



## Staff Report to the Zoning Administrator

Application Number: **161438**

**Applicant:** Kevin Keet

**Agenda Date:** May 5, 2017

**Owner:** Kevin and Meredith Keet

**Agenda Item #:** 1

**APN:** 032-082-35

**Time:** After 9:00 a.m.

**Project Description:** Proposal to operate a new three bedroom residential vacation rental. Requires a Vacation Rental Permit, subject to a public hearing and approval by the Zoning Administrator, in the R-1-5-PP zone district and in the Live Oak designated Area (LODA).

**Location:** Property located on the east side of 36th Avenue, approximately 110 feet south of Portola Drive (750 36th Avenue).

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

**Permits Required:** Vacation Rental Permit

**Technical Reviews:** None

### Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 161438, based on the attached findings and conditions.

### Exhibits

- |   |   |
|---|---|
| A. Categorical Exemption (CEQA determination) | E. Assessor's, Location, Zoning and General Plan Maps |
| B. Findings                                   | F. Vacation Rentals Ordinance                         |
| C. Conditions                                 | G. Application Lease Agreement                        |
| D. Project plans                              | H. Vacation Rental Certification Form                 |
|   | I. Comments & Correspondence                          |

### Parcel Information

|                                  |  |
|----------------------------------|--|
| Parcel Size:                     | 7,143 square feet  |
| Existing Land Use - Parcel:      | Residential  |
| Existing Land Use - Surrounding: | Residential to the south, east and west; Commercial to the north |
| Project Access:                  | 36 <sup>th</sup> Avenue  |
| Planning Area:                   | Live Oak   |

### Parcel Information (continued)

Land Use Designation: R-UM (Residential Urban Medium)  
Zone District: R-1-5-PP (Single Family Residential, 5,000 square feet/unit, in the Pleasure Point Combining District)  
Coastal Zone: X Inside      Outside  
Appealable to Calif. Coastal Comm.      Yes X No

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
Soils: N/A  
Fire Hazard: Not a mapped constraint  
Slopes: N/A, existing permitted structure  
Env. Sen. Habitat: Within mapped resource area, no physical evidence on site, no change to existing structures.  
Grading: No grading proposed  
Tree Removal: No trees proposed to be removed  
Scenic: Not a mapped scenic area, no change to existing structures.  
Drainage: Existing drainage adequate  
Archeology: No physical evidence on site, no change to existing structures.

### Services Information

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

### Background

The property contains a permitted three bedroom two story single family dwelling with an attached two car garage that was constructed in the late 1950s. Building Permits were issued to add a bedroom and to remodel and upgrade the entire dwelling in 2012. The applicant is requesting a three bedroom vacation rental.

The Vacation Rentals ordinance (County Code section 13.10.694) requires a public notice of all new vacation rentals prior to approval but also allows that, if there is significant neighborhood concern, the application may be referred to the Zoning Administrator or Planning Commission for a public hearing. Due to correspondence that was received for this application, including a petition signed by nearby homeowners, expressing concerns about potential disturbance from the proposed vacation rental and in particular, about traffic and parking in the area, (Exhibit I), the application has been referred to the Zoning Administrator for a public hearing to allow consideration of public testimony. The Vacation Rentals ordinance is attached (Exhibit F) so that it may be clear how vacation rentals are regulated. This ordinance was approved by the Board of Supervisors on February 28, 2017 and by the California Coastal Commission on March 8, 2017.

## **Zoning & General Plan Consistency**

The subject property is a parcel of approximately 7,143 square feet, located in the R-1-5-PP (Single Family Residential, 5,000 square feet per unit and Pleasure Point Combining District) zone district, a designation which allows vacation rental uses. The proposed short term residential vacation rental is a conditionally permitted use within the zone district and the zoning is consistent with the site's (R-UM) Residential Urban Low General Plan designation.

Vacation rentals are subject to a standard list of conditions as required by the Vacation Rentals ordinance (County Code section 13.10.694) and included in the approved rental Lease Agreement. These address permitted occupancy, allowed parking, noise, trash, illegal behavior, required 24 hour contact, and so forth. The vacation rental permit may be subject to additional conditions as determined appropriate during the public input process.

The Vacation Rentals ordinance sets out the maximum overnight guest occupancy of two people per bedroom plus two, not including children under eight years old, and the occupancy for parties and celebrations to be twice the guest occupancy, also excepting children, between 8 am to 10 pm only. The permitted occupancy for the proposed 3 bedroom vacation rental is 8 overnight guests ( $2 \times 3 + 2$ ), and a celebration occupancy of sixteen daytime/evening occupancy guests (twice guest occupancy), between 8 am to 10 pm. The Lease Agreement limits occupancy to 8 overnight guests, and occupancy for celebrations or gatherings to 16 people.

The ordinance limits parking for vacation rentals to the number of recognized on-site parking spaces (8.5' x 18' size) plus two on-street spaces. Further, all on-site parking spaces must comply with the standards set out in County Code 13.10.554. The compliant parking spaces on this parcel include two spaces provided in the garage and two spaces in the driveway, a total of four spaces. However, because the property owner is intending to use the garage for storage there are only two available on-site spaces that will be available. The Lease Agreement therefore limits the number of cars to a total maximum of four cars for the for the vacation rental use.

## **Neighborhood Issues**

Staff has reviewed the neighborhood correspondence regarding this application. Concerns can be summed up as follows:

- Commercialization and disturbance of the residential neighborhood.
- Traffic, parking and safety concerns, particularly due to the location of the property adjacent to the popular Cat & Cloud coffee shop.

Most of the neighborhood concerns are addressed by the standard conditions of approval and required 24 hour contact. Conflict resolution of Santa Cruz County is available for unresolved neighborhood disputes and Code Compliance is available should conflict resolution fail to resolve vacation rental issues. However, these issues identified by neighbors have resulted in a requirement for revisions to the Lease Agreement (Exhibit G).

To mitigate neighborhood concerns regarding the availability of parking, and because the garage will not be available to guests, the proposed Lease Agreement has been required to limit parking to only four vehicles for overnight guests. Further, to address traffic and safety concerns, the Lease Agreement must contain language warning tenants

about the hazardous traffic conditions caused by the adjacent entrance to the coffee shop and the busy intersection at 36<sup>th</sup> Avenue and Portola Drive and also to advise that extreme caution be exercised by drivers entering and leaving the property.

As required by the ordinance, the applicant has designated a 24 hour contact person who is available to resolve any complaints that may arise. The designated contact person is shown to reside at 415 35<sup>th</sup> Avenue, which is just around the corner from the dwelling and therefore, if there are neighborhood concerns, these should be able to be addressed quickly.

The ordinance addresses concerns with regard to a potential change in the neighborhood character in that, in the Live Oak Designated Area (LODA) imposes a limit of 15 percent of all single-family and multi-family residential parcels that can be permitted as vacation rentals. In addition, there is a limit on the maximum number of vacation rentals that are allowed on any block. In the LODA the maximum number of vacation rentals allowed on any block may not exceed 20 percent of the units. Thus, of the 8 homes that constitute this block fronting on to 36<sup>th</sup> Avenue between Portola Drive and Yucca Drive, a total maximum of two vacation rentals may be permitted. Application 161438 is currently the only application on the block and there are no existing vacation rentals. With regard to the commercialization of the residential area, a residential vacation rental is considered to be a residential use. However, this parcel directly abuts a commercial zone district and therefore has a reduced likelihood of impacting adjacent residential properties.

In the Live Oak area the Vacation Rental ordinance places limits the term of a Vacation Rental Permit to five years. To extend the Permit beyond that time, an application is required to be submitted for renewal. This allows for evaluation of the vacation rental permit with regard to compliance with the conditions of approval, and in the event of substantiated verifiable and ongoing non-compliance with the permit conditions occurs, permit renewal may be denied by the Planning Department.

### **Environmental Review**

Environmental review has not been required for the proposed project per the requirements of the California Environmental Quality Act (CEQA). A preliminary determination has been made that the proposed vacation rental is exempt from the Environmental Quality Act. The exemption is attached as Exhibit A.

### **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**

- **CERTIFICATION** that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **151286**, 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](http://www.co.santa-cruz.ca.us)**

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# 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:** 161438

**Assessor Parcel Number:** 032-082-35

**Project Location:** 750 36<sup>th</sup> Avenue, Santa Cruz, CA 95062

**Project Description:** Proposal to operate a new 3 bedroom residential vacation rental for periods of not more than 30 days at a time for each rental. Requires a Vacation Rental Permit.

**Person or Agency Proposing Project:** Kevin Keet

**Contact Phone Number:** (831) 334-3806

- 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 1, Section 15301  
Class 3, Section 15303

### F. Reasons why the project is exempt:

Class 1-Existing Facilities: The project includes conversion of a single family dwelling to a vacation rental. This conversion involves negligible expansion of the residential use.

Class 3-Conversion of Small Structures: The project includes conversion of the existing dwelling to a vacation rental and involves no proposed modifications to the residential structure.

In addition, a Negative Declaration for implementation of the Vacation Rentals ordinance was approved by the Board of Supervisors on 5/03/2011 and certified by the Coastal Commission on 7/12/2011.

None of the conditions described in Section 15300.2 apply to this project.

