



Staff Report to the Zoning Administrator

Application Number: **181480**

Applicant: Randy Maldonado - Cheshire-Rio Realty
Owner: Cindy Swanson
APN: 043-095-26
Site Address: 353 Beach Drive

Agenda Date: November 16, 2018
Agenda Item #: 3
Time: After 9:00 a.m.

Project Description: Proposal to operate a new four bedroom vacation rental. Requires a Vacation Rental Permit.

Location: Property located on the north side of Beach Drive (353 Beach Drive, Aptos).

Supervisory District: Second District (District Supervisor: Friend)

Permits Required: Vacation Rental Permit

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application No. 181480, based on the attached findings and conditions.

Exhibits

- | | |
|---|---|
| A. Categorical Exemption (CEQA determination) | E. Vacation Rental Application & Agreement |
| B. Findings | F. Transient Occupancy Tax Registration Form |
| C. Conditions | G. Assessor's, Location, Zoning and General Plan Maps |
| D. Project plans | |

Parcel Information

Parcel Size:	4,892 square feet
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential
Project Access:	Beach Drive
Planning Area:	Aptos
Land Use Designation:	R-UL (Urban Low Density Residential)

Zone District: R-1-6 (Single-Family Residential - 6,000 square feet minimum)
Coastal Zone: X Inside Outside
Appealable to Calif. Coastal Comm. Yes X No

Environmental Information

Geologic Hazards: FEMA Flood Zone VE, Tsunami Hazard Zone
Soils: Beach Sand
Fire Hazard: Not a mapped constraint
Slopes: Varies. 0% to approximately 80%
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Mapped in scenic resource area
Drainage: No change to existing drainage
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: X Inside Outside
Water Supply: Soquel Creek Water District
Sewage Disposal: Santa Cruz Sanitation District
Fire District: Aptos / La Selva Fire
Drainage District: Flood Control District Zone 6

Project Setting/Analysis

The project site is located at 353 Beach Drive, on the north side of Beach Drive, approximately 1,740 feet from the intersection with Rio Del Mar Boulevard. The neighborhood is comprised of mainly two to three story single family residences consisting of a mix of architectural styles.

The subject property is developed with an existing three story single family residence constructed in 1948 containing four bedrooms and three bathrooms.

This is a proposal to operate a vacation rental in an existing four bedroom dwelling. The property is located within the Seacliff/Aptos Designated Area (SADA), which does not limit the number of vacation rentals on a residential block. All vacation rentals within the SADA expire five years from the date of issuance. As indicated in SCCC 13.10.694(D)(2), a public hearing is required for vacation rentals consisting of four or more bedrooms.

Cheshire-Rio Realty has been designated as the 24-hour contact for the proposed vacation rental. Cheshire-Rio Realty has a long history of managing vacation rentals in the County of Santa Cruz and is located nearby the site in Aptos.

The provided parking will meet the requirements of SCCC 13.10.694(D)(2). Pursuant to this Code Section, parking for vacation rentals is limited to the number of on-site parking spaces, plus two additional on-street spaces. One parking space will be provided on-site, and two parking spaces would be provided in the vicinity of the subject property along Beach Drive (but will not have any exclusive or assigned use of on-street parking).

Zoning & General Plan Consistency

The subject property is a parcel of approximately 4,892 square feet, located in the R-1-6 (Single-Family Residential - 6,000 square feet minimum) zone district, a designation which allows vacation rental uses. The proposed vacation rental is a principal permitted use within the zone district and the zoning is consistent with the site's R-UL (Urban Low Density Residential) General Plan designation.

Conclusion

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

Staff Recommendation

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **181480**, based on the attached findings and conditions.

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

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

Report Prepared By: Jonathan DiSalvo
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3157
E-mail: jonathan.disalvo@santacruzcounty.us

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

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

Application Number: 181480

Assessor Parcel Number: 043-095-26

Project Location: 353 Beach Drive

Project Description: Proposal to operate a new four bedroom Vacation Rental. Requires a Vacation Rental Permit.

Person or Agency Proposing Project: Randy Maldonado - Cheshire-Rio Realty

Contact Phone Number: (831) 688-2041

- 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 - Existing Facilities (Section 15301)

F. Reasons why the project is exempt:

Class 1 - Existing Facilities: Operation of a residential vacation rental within an existing single family dwelling in an area designated for residential uses.

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

Jonathan DiSalvo, Project Planner

Date: _____

EXHIBIT A

Development Permit Findings

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

This finding can be made in that the proposed vacation rental will be located in an existing four bedroom residential structure consistent with County Code Section 13.10. 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. The property owner has provided the required "Vacation Rental Safety Certification" to verify compliance with these standards. In addition, the vacation rental standards address noise, occupancy, and parking to ensure that there are no detrimental effects of the vacation rental to properties in the vicinity.

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 proposed location of the vacation rental and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-6 (Single-Family Residential - 6,000 square feet minimum) zone district which allows for vacation rentals within residential structures, meeting 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 vacation rental use is consistent with the use requirements specified for the Urban Low Residential land use designation in the County General Plan as it is a permitted use within the R-1-6 zone district, an implementing zone district of the Urban Low Residential land use designation. Additionally, the vacation rental would be conditioned to operate in compliance with the vacation rental ordinance, which implements the standards contained in the Noise Element of the General Plan.

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

This finding can be made, in that the proposed vacation 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. 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 project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the 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.

Conditions of Approval

Exhibit D: Project plans, 2 sheets, prepared by Amber Cortes, dated 9/10/18.

- I. This permit authorizes the operation of a vacation rental. 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.
- 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 Certification form (Exhibit E).
 - B. The maximum, overnight occupancy of the vacation rental shall not exceed 10 people (2 per bedroom, plus 2 additional people, children under 8 not counted).
 - C. The maximum number of vehicles associated with the overnight occupants shall not exceed 3 (number of on-site parking spaces, plus 2 additional on-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 20 people (twice the number of overnight occupants, children under 8 not counted).
 - E. Occupants and guests shall adhere to the noise standards contained in the County Noise Ordinance (County Code Chapter 8.30). 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.
 - F. 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).
 - G. Fireworks are illegal in Santa Cruz County and prohibited at the vacation rental.

