



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131

KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

March 6, 2017

Agenda Date: March 17, 2017

Agenda Item #: 2

Time: after 9:00 a.m.

Zoning Administrator
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Subject: Appeal of Conditions of Approval for Application # 161341 for a 6-bedroom
Vacation Rental renewal permit; APN 028-143-02

Dear Zoning Administrator:

On January 4, 2017 application # 161341 was administratively approved to allow for the renewal of an existing Vacation Rental permit located at 269 14th Avenue, Santa Cruz. The approval included allowance of up to 14 over-night guests in the 6-bedroom vacation rental home and up to 28 guests permitted between the hours of 8:00 a.m. and 10:00 p.m. Due to multiple complaints received by the Planning Department regarding the use of this property as a vacation rental this permit was conditionally approved for a one year period rather than the standard five year approval period.

On January 18, 2017, the administrative decision was appealed by the property owner (Exhibit A), Holly Keiser. The grounds for the appeal is that the County of Santa Cruz did not follow requirements set forth in Santa Cruz County Code to restrict the approval for a period of one year rather than the standard allowance of 5 years.

Assertions

As a part of their appeal letter the appellant asserts that proper procedure in accordance with Santa Cruz County Code was not followed by the Planning Department and that there was no basis for restriction of the permit via Condition of Approval. Also, the appellants contend that they were not provided with documentation to support the decision to restrict the approval and not previously informed of violations. They state that they were not provided an opportunity to respond to complaints, or enter into mediation with complainants as County Code Section 13.10.694 requires. They maintain that the vacation rental has been operated in compliance with all conditions of approval and best management practices.

Response

Use of a residential property as vacation rentals requires discretionary approval permitted by the Planning Department. For all discretionary approvals specific findings as provided for in Santa Cruz County Code Chapter 18 must be made. These required findings include:

- That the conditions under which a discretionary permit would be operated or maintained will not be detrimental to the neighborhood and will not be materially injurious to properties or improvements in the vicinity.
- That the use will not generate more than the acceptable level of traffic in the vicinity.
- That the proposed project will complement and harmonize with the existing and proposed land uses in the neighborhood.

Several complaints were received by the Planning Department during the public comment period for the renewal of the vacation rental permit (Exhibit B). The complaints included excessive noise in violation of Santa Cruz County Code Section 8.30, lack of responsiveness from the emergency contact, scattered garbage not contained in bins, excessive vehicles and excessive occupants during gatherings. In addition, there were complaints received by the code compliance section reflecting these issues. These reports indicate noncompliance with the required findings and conditions for a vacation rental permit approval, therefore it was determined that the permit should be approved conditionally for one year. If no complaints were received during the first year of the permit renewal, then the applicants could apply for approval to be extended to 5 years from the original date of approval.

Santa Cruz County Code Section 13.10.694 which states that all residential vacation rentals shall comply with the standards of Chapter 8.30 SCCC, Noise. No activities that produce noise detrimental to occupants of adjoining dwellings is allowed.

It is a violation to use or allow the use of property in violation of the provisions of this Santa Cruz County Code Section 13.10.694. If more than two documented significant violations occur within any 12-month period a permit may be reviewed for possible amendment or revocation. Evidence of significant violations includes written warnings, a permit holder providing false or misleading information on an application or renewal, verified neighbor complaints of noise or other disturbances, or other documents which substantiate allegations of significant violations.

In addition to multiple complaints regarding noise, garbage, excessive occupancy and parking, the vacation rental is advertised on at least two websites as accommodations for 17-18 guests (Exhibit C). This is in direct violation of the permitted use and Santa Cruz County Code section 13.10.694 as the vacation rental is operated in excess of the 14 guest maximum.

County code section 18.10.230 specifies that the Planning Department may grant an approval in modified form on the basis of the application and the evidence submitted. Further, County Code section 18.10.240, Permit Conditions, stipulates that the Planning Department may grant approvals upon such terms and conditions as deemed necessary to ensure the adequate compliance with all County policies and ordinances.

The appellant was informed of the restriction of the approval of the permit to one year at the time of the approval (Exhibit D) and the conditions of approval were emailed to them at that time. Also, upon request, the appellant was provided with the complaint information via email.

Staff Recommendation

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Uphold the approval of Application Number 161341, based on the findings and conditions which restrict Vacation Rental permit allowance to one year from original date of approval.

Sincerely,

A handwritten signature in blue ink, appearing to read "Elizabeth Hayward", is written over the "Sincerely," text.

Elizabeth Hayward
Project Planner
Development Review

Attachments

- A. Appeal Letter
- B. Complaints
- C. Website Advertisements
- D. Conditions of Approval and Findings
- E. Comments and Correspondence

REC'D 4:54 p.m.,
Jan 18, 2017
SCC PLANNING
JERRI BUSCH

Michelle Schwartz, et. al
Bruce Keiser
P.O. Box 320922
Los Gatos, CA 95032
(408) 315-4884

January 17, 2017

VIA HAND DELIVERY

Kathy Previsich, Planning Director, Zoning Administrator
Wanda Williams, Assistant Planning Director, Zoning Administrator
Steve Guiney, Principal Planner
Evan Ditmars, Planning Technician
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

- Re:
1. Vacation Rental Permit Number 111450
 2. Vacation Rental Permit Renewal Application Number 161341
 3. 26914th Avenue, Santa Cruz, 95062
 4. Parcel Number 028-143-02
 5. Appeal of January 4, 2017 Planning Department Decision for a 1 Year Conditional Approval of Vacation Rental Permit 111450 – “Vacation Rental Permit Conditions of Approval”
 6. Michelle Schwartz, et. al Owners and Applicants

Dear Zoning Administrator, Planning Directors and Planners:

This letter serves as our notice and request for Appeal of the January 4, 2017 to the Zoning Administrator of the Planning Department Decision for a “Conditional Approval of Renewal for 1 year” of Vacation Rental Permit 111450 – as stated in the “Vacation Rental Permit Conditions of Approval”. We are the owner applicants for the property, permit and renewal applications stated above. 269 14th Ave will be referred to as “the Property” and Vacation Rental Permit Renewal Application Number 161341 for the renewal of Vacation Rental Permit Number 111450 will be referred to as the “Permit Application” for simplicity.

1. The County Has Not Followed the Requirements of the Vacation Rental Ordinance (“Ordinance”) - Error and Abuse of Discretion
 - A. The County has only provided a single document to us - the Vacation Rental Permit Conditions of Approval Document (“Approval Document”) as notice of its decision on the Permit Application;
 - B. The Approval Document does not state there were any violations of the Ordinance by the Owners;
 - C. The Approval Document does not state any factual or legal reason or refer to language in the Ordinance in denying the 5 year renewal of the Permit Application;

- D. The County (nor anyone else) has provided the Owners with any documentation of alleged violations;
- E. The County in the Notice of Pending Action (attached) states that "Be advised that County Code, at section 13.10.694(D)(3), states that it is the intention of the County that the renewal application be approved. If there are documented violations of the Vacation Rental Ordinance (County Code section 13.10.694(K)), the renewal application may be amended or denied."
- F. The County is required to and document any violations of the Ordinance;
- G. The County has not requested at any time, any information from the Owners or in the Permit Application, regarding alleged violations prior to or as part of its Permit Application decision making process;
- H. The only knowledge and opportunity to present information in response to the County's decision on the Permit Application has required and as part of an Appeal of the Conditional Approval decision;
- I. The Approval Document does not state any language from the Ordinance as a factual or legal basis for imposing a conditional 1 year approval of the Permit Application;
- J. The Approval Document does not provide any reference to the Ordinance permitting a conditional 1 year approval as an authorized decision in the Permit Application/Renewal process;
- K. The Approval Document does not specific the conditions which the Owners are to comply with during the 1 year "Conditional Approval" period including any criteria, documentation and penalties";
- L. The Conditional Approval document simply extends the review period for the Permit Application for another year without any reference to the legal authority to do so, and without any criteria on which to base its review, and any consequences and remedies of any alleged violations during the review period – none of which is permitted in the Ordinance or by County and State law applicable to Planning approval process and decisions.

