equipped and set up as a fully furnished property that will include toilet paper, bedspreads, linens, blankets, pillows, bath towels (not beach towels), as well as a full kitchen, washer, dryer, TV, furnishings, BBQ grill, hot tub, outdoor shower, and outdoor furniture. The Home may not have all the items that you may be accustomed to having in your own home, so if there is an item you are accustomed to using such as a special type of cooking utensil, etc. please bring them with you. There will be charges against your Security Deposit for replacement of any missing items from the Home.

14. WHAT YOU SHOULD BRING: Items like paper towels, laundry soap, bath soap, shampoo, beach towels, and other personal effects.

15. WIFI ACCESS: The home is equipped with high speed wireless internet and digital cable.

16. YOUR LIABILITY: You agree to accept liability for any damages caused to the property (other than normal wear and tear) by your guests, including, but not limited to, landscaping, watermarks or scarring of hardwood floors, misuse of appliances, and/or equipment furnished. If damages are in excess of the security deposit of \$1000, you hereby agree to reimburse the Owners for costs incurred to repair/replace damaged item.

17. HOLD HARMLESS: The Owner does not assume any liability for loss, damage or injury to you or your guests or their personal property. Neither do we accept liability for any inconvenience arising from any temporary defects or stoppage in supply of water, gas, and electricity, outside construction noises or plumbing. Nor will the Owner accept liability for any loss or damage caused by use of Home's equipment, street construction, adverse weather conditions, natural disasters, acts of God, or other reasons beyond its control. We do encourage you to purchase Travel Insurance that will reimburse you if any of the above happen. Call the CSA Travel Insurance Protection for full details at 1-800-348-9505. By renting a property you are assuming all risk of and liability for any damage done to person or property, agents, employees or visitors occasioned by the present or future condition of the premises both latent and manifest. The Owner will not be responsible for accidents or injury to guest or loss of money or valuables of any kind.

18. NO GUARANTEES: Working condition of furnace, cable, internet service, appliances, barbeques, etc., are NOT guaranteed. NO REFUNDS or rate adjustments will be made for mechanical failures and malfunctioning equipment. These amenities are extras provided in addition to the vacation house rental. Although all attempts will be made to correct the situation, some breakdowns cannot be prevented or repaired during your occupancy.

19. PETS: No pets allowed. If this rule is violated, there will be a \$250.00 charge, in addition to forfeiture of your security deposit.

20. WOOD FIRE PIT, GAS BBQ, HOT TUB: You hereby acknowledge that the property that you have reserved includes an outdoor fire pit, gas BBQ, and hot tub, and you and your guests are fully aware these features can be hazardous. The hot tub deck can also be slippery when wet and injury can occur.

- An adult must be present at these locations when in use, and shall not leave children unattended around these features.
- All Guests who use the hot tub MUST NOT bring in any sand into the hot tub. For your convenience, an outdoor shower is located right next to the hot tub. Sand affects the performance of the hot tub, and Signer Guest will be subject to a \$400 charge if sand is found in the hot tub.
- No running or horseplay around the hot tub area or fire pit.

21. BICYCLES: For your convenience, some bicycles and helmets are provided. Signer Guest acknowledges that these are used at guests' own risk. Bikes must be locked when not in use.

22. OWNERS CLOSET: Locked owners' closets are not included in your rental.

23. VACATE & FORFEITING RULES: You and all other guests will be required to vacate the premises and forfeit the rental fee and any security deposit for any of the following:

- Occupancy exceeding the sleeping capacity stated on the reservation confirmation after 10PM.
- Using the premises for any illegal activity including, but not limited to, the possession, serving or consumption of alcoholic beverages by or to persons less than 21 years of age and/or the use of illegal drugs.
- Use of Fireworks. Fireworks are illegal in Santa Cruz County
- Causing damage to the Home rented or to any of the neighboring properties.
- Smoking.
- Having any pets.
- Any illegal or unlawful behavior.
- Any reservation obtained under false pretense.
- Any other acts which interferes with neighbors' right to quiet enjoyment of their property, including any loud noises after 10 PM.

WE RESERVE THE RIGHT to refund Initial Reservation Payments, refuse rental, or to discontinue occupancy if, in our judgment, your occupancy is detrimental to the property. We reserve the right to enter the premises at any time for the purpose of inspection, repair, management or showing to prospective buyer.

24. CLEANING & CHECK-OUT: A cleaning fee of \$150 will be applied to all rentals. This fee is for the normal cleaning and maintenance of the property following the rental. Each property will be inspected, sanitized and cleaned before you arrive and after you depart. You are to leave the property in the same general condition in which it was received, by making sure that:

- All personal belongings are collected and taken with you.
- Dishes are done and dishwasher is emptied. Kitchen items (dishes, cookware, etc.) are cleaned and returned to proper place.
- Used linens and towels are gathered. Any heating has been turned off.
- The home should be generally picked up and ready to be vacuumed, dusted and sanitized.
- All lights, television, etc. are turned off.
- All trash is placed in proper outside covered containers. Containers must be covered at all times and garbage must not be allowed to accumulate.
- Gas is turned off to the gas barbeque.
- Doors and windows are locked, window shades are closed, and key is returned to the lockbox upon exit.

IF ADDITIONAL CLEANING IS REQUIRED:

Appropriate charges will be deducted from your security deposit at the rate of \$40 per hour. The Owner will contact you if this additional charge is necessary. Remember, NO SMOKING on the premises anywhere at any time. A charge of \$500 will be levied if this rule is broken as it means that all curtains and furnishings must be dry-cleaned.

25. MAINTENANCE & DAMAGE REPORTING: Report all maintenance issues promptly by calling 408.921.9454. Just as incidents might occur at your own well-maintained home, mechanical failures and other breakdowns could occur. Every effort will be made to correct the situation; however, no refunds or rate adjustments will be made for mechanical failures. Maintenance technicians and vendors may access the property for purposes of repairing previously reported issues. Please report any damage or breakage upon occurrence by calling 408.921.9454, so the matter can be settled before departure. Damages found by inspection crews upon departure will be billed and full payment for repairs will be collected via credit card.

26. ADDITIONAL TERMS AND CONDITIONS: You, for yourself, your heirs, assignors, executors, and administrators, fully release and discharge the Owners individually, of any claims, demands and causes of action by reason of any Injury or whatever nature which has or have occurred, or may occur to the undersigned, or any of your guests as a result of, or in connection with the occupancy of the premises and agree to hold the owners individually, free and harmless of any claim or suit arising there from. In any action concerning the rights, duties or liabilities of the parties to this agreement, their principals, agents, successors or assignees, the prevailing party shall be entitled to recover reasonable attorney fees and costs.

27. PAYMENT BY CHECK: If you pay by personal check, and the check is returned for NSF there will be a \$100 service charge. Combinations will not be issued until the check has successfully cleared the bank. Checks should be made payable to Mike Furlong.

345 54th Avenue, Santa Cruz, CA

All rules and regulations at the property must be strictly observed.

Agreed:

Check in Date:

Check out Date:

Rent per Night: _____ x # of nights = _____

Plus Cleaning Fee of \$150

Plus Transient Occupancy Tax of _____

Total of \$ _____ due and payable by _____

I have read and agree to abide by all terms of this Agreement:

Guest/Lessee Signature

Owner / Lessor Signature

Guest/Lessee Name (Printed)

Owner / Lessor Name (Printed)

Date

Date

CONTACT # for GUEST (to be used at any time): _____

Alternate Contact # if contact with first number is not made: _____

Guest/Lessee Initials _____

Owner / Lessor Initials _____

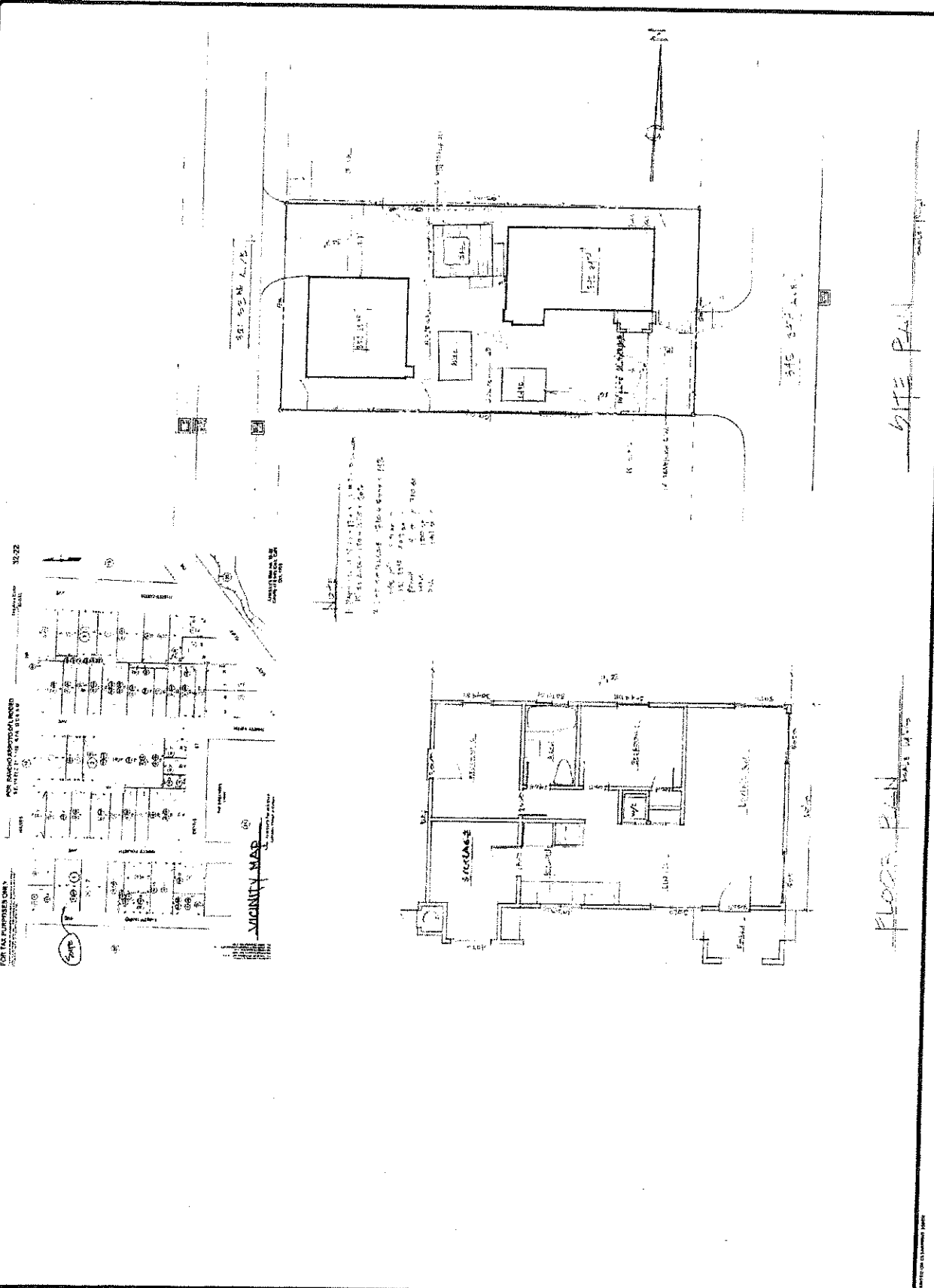
DATE	
TIME	
BY	
REVISIONS	

VACATION RENTAL
 Kara Ludwig
 408.921.9454
 545 34th Avenue Santa Cruz, CA 95062
 A.P.N. 032 - 221 - 03

ROBIN ALAGA
 408.921.9454
 545 34th Avenue Santa Cruz, CA 95062
 A.P.N. 032 - 221 - 03

