



Staff Report to the Zoning Administrator

Application Number: **191086**

Applicant: Dan and Amber Shaw
Owner: 221 16th St LLC
APN: 028-156-05
Site Address: 221 16th Avenue, Santa Cruz

Agenda Date: June 21, 2019
Agenda Item #: 7
Time: After 9:00 a.m.

Project Description: Proposal to operate a new five-bedroom residential vacation rental in an existing single family dwelling located in the R-1-6 zone district.

Location: Northwest side of 16th Avenue, approximately 300 feet south of the intersection of East Cliff Drive and 16th Avenue

Permits Required: Level 5 Vacation Rental

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

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 191086, based on the attached findings and conditions.

Project Description & Setting

The original dwelling, constructed in 1973, consisting of three bedrooms and two bathrooms and remained as such until 1981 when there were two additions to the structure. The first addition added a game room, storage, and a bathroom to the first floor. The second addition included a garden room, dining room, pantry, two bathrooms, two bedrooms, a library, and a loft. The result of these additions was a three story, five-bedroom, five-bathroom single family dwelling. The last major addition to the property was in 1983 for an attached deck and carport, which required a Coastal Development permit and a Variance to exceed 33% lot coverage.

At some point following the 1983 development, a non-habitable portion of the residence was converted to a habitable room without the benefit of permits. Labeled "garden room" on the project plans (Exhibit E), the room is not proposed for use as part of this rental. However, the property owner has indicated they wish to retain the room in the current state and configuration. As proposed, a condition of approval for this application requires the owner to submit and receive approval of a building permit to legalize this space as a bedroom within two years of the approval date.

Potential impacts to the neighborhood resulting from the use of this property as a vacation rental are mitigated via the submitted lease agreement which is consistent with the requirements in the vacation rental ordinance (SCCC 13.10.694). The lease limits overnight guests to 12 and a maximum of 24 guests for celebrations and gatherings. There are six on-site parking spaces on the subject property. Parking in the vicinity of the property is limited during summer months to vehicles with a Live Oak Parking Pass. The lease agreement provided by the applicant warns guests of the parking restrictions and limits vehicles associated with the rental to six. The owner has established himself as the 24-hour emergency contact with an address approximately 26 miles from the subject property.

Zoning & General Plan Consistency

The subject property is a 7754 square foot lot, located in the R-1-6 (Single Family Residential) zone district, a designation which allows recreational uses. The proposed vacation rental is a permitted use within the zone district and the zoning is consistent with the site's R-UL (Urban Low Density Residential) General Plan designation.

The property is located within the Live Oak Designated Area (LODA) which limits vacation rental and hosted rental density. The subject block, 16th Avenue, defined for the purposes of a vacation rentals, spans from the intersection with East Cliff Drive to the northernmost intersection with Geoffroy Drive. With 13 parcels and two existing permitted vacation rentals, the block has not reached the maximum density of 20% and if approved, this application will be the last rental allowed on this portion of 16th Avenue.

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 **191086**, 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.sccoplaning.com

Report Prepared By: Evan Ditmars
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3227
E-mail: evan.ditmars@santacruzcounty.us

Exhibits

- A. Categorical Exemption (CEQA determination)
- B. Findings
- C. Conditions
- D. Parcel information
- E. Project plans
- F. Assessor's, Location, Zoning, General Plan, and Vacation Rental Maps
- G. Vacation Rental Application

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: 191086

Assessor Parcel Number: 028-156-05

Project Location: 221 16th Avenue, Santa Cruz, CA 95062

Project Description: Proposal to operate a new five-bedroom vacation rental

Person or Agency Proposing Project: Dan and Amber Shaw

Contact Phone Number: 408-221-8870

- 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**

F. Exemption type and reasons why the project is exempt:

Class 1 – Existing Facilities: Conversion of an existing single family residence, to a short term residential vacation rental, will not result in environmental impacts in that a vacation rental use is commensurate with a residential use.

Class 3-Conversion of Small Structures: Conversion of the existing single family residence, to allow for short term vacation rental use, will not result in modifications to the existing, legally constructed residential structure.

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



Date: 6-13-19

Evan Ditmars
Project Planner

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 residential vacation rental is located in an existing residential structure in an area designated for residential uses and is not encumbered by physical constraints to development. The residential vacation rental will comply with health and safety standards established for vacation rental units, including smoke and carbon monoxide alarms, working ground fault circuit interrupters, emergency egress in all sleeping rooms, and handrails along stairs and walking surfaces above 30 inches in height to ensure the optimum in safety. In addition, the vacation rental standards address noise, occupancy, and parking to ensure that there are no detrimental resulting from 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 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 - 6000 square foot minimum) zone district, as the primary use of the property will continue to be residential.