\_\_\_\_\_  
Lezanne Jeffs, Project Planner

Date: \_\_\_\_\_

## 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 three bedroom 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 and added restrictions have been required in the Lease Agreement, that address noise, light, 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 Rentals ordinance, including the additional restrictions of the Seacliff/Aptos Designated Area. The proposed use is also consistent with the purposes of the R-1-5-PP zone district, which allows one single family residential dwelling and vacation rental use of the dwelling that meets all requirements of the Vacation Rentals ordinance.

In addition to the standard conditions of approval for vacation rentals set out in the Vacation Rentals ordinance, that have been included for this project, the proposed vacation rental is further conditioned to require that the Lease Agreement limits the maximum number of vehicles for overnight guests to four (4), with two parking on the driveway in front of the garage and two on-street spaces. No parking is available in the garage as this will be used for storage. Further, to address traffic and safety concerns, the Lease Agreement is required to contain a warning of the hazardous traffic conditions caused by the adjacent entrance to the Cat & Cloud coffee shop and busy intersection at 36<sup>th</sup> Avenue and Portola Drive, and also to advise that extreme caution be exercised by drivers entering and leaving the property. To prevent undue noise and other disturbances the Lease Agreement must also require strict compliance with the quiet hours set out in the County Noise ordinance (Chapter 8.30) that are between 10:00pm and 8:00am daily,

**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 Urban Medium Residential land use designation in the County General Plan as it is a residential use in an existing residential structure and the Vacation Rentals 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

## Conditions of Approval

Exhibit D: Project Plans  
Exhibit G: Lease Agreement  
Exhibit H: Vacation Rental Safety Certification Form

I. This permit authorizes operation of a new 3 bedroom residential vacation rental for periods of not more than 30 days at a time for each rental. The occupancy of this rental is limited to 8 guests (2 per bedroom + 2 additional); the number of automobiles allowed is 4 (two on the garage forecourt and two on-street spaces); and the number of people permitted at celebrations or gatherings (allowed only between 8:00 am and 10:00 pm) is 16 (twice the number of guests allowed). Children under 8 years old are not counted toward the maximums. 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 including, without limitation, any construction or site disturbance, 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. Revise the vacation rental lease (Exhibit G) agreement to:

1. Limit the total number of vehicles allowed to 4 (two on the garage forecourt and 2 on-street spaces).
2. Add language warning of the hazardous traffic conditions caused by the adjacent entrance to the Cat & Cloud coffee shop and busy intersection at 36<sup>th</sup> Avenue and Portola Drive, and also to advise that extreme caution be exercised by drivers entering and leaving the property.

## II. Operational Conditions

A. 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 Safety Certification form (Exhibit H).

B. The maximum, overnight occupancy of the vacation rental shall not exceed 8 people (2/bedroom + 2, children under 8 not counted).

C. The maximum number of vehicles associated with the overnight occupants (10:00pm to 8:00am) shall not exceed 4 (2 on-site parking spaces and 2 street parking spaces).

D. The maximum occupancy allowed for celebrations and gatherings between 8:00 a.m. and 10:00 p.m. shall not exceed 16 people (twice the number of overnight occupants, children under 12 not counted).

E. Occupants and guests shall adhere to the noise standards contained in the County Noise Ordinance (County Code Chapter 8.30).

- G. Occupants shall adhere to all additional restrictions and requirements as set out in section I.C. (above).
- H. A list of rules that require compliance with the Conditions of Approval 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 for overnight guests
  - A reference to the standards contained in the County Noise Ordinance (County Code Chapter 8.30).
- I. 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.
- J. 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.
- K. 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.
- L. 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.
- M. This permit shall expire within five (5) 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.
- III. 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.

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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 five years from the approval date listed below unless an application for a renewal of the permit is submitted before the expiration date, but no sooner than 180 days before the expiration date.**

Approval Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

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Wanda Williams  
Deputy Zoning Administrator

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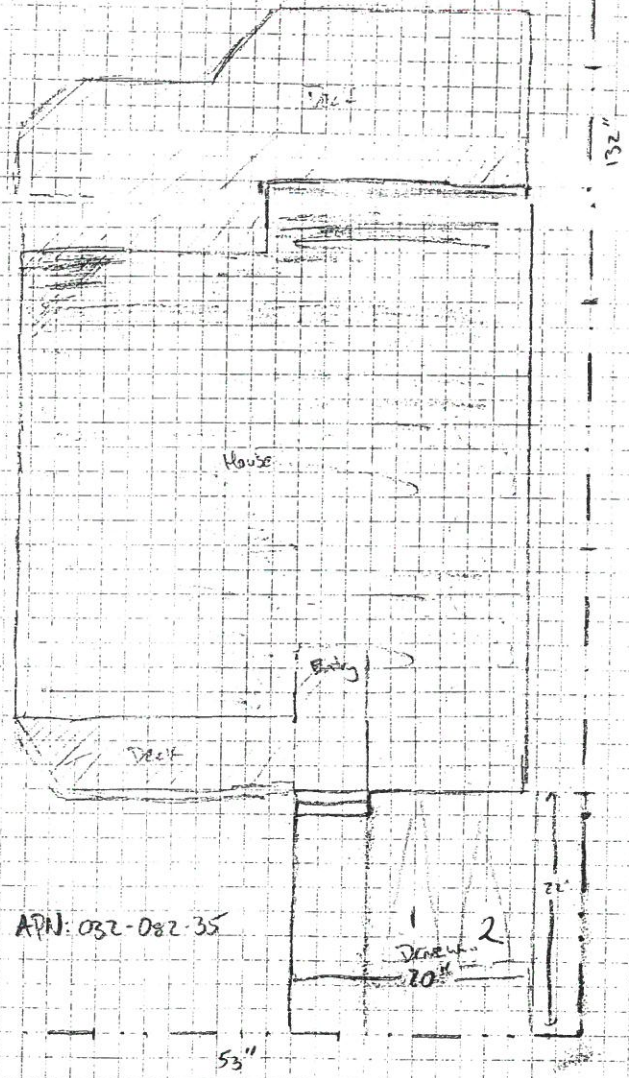
Lezanne Jeffs  
Project Planner

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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.

← N  
Keet Residence  
750 36<sup>th</sup> Ave  
Santa Cruz, CA  
1/10" = 1'-0"  
APN 032-082-35  
12/12/16

← N



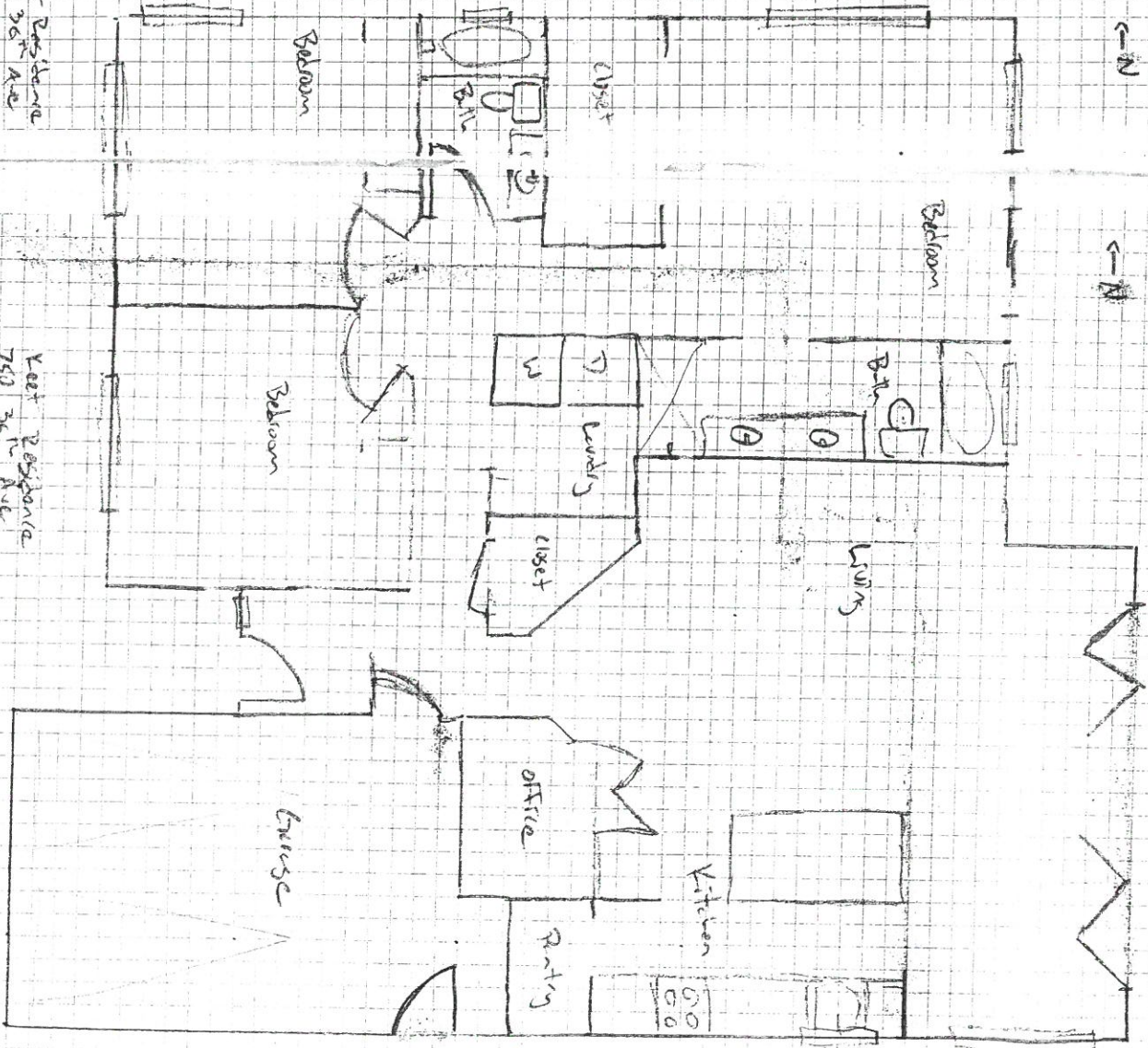
Keet Residence  
750 36<sup>th</sup> Ave  
Santa Cruz, CA  
Site plan  
1/10" = 1'-0"  
12/12/16