NO. 1
NO. 2
NO. 3
NO. 4
NO. 5
NO. 6
NO. 7
NO. 8
NO. 9
NO. 10
NO. 11
NO. 12
NO. 13
NO. 14
NO. 15
NO. 16
NO. 17
NO. 18
NO. 19
NO. 20
NO. 21
NO. 22
NO. 23
NO. 24
NO. 25
NO. 26
NO. 27
NO. 28
NO. 29
NO. 30
NO. 31
NO. 32
NO. 33
NO. 34
NO. 35
NO. 36
NO. 37
NO. 38
NO. 39
NO. 40
NO. 41
NO. 42
NO. 43
NO. 44
NO. 45
NO. 46
NO. 47
NO. 48
NO. 49
NO. 50
NO. 51
NO. 52
NO. 53
NO. 54
NO. 55
NO. 56
NO. 57
NO. 58
NO. 59
NO. 60
NO. 61
NO. 62
NO. 63
NO. 64
NO. 65
NO. 66
NO. 67
NO. 68
NO. 69
NO. 70
NO. 71
NO. 72
NO. 73
NO. 74
NO. 75
NO. 76
NO. 77
NO. 78
NO. 79
NO. 80
NO. 81
NO. 82
NO. 83
NO. 84
NO. 85
NO. 86
NO. 87
NO. 88
NO. 89
NO. 90
NO. 91
NO. 92
NO. 93
NO. 94
NO. 95
NO. 96
NO. 97
NO. 98
NO. 99
NO. 100

EXHIBIT D



POST THIS CERTIFICATE IN A CONSPICUOUS PLACE ON THE PREMISES

**COUNTY OF SANTA CRUZ
TRANSIENT OCCUPANCY REGISTRATION CERTIFICATE**

ISSUED PURSUANT TO CHAPTER 4.24 OF ORDINANCE

Certificate # CO00630

Date of Issue: October 19, 2016

This Transient Occupancy Registration Certificate signifies that the person named on the face hereof has fulfilled the requirements of the Uniform Transient Occupancy Tax Ordinance by registering with the Tax Administrator for the purpose of collecting from transients the Transient Occupancy Tax and remitting said tax to the Tax Administrator. This certificate does not authorize any person to conduct any unlawful business or conduct any lawful business in an unlawful manner, nor to operate a transient occupancy facility without strictly complying with all local applicable laws, including but not limited to those requiring a permit from any board, commission, department or office of this County. This certificate does not constitute a permit. This certificate becomes void upon any change of ownership or location whatsoever. Notify the Tax Collector immediately upon any change.

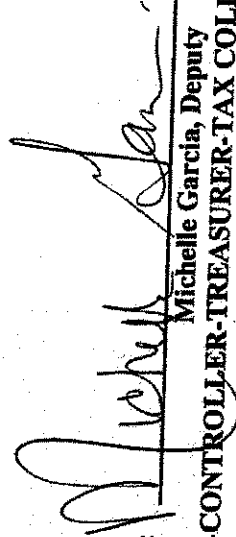
Name of Facility: Liebig/Furlong

Location of Facility: 321 33rd Ave Santa Cruz CA 95062

Operator: Kara Liebig / Mike Furlong

Mailing Address: 1820 McBain Ave San Jose CA 95125

By:



Michelle Garcia, Deputy

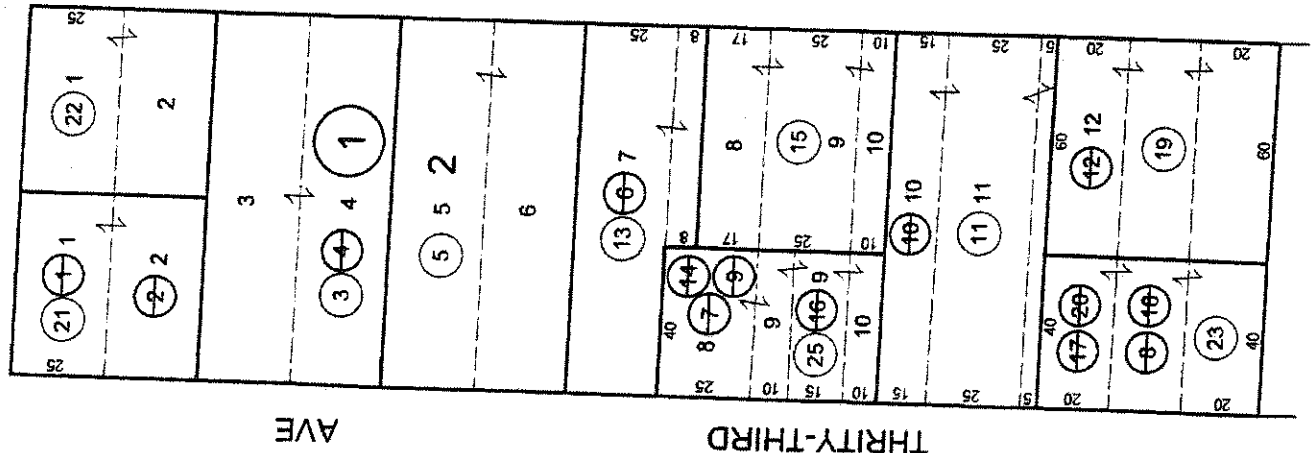
AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR

FOR TAX PURPOSES ONLY

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1998

POR. RANCHO ARROYO DEL RODEO
S.E. 1/4 SEC. 21, T.11S., R.1W., M.D.B. & M.

HAWES

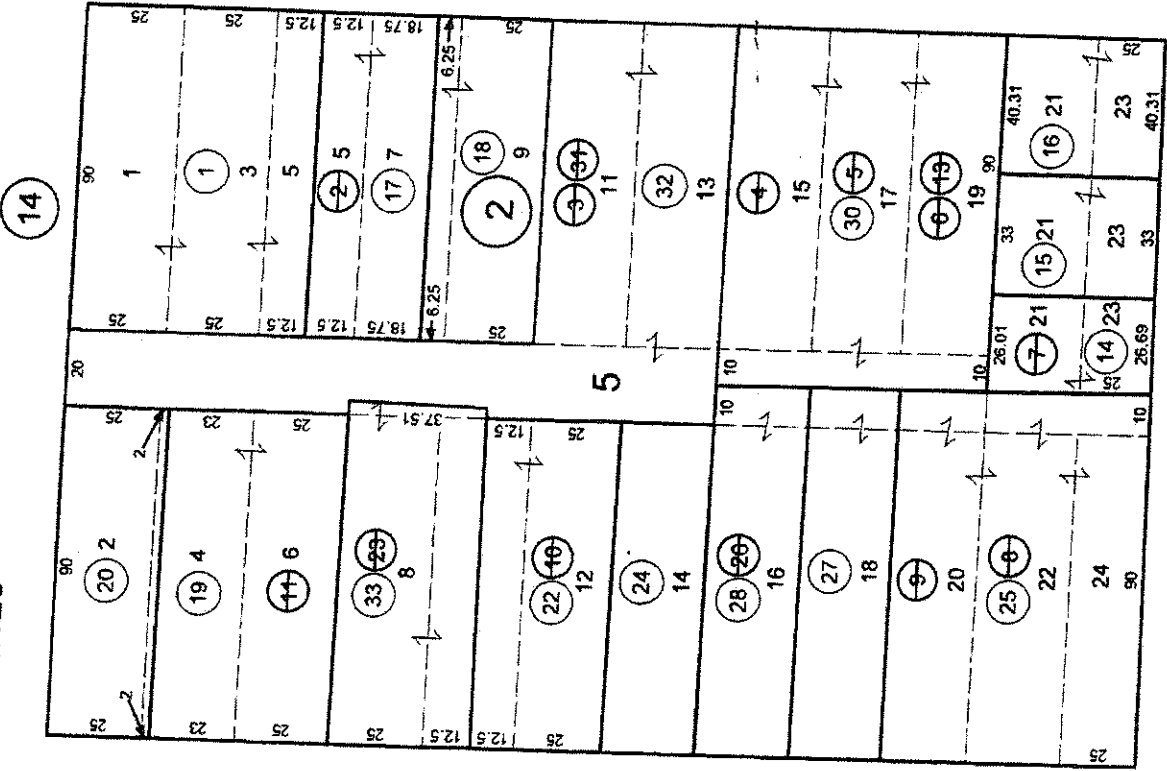


40

AVE

THIRTY-FOURTH

40



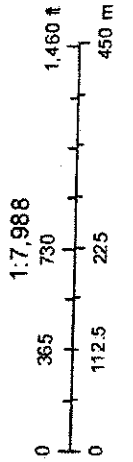
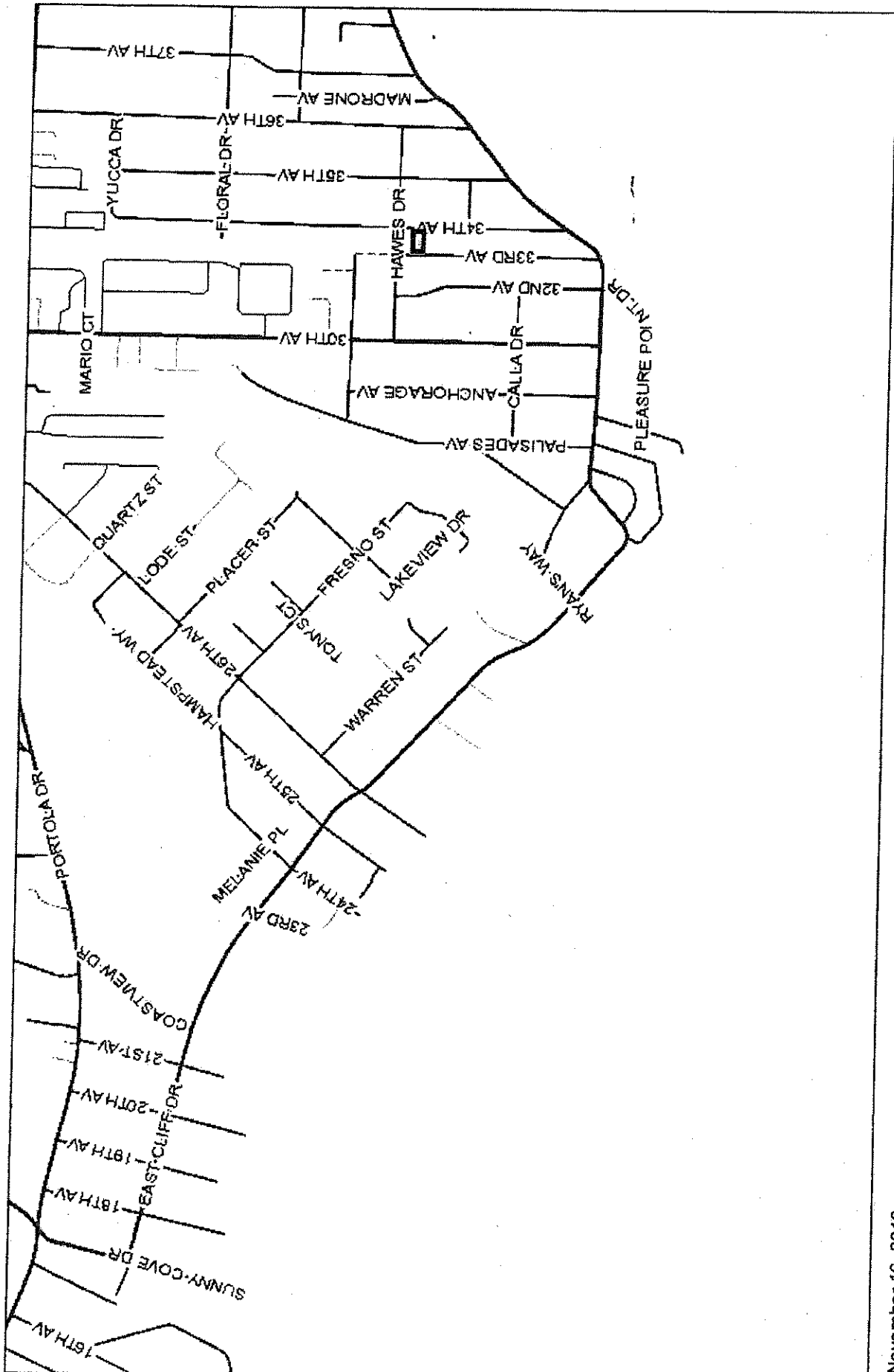
40