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 use is consistent with the use and density requirements specified for the R-UL (Urban Low Density Residential) land use designation in the County General Plan.

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

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

This finding can be made, in that the proposed 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 a non-vacation rental residential use and vacation rental use.

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Owner: 221 16th St LLC

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 proposed structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed is consistent with the land use intensity and density of the neighborhood.

Conditions of Approval

Exhibit E: Project plans, prepared by Michael Abler/West Designs, dated 6/23/16.

- I. This permit authorizes the establishment of a five-bedroom residential vacation rental as indicated on the approved Exhibit "E" for this permit. 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 owner shall be required to obtain all necessary permits and inspections to legalize all bedrooms on the property, including but not limited to, the rear bedroom on the first floor presently labeled "garden room", within two years from the date of approval. Failure to obtain a final inspection prior to the expiration of this approval will result in forfeiture of this permit.
 - B. Upon legalization of "garden room", the permit shall be amended to reflect the legal bedroom count. A public hearing shall not be required for this amendment and notice of the amendment shall be distributed to the neighbors pursuant to SCCC 18.10.222. The amended permit shall expire no later than five years from the date of this approval.
 - C. The "garden room" is not permitted for use as habitable area nor as a bedroom as part of this vacation rental.
 - D. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
 - E. 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 G).
 - F. The maximum, overnight occupancy of the vacation rental shall not exceed twelve people (two per bedroom plus two, children under eight not counted).
 - G. The maximum number of vehicles associated with the overnight occupants shall not exceed six.

- H. The maximum occupancy allowed for celebrations and gatherings between 8:00 a.m. and 10:00 p.m. shall not exceed 24 people (twice the number of overnight occupants, children under 8 not counted).
- I. 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.
- J. 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).
- K. Fireworks are illegal in Santa Cruz County and prohibited at the vacation rental.
- L. 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.
- M. 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.
- N. 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.
- O. 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.
- P. 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.
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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.

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Please note: This permit expires two years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Jocelyn Drake
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.

Application #: 191086
APN: 028-156-05
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Parcel Information

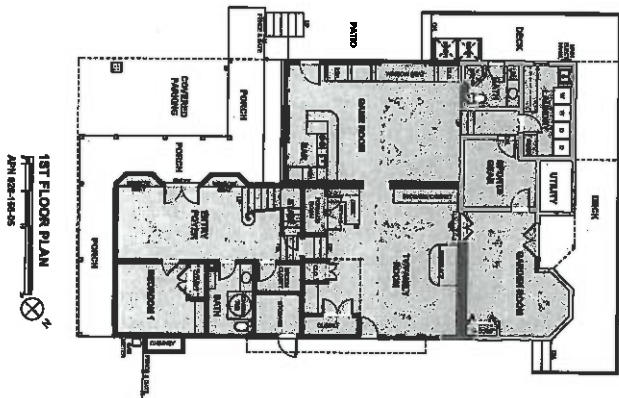
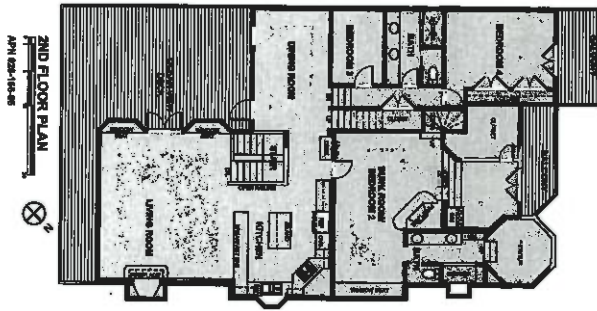
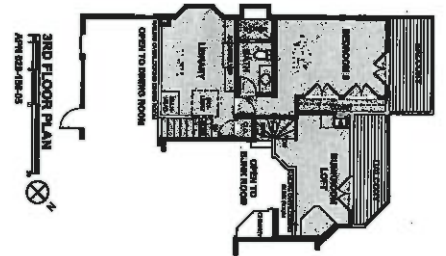
Services Information

Urban/Rural Services Line:	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside
Water Supply:	Santa Cruz City
Sewage Disposal:	Sewer
Fire District:	Central Fire Protection District
Drainage District:	Flood Zone 5

