



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

**Application Number: 211134**

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**Applicant:** Randy Maldonado for Cheshire Rio  
Property Management

**Owner:** Claudia & Walt Walsh

**APN:** 043-072-39

**Site Address:** 208 Beach Drive, Aptos

**Agenda Date:** July 16, 2021

**Agenda Item #:** 1

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

**Project Description:** Proposal to operate a two-bedroom vacation rental. Requires a Vacation Rental Permit and an On-Site Parking Exception.

**Location:** Property located on the south side of Beach Drive at 208 Beach Drive in Aptos.

**Permits Required:** Vacation Rental Permit, On-Site Parking Exception

**Supervisory District:** Second 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 211134, based on the attached findings and conditions.

### **Project Description & Setting**

The project site is located on the south side of Beach Drive in the Aptos Planning Area, approximately 300 feet east from the intersection with Rio Del Mar Boulevard. The neighborhood is comprised of one to three-story single-family residences consisting of a mix of architectural styles.

The subject property is developed with an existing two-story single-family residence, originally constructed in 1959. This is a proposal to operate a vacation rental in the existing two-bedroom dwelling.

As indicated in SCCC Section 13.10.694(D)(2)(c)(iv)B, one on-site parking space is required for vacation rentals containing two bedrooms or less. In situations where the required on-site parking cannot be provided, an On-Site Parking Exception may be requested in conjunction with a Level 5 Vacation Rental Permit Application for consideration by the Zoning Administrator at a public hearing.

The existing residence covers nearly the entirety of the parcel on which it is located. There are no on-site parking spaces located on the subject parcel; therefore, approval of an On-Site Parking Exception is required in conjunction with this Vacation Rental Permit.

Granting the On-Site Parking Exception will not adversely affect existing traffic and parking on nearby streets and properties as street parking is typically available along Beach Drive. The subject parcel is located on a residential block where many of the other residences on the block do not contain off-street parking facilities, such as driveways or garages. Historically, parking for many of these residences has occurred on the street along Beach Drive. For this section of Beach Drive, there are parking spaces located on both sides of the street. Additionally, per the provided lease agreement, the applicant has limited the vacation rental to one vehicle.

Vacation rentals within residential structures are permitted within the RM-2.5 (Multi-Family Residential) zone district, and the operation of the vacation rental would be required to comply with all requirements of the vacation rental ordinance.

Cheshire-Rio Realty has been designated as the 24-hour contact for the proposed vacation rental. Cheshire-Rio Realty is located in Aptos, within the required 30-minute response radius from the proposed vacation rental property.

Pursuant to SCCC 13.10.694(D), vacation rental permits expire the same month and day five years subsequent to the date of issuance of the vacation rental permit.

The property is located within the Seacliff/Aptos Designated Area (SADA), which does not limit the number of vacation rentals on a residential block for all parcels fronting along the subject section of the street along Beach Drive.

This property has previously operated a vacation rental under Permit No. 201057, which was originally approved April 27th, 2020. Due to a property transfer, the approval of a new vacation rental permit was required.

### **Zoning & General Plan Consistency**

The subject property is an approximately 653 square foot lot, located in the RM-2.5 (Multi-Family Residential) zone district, a designation which allows vacation rental uses. The proposed two-bedroom vacation rental is a conditionally permitted use within the zone district and the zoning is consistent with the site's R-UH (Urban High Residential) General Plan designation.

### **Conclusion**

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

### **Staff Recommendation**

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

- **APPROVAL** of Application Number **211134**, 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: Jonathan DiSalvo  
Santa Cruz County Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz CA 95060  
Phone Number: (831) 454-3157  
E-mail: [jonathan.disalvo@santacruzcounty.us](mailto:jonathan.disalvo@santacruzcounty.us)

## **Exhibits**

- A. Categorical Exemption (CEQA determination)
- B. Findings
- C. Conditions
- D. Project plans
- E. Assessor's, Location, Zoning and General Plan Maps
- F. Parcel information
- G. Vacation Rental Application & Agreement
- H. Letter from Tax Collector
- I. Written Agreements Signed by Attached Dwelling Units

# 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: 211134

Assessor Parcel Number: 043-072-39

Project Location: 208 Beach Drive, Aptos

**Project Description: Proposal to operate a two-bedroom vacation rental. Requires a Vacation Rental Permit and an On-Site Parking Exception.**

**Person or Agency Proposing Project: Randy Maldonado for Cheshire Rio Property Management**

**Contact Phone Number: 831-688-2041**

- A. ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.
- B. ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
- C. ☐ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment.
- D. ☐ Statutory Exemption other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).
- E. ☒ Categorical Exemption

Specify type: Class 1 - Existing Facilities

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

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

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

\_\_\_\_\_  
Jonathan DiSalvo, Project Planner

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

**EXHIBIT A**

## **Development Permit Findings**

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

Without waiving and expressly subject to all the Conditions of Approval, 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 effects of 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.

Without waiving and expressly subject to all the Conditions of Approval hereinabove, this finding can be made, in that the location of the proposed vacation rental and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances, including the vacation rental ordinance, and the purpose of the RM-2.5 zone district as the primary use of the property will be a residential vacation rental dwelling that meets all requirements of the vacation rental ordinance.

Additionally, granting the On-Site Parking Exception will not adversely affect existing traffic and parking on nearby streets and properties as street parking is typically available along Beach Drive. The subject parcel is located on a residential block where many of the other residences on the block also do not have off-street parking facilities such as driveways or garages. Historically, parking for these residences has occurred along Beach Drive. For this section of Beach Drive, there are parking spaces located on both sides of the street. The renters of this vacation rental would also be limited to one vehicle.

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.

Without waiving and expressly subject to all the Conditions of Approval hereinabove, this finding can be made, in that the proposed residential vacation rental use is consistent with the use and density requirements specified for the R-UH land use designation in the County General Plan as it is a residential use in an existing residential structure and the vacation rental ordinance implements the standards contained in the Noise Element of the 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 non-vacation rental residential use and vacation rental use.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

Without waiving and expressly subject to all the Conditions of Approval hereinabove, this finding can be made, in that the short-term vacation rental is proposed to be located within an existing residential dwelling located within a residential neighborhood, consistent with the land use intensity and density of residential neighborhoods. Both non-vacation residential uses and vacation rental uses can include celebrations that result in temporary increase in vehicles and building occupancy.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

Pursuant to County Code Section 13.11.040, the proposed residential use is exempt from the Design Review Ordinance.