AVE

ST

DEYNS

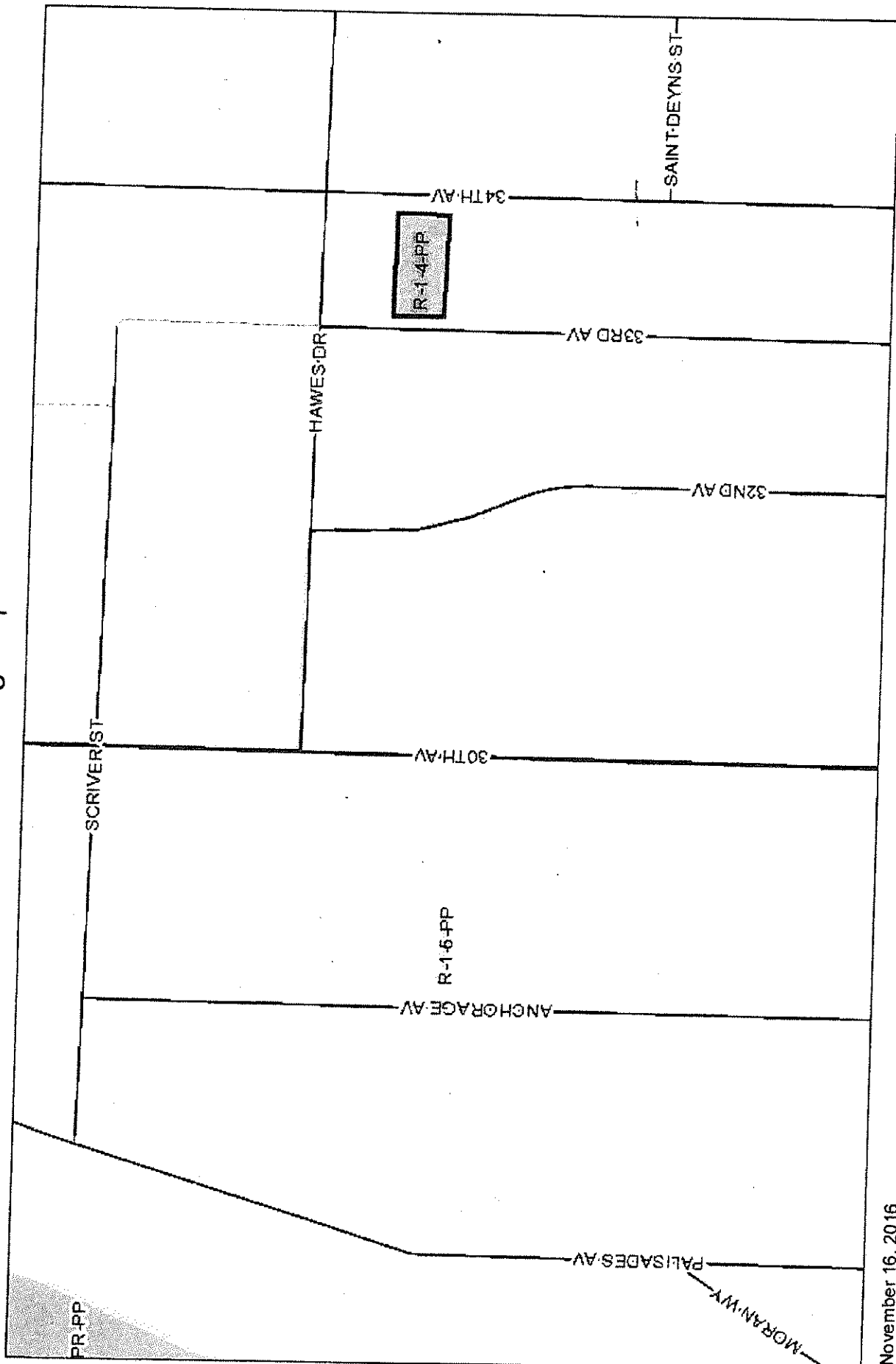
Location of APN 03222103



November 16, 2016

- Streets**
- Alley
 - Business Route
 - Driveway
 - Levee
 - Major Road
 - Ramp
 - State Highway
 - Unnamed
 - Special Forest

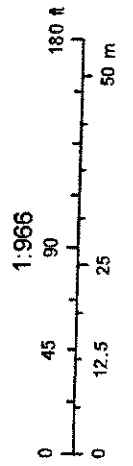
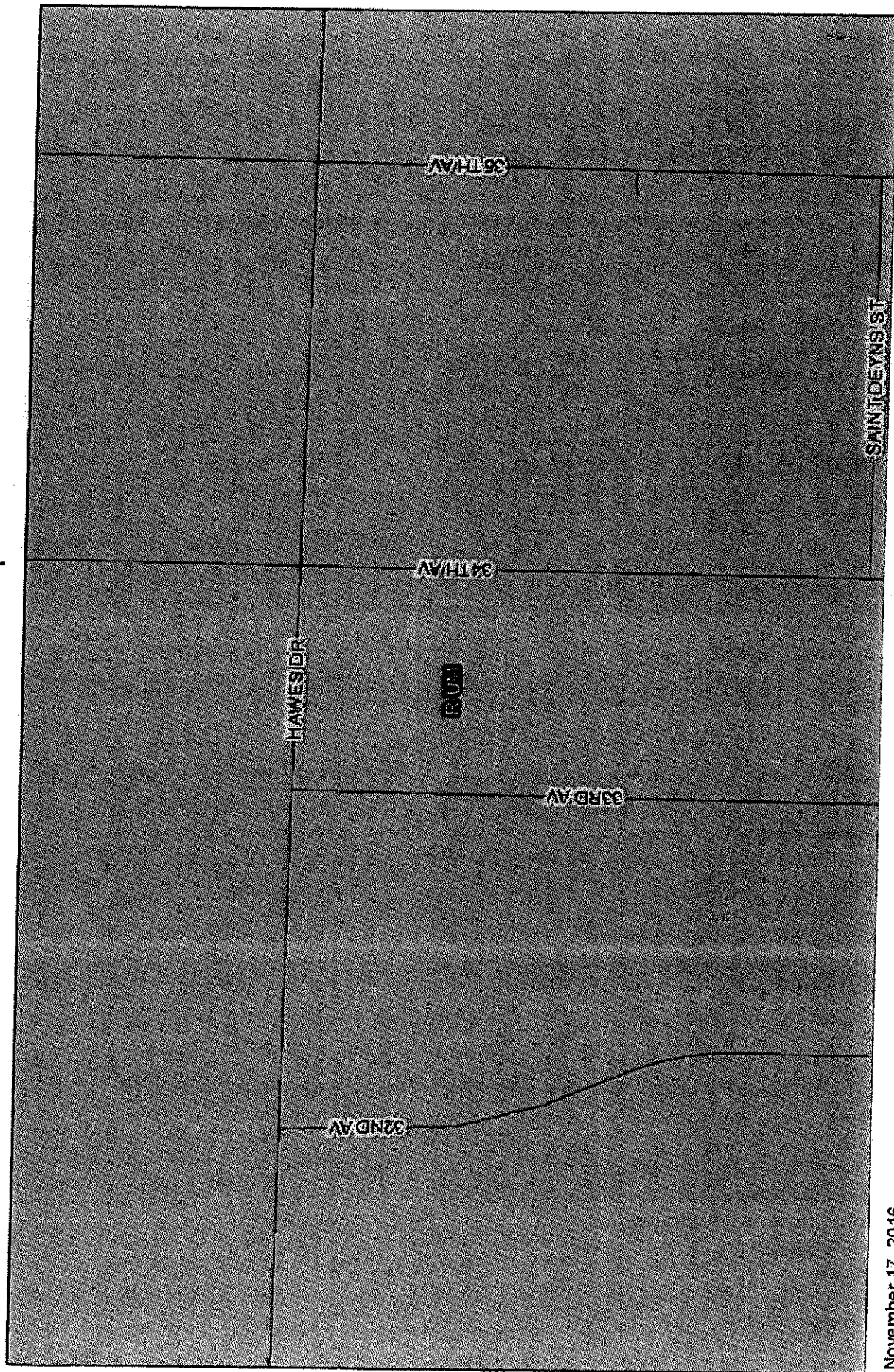
Zoning Map



November 16, 2016

- Streets**
- Alley
 - Business Route
 - Major Road
 - Levee
 - Driveway
 - Ramp
 - State Highway
 - Unnamed
 - Special Forest

General Plan Map



November 17, 2016

EXHIBIT E

Jerry Busch

From: Jerry Busch
Sent: Tuesday, November 08, 2016 4:18 PM
To: David Reid
Subject: RE: Application 151280

Yes, ZA hearing. The timelines for completeness review, hearing, etc. are established by the Permit Streamlining Act.

Thank you,

Jerry Busch

Planner III, Development Review
County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
831-454-3234
jerry.busch@co.santa-cruz.ca.us

From: David Reid
Sent: Tuesday, November 08, 2016 11:52 AM
To: Jerry Busch
Cc: Steven Guiney
Subject: RE: Application 151280

I thought this had been elevated to a ZA hearing? Is that what you are referring to when you say PSA?

Dave Reid, Analyst
Supervisor John Leopold
701 Ocean St., Room 500
Santa Cruz, CA 95060
(831) 454-2200
mailto:david.reid@santacruzcounty.us

From: Jerry Busch
Sent: Tuesday, November 08, 2016 11:41 AM
To: David Reid <David.Reid@santacruzcounty.us>
Cc: Steven Guiney <Steven.Guiney@santacruzcounty.us>
Subject: RE: Application 151280

Hi, Dave –

This is a Level 5 application, so it is subject to the PSA and will fall under the current ordinance.

Thank you,

Jerry Busch

Planner III, Development Review
County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
831-454-3234
jerry.busch@co.santa-cruz.ca.us

From: David Reid
Sent: Monday, October 31, 2016 2:41 PM
To: Steven Guiney; Jerry Busch
Subject: FW: Application 151280 2 vac. rental permits NOT lot split
Importance: High

Please let me know if this is a new application for a VR permit on the same parcel as an existing VR permit. IF SO, I'd like to discuss the current backlog timeline for processing applications and see whether this application will fall under the new ordinance once adopted by the Coastal Commission.

Thanks,

Dave

Dave Reid, Analyst
Supervisor John Leopold
701 Ocean St., Room 600
Santa Cruz, CA 95060
(831) 454-2200
<mailto:david.reid@santacruzcounty.us>

From: Patti Brady [<mailto:patrizia2@pacbell.net>]
Sent: Sunday, October 30, 2016 1:30 PM
To: Jerry Busch <Jerry.Busch@santacruzcounty.us>
Cc: John Leopold <John.Leopold@santacruzcounty.us>; David Reid <David.Reid@santacruzcounty.us>
Subject: Application 151280 2 vac. rental permits NOT lot split
Importance: High

Dear Mr. Busch –

My huge apologies!!!!

- This is NOT a lot split - vacation permit application.
- This is application for a 2nd vacation permit on 1 parcel.
- The goal is for this duplex parcel to become 2 vacation rentals.
- Currently the property/parcel has 1 vacation permit:
 - Does this 1 vacation rental permit cover both units?
 - Or is 1 considered a vacation rental unit with the other unit considered a “regular” rental property?
 - What is the expiration date of this current vacation rental permit?
- In advance – I appreciate your time relaying answers to my questions. Sincerely, Patti Brady

Dear Mr. Busch

Please respond:

Approval of application #151280 will make 2 separate vacation rentals for 1 - 5000 sq ft property now known as a legal duplex - 345 34th Avenue/321 33rd Ave - current parcel # 031-221-03?

Jerry Busch

From: Thecymru [thecymru@aol.com]
Sent: Thursday, December 08, 2016 1:01 PM
To: Jerry Busch
Subject: Item # 151280, 151281

Hi Jerry

Please add my name to the people opposed to granting two vacation rental permits on one parcel. If investors want a motel, they should buy a motel. I am fairly sure that the fact that they lack sufficient parking will not impact the granting of the permit. But please beware, the front yard has encroached almost 10 feet into the right of way. To stay within their property lines and off street, the cars cannot be parked perpendicular to the house. Yet two more long term rentals are being taken off the market in a community that has a dire need for moderate income housing. I really do not understand why the county is trading the quality of life for it's residence for the short term rental tax income. They seem not to realize they are destroying our neighborhoods and angering residents who actually vote here.

I know you are just doing your job, but think about it, this is exactly how bad things are done.

A 40 year resident.