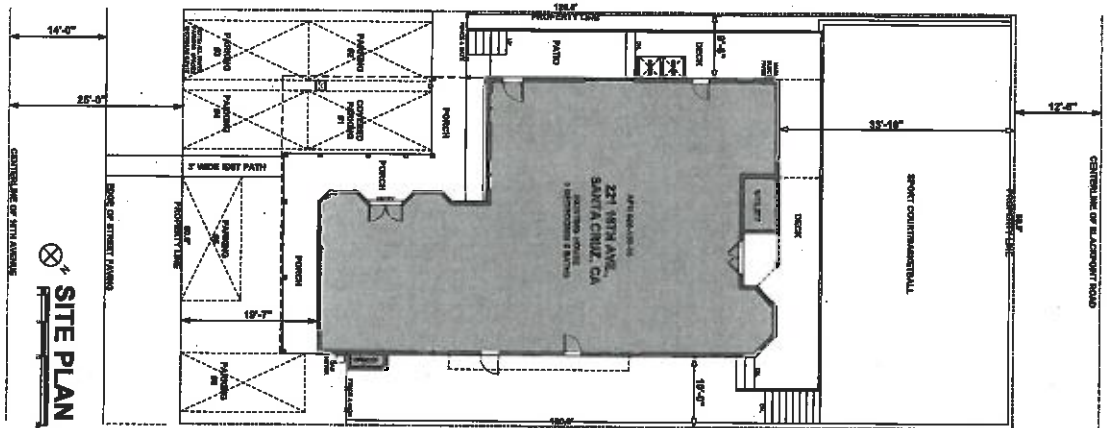
Parcel Information

Parcel Size:	7754
Existing Land Use - Parcel:	Single Family Residential
Existing Land Use - Surrounding:	Single Family Residential
Project Access:	Public Road/16 th Avenue
Planning Area:	Live Oak
Land Use Designation:	R-UL (Urban Low Density Residential)
Zone District:	R-1-6 (Single Family Residential)
Coastal Zone:	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside
Appealable to Calif. Coastal Comm.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Technical Reviews: NA



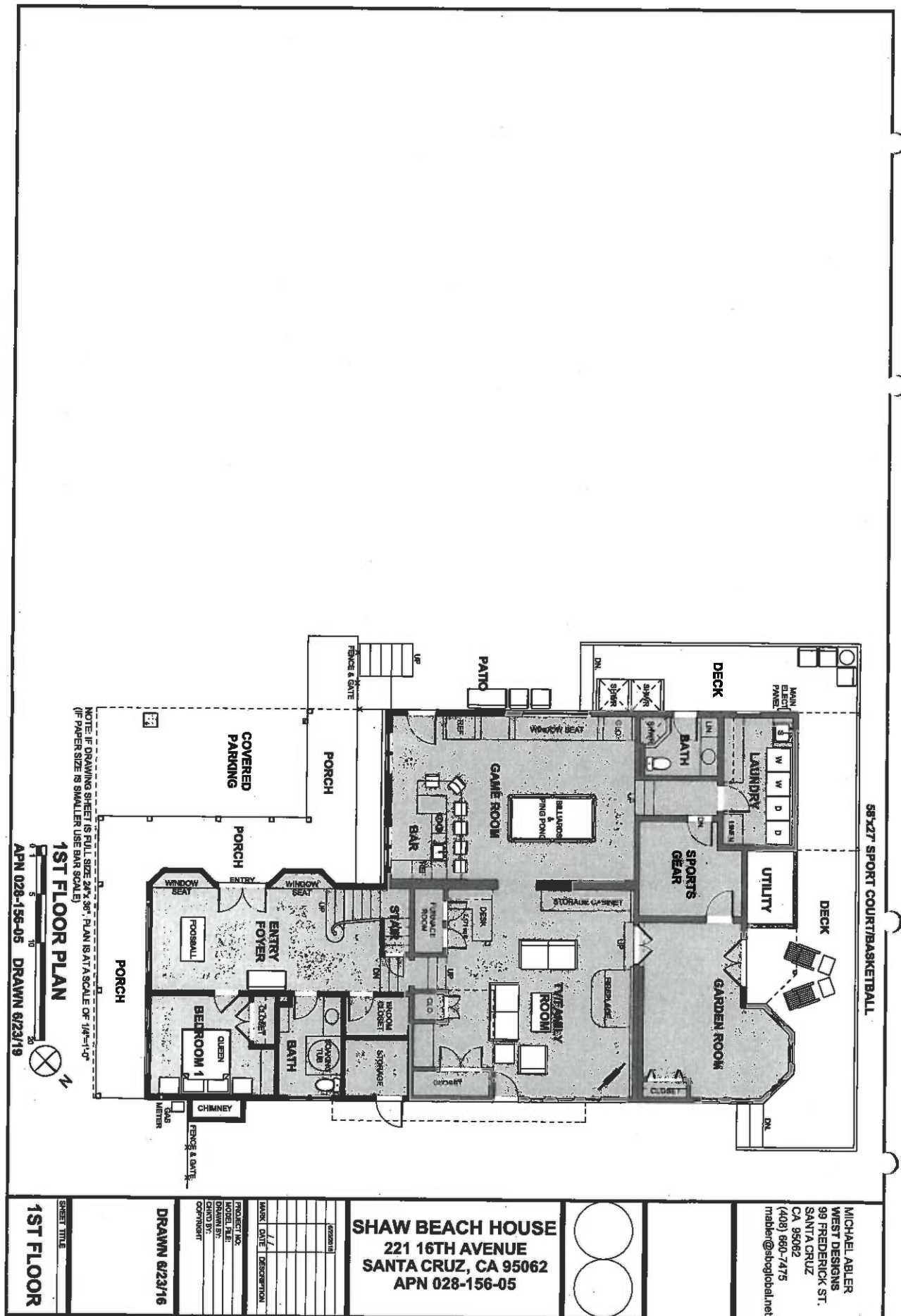
PROPERTY INFORMATION:
OWNER: 221 16TH STREET, SANTA CRUZ, LLC
C/O AMBER SHAW, MANAGER
SITE ADDRESS: 221 16TH AVENUE,
 SANTA CRUZ, CA 95062
MAILING ADDRESS: PO BOX 320064,
 LOS GATOS, CA 95032
CONTACT NUMBERS:
 (408) 858-4905 (CELL)
 (408) 221-8870 (PHONE)
 (408) 354-9797 (FAX)
EMAIL: ambersdesign@mac.com
 dan@igservicing.com
APN 028-156-05

