



## Staff Report to the Zoning Administrator

Application Number: **191286**

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**Applicant:** David LeBaron

**Owner:** 640 Harrison LLC

**APN:** 028-304-74

**Site Address:** 2-2806 E Cliff Drive, Santa Cruz, CA

**Agenda Date:** 2/7/2019

**Agenda Item #:** 1

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

**Project Description:** Proposal to operate a new four-bedroom vacation rental in an existing single-family dwelling

**Location:** Ocean side of E Cliff Drive, approximately 650 feet west of the intersection of E Cliff Drive and Moran Way

**Permits Required:** Level 5 Vacation Rental

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

### Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 191286, based on the attached findings and conditions.

### Project Description & Setting

The subject property is a 9,801 square foot lot with four-bedroom, three-bathroom single-family dwelling. The home sits on the south side of East Cliff Drive on a row of approximately 15 homes which front the ocean. The property has a R-1-5-PP (Single-family residential-5,000 square foot parcel size, Pleasure Point Combining District) Zoning Designation. The General Plan Designation is split across the property; the southwest portion is zoned O-R (Parks, Recreation, and Open Space) and the northeast portion is zoned R-UM (Urban Medium Density Residential). The surrounding land use is primarily residential, however, approximately 250 feet north of the property is Moran Lake County Park and Beach, which is zoned PR.

Vacation rentals are an allowed use in the R-1-5-PP zone district. The property is located in the Live Oak Designated Area (LODA), one of the three designated areas of the County in which vacation rental density is limited. Pursuant to Santa Cruz County Code 13.10.964, the density of vacation rentals in the LODA are limited to 20% of the parcels on a block. The block on which the proposed rental sits extends from the intersection of E Cliff Drive and South Palisades Avenue to Moran Lake/26<sup>th</sup> Avenue Beach and includes parcels on both sides of the street. There are 16

parcels on the block, three of which hold active vacation rental permits. If approved, this vacation rental will be the last permitted on the block.

In accordance with the Vacation Rental ordinance, the permit will be conditioned to ensure limits on the maximum number of overnight guests allows (10), the number of guests for celebrations and gatherings (20), noise generated during quiet hours (10:00 PM to 8:00 AM), prohibits illegal behavior and fireworks, and requires the establishment of a 24-hour emergency contact. The required 24-hour emergency contact identified on the application resides approximately 1500 feet from the subject property and their 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). Parking for the proposed rental is entirely on-site as there is no street parking in the vicinity. The driveway, however, has sufficient parking for at least six vehicles.

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 **191286**, 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  
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E-mail: [evan.ditmars@santacruzcounty.us](mailto:evan.ditmars@santacruzcounty.us)

## **Exhibits**

- A. Categorical Exemption (CEQA determination)
- B. Findings
- C. Conditions
- D. Vacation Rental Application
- E. Project plans
- F. Assessor's, Location, Zoning and General Plan Maps
- G. 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: 191286**

**Assessor Parcel Number: 028-304-74**

**Project Location: 22806 E Cliff Drive, Santa Cruz, CA**

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

**Person or Agency Proposing Project: David LeBaron**

**Contact Phone Number: 408-294-7636**

- 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 synonymous 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.

\_\_\_\_\_  
Project Planner

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

## **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 impacts 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-1-5-PP (Single Family Residential – 5,000 square foot minimum parcel size, Pleasure Point Combining 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 use is consistent with the use and density requirements specified for the R-UM (Urban Medium Density Residential) and O-R (Parks, Recreation, Open Space) land use designations 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 long term 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 proposed vacation rental is located in a mixed neighborhood containing a variety of architectural styles, residential uses, and the proposed use is consistent with the land use intensity and density of the neighborhood. Conditions of approval, including limiting noise, people, and vehicles will ensure that the vacation rental use will be compatible with the neighborhood.

## Conditions of Approval

Exhibit E: Project plans, prepared by DeMattei Construction Inc., dated 3/27/2019.

- I. This permit authorizes the establishment of a four-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. 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 Vacation Rental Safety Certification form (Exhibit D).
  - 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 6.
  - 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). 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.
  - 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, and a reference to the standards contained in the County Noise Ordinance (County Code Chapter 8.30).
  - J. Fireworks are illegal in Santa Cruz County and shall be prohibited at the vacation rental.
  - K. The owner/applicant shall comply with the regulations and standards set forth in Chapter 4.24 of the County Code, including any required payment of transient occupancy tax for the vacation rental unit.
  - L. The owner/applicant shall agree to engage in dispute resolution and act in good faith to resolve disputes with neighbors arising out of the use of the dwelling as a vacation rental. Unless an alternate dispute resolution entity is agreed to by all parties involved, dispute resolution shall be conducted through the Conflict Resolution Center of Santa Cruz County.
  - M. 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 three 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.