Sam Sexton, PhD

Jerry Busch

From: Jerry Busch
Sent: Tuesday, November 01, 2016 4:00 PM
To: 'Thecymru'
Subject: RE: #151280 and 151281 two vacation rentals on 34th avenue, no address listed, no date of hearing listed

Hi, Sam –

You can find the current vacation rental regulations in the County Code, section **13.10.694**. For the County Code, see the Quicklink in the left margin of the County Planning Dept. homepage.

The staff recommendation has not yet been determined, as the application is not yet complete and the staff report not yet written.

The date of the public hearing will be within 60 days of the application being determined to be complete. If you would like to be notified when the public hearing is scheduled, please provide your contact information and we can add you to the notification list.

Thank you,

Jerry Busch

Planner III, Development Review
County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
831-454-3234
jerry.busch@co.santa-cruz.ca.us

From: Thecymru [<mailto:thecymru@aol.com>]
Sent: Monday, October 31, 2016 4:35 PM
To: Jerry Busch
Subject: #151280 and 151281 two vacation rentals on 34th avenue, no address listed, no date of hearing listed

Hello

My name is Sam, I called from 831-251-6080 on the 10 /31. Don't bother calling me, just please answer these questions:

Where can a I find a copy of the CURRENT vacation permit regulations?

Is the planning department recommending the approval of these permits?

If so, what is the justification? If not, what is the justification?

When is the public hearing?

Thank you very much, Sam

Please notify email me re: the hearing date of the Level 5 for this application.

In advance, I most appreciate your time - Thank U! Patti Brady 500 34th Avenue SC 95062

Discretionary Application Review Status

Click on the underlined component below for definition and explanatory details.

Application Number:	<u>151280</u>
Assessor's Parcel Number:	<u>032-221-03</u>
Application Date:	<u>10/6/2015</u>
Project Status:	<u>Route and Review</u>
Project Planner:	<u>JERRY BUSCH</u>
Primary Applicant:	<u>KaraLiebig</u>

Project Description:

Proposal to establish a new two bedroom residential Vacation Rental at 321 33rd Ave. This application has been elevated to Level 5 review with public hearing before the Zoning Administrator.

Jerry Busch

From: Patti Brady [patrizia2@pacbell.net]
Sent: Thursday, November 03, 2016 9:18 PM
To: Jerry Busch
Cc: John Leopold; David Reid
Subject: App 151280 - 2 vac. rental permits

Dear Mr. Busch,

Please consider this a formal objection to the granting of a 2nd vacation permit to 345 34th - 321 33rd Avenues.

Yes, the Coastal Commission must vote to accept the Co.'s changed policy of 1 vacation permit per 1 parcel.

- So yes, this application is currently eligible for a 2nd permit on 1 parcel
- Yet does "granting this application make it the correct"?
- Is it the best action for the neighborhood being impacted?

The size of these 2 homes is 1,200 sq. ft (3 bdrm, 2 bdrm).

- The current 345 34th permit allows 8 vacationers + unlimited kids under 12.
- A 2nd vacation permit for the parcel will allow 14 vacationers + unlimited kids under 12 at any given time
- MLS reports this property has 4 parking spaces: most likely 14 vacationers will arrive in 4+ cars – where will they park?

This "go for it" increase of vacation permits is now actively diminishing the character of our year-round residential neighborhood. When is enough enough?

- There are vacation rental permits on 34th Avenue, on Hawes and on St. Deyns – all are a few steps from this parcel.
- 34th, Hawes and St Deyns has limited street parking; we are a walking neighborhood with lots of small children and pets on the street early morning to late in the day.
- Of great importance is the fact that 34th, Hawes and St. Deyns are not zoned commercial yet we are becoming more so by these permits being granted; isn't this issue a zoning code violation?
- 286 vacation rentals in PPT.
 - If all were just 2 bedroom units the adult allowance is 1,716 vacationers
 - + unlimited vacationer kids under 12
 - Many permits have 4 - 5 bedrooms making this head count even higher!

The County relays over and over that we are in desperate need of regular housing

- With all due respect, the County has an immediate opportunity to "walk its talk"
- Not granting this permit will allow a someone an opportunity to live full-time in a wonderful neighborhood with good schools nearby!

I appreciate your time and appreciate this communication being put into the "official" file of "Please - NO".

In advance, thank you -
Patti Brady
500 34th Avenue
Santa Cruz, CA 95062

Jerry Busch

From: Jerry Busch
Sent: Tuesday, November 15, 2016 9:39 AM
To: 'Kara Liebig'
Subject: FW: 151280 & 151281 - revised

Hi, Kara –

Both the Assessor's records and your remodel permit, B-153744, indicate 34th Ave. as a 2-BR unit with a storage room. Your VR application does not reflect the kitchen remodel and revised floor plan of the building permit, and re-labels the storage room as a BR. In order to recognize conversion of the storage room to a BR., you would need to apply for a building permit and provide a compliant egress window and energy calculations. Otherwise, I need a floor plan (two copies) for application 151281 that matches that of B-153744.

In reviewing the Assessor's building records, I see that the Assessor found 1-bedroom and a living room in the smaller unit at the time that the County recognized it. If the 34th Ave house is 2-BR and the 33rd Ave 1-BR, under the ordinance this would potentially allow a total maximum of 10 guests with 20 per celebrations, which is what you have proposed. With your authorization, I would re-label bedroom #1 in the small unit as a living room. A living room is not prohibited from having beds as long as it has an egress window, which yours does.

If you wanted to recognize the small unit as a two-bedroom, you would need to show a total of six offstreet parking spaces on the site. You could do this by providing four spaces off 34th Ave. and removing the fence on that side, or by modifying the spa deck off 33rd and moving the fence so that you had 36 feet to the PL and could provide 3 spaces on that side. However, it would not increase the guest count unless you submitted revised rental agreements, which I don't recommend.

Please advise me of your intentions now for both units.

I will need two complete 8.5 x 11 reduction sets of your plans, to schedule and notice a Zoning Administrator hearing.

Thank you,

Jerry Busch

Planner III, Development Review
County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
831-454-3234
jerry.busch@co.santa-cruz.ca.us

Jerry Busch

From: Randall Leonard [randallsc@cruzio.com]
Sent: Friday, November 04, 2016 4:53 PM
To: Jerry Busch
Subject: Vacation rental permits

I am opposed to the permit application s for 345 34th Ave AND 321 33rd Ave. This lessens the number of long term rentals and owner occupied properties that the county needs.
Randall Leonard 831-475-8628

Jerry Busch

From: Norman Schutzberger [nschutz22@gmail.com]
Sent: Tuesday, November 01, 2016 5:25 PM
To: Jerry Busch; John Leopold; avid.Reid@santacruzcounty.us
Subject: Application #151280 Assessor's Parcel Number: 032-221-03

Gentlemen:

I am writing to you to express my strong objection to the proposed application requesting two (2) separate vacation permits on a single "undersized" lot. The lot is non-conforming for this purpose of housing two independent residences. The "people limit" code states: "The maximum number of guests allowed in a new residential vacation rental shall not exceed 2 people per bedroom plus 2 additional people, except for celebrations and gatherings between 8:00 a.m. and 10:00 p.m., when the maximum number of people allowed is twice the maximum number of guests allowed. Children under 12 are not counted toward the maximums".

The combined size of the 2 homes is 1,200 sq. ft. A 2nd vacation permit will allow up to 14 adults, unlimited kids under 12 on the property AND their cars: Unit #1 - 34th Ave: 3 bedrooms = 8 people + unlimited kids under 12. Unit #2 - 33rd Ave: 2 bedrooms = 6 people + unlimited kids under 12. MLS says the property has 4 parking spaces. In addition, there are currently three other habitable structures on the property.

There are already 3 other nearby vacation rental permits allowing in total over 50 adults (100 temporarily) plus unlimited children in addition to this property's current single permit. (they are on 34th and Hawes; St. Deyns and 35th (big house) and the one currently under construction on St. Deyns and 35th.

These are but thinly disguised business operations in a RESIDENTIAL COMMUNITY. This particular property has been flipped twice in 2 years.

The County says over and over that we need regular owner and/or rental housing. These businesses directly act in opposition to that stated county's goals for Pleasure Point, markedly decrease available housing available for residences and severely impact and degrade the living environment for existing residents.

It is past time that Planning take note of this commercialization with concomitant degradation of the residential nature of our community.

We formally request that this application be denied in its entirety in the interest of meeting both the intent of the law (zoning limitations for residential areas) as well as preserving our living environment while retaining Pleasure Point as a residential neighborhood.

Respectfully submitted,

Norman Schutzberger
Pauline Schutzberger
591 34th ave.
Santa Cruz, CA 95062

562.505.1520

Barbara Ginsberg

From: Barbara Ginsberg
Sent: Thursday, January 14, 2016 8:21 AM
To: 'Britta Campbell'
Subject: RE: Application #151280 & #151281

Hello B. Campbell and thank you for your email. I do understand your concerns. These applications have been elevated to a Level 5 with a public hearing before the Zoning Administrator. You will receive new notices identifying the date and time of the public hearing. I will place a copy of your correspondence with the permanent project files.

Kind Regards,

Barbara Ginsberg

Planning Technician
Development Review
Santa Cruz County Planning Dept.
701 Ocean Street - Room 400 (831) 454-2871
barbara.ginsberg@santacruzcounty.us

-----Original Message-----

From: Britta Campbell [mailto:bc_dotcom@yahoo.com]
Sent: Wednesday, January 13, 2016 3:48 PM
To: Barbara Ginsberg
Subject: Application #151280 & #151281

Dear Ms. Ginsberg-

I am responding to the Notice of Pending Action for the above referenced applications with addresses located at 321 33rd Avenue & 345 34th Avenue in Santa Cruz.

As a nearby resident, my concern with both of these properties is that neither of them has permanent dedicated off street parking for tenants' cars.

On 33rd Avenue, street parking is not allowed because the road is not wide enough for fire trucks to travel. This is a huge safety issue. Every couple of years the surrounding residents pay out of their own pocket to have red stripes painted to try and control the issue however there are still people who violate the rule causing lots of stress in the neighborhood. From what I understand, a few years ago, a fire did happen in one of the homes and the fire truck could not access it because of parked cars. Currently, the California Highway Patrol tickets and tows cars (and recently, a trailer with a boat). That said, I cannot imagine vacation renters will be aware of this situation and unless off street parking is provided, they will be parking on the street and violating the established parking rule.

Also, for both properties, I would think that any application for a vacation property rental should have to include dedicated parking just like any other improvement or remodeling or business application is required to do so. It seems only fair that if someone is going to rent out a home, the neighbors should not have to be affected by that arrangement. In the same way that noise and the number of renters and days are regulated with these permits, parking should also be regulated.

In an area that is already extremely impacted by parking, as noted by the issuance of parking permits in the neighborhood and the existence of narrow streets, I would not approve either of these applications unless TWO dedicated off street parking spots are established for both of the properties.

I look forward to hearing your decision. Thank you for your time.

B. Campbell

Jerry Busch

From: Lyn Hood [lyhood@cabrillo.edu]
Sent: Tuesday, November 01, 2016 12:05 PM
To: Jerry Busch; John Leopold; David Reid
Subject: Application #151280 Assessor's Parcel Number: 032-221-03 Application Date:10/6/2015

Please postpone this application until the Coastal Commission adopts the Co's. new rules of 1 vacation rental permit per 1 property.

No one can afford to rent here anymore. Limits must be made on Vacation rentals and AirB&B. I am fortunate and own my home, but I would gladly forgo my increasing property value (due to these neighborhood flips to income properties) to maintain the character of our neighborhoods.

This application seeks 2 vacation permits for 1 parcel with 2 homes - 2 addresses: 345 34th Ave AND 321 33rd Ave. This application without lots of your input - via email and in person at the public hearing - may GO thru as the Coastal Commission has not yet adopted the Co's. new rules of 1 vacation rental permit per 1 property. The Coastal Commission does not vote on this item until January AND this owner has applied for these permits under the old rules > no limit to a property.

The "people limit" code: "The maximum number of guests allowed in a new residential vacation rental shall not exceed 2 people per bedroom plus 2 additional people, except for celebrations and gatherings between 8:00 a.m. and 10:00 p.m., when the maximum number of people allowed is twice the maximum number of guests allowed. Children under 12 are not counted toward the maximums".