## Conditions of Approval

Exhibit D: Project plans, prepared by Jamie Bushong, dated October 11, 2011.

- I. This permit authorizes the operation of a vacation rental, as indicated on the approved Exhibit "D" for this permit. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
- II. Operational Conditions
  - A. The 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).
  - B. Issuance of this permit shall not infer approval of new development or the private use of any property outside of the subject parcel boundary, including public and private rights-of-way, State Parks land, and County owned property. The term "new development" shall include, but is not limited to, fencing, patios, and accessory structures. The term "use" shall include, but is not limited to, outdoor seating, parking (in non-designated areas), and storage of equipment or materials.
  - C. Pursuant to SCCC Section 13.10.694(D), issuance of this permit does not legalize any nonpermitted use or structure and the County does not approve, authorize, or waive any past or existing violation of County Code or any other law through such issuance. Accordingly, please be advised that: (1) issuance of a vacation rental permit does not authorize use the 37 Foot Walk on the seaside portion of the property as part of the vacation rental (however you may use it in the same manner as any other member of the public); (2) issuance of the vacation rental permit is without prejudice to the County's positions in the litigation entitled *Weseloh, et al. v. County of Santa Cruz, et al.*, Santa Cruz County Superior Court Case No. 18CV03315; (3) all requirements, conditions or approval or obligations created or imposed by the California Coastal Commission's Coastal Development Permit, No. P-80-87 (1980) and/or the County of Santa Cruz's related Encroachment Permit, No. 80-165 (1980) are not waived and shall remain in full force and effect; and (4) the advertising or use of the 37 Foot Walk as part of the vacation rental, as well as the creation or maintenance of obstructions to lawful public use, constitute a violation of the applicable provisions of Santa Cruz County Code and of the vacation rental permit, and may subject the vacation rental permit to revocation or further action.
  - D. The maximum, overnight occupancy of the vacation rental shall not exceed six people (two per bedroom, plus two additional people, children under eight not counted).

- E. The maximum number of vehicles associated with the overnight occupants shall not exceed one as reflected in the lease agreement. The condition shall be enforced by the rental manager.
- F. The maximum occupancy allowed for celebrations and gatherings between 8:00 a.m. and 10:00 p.m. shall not exceed 12 people (twice the number of overnight occupants, children under 8 not counted).
- G. 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.
- H. 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).
- I. Fireworks are illegal in Santa Cruz County and prohibited at the vacation rental.
- J. 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.
- K. The name, address, and telephone number(s) of the local contact person shall be posted inside the vacation rental in a location readily visible to all guests, and shall be submitted to the local Sheriff Substation, the main County Sheriff's Office, the local fire agency, and shall be supplied to the property owners of all properties located within a 300 foot radius of the parcel on which the vacation rental is located. Any change in the contact person's address or telephone number shall be promptly furnished to the agencies and neighboring property owners as specified above.
- L. 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.
- M. Permits for vacation rentals shall expire 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 are non-transferable and become void when a property transfer triggers reassessment.



- N. A violation of any of the requirements to obtain a vacation rental permit may be grounds for denial of a new vacation rental permit application. Further, violations of vacation rental regulations, or of any other provision of the Santa Cruz County Code, may be grounds for denial of a renewal application or revocation of an existing vacation rental permit after consideration at a Level V public hearing by the Zoning Administrator (or by the Planning Commission upon referral).
- O. If more than two significant violations occur on a vacation rental property within a 12-month period, a permit shall be noticed for a Level V public hearing to consider permit revocation. "Significant violations" are: citations for violation of Chapter 8.30 SCCC (Noise); violation of any specific conditions of approval associated with the permit; mis-advertising the capacity and limitations applicable to the vacation rental; written warnings, or other documentation filed by law enforcement; violations of State or County health regulations; non-compliance with a public health order or emergency regulation issued by State or local authorities which may limit use and occupancy of vacation rentals; delinquency in payment of transient occupancy taxes, fines, or penalties; non-responsive property management, including failure by the local property manager to respond to calls within 60 minutes; and failure to maintain signage. In the event a permit is revoked, the person or entity from whom the permit was revoked shall be barred from applying for a vacation rental permit for the same parcel without prior consent of the Board of Supervisors.
- P. Any County Code violation or violations related to the property, such as operating the vacation rental while under emergency orders from the State or County that prohibit such operation, mis-advertising the rental, citations for violation of SCCC Chapter 8.30 (Noise), and/or failure of the local property manager to timely respond to complaints are all grounds for denial.
- Q. 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.

### III. Indemnification

- A. The applicant/owner shall indemnify, defend with counsel approved by the COUNTY, and hold harmless the COUNTY, its officers, employees, and agents from and against any claim (including reasonable attorney's fees, expert fees, and all other costs and fees of litigation), against the COUNTY, its officers, employees, and agents arising out of or in connection to this development approval or any subsequent amendment of this development approval which is requested by the applicant/owner, regardless of the COUNTY's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the COUNTY. Should the COUNTY in its sole discretion find the applicant's/owner's legal counsel unacceptable, then the

applicant/owner shall reimburse the COUNTY its costs of defense, including without limitation reasonable attorney's fees, expert fees, and all other costs and fees of litigation. The applicant/owner shall promptly pay any final judgment rendered against the COUNTY (and its officers, employees, and agents) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this development approval.

- B. The COUNTY shall promptly notify the applicant/owner of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. The COUNTY shall cooperate fully in such defense.
- C. 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.
- D. Settlement. The applicant/owner shall not be required to pay or perform any settlement unless such applicant/owner has approved the settlement. When representing the COUNTY, the applicant/owner 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.
- E. Successors Bound. The "applicant/owner" shall include the applicant and/or the owner and the successor(s) in interest, transferee(s), and assign(s) of the applicant and/or the owner.

