



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

**Application Number: 191352**

**Applicant:** Charlie Eadie  
**Owner:** Kai Schuette  
**APN:** 058-131-17

**Agenda Date:** 5/1/20  
**Agenda Item #:** 3  
**Time:** After 9:00 a.m.

**Site Address:** 275 Davenport Landing Road, Davenport, CA 95017

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

**Location:** South side of Davenport Landing Road, approximately 850 feet south of the intersection of Davenport Landing Road and Highway 1

**Permits Required:** Level 5 Vacation Rental

**Supervisory District:** 3rd District (District Supervisor Coonerty)

### **Staff Recommendation:**

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 191352 based on the attached findings and conditions.

### **Project Description & Setting**

The proposed project is to expand the scope of a previously approved vacation rental permit (111401) from three bedrooms to five bedrooms. The dwelling was constructed in 1963 and remodeled in 1992. There is currently a remodel in progress, under building permit B-171742, which will result in the expansion of the home from a three-bedroom to a five-bedroom dwelling. The proposal to operate a vacation rental in excess of three bedrooms is subject to public hearing pursuant to Santa Cruz County Code 13.10.694.

The subject parcel is a 12,937 square foot lot located in the RA (Residential Agricultural) zone district and carries an AG (Agricultural) General Plan designation. The parcel is located on Davenport Landing Road, approximately 1.3 miles north of Davenport. Development in the area of the property includes residential uses, agricultural uses, and commercial uses. The neighboring parcel, to the north of the subject property, is developed with a single-family dwelling. The neighboring parcel to the south operates as a commercial abalone farm. In total, the Davenport Landing neighborhood has six single-family dwellings. The neighborhood also includes a public

beach with a restroom and parking lot (Davenport Landing Beach).

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 two people per bedroom, plus two additional guests for a total of 12 overnight guest. Daytime guests are limited to twice the number of overnight guests. Parking associated with the rental is limited to four vehicles, all of which have space on-site to park. Street parking in the vicinity of the subject property is limited. Davenport Landing Beach, approximately 350 feet north of the subject property, has a small dirt parking lot and parallel parking is allowed on a portion of Davenport Landing Road. As a condition of approval for this project, the owner is required to inform their guests that no street parking is permitted. The lease agreement provided by the applicant warns guests of the parking restrictions and limits vehicles associated with the rental to four. The owner has established himself as the 24-hour emergency contact with an address approximately 16 miles from the subject property.

The property is located within the Davenport/Swanton Designated Area (DASDA) which limits vacation rental and hosted rental density. The block on which the proposed rental sits, Davenport Landing Road, defined for the purpose of a vacation rental, spans from the southern intersection of Davenport Landing Road to the northern intersection of the two streets and includes parcels on both sides of the street. Only one other home (150 Davenport Landing) on the street maintains a short-term rental permit. The density of the block will not be changed as a result of this vacation rental permit since the existing three-bedroom rental permit for the subject property is still valid.

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 **191352**, 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. 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:** 191352

**Assessor Parcel Number:** 058-131-17

**Project Location:** 275 Davenport Landing Road, Davenport CA 95017

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

**Person or Agency Proposing Project:** Charlie Eadie

**Contact Phone Number:** 831-431-3396


- 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.

  
\_\_\_\_\_  
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 ensure 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 RA (Residential Agricultural) 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 AG (Agricultural) 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 #: 191352

APN: 058-131-17

Owner: Kai Schuette

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

## Conditions of Approval

Exhibit E: Project plans, prepared by Thacher and Thompson Architects, dated 2/10/2015.

- 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.
  - B. Obtain final inspection for B-171742 to complete the conversion of the home from three to five bedrooms.
- 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 Certification form (Exhibit G).
  - C. The maximum, overnight occupancy of the vacation rental shall not exceed twelve people (two per bedroom plus two, children under eight not counted).
  - D. The maximum number of vehicles associated with the overnight occupants shall not exceed four. All vehicles associated with the rental are required to be parked on-site.
  - E. 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).
  - F. 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.
  - G. 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).

- H. Fireworks are illegal in Santa Cruz County and prohibited at the vacation rental.
  - I. The vacation rental shall have a sign identifying the structure as a permitted vacation rental and listing a 24-hour local contact responsible for responding to complaints and providing general information. The sign shall not exceed 216 square inches and cannot be posted more than 20 feet back from the nearest street.
  - J. The name, address, and telephone number(s) of the local contact person shall be posted inside the vacation rental in a location readily visible to all guests. 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 Planning Department, the local fire agency, and all neighbors within a 300-foot radius of the property.
  - 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 five 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.

Application #: 191352  
APN: 058-131-17  
Owner: Kai Schuette

## Parcel Information

### Services Information

Urban/Rural Services Line:      ☐ Inside      ☒ Outside  
Water Supply:  
Sewage Disposal:  
Fire District:                      County Fire Protection District  
Drainage District:                N/A

### Parcel Information

Parcel Size:                        12,937 square feet  
Existing Land Use - Parcel:      Residential  
Existing Land Use - Surrounding: Residential, Agricultural, Commercial Agricultural  
Project Access:                    Public Road/Davenport Landing via Highway 1  
Planning Area:                      North Coast  
Land Use Designation:            Ag (Agricultural)  
Zone District:                       RA (Residential Agricultural)  
Coastal Zone:                       ☒ Inside      ☐ Outside  
Appealable to Calif. Coastal    ☒ Yes           ☐ No  
Comm.

Technical Reviews: NA

# SCHUETTE RESIDENCE

## 275 DAVENPORT LANDING ROAD

EXHIBIT E

### PROJECT DATA

PROJECT DESCRIPTION: PROPOSAL TO REMODEL AN EXISTING 2 STORY, 1,462 SF HOUSE TO CREATE A 3 BEDROOM, 4.5 BATH HOUSE.