The combined size of the 2 homes is 1,200 sq. ft (this property has been flipped 2x in 2 years). A 2nd vacation permit will allow up to 14 adults, unlimited kids under 12 on the property AND their cars: Unit #1 - 34th Ave: 3 bedrooms = 8 people + unlimited kids under 12. Unit #2 - 33rd Ave: 2 bedrooms = 6 people + unlimited kids under 12. MLS says the property has 4 parking spaces.

There are 3 other nearby vacation rental permits in addition this property's current 1 permit. (they are on 34th and on Hawes; St. Deys big house adds more).

The Co. says over and over that we need regular owner and/or rental housing. 1 of these 2 units (or both) is an opportunity for a "regular" rental for a teacher, a firefighter, a waitperson etc. !!!

Thank you for your consideration.

Lyn Hood

635-36th Ave

Barbara Ginsberg

From: Ursula Murray [ursula@mpmsv.com]
Sent: Wednesday, January 13, 2016 3:15 PM
To: Barbara Ginsberg
Subject: Application #151281

Good afternoon

I am a property owners on 34th Ave and I oppose any additional NEW vacation rentals. There are already so many vacation rentals in the Point I just don't understand why we need to have more. The local young families are already struggling to find housing and this proposal takes 2 more units out of long term the rental inventory.

I am also concerned that this notice was sent to me with the previous owners' name as the Applicant. This property has changed ownership and I will assume you are requiring the current ownership to re submit their application in their name?

Please no more vacation homes on our street or in the immediate neighborhood. During the summer we had loud neighbors until 1 am, those of us that actually have to get up and work in the morning are not appreciating the noise. I do not live in a commercial zoned area and I expect that the surrounding houses are not converted to commercial use.

Sincerely,

Ursula Murray- dre 01484033
Marquise Property Management Inc
20 S Santa Cruz Ave, Suite 308
Los Gatos Ca 95030
408 354-0535
www.mpmsv.com

Barbara Ginsberg

From: Barbara Ginsberg
Sent: Thursday, January 14, 2016 7:57 AM
To: 'Brelis'
Subject: RE: NOTICE OF PENDING ACTION

Hello Brelis Young and thank you for your email. I do understand your concerns. These applications have been elevated to a Level 5 review with a public hearing before the Zoning Administrator. You will receive new notices stating the date and time of the public hearing. I will place a copy of your correspondence with the permanent project files. Please feel free to contact me again with any other questions, comments or concerns with regards to this or any other new vacation rental application.

Kind Regards,



Barbara Ginsberg
Planning Technician
Development Review
Santa Cruz County Planning Dept.
701 Ocean Street - Room 400 (831) 454-2871
barbara.ginsberg@santacruzcounty.us

From: Brelis [<mailto:brelisyoung@hotmail.com>]
Sent: Wednesday, January 13, 2016 11:51 AM
To: Barbara Ginsberg
Subject: RE: NOTICE OF PENDING ACTION

Brelis Young
300 33rd Avenue
Santa Cruz CA 95062

January 13, 2016

Barbara Ginsberg
701 Ocean Street
Santa Cruz CA 95060

SUBJECT: APPLICATION NUMBERS 151280 & 151281

Ms. Ginsber:

I am writing in opposition to the proposed Vacation/Party rentals at 321 33rd Ave & 345 34th Ave.

I am a long term owner/occupier of my home on 33rd Avenue.

I am visually impaired and walking is my only mode of travel. There is no sidewalk on my alley.

My concern are motorized vehicles: both drunk drivers, as well as excessive trips.

Because the proposed "party house(s)" is located on my street -- and there is no sidewalk -- my safety is at stake.

My street is zoned residential NOT zoned commercial.

Yours truly,

Brelis Young

Barbara Ginsberg

From: Alex Yasbek [ayasbek@yahoo.com]
Sent: Sunday, January 10, 2016 1:51 PM
To: Barbara Ginsberg
Subject: Comments on Pending Action Application 151281, 151280

Hi Barbara,

I received the notice of pending action for the above applications - new residential vacation rental in the Pleasure Point neighbourhood (345 34th Ave and 321 33rd Ave). I live at 400 34th Ave - I can see the property on 34th ave when I look out my window.

I object to these residential vacation rentals for the following reasons:

1. Noise and fireworks continue to be an issue during the summer months. Fireworks in the neighborhood are almost always traced back to vacation rental properties. There is also a lot of noise from vacation rentals during the summer months which is frustrating especially as a parent of two small children who go to bed before 9pm.
2. The shift from residential neighborhood with a vibrant, friendly community to one of a mostly vacant rental house with brief heavy occupancy and no sense of community is something I find quite awful. I am huge believer in knowing the people in my neighborhood and interacting with them. This is something that does not happen with temporary vacation rentals. An example of this is when our friends on 35th ave were evicted, the single story house they lived in was torn down and a massive two story house (looks like a small hotel) was built in it's place. Goodbye friends, hello out of town strangers who have no interest in even waving as we walk by.
3. The shift from houses as homes to houses as hotels is something I find unsettling. It drives property values up to a point that very few people who work in Santa Cruz County can afford a home in Santa Cruz.

I realize there is a lot of money to be made by the County in allowing these vacation rentals but I hope the value of a vibrant, thriving neighborhood is taken into consideration before our community turns into a place where houses are actually hotels that make a few non-residents very wealthy.

Thank you.

-Alex

Barbara Ginsberg

From: Barbara Ginsberg
Sent: Tuesday, December 29, 2015 10:50 AM
To: 'Kathleen'
Subject: RE: Notice of Pending Action #151280 & #151281

Hello Kathleen and Dan and thank you for your email. I do understand your concerns. Vacation Rentals are considered to be a residential use. The Vacation Rental ordinance (County Code section 13.10.694) was enacted to provide rules and regulation where there once was none, while also limiting the number and block percentages within certain areas of the County. Unlike building a new home, addition or new commercial building the applicant only needs to demonstrate what on-site parking is available. They do not have to provide a certain amount dependent on bedroom count, square footage or type of business. Your comments will be taken into consideration during our review of the proposal. I will place a copy of this correspondence with the permanent project file. Please feel free to contact me again with any additional questions or concerns with regards to this or any other new Vacation Rental application.

Kind Regards,



Barbara Ginsberg
Planning Technician
Development Review
Santa Cruz County Planning Dept.
701 Ocean Street - Room 400 (831) 454-2871
barbara.ginsberg@santacruzcounty.us

From: Kathleen [mailto:kathleen@portolarentals.com]
Sent: Monday, December 28, 2015 2:01 PM
To: Barbara Ginsberg
Cc: Kathleen; 'danheiser@hotmail.com'
Subject: Notice of Pending Action #151280 & #151281

Dear Barbara,

Dan Heiser and I received the two notices in the mail. We live at 325 34th Ave (one house over from the listed properties).

I am writing to oppose the owner being given a vacation rental permit. As you can see I am in the property management business and I rent homes full time. Santa Cruz has a huge housing shortage and by turning more and more of the residential housing into vacation properties it only shrinks the pool of available housing to local residents. You are changing the use for this property from residential to a business/commercial. Does that mean the owner now needs to put in sprinklers to comply with the change in use?

I am also opposed because of the parking situation. Currently, the 321 33rd property has no parking available to it - there is a fence across the parking area. The road is a private road that we, residents maintain. The house has apparently been turned into a 2 bedroom and where will guests park? The front unit on 34th is a 3 bedroom and where

will those guests park? Since the use is changing does the owner have to provide sufficient parking? I know I had to make sure to provide enough parking to my commercial building when I purchased my building.

The property has been rented without a vacation permit for years with the most recent prior owner and the previous one and it was extremely disruptive to those of us who live in Pleasure Point full time and call the neighborhood our home. I voiced complaints but nothing was ever pursued because I couldn't find the rental ads online (a requirement I was told I needed to provide to prove the house was being rented) but I and the other neighbors had to live with the constant parties, cars parked all over the place and the comings and goings of people.

I took a few minutes and logged onto Google to count the number of properties that are being rented in our neighborhood (I counted properties from 41st to 30th and from Portola Drive to E. Cliff only. I came up with 79 (Homeaway, VRBO, AirBnB, FlipKey, Santa Cruz Owner Managed) That isn't even counting Bailey's, Kendall & Potter, Beach House Rentals etc. or the properties that aren't advertised but Owners rent out anyway.


As a home owner myself I believe owners have a right to do with their property what they want but as a resident in a neighborhood that is turning into nothing but vacation homes I have to voice my concern. I am also troubled by the fact that when I place a property for rent on our company site that I get angry phone calls and emails from renters who can't pay the rising rental rates and also can't find housing in general. My fear is that rent control will start to rear its ugly head which only restricts the market of available homes even further and does nothing to ease the housing shortage.

I would really like to request that the two homes be rented to people full time and not be allowed to become vacation rentals. We have another home in the area that has received permits to expand its size to become another vacation rental. We had a home 3 doors away that was a 1 bedroom that was torn down and a 4 bedroom home was built in its place (with all kinds of variances) and parking for 2 cars that is now a vacation rental.

My once family friendly neighborhood is losing its neighborliness and is becoming nothing but a vacation rental area where it should be a residential area. I thought the reasoning behind the Vacation Rental Permit was to control the number of vacation properties in residential neighborhoods. I have seen no such control. It has only gotten worse.

Thank you for taking the time to read my email and hear my concerns.

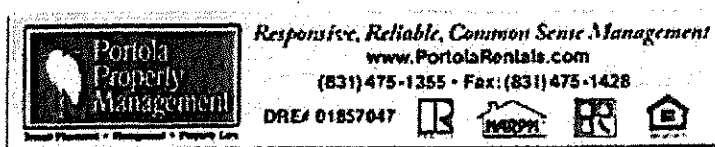
Kathleen Richards
Broker/Owner
Portola Property Mgt, Inc
Certified Residential Mgt Co.-CRMC
BRE:01437195
www.portolarentals.com

Like us on 

Google Review: <https://plus.google.com/108057375239919162362/about?gl=us&hl=en>

Portola Rentals Review: <https://www.portolarentals.com/testimonials.php>

****Click the cover of "Property Management A-Z" below to learn more about Kathleen's writing debut!****



Barbara Ginsberg

From: Barbara Ginsberg
Sent: Monday, January 11, 2016 10:49 AM
To: 'Craig Jones'
Subject: RE: Vacation Rental Permits 151281/151280

Hello Craig and thank you for your email. I do understand your concerns. This property currently is under a stop work, which they are working at resolving. They have obtained a building permit, however it has not yet been finalized. No further action will be taken on the Vacation Rental Permit applications until the permit has been finalized. Additionally, due to the number of comments, petitions etc. we have received we have determined that these applications be elevated to a higher level of review. Level 5 with public hearing before the Zoning Administrator. As long as the property chooses to move forward you will receive new notices letting you know when the hearing will take place. I will place a copy of your correspondence and attachments with the permanent project file. Please feel free to contact me again with any additional questions, comments or concerns with regards to this or any other new Vacation Rental application.

Kind Regards,



Barbara Ginsberg
Planning Technician
Development Review
Santa Cruz County Planning Dept.
701 Ocean Street - Room 400 (831) 454-2871
barbara.ginsberg@santacruzcounty.us

From: Craig Jones [<mailto:craigseaeng@gmail.com>]
Sent: Friday, January 08, 2016 8:19 AM
To: Barbara Ginsberg
Subject: Vacation Rental Permits 151281/151280

Barbara,

Hello and Happy Friday.

I am writing on behalf of the neighbors on 34th and 33rd street in Pleasure Point regarding the applications for vacation rentals 151281/151280. Scans of the notices are attached for reference.

The two permits, while referencing different addresses, are the same contiguous property (highlighted in the image below). The total for the two permits would consist of 5 bedrooms of vacation rentals on the single property. This presents as significant parking impact as there is not ample permitted parking for a 5 bedroom property. In an already parking congested neighborhood, bringing this impact in is unacceptable to the local owners.

It is unclear who the present owner is. The property was on the market and marked as sold (by Magalli Yoho) last month. No one in the neighborhood has met or seen the new owner.