2. The Owners Have Not Violated the Ordinance and Follow Best Management Practices

- A. The Owners have not been cited for any violations of the Ordinance or any other law by anyone;
- B. The neighbors have not communicated any alleged violations of the Ordinance to the Owners;
- C. We have greatly exceeded the management requirements in the Ordinance at great expense and to be good neighbors and responsible Owners;
- D. The Owners' leases, house rules, advertising, signage and other requirements of the Ordinance have always and remain more restrictive that allowed under our Permit. Parking is an example, where our Permit allows 8 cars in our large driveway, but we limit our guests parking to 6 in the driveway. The County has our lease and signage documents and our website information.
- E. The Owners carefully screen each rental and do not allow parties, or any other gatherings that would potentially violate the Ordinance and to be thoughtful neighbors;
- F. We personally check in the rental guests;
- G. We have 24/7 video surveillance of the front, sides and rear of the Property available remotely at all times; We monitor the guests and our home regulary; Even prior to the vacation home ordinance we installed Internet-based security cameras in multiple locations of the house. These cameras allow us to monitor how many cars are parked in the driveway, how many people are staying in the house, and even allow us to view the garbage cans. As the cameras our Internet-based they allow us to monitor from multiple devices including our smart phones, laptops, and

desktops. Our desktop at home continuously has the video stream. We constantly surveil the home. We have taken nearly 2500 screenshots over the past five years to document our compliance with the ordinance.

- H. We have 24/7 professional security patrol available by phone as our local contact and for any needs we or emergencies may require;
- I. We have daily after 10pm security/noise checks and reports to be sure that our guests are complying with our rules and the Ordinance at all times;
- J. We are in present Santa Cruz regularly and at our home frequently;
- K. In addition to the 24 hour public contact notice, all our immediate neighbors have our personal contact information.

3. The County Decision Was Not Fair and Impartial

- A. The County did not ask for, consider or rely on information from the Owners about any alleged complaints, documentation of proper management, or any other information or in response to neighbors allegations prior to making its decision in the Conditional Approval;
- B. The neighbors requested that Supervisor Leopold get involved and with Leopold's involvement as well as that of Planning Director Previsich, crafted a new rule, and process not contained the Ordinance or based on any local or state law recommendation, that was applied to our Permit Application;
- C. The actions and decision is an illegal attempt to amend the Ordinance without following the requirements of County, State and Federal law and is being applied to our Permit Application unfairly and in violation of law;
- D. Our neighbors complaints are not documented with dates and any evidence. The only photos provided show 6 cars in the driveway (our permit allows 10) and the cars pictured were those of the Owners during their use of the house. The couple of trash bags on our side yard, were only there on the way out and we do not have a trash problem.
- E. All other complaints from neighbors are not documented, greatly exaggerated and in many cases untrue.

4. We also raise the following points to consider in our Appeal

Santa cruz county permit appeal

- 1. No written statement of reasons or legal authority in ordinance for conditional approval
- 2. No process for owner to rebut allegations or other evidence prior to county making renewal decision and that fact combined with no statement of reasons/ordinance authority: reliance in "permit conditions" document provided force owner to accept decision

without any process/response to allegations/reason or pay \$800 plus time/legal to be able to provide response to allegations/reasons - due process since taking involved –

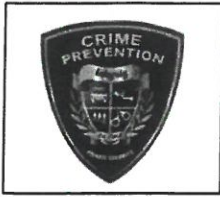
3. County did not follow state law requiring response within certain number of days, clarity of response, response from owner to county and provide facts before county makes decision –
4. No criteria in ordinance for consequences of violation of permit.
5. No distinction in ordinance between violation of different parts of permit criteria - or consequences - are some worse than others
6. No criteria in ordinance where minor complaints are resolved - that is how ordinance is supposed to work - like nuisance - complaint, resolution and follow up
7. Ordinance requires neighbor mediation if complaint not resolved - does not permit conditional approval
8. Ordinance fails to provide process for reporting/notice of allegations as they arise to owners with clear rules for all to follow on notice/response/resolution and closure- like nuisance procedures
9. Neighbor allegations are false - refuted with security/video evidence
10. Allegations provided are false reporting and that is a violation of law/ordinance
11. No notice from county of complaint at time made, follow up or resolution
12. Involvement of supervisors office/conditional approval scheme - time to watch for violations, 1 year - amounts to amending ordinance without following procedure to do so - cannot make new rules as they go along.
13. County action is a partial taking because 1 year conditional approval is less than full 5 year renewal and impacts value, business planning beyond 1 year because of uncertainty as to renewal then with same flaws in process - no clear criteria in ordinance or provided for what could happen during conditional year and the consequences.

For the reasons explained above as well as additional documentation and information to be provided prior to and at the Zoning Administration Hearing we request:

1. The Permit Application be Approved for 5 years as required by the County Vacation Rental Ordinance, rather than "Conditionally approved for 1 year" as stated in the Vacation Rental Permit Conditions Document;
2. That the Zoning Administrator require any complainants about the Property to comply with the provision of the Ordinance requiring dispute resolution of any complaints of alleged violations;
3. That the Zoning administrator comply with all County and state law applicable to the planning permitting, implementation, enforcement, renewal and appeal as applied to our Permit Application;
4. That the Zoning Administrator refund the Owners \$800 Appeal Fee for violation of County, State and Federal law;

Very truly yours,

Bruce Keiser
Owner



SECURITY CRIME PREVENTION, LLC
SCP-SECURITY.COM (831)728-7222
r.pursley@scp-security.com
d.griffith@scp-security.com

To: WHOM IT MAY CONCERN

Subject: Security for 269 14th. Ave, Santa Cruz CA. (Live Oak)

From: Bob Pursley, Director of Operations, SCP-Security

This letter is to address the concerns of neighbors of 269 14th. Avenue, Santa Cruz which is in the unincorporated area of Santa Cruz County known as Live Oak.SCP

Security has been contracted by the owners of 269 14th Avenue since 2011 which predates the Santa Cruz County vacation home ordinance. When the owners hired us they were explicit in that they were doing so to provide security to both the guests and the neighbors and to provide a mechanism to ensure that all rules were followed. SCP-Security provides nightly patrols of the residence at 269 14th Avenue and other residences in the Live Oak area. Each patrol consists of a walk around check of the residence for security and noise violations. Since being hired our guards have not noted any violations and logged these findings in our security system. The owners receive these reports on a weekly basis. SCP-Security is also available to respond to any complaints as to the activities of the tenants as our 24 hour service number is posted on the home. We record all incoming complaints and followup. We are available 24 hours a day 7 days a week including holidays. While SCP-Security has responded to complaints at other vacation homes residences in Live Oak we have not been requested to respond to this residence. There is no record of any neighbor complaints in our detailed reports since 2011. The owners are also very proactive. For example, they use video surveillance to monitor activity at the home including the amount of cars parked in the driveway. I also understand that the neighbors voiced concern that our company is

based in Watsonville CA.. This is true, but our patrols encompass Santa Cruz County, the majority of our patrol service is concentrated in the Santa Cruz City area of the County of Santa Cruz and our patrol service would be responding from that area to problems in the Live Oak area. We are a licensed and bonded security company that has served Santa Cruz County residents and businesses for many years. Had we ever received any request by either the owners or the neighbors to respond we would be able to do so quickly thru dispatch as any other security company would.