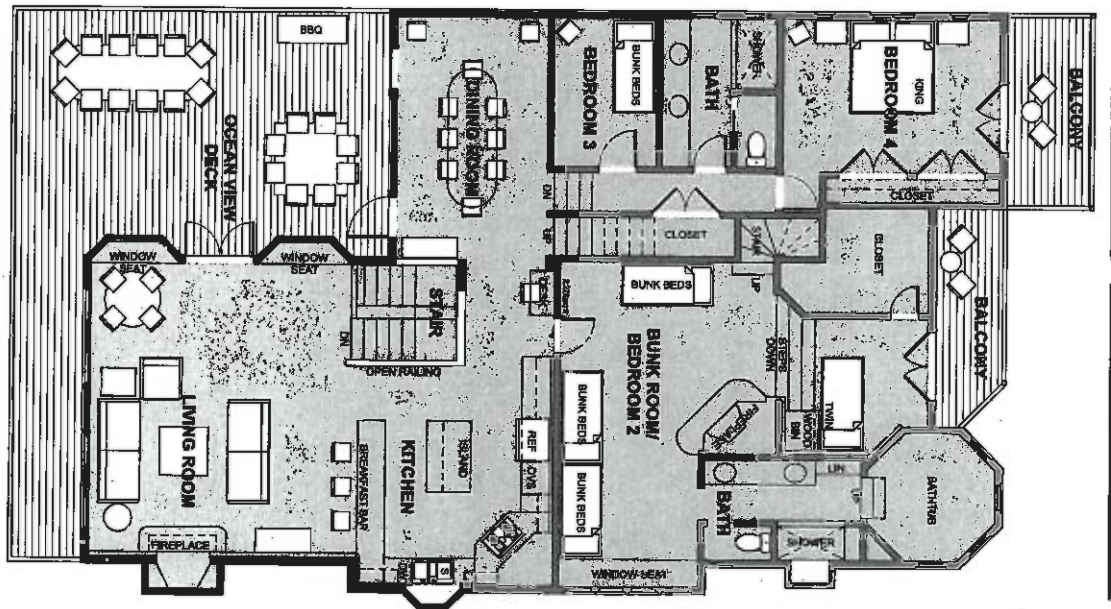
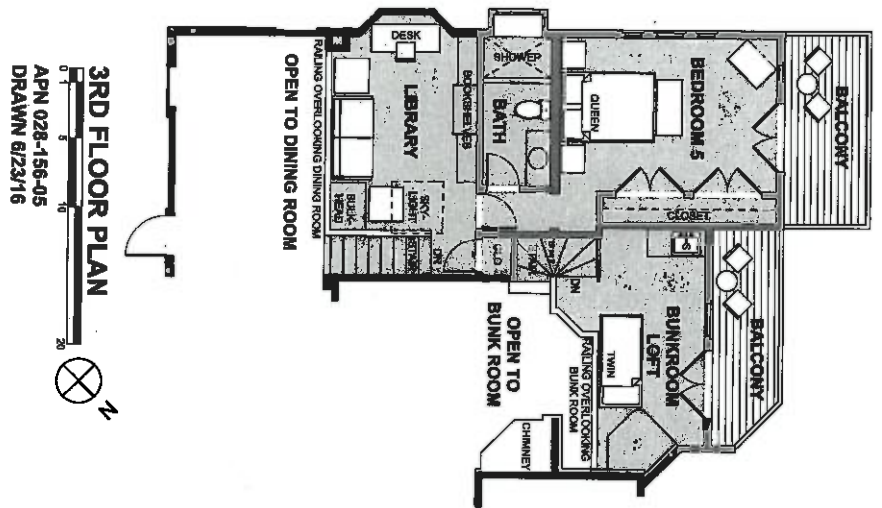