- H. 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.
 - I. 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.
 - J. 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.
 - K. 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.
 - L. Permits for vacation rentals located in the Live Oak Designated Area (LODA) and the Seacliff Aptos Designated Area (SADA), and Davenport Swanton Designated Area (DASDA) 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. Vacation rental permits in the LODA, SADA, and DASDA are non-transferable and become void when a property transfer triggers reassessment.
- 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.

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 to renew this approval is submitted prior to the expiration date.

Approval Date: _____

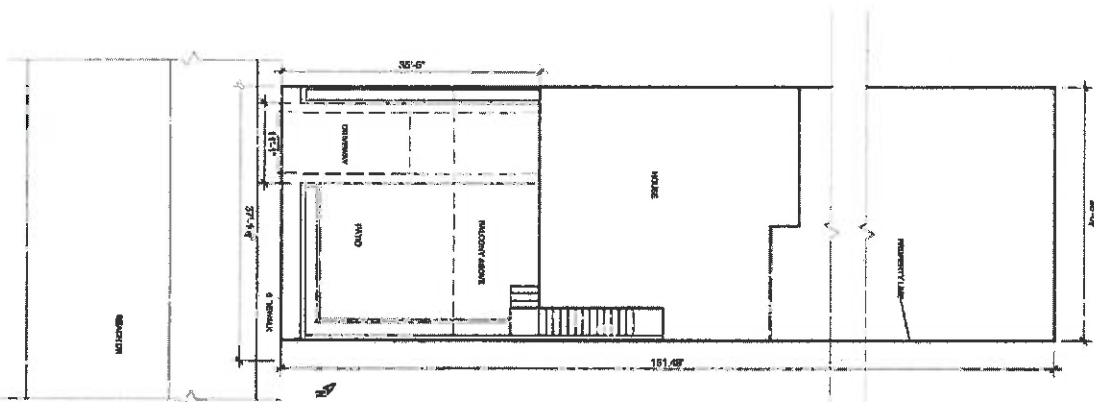
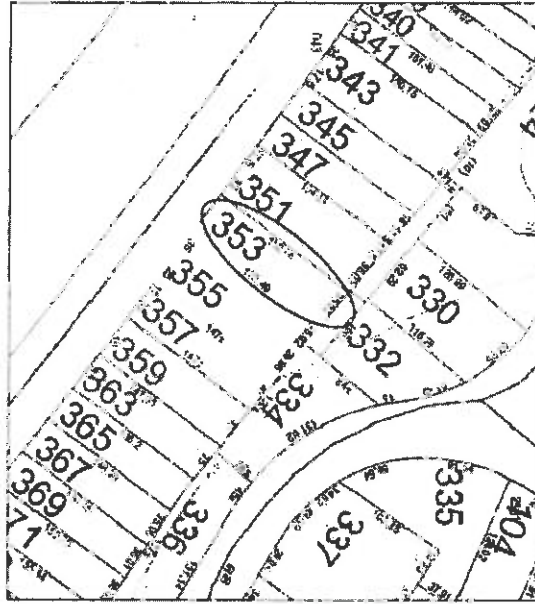
Effective Date: _____

Expiration Date: _____

Steven Guiney, AICP
Deputy Zoning Administrator

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.

ASSESSORS MAP



Client:
Sharon Turo
mtur@comcast.net
408.234.5505

Applicant:
Turo Property Management
1507 Aplos Beach Drive, Suite 100
65033
650.285.0091

Prepared by:
mtur@comcast.net
1771 44th Ave
Aptos, CA 95020
mtur@comcast.net
650.285.0091