Additionally, the previous owner (Magalli Yoho) was operating an illegal vacation rental. Multiple people staying at the house on the weekends were asked if they were new tenants and the repeated reply was that they were renting it as a

vacation rental. The weekend rentals resulted in noise violations every weekend in the Summer/Fall 2015. The neighbors were called on multiple occasions. Given that 5 of the houses within a one block radius have young children, the late night noise and partying is unacceptable. The compounded factor of a total of 5 bedrooms on the property for a vacation rental create the potential for significant problems in the future.

Attached is a petition from 14 neighbors to deny the application for the vacation rental. The specific petition only refers to 151280 since comments are due today. We will prepare another petition for 151281 before the January 13th deadline.

I will also try to touch base with you by phone to see if there is any other supporting information we may be able to provide you. It is not our desire to block healthy development or vacation rentals in the neighborhood, but our goal is to preserve as safe and sound environment for all of our families. The total proposal for a 5 bedroom vacation rental this property is simply not in line with the health of the Pleasure Point community.

Thanks you for your consideration,
Craig

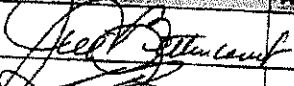
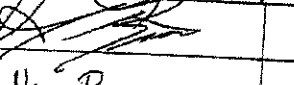
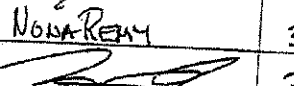
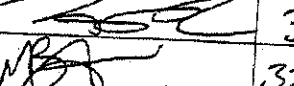
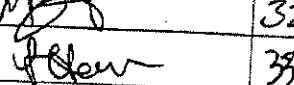
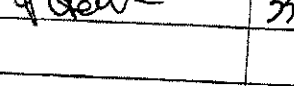


Craig Jones, Ph.D. | Principal
Integral Consulting Inc. | www.integral-corp.com
200 Washington Street, Suite 101 | Santa Cruz, CA 95060
Tel: 831.466.9630, ext. 872 | Fax: 831.466.9670

HEALTH ENVIRONMENT TECHNOLOGY SUSTAINABILITY

Petition to Prevent New Vacation Rental

Petition summary and background	<p>The proposal to operate a new 2-bedroom vacation rental at 321 33rd is in direct conflict with the overall desire of the Pleasure Point residential community goals to preserve and enhance the family character of the neighborhood. The owners and long-term renters in this neighbor strive for a safe community atmosphere for the families present. As of 2015, there are no less than 10 children under the age of 13 living with in a one-house radius of the proposed vacation rental. Previous temporary weekend renters/visitors at this household have been loud and boisterous with language and behavior that is unsuitable for a family environment. We, the residents of the surrounding area, feel that a permitted vacation rental under the same owner would only encourage these occurrences. These events negatively impact local family environments, decrease property value, increase calls to the Sheriff, and have a negative fiscal impact overall on the neighborhood.</p>
Action petitioned for	<p>We, the undersigned, are concerned citizens who urge our planning department to deny application number 151280</p>

Printed Name	Signature	Address	Comment	Date
Jill Bittencourt		322 33 rd Ave		1/5/16
Jeff Bittencourt		322 33 rd Ave	Not good for neighborhood	1/6/16
Nona Remy		312 33 rd		1/6/16
Ryan Mike		335 34 th Ave	SBERM PERMIT IS TO MUCH.	1/6/16
Mark Burt		324 33 rd Ave		1/6/2016
Lindsay Harman		395 34 th Ave	BACK HOUSE IS 2 BDRM. FRONT HOUSE 3 BDRM - 10 min. occupancy for small houses	1/6/16

Petition to Prevent New Vacation Rental

Petition summary and background	The proposal to operate a new 2-bedroom vacation rental at 321 33 rd is in direct conflict with the overall desire of the Pleasure Point residential community goals to preserve and enhance the family character of the neighborhood. The owners and long-term renters in this neighbor strive for a safe community atmosphere for the families present. As of 2015, there are no less than 10 children under the age of 13 living within a one-house radius of the proposed vacation rental. Previous temporary weekend renters/visitors at this household have been loud and boisterous with language and behavior that is unsuitable for a family environment. We, the residents of the surrounding area, feel that a permitted vacation rental under the same owner would only encourage these occurrences. These events negatively impact local family environments, decrease property value, increase calls to the Sheriff, and have a negative fiscal impact overall on the neighborhood.
Action petitioned for	We, the undersigned, are concerned citizens who urge our planning department to deny application number 151280

Printed Name	Signature	Address	Comment	Date
Diana Manuel Tortolero	<i>[Signature]</i>	230 A 33 Ave Santa Cruz		1-2-16
Melissa Ventra	<i>[Signature]</i>	230 ^B 33 rd Ave Santa Cruz		1-2-16
Lisa Pennington	<i>[Signature]</i>	PO Box 787 Capitola		1-2-16
James Chumadi	<i>[Signature]</i>	230 A 35 th Ave Santa Cruz		1-2-16
Craig Jones	<i>[Signature]</i>	250 33 rd Ave Santa Cruz		1/3/16
Kaus Baghukumar	<i>[Signature]</i>	235 34 th Ave		1/4/16
Anjali Singaria	<i>[Signature]</i>	235 34 th Ave		1/4/16
Shawn Herry	<i>[Signature]</i>	311 33 rd Ave		1/6/16

Comments Received:

- After agenda deadline for Zoning Administrator hearing of 12-16-2017
- Prior to continued ZA hearing of 2-3-2016

Jerry Busch

From: Patti Brady <patrizia2@pacbell.net>
Sent: Thursday, December 15, 2016 6:08 PM
To: Jerry Busch; David Reid
Cc: craigseaeng@gmail.com; jeff@ppdmultimedia.com; norman schutzberger
Subject: Application: 151280, 151281: hearing - 2 vac. permits
Importance: High

Dear Mr. Busch

I am unable to attend the hearing per doc appts. (today and Friday). Per being "busy" please accept my apologies: I thought today was the hearing.

FOR 12/16 HEARING: I SUPPORT ADD-ON CONDITIONS TO THIS PERMIT APPLICATION including:

"A permit condition be placed on these applications that allows for a review of the permits after 1 and/or 2 years to ensure compliance with our ordinance and they are being good neighbors"

Please also consider:

1. A review condition for the length of the permit to ensure renting 3 bedrooms (10 people + unlimited under 8) vs. the actual 5 (14 people + unlimited under 8)!
2. A requirement that more on-site parking is in place before these 2 units are rented so more cars do not park out on our narrow street. note: on 33rd Avenue there is a wood fence with a gate in front of a lawn area = 1-2 parking spaces can be created without taking all of the lawn away.

In advance - thank you

Patti Brady

500 34th Ave.

From: Patti Brady <patrizia2@pacbell.net>
Date: Thursday, December 15, 2016 at 5:27 PM
To: David Reid <David.Reid@santacruzcounty.us>, <Jerry.Busch@santacruzcounty.us>
Cc: Craig Jones <craigseaeng@gmail.com>, 'Jeffrey Bettencourt' <jeff@ppdmultimedia.com>, norman schutzberger

<nschutz22@gmail.com>

Subject: Re: Application: 151280, 151281 - permits granted

Hi Dave -

- I appreciate your office's communication to Planning regarding neighbor concerns and I appreciate Planner Jerry Busch's adding the review of condition compliance at one year
- I'm disappointed that more on-site parking is not required for these units are rented (more cars will park on our narrow street).

Best regards, Patti

From: David Reid <David.Reid@santacruzcounty.us>

Date: Thursday, December 15, 2016 at 3:45 PM

To: 'Jeffrey Bettencourt' <jeff@ppdmultimedia.com>, Craig Jones <craigseaeng@gmail.com>, norman schutzberger <nschutz22@gmail.com>

Cc: Patti Brady <patrizia2@pacbell.net>

Subject: FW: Application: 151280, 151281

All,

See below on permit conditions added to this application. I'd be happy to discuss this with you following the hearing tomorrow.

Dave Reid, Analyst
Supervisor John Leopold
701 Ocean St., Room 500
Santa Cruz, CA 95060
(831) 454-2200
<mailto:david.reid@santacruzcounty.us>

From: Jerry Busch

Sent: Thursday, December 15, 2016 3:39 PM

To: David Reid <David.Reid@santacruzcounty.us>; Steven Guiney <Steven.Guiney@santacruzcounty.us>; Wanda Williams <Wanda.Williams@santacruzcounty.us>

Cc: John Leopold <John.Leopold@santacruzcounty.us>

Subject: RE: Application: 151280, 151281

Hi, David -

Thank you for your suggestion. I would like to propose an additional condition that staff shall report back to the ZA within one year after permit approval to review condition compliance, and shall report back to the ZA within two years if complaints are recorded or compliance issues are discovered.

Staff's recommendation is that the proposed project, as conditioned, is consistent with Zoning Ordinance and SCCC Chapter 18.10, and that findings for approval are appropriate.

Thank you,

Jerry Busch

Planner III, Development Review
County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

831-454-3234

jerry.busch@co.santa-cruz.ca.us

From: David Reid
Sent: Thursday, December 15, 2016 3:17 PM
To: Jerry Busch; Steven Guiney; Wanda Williams
Cc: John Leopold
Subject: Application: 151280, 151281

Jerry,

As you know from our constituents there are a lot of concerns about the impacts to the neighborhood from approving these two vacation rental permits on a single property. I understand why we cannot deny based on their application preceding the change in ordinance but I would like to request on behalf of Supervisor Leopold that there be a permit condition placed on these application that allows for a review of the permit after 1 and or 2 years to ensure compliance with our ordinance and they are being good neighbors.

Thanks,

Dave

Dave Reid, Analyst
Supervisor John Leopold
701 Ocean St., Room 500
Santa Cruz, CA 95060
(831) 454-2200
<mailto:david.reid@santacruzcounty.us>

Jerry Busch

From: bilsan@wilandra.com
Sent: Friday, December 16, 2016 4:44 PM
To: Jerry Busch
Subject: 345 34th Ave

We realize that this is a little late coming to you, but we misplaced the note and just found it.

We are concerned about this vacation rental at 345 34th Avenue because of the parking. We live at 421 34th, and have parking off street for our cars, but if we have guests, they have a very difficult time finding parking especially on summer weekends. With another vacation rental almost across the street, parking for the renters would make a difficult situation even worse.

The rental on 33rd would have no parking on the street since 33rd is a Fire Lane, but since we haven't seen the plans, we don't know if any parking is available for this rental off the street which would be needed.

If the front yard is completely turned into parking spaces, there would likely be enough room for 3 maybe four cars. Would this be shared by both rentals?

William and Sandra Rich

Jerry Busch

From: Norman Schutzberger <nschutz22@gmail.com>
Sent: Wednesday, December 14, 2016 9:45 AM
To: Jerry Busch; John Leopold
Subject: Permit Applications Hearing for 345 34th
Attachments: Presentation to Planning Board.docx

Dear Mr. Busch and Mr. Leopold,

Enclosed please find my proposed presentation that I plan to deliver at tomorrow's subject hearing.

I was surprised to receive an email from the applicant stating that she was in receipt of "my email petition". I discussed my concerns with Mr. Busch along with my request to know the hearing date, which then had not been posted with the notice on the property as required, but never - until now, have I sent you (Mr. Busch) any written correspondence, so I wonder what my "petition" states. I have received no correspondence from the planning board indicating a filed petition on my behalf.

Also, Is it standard policy to disseminate personal email addresses in this manner?

Please see enclosed.

Respectfully submitted,
Norman Schutzberger

Good Morning Board Members and thank you for the opportunity to address you on this issue.

The Property under consideration today, for the granting of commercial permits to operate two separate businesses, is located in the residential section of the Pleasure Point Community neighborhood. Please make no mistake – the operation of TWO separate short-term, vacation rentals on one standard lot can only be construed as a commercial operation - not much different from a hotel business.

It is appreciated that the applicant states that at some unspecified time in the future, they intend to reside here. As we all know, our best intentions are not always realizable. We must therefore deal with the here and now.

To my knowledge, no other such arrangement of two permits on one lot exists in our community. To grant these two permit requests is precedent setting. Current building code would not permit such new construction and use. Aside from the significant adverse effect on the neighborhood in terms of density, noise, parking and loss of community, granting these two separate permits on one residential lot creates a de-facto two tiered system potentially implying unequal treatment under the law. Such an argument could be made by any developer, opening up our entire neighborhood to the risk of significant further commercialization.