NOTE: IF DRAWING SHEET IS FULL SIZE 24" x 36", ALL PLANS ARE AT A SCALE OF 1/8"=1'-0"
 (IF PAPER SIZE IS SMALLER USE BAR SCALE)

MICHAEL ABLER WEST DESIGNS 99 FREDERICK ST. SANTA CRUZ CA 95062 (408) 660-7475 mabier@sbglobal.net		SHAW BEACH HOUSE 221 16TH AVENUE SANTA CRUZ, CA 95062 APN 028-156-05	
DRAWN 6/23/16		SHEET TITLE A-1	

EXHIBIT F





2ND FLOOR PLAN

APN 028-156-05
DRAWN 6/23/16

NOTE: IF DRAWING SHEET IS FULL SIZE 24" x 36", PLANS ARE AT A SCALE OF 1/4"=1'-0". IF PAPER SIZE IS SMALLER USE BAR SCALE)

2ND FLOOR & 3RD FLOOR

DRAWN 6/23/16

MARK	DATE	DESCRIPTION
1	7/1	
2		
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SHAW BEACH HOUSE
221 16TH AVENUE
SANTA CRUZ, CA 95062
APN 028-156-05

MICHAEL ABLER
WEST DESIGNS
88 FREDERICK ST.
SANTA CRUZ
CA 95062
(408) 660-7475
mabler@sbjglocal.net



SANTA CRUZ COUNTY PLANNING DEPARTMENT

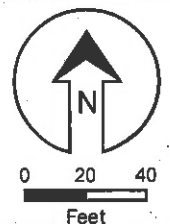
Parcel Location Map



Parcel: 02815605

-  Study Parcel
-  Assessor Parcel Boundary

Map printed: 12 Jun. 2019





SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel Zoning Map



Mapped
Area

C-2

C-1

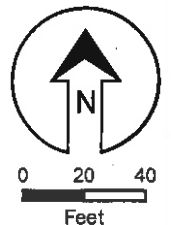
028-156-05
(R-1-6)

R-1-6

VA

PR-D

-  C-1 *Neighborhood Commercial*
-  C-2 *Community Commercial*
-  PR *Parks, Recreation, & Open Space*
-  R-1 *Single-Family Residential*
-  VA *Visitor Accommodations*





SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel General Plan Map



Mapped
Area




C-C

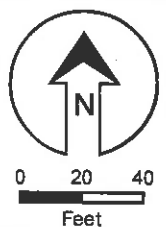
028-156-05
(R-UL)

R-UL

C-C

O-R

-  C-C *Commercial Community*
-  O-R *Parks, Recreation & Open Space*
-  R-UL *Res. Urban Low Density*



This is a detailed street map of a residential neighborhood in Seattle, Washington. The map shows a grid of streets with numerous house numbers. Key streets include 13th Ave, 14th Ave, 15th Ave, 16th Ave, 17th Ave, 18th Ave, 19th Ave, and 20th Ave. Other streets shown are Prospect St, Black Point N, Geoffroy Dr, Johan's Beach Dr, Sunny Cove Dr, East Cliff Dr, and Portola Dr. A specific house at 219 21st Avenue is highlighted with a grey background. The map also shows various other streets and house numbers, providing a comprehensive view of the neighborhood's layout.