353 Beach Dr. Aptos, CA

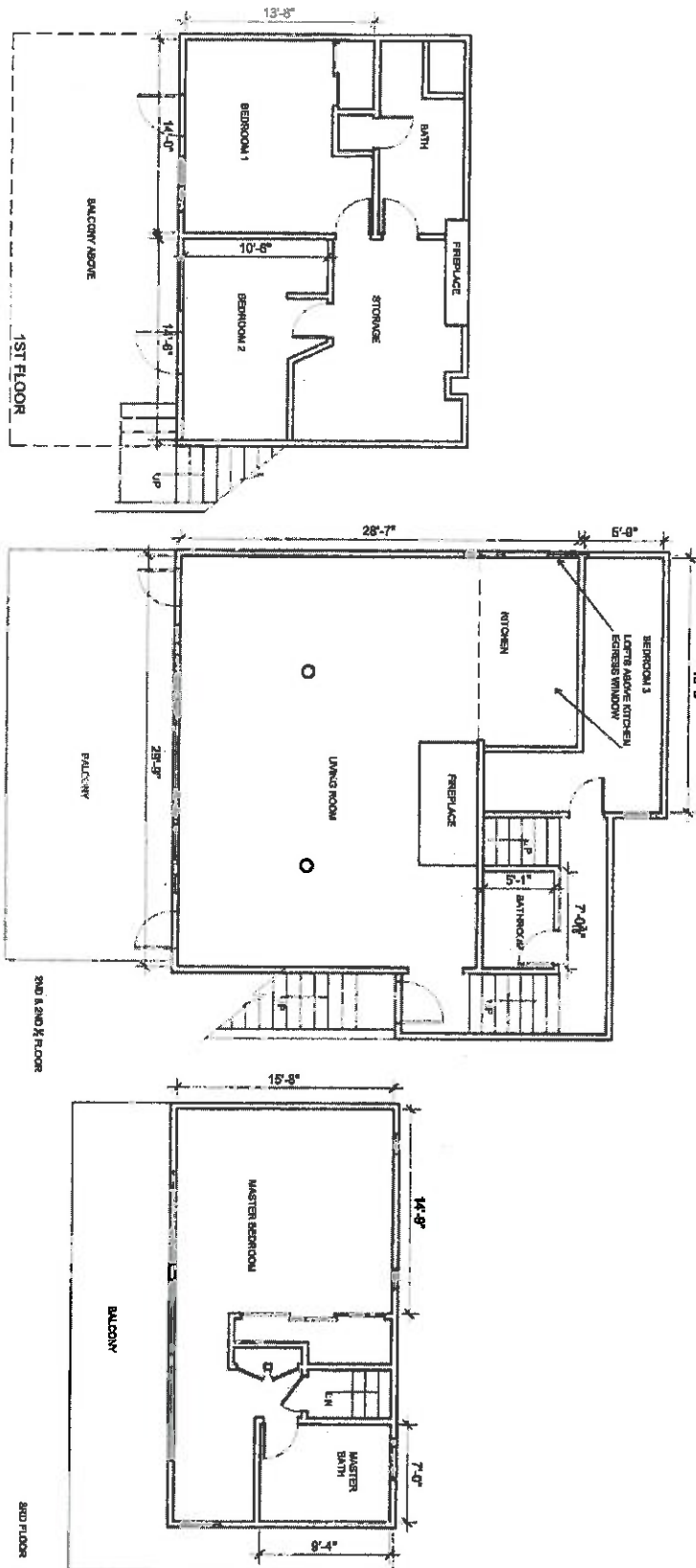
DATE 9-10-18

SCALE 1/8"=1'-0"

PARCEL# 04309526

SHEET TITLE
SITE PLAN

SHEET NO.
1 of 2



353 Beach Dr. Aptos, CA

Drawn by:
 Andrew Scott Brown
 1771 44th Ave.
 Capitola, CA 95010
 andrew@csd.com

Owner:
 Sharon Tice
 408-254-1055

Applicant:
 Randy Johnston
 107 Aptos Beach Drive, Ca.
 95003
 831-868-0411

DATE 9-10-18

SCALE 1/8"=1'-0"

PARCEL#

04309526

SHEET TITLE
 FLOOR
 PLANS

SHEET NO.

2 of 2



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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

Vacation Rental Permit Application

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

Permit and Property Information

Current vacation Rental Permit Number (if applicable): _____

Assessor's Parcel Number (APN): 043-095-26
(APNs MAY BE OBTAINED FROM THE ASSESSOR'S OFFICE AT (831) 454-2002)

Street Address: 353 beach

Applicant Information (Complete only if different from Owner Information)

NAME: 1 cheshire-riv Realty

MAILING ADDRESS: 107 Apts beach

CITY/STATE Aptos Ca. ZIP 95003

PHONE NO. (831) 688-2041 CELL PHONE NO. (831) 419-0107

EMAIL: _____

Owner Information

NAME: CINDY SWANSON

MAILING ADDRESS: 353 BEACH DR

CITY/STATE APTOS CA ZIP 95003

PHONE NO. (408) 234 3059 CELL PHONE NO. ()

EMAIL: MRS.CINDY@SWANSON.COM

NOTE:

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

EXHIBIT E

24-HOUR CONTACT

NAME: Cheshire Rro Realty
MAILING ADDRESS: 107 Aptos beach drive
CITY/STATE: Aptos Ca ZIP: 95007
PHONE NO. (831) 688-2041 CELL NO. ()
FAX NO. () 688-0702
EMAIL: cheshirero@surfnetusa.com

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

X AS Juan

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

VACATION RENTAL SAFETY CERTIFICATION

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

- ☒ **Smoke alarms** (listed and approved by the State Fire Marshall) installed in the following locations per the 2010 California Residential Code, Sec. R314.1.
 - In each sleeping room.
 - Outside each separate sleeping area in the immediate vicinity of the bedroom(s).
 - At least one alarm on each story, including basements and habitable attics.
- ☒ **Carbon Monoxide alarms** (listed by an approved agency such as UL) installed in the following locations per the 2010 California Residential Code, Sec. R315.1.
 - Outside each separate sleeping area in the immediate vicinity of the bedroom(s).
 - At least one alarm on each story, including basements and habitable attics but not including crawl spaces or uninhabitable attics.
- ☒ **Working GFCI's** (ground fault circuit interrupters) required at all receptacles within 6 feet of all kitchen, bathroom, bar and laundry sinks per 1987 National Electrical Code, Art. 210-8.

- ☒ All sleeping rooms shall be provided with at least one **emergency egress window** with a minimum net clear opening of 5 square feet, with a minimum opening height of 24 inches and minimum net clear opening width of 20 inches. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided such devices are releasable or removable from the inside without the use of a key, tool or special knowledge.
- ☒ All stairs shall have at least one continuous **handrail** running the full length of the stairs.
- ☒ All walking surfaces measured vertically more than 30" above grade or other floor levels, including mezzanines, platforms, stairs, ramps and landings shall have **guard railing** a minimum of 36" in height with openings no greater than 6" for older homes, and 4" for homes built after 1991.
- ☒ **Pool/spa safety barrier** enclosures shall comply with Santa Cruz County Code, Sec. 12.10.216.
Exception: Self-contained spas or hot tubs with listed/approved safety covers need not comply with barrier requirements.
- ☐ Rental equipped with at least one **fire extinguisher** (type 2A10BC) installed in a readily visible/accessible location near the kitchen.

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

X C. J. Mann

Owner of Rental Unit

9/16/18

Date

Certified Home Inspector

License #

Date

County Building Inspector

Date

Property Manager/Agent

Date

For questions regarding these safety certification requirements please contact Tony Falcone at (831) 454-3195

OWNER-AGENT APPROVAL FORM

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

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

Agent: Name: Cheshire-C.O. Realty
Address: 107 Aptos beach
City: Aptos Ca. 95003
State/Zip Code: Cal. 95003
Telephone: (831) 688-2041

Owner: Name: CINDY SORANSON
Address: 353 BEACH DR
City: APTOS
State/Zip Code: CA 95003
Telephone: (408) 234 3059

Date: 9/16/18

X C Soranson
Signature of Owner

043-095-26
Assessor's Parcel Number(s)

353 beach
Project Location


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

APPLICANT'S SIGNATURE

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the County of Santa Cruz is not responsible for inaccuracies in information presented, and that inaccuracies may result in the revocation of planning permits as determined by the Planning Director. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, and that proof of such is on file with the Zoning Section.