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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 approval date listed below unless an application to renew this approval is submitted prior to the expiration date.**

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

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

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

\_\_\_\_\_  
Annette Olson  
Deputy Zoning Administrator

Application #: 211134  
APN: 043-072-39  
Owner: Claudia & Walt Walsh

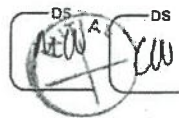
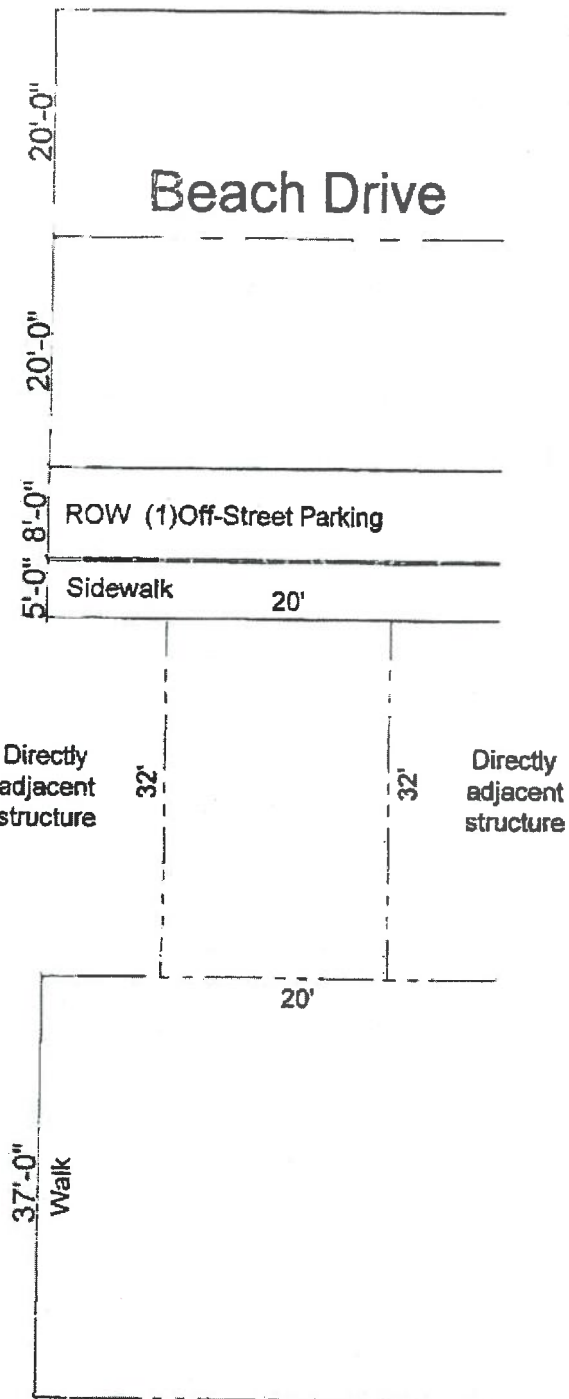
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Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

Owner: Dominic Kotab  
1155 N. 1st Street  
San Jose, Ca. 95112  
408-971-2573  
[jvaudagna@verizon.net](mailto:jvaudagna@verizon.net)

Applicant: Randy Maldonado/broker-- license #01109696  
Cheshire Rio Realty and Property Management  
107 Aptos Beach Drive, Ca. 95003  
831-688-2041

Prepared: Jamie Bushong  
Carnival Design  
1118 Mission Street FRNT  
831-431-3561  
[jamie@carnivalofsorts.com](mailto:jamie@carnivalofsorts.com)



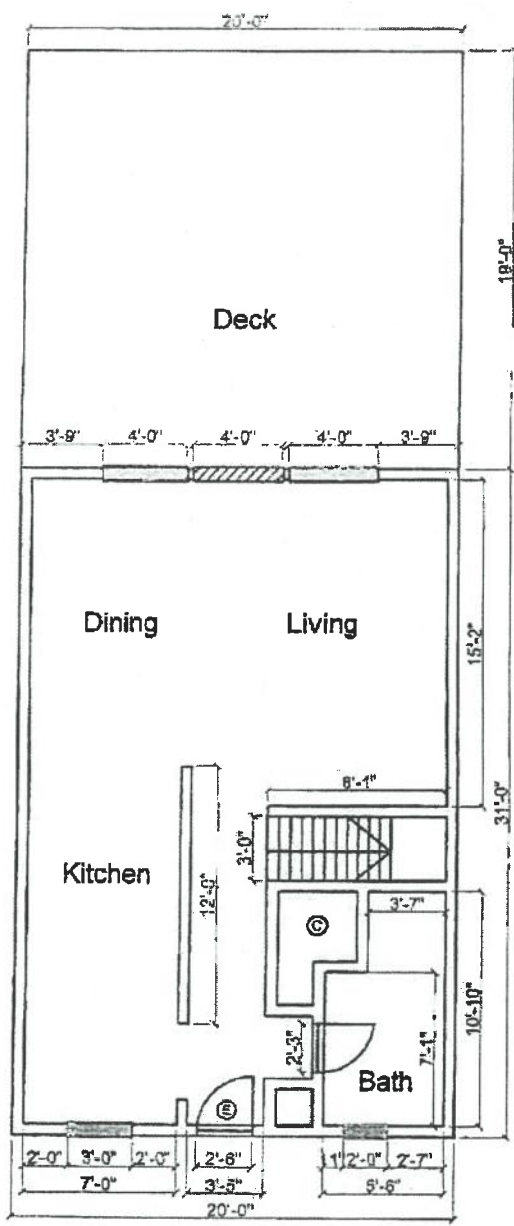
NOTES:

- Structure shares a common walls with  
206 & 210 Beach drive, wall located on PL.