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) 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): N/A

Assessor's Parcel Number (APN): 028-156-05
(APNS MAY BE OBTAINED FROM THE ASSESSOR'S OFFICE AT (831) 454-2002)

Street Address: 221 16th Ave, Santa Cruz

Applicant Information (Complete only if different from Owner Information)

NAME: 221 16th Street Santa Cruz LLC

MAILING ADDRESS: PO Box 320064

CITY/STATE Los Gatos CA ZIP 95032

PHONE NO. (408) 221-8870 CELL PHONE NO. (408) 221-8870

EMAIL: amberdesign@mac.com / dans@LGservicing.com

Owner Information

NAME: 221 16th Street Santa Cruz LLC

MAILING ADDRESS: PO Box 320064

CITY/STATE Los Gatos CA ZIP 95032

PHONE NO. (408) 221-8870 CELL PHONE NO. (408) 858-4905

EMAIL: amberdesign@mac.com / dans@LGservicing.com

NOTE:

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

24-HOUR CONTACT

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

NAME: Dan Shaw / LG Property Management

MAILING ADDRESS: 15700 Winchester Blvd

CITY/STATE Los Gatos CA ZIP 95030

PHONE NO. (408) 354-9838 CELL PHONE NO. (408) 221-8870

EMAIL: dans@LGservicing.com

ELECTED/PUBLIC OFFICIAL OR COUNTY EMPLOYEE INFO. PUBLICATION

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

X

N/A

Contact person signature, if applicable

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.

- ☒ **Smoke alarms** (listed and approved by the State Fire Marshall) installed in the following locations per the 2016 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 2016 California Residential Code, Sec. R315.1.
 - Outside each separate sleeping area in the immediate vicinity of the bedroom(s).
 - At least one alarm on each story, including basements and habitable attics but not including crawl spaces or uninhabitable attics.
- ☒ **Working GFCI's** (ground fault circuit interrupters) required at all receptacles within 6 feet of all kitchen, bathroom, bar and laundry sinks per the 2016 California Electrical Code, Art. 210.8.
- ☒ All sleeping rooms shall be provided with at least one **emergency egress window** with a minimum net clear opening of 5 square feet, with a minimum opening height of 24 inches and minimum net clear opening width of 20 inches, with the bottom of the clear opening being not greater than 44" measured from the floor. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided such devices are releasable or removable from the inside without the use of a key, tool or special knowledge. Per the 2016 California Residential Code, Sec. R310.
- ☒ All stairs shall have at least one continuous **handrail** running the full length of the stairs per the 2016 California Residential Code, Sec. R311.7.8
- ☒ All walking surfaces measured vertically more than 30" above grade or other floor levels, including mezzanines, platforms, stairs, ramps and landings shall have **guard railing** a minimum of 42" in height with openings no greater than 4" per the 2016 California Residential Code, Sec. R312.1. Exception: Guards on the open sides of stairs shall have a height not less than 34" measured vertically from a line connecting the leading edges of the treads.
- ☐ **Pool/spa safety barrier** enclosures shall comply with Santa Cruz County Code, Sec. 12.10.216. Exception: Self-contained spas/ hot tubs with approved safety covers need not comply with barrier reqs.
- ☒ 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.**

Amber J M Shaw, manager
Owner of Rental Unit

3/22/2019
Date

Certified Home Inspector

License #

Date

County Building Inspector

Date

Property Manager/Agent

Date

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

PLANS REQUIRED FOR RENEWALS

Please check the appropriate boxes below.

1. Have there been any additions or other work than has resulted in an increase in the number of bedrooms since the issuance of your current vacation rental permit that have not been authorized by an amendment to your current vacation rental permit?
☐ YES. If you check this box, you must submit revised floor plans that clearly show the previous floor plan, the current floor plan, and explain what work was done (see List of Required Information, page 7).
☐ NO. If you check this box, you do not need to submit floor plans with your renewal application.
2. Has there been any decrease in the size or number of parking spaces since the issuance of your current vacation rental permit that has not been authorized by an amendment to your current vacation rental permit?
☐ YES. If you check this box, you must submit a revised plot plan that clearly shows the previous parking, the current parking, and explain what has changed and the reason for the change (see List of Required Information, page 7).
☐ NO. If you check this box, you do not need to submit a plot plan with your renewal application.