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

I understand that if this application will require a public hearing pursuant to County Code Section 13.10.694(D)(2), the application will be converted to an "at cost" application and I will be required to sign a contract and be billed for staff time associated with processing the application as provided in County Code Section 13.10.694(D)(2)(c)(ii).


Signature of Owner or Authorized Agent

9/16/18
Date

Do not write below this line on this page

RECEIPT

NEW Vacation Rental Permit Application *To be completed by staff*

Check Number: _____

Amount: _____
(contact Zoning staff for current fee)

ANY REFUNDS WILL BE MADE TO WHOMEVER MADE THE PAYMENT

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

APN: _____

Application Number: _____

Intake Staff Signature _____

Date _____

(over)

**Cheshire Rio Property Management
Vacation Rental Confirmation**

**THIS RECEIPT CONFIRMS YOUR RESERVATION
ON THE BEACH IN SANTA CRUZ...BY THE SEA:**

**Cheshire Rio Property Management
107 Aptos Beach Drive
Aptos, CA 95003-9701
(831) 688-2041 ANYTIME**

**THE PROPERTY WHICH YOU WILL OCCUPY:
353 Beach Drive
BEGINNING ON: 07/01/2019 at: 3:00 PM
AND ENDING ON: 07/08/2019 at: 10:00 AM**

ACCOUNT 35968

DATE OF THIS NOTICE IS: 9/18/2018

**Randy Maldonado
107 Aptos Beach Dr
Aptos, CA 95003**

AMOUNT	REQUIRED	RECEIVED
Security Dep. \$	750.00	0.00
Cleaning \$	425.00	0.00
Rents \$	4,000.00	0.00
Tax % 00	440.00	0.00
TOTAL \$	5,615.00	0.00
BALANCE DUE BEFORE ARRIVAL		5,615.00

BED SIZE KING, QUEEN, DOUBLE, TWIN, HIDE, 3 PARKING,

Regular Garbage Day for this property is FRIDAY

*** PLEASE KEEP THIS CONFIRMATION FOR THE INFORMATION ABOVE ***

The undersigned, an adult 21 years or older, as representative of him/herself and all the occupants, hereby agrees that no more than 10 persons will occupy the above referenced property address.

The under-signed and all occupants agree to rent the above premises at their own risk, thereby releasing Cheshire Rio and its agents from all liability, claims or actions resultant from the tenancy. This risk includes physical and emotional personal injury, death and property damages while occupying the above described premises, or any building, structure, street, or sidewalk appurtenant thereto, or equipment or facilities thereon.

The undersigned further agrees to accept liability for any damages, breakage, stains, or costs incurred for these related repairs. These damages or repairs are not limited to the security deposit on account, and should said damages and repairs exceed this amount, the undersigned agrees to accept full responsibility for all costs incurred. This agreement is binding for all members and guests in tenancy with and represented by the undersigned, and a copy of this document has been provided to the undersigned.

SIGNATURE: _____

DATE: _____

POLICY LETTER 353 beach drive

YOU MUST SIGN THIS COPY AND RETURN IMMEDIATELY

RENT:

Rent is to be prepaid no later than 60 days prior to occupancy (your date of arrival). Failure to have your monies received 60 days prior may result in cancellation of your reservation and loss of deposit. Last minute bookings (14-days before check in or less) must pay by cash or cashiers's check. Please make check payable to Cheshire Rio Realty.

SECURITY DEPOSIT:

Security Deposit is not used as part of the rent. It is a reservation, cleaning, damage and utility bill deposit. It is deposited in a non-interest bearing account. Refund will occur by mail within three weeks from departure, if there are no deductions.

CLEANING:

In addition to the rents you will be charged a pre-set cleaning fee (sani/inspect) for returning the property back to the condition you received it in. An extra charge will be assessed for cleaning over the time allotted or for the washing of any dishes, removal of excess sand, (rate charged is \$30 per hour, per cleaner). You will be supplied with a cleaning info sheet when you check-in. **ALL UNITS ARE NON-SMOKING UNLESS SPECIFIED.**

Trash

All trash must be kept inside a closed container. Please call office for removal of excess trash.

PARKING

One off street spot and 2 on the street. 2 more on the street. total number of parking spaces for 353 beach is 3

Beachdrive- Aptos: notes

(200 block of Beach drive has first come off street parking only).

Homes Behind the Gates, 529-640 Beach will be issued parking permits.

CHANGES:

For any change in date or properties, there is a \$25.00 charge. Changes must be made prior to 60 days of occupancy. **ROLL-OVER RESERVATIONS REQUIRE 90 DAY NOTICE FOR CHANGES OR CANCELLATIONS.**

IF YOU must cancel

A refund will be made (less a \$50 service charge) if a reservation is canceled at least 60 days prior to check-in date. If cancellation occurs within the 60 day period, all of your monies may be subject to liquidated damages. (additional cancellation fees of 6% will be levied from deposit if a credit card was used for pre-payment). Please see back page, last para. for refunds if we re-rent.

PETS:

NO PETS ALLOWED, except for designated properties with pet addendum
Violation of the PET RULE may result in eviction from rental property

WHAT TO BRING:

All Units are ready for occupancy with these exceptions:
- Washable linens (sheets, towels pillow cases), note, selected homes **PROVIDE LINENS**
- Paper products, cleaning supplies, bathroom soap, food condiments
- Firewood is not provided
- VCR, DVD, DSL and TV reception and availability is not guaranteed by Cheshire

PHONE:

Please use your credit card for all long distance phone calls.

OCCUPANCY

Your beach rental allows 10 maximum people to sleep over. Children under 7 not counted. In addition the total number of allowed guests for celebrations and gatherings during the hours of 8 AM to 10 PM is 20.

CHECK-IN:

Check-in time is 3:00 PM at the Cheshire Office. Please call the office to make arrangements for key pick-up after 5:00 PM. There is a \$25.00 service charge for after hour service by an agent. A \$50.00 service charge for any service after 10:00 PM.