## Parcel Information

### Services Information

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

### Parcel Information

Parcel Size: 9801  
Existing Land Use - Parcel: Residential  
Existing Land Use - Surrounding: Residential  
Project Access: Public, via E Cliff Drive  
Planning Area: Live Oak  
Land Use Designation: O-R, R-UM (Open Space Recreation, Urban Medium Density Residential)  
Zone District: R-1-5-PP (Single-family residential 5,000 square foot minimum parcel size, Pleasure Point Combining District))  
Coastal Zone:   X   Inside      Outside  
Appealable to Calif. Coastal Comm.   X   Yes      No



# 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): \_\_\_\_\_

Assessor's Parcel Number (APN): 02830474  
(APNs MAY BE OBTAINED FROM THE ASSESSOR'S OFFICE AT (831) 454-2002)

Street Address: 22806 East Cliff Drive Santa Cruz CA 95062

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

NAME: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

CITY/STATE \_\_\_\_\_ ZIP \_\_\_\_\_

PHONE NO. (\_\_\_\_) \_\_\_\_\_ CELL PHONE NO. (\_\_\_\_) \_\_\_\_\_

EMAIL: \_\_\_\_\_

### Owner Information

NAME: David Lebaron

MAILING ADDRESS: 1818 McDaniel St

CITY/STATE San Jose CA ZIP 95126

PHONE NO. (408) 294-7636 CELL PHONE NO. (408) 886-4659

EMAIL: Davidlebaron@comcast.net

### **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.*

# 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.

 David LeBaron, Jr.  
Owner of Rental Unit

10/10/19

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

## **Vacation Rental Agreement**

22806 East Cliff Drive, Santa Cruz CA 95062

Manager: Surf City Rentals      Phone: (831) 566-6144

**Tenant agreement and information sheet:**

**PLEASE SIGN AND RETURN TO CONFIRM BOOKING**

**Tenant Name:**

**Tenant Address:**

**Cell #**

**Email:**

### **RESERVATION DATES –**

**Check In:**

**Check Out:**

**Number of Adults:**

**Children:**

### **5.) Total Rental Amount:**

Rent:

TOT Tax:

Tourist tax

Cleaning:

Damage Policy

**Total Due**

### **1. PROPERTY BEING RESERVED:**

22806 East Cliff Drive, Santa Cruz CA 95062



**Adults are defined as individuals that are 8 years and older per county code section 13.10.694(d)(1)(D)**

**2. AGREEMENT:** Surf City Rentals, the Agents for the owner, and Tenant agree as follows: Above Tenant is an adult and will be an occupant of the unit during the entire reserved period. Other occupants will be family members, friends or responsible adults. Use of the premises will be denied to persons not falling within the foregoing categories, and as a result they would have to vacate the property immediately without any refund. No keys will be issued to anyone who is not an adult.

**3. PETS:** are not allowed.

**4. ACCIDENTAL DAMAGE PROTECTION:** The purchase of Accidental Property Damage Protection is required as part of your reservation total and is not refundable. This replaces the traditional refundable security deposit. This policy only covers accidental acts by the guests. It does not cover gross negligence by a Guest; (damage from inebriation, drunkenness, anger, altercations, etc..) Any damage caused by gross negligence will be charged to the credit card used to pay for the reservation.

**5. NO SMOKING ON OR INSIDE THE PROPERTY**

**~~NO FIREWORKS ON THE PROPERTY~~**

**6. CANCELLATION:** Should you wish to cancel this reservation, notice of cancellation **MUST BE IN WRITING AND RECEIVED MORE THAN 30 DAYS PRIOR TO YOUR CHECK IN DATE.** We will refund the sums you have paid, less a \$250 cancellation fee. If your notice of cancellation is **RECEIVED LESS THAN 30 DAYS PRIOR TO YOUR CHECK IN DATE**, you will forfeit all sums paid, unless we are able to re-rent the property to someone else, at the same rate, for the same period. If the property is rented we will only charge the \$250 cancellation fee.

**EXHIBIT D**

**7. CHECK IN:** Check in time is 4:00 PM. EARLY CHECK IN TIMES ARE ALLOWED ONLY WHEN THE PROPERTY IS CLEANED AND READY FOR OCCUPANCY AND PRIOR APPROVAL IS REQUIRED.

**8. CHECK OUT:** Check out time is 11:00 AM. Please leave remote controls, and parking permits/passes (if issued) at the location.

**9. PARKING:** There are 3 off street parking for spots on the property in the driveway.

**10. CLEANING:** Each property will be inspected and properly cleaned after your departure. The cleaning fee you have paid will provide for 4 hours of normal cleaning so that you can enjoy your vacation up to the last moment. YOU ARE REQUIRED to leave the property in the same general condition that you received it by making sure, dishes are done, and the home is generally picked up and ready to be cleaned by the house cleaners. If additional cleaning is required, appropriate charges will be deducted from your security deposit at the rate of \$25 per hour.

**11. WHAT WE SUPPLY:** The property is equipped and set up as a fully furnished property that will include bedspreads, linens, blankets, pillows, towels, as well as a fully equipped kitchen. **THERE WILL BE EXTRA CHARGES TO YOUR SECURITY DEPOSIT FOR REPLACING THESE ITEMS IF FOUND TO BE NECESSARY.**

**12. WHAT YOU SHOULD BRING:** Plan on packing your personal toiletry items. Since we provide only a limited supply of toilet paper, paper towels, and other dispensable items to get you started on your first day of vacation, you should plan on making a trip to the grocery store to replenish these items as you need them.