If you checked no to both questions, you do not need to submit any plans with your renewal application.

APPLICANT'S SIGNATURE

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

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

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

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

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


Signature of Owner or Authorized Agent

3/22/2019
Date

OWNER-AGENT APPROVAL FORM

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

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

Agent: Name: Dan Shaw / LG Property Management
Address: 15700 Winchester Blvd
City, State, Zip Code: Los Gatos CA 95030
Telephone: (408) 354-9838 Cell #: (408) 221-8870
Email: dans@LGservicing.com

Owner: Name: 221 16th Street Santa Cruz LLC
Address: PO Box 320064
City, State, Zip Code: Los Gatos CA 95032
Telephone: (408) 221-8870 Cell #: (408) 221-8870
Email: amberdesign@mac.com / dans@LGservicing.com

3/22/2019
Date

Amber JM Shaw
Signature of Owner

028-156-05
Assessor's Parcel Number(s)

221 16th Ave, Santa Cruz
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.

221 16th Avenue Santa Cruz Vacation Rental Agreement

THIS VACATION RENTAL AGREEMENT ("Agreement") is entered into between the following parties: 221 16th Avenue, LLC ("Owner"), LG SERVICING PROPERTY MANAGEMENT whose address is 15700 Winchester Blvd, Los Gatos, CA 95030 ("Property Manager"), and OCCUPANT ("Occupant")

Whereas, Owner is the owner of the property located at 221 16th Avenue, Santa Cruz, CA 95062 that is furnished and has 5 bedrooms and 5 bathrooms ("Property").

Whereas, Occupant desires to rent the Property, for vacation purposes only.

Whereas, Owner desires to rent the Property, for vacation purposes, to Occupant.

Whereas, Property Manager is agent of Owner for all matters related to rental of the Property.

NOW THEREFORE, Occupant and Owner hereby agree as follows:

1. **Rental Term:** Owner will rent the Property to Occupant, for vacation purposes only, at the rates described in Paragraph 14. Check-in time is after 3pm and check-out is by 10am on the respective arrival and departure dates. No early check-in or late check-out unless by prior arrangement. Owner will make the Property available to Occupant for the period:
 - a. **Arrival Date**
 - b. **Departure Date**
2. **Authorized Use and Guests:** The Property is for the sole use as a personal vacation residence by no more than 12 Adults as overnight guests. Children under 8 are not counted in this number. A maximum of 24 guests is allowed for gatherings between 8pm and 10pm. If the property is used by more than those identified in this paragraph, (i) Occupant, Authorized Guests and all others may be required to leave the property or be removed from the property; (ii) Occupant is in breach of this Agreement; and (iii) Occupant forfeits right to return of any security deposit.
3. **Payments:** Occupant agrees to the following payments:
 - Reservation Deposit:** A reservation deposit of \$1,000 is required to secure rental period for the property. This must be received within seven (7) days of booking the reservation. The reservation deposit converts to a security/damage deposit upon arrival. The reservation/security deposit will NOT be applied toward rent. The reservation/security deposit will be returned to the Occupant, provided that the terms in the subsequent bullet point "Security Deposit" are followed and upheld by the Occupant.
 - Rent:** An advance payment equal to 50% of the rental rate is required 90 days before arrival. The advance payment will be applied toward the house rent. Please make payments in the form of personal or cashier's check payable to LG Servicing Property Management. The remaining balance of 50% of the rent is due thirty (30) days before your arrival date. Credit/Debit cards can be accommodated for a 2.5% fee. Contact the property management company for payment processing with cards.

The reservation is **not** confirmed until both the reservation fee and an executed Agreement have been received. Once paid, the reservation fee is for services rendered and is refundable only if cancellation is received more than 60 days before the arrival date as detailed in the Cancellation paragraph of this agreement.