Furthermore, our nightly patrol of this residence has not documented any violations of the Santa Cruz County vacation home ordinance. Once again we have not responded to or recorded any incidents at 269 14th Avenue, Santa Cruz CA.

Bob Pursley

Director of Operations

SCP-Security

(831)588-6628

Additional Information

THE EVENING OF 10/15/15 THERE WAS A LARGE AND LOUD GROUP OF PEOPLE WHO RENTED THE HOME.

Call Details

Call Duration 00:14:54
of Calls 1
Taken By pln155
Taken by name Patricia Moreno
Customer Contact
Requested yes
Notify Customer
Regarding Service no
Request Progress

Contact

Name
First, MI
Middle Initial
Title
Foreign no
Address
Address Line 2
City
State/Province
ZIP/PC
Country

Day Phone
Evening Phone
Fax
Pager
PIN
Mobile
E-mail
Contact Type

Customer Comments

COMPLAINT: THE EVENING OF 10/15/15 THERE WAS A LARGE AND LOUD GROUP OF PEOPLE WHO RENTED THE HOME. BETWEEN 10:30PM & 11:00PM THE NOISE ON THE DECK WAS TOO LOUD. THE SECURITY SERVICE WAS CONTACTED ASKED TO QUIET THE RENTERS. WHEN THE 24 HR CONTACT'S NUMBER WAS DIALED, THE CALL WENT TO ANOTHER PERSON NOT THE SECURITY SERVICE. THE NUMBER WAS TRIED AGAIN AND THE SAME PERSON WAS DISTURBED. THE SHERIFF WAS THEN CALLED AND SHOWED UP AT ABOUT 12:30AM. WHEN THE SECURITY SERVICE DOES GET OUT, THESE REANTAL GROUPS GENERALLY IGNORE WARNINGS. THE SHERIFF'S LIVE OAK PATROL RESPONDED AT ABOUT 12:30AM ON 10/16/15 ALSO.

11/23/15 - The complaint has been documented and I mailed out a vacation rental warning notice to the PO. No further enforcement action necessary. **COMPLAINT CLOSED. -PM**

Other Calls

(No Data)

Inspection

(Tab Not Loaded)

Resource Usage

(Tab Not Loaded)

Log

(Tab Not Loaded)

Additional Information

THE CURRENT VACATION RENTAL OCCUPANTS ARE PLACING GARBAGE BAGS ON THE WALKWAY BETWEEN HOUSES AND NIGHTLY RACOONS DESTROY THE BAGS AND SPREAD GARBAGE ALL AROUND...

Call Details

Call Duration 00:06:31
of Calls 1
Taken By pln155
Taken by name Patricia Moreno
Customer Contact Requested yes
Notify Customer Regarding Service no
Request Progress

Contact

Name
First, MI
Middle Initial
Title
Foreign no
Address
Address Line 2
City
State/Province
ZIP/PC
Country

Day Phone
Evening Phone
Fax
Pager
PIN
Mobile
E-mail
Contact Type

Customer Comments

COMPLAINT: THE CURRENT VACATION RENTAL OCCUPANTS ARE PLACING GARBAGE BAGS ON THE WALKWAY BETWEEN HOUSES AND NIGHTLY RACOONS DESTROY THE BAGS AND SPREAD GARBAGE ALL AROUND...

8/12/15 - I e-mailed RP to inform that garbage and rodent issues need to be reported directly to EHS. I provided contact information. I also advised that complaint be reported to the established 24hr contact person listed for the vacation rental. If not posted, I suggested contacting Planning Staff to obtain it. **COMPLAINT REFERRED. -PM**

Other Calls

(No Data)

Inspection

(Tab Not Loaded)

Resource Usage

(Tab Not Loaded)

Log

(Tab Not Loaded)

Attachments

(Tab Not Loaded)

Evan Ditmars

From: Joe Hall [rama@cruzio.com]
Sent: Monday, November 28, 2016 4:37 PM
To: Evan Ditmars
Subject: 269 14th Avenue APPL # 161341

Hello

I am writing concerning the application to renew the vacation rental permit at 269 14th Avenue, APPL. #: 161341. If you review your records you will see that there have been several complaints filed about noise and other issues regarding this vacation rental. Given the size of the house it is not infrequent that the large groups of 10-15 plus become loud. This issue has occurred on numerous occasions, however in the last year or so we have seen less noise after the 10 AM noise ordinance provision. The problem is that the loud noise has not completely stopped.

I would prefer to see the permit granted for a shorter period to insure the owners are aware that they need to actively manage the property to avoid disturbances to neighbors. The property is not managed by a professional real estate manager so there is no representative close by to observe what we experience as neighbors. Also the contact number for calling is in Watsonville and the response is slow and sometimes ineffective. In these cases I am again forced to call the Sheriff.

If you need a copy of the complaint I filed, please contact me and I will be glad to send it to you and the County response.

Sincerely,

Joe Hall

Evan Ditmars

From: Bud Colligan [bud@colligans.com]
Sent: Tuesday, November 29, 2016 8:26 PM
To: Evan Ditmars
Cc: Fred Thoits
Subject: 269 14th Avenue, APPL # 161341
Attachments: IMG_0575.jpg

Dear Evan,

I am writing concerning the application to renew the vacation rental permit at 269 14th Avenue, APPL. #: 161341.

There are too many people allowed in the house at one time, destroying the character of the neighborhood. The house is much more a hotel than a family or small group vacation rental! There have been numerous complaints filed over the years, and little has changed. I would like to see a maximum of 6 adults and 6 kids allowed to rent the house. We don't need 10 - 12 cars parked in the driveway (picture attached) and on the street from renters. The house is used for large parties and very large groups of adults (sometimes greater than 20) that violates the intent of a neighborhood rental. The neighbors are left to call the Sheriff for enforcement. This is unacceptable. I would prefer to see the permit granted for a shorter period (one year max!) to insure the owners are aware that they need to actively manage the property to avoid disturbances to neighbors and enforce the limits of the number of people showing up in violation of the permit. The property is not managed by a professional real estate manager so there is no representative close by to observe what we experience as neighbors. Also the contact number for calling is in Watsonville and the response is slow and sometimes ineffective.

Let's enforce the conditions of the permit and make it clear that violations of the permit will lead to not being able to renew it in one year. It's time to put some teeth into the permit process to let the owner know that it cannot be violated repeatedly with impunity.

Sincerely

John and Rebecca Colligan
195 14th Avenue



Evan Ditmars

From: Lou Pambianco <lpambianco@corpdevpar.com>
Sent: Thursday, December 01, 2016 5:03 AM
To: Evan Ditmars
Cc: Paula Pambianco; Lou Pambianco
Subject: Permit Renewal 269 14th Avenue, Santa Cruz, CA 95062
Attachments: image1.JPG; ATT00001.htm; image2.JPG; ATT00002.htm

Mr. Ditmars:

The property at 269 14th Avenue is consistently rented to large groups: more than 14 people with eight to ten vehicles parked in the driveway. The property functions more as a motel than a family beach rental.

As the property is currently rented, it does not comply with the following Note the number of garbage cans and the size of the driveway in the pictures below. The driveway serves as a parking lot.

- (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.
- (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.