**EXHIBIT D**

**13. TENANTS LIABILITY:** Tenant agrees to accept liability for any damages caused to the property (other than normal wear and tear) by Tenant or Tenants guests, including, but not limited to, landscaping, misuse of appliances, and/or equipment furnished. If damages are in excess of the security deposit being held, Tenant agrees to reimburse the owner for costs incurred to repair/replace damaged items.

**14. SLEEPING CAPACITY/GATHERINGS:** The maximum number of people that are allowed for ~~sleeping is 8 (2 per bedroom plus 2)~~. The maximum number of people that are allowed for celebrations and **gatherings** between the hours of 8:00 AM and 10:00 PM as per the County Code section 13.10.694 ~~(d)(1)(D) is 16~~. Tenants and all other occupants will be required to vacate the premises and forfeit the rental fee and security deposit for any of the following:

- A. Occupancy exceeding the sleeping capacity of 8.
- B. Using the premises for any illegal activity including, but not limited to, the possession, serving or consumption of alcoholic beverages by or to persons less than 21 years of age.
- C. Causing damage to the premises rented or to any of the neighboring properties.
- D. Any other acts which interferes with neighbors' right to quiet enjoyment of their property. E. Violation of the 10:00 PM Santa Cruz County and Capitola Noise Ordinance.

**15. NOISE/DISTURBANCES:** County Code Section 8.30.010 states **quiet hours are 10:00 PM to 8:00 AM** and must be followed within the Santa Cruz county limits. The City of Capitola has a similar noise ordinance. Government ordinances also prohibit any illegal behavior. ~~Fireworks are illegal in Santa Cruz County.~~

**EXHIBIT D**



**16. TRASH MANAGEMENT:** County Code Section 7.20.005 states that all trash must be kept in closed containers and not allowed to accumulate. Therefore, please put all your trash in the Waste Management trash bins that are provided at each of our vacation rentals. Trash goes out to the curb on Sunday nights and need to be returned to the back end of the driveway on Monday.

**17. HOLD HARMLESS:** The owner does not assume any liability for loss, damage or injury to persons or their personal property. Neither do we accept liability for any inconvenience arising from any temporary defects or stoppage in supply of water, gas, electricity or plumbing. Nor will the owner accept liability for any loss or damage caused by weather conditions, natural disasters, acts of God, or other reasons beyond its control.

**18. CLIFFS:** Tenant hereby acknowledges that a large section of the beachfront on West Cliff and East Cliff Drives are filled with 'riprap' (a foundation of large rocks piled together to prevent erosion), which is not designed for walking, climbing or sitting. The undersigned is fully aware that the 'riprap' is jagged, unstable, dangerous, and slippery when wet, and injury is likely to occur to anyone who attempts to walk, climb or sit thereon. With full knowledge of the above facts and warnings, the undersigned accepts and assumes all risks involved in or related to walking climbing or sitting on the 'riprap'.

**19. ADDITIONAL TERMS AND CONDITIONS:** The undersigned, for himself/herself, his/her heirs, assignors, executors, and administrators, fully releases and discharges Owner from any and all claims, demands and causes of action by reason of any injury or whatever nature which has or have occurred, or may occur to the undersigned, or any of his/her guests as a result of, or in connection with the occupancy of the premises and agrees to hold Owner free and harmless of any claim or suit

**EXHIBIT D**

arising therefrom. In any action concerning the rights, duties or liabilities of the parties to this agreement, their principals, agents, successors or assignees the prevailing party shall be entitled to recover reasonable attorney fees and costs.

**20. PROPERTY INSPECTION:** With or without reason or cause the Owner or Owner Representative has the right to inspect the property both inside the home and the yard with a 24 hour notice to the Tenant. This notice does not have to be in writing, it can be via phone call or email or personal communication.

TENANT

SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

\_\_\_\_\_

EXHIBIT D

# LEBARON RESIDENCE

## SCOPE OF WORK:

### SCOPE OF WORK

#### PROJECT DATA

ZONING	R-4.5-PP
OCCUPANCY TYPE	X-X
BUILDING TYPE	
ADN AREA	283.04-74
FLOOR AREA:	
(E) RESIDENCE	9,801 SF
(E) FAR	2,100 SF
(N) ADDITION	21.4%
PROPOSED TOTAL	XXX SF
(N) FAR	XXXX SF
	XX.X%

#### PROJECT DIRECTORY

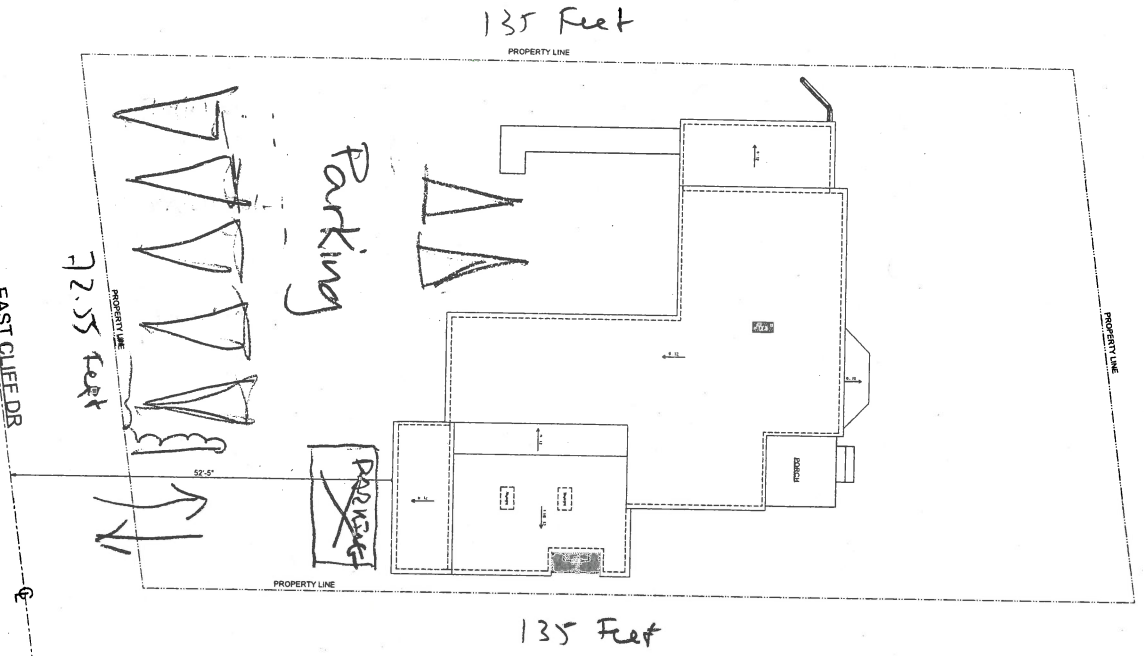
PROPERTY OWNER:  
DAVE LEBARON  
22806 E CLIFF DR  
SANTA CRUZ, CA 95062  
(408) 866-4659

DESIGNER/CONTRACTOR:  
DE MATTEI CONSTRUCTION, INC.  
1794 THE ALAMEDA  
SAN JOSE, CA 95126  
(408) 285-7516  
*David LeBaron*  
*cmast.net*

#### SHEET INDEX

- CS COVER SHEET
- A2.1 FLOOR PLANS
- A2.2 EXTERIOR ELEVATIONS

CONSTRUCTION SHALL CONFORM TO:
2016 California Building Code
2016 California Residential Code
2016 California Plumbing Code
2016 California Mechanical Code
2016 California Electrical Code
2016 Green Building Code
2016 California Fire Code
2016 California Reference Standards Code



**SITE/ROOF PLAN**  
Scale: 1/8"=1'-0"

PERMIT PROGRESS SET 3/27/2019

CS

SHEET:

DRAWN BY:

DATE:

SCALE:

3/27/2019

DATE:

DRAWINGS PROVIDED BY:

DeMattei Construction, Inc.

1794 The Alameda, San Jose, CA, 95126

P: (408) 285-7516

F: (408) 286-6589

LIC # B-478455

PROJECT DESCRIPTION:

DAVE LEBARON

22806 E CLIFF DR

SANTA CRUZ, CA 95062

SHEET TITLE:

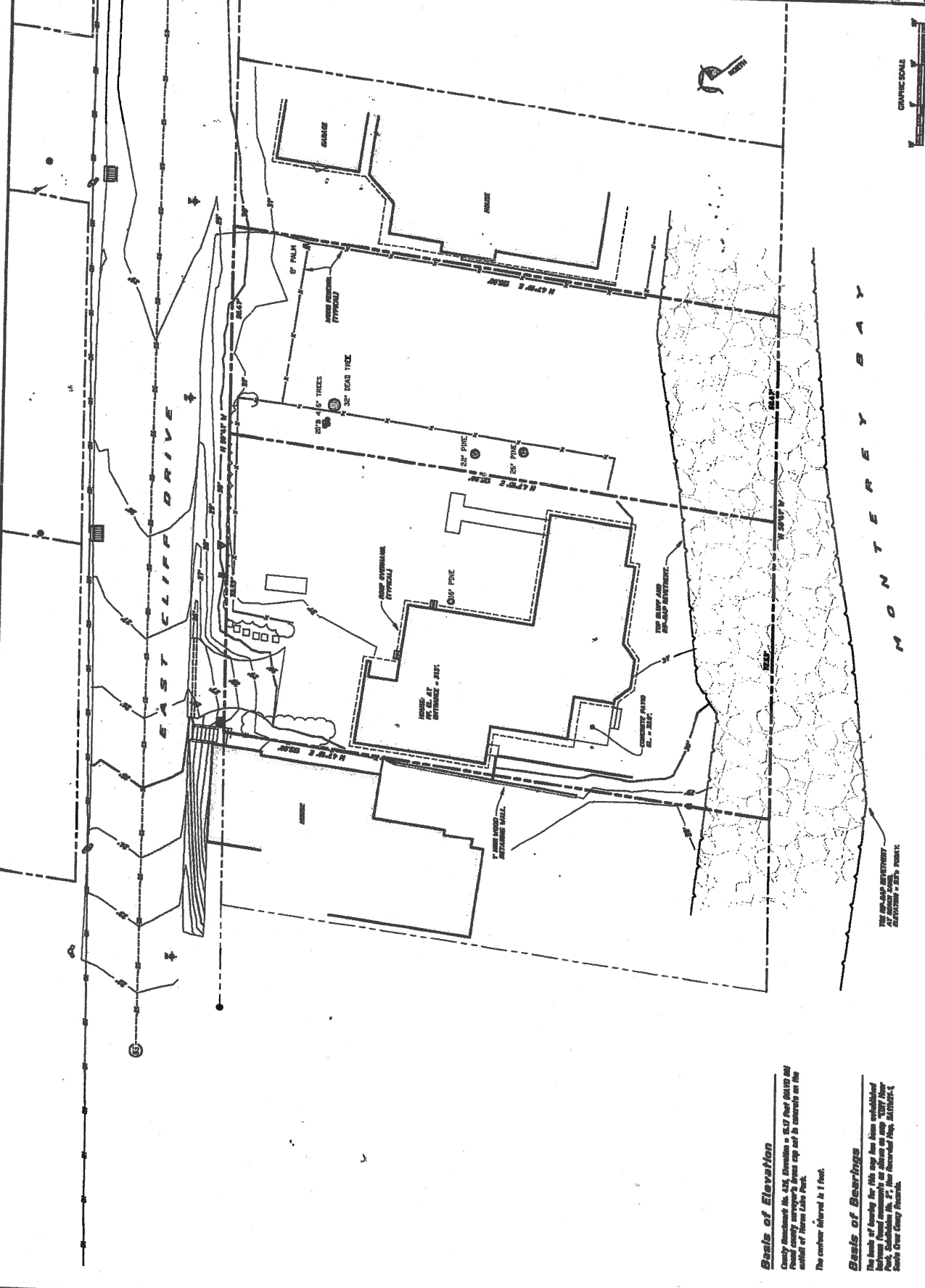
COVER SHEET

NO.

DESCRIPTION

BY

DATE



**Basis of Elevation**  
 County Benchmark No. 435, Elevation = 54.17 feet MLLW and  
 from county surveyor's bench cap and its materials on the  
 outside of Ocean Lanes Park.  
 The contour interval is 1 foot.

**Basis of Bearings**  
 The basis of bearings for this map are from established  
 lines of the County Surveyor's Office and from the  
 Peak, California No. 17, San Francisco Bay, 1811/1812-4.  
 Santa Cruz County Records.

ZELLER APPRAISAL SERVICES, INC.

EXHIBIT E

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:  
FLOOR PLANS

PROJECT DESCRIPTION:  
DAVE LEBARON  
22806 E CLIFF DR  
SANTA CRUZ, CA 95062

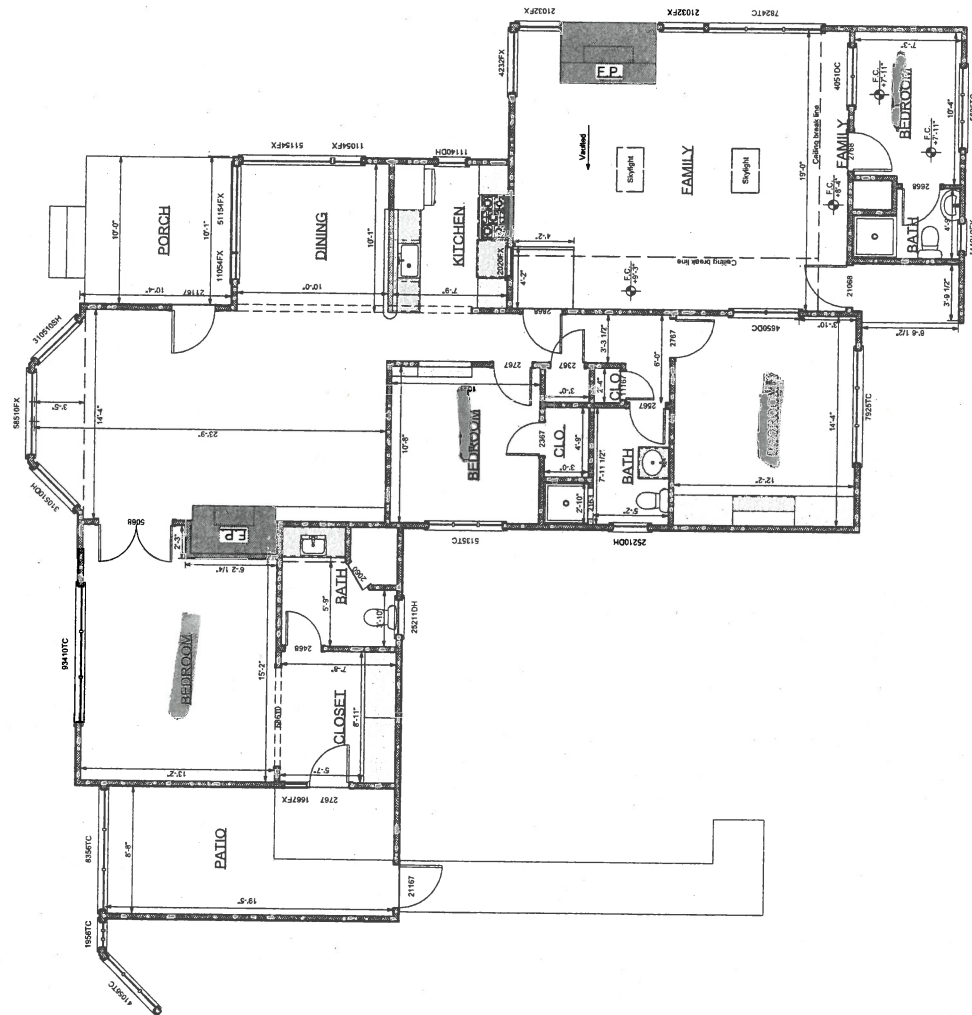
DRAWINGS PROVIDED BY:  
DeMattei Construction, Inc.  
1794 The Alameda, San Jose  
CA 95126  
LIC # B-478455  
P: (408) 286-65  
F: (408) 285-71

DATE:  
3/27/2019  
SCALE:  
DRAWN BY:  
LL  
SHEET:  
A2.1

PERMIT PROGRESS SET 3/27/2019

David Lebaron@comcast.net

PARCEL # 02830474



**1 FLOOR PLAN**  
Scale: 1/4"=1'-0"

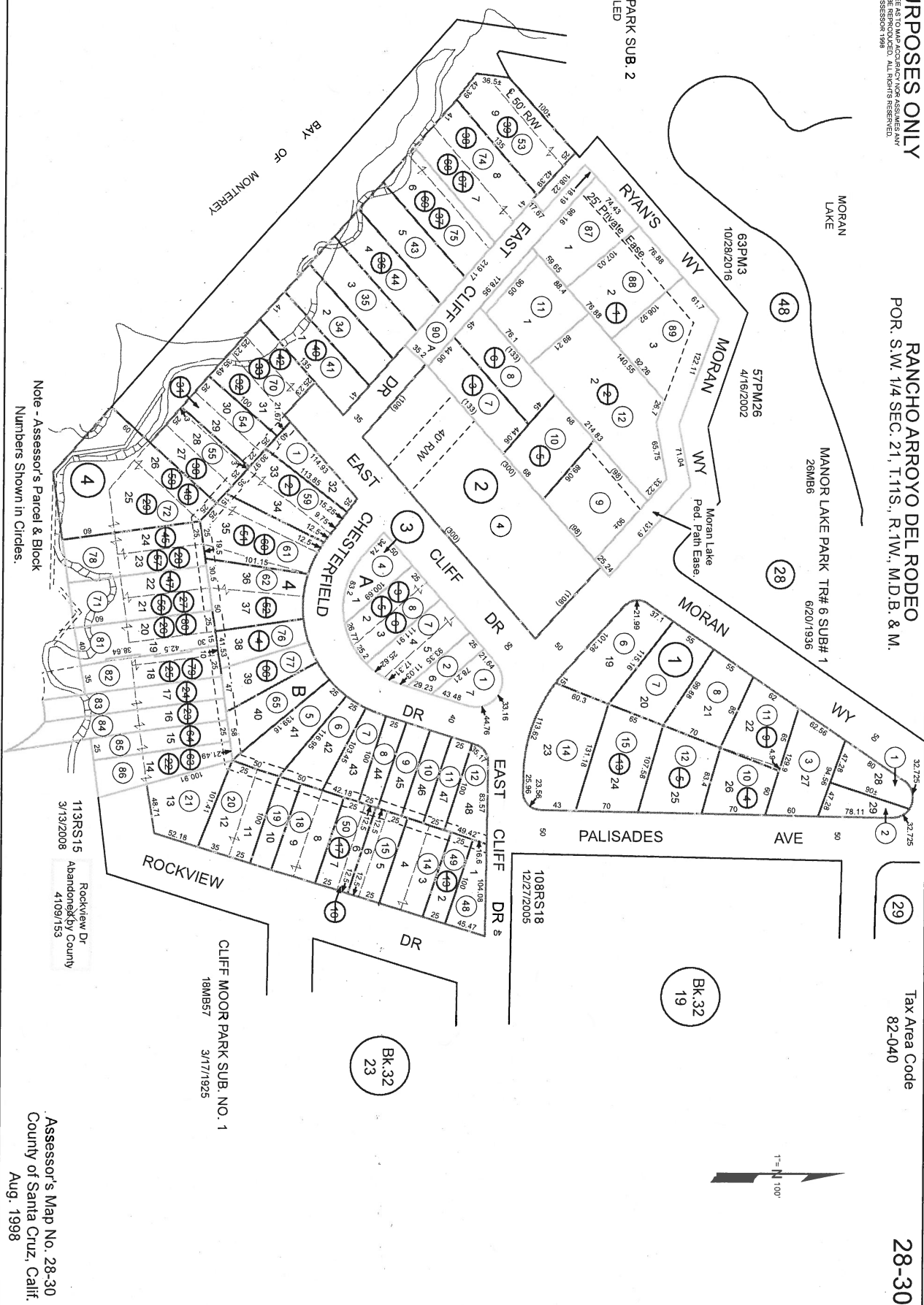
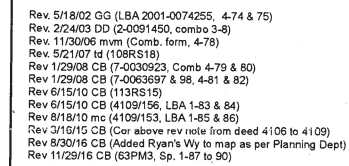
EXHIBIT E

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.  
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POR. S.W. 1/4 SEC. 21, T.11S., R.1W., M.D.B. & M.

82-040

28-30







# SANTA CRUZ COUNTY PLANNING DEPARTMENT

## Parcel Location Map

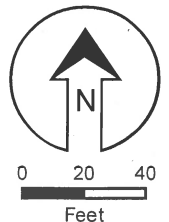


**Parcel: 02830474**

- Study Parcel
- Assessor Parcel Boundary
- Existing Park

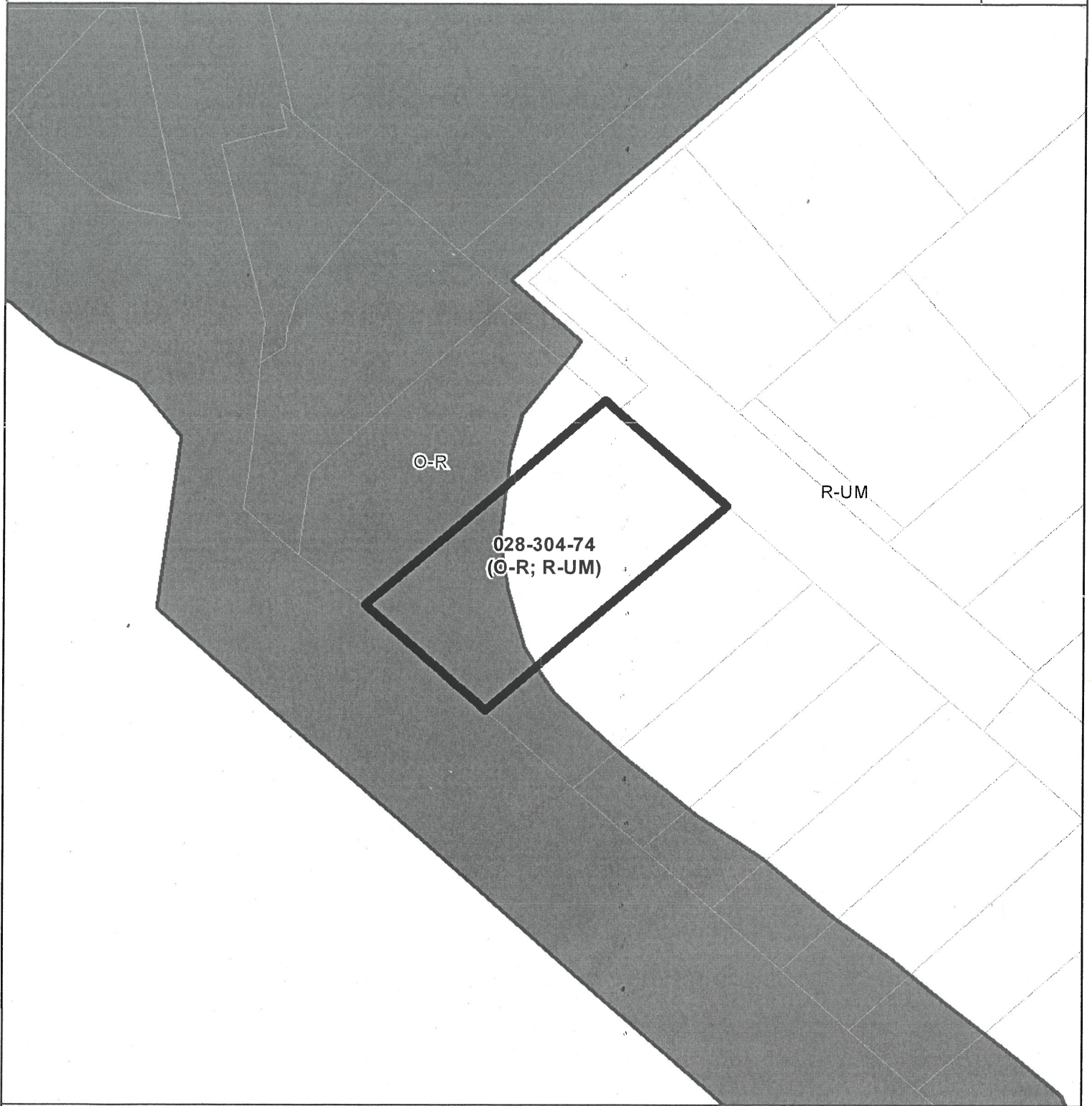
Map printed: 16 Dec. 2019

**EXHIBIT F**

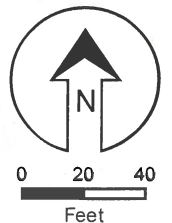




# Parcel General Plan Map



- O-R Parks, Recreation & Open Space
- R-UM Res. Urban Medium Density

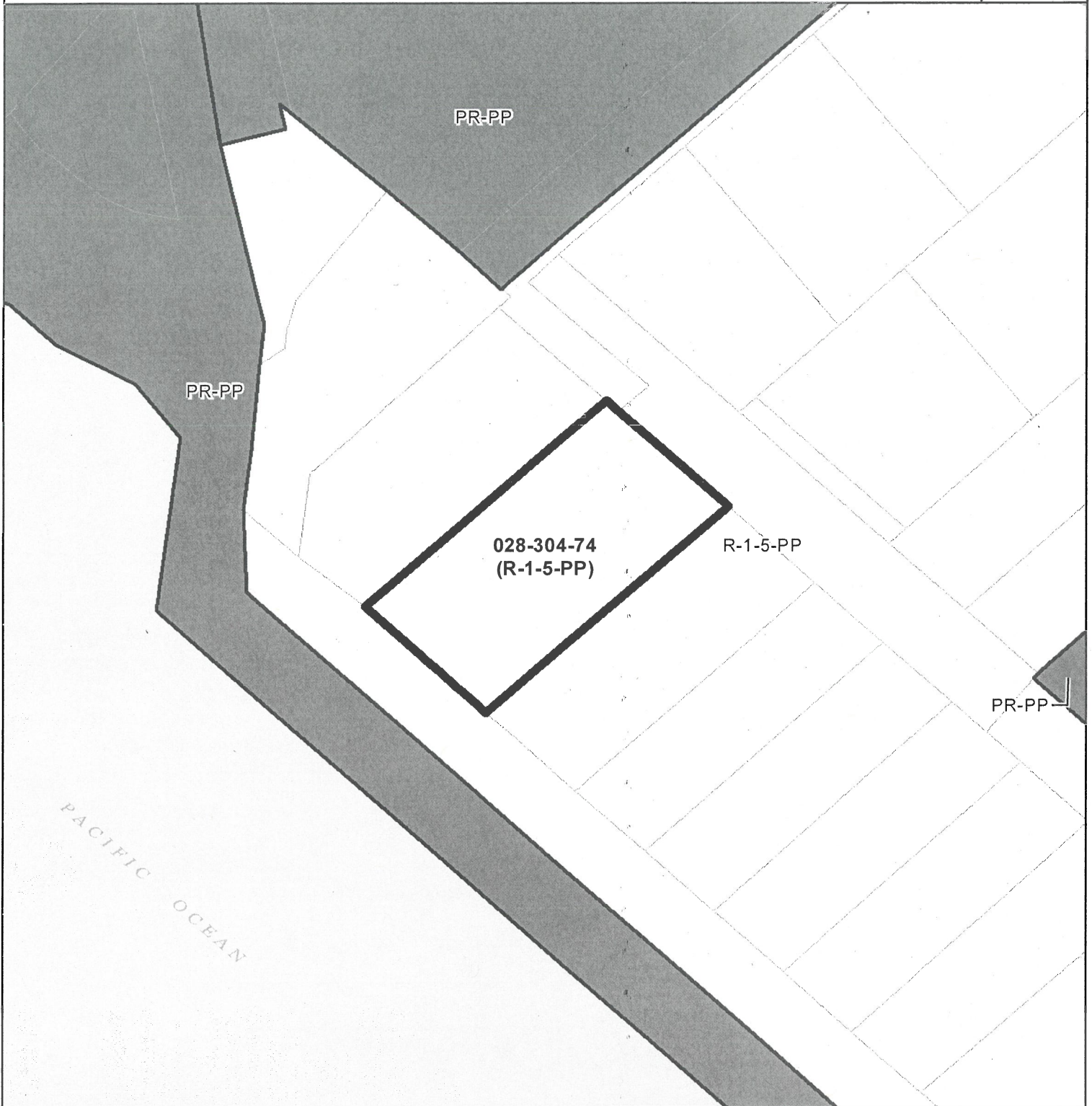


**EXHIBIT**



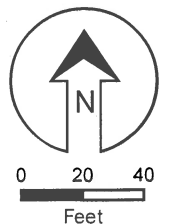


# Parcel Zoning Map



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

EXHIBIT F



## Parcel Information

### Services Information

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

### Parcel Information

Parcel Size: 9801  
Existing Land Use - Parcel: Residential  
Existing Land Use - Surrounding: Residential  
Project Access: Public, via E Cliff Drive  
Planning Area: Live Oak  
Land Use Designation: O-R, R-UM (Open Space Recreation, Urban Medium Density Residential)  
Zone District: R-1-5-PP (Single-family residential 5,000 square foot minimum parcel size, Pleasure Point Combining District))  
Coastal Zone:   X   Inside      Outside  
Appealable to Calif. Coastal Comm.   X   Yes      No

EXHIBIT G