Recent granting of broad variances for new developments (35th at Saint Dynes with its concomitant expanded short term rental permit as an example), have created other precedent setting situations that will likely as well result in further business encroachment and degradation of the residential nature of our community.

Is it not the primary mandate and reason for being of the planning department to protect the nature of community?

It is with this real and palpable concern in mind that I beseech you to reject these two, unprecedented permit applications in the interest of performing your primary responsibility to protect the nature of our residential community now and for future generations.

Thank you for your consideration.

Jerry Busch

From: Jeffrey Bettencourt <jeff@ppdmultimedia.com>
Sent: Wednesday, December 14, 2016 9:25 AM
To: craigseaeng@gmail.com
Cc: Kara Liebig; ryanmuhr@gmail.com; Jill Bettencourt; 4ehurst@gmail.com; Jerry Busch; John Leopold
Subject: Re: 151280, 151281
Attachments: IMG_4032.JPG; ATT00001.htm; IMG_4031.JPG; ATT00002.htm

Hi Kara,

My name is Jeff Bettencourt and my family and I have lived on 33rd Ave. for over 16 years. It is a very quiet and family orientated Private Street. As you know, it is a non-county maintained street. All of the fire lanes and paving has been paid for by the property owners. I feel like the County should have major concerns issuing a permit on a Private Street.

I agree with all of Craig Jones comments as well as the concern that you are trying to have both properties converted to vacation rentals.

I think we can all agree that the entire property will be rented out together to large groups of people creating noise, parking and problems.

Our street is only 20 feet wide, making parking and noise very different that other non-private streets with lots of space between properties.

Also the County has never approved the house on 33rd for it own power meter or mail box making me wonder if it is legally a separate unit?

Photos attached. I truly hope that the County look at these issues and not approve this as a vacation rental.

Thank You,

Jeffrey Bettencourt





Jerry Busch

From: Patti Brady <patrizia2@pacbell.net>
Sent: Wednesday, December 14, 2016 8:40 AM
To: Jerry Busch; John Leopold
Subject: 345 34th Ave: K Liebig owner response to my 2nd email/ 2 vac permits apps
Importance: High

HI - OFF - STREET PARKING IS A REALLY BIG DEAL (besides large # of strangers in and out) – please make granting permits contingent on more on-site parking at the get-go! Our avenues are narrow: not designed for today's large cars so often 1 car has to pull over to another to pass (like on a mountain road)!

From: Kara Liebig <karalieber@gmail.com>
Date: Wednesday, December 14, 2016 at 7:42 AM
To: Patti Brady <patrizia2@pacbell.net>
Subject: Re: 345 34th Avenue - Side Comment - fyi

Thanks, Patti -- that is absolutely our plan, to convert the currently gated side yard into parking. I sincerely appreciate your comments, we understand this is a passionate issue for the residents, and we are working to address everyone's concerns.
Warm regards,
Kara

From: Patti Brady <patrizia2@pacbell.net>
Date: Wednesday, December 14, 2016 at 12:23 AM
To: Kara Liebig <karalieber@gmail.com>
Subject: 345 34th Avenue - Side Comment - fyi

Dear Kara

This afternoon a neighbor chatted about your vacation permit apps: issues of added costs after purchasing a \$1.2+M 2nd home do not garner sympathy.

For sure, asking for 1 app. would not have gotten the flap your 2 have caused including my 11/3 email re: 14 people + unlimited kids under 8; our housing shortage.

Neighbors – especially in PPt. - know each other - chat with each other - help each other. These rhythms and comfort zones get disrupted by “vacation rental strangers” going in, out and about with no vested interest to anyone except enjoying their vacation.

As mentioned in my email yesterday reducing the bedroom count to 3 bedrooms/10 people vs. 5 bedrooms/14 people is indeed better!! Plez do not get lax on headcount including kids under age 8.

Our housing shortage is huge: everyone knows a young family, a teacher, a fireman etc in need of rental housing. I hope at some point you will make the 33rd unit a regular rental (as a 2-bdrm: 2's are currently getting \$2,000+ a mo.). Providing someone a home would make you a neighborhood heroine!

Again I credit you on making an eyesore property an asset! Sincerely, Patti

PS: off-street parking suggestion: on 33rd open that fence and extend parking into the side yard

Jerry Busch

From: craigseaeng@gmail.com
Sent: Tuesday, December 13, 2016 7:42 PM
To: Kara Liebig
Cc: Jeff Bettencourt; ryanmuhr@gmail.com; Jill Bettencourt; 4ehurst@gmail.com; Jerry Busch
Subject: RE: 151280, 151281

Kara,

Thanks again for the thoughtful email.

We don't question your intentions; however, the key points remain.

- This is a family neighborhood with multiple children in permanent residence. The proposed use does not align with the disturbance risks to families posed by itinerate parties in a vacation rental.
- There is no local presence to ensure that people are screened and rules are followed.

I agree that the loss of a deposit is a discouragement. Unfortunately, after we have all been woken up at 2am, have to self-police a disturbance, and then have to get children to school and ourselves to work, you getting the deposit back from the offending party alleviates none of the neighborhood disruption. Would you rely on us to tell you when there is a disturbance adequate for you to collect the deposit or some other fine from your renters while we endure the problem?

Once again, the lack of communication in the process has developed no reason for our reliance on a few assurances via email. The history of disturbances during previous vacation rentals at this property gives little confidence that the situation has or will dramatically change.

I truly mean none of this to question your intentions or character, but for the reasons I've outlined, the use of this property as a vacation rental is not in line with multiple permanent family dwellings on all sides. We feel it poses a disturbance and potential safety risk to our families based on the history of this and other vacation rentals in the neighborhood. The intent of the petition submitted on the earlier application still stands.

Sincerely,
Craig Jones

From: Kara Liebig
Sent: Tuesday, December 13, 2016 9:18 AM
To: Craig Jones
Cc: Jeff Bettencourt; ryanmuhr@gmail.com; Jill Bettencourt; 4ehurst@gmail.com; Jerry.Busch@santacruzcounty.us
Subject: Re: 151280, 151281

All,

First off, I'd like to thank Craig for the email. I do sincerely apologize for the short-notice, the staff report just came available yesterday, so I was unaware which neighbors had voiced concerns. After reading the report, I emailed everyone I had addresses for last night. I have also over the course of this year spoken with a few of our immediate neighbors to understand and discuss their specific concerns as well. I will try to address the points you've raised, but I also understand and appreciate this is an issue that neighbors are passionate about.

With respect to new renters every week, it is not our intention to rent this home on a full-time basis; rather, we would like to be there as much as possible ourselves.

I have heard that previous owners operated illegal vacation rentals, and I am very sorry to hear that. We cannot control what happened when we did not own the house; however, going forward we can make it very clear to prospective renters that this is not a party house, that our neighbors are families and friends of ours, and that if they are renting the home to party all night, they should move on from this house. The rental agreement explicitly states that a loss of deposit, along with getting kicked out will be the remedy for any unacceptable behavior. As a renter myself, I can attest that the possibility of losing money due to my behavior is not something to take lightly, and will hopefully deter any renters who have other intentions about a weekend rental. Our goal is to rent the home to RESPECTFUL renters -- they do exist - we are an example.

With respect to parking, we do have a plan for 33rd Avenue for more 'head in' parking spaces that makes use of the side yard that will address concerns on 33rd.

I want to reiterate my apologies in reaching out so late in the process.

Thanks again for your email.

Kara

On Tue, Dec 13, 2016 at 7:29 AM, <craigseaeng@gmail.com> wrote:

Kara,

Thank you for the thoughtful email. I have taken the liberty of cc'ing some the neighbors in the immediate vicinity and Jerry Busch (Project Planner).

While I am sure we could have had a good interactive discussion on our concerns with your application, it is unfortunate that you've reached out to us only 3 days before your hearing that has been posted for many weeks. I of course don't speak on behalf of all of the neighbors cc'd, but feel communication is important. So in the interest of brevity, I will try to simply outline general concerns below.

- Setting – In immediate proximity to the house are 5 families with children ranging from 1 year to 15 years old. The parents all work and live full-time in Santa Cruz. While we understand your desire to have a place for the future in Santa Cruz and to presently support it with a vacation rental, it is important to understand that this is not in line with the neighborhood and safety of our children. Having temporary unknown parties every week at the location you are proposing does not align well with the safety and atmosphere of the local working families on all sides of the property.
- Noise – Last year at the property you own there were multiple incidents of vacation renters making noise until 2 or 3 am throughout the week. Both children and adults on all sides were awoken by the noise and disturbed by language and behavior. It is highly disruptive to life and work to have vacationers regularly disturbing a quiet neighborhood. The sheriff has an hour or more (sometimes the next morning) response time for noise violations, so that typically means we have to self-police in the middle of the night to tell parties to wrap it up if safely possible. You can certainly understand how much of a problem this is for a family on any night much less a weekday. Without your local presence to screen renters and respond, our families don't understand how a written policy can prevent or alleviate these concerns.

- Parking – I acknowledge there is parking for the apartments and that you have reduced the bedrooms. The concern is that you have 1 full parking space for the 33rd unit (not head in parking) and 2 head in spots for the 34th. At the end of the day, this is still essentially a single property and any new 3 bedroom property in the county would be required 3 full head in parking spots. While I understand this is not “new” construction, it is a completely new use of the property. There is concern that temporary renters and their visitors do not understand there is a fire lane, parking is limited, and that there will be safety violations (blocking the narrow fire lanes). The other neighbors on 34th may have other concerns.

While all of these problems and concerns would be remedied with resident owners or long-term renters, temporary visitors will not have the benefit of any neighborhood communication and the respect that typically comes with a long-term residence. It is hard to understand and believe strict written policies will alleviate this. There is simply too much precedent of noise, parking, and general neighborhood disturbance at the property.

My intention is not to simply block your efforts, but to preserve a safe quiet neighborhood for the multiple families present. I trust you and your family can respect our wish to preserve a family environment.

Sincerely,
Craig Jones

From: Kara Liebig
Sent: Monday, December 12, 2016 8:02 PM
To: craigseaeng@gmail.com
Subject: 151280, 151281

Dr. Jones,

I do apologize that perhaps we are “meeting” for the first time through email. My name is Kara Liebig and my husband, Mike Furlong, and I purchased the property at 345 34th Ave last November. Today we received a copy of your email / petition to deny the vacation rental permit application, and I would like to respectfully explain our intention with the property. I do appreciate your advocacy on behalf of the Pleasure Point neighborhood.

By way of introduction, my husband and I first visited Santa Cruz in 1992 and right from the start fell in love with it. We moved to California in 1995, when Mike enrolled at San Jose State University to get his teaching credential, and settled in San Jose. We got married in 1996 and chose Santa Cruz as the setting for our ceremony and honeymoon. Since then I have worked for a small company in the medical device industry and Mike has taught at a public high school in San Jose. We now have three children, ranging in age from 7 to 15. For the last 20 years, along with my sister and her husband, we have rented beach houses in Santa Cruz every Memorial and Labor Day weekend. Through the years, as our families have grown, we have continued and expanded this tradition of being in Santa Cruz on long weekends and any other time we can get here in the summer. Because we have had the opportunity to rent, we have come to know, value, and love Santa Cruz. To now be in the position to own a home in Santa Cruz is a dream come true for us.

That being said, however, our three children are still young, and our jobs are nowhere near Santa Cruz, so we are not yet in a position to live here full-time. Despite this we have tried to take full advantage of owning a home in Santa Cruz by coming here as often as possible for weekend trips with our immediate and extended family. Once we began using the house, it was clear that several critical repairs were necessary, which ended up being like “pulling a thread on a sweater”. As with many house projects, many of the needed improvements were unexpected – and at a great expense to us....which brings us to the need for a vacation rental. Because we use the home as often as possible we are not in a position to rent the home on a long-term basis. In addition both of our extended families live out of state and we appreciate the opportunity to stay with them in Santa Cruz when they come to visit. Because of this, we decided to continue with the vacation rental applications that were originally filed by the previous owner (and then elevated to a Level 5 hearing).

To address your comments/concerns:

- Regarding over-crowding, we want to inform you that the original applications have been reduced on 34th Ave. from a 3-bedroom to a 2-bedroom application, and on 33rd Ave. from a 2-bedroom to a 1-bedroom application. This will reduce both the overnight headcount capacity as well as daytime visitors on both properties.

- With respect to parking concerns, we have taken steps to formalize off-street parking on both 34th and 33rd Ave. and will continue to work on this project throughout the process.

- Lastly, there have been some concerns raised about this being a business (or a motel). Please let us assure you that this is OUR home. Although we are interested in potential rental income, we have put a great deal of time, money, and effort into this house. We have no interest in the property becoming a “party house” or having a never ending parade of renters. The best way to put it is to say that we want to rent this property to “us” – families interested in connecting with the beautiful coastal scenery of Santa Cruz and the eclectic attractions of Pleasure Point. No students or people under the age of 24 will be allowed to rent the home. Additionally, the vacation rental agreements will make it clear what is NOT acceptable (noise, disturbances, headcount over what is in the agreement, etc.).

We hope that the new application has adequately addressed many of our neighbors’ concerns. Thank you, in advance, for your time and consideration.

Best regards,
Kara

Jerry Busch

From: craigseaeng@gmail.com
Sent: Tuesday, December 13, 2016 7:35 AM
To: Jerry Busch
Subject: FW: 151280, 151281

Jerry,

Hello again and I hope all is well!

As you'll see from the email below, we certainly don't want to be unreasonable, but last year, the owner at the time, regularly had some incredibly disruptive renters. Our primary concern is with all of the families. It is a real pain to wake up the family at 2 am on a Wednesday and attempt to solve these problems ourselves. We would hope the owners would simply consider a long-term rental instead that could be involved in regular communication to mitigate any problems.

Thanks and happy holidays!
Craig

From: craigseaeng@gmail.com
Sent: Tuesday, December 13, 2016 7:29 AM
To: Kara Liebig; Jeff Bettencourt; ryanmuhr@gmail.com; Jill Bettencourt; 4ehurst@gmail.com; Jerry.Busch@santacruzcounty.us; Craig Jones
Subject: RE: 151280, 151281

Kara,

Thank you for the thoughtful email. I have taken the liberty of cc'ing some the neighbors in the immediate vicinity and Jerry Busch (Project Planner).

While I am sure we could have had a good interactive discussion on our concerns with your application, it is unfortunate that you've reached out to us only 3 days before your hearing that has been posted for many weeks. I of course don't speak on behalf of all of the neighbors cc'd, but feel communication is important. So in the interest of brevity, I will try to simply outline general concerns below.

- **Setting** – In immediate proximity to the house are 5 families with children ranging from 1 year to 15 years old. The parents all work and live full-time in Santa Cruz. While we understand your desire to have a place for the future in Santa Cruz and to presently support it with a vacation rental, it is important to understand that this is not in line with the neighborhood and safety of our children. Having temporary unknown parties every week at the location you are proposing does not align well with the safety and atmosphere of the local working families on all sides of the property.
- **Noise** – Last year at the property you own there were multiple incidents of vacation renters making noise until 2 or 3 am throughout the week. Both children and adults on all sides were awoken by the noise and disturbed by language and behavior. It is highly disruptive to life and work to have vacationers regularly disturbing a quiet neighborhood. The sheriff has an hour or more (sometimes the next morning) response time for noise violations, so that typically means we have to self-police in the middle of the night to tell parties to wrap it up if safely possible. You can certainly understand how much of a problem this is for a family on any night much less a weekday. Without your local presence to screen renters and respond, our families don't understand how a written policy can prevent or alleviate these concerns.

- Parking – I acknowledge there is parking for the apartments and that you have reduced the bedrooms. The concern is that you have 1 full parking space for the 33rd unit (not head in parking) and 2 head in spots for the 34th. At the end of the day, this is still essentially a single property and any new 3 bedroom property in the county would be required 3 full head in parking spots. While I understand this is not “new” construction, it is a completely new use of the property. There is concern that temporary renters and their visitors do not understand there is a fire lane, parking is limited, and that there will be safety violations (blocking the narrow fire lanes). The other neighbors on 34th may have other concerns.

While all of these problems and concerns would be remedied with resident owners or long-term renters, temporary visitors will not have the benefit of any neighborhood communication and the respect that typically comes with a long-term residence. It is hard to understand and believe strict written policies will alleviate this. There is simply too much precedent of noise, parking, and general neighborhood disturbance at the property.

My intention is not to simply block your efforts, but to preserve a safe quiet neighborhood for the multiple families present. I trust you and your family can respect our wish to preserve a family environment.

Sincerely,
Craig Jones

From: Kara Liebig
Sent: Monday, December 12, 2016 8:02 PM
To: craigseaeng@gmail.com
Subject: 151280, 151281

Dr. Jones,

I do apologize that perhaps we are “meeting” for the first time through email. My name is Kara Liebig and my husband, Mike Furlong, and I purchased the property at 345 34th Ave last November. Today we received a copy of your email / petition to deny the vacation rental permit application, and I would like to respectfully explain our intention with the property. I do appreciate your advocacy on behalf of the Pleasure Point neighborhood.

By way of introduction, my husband and I first visited Santa Cruz in 1992 and right from the start fell in love with it. We moved to California in 1995, when Mike enrolled at San Jose State University to get his teaching credential, and settled in San Jose. We got married in 1996 and chose Santa Cruz as the setting for our ceremony and honeymoon. Since then I have worked for a small company in the medical device industry and Mike has taught at a public high school in San Jose. We now have three children, ranging in age from 7 to 15. For the last 20 years, along with my sister and her husband, we have rented beach houses in Santa Cruz every Memorial and Labor Day weekend. Through the years, as our families have grown, we have continued and expanded this tradition of being in Santa Cruz on long weekends and any other time we can get here in the summer. Because we have had the opportunity to rent, we have come to know, value, and love Santa Cruz. To now be in the position to own a home in Santa Cruz is a dream come true for us.

That being said, however, our three children are still young, and our jobs are nowhere near Santa Cruz, so we are not yet in a position to live here full-time. Despite this we have tried to take full advantage of owning a home in Santa Cruz by coming here as often as possible for weekend trips with our immediate and extended family. Once we began using the house, it was clear that several critical repairs were necessary, which ended up being like “pulling a thread on a sweater”. As with many house projects, many of the needed improvements were unexpected – and at a great expense to us....which brings us to the need for a vacation rental. Because we use the home as often as possible we are not in a position to rent the home on a long-term basis. In addition both of our extended families live out of state and we appreciate the opportunity to stay with them in Santa Cruz when they come to visit. Because of this, we decided to continue with the vacation rental applications that were originally filed by the previous owner (and then elevated to a Level 5 hearing).

To address your comments/concerns:

- Regarding over-crowding, we want to inform you that the original applications have been reduced on 34th Ave. from a 3-bedroom to a 2-bedroom application, and on 33rd Ave. from a 2-bedroom to a 1-bedroom application. This will reduce both the overnight headcount capacity as well as daytime visitors on both properties.

- With respect to parking concerns, we have taken steps to formalize off-street parking on both 34th and 33rd Ave. and will continue to work on this project throughout the process.

- Lastly, there have been some concerns raised about this being a business (or a motel). Please let us assure you that this is OUR home. Although we are interested in potential rental income, we have put a great deal of time, money, and effort into this house. We have no interest in the property becoming a “party house” or having a never ending parade of renters. The best way to put it is to say that we want to rent this property to “us” – families interested in connecting with the beautiful coastal scenery of Santa Cruz and the eclectic attractions of Pleasure Point. No students or people under the age of 24 will be allowed to rent the home. Additionally, the vacation rental agreements will make it clear what is NOT acceptable (noise, disturbances, headcount over what is in the agreement, etc.).

We hope that the new application has adequately addressed many of our neighbors’ concerns. Thank you, in advance, for your time and consideration.

Best regards,
Kara

Jerry Busch

From: Patti Brady <patrizia2@pacbell.net>
Sent: Monday, December 12, 2016 8:45 PM
To: Kara Liebig
Cc: Jerry Busch; John Leopold
Subject: Vac Rental Permit Applications - 345 34th Avenue - AS smaller = no issue
Importance: High

Dear Kara

- Per 2 vacation rental permit applications and related headcount - parking issues of your parcel I am sorry you were not prepared for neighbor concerns – objections to vacation permit applications
- I have no idea how many neighbors wrote to Mr. Busch - the planner, to Supervisor Leopold and/or who plans to attend the hearing if any. Per other meetings I will not be attending.
- You have reduced both the sizes for both units: the 3 bedroom unit is now a 2 bedrooms and 2 bedroom unit is now a 1 bedroom (presume no one can sneak more bodies in).
- My objection letter spoke to permit applications for a 3 bedroom unit and a 2 bedroom unit. As the units are now smaller, I presume/would think my 11/3/2016 objection letter is no longer valid.
- The terms of your proposed “rental” agreement are appreciated
- It was obvious the property had serious deferred maintenance; I am not surprised it has caused you “serious unprepared for” expenses.
- I credit you on a wonderful make-over. An eyesore property is now an asset!

Sincerely,

Patti

Patti Brady
500 34th Ave

From: Kara Liebig <karalieber@gmail.com>
Date: Monday, December 12, 2016 at 7:44 PM
To: Patti Brady <patrizia2@pacbell.net>
Subject: Vacation Rental Permit Applications - 345 34th Avenue

Patti,

I apologize that perhaps we are “meeting” for the first time through email. My name is Kara Liebig and my husband, Mike Furlong, and I purchased the property at 345 34th Ave last November. Today we received a copy of your email / petition to deny the vacation rental permit application, and I would like to respectfully explain our intention with the property.

By way of introduction, my husband and I first visited Santa Cruz in 1992 and right from the start fell in love with it. We moved to California in 1995, when Mike enrolled at San Jose State University to get his teaching credential, and settled in San Jose. We got married in 1996 and chose Santa Cruz as the setting for our ceremony and honeymoon. Since then I have worked for a small company in the medical device industry and Mike has taught at a public high school in San Jose. We now have three children, ranging in age from 7 to 15. For the last 20 years, along with my sister and her husband, we have rented beach houses in Santa Cruz every Memorial and Labor Day weekend. Through the years, as our families have grown, we have continued and expanded this tradition of being in Santa Cruz on long weekends and any other time we can get here in the

summer. Because we have had the opportunity to rent, we have come to know, value, and love Santa Cruz. To now be in the position to own a home in Santa Cruz is a dream come true for us.

That being said, however, our three children are still young, and our jobs are nowhere near Santa Cruz, so we are not yet in a position to live here full-time. Despite this we have tried to take full advantage of owning a home in Santa Cruz by coming here as often as possible for weekend trips with our immediate and extended family. Once we began using the house, it was clear that several critical repairs were necessary, which ended up being like "pulling a thread on a sweater". As with many house projects, many of the needed improvements were unexpected – and at a great expense to us....Which brings us to the need for a vacation rental. Because we use the home as often as possible we are not in a position to rent the home on a long-term basis. In addition both of our extended families live out of state and we appreciate the opportunity to stay with them in Santa Cruz when they come to visit. Because of this, we decided to continue with the vacation rental applications that were originally filed by the previous owner (and then elevated to a Level 5 hearing).

To address your comments/concerns:

- Regarding over-crowding, we want to inform you that the original applications have been reduced on 34th Ave. from a 3-bedroom to a 2-bedroom application, and on 33rd Ave. from a 2-bedroom to a 1-bedroom application. This will reduce both the overnight headcount capacity as well as daytime visitors on both properties.
- With respect to parking concerns, we have taken steps to formalize off-street parking on both 34th and 33rd Ave. and will continue to work on this project throughout the process.
- Lastly, there have been some concerns raised about this being a business (or a motel). Please let us assure you that this is OUR home. Although we are interested in potential rental income, we have put a great deal of time, money, and effort into this house. We have no interest in the property becoming a "party house" or having a never ending parade of renters. The best way to put it is to say that we want to rent this property to "us" – families interested in connecting with the beautiful coastal scenery of Santa Cruz and the eclectic attractions of Pleasure Point. No students or people under the age of 24 will be allowed to rent the home. Additionally, the vacation rental agreements will make it clear what is NOT acceptable (noise, disturbances, headcount over what is in the agreement, etc.).

We hope that the new application has adequately addressed many of our neighbors' concerns. Thank you, in advance, for your time and consideration.

Best regards,

Kara