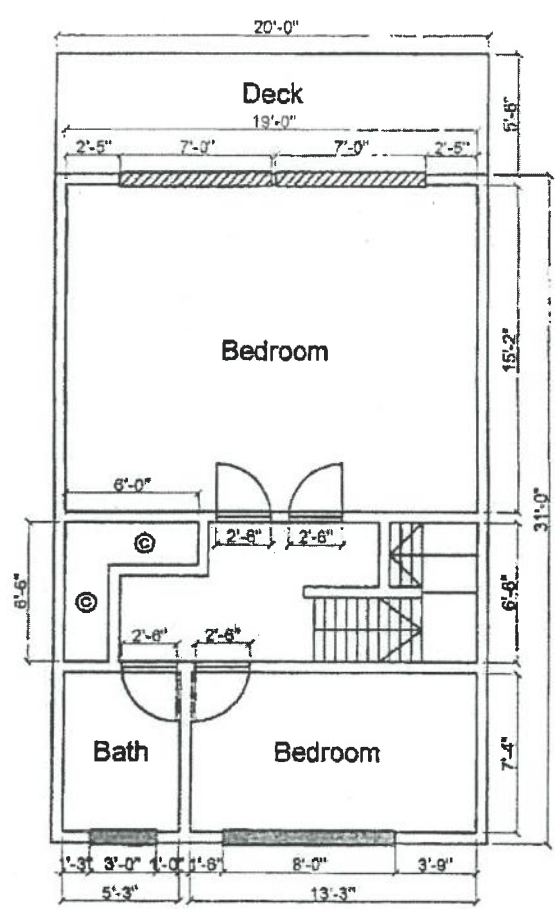
EXHIBIT D

Site Plan		Sheet Number:
Property Address: 206 Beach Drive, Aptos, CA 95003		APN: 04307250
Date: 10/11/2011	Scale: 1/4" = 1'	1 OF 2

DS  
1/14/12  
DS  
W



Ground Floor



Second Floor  
~~First Floor~~

Door Entry © Closet ©  
Sliding glass door Window

Floor Plans		Sheet Number:
Property Address: 208 Beach Drive, Aptos, CA 95003	APN: 04307238	2 OF 2
Date: 10/11/2011	Scale: 1/8" = 1'	

208 beach

FOR TAX PURPOSES ONLY

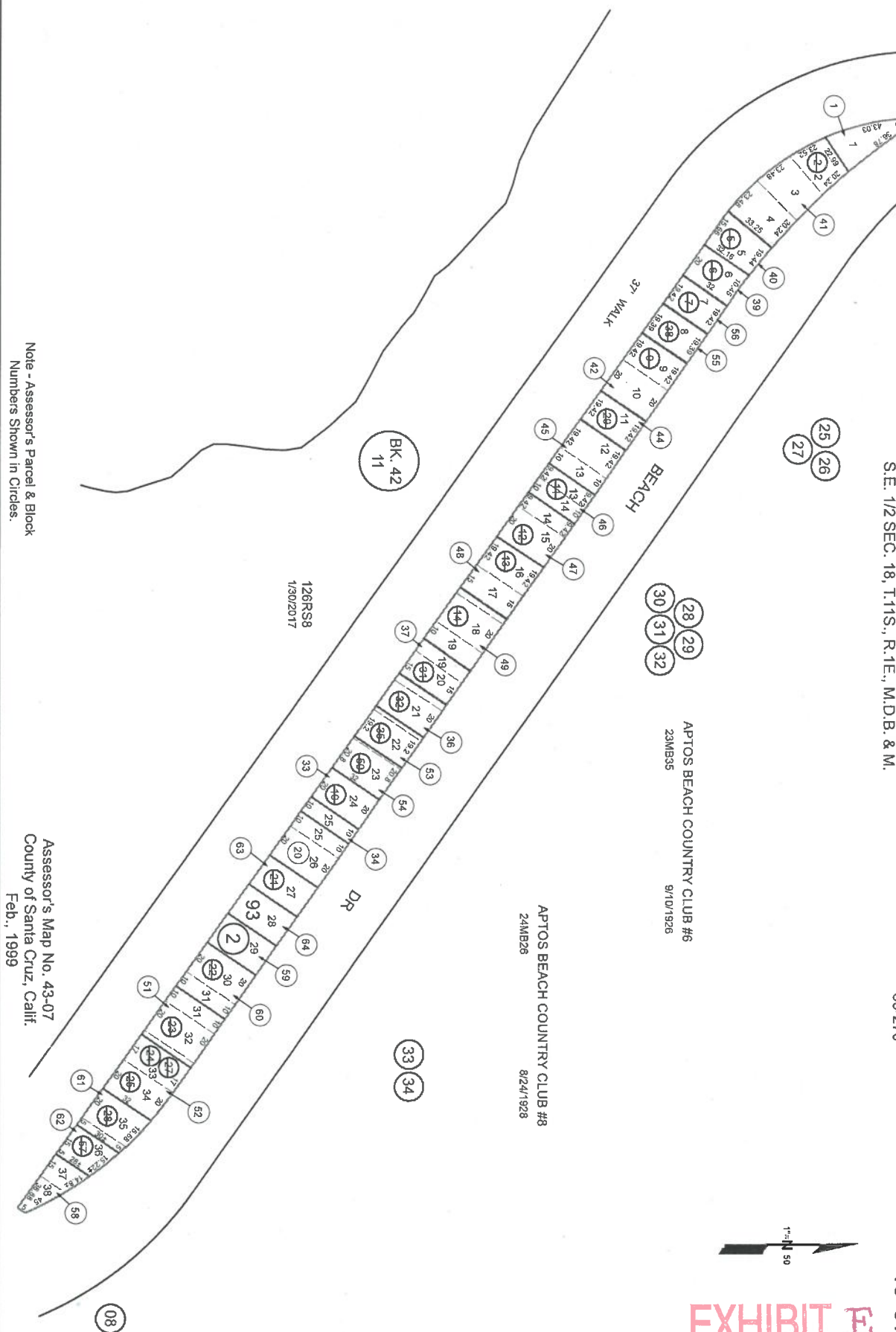
LIABILITY FOR OTHER USES, NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.  
THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY  
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1999

POR. APTOS RANCHO  
S.E. 1/2 SEC. 18, T.11S., R.1E., M.D.B. & M.