OWNER: KIM AND SHAWN SCHUETTE  
275 DAVENPORT LANDING RD.  
SANTA CRUZ, CA 95060  
(408) 318-2324  
khs@schuettefamily.com

PROJECT SITE: 275 DAVENPORT LANDING ROAD  
SANTA CRUZ, CA 95060

ASSIGNED PACE NUMBER: 088 (11/17)

ZONE DISTRICT: RM COASTAL

WATER SERVICE: PRIVATE WELL

FIRE PROTECTION SERVICE: XXX

### AREA CALCULATIONS

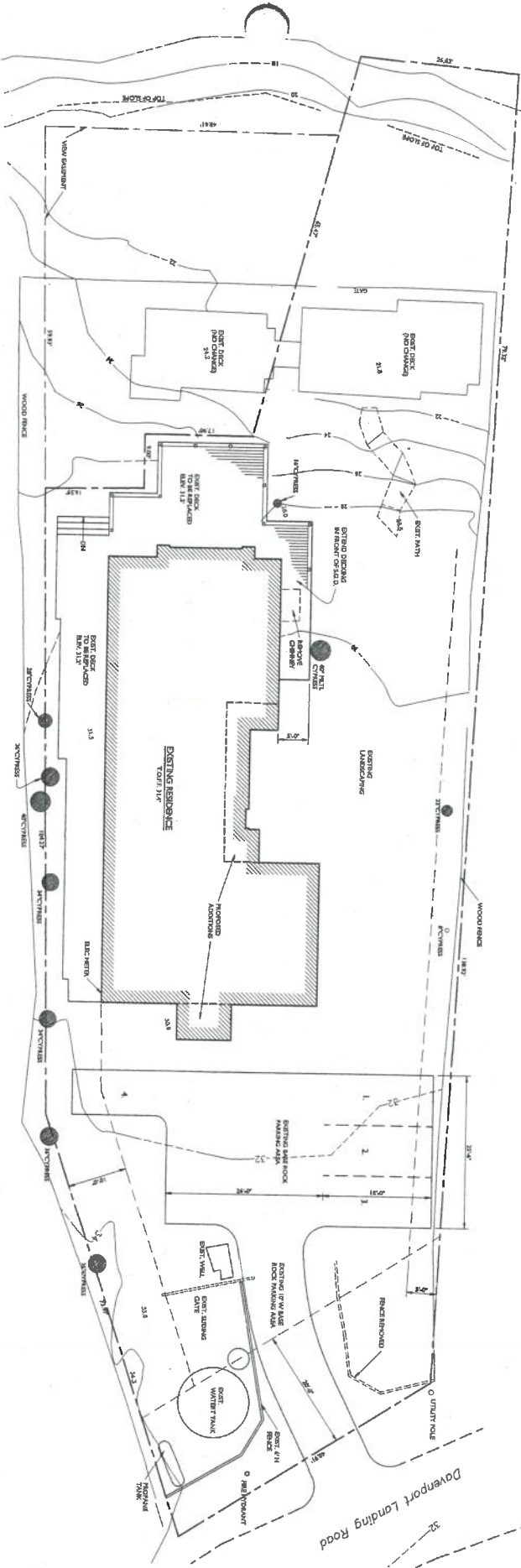
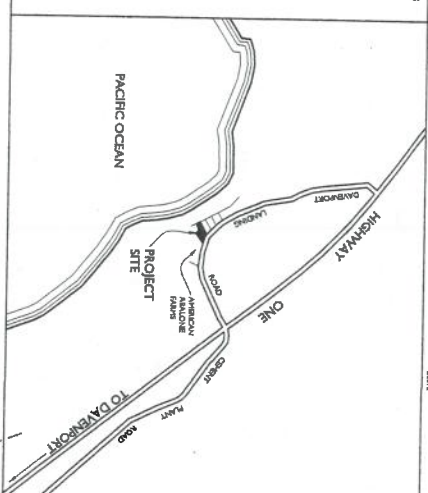
EXISTING HOUSE	PROPOSED HOUSE
LOT AREA: 13,160 SF	LOT COVERAGE: 2,274 SF
EXISTING FLOOR AREA: 1,294 SF	PROPOSED FLOOR AREA: 4,178 SF
FIRST FLOOR AREA: 1,294 SF	PROPOSED FIRST FLOOR AREA: 2,110 SF
SECOND FLOOR AREA: 0 SF	PROPOSED SECOND FLOOR AREA: 2,068 SF
TOTAL FLOOR AREA: 1,294 SF	TOTAL FLOOR AREA: 4,178 SF
EXISTING LOT COVERAGE: 0%	PROPOSED LOT COVERAGE: 32.5%
EXISTING FLOOR AREA: 1,294 SF	PROPOSED FLOOR AREA: 4,178 SF
FIRST FLOOR AREA: 1,294 SF	PROPOSED FIRST FLOOR AREA: 2,110 SF
SECOND FLOOR AREA: 0 SF	PROPOSED SECOND FLOOR AREA: 2,068 SF
TOTAL FLOOR AREA: 1,294 SF	TOTAL FLOOR AREA: 4,178 SF
EXISTING LOT COVERAGE: 0%	PROPOSED LOT COVERAGE: 32.5%

### CONSULTANTS

ARCHITECT: THACHER & THOMPSON ARCHITECTS  
200 WASHINGTON STREET  
SANTA CRUZ, CA 95060  
(408) 452-3339  
tth@thacher.com

PLANNING CONSULTANT: HAMILTON SWIFT  
580 CHESTNUT ST. SUITE 100  
SANTA CRUZ, CA 95060  
(408) 452-3339  
chris@hamiltonswift.com

### VICINITY MAP



### SITE PLAN

SCALE: 1" = 10'-0"