APN: 032-082-35

← 36<sup>th</sup> Ave

West Residence  
 750 36th Ave  
 Santa Cruz, CA  
 1/2" = 1'-0"  
 ARK-032-CR2-35

West Residence  
 750 36th Ave  
 Santa Cruz, CA  
 1/2" = 1'-0"

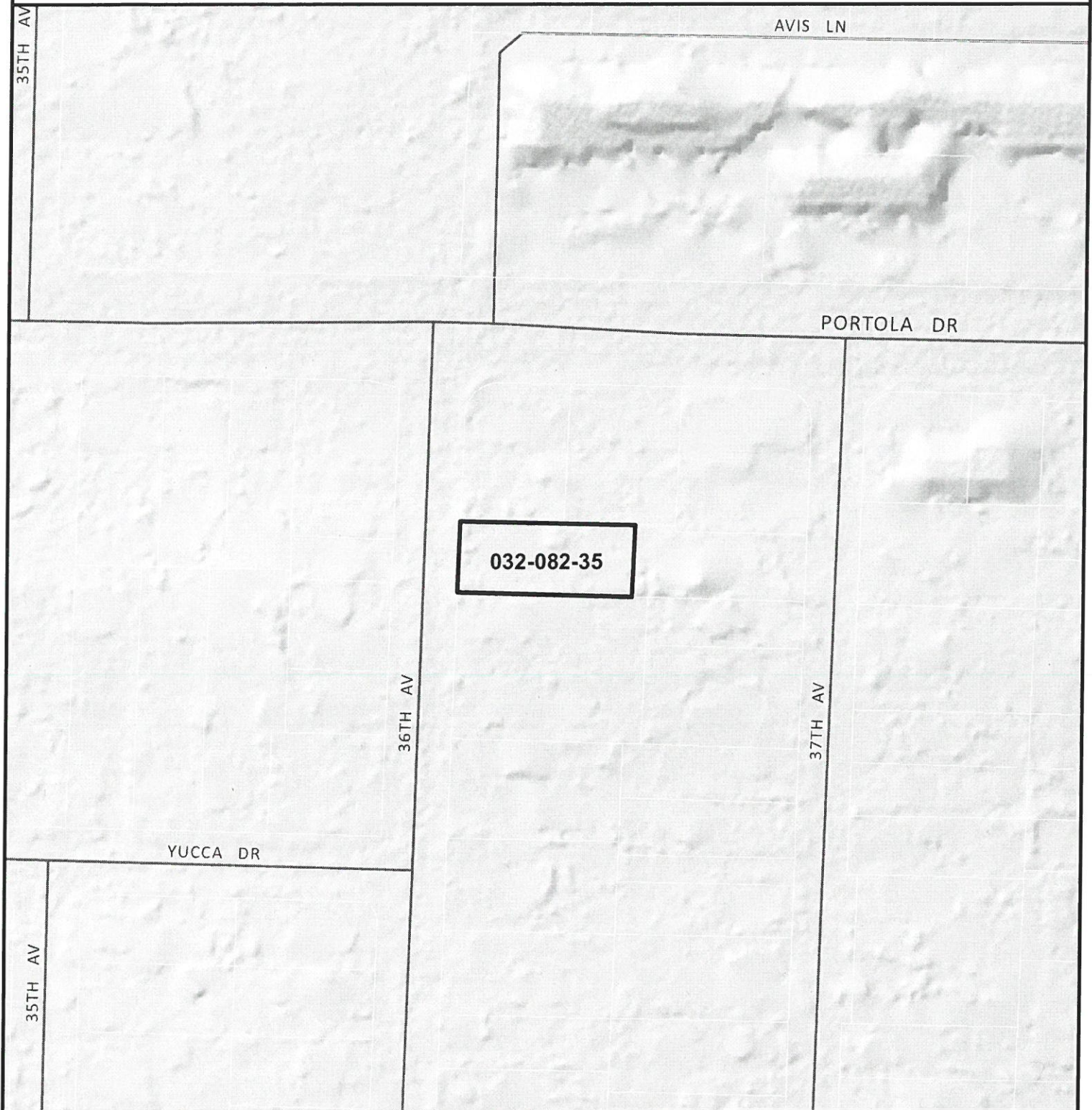




# Parcel Location Map

Santa Cruz County Planning Department

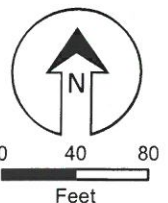
Parcel Number  
**032-082-35**  
Apr. 12, 2017



Location Overview

## Symbol Key

— Street



**EXHIBIT E**



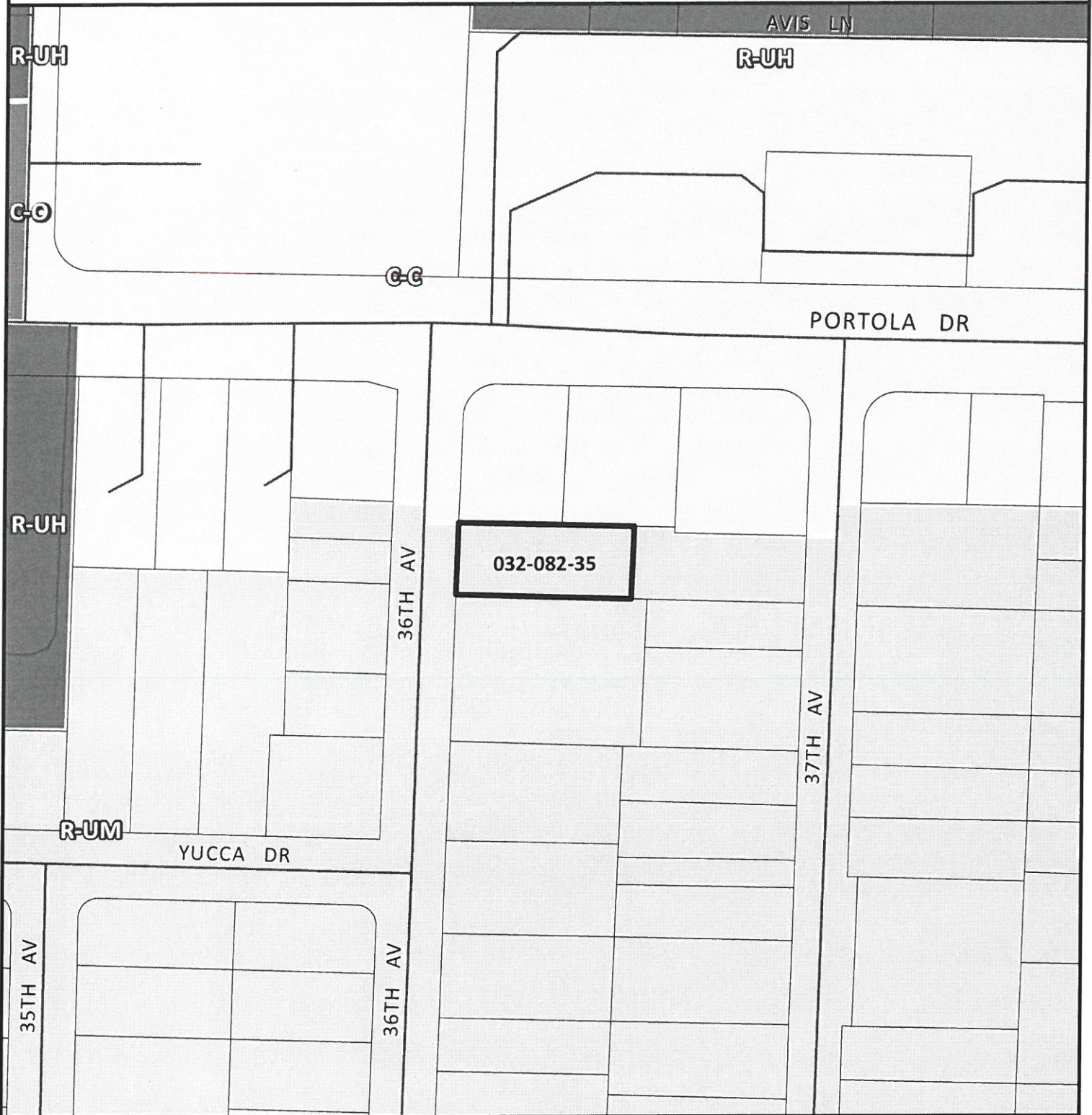
# Parcel General Plan Map

Santa Cruz County Planning Department

Parcel Number

**032-082-35**

Apr. 12, 2017



## General Plan

-  C-C - Commercial-Community
-  C-O - Commercial-Office
-  R-UM - Residential - Urban Medium Density
-  R-UH - Residential - Urban High Density

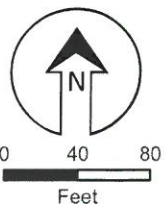


EXHIBIT E



# Parcel Zoning Map

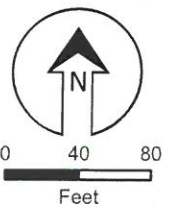
Santa Cruz County Planning Department

Parcel Number  
**032-082-35**  
Apr. 12, 2017



Zoning

**EXHIBIT E**

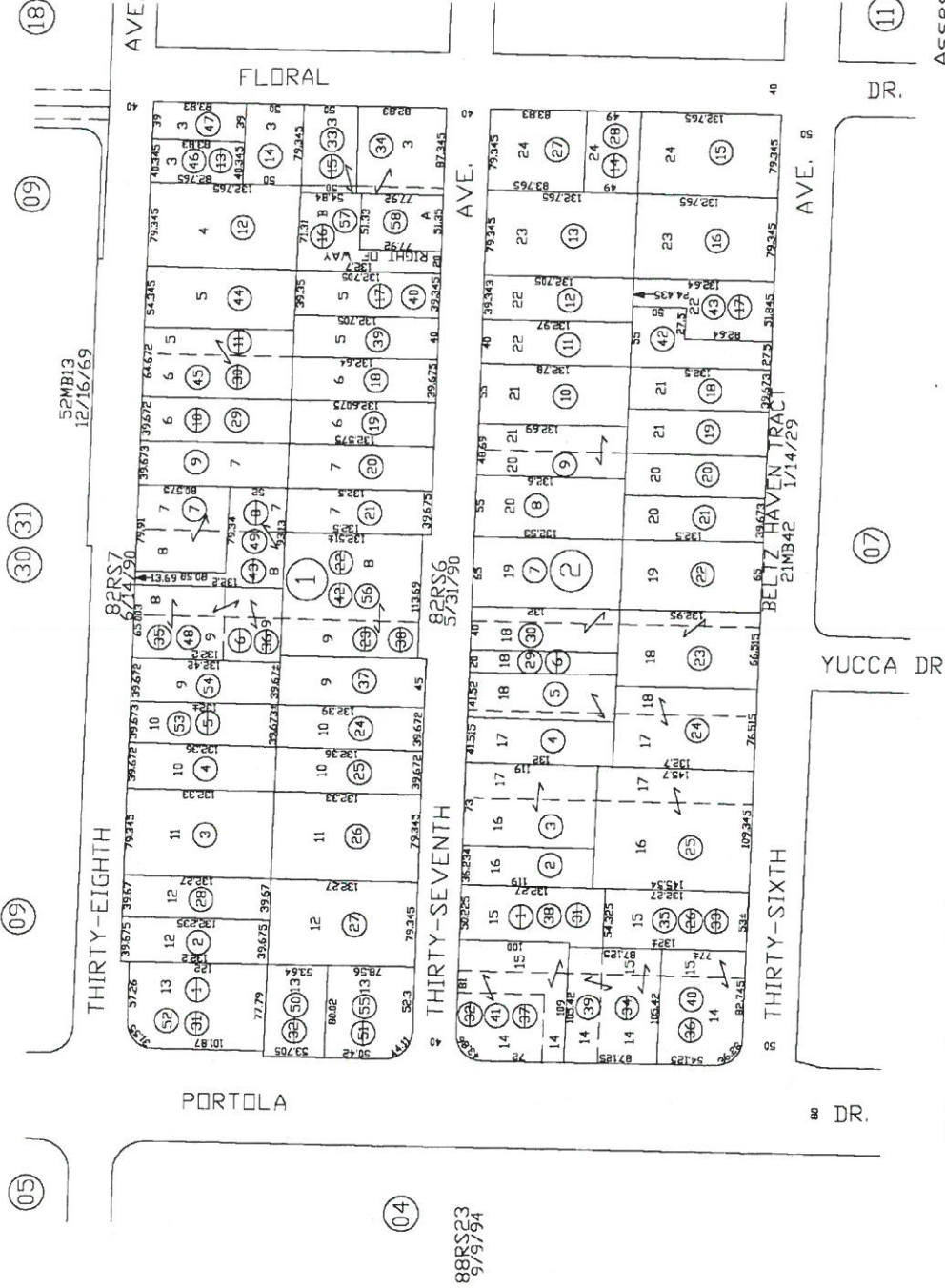


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 LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.  
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POR. RANCHO ARROYO DEL RODEO  
 N.E. 1/4 SEC.21, T.11S., R.1W. M.D.B. & M.

Tax Area Code  
 82-040

32-08



Assessor's Map No. 32-08  
 County of Santa Cruz, Calif.  
 August, 1996

Note - Assessor's Parcel & Block  
 Numbers Shown in Circles.

### **13.10.694 Vacation rentals. Amended Ord. 5229**

(A) The purpose of this section is to establish regulations applicable to dwellings that are rented as vacation rentals for periods of not more than 30 days at a time. These regulations are in addition to all other provisions of this title. This section does not apply to Pajaro Dunes where vacation rentals are governed by an existing development permit. A vacation rental means the entire dwelling unit and does not include the renting of individual rooms in a dwelling unit. The owner/operator/contact person/agent does not live in the dwelling unit while it is rented for use as a vacation rental and only the renter of the vacation rental dwelling and guests of the renter live in the dwelling unit while it is rented for use as a vacation rental. Where there are multiple dwelling units on a site, the owner/operator/contact person/agent may live in one of the dwellings that is not being rented as a vacation rental.

(B) Vacation rentals are allowed in all zone districts that allow residential use with no requirement for any other use, except that any vacation rental meeting the requirements of subsections (C)(1) and (D)(1) of this section may be permitted in any zone district.

(C) For the purposes of this section, the following terms have the stated meanings:

(1) "Existing vacation rental" means a dwelling unit that was used as a vacation rental prior to April 5, 2011, and for which a vacation rental permit application was made on or before November 28, 2011, and for which a vacation rental permit was granted based on an application submitted on or before November 28, 2011.

(2) "New vacation rental" means a dwelling unit that was not used as a vacation rental prior to April 5, 2011, or for which a vacation rental permit application was not made on or before November 29, 2011, or for which a vacation rental permit has not been granted.

(3) The "Live Oak Designated Area" means the Yacht Harbor Special Community (as described in the General Plan—Local Coastal Program and depicted on the General Plan—Local Coastal Program map) and that portion of Live Oak that lies east and south of East Cliff Drive and Portola Drive from the intersection of 9th Avenue and East Cliff Drive to the intersection of Portola Drive and 41st Avenue, as depicted in Figure LODA, attached to the ordinance codified in this section.

(4) The "Sea Cliff/Aptos Designated Area" means that portion of the Aptos Planning Area bounded on the west by the Capitola city limit, on the north by Highway One, and on the east and southeast by Bonita Drive, San Andreas Road, and the Urban Services Line from San Andreas Road to Monterey Bay, as depicted in Figure SADA, attached to the ordinance codified in this section.

(5) "Block" means the properties abutting both sides of a street extending from one intersecting street to another or to the terminus of the street.

(D) Permit Requirements. A vacation rental permit and transient occupancy tax registration are required for each residential vacation rental. Each vacation rental permit shall remain valid as long as the vacation rental operates at least three out of any consecutive five years, except that each vacation rental permit issued for a vacation rental located in the Live Oak Designated Area and the Seacliff/Aptos Designated Area shall expire five years from the date of issuance of the original permit or as otherwise provided in subsection (D)(3) of this section. If an application for renewal has been submitted and is deemed complete prior to the expiration date, the expiration of the permit will be stayed until final action on the renewal application. No application for renewal of a vacation rental permit shall be accepted more than 180 days before the expiration date. The Planning Director may approve extensions of permit expiration dates or application submittal dates based on demonstrated hardship to the applicant or for other good cause. Approval of a vacation rental permit does not legalize any nonpermitted use or structure. Vacation rental permits are subject to revocation as provided for in SCCC 18.10.136.

(1) Existing Vacation Rental. An initial permit shall be obtained. No public hearing shall be required and no notice of an application for a permit for an existing vacation rental shall be given. For an existing vacation rental to be considered a legal use the applicant shall provide the following to the Planning Department within 90 days, and not later than November 28, 2011, after the certification of the original vacation ordinance (Ordinance No. 5092) codified in this chapter by the California Coastal Commission:

(a) Completed application form.

(b) Plans, which do not need to be drawn by a professional, drawn to scale including the following:

(i) Plot plan showing location of all property lines, location of all existing buildings, and location of dimensioned on-site parking spaces.

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

(c) Nonrefundable application fee as established by the Board of Supervisors, but no greater than necessary to defray the cost incurred by the County in administering the provisions of this chapter.

(d) 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, children under 12 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-site parking in the vicinity, but will not have any exclusive use of on-street parking); noise, illegal behavior and disturbances, trash management (e.g., trash to be kept in covered containers only).

(e) Proof that a dwelling unit was being used as a vacation rental prior to April 5, 2011. Such proof may consist of, among other things, the following items:

(i) Documentation that the owner paid County of Santa Cruz transient occupancy tax for the use of the vacation rental; or

(ii) Documentation that there has been vacation rental use of the unit. This could include the following: the owner allowed transient guests to occupy the subject property in exchange for compensation and the applicant furnishes reliable information, including but not limited to records of occupancy and tax documents, guest reservation lists, and receipts, showing payment and dates of stay.

(f) Retroactive Payment of Transient Occupancy Tax. For those applicants who provide adequate documentation that a dwelling unit was used as a vacation rental prior to April 5, 2011, but where the owner has not registered and paid transient occupancy tax, proof of retroactive payment of the transient occupancy tax amount due to the County to the extent allowed by law for the time during which a dwelling unit was being used as a vacation rental shall be submitted.

(g) Number of People Allowed. The maximum number of guests allowed in an existing individual residential vacation rental shall not exceed two people per bedroom plus two 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.

(2) New Vacation Rental. Except as provided in SCCC 18.10.124(B), no public hearing shall be required and action on these applications shall be by the Planning Director or designee, with notice of the proposed action provided not less than 10 calendar days before issuance of the permit, pursuant to SCCC 18.10.222(B) and (C). Appeals of the proposed action on the application may be made by the

applicant or any member of the public. Pursuant to SCCC 18.10.124(B), the Planning Director may refer the application to the Zoning Administrator or Planning Commission for a public hearing.

(a) When a public hearing is required, notice of such a public hearing shall be provided not less than 10 calendar days before the public hearing, pursuant to SCCC 18.10.223.

(b) In the Live Oak Designated Area and the Seacliff/Aptos Designated Area, no new vacation rental shall be approved if parcels with permitted vacation rentals on the same block total 20 percent or more of the total parcels on that block that allow residential use, excluding those parcels in the Mobile Home Park Combining Zone District; except that in the following areas the percentage of parcels that may have vacation rentals is not limited: Pot Belly Beach Road; Las Olas Drive; those residentially zoned parcels in the Rio Del Mar flats consisting of parcels fronting on Stephen Road, Marina Avenue, and Venetian Road between its intersection with the Esplanade and Aptos Beach Drive to its intersection with Lake Court and Stephen Road; those parcels fronting on or gaining access from Cliff Court or fronting on or gaining access from Rio Del Mar Boulevard between its intersection with Aptos Beach Drive and Beach Drive to its intersection with Kingsbury Drive, Cliff Drive, and Beach Villa Lane; Beach Drive; and Via Gaviota. In addition, no more than 15 percent of all of the parcels that allow residential use in the Live Oak Designated Area and the Seacliff/Aptos Designated Area, excluding those parcels in the Mobile Home Park Combining Zone District, may contain vacation rentals. Notwithstanding these maximums, each block in the Live Oak Designated Area and the Seacliff/Aptos Designated Area that has parcels that allow residential use, excluding those parcels in the Mobile Home Park Combining Zone District, may have at least one vacation rental.

(c) Applicants for a permit for a new vacation rental shall provide the following to the Planning Department:

(i) Completed application form.

(ii) Nonrefundable application fee as established by the Board of Supervisors, but no greater than necessary to defray the cost incurred by the County in administering the provisions of this chapter, except that if the application requires a public hearing due to referral of the application to the Zoning Administrator or Planning Commission, then the application will be converted to an "at cost" application and the applicant will be billed for staff time associated with processing the application.

(iii) Plans, which do not need to be drawn by a professional, drawn to scale including the following:

A. Plot plan showing location of all property lines, location of all existing buildings, and location of dimensioned on-site parking spaces.

B. Floor plan showing all rooms with each room labeled as to room type.

(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, children under 12 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 use of on-street parking); noise, illegal behavior and disturbances, trash management (e.g., trash to be kept in covered containers only).

(v) Copy of a County of Santa Cruz transient occupancy registration certificate for the purpose of the operation of a vacation rental.

(vi) No new vacation rental use may be permitted in a dwelling unit having a common wall or walls with another dwelling unit or units after the effective date of this ordinance amending the

original vacation rental ordinance (Ordinance No. 5092), unless at the time of submission of the application the applicant provides a written agreement acceptable to the County and signed by all record owner(s) of the adjoining dwelling unit(s) stating that they are aware of the proposed vacation rental use and have no objection to issuance of a permit for such use. The agreement shall be binding on the parties thereto and their successors in interest for so long as the vacation rental permit for which the agreement was submitted, if issued, remains valid, and each party shall be responsible to inform its own successor(s) in interest in the unit of the agreement as part of the sale or transfer of the unit to such successor(s).

(d) Number of People Allowed. The maximum number of guests allowed in a new residential vacation rental shall not exceed two people per bedroom plus two 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.

(3) Renewal of Vacation Rental Permits in the Live Oak Designated Area and the Seacliff/Aptos Designated Area. In the Live Oak Designated Area and the Seacliff/Aptos Designated Area only, vacation rental permits must be renewed every five years. Beginning on the effective date of the establishment of the Seacliff/Aptos Designated Area, those vacation rental permits issued before that effective date for property in the Seacliff/Aptos Designated Area shall be limited to a term of five years from that effective date and application to renew the vacation rental permit must be made in accordance with the provisions of this section. An application to renew a permit for a vacation rental in the Live Oak Designated Area and the Seacliff/Aptos Designated Area shall be made no sooner than 180 days before expiration of the existing permit. It is the intention of the County of Santa Cruz that there is a presumption that an application for renewal of a vacation rental permit will be approved. Determination that the application is complete shall stay the expiration of the existing permit until final action is taken on the renewal application. Except as provided in SCCC 18.10.124(B), no public hearing shall be required and action on permit renewal applications shall be by the Planning Director or designee, with notice of the proposed action provided not less than 10 calendar days before issuance or denial of the permit, pursuant to SCCC 18.10.222(B) and (C). Appeals of the proposed action on the renewal application may be made by the applicant or any member of the public.

(a) If a public hearing is required, the Planning Director shall schedule the public hearing before either the Zoning Administrator or the Planning Commission, at the Planning Director's discretion. Notice of such a public hearing shall be provided not less than 10 calendar days before the public hearing, pursuant to SCCC 18.10.223.

(b) Applicants for renewal of a permit for a vacation rental in the Live Oak Designated Area and the Seacliff/Aptos Designated Area shall provide the following to the Planning Department:

(i) Completed application form.

(ii) Nonrefundable application fee as established by the Board of Supervisors, but no greater than necessary to defray the cost incurred by the County in administering the provisions of this chapter, except that if the application requires a public hearing due to referral of the application to the Zoning Administrator or Planning Commission, then the application will be converted to an "at cost" application and the applicant will be billed for staff time associated with processing the application.

(iii) Proof of payment of transient occupancy tax for the use of the dwelling as a vacation rental and a summary of the dates the unit was used as a vacation rental between the time of issuance of the existing permit and the date of application for the renewal. Renewal applications must show significant rental use of the unit for two of the previous five years.

(iv) A photograph of the sign installed on the parcel as required by the existing permit.

(c) Although the renewal process includes a staff review of County records and other pertinent information specific to complaints, if any, that have been received about the particular vacation

rental, it is the intention of the County of Santa Cruz that there is a presumption that an application for renewal of a vacation rental permit will be approved. 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).

(4) Expansion of Permitted Vacation Rental. In addition to any other permits required for a proposal to expand the square footage of a permitted vacation rental structure by an amount equal to or more than 50 percent or to increase the existing number of bedrooms by demolition or remodeling, an amendment to the permitted vacation rental permit in accordance with SCCC 18.10.134 shall be required. The amendment application shall include a photograph of the sign installed on the parcel as required by the permitted vacation rental permit. Based on development and site standards for the applicable zone district, the amendment may allow a greater intensity of use than that allowed by the existing permit or may be conditioned such that the vacation rental use not exceed that authorized by the existing permit.

(E) Local Contact Person. All vacation rentals shall designate a contact person within a 30-mile radius of the vacation rental. The contact person shall be available 24 hours a day to respond to tenant and neighborhood questions or concerns. A property owner who lives within a 30-mile radius of the vacation rental may designate himself or herself as the local contact person.

The name, address, and telephone number(s) of the local contact person shall be submitted to the Planning Department, the local Sheriff Substation, the main County Sheriff's Office, and the local fire agency, and supplied to the property owners of all properties located within a 300-foot radius of the boundaries of the parcel on which the vacation rental is located. For all vacation rental permit applications, including applications for renewal and amendment, submitted after the effective date of this ordinance amending the original vacation rental ordinance (Ordinance No. 5092) contact information shall also be submitted to the Auditor-Controller-Treasurer-Tax Collector. Proof of mailing contact information to all of the above shall be submitted to the Planning Department within 30 days of permit approval, amendment, or renewal. The name, address and telephone number(s) of the local contact person shall be permanently posted in the rental unit in a prominent location(s). Any change in the local contact person's address or telephone number shall be promptly furnished to the agencies and neighboring property owners as specified in this subsection.

(F) Signs. All vacation rentals 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, which shall be placed no more than 20 feet back from the nearest street. The sign may be of any shape, but may not exceed 216 square inches. There is no minimum sign size so long as the information on the sign is legible from the nearest street. A sign required by this subsection shall be continuously maintained while the dwelling is rented.

(G) Posting of Rules. Vacation rental 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: number of guests allowed (two/bedroom plus two, children under 12 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 use of on-street parking), noise, illegal behavior and disturbances, trash management (e.g., trash to be kept in covered containers only).

(H) Noise. All residential vacation rentals shall comply with the standards of Chapter 8.30 SCCC, Noise, and 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) Transient Occupancy Tax. Each residential vacation rental owner shall meet the regulations and standards set forth in Chapter 4.24 SCCC, including any required payment of transient occupancy tax for each residential vacation rental unit.

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

(K) Violation. It is unlawful for any person to use or allow the use of property in violation of the provisions of this section. The penalties for violation of this section are set forth in Chapter 19.01 SCCC, Enforcement of Land Use Regulations. 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, but is not limited to, copies of citations, written warnings, or other documentation filed by law enforcement; copies of homeowner association warnings, reprimands, or other association actions; a permit holder providing false or misleading information on an application or renewal application; evidence of violations of State or County health regulations; evidence that a permit holder is delinquent in payment of transient occupancy taxes, fines, or penalties; evidence of non-responsive management or that appropriate signage has not been maintained in compliance with this section; verified neighbor complaints of noise or other disturbances; or other documents which substantiate allegations of significant violations. In the event a permit is revoked based upon a review under this section, no application by the person or entity from whom the permit was revoked shall be filed for a vacation rental permit on the same parcel within two years after the date of revocation, without prior consent of the Board of Supervisors.

(L) It is unlawful to make a false report to the Sheriff's Office regarding activities associated with vacation rentals. [Ord. 5198 § 1, 2015; Ord. 5092 § 6, 2011].

### SHORT TERM RENTAL AGREEMENT

This Short Term Rental Agreement (the "Agreement") is made by and between \_\_\_\_\_ ("Homeowner") and \_\_\_\_\_ ("Guest") as of the date last set forth on the signature page of this Agreement. For good and valuable consideration, the sufficiency of which is acknowledged, the parties hereby agree as follows:

1. Property: The property is located at:

\_\_\_\_\_  
The property is furnished and includes \_\_\_\_\_  
[list appliances and other provided items like linens, towels, etc.]

2. Rental Party: The rental party shall consist of Guest and the following persons:

3. Maximum Occupancy: The maximum number of guests is limited to 8 persons.

4. Term of the Lease: The lease begins at \_\_\_\_\_ p.m. on \_\_\_\_\_ (the "Check-in Date") and ends at \_\_\_\_\_ a.m. on \_\_\_\_\_ (the "Checkout Date").

5. Minimum Stay: This property requires a 3 night minimum stay. Longer minimum stays may be required during holiday periods. If a rental is taken for less than 3 days, the guest will be charged the nightly rate.

6. Rental Rules: Guest agrees to abide by the **Rental Rules** attached as **Exhibit A** at all times while at the property and shall cause all members of the rental party and anyone else Guest permits on the property to abide by the following rules at all times while at the property.

7. Access: Guest shall allow Homeowner access to the property for purposes of repair and inspection. Homeowner shall exercise this right of access in a reasonable manner.

8. Rental Rate and Fees

- a. Deposit: A deposit of \$ \_\_\_\_\_ is due at least \_\_\_\_\_ days prior to the Check-In Date.

*Option A:* The deposit is for security and shall be refunded within \_\_\_\_\_ days of the Checkout Date provided no deductions are made due to:

- i. damage to the property or furnishings;
- ii. dirt or other mess requiring excessive cleaning; or
- iii. any other cost incurred by Homeowner due to Guest's stay.

*Option B:* The deposit is non-refundable and applied toward the rental fees.

***If the premises appear dirty or damaged upon Check-in, Guest shall inform Homeowner immediately.***

- b. Rental Rate. Payment in full of the following fees shall be due within \_\_\_\_\_ days of the Check-in Date:

|  |             |
|--|-------------|
| \$ _____ per night x _____ nights = \$ _____ |             |
| Cleaning fee                                 | \$ _____    |
| Sales Tax                                    | \$ _____    |
| Less deposit                                 | \$( _____ ) |
| TOTAL Due                                    | \$ _____    |

9. Cancellation Policy: If Guest wishes to cancel his/her reservation, the deposit will be refunded as follows:

\_\_\_\_\_ % if cancelled \_\_\_\_\_ days prior to the Check-in Date  
 \_\_\_\_\_ % if cancelled \_\_\_\_\_ days prior to the Check-in Date

10. Insurance: We encourage all renters to purchase traveler insurance. Below are some references you may contact to purchase such insurance:

Lease Agreement

11. Payment: Acceptable payment methods are cash or credit card. If you wish to use a credit card, please provide the following information.

Name on credit card: \_\_\_\_\_ Type: \_\_\_\_\_

Credit card billing  
address: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Credit Card Number \_\_\_\_\_

Exp date \_\_\_\_\_ CVV (Security) Code \_\_\_\_\_

By my signature below, I hereby give permission to charge my credit card for the amounts above. I agree that all rental monies are non-refundable per cancellation policy above. I have read my rights to purchase travel insurance.

The parties agree to the terms of this Short Term Rental Agreement, as evidenced by the signatures set forth below.

Homeowner

Guest:

*(electronic or manual signature)*

Name (print) \_\_\_\_\_

Name (print): \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Phone # (during stay): \_\_\_\_\_

Phone # (during stay): \_\_\_\_\_

## RENTAL RULES

*[Rents are applicable for your property]*

1. Smoking is NOT allowed. *OR* Smoking is allowed outside only.
2. People other than those in the Guest party set forth above may not stay overnight in the property. Any other person in the property is the sole responsibility of Guest. Guests are not allowed to exceed the occupancy limit agreed to above.
3. Guests should not create excessive noise at a level that disturbs neighbors; Code-enforced neighborhood quiet hours are from 10:00p.m. – 8:00a.m.
4. The maximum number of people that are allowed for celebrations or gatherings between 8am and 10pm are **16**
5. Trash should be put in the provided bins with the covers closed
6. No illegal behavior
7. All of the units are privately owned; the owners are not responsible for any accidents, injuries or illness that occurs while on the premises or its facilities. The Homeowners are not responsible for the loss of personal belongings or valuables of the guest. By accepting this reservation, it is agreed that all guests are expressly assuming the risk of any harm arising from their use of the premises or others whom they invite to use the premise.
8. Keep the property and all furnishings in good order
9. Only use appliances for their intended uses
10. Pets are NOT allowed. *OR* PETS are permitted only with prior approval and the *Pet Addendum* must be completed.
11. Parking:  
PARKING – Parking is limited to 4 vehicle(s). Vehicles are to be parked in designated parking areas only. Parking on the road is not permitted. Any illegally parked cars are subject to towing; applicable fines/towing fees are the sole responsibility of the vehicle owner.
12. Housekeeping: There is no daily housekeeping service. While linens and bath towels are included in the unit, daily maid service is not included in the rental rate. We suggest you bring beach towels. We do not permit towels or linens to be taken from the units.
13. Garbage: Any garbage must be stowed in the proper garbage or recycling receptacle, located at the side of the house.
14. Hot Tub: [No children under the age of 8 permitted in hot tubs at any time] [without adult supervision]. When using the hot tub, remember there is a certain health risk

*Lease Agreement*

associated with this facility. Use at your own risk. Our housekeepers drain, sanitize, refill and replenish chemicals in all tubs prior to your arrival; therefore, it may not be warm until later that evening. [DO NOT STAND ON THE HOT TUB COVERS. Hot tub covers are for insulation purposes and are not designed to support a person or persons. They will break and you may be charged for replacement.] Remember when not using the hot tub, leave cover on so hot tub will stay warm.

LETTER TO PLANNER: LEZANNE JEFFS 3/8/2017

Application #161438 Vacation Rental 750 36th.

Barbara Holman <rogerholman@aatt.net>

Today at 4:48 PM

To Lezanne Jeffs

As a close neighbor to the applicant I oppose his commercialization of our residential neighborhood with this application to have a full time vacation rental. Our area of Pleasures Point has already been adversely impacted by the last zoning change that allowed a high traffic business to operate as the Cat & Cloud coffee shop at the intersection of 36th ave and Portola. Since Dr Keets parcel adjoins the business there is no longer any available parking for anyone within a block and a half, this should preclude any potential off street parking the applicant would be relying on for his requirements. Our once passable neighborhood is now a scene of weekly road rage and parking rage as the overflow from the coffee shop peaks between 11am and 2pm. The CHP are called upon once a week to clear the intersection and ticket illegally parked cars at 36th and Yucca. The Pleasures Point Neighborhood does not need another absentee landlord who leaves us with congestion and transient renters as they relocate to a more tranquil location. Dr Keets should be in a position to rent his property out in a more responsible yearly time frame leaving us with a neighbor who will be concerned about the future of Pleasures Point and not a landlord who is maximizing his real estate gains. The lead planner for this application should make a site visit at between 11am and 1pm then certify that this location can handle transient parking and the dangerous exit on to Portola is passable for disoriented new transient renters.

SINCERELY, Roger & Barbara Holman  
700-36th AVE.  
SANTA CRUZ, CA. 95062

Opposition to vacation rental application at 750 36th Ave, Santa Cruz, Ca.

We the petition signers below oppose Dr. Kevin Keets application (161438) to operate a new 3-bedroom vacation rental at 750 36th Avenue, Santa Cruz, Ca 95062. The reasons for the opposition are as follows:

- 1) Increased traffic and off site parking will make the already congested intersection and coffee shop parking lot hazardous to public safety.
- 2) With the Possibility of accommodating over 8 adults overnight and having 16 adults total for daylong parties, the neighborhood cannot handle the parking or the partying.
- 3) There have been several traffic accidents related to the congested Cat & Cloud parking lot which adjoins this property. More new tenants on a continuous basis will add to the pedestrian danger that we have already been burdened with.

| DATE | Name              | Address                        | Contact Info            |
|------|-------------------|--------------------------------|-------------------------|
| 3/19 | Bethy Bullair     | 711 36 <sup>th</sup> Ave       | Parking + too many cars |
| 3/19 | Louette Schroeder | 711 37 <sup>th</sup> Ave       | Santa Cruz, CA          |
| 3/19 | John Schroeder    | 711 37 <sup>th</sup> Ave       | Santa Cruz CA           |
| 3/19 | Lauren Hicks      | 690 36 <sup>th</sup> Ave       | Santa Cruz, CA          |
| 3/19 | Debra Bill        | 680-36th Ave                   | Santa Cruz CA           |
| 3/19 | Brynn Gault       | 676 36 <sup>th</sup> Ave       | Santa Cruz, CA          |
| 3/19 | Dustin Hoaglen    | 700 Block 36 <sup>th</sup> Ave | Santa Cruz, CA          |

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| DATE      | Name   | Address                                       | Contact Info           |
|-----------|--|---|------------------------|
| 3/17/2017 | ROGER HOLMAN<br><del>Roger Holman</del>          | 700-36 <sup>th</sup> Ave, S.C.                | rogerholman@aft.net    |
| 3/18/17   | BROCKE HOWELL<br><del>Brock Howell</del>         | 725 36 <sup>th</sup> Ave.                     | b-lawrence33@yahoo.com |
| 3/18/17   | Michelle Spence<br>Michelle Spence<br>Marc Duxet | 687 36 <sup>th</sup> Ave                      | mtz99@aol.com          |
| 3/18/2017 | Lyn Hood   | 675 36 <sup>th</sup> Ave Santa Cruz,<br>95062 | Lyn@cabrillo.edu       |
| 3/18/2017 | LENAE FAWCETT<br>LENAE FAWCETT                   | 701 36 <sup>th</sup> AVE SANTA CRUZ 95062     | lenae@awcett@gmail.ca  |
| 3/18/2017 | Brandy Curtis                                    | 3505 Yucca Drive, Santa Cruz CA 95062         | bcurtis93@yahoo.co     |

Hi Neighbor!

3-19-17

It's Kevin from a few houses down (750 36th). I was just making my rounds with the neighbors to talk about our plans for the coming year but I heard I'm a bit late. I should have come by earlier to talk to you about it and I'm sorry you had to hear about our vacation permit application through the mail. We are hoping/planning on taking next year off from our work (and kids school) to travel the world. We are both a bit burnt out from our jobs and the girls seem like the perfect ages so we just decided to do it. As you can imagine we are super excited, but in the excitement I got behind on talking with all of our neighbors about the plans. We are planning on renting our house as a weekly rental during the summer and hopefully find a longer term tenant for rest of the year. I'm hoping the people that rent will be families that add to the neighborhood vibe - we are very selective and have specified no large groups, events, parties, etc. Max occupancy is 8 people, minimum stay is a week, there are limits to # of cars, and there are quiet hours. I know it is still not ideal, but I'm hoping it will not have a big impact on the neighborhood. After the year of travel we will be returning home with no plans on moving (in fact, my wife's parents are moving in to a house they bought on 35th so we are here for the long haul).

Lastly, I want you to know that I totally understand your opposition to the Vacation Rental Permit - I probably would too if I were in your shoes - and that I have no hard feelings. Sorry I missed you this time and I hope we can chat in person sometime soon.

-Kevin (and Meredith and Harper and Alida)

Opposition to vacation rental application at 750 36th Ave, Santa Cruz, Ca.

We the petition signers below oppose Dr. Kevin Keets application (161438) to operate a new 3-bedroom vacation rental at 750 36th Avenue, Santa Cruz, Ca 95062. The reasons for the opposition are as follows:

- 1) Increased traffic and off site parking will make the already congested intersection and coffee shop parking lot hazardous to public safety.
- 2) With the possibility of accommodating over 8 adults overnight and having 16 adults total for daylong parties, the neighborhood cannot handle the parking or the partying.
- 3) There have been several traffic accidents related to the congested Cat & Cloud parking lot which adjoins this property. More new tenants on a continuous basis will add to the pedestrian danger that we have already been burdened with.

DATE      Name      Address      Contact Info

----- 722 36th Ave -----  
 Pat M<sup>c</sup>Cray ----- 831 477 8800 -----

3/21/17 Shane Miner 3515 Yucca Dr. 831 - 915 - 7015

3/21/17 Angela Miner 3515 Yucca Dr. 831-915-7015

3/21/17 Vicki Scarborough 690 34<sup>th</sup> Ave. 831 465-1067

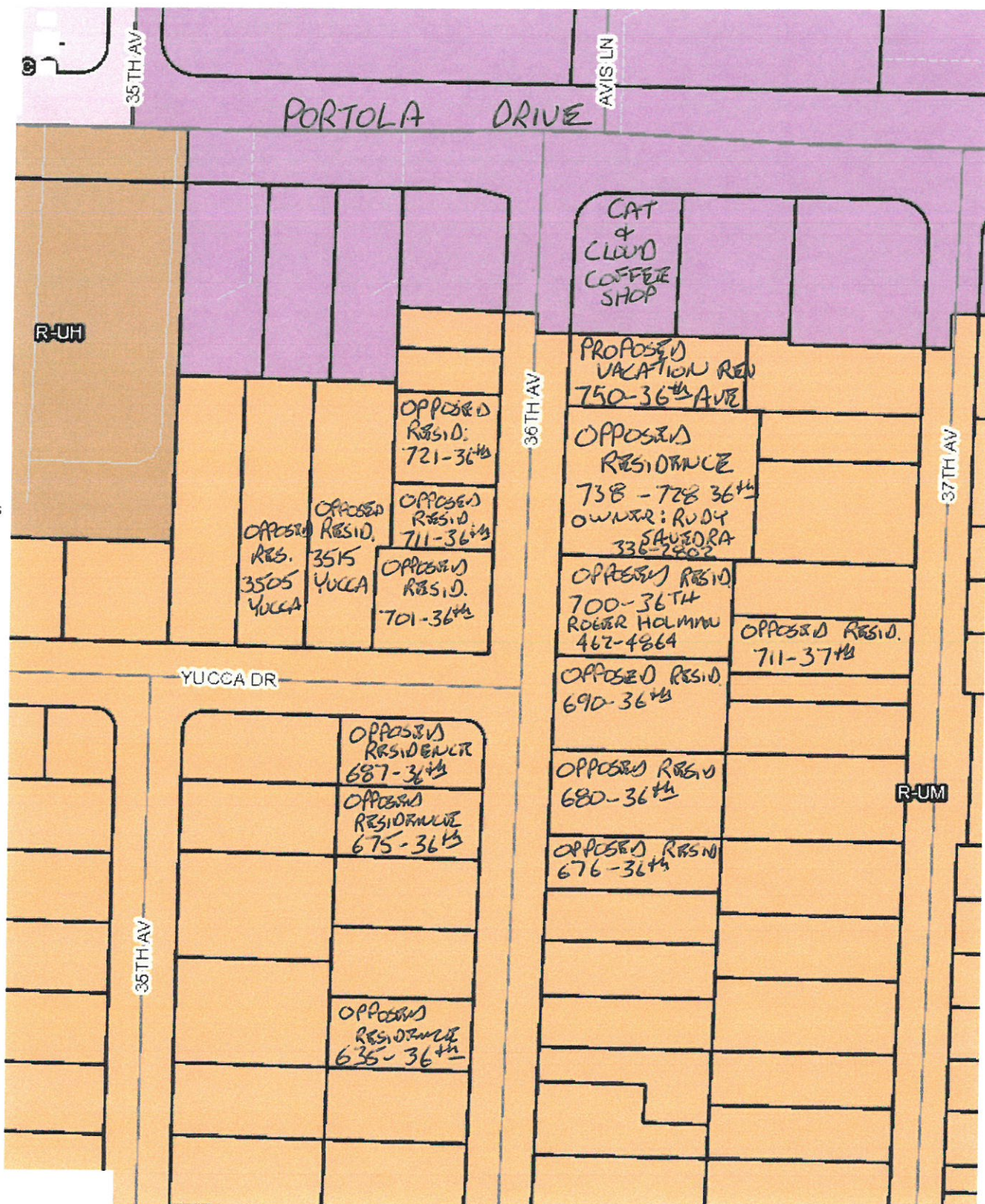
3/21/17 Norwood Schutzberger 591 34<sup>th</sup> Ave 562.585.1520

3/21/17 Pauline Schutzberger 591 34<sup>th</sup> Ave 310.710.9427

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Search    Select    Draw    Tools    **Print**    Base Map    2007 Image    Terrain 2003  
 Format    Choose Page Layout    Legend    Scalebar    Image    USGS QUADS    None  
 PDF    Letter (11x8.5) Landscape    Yes    Feet    750-36th ave

Reports



## Lezanne Jeffs

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**From:** Lezanne Jeffs  
**Sent:** Friday, March 24, 2017 3:40 PM  
**To:** 'kevinkeet@gmail.com'  
**Subject:** Vacation Rental application 161438

Dear Kevin,

It was nice talking to you on the telephone today. This e-mail is to confirm that during the public notification period of your application, I received correspondence from neighbors, setting out their concerns and opposition to your proposed Vacation Rental permit. As a result it has been determined that before a decision can be made regarding your project, a public hearing is required. Therefore, before your application can proceed, additional fees must be submitted to cover the higher level of review.

If you wish to proceed, please notify me of this decision in writing and send a check in the amount of \$2,500.00 to the address below. Checks should be made out to the "County of Santa Cruz". This money will be used as a deposit to cover the additional staff time necessary for the public hearing. Any unused funds will be refunded to you once your application has been finalized.

If you decide to proceed with the application, the next phase will be the preparation of a staff report with recommendations to the Zoning Administrator and the scheduling of a public hearing. If additional materials or information are necessary to prepare the staff report, Planning Department staff will contact you. You will receive notice of the public hearing and a copy of the staff report prior to the hearing date. At the public hearing you will have the opportunity to discuss your project with the decision-making body, and a decision will be made. Possible outcomes of the public hearing include: approval (with conditions), denial, or continuance (with specific reasons for continuance; or requests for additional information) of your proposed project. Decisions of the Zoning Administrator can be appealed to the Planning Commission, and decisions of the Planning Commission can be appealed to the Board of Supervisors.

Alternatively, you may withdraw the application. If you wish to withdraw the application, please notify me in writing.

Regards,

*Lezanne*

**Lezanne Jeffs**  
Planning Department  
701 Ocean Street, 4<sup>th</sup> Floor  
Santa Cruz, CA 95060

Tel: (831) 454 2480  
lezanne.jeffs@santacruzcounty.us

## Lezanne Jeffs

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**From:** Lezanne Jeffs  
**Sent:** Thursday, March 16, 2017 3:16 PM  
**To:** 'Barbara Holman'  
**Subject:** RE: Application # 161438 Vacation rental 750 - 36th ave

Hi Barbara,

There is no specific format for submitting information regarding your opposition to this application. At the end of the neighborhood notification period that ends at 5:00pm on March 22, 2017, I will assess all correspondence that has been submitted regarding this application. If significant opposition/justification for a higher level of review has been submitted the application will be revised to require a public hearing in front of the zoning administrator. If a public hearing is scheduled you will then have the opportunity to discuss your concerns directly with the decision maker.

Best,

*Lezanne*

**Lezanne Jeffs**  
Senior Planner  
Development Review  
Tel:(831) 454 2480  
lezanne.jeffs@santacruzcounty.us

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**From:** Barbara Holman [mailto:rogerholman@att.net]  
**Sent:** Thursday, March 16, 2017 11:05 AM  
**To:** Lezanne Jeffs <Lezanne.Jeffs@santacruzcounty.us>  
**Subject:** Re: Application # 161438 Vacation rental 750 - 36th ave

Thanks for all the informational support Lezanne. I have had a good response talking with my neighbors and I would now like to go door to door with a petition opposing the vacation rental(application 161438) next door to a parking lot that has had so many accidents in the last 4 months. Is there a planning dept format of this type of petition? Can you get a traffic accident report from the local highway patrol office concerning the one block area 36th ave, Portola to Yucca, they will not release these to me without being a party to the accidents! I sent you a rough draft but forgot to sign off and leave contact information, I will send another after my petition efforts. Thanks, Roger and Barbara Holman 700-36th Ave,Santa Cruz,Ca.95062

On Wednesday, March 8, 2017 10:09 AM, Lezanne Jeffs <[Lezanne.Jeffs@santacruzcounty.us](mailto:Lezanne.Jeffs@santacruzcounty.us)> wrote:

Barbara,

Further information that you may find useful:

Approved Vacation Rental Permits are mapped on the County GIS mapping system. Go to [www.sccoplanning.com](http://www.sccoplanning.com) >>Mapping and GIS >> search for the parcel/street (by APN, address, street) >> open

the legend on the left side using the triangle tab >> open the Parcel Related legend (+) >> check the "Vacation Rentals Permitted" box .... All approved rentals will be mapped green.

If you wish to check for other pending applications you may use the RED information (i) tool to click on each parcel in a block. Permit information can then be obtained by clicking the underlined Permit Data link that is available in the parcel specific information that comes up at the bottom of the screen.

Regards,

**Lezanne**

**Lezanne Jeffs**

Senior Planner

Development Review

Tel: (831) 454 2480

[lezanne.jeffs@santacruzcounty.us](mailto:lezanne.jeffs@santacruzcounty.us)

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**From:** Barbara Holman [<mailto:rogerholman@att.net>]  
**Sent:** Wednesday, March 08, 2017 6:41 AM  
**To:** Lezanne Jeffs <[Lezanne.Jeffs@santacruzcounty.us](mailto:Lezanne.Jeffs@santacruzcounty.us)>  
**Subject:** Application # 161438 Vacation rental 750 - 36th ave

Dear Lezanne: I am a close neighbor to the proposed vacation rental and am composing my opposition letter. I need the following questions answered 1. Is this a zoning change ;2, Is a traffic study required for this approval; 3.What conditions would block this approval ;4. How many vacation rentals are allowed per block or per neighborhood. Thank You , Roger Holman([rogerholman@att.net](mailto:rogerholman@att.net))

## Lezanne Jeffs

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**From:** Barbara Holman <rogerholman@att.net>  
**Sent:** Wednesday, March 08, 2017 4:48 PM  
**To:** Lezanne Jeffs  
**Subject:** Application #161438 Vacation Rental 750 36th ave

As a close neighbor to the applicant I oppose his commercialization of our residential neighborhood with this application to have a full time vacation rental. Our area of Pleasures Point has already been adversely impacted by the last zoning change that allowed a high traffic business to operate as the Cat & Cloud coffee shop at the intersection of 36th ave and Portola. Since Dr Keets parcel adjoins the business there is no longer any available parking for anyone within a block and a half, this should preclude any potential off street parking the applicant would be relying on for his requirements. Our once passable neighborhood is now a scene of weekly road rage and parking rage as the overflow from the coffee shop peaks between 11am and 2pm. The CHP are called upon once a week to clear the intersection and ticket illegally parked cars at 36th and Yucca. The Pleasures Point Neighborhood does not need another absentee landlord who leaves us with congestion and transient renters as they relocate to a more tranquil location. Dr Keets should be in a position to rent his property out in a more responsible yearly time frame leaving us with a neighbor who will be concerned about the future of Pleasures Point and not a landlord who is maximizing his real estate gains. The lead planner for this application should make a site visit at between 11am and 1pm then certify that this location can handle transient parking and the dangerous exit on to Portola is passable for disoriented new transient renters.

## Lezanne Jeffs

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**From:** Lezanne Jeffs  
**Sent:** Wednesday, March 08, 2017 10:10 AM  
**To:** 'Barbara Holman'  
**Subject:** RE: Application # 161438 Vacation rental 750 - 36th ave

Barbara,

Further information that you may find useful:

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Regards,

*Lezanne*

**Lezanne Jeffs**  
Senior Planner  
Development Review  
Tel:(831) 454 2480  
[lezanne.jeffs@santacruzcounty.us](mailto:lezanne.jeffs@santacruzcounty.us)

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**From:** Barbara Holman [<mailto:rogerholman@att.net>]  
**Sent:** Wednesday, March 08, 2017 6:41 AM  
**To:** Lezanne Jeffs <[Lezanne.Jeffs@santacruzcounty.us](mailto:Lezanne.Jeffs@santacruzcounty.us)>  
**Subject:** Application # 161438 Vacation rental 750 - 36th ave

Dear Lezanne: I am a close neighbor to the proposed vacation rental and am composing my opposition letter. I need the following questions answered 1. Is this a zoning change ;2, Is a traffic study required for this approval; 3.What conditions would block this approval ;4. How many vacation rentals are allowed per block or per neighborhood. Thank You , Roger Holman([rogerholman@att.net](mailto:rogerholman@att.net))

## Lezanne Jeffs

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**From:** Lezanne Jeffs  
**Sent:** Wednesday, March 08, 2017 10:01 AM  
**To:** 'Barbara Holman'  
**Subject:** RE: Application # 161438 Vacation rental 750 - 36th ave  
**Attachments:** Vacation Rentals.docx; level IV Appeals.docx

Dear Barbara,

In answer to your questions:

1. No, a Vacation Rental does not require a zoning change for this property. Vacation Rentals are an allowed use in a residential zone district subject to the County Vacations Rentals Ordinance (attached).
2. No, a traffic study is not required.
3. Please refer to the attached ordinance regarding requirements for vacation rentals. Please also see the attached information regarding appeals.
4. This parcel is within the Live Oak Designated Area (LODA) and therefore the maximum number of vacation rentals that may be approved is 20% of the parcels on that block.

I hope that this information is helpful.

Regards,

*Lezanne*

**Lezanne Jeffs**  
Senior Planner  
Development Review  
Tel:(831) 454 2480  
lezanne.jeffs@santacruzcounty.us

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**From:** Barbara Holman [mailto:rogerholman@att.net]  
**Sent:** Wednesday, March 08, 2017 6:41 AM  
**To:** Lezanne Jeffs <Lezanne.Jeffs@santacruzcounty.us>  
**Subject:** Application # 161438 Vacation rental 750 - 36th ave

Dear Lezanne: I am a close neighbor to the proposed vacation rental and am composing my opposition letter. I need the following questions answered 1. Is this a zoning change ;2, Is a traffic study required for this approval; 3.What conditions would block this approval ;4. How many vacation rentals are allowed per block or per neighborhood. Thank You , Roger Holman([rogerholman@att.net](mailto:rogerholman@att.net))