**Tax Area Code**  
69-270

43-07

## EXHIBIT E



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

Assessor's Map No. 43-07  
County of Santa Cruz, Calif.  
Feb., 1999



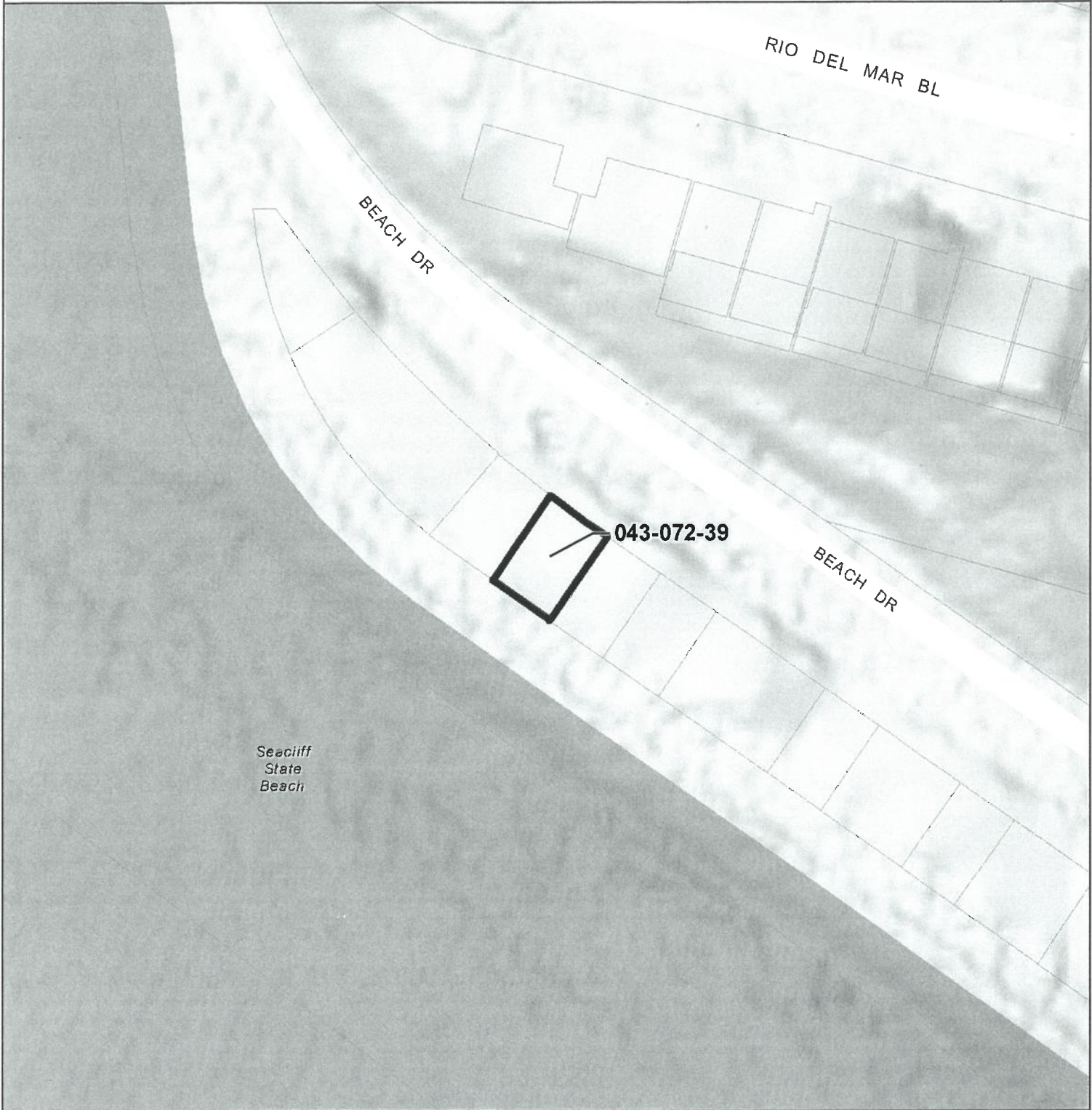


SANTA CRUZ COUNTY PLANNING DEPARTMENT

# Parcel Location Map



Mapped  
Area

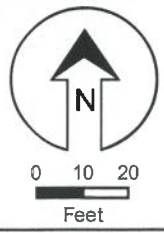


**Parcel: 04307239**

- Study Parcel
- Assessor Parcel Boundary
- Existing Park

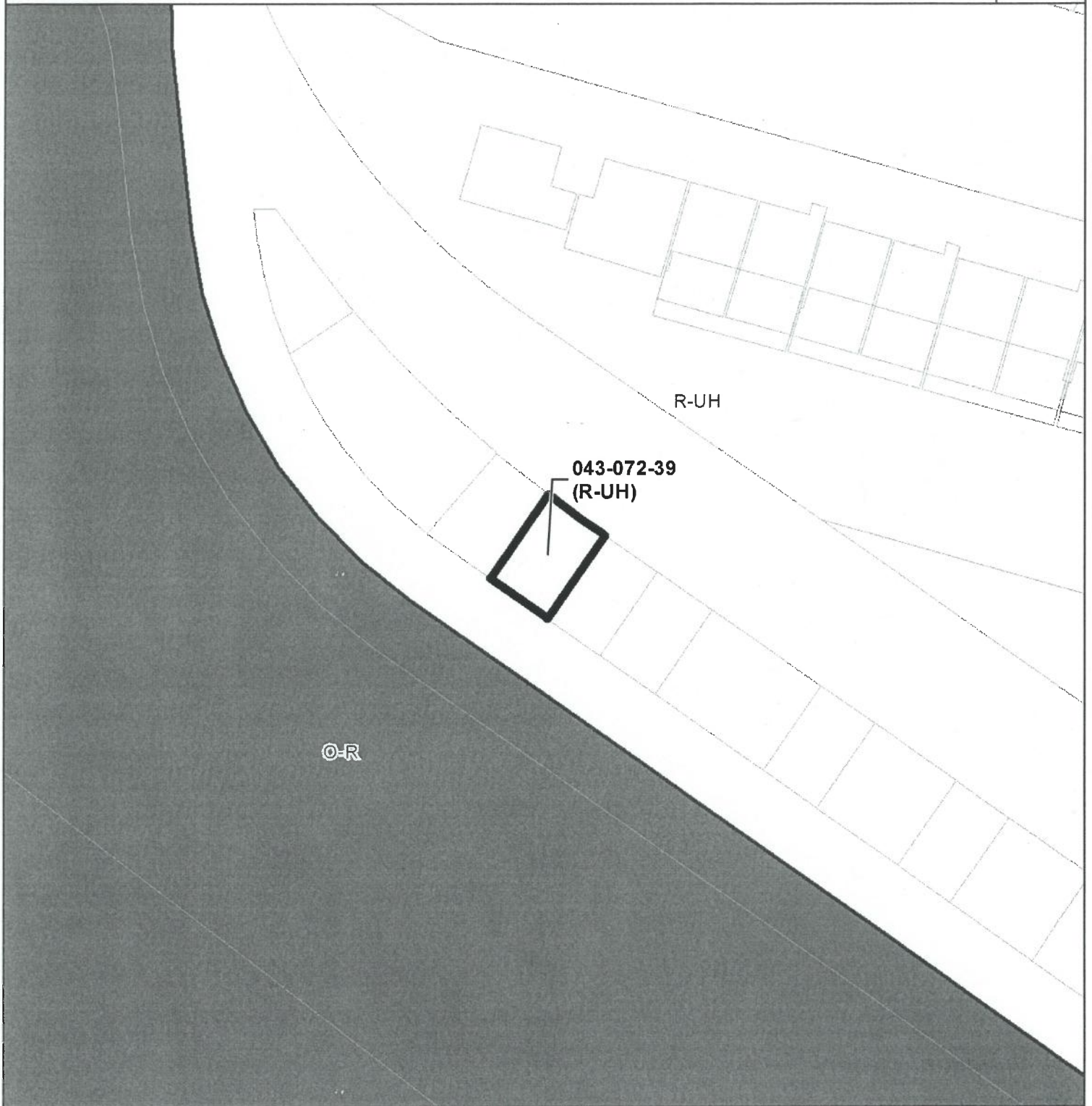
Map printed: 23 Jun. 2021

**EXHIBIT E**

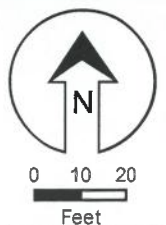




SANTA CRUZ COUNTY PLANNING DEPARTMENT  
**Parcel General Plan Map**



- O-R Parks, Recreation & Open Space
- R-UH Res. Urban High Density

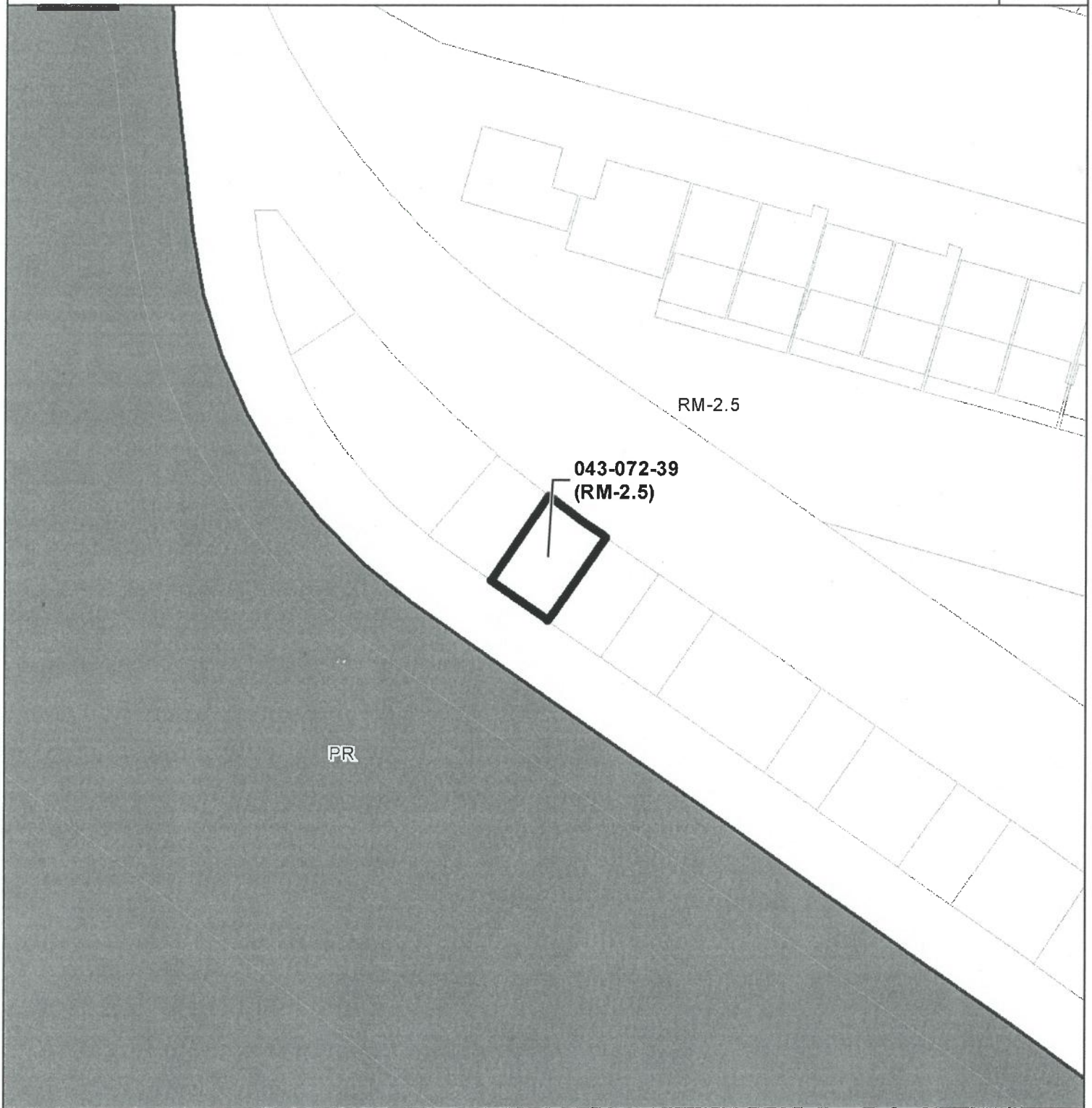


**EXHIBIT E**

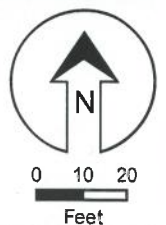




SANTA CRUZ COUNTY PLANNING DEPARTMENT  
**Parcel Zoning Map**



- PR Parks, Recreation, & Open Space
- RM Residential Multi-Family



**EXHIBIT E**

## Parcel Information

### Services Information

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

### Parcel Information

Parcel Size: 634 square feet  
Existing Land Use - Parcel: Residential  
Existing Land Use - Surrounding: Residential  
Project Access: Beach Drive  
Planning Area: Aptos  
Land Use Designation: R-UH (Urban High Residential)  
Zone District: RM-2.5 (Multi-Family Residential)  
Coastal Zone: ☒ Inside ☐ Outside  
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