If the permit is renewed, it should be categorized as a family beach rental, and there should be a maximum number of occupants set: three couples with children with maximum occupancy of 12-14 and no more than 4 vehicles.

The permit should be issued for a probationary period of one year and reviewed to ensure compliance.

Thank you for your consideration.

Lou Pambianco

255 14th Avenue
Santa Cruz, CA 95062
408-981-7829

Evan Ditmars

From: Fred Thoits <fthoits@pacbell.net>
Sent: Monday, December 05, 2016 9:58 AM
To: Evan Ditmars
Subject: APPL # 161341 - 269 14th Avenue, Santa Cruz: Vacation Rental Permit Renewal

Mr Ditmars:

I am writing concerning the application to renew the vacation rental permit at 269 14th Avenue, APPL. #: 161341.

This house is advertised as having 6 bedrooms. Under the current vacation rental ordinance (13.10.694.D.1.(g): Number of People Allowed) 14 people and an unlimited number of people under the age of 12 are allowed to occupy the house as guests of this vacation rental. Further, between the hours of 8am and 10pm, the maximum number of people allowed is twice the maximum number of guests allowed. That is 28 people and an unlimited number of people under the age of 12 years old.

Based on the size and configuration of this house, the way it is advertised as a vacation rental, and the code's specific definition of how many people can occupy the house, it attracts large out of town multi-family groups who plan a gathering of beach going fun, reunions, and social activities, as well as more formal planned specific social events. In either case the result of renting this house include specific party events or activities that are of a party nature multi family vacation gathering. The mere gathering of this many people creates noise, parking, traffic issues that far exceed the existing and proposed land uses in the vicinity and which exceed the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

It is not just the vacation rental events at this house that are planned around a party event that creates excessive noise and neighborhood disruption well into the late evening. It can be only the gathering of this many people to reconnect and enjoy a glass of wine before dinner and talk on the rear outside deck, or the extended boisterous play of 8-12 children, that creates an excessive volume of noise that impacts all of the houses in the vicinity (13th Ave, 14th Ave and Prospect Ave) that back up to this house. We can be inside our house (which is located three houses away) and still hear the animated conversations and laughing with the doors and windows shut, much less when they are open during the warmer times of the year. When this amount of noise happens all day and into the evening every day it rises to the level of being a nuisance. This is because it is well beyond the normal level of noise and activity from any other house in this residential neighborhood, or what would possibly be expected.

The rental activity at this house is very busy and it is occupied on a majority of the annual weekends and often during entire weeks. The neighborhood impacts from the vacation rental are not just sporadic or infrequent.

The vacation rental ordinance states that:

Approval of a vacation rental renewal permit shall be based on affirmative findings as set forth in SCCC 18.10.230(A). Denial of an application for renewal shall be based on one or more of the required findings not being able to be made, as set forth in SCCC 18.10.230(A).

Based on the size and configuration of this house, and the documented way it is used (number of cars parked on the property and the overflow onto 14th Ave, and number of people using the house as guests and as 8am to

10pm partyers), there is no way that the finding required under 18.10.230 (A) (5) can be made for the renewal of this vacation rental permit:

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.

The neighborhood's experience and suffering with the use and activities of this vacation rental have shown guests and attendance at events which exceed the 13.10.694.D.1.(g): Number of People Allowed limits, overflow parking exceeding 10 vehicles parked on site, noise beyond the 10pm ordinance deadline, and improper waste disposal and Green Waste pickup.

There is no nearby ownership, no active property management, no property ownership's monitoring of the number of people or the type of events that occur, and no County enforcement of the vacation rental code's requirements. The neighbors are left to call the Sheriff for enforcement when noise becomes intolerable after 10pm, but the Sheriff has no authority to monitor or enforce occupancy violations.

The posted Vacation Rental signage contains a phone number of a security company in Watsonville, which after hours goes to a recording and have resulted in NO timely response or follow up.

There are documented complaints about overflowing trash and necessary involvement by County Environmental Health staff.

Since the ordinance regarding the renewal of a vacation rental permit is worded such that:

there is a presumption that an application for renewal of a vacation rental permit will be approved.

I would hope that the inability of making the finding of 18.10.230 (A) (5) compliance would provide a basis against a presumptive approval. Further the pictures, complaints, and neighbor comments that have been submitted would raise the consideration of this vacation permit renewal approval.

If this is not sufficient for the denial of the vacation rental permit and renewal is still considered, then it is my request that it warrants special conditions limiting the allowable occupancy of this vacation rental permit, to a maximum of 12 guests, regardless of age. Further that a more restrictive limit be place that limits the allowable use to 24 people, regardless of age, between the hours of 12pm (noon) and 8pm. Further that no off-site parking be allowed. Finally that the permit renewal be limited for a shorter period (one year) to insure the owners are aware that they need to actively manage the property to avoid disturbances to neighbors and demonstrate their ability to enforce the occupancy and parking limits that are in violation of the permit.

Sincerely

Fred Thoits

Evan Ditmars

From: rkboston <rkboston@comcast.net>
Sent: Thursday, December 08, 2016 1:04 PM
To: Evan Ditmars
Subject: vacation rental permit at 269 14th Avenue, APPL. #: 161341

Mr Ditmars:

I am writing concerning the application to renew the vacation rental permit at 269 14th Avenue, APPL. #: 161341

1. The posted contact number - i have called several times to notify the contact of trash and noise problems. It always goes to voicemail and there is no action.
2. There is no compliance with the maximum occupancy based on the number of bedrooms. Six bedrooms plus two additional adults is 14 adults and children over 12. This is routinely exceeded. The owners have no confirmation on how many people are staying there. There is no checkin and audit. Only the neighbors witness large numbers of people going in. On one such occasion there were so many people staying there (counted 26 and 11 cars) that the trash containers were full in two days. I noticed this because the occupants began dumping trash between the houses and each night the raccoons spread it all over. No response from the contact number and i had to register a complaint with the health department to get the garbage cleaned up. The health department only sends a letter so there is no timely intervention.
3. The property is simply not managed as required by the Ordinance.
4. The large number of people staying at this location is not in harmony with our neighborhood.
5. Loud boisterous crowds are the rule. 20 plus people routinely on a small lot creates a disruption for the neighborhood.

I recommend that the permit be denied and they can reapply after one year.

Rick Boston
275 14th Avenue

Communication with Health Dept.

Hello Celia, (Celia Brown)

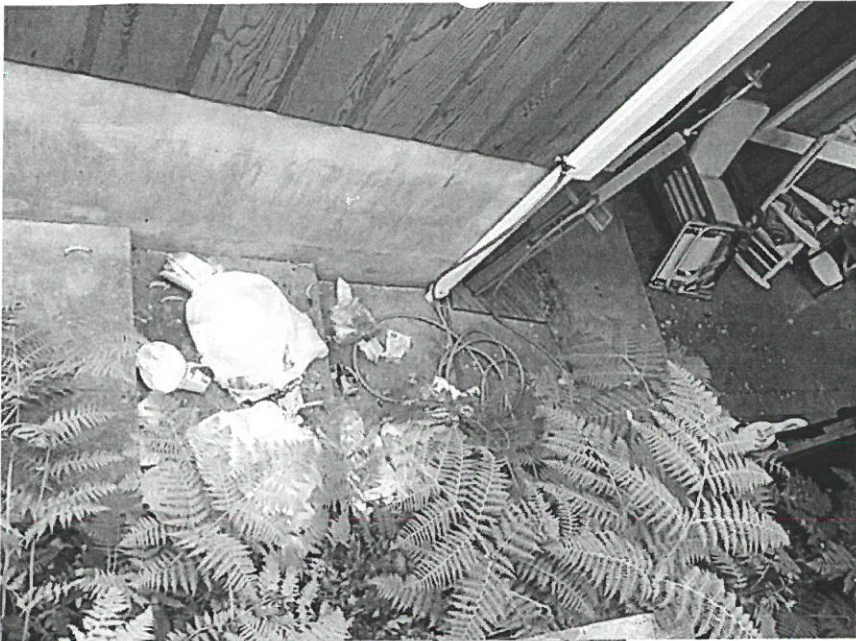
i left a message but thought i would also follow up with an email. The renters continue to dump bags of garbage next to the house which are ransacked each night by raccoons and no one cleans it up. You can see by the pictures they just keep adding bags. I called the contact number on the house and left a message but the garbage continues to be dumped between the houses.