Security Deposit: Owner will fully refund the deposit by check within (14) days of the Departure Date, provided the following provisions are met:

- a. No damage is done to the property or its contents, beyond normal wear and tear.
 - b. No charges are incurred due to contraband, smoking, pets or services rendered during the stay.
 - c. All debris, rubbish and discards are placed in garbage cans.
 - d. Soiled dishes are placed in the dishwasher and cleaned.
 - e. The unit is locked and all keys are left in the lockbox.
 - f. No linens are lost or damaged.
 - g. Check out procedure is followed.
4. **Cancellations:** A sixty (60) day notice is required for cancellation. Cancellations that are made more than sixty (60) days prior to the arrival date will incur no penalty. Cancellations or changes to the original reservation that result in a shortened stay made within 60 days of the arrival date forfeit the full advance payment and reservation/security deposit. Cancellation or early departure does not warrant any refund of rent or deposit.
5. Smoking is not permitted inside the house or on balconies. Fireworks of any kind are not permitted.
6. Pets are not permitted in the house unless there is prior agreement with Property Management and a Pet Addendum is part of contract.
7. **Condition of Property:** Occupant shall, on arrival, examine the Property, all furniture, furnishings, and fixtures and shall immediately report if any are not in operating condition or are in disrepair. Reporting issues does not give Occupant the right to cancel this Agreement or receive a refund of any payments made.
8. **Entry:** Owner and Owner's representatives and agents have the right to enter the Property, at any time, (i) for the purpose of making necessary or agreed repairs, alterations, or for maintenance or to supply necessary or agreed services; (ii) to verify that Occupant has complied with the terms of this Agreement; or (iii) in case of emergency. Owner and Owner's representatives and agents have the right to enter the Property, upon reasonable notice.
9. **No Assignment or Subletting:** Occupant shall not assign any interest in this Agreement or sublet any part of the Property. If this Agreement is assigned or the Property or any part thereof is sublet, (i) Occupant, Authorized Guests, assignee(s), sublessee(s) and all others will be required to leave the Property, or be removed from it; (ii) Occupant is considered in breach of this Agreement; and (iii) Occupant forfeits right to return of any security deposit.
10. **Noise Ordinance:** Quiet hours are 10pm to 8pm per the county of Santa Cruz.
11. **Inclusive Fees:** Rates include a one-time linen-towel setup and use of beach towels.
12. **No Daily Maid Service:** Daily maid service is not included in the rental rate.
13. **Personal Property and Injury:** Occupant's or guest's personal property, including vehicles, are not insured by Owner against loss or damage due to fire, theft, vandalism, rain, water, criminal or negligent acts of others, or any other cause. Owner does not insure against personal injury to Occupant, guests or licensees due to any reason other than the condition of the Property.
- Occupant Insurance:** Owner recommends that Occupant carry or obtain insurance to protect Occupant,

guests and licensees and their personal property from any loss or damage. Owner recommends VRBO/HomeAway Vacation Rental Damage Protection which may be purchased through the VRBO website.

Indemnity and Hold Harmless: Occupant agrees to indemnify, defend and hold harmless Owner and Owner's Representative from all claims, disputes, litigation, judgments, costs and attorney fees resulting from loss, damage or injury to Occupant, Occupant's guests or licensees or their personal property.

14. Rates are as follows:

Total Amount for Rental:

Deposit

30 day rental

Cleaning Fee

Total Payment

Rental Payment Schedule Breakdown:

	<u>Date Due</u>	<u>Amount</u>
Reservation/Security Deposit & 50% rental	upon receipt of this document	
Rental Payment		

15. Falsified Reservations Any reservation obtained under false pretense will be subject to forfeiture of advance payment, deposit and/or rental money, and the party will not be permitted to check-in.

16. Parking: Parking is restricted seasonally on 16th Avenue, including in front of the house. Please check parking signs, as rules differ during the year. Vehicles should be parked at least ten feet off the street. Make sure your vehicles are parked all the way in the driveway to avoid a citation. Driveway can accommodate at least six (6) vehicles. Occupant are responsible for any parking fines incurred during their stay.

By signing below, I agree to all terms and conditions of this agreement

Occupant: _____ Date _____

Owner/Manager: _____ Date _____

POST THIS CERTIFICATE IN A CONSPICUOUS PLACE ON THE PREMISES

**COUNTY OF SANTA CRUZ
TRANSIENT OCCUPANCY REGISTRATION CERTIFICATE
ISSUED PURSUANT TO CHAPTER 4.24 OF ORDINANCE**

Date of Issue: April 28, 2011

Certificate # CO00347

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

Name of Facility: Shaw Beach House

Location of Facility: 221 16th Ave, Santa Cruz CA 95062

Operator: Daniel Shaw

Mailing Address: 15700 Winchester Blvd Los Gatos CA 95030

By: *Michelle Garcia*

Michelle Garcia, Deputy
AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR