



## **Staff Report to the Zoning Administrator**

**Application Number: 191186**

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**Applicant:** Randy Maldonado-Cheshire Rio  
Property Management  
**Owner:** Richard Vierra  
**APN:** 043-021-37

**Agenda Date:** 10/4/2019

**Agenda Item #:** 1

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

**Site Address:** 302 Rio Del Mar Blvd, Aptos, CA

**Project Description:** Proposal to operate a new four-bedroom residential vacation rental. Requires a Level 5 vacation rental permit.

**Location:** Intersection of Cliff Drive and Rio Del Mar Boulevard

**Permits Required:** Level 5 Vacation Rental

**Supervisory District:** 2nd District (District Supervisor: Zach Friend)

### **Staff Recommendation:**

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 191186 based on the attached findings and conditions.

### **Project Description & Setting**

The subject property is located at the intersection of Rio Del Mar Boulevard and Cliff Drive in the Rio Del Mar area of Aptos. The 6445 square foot lot, located in the R-1-6 zoned district, has one single-family dwelling. The 1878 square foot home was constructed in 1963 as a four-bedroom, two-bathroom, two story dwelling and remained as such until a violation was issued in 1991 for illegal construction of a second unit. The violation was resolved in 1994 by obtaining permits to remodel the interior and remove an unpermitted second kitchen from the first floor.

The proposed rental is located in the Seacliff Aptos Designated Area (SADA), which is an area in which the density of vacation rentals is limited to 20% of each block. There are no vacation rentals on either block on which the property sits. However, there are seven approved vacation rentals within 500 feet of the subject property. Further, the subject property is directly across the street from an area in which short term rentals are not limited, and in these areas, the density of vacation rentals is much higher. There are upwards of 60 vacation rentals along Beach Drive and the portions of Rio Del Mar Boulevard which overlook Beach Drive. The proposal to operate a new

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four-bedroom vacation rental in a designated area is subject to public hearing pursuant to Santa Cruz County Code 13.10.694

The property can be accessed from both Rio Del Mar Boulevard and Cliff Drive and the driveway could safely accommodate four vehicles. There is space for vehicles to park along the street on both Rio Del Mar and Cliff Drive. These spaces, however, are non-exclusive, in the right-of-way, and during two site visits were occupied by vehicles. As a condition of approval for this application, the vacation rental would be limited to one on-street parking space associated with this rental for a total of five vehicles allowed for guests. The applicant has indicated, as part of their lease agreement submitted with the application, that parking will be limited to three vehicles.

In accordance with the Vacation Rental ordinance, the permit is proposed to be conditioned to limit noise generated during quiet hours (10:00 PM to 8:00 AM), prohibit illegal behavior and fireworks, limit overnight guests to 10, and require the establishment of a 24-hour emergency contact. The required 24-hour emergency contact identified on the application operates a professional management agency with an office less than one mile from the subject property. Their contact information will be available on the Planning Department webpage will be posted outside of the residence in a visible location (while the property is being rented).

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 191186, 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.sccoplanning.com](http://www.sccoplanning.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](mailto:evan.ditmars@santacruzcounty.us)

**Exhibits**

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

# 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: 191186

Assessor Parcel Number: 043-021-37

Project Location: 302 Rio Del Mar Blvd, Aptos, CA

**Project Description: proposal to operate a new 4 bedroom vacation rental**

**Person or Agency Proposing Project: Randy Maldonado**

**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.   X   **Categorical Exemption**

Class 1 – Existing Facilities

Class 3-Conversion of Small Structures

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

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. 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.

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

Application #: 191186  
APN: 043-021-37  
Owner: Richard Viera

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

## Conditions of Approval

Exhibit D: Project plans, prepared by Amber Cortes, dated 6/21/2019.

- I. This permit authorizes the establishment of a four-bedroom residential vacation rental as indicated on the approved Exhibit "D" for this permit. This approval does not confer legal status on any existing structures, existing uses, or interior configurations 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. 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.
  - B. The vacation rental shall be maintained and operated so that, at all times, it is in compliance with the items listed on the within the Vacation Rental Application form (Exhibit F).
  - C. The maximum, overnight occupancy of the vacation rental shall not exceed 10 people (2/bedroom + 2, children under 8 not counted).
  - D. The maximum number of vehicles associated with the overnight occupants shall not exceed 5.
  - E. 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).
  - F. A 24-hour contact shall be available 24 hours a day to respond to tenant and neighborhood questions or concerns. 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. Any change in the contact person's address or telephone number shall be promptly furnished 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.
  - G. 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.

- H. Occupants and guests shall adhere to the noise standards contained in the County Noise Ordinance (County Code Chapter 8.30).
  - I. 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, a prohibition on all fireworks, and a reference to the standards contained in the County Noise Ordinance (County Code Chapter 8.30).
  - 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.

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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 (5) years from the effective date listed below unless the conditions of approval are complied with and the use commences before the expiration date.**

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

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

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

\_\_\_\_\_  
Jocelyn Drake  
Deputy Zoning Administrator

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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.

Owner:  
Steve & Jeff Verra  
2072 Creek Hollow Road  
Rancho, CA 94065

Applicant:  
Randy Macintosh  
Chevinne Rio Realty and  
Property Management  
107 Aptos Beach Drive, Ca  
94026  
831-688-2041

Prepared by:  
ambur some  
ambur@environmental  
andbuild.com

302 Rio Del Mar Blvd. #J Aptos, CA

DATE 6/21/19

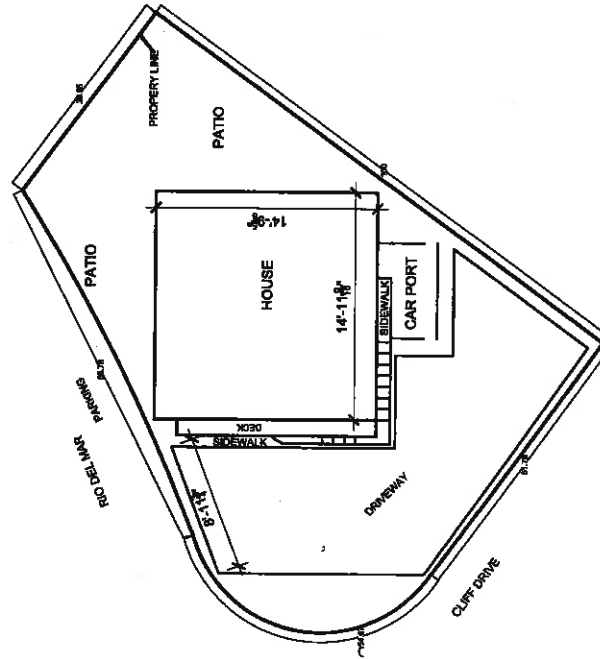
SCALE NTS

FARCEL\*

04302137

SHEET TITLE  
PROPERTY  
MAP /  
PLAN

SHEET NO  
1 of 2



SITE PLAN



ASSESSOR'S MAP

EXHIBIT D

Owner:  
Steve & Jeff Verna  
2572 Creek Hollow Rd  
Folsom, CA 95750

Applicant:  
Ramiro Macdonado  
Cheekline Pro Realty and  
Property Management  
127 Adams Street, Suite 200  
Sacramento, CA 95803  
916-386-2041

Prepared by:  
amir@evandesign.com  
amir@evandesign.com

302 Rio Del Mar Blvd. #J Aptos, CA

DATE 6/21/19

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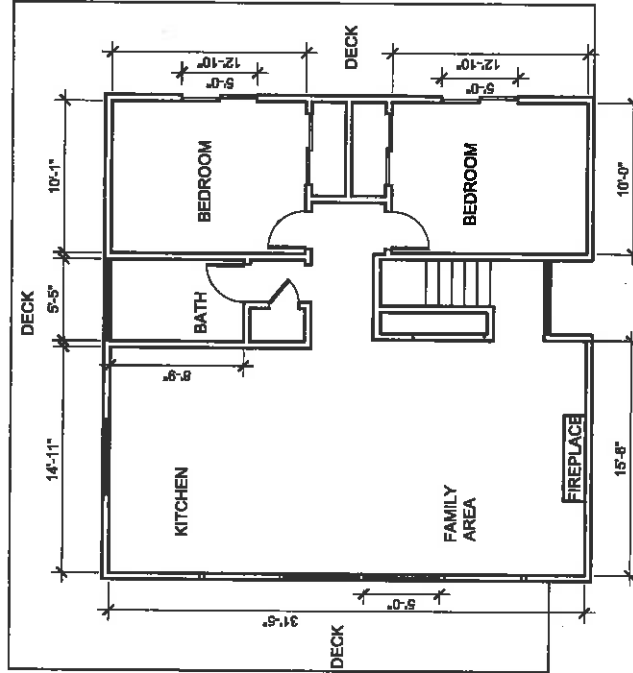
PARCEL #

04302137

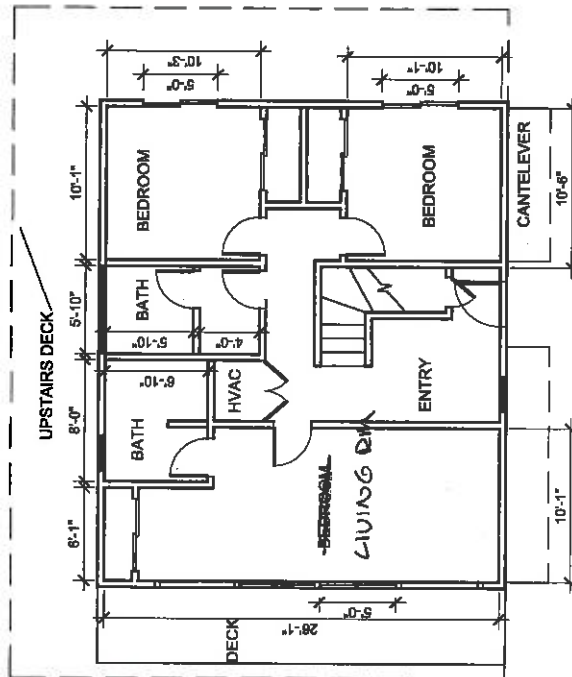
SHEET TITLE  
FLOOR  
PLAN

SHEET NO.

2 of 2



SECOND FLOOR



FIRST FLOOR

EXHIBIT D

**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:  
302 Rio Del Mar Blvd  
BEGINNING ON: 09/01/2019 at: 3:00 PM  
AND ENDING ON: 09/08/2019 at: 10:00 AM**

**ACCOUNT 37625**

**DATE OF THIS NOTICE IS: 7/1/2019**

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

AMOUNT	REQUIRED	RECEIVED
Security Dep. \$	750.00	0.00
Cleaning \$	375.00	0.00
Rents \$	2,500.00	0.00
Tax % 00	275.00	0.00
<b>TOTAL \$</b>	<b>3,900.00</b>	<b>0.00</b>
<b>BALANCE DUE BEFORE ARRIVAL</b>		<b>3,900.00</b>

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

**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 302 Rio Del Mar

### **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 \$35 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**

County ordinance now limits parking: **total number of parking spaces for 302 Rio Del Mar is 3**

#### **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 a 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.**

#### **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/302 Rio Del Mar, \_\_\_\_\_

Tenant: \_\_\_\_\_

Signature: \_\_\_\_\_

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

CHESHIRE-RIO REALTY & PROPERTY MANAGEMENT

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

107 APTOS BEACH DRIVE, APTOS, CA. 95003

831-688-2041

PAGE ONE OF TWO 10-11

EXHIBIT B 1

Cheshire Property Management operates a selective rental service offering 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 THE 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: 8.30.010-mandates quiet hours between 10pm to 8am.

**VIOLATIONS ARE SUBJECT TO A total loss of SECURITY DEPOSIT**

**ALL DRUGS 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 \_\_\_\_\_

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**EXHIBIT 1**



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

701 OCEAN STREET, 4<sup>TH</sup> 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): \_\_\_\_\_

Assessor's Parcel Number (APN): 04302137  
(APNs MAY BE OBTAINED FROM THE ASSESSOR'S OFFICE AT (831) 454-2002)

Street Address: 302 Rio Del Mar Blvd, Aptos, CA

### Applicant Information (Complete only if different from Owner Information)

NAME: Cheshire Rio Realty by Randy Maldonado

MAILING ADDRESS: 107 Aptos beach dr.

CITY/STATE Aptos Ca ZIP 95002

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

EMAIL: cheshirerio @ Comcast.net

### Owner Information

NAME: Stephen & Jeffery Vierra

MAILING ADDRESS: 5106 Brewster Ave

CITY/STATE San Jose, CA ZIP 95124

PHONE NO. (916) 261-2657 CELL PHONE NO. (408) 887-0428

EMAIL: steve.vierra24@gmail.com / jvierra68@gmail.com

### **NOTE:**

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



## 24-Hour CONTACT

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

NAME: cheshire Rio Realty

MAILING ADDRESS: 107 Aptos beach

CITY/STATE Aptos Ca ZIP 95007

PHONE NO. (831) 688-2041 CELL PHONE NO. (831) 588-1577

EMAIL: cheshire rio @ Comcast.net

## 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

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 GFCIs** (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.

\_\_\_\_\_  
Owner of Rental Unit

\_\_\_\_\_  
Date

\_\_\_\_\_  
Certified Home Inspector

\_\_\_\_\_  
License #

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Building Inspector

\_\_\_\_\_  
Date

\_\_\_\_\_  
Property Manager/Agent

5/20/19

\_\_\_\_\_  
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

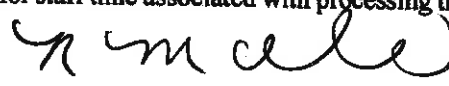
I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the County of Santa Cruz is not responsible for inaccuracies in information presented, and that inaccuracies may result in the revocation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

5/27/19  
\_\_\_\_\_  
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: Randy Maldonado  
Address: 107 Aptos beach  
City, State, Zip Code: Aptos Ca. 95003  
Telephone: (831) 688-2041 Cell #: (831) 419 0107  
Email: Randy Maldonado@Comcast.net

Owner: Name: Stephen & Jeffery Vierra  
Address: 5106 Brewster Ave  
City, State, Zip Code: San Jose, CA 95124  
Telephone: (916) 261-2657 Cell #: (408) 887-0428  
Email: steve.vierra24@gmail.com / jvierra68@gmail.com

05/20/2019  
Date

04302137  
Assessor's Parcel Number(s)

  
Signature of Owner

302 rio del mar  
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.

# FOR TAX PURPOSES ONLY

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POR. APTOS RANCHO

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

Tax Area Code  
69-273

43-02

Electronically Redrawn 1/22/97 rw  
Rev. 5/14/98 (TCA consolidation) rw  
Rev. 3/16/99 GIB (Car. LBA from 77, 2751-612; 1-45 & 46)  
Rev. 5/25/01 mm (changed page refs.)  
Rev. 6/26/02 DD (combo form, 1-47)  
Rev. 3/15/17 Jg (123RS40)



APTOS BEACH COUNTRY CLUB SUB #6  
23MB35  
9/20/1926

BK 42  
23

BK 42  
22

BK 42  
23

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

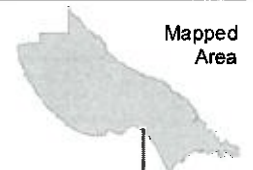
Assessor's Map No. 43-02  
County of Santa Cruz, Calif.  
Jan. 1997

EXHIBIT G

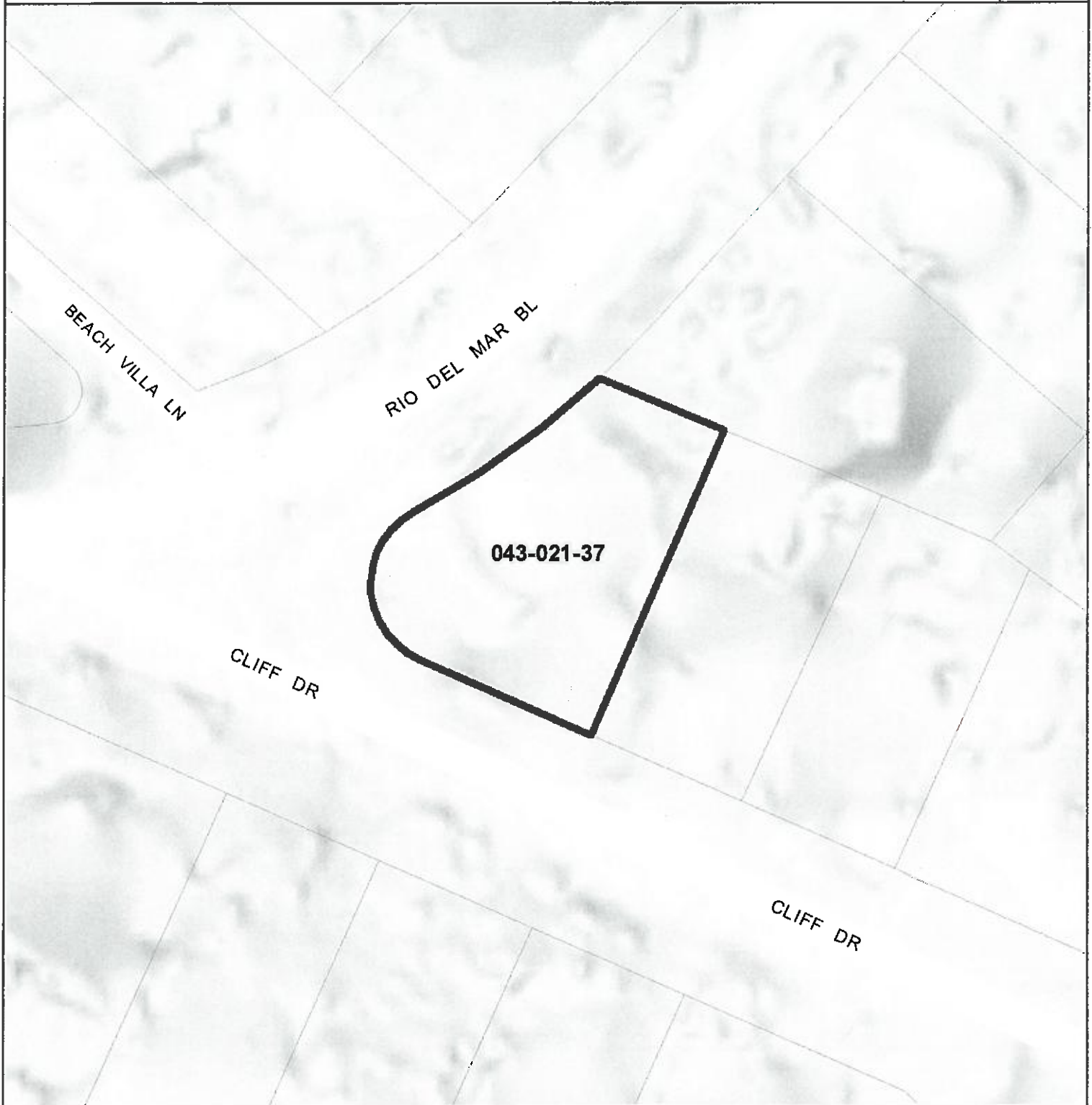


SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel Location Map



Mapped  
Area



Parcel: 04302137



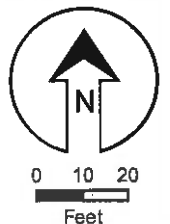
Study Parcel



Assessor Parcel Boundary

Map printed: 27 Aug. 2019

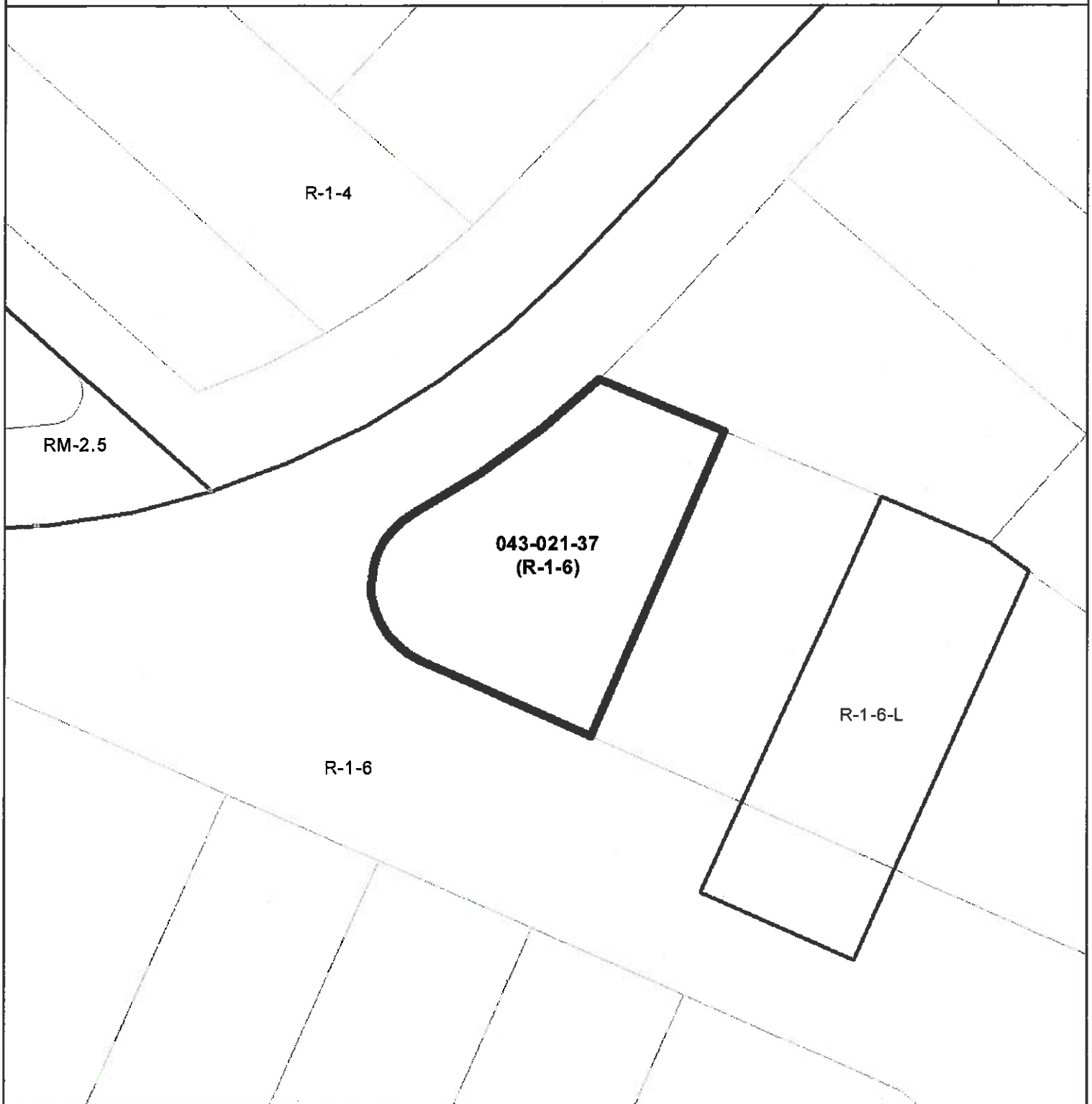
EXHIBIT G 1





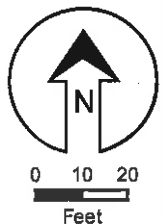


# Parcel Zoning Map



- ☐ R-1 *Single-Family Residential*
- ☐ RM *Residential Multi-Family*

**EXHIBIT G**



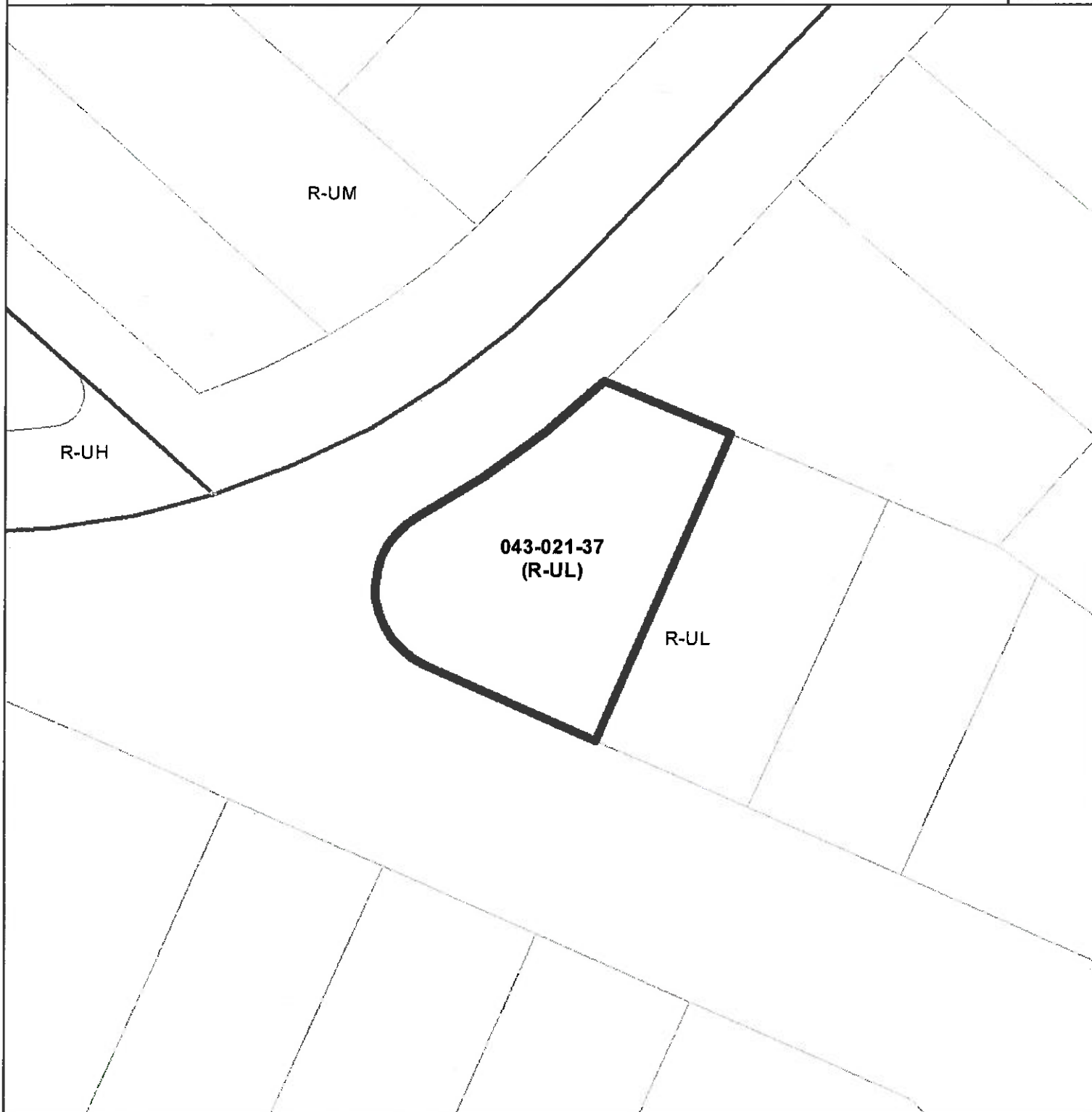


# SANTA CRUZ COUNTY PLANNING DEPARTMENT

## Parcel General Plan Map



Mapped  
Area



- ☐ R-UH *Res. Urban High Density*
- ☐ R-UM *Res. Urban Medium Density*
- ☐ R-UL *Res. Urban Low Density*

**EXHIBIT G 1**