CHECK-OUT:

Check-out time is 10:00 AM at the Cheshire office. Please return all keys, passes and the Tenant Information Sheet issued. **There is a \$25.00 per quarter-hour charge for check-outs after 10:00 AM.**

RENTAL RATES ARE SUBJECT TO CHANGE WITH A 60 DAY NOTICE. ADDITIONALLY, OWNER RESERVES THE RIGHT TO CANCEL WITH A SIXTY DAY NOTICE.

Property/353 Beach dr. _____

Tenant: _____

Signature: _____

Date: _____

CHESHIRE-RIO REALTY & PROPERTY MANAGEMENT
107 APTOS BEACH DRIVE, APTOS, CA. 95003

www.cheshirerio.com---SIGN AND RETURN THIS COPY

331-688-2041

PAGE ONE OF TWO 9-2018

EXHIBIT E

Cheshire Property Management operates a selective rental service offering pre-planned vacation programs. We kindly request you to review the following conditions to fully appreciate your stay.

Every effort has been made by our agents to accurately describe the accommodations but Cheshire does not assume any responsibility for changes to the property, in respect to construction, furniture, gardens, garages, facilities, or surroundings of the properties or the condition thereof, nor for any temporary defects or stoppage in supply of water, gas, electricity or plumbing, nor will Cheshire accept liability for any loss or damage caused by weather conditions, natural disasters, acts of god, or other causes beyond its control. **WE HIGHLY RECOMMEND YOU TO VISIT THE PROPERTY TO MAKE SURE YOU WILL BE HAPPY WITH UNIT, AREA, PARKING, ETC. CHESHIRE DOES NOT OWN ANY OF THE RENTALS, WE DO NOT HAVE THE LUXURY OF BEING ABLE TO MOVE YOU FROM ONE PLACE TO ANOTHER, UNLESS YOU GIVE US REQUIRED NOTICE. IF YOU ARRIVE AND ARE NOT HAPPY, MOVING OR REFUNDING MONIES IS SUBJECT TO OUR CANCELLATION POLICY. TIME REFRAINS OR RE-RENTING THE PROPERTY. MOST TENANTS MAKE RESERVATIONS EARLY. FINDING AN ALTERNATE TENANT LAST MINUTE TO REPLACE YOU IS NEAR IMPOSSIBLE.**

PLEASE VIEW YOUR RENTAL BEFORE YOU RESERVE OR BEFORE YOUR (CANCELLATION TIME PERIOD). TENANT CONCEDES THEY HAVE BEEN GIVEN THE CHANCE TO VIEW THE PROPERTY.

Tenant understands:

THEY WILL BE CHARGED FOR LOST KEYS, PERMITS, GATES CLICKERS OR REMOTES OR FOR EXTRA CLEANING NECESSARY FOR SMOKING INSIDE THE HOUSE.

Cheshire does not own any rental property and undertakes to act only as agent for the owner. Cheshire cannot and does not assume any liability for loss, damage or injury to persons or property or any inconvenience arising from the rental.

Cheshire does not act as insurer and is not liable for any loss, damage or inconvenience if the reserved accommodation is destroyed, damaged or sold.

No keys will be issued to anyone under the age of 21 years.

If owner furnishes outside help such as cleaners, gardeners, maintenance or other help, Cheshire assumes no liability of any kind for their performance or non-performance of duties or any acts or omissions on their part.

Tenant agrees:

To inform Cheshire of any loss or damage which may occur to the property and agrees to be responsible for the inventory of all items which may be broken, damaged or missing and for all debts or charges incurred during occupancy.

That the number of occupants shall not exceed the number of persons allowed per the occupancy agreement AND agree to occupy the property peacefully and abide by customary standards of acceptable behavior and to leave the property in good order at the end of their stay and acknowledges that the landlord of property, upon request will receive tenants phone numbers and address.

SANTA CRUZ COUNTY NOISE ORDINANCE

Tenant and all other occupants may be required to **VACATE** the premises and **FORFEIT** all rents for: Using the unit for any illegal activity including but not limited to serving alcoholic beverages to persons under 21 years of age. Having more than the allowed number of persons occupy the property than is allowed per the occupancy agreement. Causing damage to premises or any neighboring property. Any act which interferes with neighbor's right to **QUIET** enjoyment of their property. County code sect: 8.36.010-mandates quiet hours between 10pm to 8am.

VIOLATIONS ARE SUBJECT TO A \$500 PENALTY FROM SECURITY DEPOSIT

FIREWORKS ARE ILLEGAL AND PROHIBITED AT ALL TIMES.

Cancellations may be in writing or by telephone or email. If cancellation is less than 60 days before occupancy start date, a refund of monies will be made only if the accommodation can be re-booked for the exact period reserved and for full amount of rents. If rents must be discounted for replacement tenant, deposit or rents received may be debited to make up difference.

If Cheshire Rio as agent is required to enforce this contract by legal action and is awarded a prevailing judgment then lawyer fees shall also be awarded. **CHESHIRE PHONE 831-688-2041**

Tenant signature _____

page 2 of 2

EXHIBIT E



COUNTY OF SANTA CRUZ

EDITH DRISCOLL, AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR
701 OCEAN STREET, SUITE 150, SANTA CRUZ, CA 95060-4073
POST OFFICE BOX 1817, SANTA CRUZ, CA 95061 • (831) 454-2510 • FAX (831) 454-2257

TRANSIENT OCCUPANCY TAX - REGISTRATION APPLICATION

Exclusive Airbnb listing - If you ONLY rent your facility on Airbnb, you will not need to remit/report monthly statements. Please include your Airbnb listing number: ☐

FOR COUNTY USE ONLY

Certificate Number:

Date Issued:

APN Number:

By

Deputy Treasurer-Tax Collector

PLEASE PRINT OR TYPE

Name of Facility or Unit

353 beach

Address of Facility or Unit

353 Beach Dr.

Mailing Address

107 Aptos beach Dr. Aptos

Phone # 95003 831 688-2041

Email Address

cheshirerio@comcast.net

Date of Application

9/12/18

Type of Transient Occupancy Facility (check one): Tourist Home ☒ Motel ☐ Hotel ☐ Rooming House ☐

Lodging House ☐ Inn ☐ Studio Hotel ☐ Apartment House ☐ Dormitory ☐ Public or Private Club ☐

Mobile or Manufactured Home ☐ Other Lodging ☐

Number of Occupancy Units

Type of Ownership (check one): Individual ☐ Partnership ☐ Corporation ☒

IMPORTANT: Change of Operator and/or Ownership Requires a New Application

Owner(s) Name (List Principals):

Operator's Name	Address	Phone Number
cheshire rio Realty	107 Aptos beach	688-2041

Local Emergency Contact

Name	Home Address	Phone Number
cheshire rio Realty	107 Aptos beach	688-2041

I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Signed

[Signature]

Date

9/12/18

revMARCH2017

SC CNTY 2018SEP13PM12:55
TREASURER-TAX COLLECTOR

EXHIBIT F

FOR TAX PURPOSES ONLY

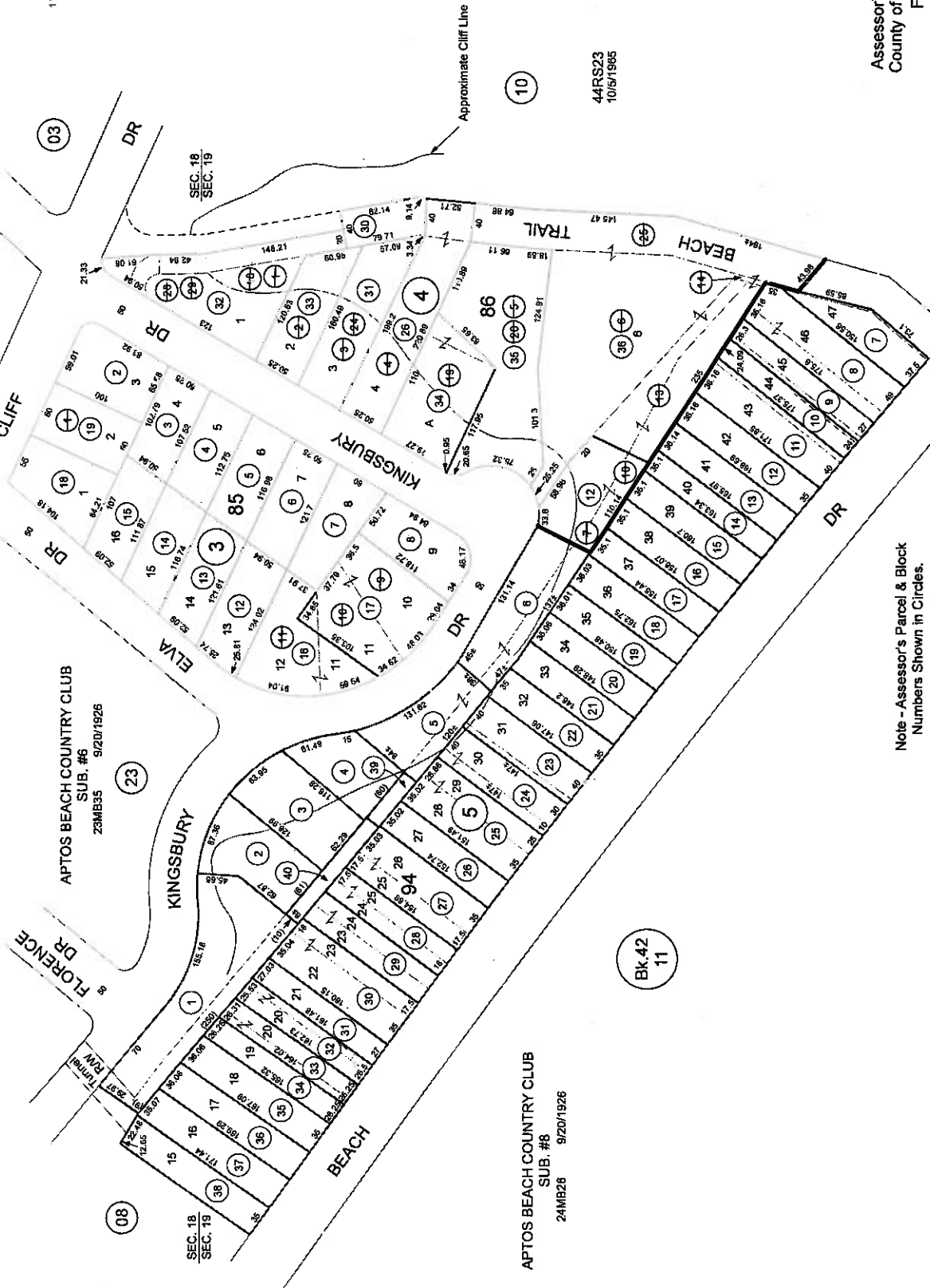
THE ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1995

POR. APTOS RANCHO

S.E. 1/4 SEC. 18 &
SEC. 19, T.11S., R.1E., M.D.B. & M.

Tax Area Code
69-273

43-09



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

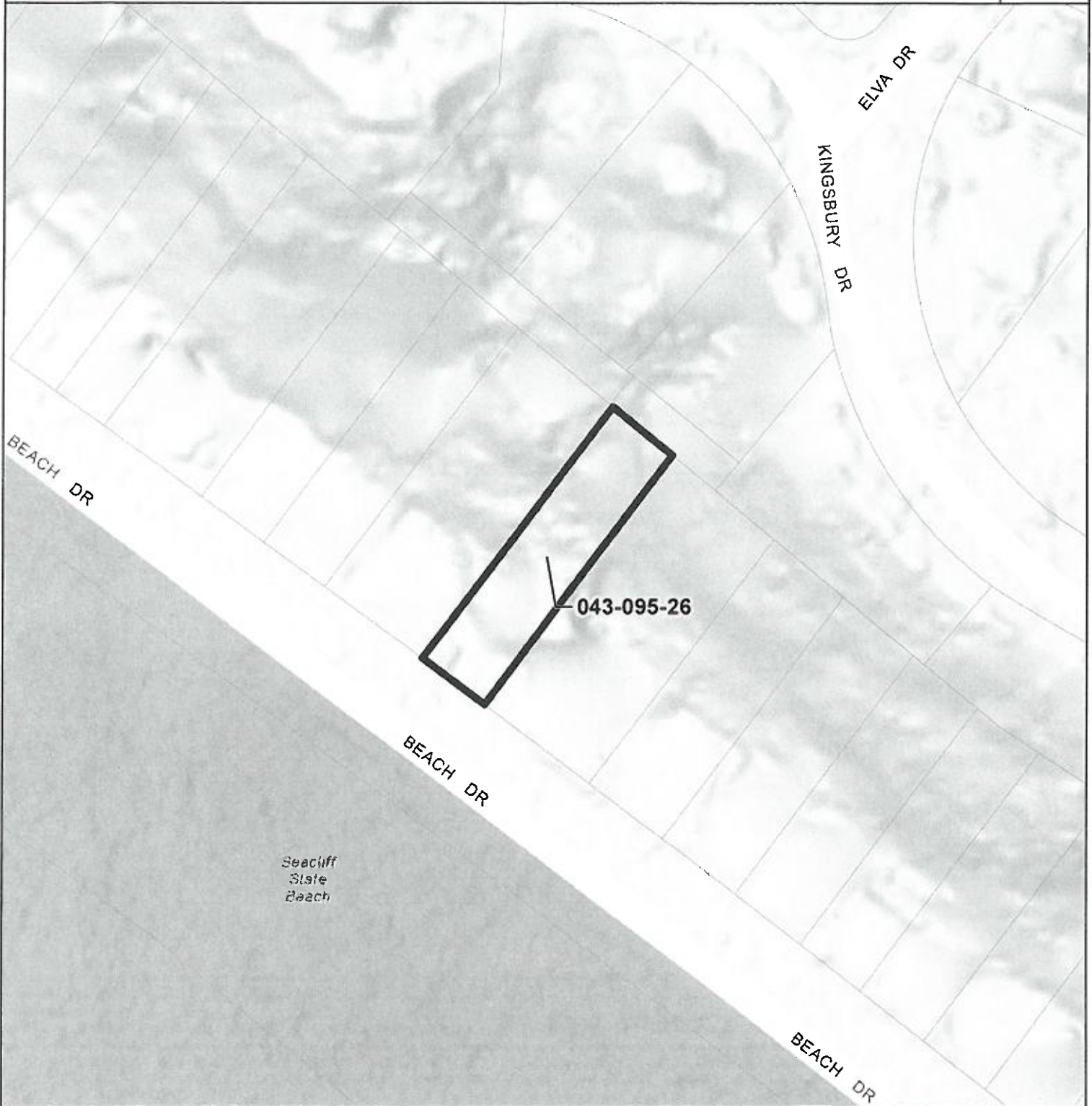
Assessor's Map No. 43-09
County of Santa Cruz, Calif.
Feb. 1999

Electronically Redrawn 2/10/99 by
Rev. 2/10/99 (Rev. to pg. 23) by
Rev. 5/18/98 CB (Added Bk 11)
Rev. 5/18/98 CB (Added Bk 11)
Rev. 12/25/01 mm (changed page refs.)
Rev. 12/25/01 CB (2-0066226, Sp. 4-32 & 33)
Rev. 3/15/95 DD (4-008840, Bk 4-34 & 35)
Rev. 6/21/95 AR (14-001858, comb. 4-35)



SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel Location Map



Parcel: 04309526

- Study Parcel
- Assessor Parcel Boundary
- Existing Park

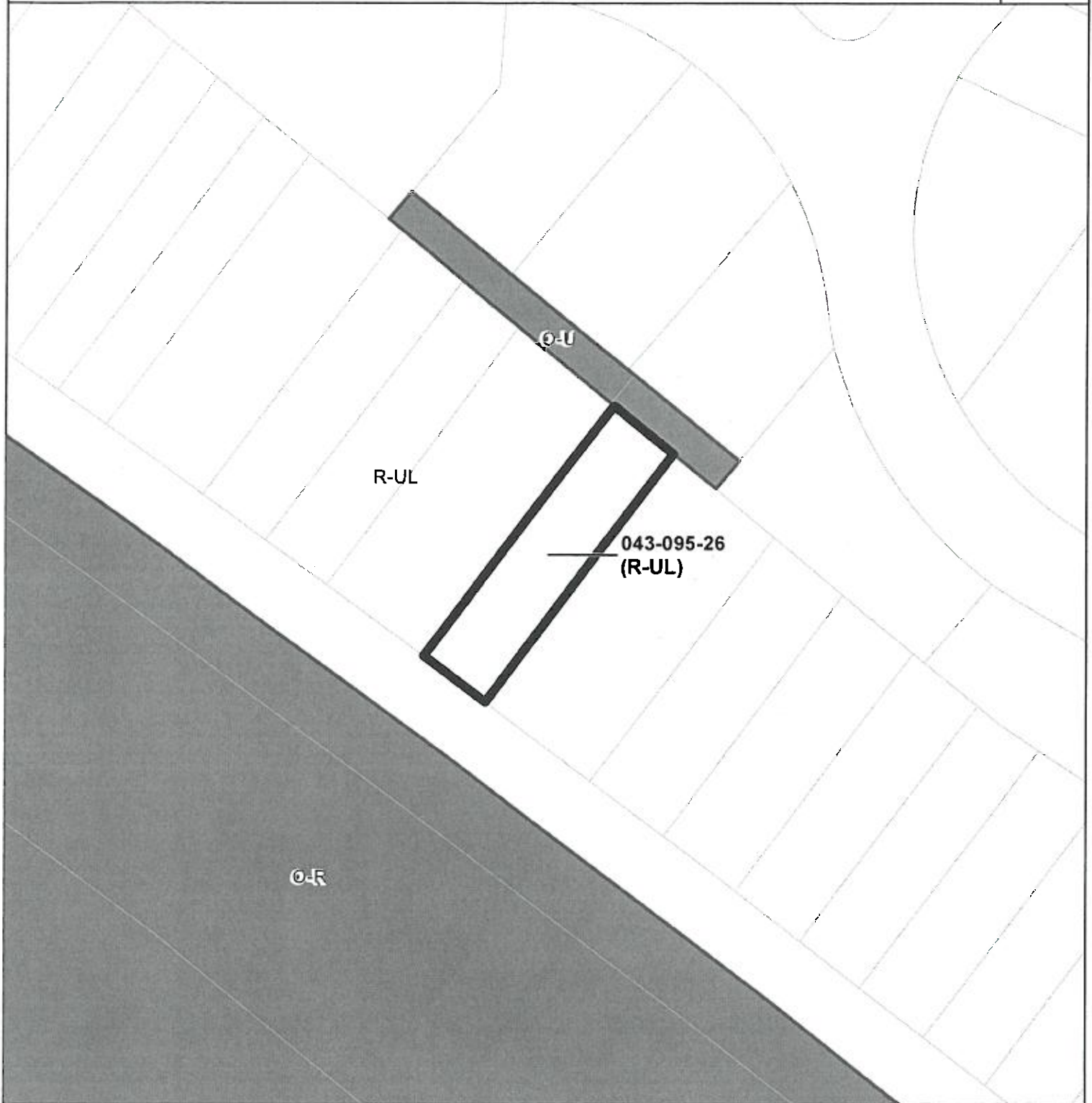
Map printed: 29 Oct. 2018



EXHIBIT G



SANTA CRUZ COUNTY PLANNING DEPARTMENT
Parcel General Plan Map






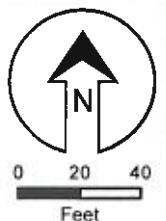
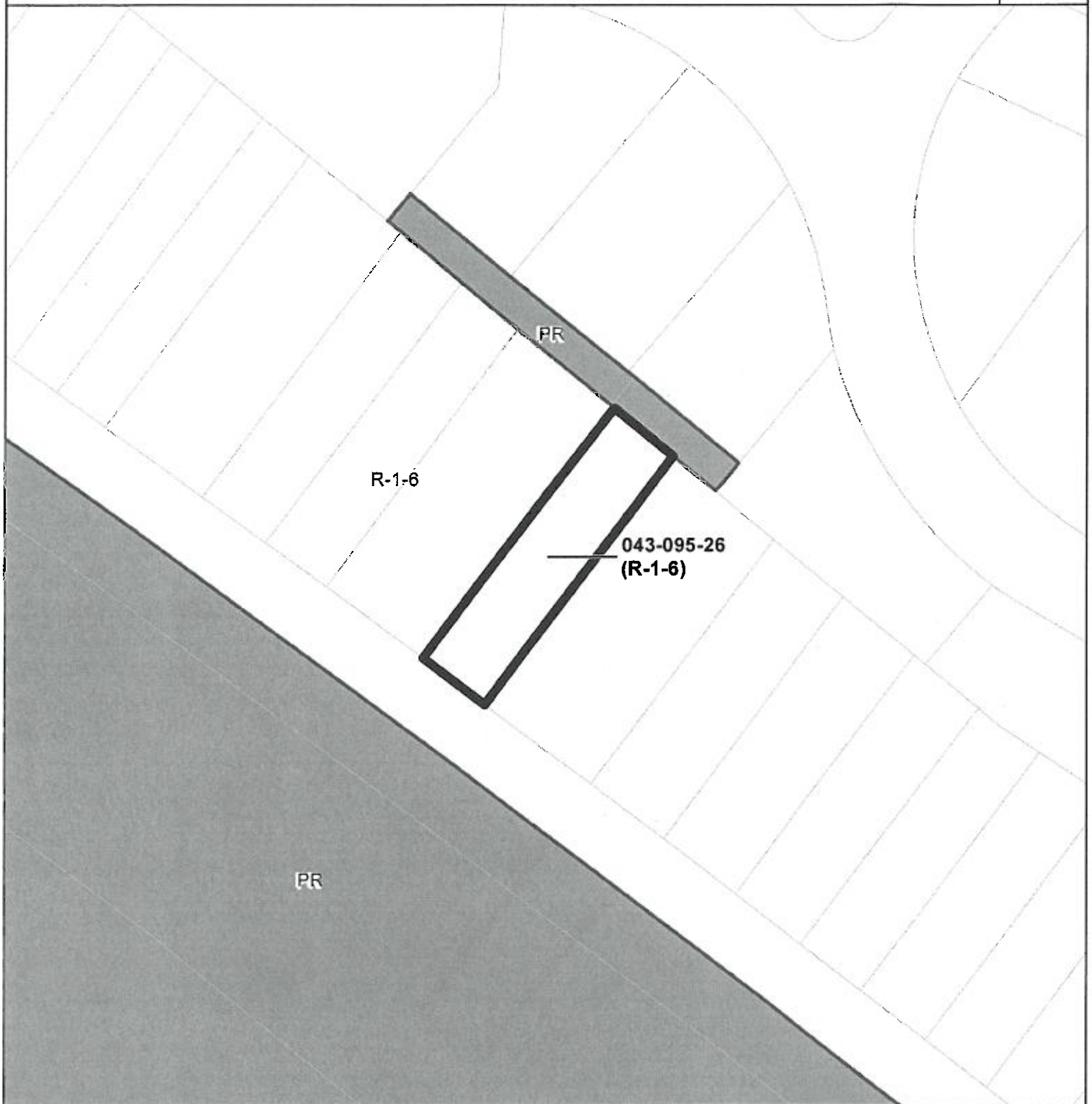
-  O-R Parks, Recreation & Open Space
-  O-U Urban Open Space
-  R-UL Res. Urban Low Density

EXHIBIT G





Parcel Zoning Map



- PR Parks, Recreation, & Open Space
- R-1 Single-Family Residential



EXHIBIT G