REVISION	DATE
1	12/15/2011



THACHER & THOMPSON ARCHITECTS  
200 WASHINGTON STREET  
SANTA CRUZ, CA 95060  
(408) 452-3339  
tth@thacher.com

AI

1	County Comments 04-27-17
2	County Comments 06-29-17
3	County Comments 07-19-17

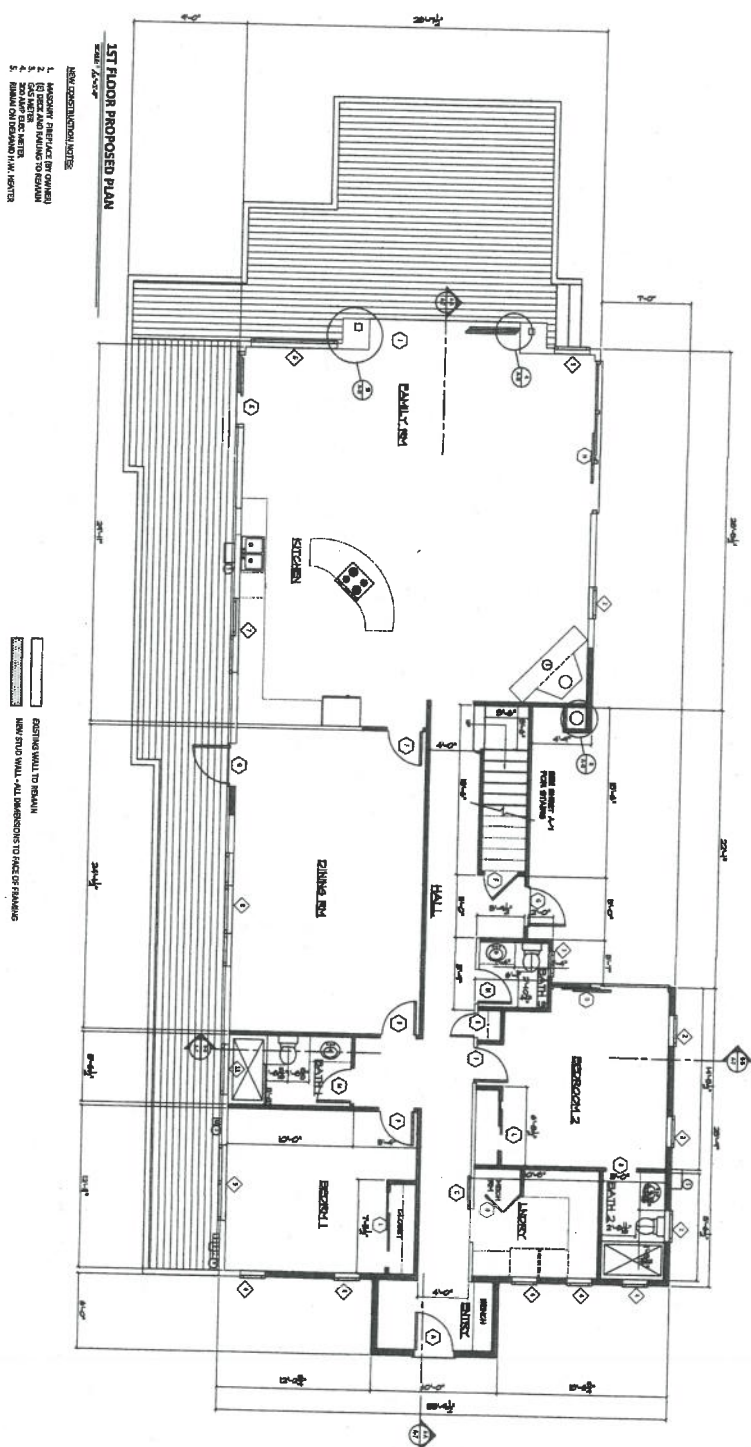
**LEONARD WILLIS, P.E.**  
**REDWOOD ENGINEERING**  
**1535 SEABRIGHT AVENUE**  
**SANTA CRUZ, CA 95062**  
**831-426-8444**

ROBERT BURKHART, ARCHITECT  
7126 MESA DRIVE  
APTOS, CALIFORNIA 95003  
831-818-0493

SCHUETTE HOUSE RENOVATION  
275 DAVENPORT LANDING RD.  
DAVENPORT, CA 95060  
APN 058-131-17

## FIRST FLOOR PLANS

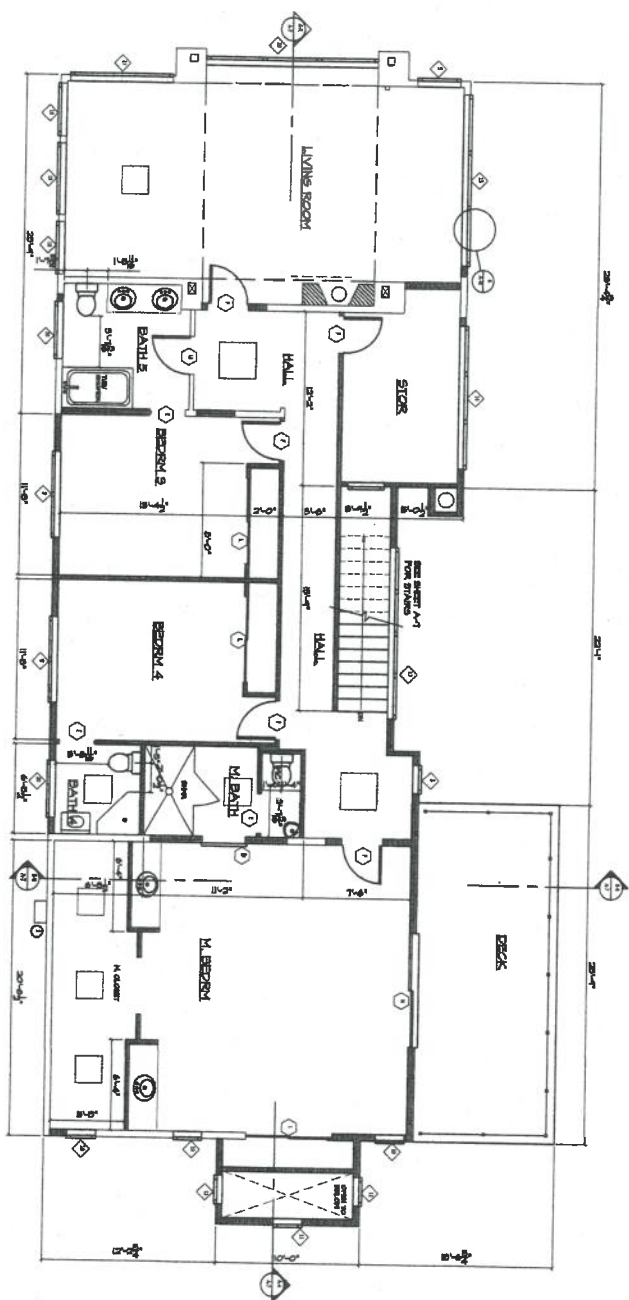
A2



**2ND FLOOR PROPOSED PLAN**  
SCALE: 1/8" = 1'-0"

- NEW CONSTRUCTION ELEMENTS**
1. (H) REMAIN OR DEMAND NEW MATERIAL

EXISTING WALL TO REMAIN  
NEW STUD WALL - ALL DIMENSIONS TO FACE OF FRAMING



**EXHIBIT E**

LEONARD WILLIS, P.E.  
REDWOOD ENGINEERING  
1535 SEABRIGHT AVENUE  
SANTA CRUZ, CA 95062  
831-426-8444

ROBERT BURKHART, ARCHITECT  
7126 MESA DRIVE  
APTOS, CALIFORNIA 95003  
831-818-0493

SCHUETTE HOUSE RENOVATION  
275 DAVENPORT LANDING RD.  
DAVENPORT, CA 95060  
APN 058-131-17

**SECOND FLOOR PLANS**

**A3**

# FOR TAX PURPOSES ONLY

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RANCHOS AGUA PUERA Y LAS TRANCAS & SAN VICENTE  
 POR. SEC. 32 T.10S., R3W., M.D.B. & M.

Tax Area Code  
 86-022

58-13

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

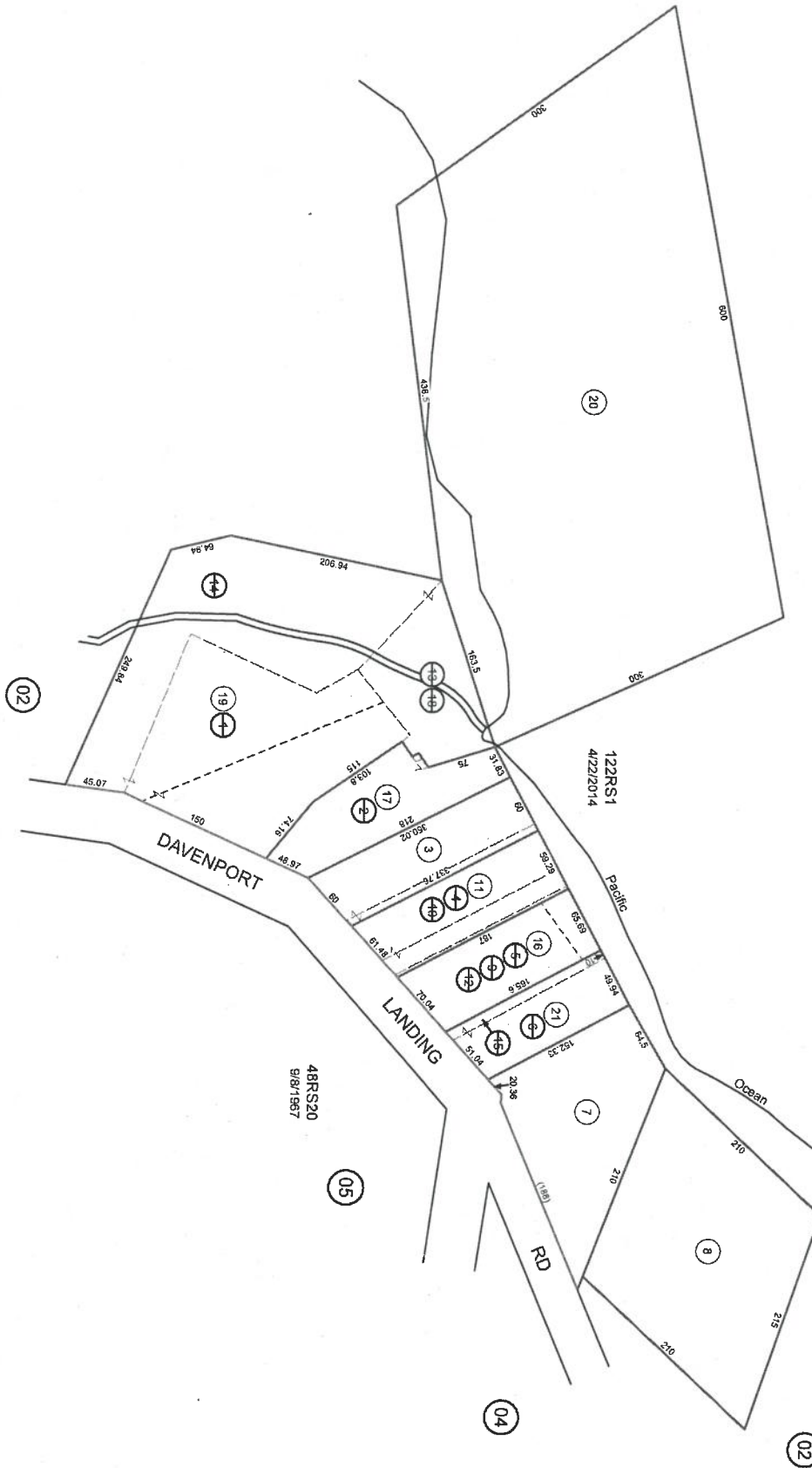


EXHIBIT F

Assessor's Map No. 58-13  
 County of Santa Cruz, Calif.  
 April 2000

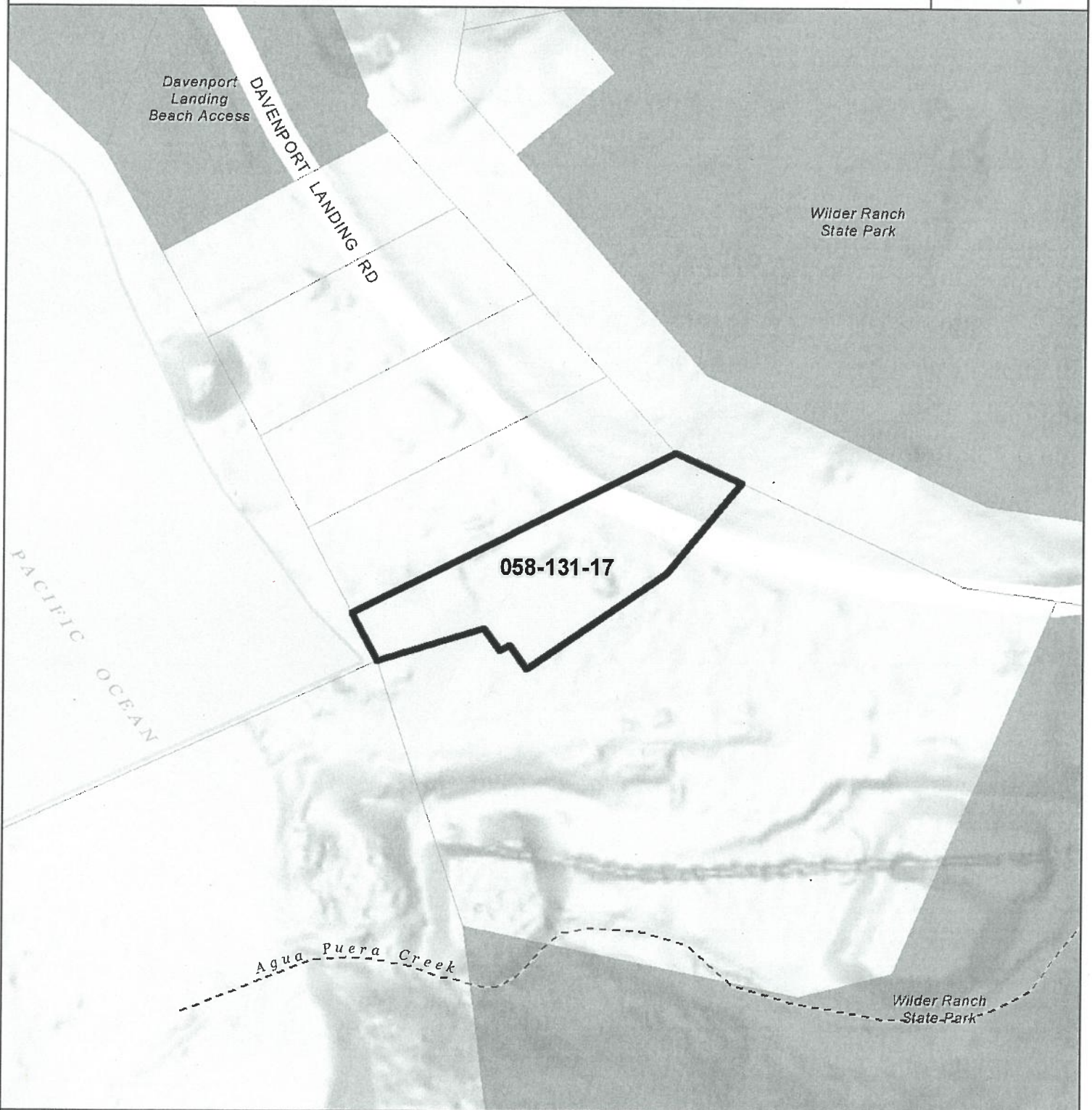







# SANTA CRUZ COUNTY PLANNING DEPARTMENT

## Parcel Location Map

Mapped  
Area



**Parcel: 05813117**

-  Study Parcel
-  Assessor Parcel Boundary
-  Existing Park

Map printed: 15 Apr. 2020



**EXHIBIT F**

0 25 50  
Feet

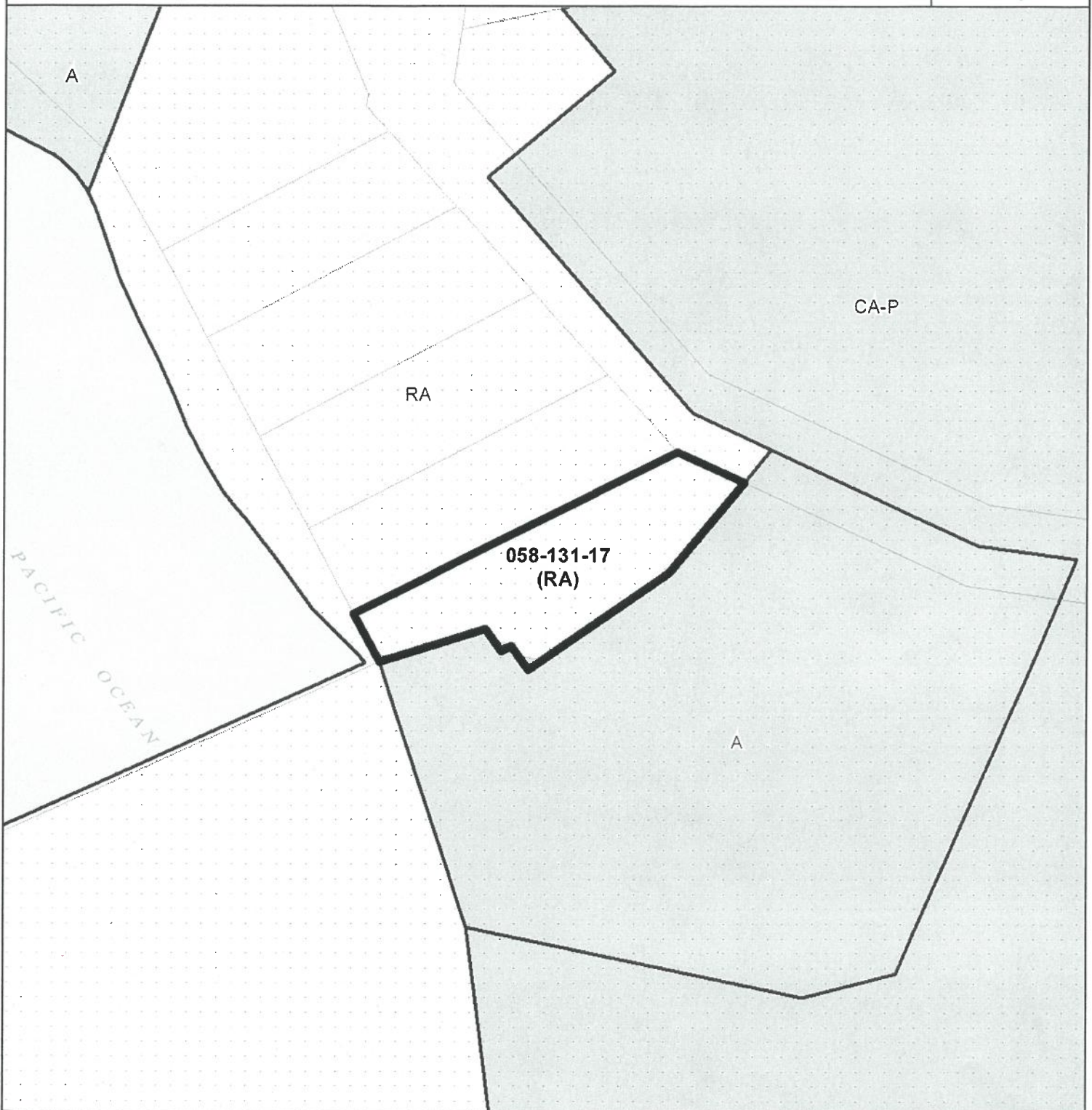


# SANTA CRUZ COUNTY PLANNING DEPARTMENT

## Parcel Zoning Map



Mapped  
Area



- A Agriculture
- CA Commercial Agriculture
- RA Residential Agricultural



**EXHIBIT F**

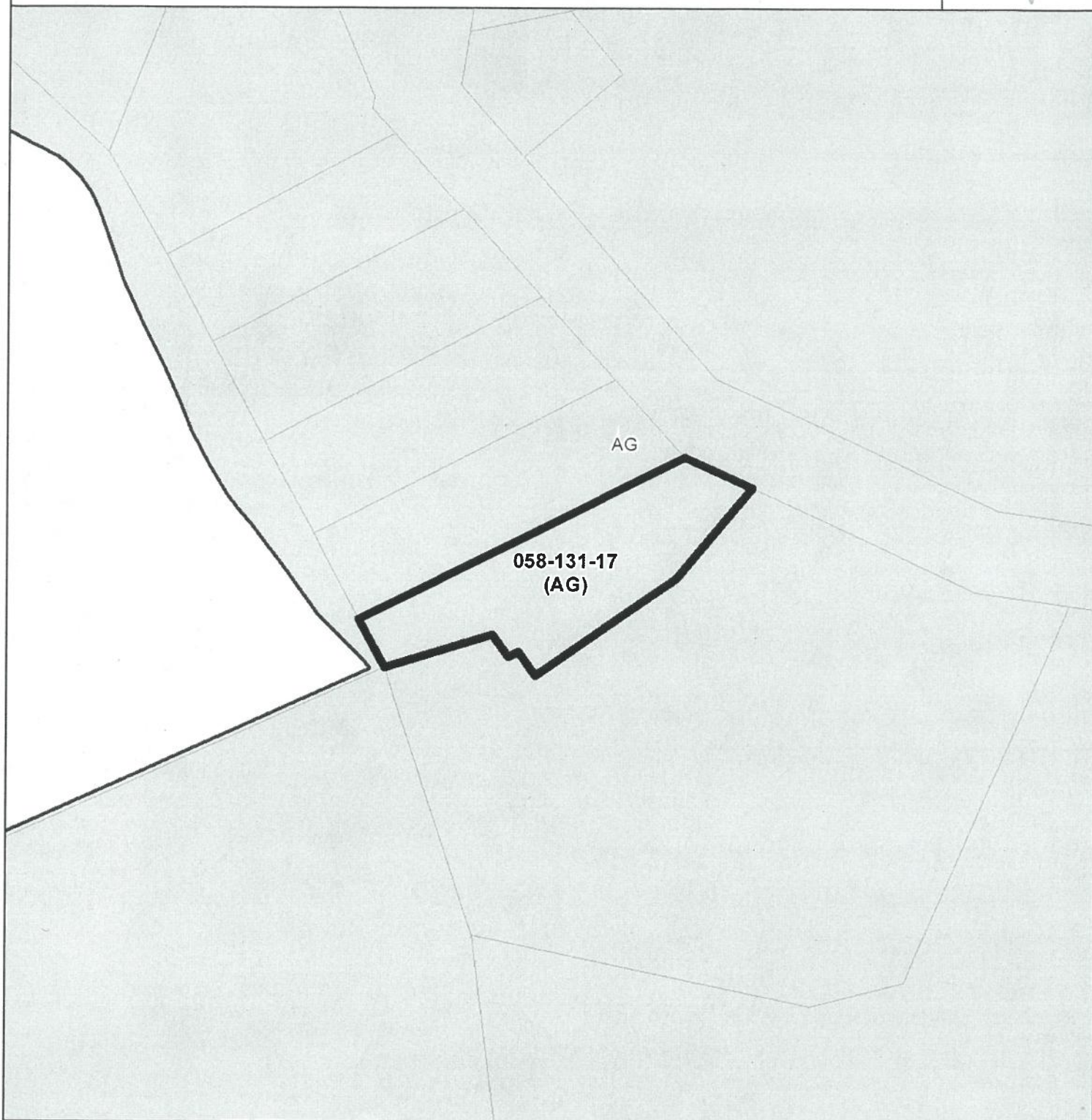
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Feet





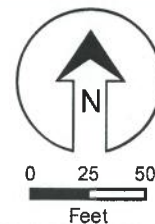
SANTA CRUZ COUNTY PLANNING DEPARTMENT

**Parcel General Plan Map**



AG Agricultural

**EXHIBIT F**



# Short Term Rentals in Vicinity







# 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

#191352

## 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): 058 131 17

(APNS MAY BE OBTAINED FROM THE ASSESSOR'S OFFICE AT (831) 454-2002)

Street Address: 275 Davenport Landing Road

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

NAME: Charles Eadie - Eadie Consultants

MAILING ADDRESS: PO Box 1647

CITY/STATE Santa Cruz ZIP 95061

PHONE NO. (831) 431-3396 CELL PHONE NO. ( )

EMAIL: charlie@eadieconsultants.com

### Owner Information

NAME: Kai Schuette

MAILING ADDRESS: P.O. Box 638

CITY/STATE GLENHAVEN, CA ZIP 95443

PHONE NO. ( ) CELL PHONE NO. (1) 707 318 2754

EMAIL: kai@kanaventures.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.

EXHIBIT G

## 24-HOUR CONTACT

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

NAME: Kai Schuette

MAILING ADDRESS: 500 Beel Drive

CITY/STATE Santa Cruz, CA

ZIP 95060

PHONE NO. ( ) CELL PHONE NO. (1) 707 318 2754

EMAIL: kai@kanaventures.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


EXHIBIT G 1

## 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.**

Owner of Rental Unit		7.10.2019
		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

EXHIBIT G 1

## 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

7.10.2019  
Date

EXHIBIT G





# 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 TDD: (831) 454-2123

### 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: Eadie Consultants - Charles Eadie  
Address: PO Box 1647  
City: Santa Cruz  
State/Zip Code: 95061-1647  
Telephone: (831) 431-3396

**Owner:** Name: Kai Schuette  
Address: 500 Beel Drive  
City: Santa Cruz  
State/Zip Code: 95060  
Telephone: (707) 318-2754

7.29.2019

Date:

058 131 17

Assessor's Parcel Number(s)

Signature of Owner

275 Davenport Landing Rd, Davenport, CA 95017

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. For development permits, 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 inspections and all other actions related to noncompliance with permit conditions. The agent will be required to provide the department with proof of service by mail, that the owner was mailed a copy of the executed acceptance of permit conditions. Finally, by signing this form, the owner is designating the agent as their Agent for Service of Process for all matters relating to this application.

**\*\*Any refunds will be made to whomever made the payment**

**EXHIBIT G**

## LIST OF REQUIRED INFORMATION FOR VACATION RENTAL APPLICATIONS

**This application and information is for vacation rental permit RENEWALS and NEW applications for 3 or fewer bedrooms.** For new applications for vacation rentals consisting of four or more bedrooms, the application shall be considered at a public hearing. Additional permit fees apply.

1. **Completed application form.** Be sure to include owner agent form, if needed, and completed Vacation Rental Safety Certification.

2. **Plans.** All NEW vacation rental applications require plans. RENEWALS require plans if:

- There has been an increase in the number of bedrooms, or
- There has been a decrease in the number or size of parking spaces, and
- The vacation rental permit has not been amended to approve the changes.

**One (1) Set of Plans (if the plan size exceeds 11 x 17, one (1) 8 1/2 by 11 inch plan set is also required).** Plans must include the following:

- Assessor's Parcel Number on every sheet.
- Name, address, phone numbers and e-mail address of applicant, plan preparer, and owners.
- Scale and north arrow on every sheet. Preferred scale is 1/4 inch = one foot. **Other scales may be appropriate but must be approved by Planning staff before submitting application.**
- Date of preparation on every sheet.
- **Site Plan** (refer to *Measuring your Vacation Rental and Drawing Scaled Plans* handout)
  - Location and dimensions of all property lines, drawn to scale and labeled.
  - Location and dimensions of all rights-of-way, vehicular easements, and edge of pavement, all labeled.
  - Location and dimensions of driveways and parking spaces (minimum dimensions 8.5 feet x 18 feet).
  - Location of all existing buildings.
- **Floor Plan** (refer to *Measuring your Vacation Rental and Drawing Scaled Plans* handout)
  - Show and label all rooms, drawn to scale, including windows and doors

3. **Copy of current rental/lease agreement.** Please indicate on the rental/lease agreement where the following information is stated:

- The maximum number of guests that are allowed (2 per bedroom + 2 additional; children under 8 not counted).
- The maximum number of people that are allowed for celebrations and gatherings between 8:00 a.m. and 10:00 p.m. (no more than twice the maximum number of guests allowed).
- The maximum number of vehicles allowed (the number of existing on-site parking spaces, plus two on street where available).
- Information regarding limitations on noise (quiet hours between 10:00 p.m. and 8:00 a.m.).
- Trash management (trash must be kept in closed containers and not allowed to accumulate).
- Prohibition on illegal behavior including an explicit prohibition of ANY fireworks.

4. **Proof of Transient Occupancy Tax Payment (renewals) or Registration (new applications).** This may be obtained from the Treasurer-Tax Collector, located on the first floor of the County Building at 701 Ocean Street, Santa Cruz CA; (831) 454-2510; [TTC.WEBMAIL@santacruzcounty.us](mailto:TTC.WEBMAIL@santacruzcounty.us). Copies of canceled checks submitted for payment of TOT, specific to each individual vacation rental, are also acceptable. Please include a summary of the dates of use as a vacation rental. **NOTE: You must show significant rental use of the unit for three of the previous five (5) years.**

5. **Name, address, and telephone number(s) of the local contact person,** who must be located within a 30-mile radius of the rental and be available 24 hours a day.

6. **A photograph of the sign as installed on the parcel as required by County code.** The sign must include the 24-hour contact information, permit # and permit expiration date (if applicable). For new applications this may be submitted after approval.



# SHORT TERM RENTAL AGREEMENT

## 1. The Parties

This agreement made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ between \_\_\_\_\_ [name of tenant] of \_\_\_\_\_ [address of tenant] Hereinafter referred to as "Tenant", and \_\_\_\_\_ [name of landlord] of \_\_\_\_\_ [address of landlord] Hereinafter referred to as "Landlord".

## 2. The Property

Property Location: \_\_\_\_\_

## 3. Period and Guests

Total people in renting party consists of \_\_\_\_\_ Adults, \_\_\_\_\_ Children, \_\_\_\_\_, and not to exceed \_\_\_\_\_. (The maximum number of guests that are allowed (2 per bedroom + 2 additional; children under 8 not counted).

Rental period begins at \_\_\_\_:\_\_\_\_ ☐ AM ☐ PM on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and ends at \_\_\_\_:\_\_\_\_ ☐ AM ☐ PM on the day of \_\_\_\_\_, 20\_\_\_\_.

## 4. Rental Amount

Total rental amount for the period is \_\_\_\_\_ Dollars (\$\_\_\_\_\_)

or equal to \_\_\_\_\_ Dollars (\$\_\_\_\_\_ ) per night.

## 5. Fees, Taxes, and Deposit

☐ Cleaning Fee: \$\_\_\_\_\_

☐ Security Deposit: \$\_\_\_\_\_

☐ Taxes: \$\_\_\_\_\_



**11. Subletting (Check One)**

☐ The Tenant shall have the right to sublet the property.

☐ The Tenant shall not have the right to sublet the property.

**12. Quiet Enjoyment**

The Tenants shall behave in a civilized manner and shall be good neighbors respecting the rights of the surrounding property owners. The Tenants shall not create noise or disturbances likely to disturb or annoy the surrounding property owners. Creating a disturbance of the above nature shall be grounds for immediate termination of this agreement and Tenants shall then immediately vacate the premises. Quiet hours are from 10PM until 8AM where outdoor noise should be kept to a minimum.

**13. Smoking (Check One)**

☐ Smoking is allowed inside the home.

☐ Smoking is not allowed inside the home.

**14. Essentials**

Landlord shall provide the following to the Tenant:

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[e.g. towels, linens, cups, knives, forks, spoons, dishes, etc.]

**15. Landlord's Liability**

The Tenants and Tenants' Guests shall hereby indemnify and hold harmless the Landlord against any and all claims of personal injury or property damage or loss arising from use of the premises regardless of the nature of the accident, injury or loss. Tenants expressly recognize that any insurance for property damage or loss which the Landlord may maintain on the property does not cover the personal property of Tenants, and that Tenants should purchase their own insurance for Tenants and Guests if such coverage is desired.

**16. Rental Deposit**



Tenant shall use the property for legal purposes only and other use, such as but not limited to, illegal drug use, abuse of any person, harboring fugitives, etc. shall cause termination of this agreement with no refund of rents or deposits.

#### **24. Fire Alarms**

If the property has fire alarms the Tenant must notify the Landlord without delay if a fire alarm "chirps" or has a low battery condition.

#### **25. Possessions**

Valuable items left behind by tenant will be held for the tenant and every reasonable effort will be made to contact the tenant for return. If items are not claimed for longer than 6 months they shall become the property of the Landlord. The Landlord shall not be held liable for condition of said items.

#### **26. Cable TV**

Cable TV is provided and service level has been chosen by the Landlord. No refund of rents shall be given for outages, content, lack of content, or personal preferences with regard to cable TV service.

#### **27. Internet**

High speed wireless internet is provided as a convenience only and is not integral to the agreement. No refund of rents shall be given for outages, content, lack of content, speed, access problems, lack of knowledge of use, or personal preferences with regard to internet service.

#### **28. Manager/Landlord Contact**

Landlord/Manager's Name: \_\_\_\_\_

Landlord/Manager's Telephone: \_\_\_\_\_

Landlord/Manager's E-Mail: \_\_\_\_\_

Landlord/Manager's Address: \_\_\_\_\_

#### **29. Governing Law**

This agreement is governed under the laws of \_\_\_\_\_ [State] and specifically the State Statutes known as \_\_\_\_\_ [insert statutes].

#### **30. Other Agreements**