Please let me know if this is not the proper channel to notify.

Sincerely Rick Boston

320-2126

This number of vehicles is routine.



[Scratchpad](#)[Login](#)[Help](#)[List Your Property](#)

Santa Cruz, CA, USA

Arrival

Depart

☐ I don't have dates yet

Guests



Search

[< Browse properties](#)[Home](#)[Santa Cruz, CA, USA](#)

VRBO Listing #253771

[Like 107](#)

Imagine Yourself Steps Away from the Santa Cruz Beach

★★★★★ (65 Reviews)

[Overview](#)[Reviews](#)[Rates](#)[Calendar](#)[Location](#)[Owner Info](#)[Photos](#)Avg. Nightly **\$902**

⚠ Enter dates to see accurate pricing

Arrival

Departure

Guests (required)

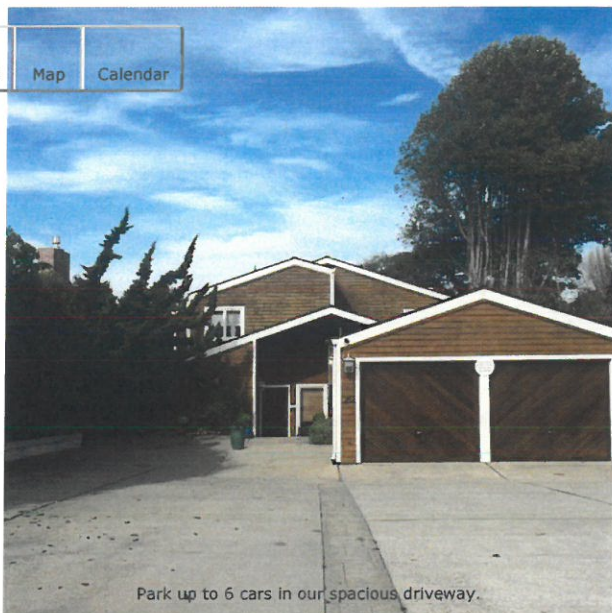
**Minimum stay 2-7 nights**[Request to Book](#)[Send email](#)

🕒 Booking confirmation within 24 hours

[Get an Instant Quote](#)**Pay with confidence**

When you book through the VRBO website, your booking is backed by our Book with Confidence Guarantee

[Learn more](#)

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Park up to 6 cars in our spacious driveway.

**Minimum stay:**

2-7 nights

Sleeps:**18****Bedrooms:**

6

Bathrooms:

4

Property type:

House

Internet:

Yes

Pets considered:

Yes

Wheel chair accessible:

No

About the Property

House, 6 Bedrooms, 4 Baths, (Sleeps 17)

[Feedback](#)

We have a very special home! Imagine yourself just steps away from one of Santa Cruz's most popular beaches - Twin Lakes on 14th Avenue. This over 4,000 square foot comfortable home boasts views, a prime location, and a true taste of the magic that Santa Cruz offers! Let your mind unwind while sun bathing at the beach or relaxing on one of the multiple view decks of this spacious home. Walk to the Harbor, restaurants, and shops.....Sleeps up to 17 in comfortable beds. It is also extremely kid friendly. We have a separate game room (great for the kids!) with Foosball, Play Station 2, Ping Pong and Cable TV.

Our home is three levels. The top floor has the kitchen, dining rooms, and living rooms and outside deck. The 6 bedrooms and another beautiful deck are on the main floor. The game room is on the bottom floor. If you or anyone in your group has concerns walking steps, we suggest you find an alternate accommodation.

SANTA CRUZ VACATION HOME ORDINANCE APPLIES TO EVERY HOME IN THE COUNTY: This ordinance restricts the amount of guests allowed in homes throughout the county. The limits are 2 adults per bedroom plus 2. This means our home is limited to 14 adults. The County does not place a limit on Children under the age of 12. We will not rent to more than 14 adults. This makes our house even more special since we have the room to fit your family or group.

[More details](#)



Owner

Member since: 2009

[Send email](#)

Speaks: **English**

Response time: **Within a few hours**

Response Rate: **100%**

Calendar last updated: **02/22/2017**

Property Type

House 4000 sq. ft.

Accommodation Type

Vacation Rental

Meals

Guests Provide Their Own
Meals

Suitability

Minimum Age Limit For
Renters:
*Main renter must be 25 or
older.*

Alternative Lifestyle

Children Welcome:
*Very kid and family friendly.
Game room in lower level.* [withre](#)
Non Smoking Only

Pets Considered:
*Please inquire. Fees and
additional deposit apply.*

Wheelchair Inaccessible:
*Our home has all 6 bedrooms
on the first floor. Kitchen [Jinnope](#)*

[Feedback](#)

Bedrooms: 6 Bedrooms, Sleeps 18, Beds for 17-18

Bedroom 5: 1 bunk bed

sleeps 4 (twin over double bunk with trundle)

Bedroom 6: 2 bunk bed

sleeps 5 (1 twin over twin bunk and twin over double) bunk

Bedroom 1: 1 queen

sleeps 2

Bedroom 2: 1 queen

sleeps 2

Bedroom 3: 1 king

sleeps 2

Bedroom 4: 1 king

sleeps 2

King size beds (2) 2 separate King beds in each large Bedroom, Queen size Beds (2) 2 separate Queen rooms, Baby Cribs (2) 2 portacribs are available., Bunk Beds (3) 2 Rooms have Bunkbeds One bedroom has twin over full and twin over twin. Another has twin over full with a trundle. We provide wonderful sheets, linens, blankets and pillows. All Bedrooms and 2 bathrooms are on the first floor. Kitchens, 2 living rooms and 2 dining rooms and 2 bathrooms are on the second floor. The game room is on the bottom floor. Please do not rent our home if steps are a problem for you.

Bathrooms: 4 Bathrooms

Bathroom 2

2 showers - 1 stall and 1 shower over tub divided by door

Bathroom 1

2 showers - 1 stall and 1 shower over tub divided by door

Bathroom 3

1/2 bath

Bathroom 4

1/2 bath

In addition, 2 outside showers. One near front entrance and one in back yard with hot water (not private).

Other Amenities

Spacious layout for friends and family stays. Everything you need to enjoy the beautiful Santa Cruz area!

Entertainment

Books

Games

Television:

Books For Kids

Games For Kids

2fabulous hi definition tvs

DVD Player

Ping Pong Table

Toys

Foosball

Radio

Video Game Console:

Game Room

Satellite / Cable:

*(2) 2 Large 1080p LCD in each living room. HD Comcast cable**Sony PS2 in the game room.*

Video Games:

(10) Feel free to bring your own PS2 games.

Video Library

Theme

Adventure

Family

Sports & Activities

Away From It All

Romantic

Tourist Attractions

[Feedback](#)

BringFido®



Large Luxury Home Inquire For Address, Santa Cruz, CA



Website



Reviews



Directions

Pets are allowed with prior approval from the homeowner only. Please inquire for information on pet fee and other restrictions.

Low Rates from \$500

Or call (408) 315-4884 for more information.

* Owner's phone #

Description

Imagine yourself just steps away from one of Santa Cruz's most popular beaches - Twin Lakes on 14th Avenue. This over 4000 square foot luxury home boasts views, a prime location, and a true taste of the magic that Santa Cruz offers! Let your mind unwind while sun bathing at the beach or relaxing on one of the multiple view decks of this spacious home. Walk to the Harbor, restaurants, and shops. Sleeps 17 in comfortable beds. It is also extremely kid friendly. We have a separate game room (great for the kids!) with Foosball, Play Station 2, Ping Pong and Cable TV. Walking distance to the Santa Cruz Harbor (shops and restaurants). 30 minutes to the Monterey Bay Aquarium, Laguna Seca Race Track, Pebble Beach and Carmel and world class Wine tasting. Just a bit further to Half Moon Bay and Big Sur.

Parcel # 028-143-02

Application # 161341

Address, City, ZIP 269 14th Avenue, Santa Cruz, CA 95062

Vacation Rental Permit Conditions of Approval

1. This permit has been conditionally approved for 1 year, after which it will be available for renewal with an expiration date 5 years from original approval. Planning Staff will review the application for complaints including, but not limited to excessive number of guests and rental advertisement inconsistent with permit conditions of approval.
2. The vacation rental shall be maintained and operated so that, at all times, it is in compliance with the items listed on the Vacation Rental Certification form (Exhibit A).
3. The maximum, overnight occupancy of the vacation rental shall not exceed 14 people (2/bedroom + 2, children under 12 not counted).
4. The maximum number of vehicles associated with the overnight occupants shall not exceed 8 (number of on-site parking spaces, plus 2 additional on-street spaces).
5. The maximum occupancy allowed for celebrations and gatherings between 8:00 a.m. and 10:00 p.m. shall not exceed 28 people (twice the number of overnight occupants, children under 12 not counted).
6. Occupants and guests shall adhere to the noise standards contained in the County Noise Ordinance (County Code Chapter 8.30).
7. A list of rules shall be posted inside the vacation rental in a location readily visible to all guests. The rules shall include, but not necessarily be limited to the following: maximum number of guests allowed, maximum number of people allowed for celebrations and gatherings between 8:00 a.m. and 10:00 p.m., maximum number of vehicles allowed, and a reference to the standards contained in the County Noise Ordinance (County Code Chapter 8.30).
8. A copy of the County Noise Ordinance (County Code Chapter 8.30) shall be posted inside the vacation rental in a location readily visible to all guests.
9. The vacation rental shall have 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. The sign shall not exceed 216 square inches, be legible from, and be posted no more than 20 feet back from the nearest street.
10. The name, address, and telephone number(s) of the local contact person shall be posted inside the vacation rental in a location readily visible to all guests, and shall be submitted to the local Sheriff Substation, the main County Sheriff's Office, the local fire agency, and shall be supplied to the property owners of all properties located within a 300 foot radius of the parcel on which the vacation rental is located. Any change in the contact person's address or

telephone number shall be promptly furnished to the agencies and neighboring property owners as specified above.

11. The owner/applicant shall comply with the regulations and standards set forth in Chapter 4.24 of the County Code, including any required payment of transient occupancy tax for the vacation rental unit.
12. The owner/applicant shall agree to engage in dispute resolution and act in good faith to resolve disputes with neighbors arising out of the use of the dwelling as a vacation rental. Unless an alternate dispute resolution entity is agreed to by all parties involved, dispute resolution shall be conducted through the Conflict Resolution Center of Santa Cruz County.
13. Permits for vacation rentals located in the Live Oak Designated Area (LODA) and the Seacliff Aptos Designated Area (SADA) shall expire 5 (five) years from the date of approval. To continue in operation as a legal vacation rental, an application to renew the permit must be made before the expiration date, but no sooner than 180 days before the expiration date.
14. 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.

Vacation Rental Development Permit Findings

1. That the proposed location of the vacation rental 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 proposed residential vacation rental is located in an existing residential structure in an area designated for residential uses and is not encumbered by physical constraints to development. The residential vacation rental will comply with health and safety standards established for vacation rental units, including smoke and carbon monoxide alarms, working ground fault circuit interrupters, emergency egress in all sleeping rooms, and handrails along stairs and walking surfaces above 30 inches in height to insure the optimum in safety. In addition, the vacation rental standards address noise, occupancy, and parking to ensure that there are no detrimental effects of the vacation rental.

2. That the proposed location of the project and the conditions under which it 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 location of the proposed vacation rental and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances, including the vacation rental ordinance, and the purpose of the R-1-6 zone district as the primary use of the property will be one residential vacation rental dwelling that meets all requirements of the vacation rental ordinance.

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 residential vacation rental use is consistent with the use and density requirements specified for the R-UL land use designation in the County General Plan as it is a residential use in an existing residential structure and the vacation rental ordinance implements the standards contained in the Noise Element of the General Plan.

A specific plan has/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 residential vacation rental is to be located within an existing single family residential structure. The expected level of traffic generated by the proposed vacation rental is commensurate to any other residential use of the dwelling because the short term rental occupancy of a residence does not change the type of use within the dwelling and, further, guest celebrations that result in temporary increased traffic can occur with both non-vacation rental residential use and vacation rental use.

5. That the proposed vacation rental 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 short term vacation rental is proposed to be located within an existing residential dwelling located within a residential neighborhood, consistent with the land use intensity and density of residential neighborhoods. Both non-vacation residential uses and vacation rental uses can include celebrations, that result in temporary increase in vehicles, and building occupancy.

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.

Pursuant to County Code Section 13.11.040, the proposed residential use is exempt from the Design Review Ordinance.

Elizabeth Hayward

From: Elizabeth Hayward
Sent: Friday, February 24, 2017 3:48 PM
To: 'bruce@cohesiveventures.com'
Subject: RE: Vacation Rental Permit Renewal and Appeal 161341

Good afternoon,

The agenda will be available two weeks prior to the hearing. Any correspondence can be forwarded to me. A copy of the staff report will be mailed to you one week prior to the hearing and will be available online. No other appeals were filed. Any comments received by the time of staff report distribution will be attached to the staff report. Any comments received after distribution will be available the morning of the hearing at 9:00.

Have a good weekend,

Elizabeth

From: Bruce Keiser [mailto:bruce@cohesiveventures.com]
Sent: Wednesday, February 22, 2017 4:53 PM
To: Elizabeth Hayward <Elizabeth.Hayward@santacruzcounty.us>
Subject: RE: Vacation Rental Permit Renewal and Appeal 161341

Hi Elizabeth,

Thank you for the note. A couple of questions....

When will the official schedule/agenda be available? Should people submit information/comments to you for the hearing? How can we get a copy of the response from the County? Did anyone else file an appeal? How can we access any comments/information submitted about the appeal?

Thank you.

Bruce

Bruce Keiser
Cohesive Ventures
(408) 315-4884

From: Elizabeth Hayward [mailto:Elizabeth.Hayward@santacruzcounty.us]
Sent: Wednesday, February 22, 2017 11:30 AM
To: 'bruce@cohesiveventures.com'
Subject: RE: Vacation Rental Permit Renewal and Appeal 161341

Good morning,

The status would be "in progress", in that the appeal is being reviewed and a response prepared for hearing. You will receive notification of the hearing as part of the process. The item will be scheduled for the March 17th Zoning Administrator's hearing. There are no further steps required on your part.

Have a good day,

Elizabeth Hayward
Planner
County of Santa Cruz
Planning Department

Notice to Recipient: This communication is intended for the person(s) to whom it is addressed and it may contain information that is protected. If you receive this in error, any review, use, dissemination, distribution, or reproduction is strictly prohibited. Please report the error immediately and delete and/or destroy this communication and any attached documents from your system. Thank you for your cooperation.

From: Bruce Keiser [<mailto:bruce@cohesiveventures.com>]
Sent: Tuesday, February 21, 2017 6:04 PM
To: Elizabeth Hayward <Elizabeth.Hayward@santacruzcounty.us>
Cc: Evan Ditmars <Evan.Ditmars@santacruzcounty.us>; 'Bruce Keiser' <bruce@cohesiveventures.com>
Subject: RE: Vacation Rental Permit Renewal and Appeal 161341

Hi Elizabeth,

Evan suggested we contact you to determine the status of our Vacation Rental appeal for 269 14th Avenue, Santa Cruz. Please see the emails below between Evan and I regarding the permit renewal application and appeal. We have not heard from the County regarding our Appeal.

Please let us know the status of our Appeal and the next steps we need to take.

Thank you.

Bruce

Bruce Keiser
Cohesive Ventures
(408) 315-4884

From: Evan Ditmars [<mailto:Evan.Ditmars@santacruzcounty.us>]
Sent: Friday, February 17, 2017 8:38 AM
To: 'bruce@cohesiveventures.com'
Subject: RE: Vacation Rental Complaints Received 161341

I don't know the status at this point. The planner who is handling the appeal is Elizabeth Hayward. Her email is Elizabeth.hayward@santacruzcounty.us



Evan Ditmars
Planning Technician
Santa Cruz County Planning Department
701 Ocean St., Santa Cruz, CA 95060
831-454-3227

From: Bruce Keiser [<mailto:bruce@cohesiveventures.com>]
Sent: Thursday, February 16, 2017 9:06 AM
To: Evan Ditmars <Evan.Ditmars@santacruzcounty.us>
Subject: RE: Vacation Rental Complaints Received 161341

Hi Evan,

We have not had any word from the County about the appeal. Could you please let me know about the status or who I can follow up with?

Thank you.

Bruce

Bruce Keiser
Cohesive Ventures
(408) 315-4884

From: Evan Ditmars [<mailto:Evan.Ditmars@santacruzcounty.us>]
Sent: Monday, February 06, 2017 1:45 PM
To: 'bruce@cohesiveventures.com'
Subject: RE: Vacation Rental Complaints Received 161341

Hi Bruce,

I know the appeal has been assigned to Elizabeth Hayward but nothing else has moved forward beyond that as it was just assigned maybe a week ago. I know she will begin contacting you guys as soon as she begins familiarizing herself with the details of the appeal. Sorry for the slow process, it has been busy here. Your permit will continue to be valid during this process.



Evan Ditmars
Planning Technician
Santa Cruz County Planning Department
701 Ocean St., Santa Cruz, CA 95060
831-454-3227

From: Bruce Keiser [<mailto:bruce@cohesiveventures.com>]
Sent: Monday, February 06, 2017 1:41 PM
To: Evan Ditmars <Evan.Ditmars@santacruzcounty.us>
Subject: RE: Vacation Rental Complaints Received 161341

Hi Evan,

Could you please let me know the status of the appeal? I have not had any communication about the appeal since your email below.

Thank you.

Bruce

Bruce Keiser
Cohesive Ventures
(408) 315-4884

From: Evan Ditmars [<mailto:Evan.Ditmars@santacruzcounty.us>]
Sent: Thursday, January 19, 2017 1:23 PM
To: 'Bruce Keiser'
Subject: RE: Vacation Rental Complaints Received 161341

A planner will be assigned soon at which point they will call and discuss the project regarding date of hearing, procedures, etc. That will be your go-to person. As soon as I find out who that is, I will forward you their information. Feel free to follow up if you haven't heard anything in a few days.



Evan Ditmars
Planning Technician
Santa Cruz County Planning Department
701 Ocean St., Santa Cruz, CA 95060
831-454-3227

From: Bruce Keiser [<mailto:bruce@cohesiveventures.com>]
Sent: Thursday, January 19, 2017 12:43 PM
To: Evan Ditmars <Evan.Ditmars@santacruzcounty.us>
Cc: Bruce Keiser <bruce@cohesiveventures.com>
Subject: Re: Vacation Rental Complaints Received 161341

Thank you! Where should people send information for the appeal/hearing?

Bruce

Bruce Keiser
408-315-4884
Sent from my iPhone

On Jan 19, 2017, at 8:37 AM, Evan Ditmars <Evan.Ditmars@santacruzcounty.us> wrote:

I received the appeal documentation on my desk this morning. I will keep you posted with any additional information I receive regarding the process.

<image001.jpg>

Evan Ditmars

From: Bruce Keiser <bruce@cohesiveventures.com>
Sent: Wednesday, January 18, 2017 4:29 PM
To: Evan Ditmars
Subject: RE: Vacation Rental Complaints Received 161341

Great -

Appeal and fee will be dropped by before 5 today.

Thank you.

Bruce

Bruce Keiser
Cohesive Ventures
(408) 315-4884

From: Evan Ditmars [mailto:Evan.Ditmars@santacruzcounty.us]
Sent: Wednesday, January 18, 2017 2:12 PM
To: bruce@cohesiveventures.com
Subject: RE: Vacation Rental Complaints Received 161341

Oh ok, here you go.



Evan Ditmars
Planning Technician
Santa Cruz County Planning Department
701 Ocean St., Santa Cruz, CA 95060
831-454-3227

From: Bruce Keiser [mailto:bruce@cohesiveventures.com]
Sent: Wednesday, January 18, 2017 2:07 PM
To: Evan Ditmars <Evan.Ditmars@santacruzcounty.us>
Subject: RE: Vacation Rental Complaints Received 161341

Hi,

Meant the existing permit.....

Thanks,

Bruce

Bruce Keiser
Cohesive Ventures

(408) 315-4884

From: Evan Ditmars [<mailto:Evan.Ditmars@santacruzcounty.us>]
Sent: Wednesday, January 18, 2017 1:32 PM
To: 'bruce@cohesiveventures.com'
Subject: RE: Vacation Rental Complaints Received 161341

The permit isn't generated until after 5pm due to the 2 week appeal deadline. You can look up your application here:
<http://sccounty01.co.santa-cruz.ca.us/PlanningApplicationStatus/Pln?n=161341>



Evan Ditmars
Planning Technician
Santa Cruz County Planning Department
701 Ocean St., Santa Cruz, CA 95060
831-454-3227

From: Bruce Keiser [<mailto:bruce@cohesiveventures.com>]
Sent: Wednesday, January 18, 2017 12:27 PM
To: Evan Ditmars <Evan.Ditmars@santacruzcounty.us>
Subject: RE: Vacation Rental Complaints Received 161341

Thank you, Evan.

Could you please send a copy of our permit? Or direct me where to find it online?

Bruce

Bruce Keiser
Cohesive Ventures
(408) 315-4884

From: Evan Ditmars [<mailto:Evan.Ditmars@santacruzcounty.us>]
Sent: Wednesday, January 18, 2017 11:44 AM
To: Bruce Keiser
Subject: RE: Vacation Rental Complaints Received 161341

They are yet to go to public hearing. The first one to hearing should be on the 2/17 hearing. Application 161353 was conditioned with no appeal/hearing.

From: Bruce Keiser [<mailto:bruce@cohesiveventures.com>]
Sent: Wednesday, January 18, 2017 11:05 AM
To: Evan Ditmars <Evan.Ditmars@santacruzcounty.us>
Subject: Re: Vacation Rental Complaints Received 161341

Thanks. Has any public hearing occurred or is that still to come?

Bruce Keiser
408-315-4884
Sent from my iPhone

On Jan 18, 2017, at 9:44 AM, Evan Ditmars <Evan.Ditmars@santacruzcounty.us> wrote:

Bruce,

Application numbers 161353, 161347, and 161413 have been either conditioned or brought to public hearing. That is in the latest batch of renewals. There may be others but I don't have a way to track those.

Sorry for the delayed response.

<image005.jpg>

From: Bruce Keiser [<mailto:bruce@cohesiveventures.com>]
Sent: Wednesday, January 18, 2017 8:43 AM
To: Evan Ditmars <Evan.Ditmars@santacruzcounty.us>
Subject: RE: Vacation Rental Complaints Received 161341

Hi Evan,

Can you please send the information about the other properties that are subject to conditional approval, or are going to a hearing for renewal or have been denied a renewal?

Thank you.

Bruce

Bruce Keiser
Cohesive Ventures
(408) 315-4884

From: Evan Ditmars [<mailto:Evan.Ditmars@santacruzcounty.us>]
Sent: Thursday, January 12, 2017 11:44 AM
To: 'bruce@cohesiveventures.com'
Subject: RE: Vacation Rental Complaints Received 161341

No problem.

<image001.jpg>

From: Bruce Keiser [mailto:bruce@cohesiveventures.com]
Sent: Thursday, January 12, 2017 11:43 AM
To: Evan Ditmars <Evan.Ditmars@santacruzcounty.us>
Subject: RE: Vacation Rental Complaints Received 161341

Thank you, Evan.

Bruce

Bruce Keiser
Cohesive Ventures
(408) 315-4884

From: Evan Ditmars [mailto:Evan.Ditmars@santacruzcounty.us]
Sent: Thursday, January 12, 2017 11:38 AM
To: 'bruce@cohesiveventures.com'
Subject: RE: Vacation Rental Complaints Received 161341

There is a date on our pending project page (Appeal Deadline January 18) .
<http://www.sccoplanning.com/PlanningHome/ZoningDevelopment/ViewLevel4Plans.aspx> Vacation rentals are level 4. Your application is on page 10.

<image002.jpg>

From: Bruce Keiser [mailto:bruce@cohesiveventures.com]
Sent: Thursday, January 12, 2017 11:16 AM
To: Evan Ditmars <Evan.Ditmars@santacruzcounty.us>
Subject: RE: Vacation Rental Complaints Received 161341

Thanks. Is there a dated letter/document that you can provide us to start the appeal period? Also, what level decision is a Vacation Rental renewal permit application?
Will a hearing be available?

Thank you.
Bruce

Bruce Keiser
Cohesive Ventures
(408) 315-4884

From: Evan Ditmars [mailto:Evan.Ditmars@santacruzcounty.us]
Sent: Thursday, January 12, 2017 11:06 AM
To: 'bruce@cohesiveventures.com'
Subject: RE: Vacation Rental Complaints Received 161341

Bruce,

The appeal information is on the original notice of pending action and general information for appeals is on our website. The current fee for an appeal is \$800. I pulled this off our website.

HOW TO APPEAL

The appellant must write a letter to the appropriate official or body and include the following information:

1. Whose decision is being appealed? Give the date of the decision.
2. Give the applicant's name, the application number, and the Assessor's Parcel Number (APN).
3. State your name and your interest (applicant, neighbor, community group, nearby property owner, etc.) in the decision.
4. What are your reasons for appealing? Please provide as much detail as possible regarding the reason why the appeal is being made.

- Was the determination or decision fair and impartial? If not, why?
- Was there an error or abuse of discretion by the decision-maker? If so, what was it?
- Was the decision supported by the facts presented? If not, why?
- Has significant new evidence relative to the decision become available? If so, why could it not have been presented when the decision was made?

5. Bring your letter and the appeal fee to the Zoning Counter on the 4th Floor at 701 Ocean Street, Santa Cruz no later than **5:00 PM** on the last day of the appeal period. Mailed appeals must also be **received** in the Planning Department by that date and time. Postmarks will not be accepted.

An appeal will not be accepted without the fee. Call **(831) 454-2130** or see the Zoning Counter for the current fee. Make the check payable to the **County of Santa Cruz**. The applicant will always be notified of an appeal. Once an appeal has been filed, the permit cannot be issued until the appeal has been resolved.

HOW APPEALS ARE DECIDED

Administrative Appeals

Any Planning staff decision or action on an **Administrative Permit (Levels I through IV)** may be appealed by the applicant to the Planning Director. In addition, any action on a Level 4 permit may also be appealed by any interested person. The Director, or his or her designee, must commence action of the appeal within 20 business days and will notify the applicant and/or appellant of the decision in writing within 60 days of the appeal submittal. The decision is final unless a member of the Board of Supervisors requests consideration of the matter.

<image003.jpg>

From: Bruce Keiser [mailto:bruce@cohesiveventures.com]
Sent: Thursday, January 12, 2017 10:49 AM
To: Evan Ditmars <Evan.Ditmars@santacruzcounty.us>
Subject: RE: Vacation Rental Complaints Received 161341

Hi Evan,

Have you sent a letter re the renewal? The conditions of renewal you attached to your email does not have any date or any information about an appeal. Please send that information. Thank you.

Bruce

Bruce Keiser
Cohesive Ventures
(408) 315-4884

From: Evan Ditmars [mailto:Evan.Ditmars@santacruzcounty.us]
Sent: Wednesday, January 04, 2017 10:52 AM
To: 'bruce@cohesiveventures.com'
Subject: RE: Vacation Rental Complaints Received 161341

I think this is the only pertinent document at this point. These are the conditions of approval and hard copies will be sent along the permit after the appeal period ends.

<image002.jpg>

From: Bruce Keiser [mailto:bruce@cohesiveventures.com]
Sent: Wednesday, January 04, 2017 9:17 AM
To: Evan Ditmars <Evan.Ditmars@santacruzcounty.us>
Subject: RE: Vacation Rental Complaints Received 161341

Thank you, Evan.

Can you please email a pdf copy of the renewal letter when it is ready?

Bruce

Bruce Keiser
Cohesive Ventures
(408) 315-4884

From: Evan Ditmars [mailto:Evan.Ditmars@santacruzcounty.us]
Sent: Tuesday, January 03, 2017 4:50 PM
To: 'bruce@cohesiveventures.com'
Subject: Vacation Rental Complaints Received 161341

Hi Bruce,

Here are the complaints received to date regarding your rental. We also recorded 2 service requests

from the Sheriff's office in 2015. Your permit currently allows 14 overnight guests, 6 on site vehicles (per the provided lease agreement), and 28 total guests between 8am and 10PM.

I will approve the application today (for 1 year, expiring 11/11/21). The permit can be renewed for an additional 4 years if Planning Staff determines the rental has been operated in compliance with the vacation rental ordinance and permit conditions of approval. This includes conferring with the Santa Cruz County Sheriff's office.

After approval, the application will enter the 14 day appeal period. Appeals can be made in person at a cost of \$800. Appeals are heard in front of the zoning administrator at a date to be determined.

I hope this addresses any concerns you have regarding the process and I will be happy to answer additional calls or emails.

<image004.jpg>