### Environmental Information

Geologic Hazards: FEMA Flood Zone VE, Tsunami Hazard Zone  
Fire Hazard: Not a mapped constraint  
Slopes: N/A  
Env. Sen. Habitat: Not mapped/no physical evidence on site  
Grading: No grading proposed  
Tree Removal: No trees proposed to be removed  
Scenic: In a mapped scenic resource area  
Archeology: In mapped Archeological Resource area

EXHIBIT F



# 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): 201057

Assessor's Parcel Number (APN): 043 072 39  
(APNs MAY BE OBTAINED FROM THE ASSESSOR'S OFFICE AT (831) 454-2002)

Street Address: 208 beach

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

NAME: Cheshire Rio Realty

MAILING ADDRESS: 107 Aptos beach

CITY/STATE Aptos ZIP 95003

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

EMAIL: randy.maldonado@Comcast.net

#### Owner Information

NAME: Claudia Walsh and Marte Walsh

MAILING ADDRESS: 18435 Hernandez Lane

CITY/STATE Monte sereno, CA ZIP 95030

PHONE NO. (408) 761-8018 CELL PHONE NO. (408) 499-2554

EMAIL: mamawalsh@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.

this will be a Level 5

### 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 95003

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

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

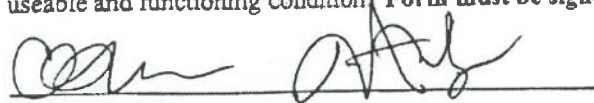


## VACATION RENTAL SAFETY CERTIFICATION

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 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

April 20, 2021  
 Date

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

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

\_\_\_\_\_  
 Date

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

\_\_\_\_\_  
 Date

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

\_\_\_\_\_  
 Date

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

## PLANS REQUIRED FOR RENEWALS

Please check the appropriate boxes below.

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

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

## APPLICANT'S SIGNATURE

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

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

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

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

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

  
Signature of Owner or Authorized Agent

April 20, 2021  
Date



# 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

### OWNER-AGENT APPROVAL FORM

For persons other than the owner who wish to obtain a building, development or other permit, owner approval is required. This is the County's authorization to issue a permit to the agent listed below:

Agent: Name: Cheshire Rio Realty  
Address: 107 Aptos beach  
City: Aptos Ca. 95003  
State/Zip Code: Ca 95003  
Telephone: (831) 688-2011  
Email: Randy Maldonado @ Comcast.net

Owner: Name: Claudia Walsh and Marc Walsh  
Address: 18435 Hernandez Lane  
City: Monte Sereo, CA 95030  
State/Zip Code: 95030  
Telephone: (408) 761-8018  
Email: Mamawalsh@gmail.com

Date: April 20, 2021 Signature of Owner: [Signature]  
Assessor's Parcel Number(s): 043 072 39 Project Location: 208 beach

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**



REALTY & PROPERTY MANAGEMENT, INC.  
107 Aptos Beach Drive  
Aptos, California 95003  
(831) 688-2041 FAX (831) 688-0702

April 20, 2021

Santa Cruz County Planner

Re: Vacation rental permit application /**no on site parking 208 Beach**

Dear County official,

Please note that 208 Beach drive a 2 bedroom beach front house is one of the row homes on the 200 block of beach drive. There are 28 beach front homes and as least 50 parking spots counting both sides of the street. The cars that park in these spots are either day time beach guest or 200 block renters.

208 Beach Drive is on a 634 sq foot lot with the building covering almost all of it.

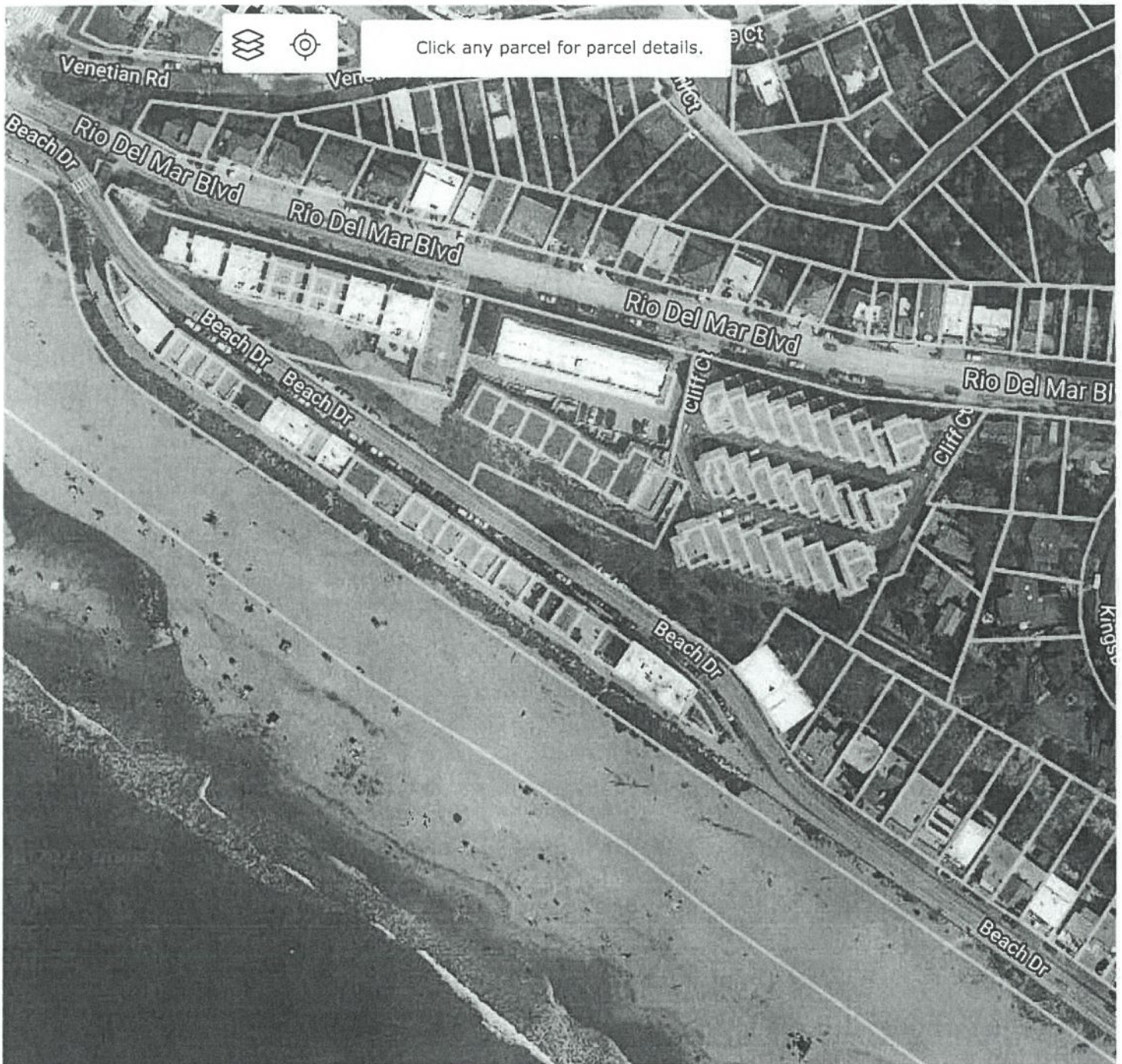
We respectfully ask for this variance to the rule.

Sincerely,

  
Randy Maldonado-broker



Map Google Street View



200 blocks

4/20/21

28 Homes

approx 50 parking spots on street

Parcel Disclaimer

Ruler

Legend

Google

Map data ©2021 Imagery ©2021, AMBAG, Maxar Technologies, USDA Farm Service Agency

**EXHIBIT G**

**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:

208 Beach Drive

BEGINNING ON: 08/07/2021 at: 3:00 PM

AND ENDING ON: 08/14/2021 at: 10:00 AM

ACCOUNT 40395

DATE OF THIS NOTICE IS: 4/16/2021

Randy Maldonado  
107 Aptos Beach Dr  
Aptos, CA 95003

AMOUNT	REQUIRED	RECEIVED
Security Dep. \$	750.00	0.00
Cleaning \$	300.00	0.00
Rents \$	2,200.00	0.00
Tax % 00	242.00	0.00
<b>TOTAL \$</b>	<b>3,492.00</b>	<b>0.00</b>
<b>BALANCE DUE BEFORE ARRIVAL</b>		<b>3,492.00</b>

BED SIZE 1 KING, 0 QUEEN, 3 DOUBLE, 0 TWIN, 0 HIDE, 1 PARKING,

Regular Garbage Day for this property is Friday

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

The undersigned, an adult 21 years or older, as representative of him/herself and all the occupants, hereby agrees that no more than 8 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 208 beach drive

### **YOU MUST SIGN THIS COPY AND RETURN IMMEDIATELY**

#### RENT:

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

#### SECURITY DEPOSIT:

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

#### CLEANING:

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

#### Trash

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

#### PARKING

County ordinance now limits parking to the number of off street parking (garage, driveway) plus 1 more on the street. **total number of parking spaces for 208 beach is 1**

#### Beachdrive- Aptos: notes

(200 block of Beach drive has first come off street parking only).  
Homes Behind the Gates, 529-640 Beach will be issued parking permits.

#### CHANGES:

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

#### IF YOU must cancel

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

#### PETS:

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

#### WHAT TO BRING:

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

#### PHONE:

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

#### OCCUPANCY

**Your beach rental allows 6 maximum people to sleep over. Children under 8 not counted. In addition the total number of allowed guests for celebrations and gatherings during the hours of 8 AM to 10 PM is 12.**

#### 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/208 Beach dr. \_\_\_\_\_

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 4-21

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

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

**FIREWORKS ARE ILLEGAL AND PROHIBITED AT ALL TIMES.**

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

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

Tenant signature \_\_\_\_\_

page 2 of 2

**EXHIBIT G**

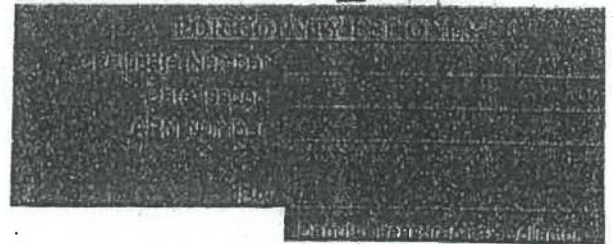


COUNTY OF SANTA CRUZ  
OFFICE OF THE TREASURER-TAX COLLECTOR  
FRED KEELEY-TREASURER

TAX DIVISION TELEPHONE (831) 454-2510  
OFFICE: 701 OCEAN STREET, ROOM 150, SANTA CRUZ CA 95060  
MAIL: POST OFFICE BOX 1817, SANTA CRUZ CA 95061

RECEIVED  
SANTA CRUZ  
2021 APR 19 4:41 PM  
TAX DIVISION

**TRANSIENT OCCUPANCY TAX - REGISTRATION APPLICATION**



**TRANSIENT OCCUPANCY TAX**

Name of Facility or Unit \_\_\_\_\_  
Address of Facility or Unit 208 beach  
Mailing Address 107 Aptos beach Phone # 831 688-2041  
Date of Application 4/19/22 Date Acquired \_\_\_\_\_

Type of Transient Occupancy Facility (check one): Tourist Home ☒ Motel ☐ Hotel ☐ Rooming House ☐  
Lodging House ☐ Inn ☐ Studio Hotel ☐ Apartment House ☐ Dormitory ☐ Public or Private Club ☐  
Mobile or Manufactured Home ☐ Other Lodging ☐

Number of Occupancy Units \_\_\_\_\_

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

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

**Owner(s) Name (List Principals):**

**President/Vice President/Secretary/Treasurer**

Officer Name	Home Address	Phone Number

Operator's Name	Address	Phone Number
Cheshire-Rio Property management	107 Aptos beach	688-2041

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

Signed R. M. Allen Date 4/19/22

**EXHIBIT H**



REALTY & PROPERTY MANAGEMENT, INC.  
107 Aptos Beach Drive  
Aptos, California 95003  
(831) 688-2041 FAX (831) 688-0702

April 20, 2021

### NOTIFICATION OF OBTAINING A VACATION RENTAL PERMIT

Dear Homeowner

Please note the owner of 208 Beach drive has the intention of obtaining a rental permit.

Santa Cruz County requires your consent for them to apply and obtain a Vacation rental permit. **Once obtained the owner will continue to rent their unit on the short term basis, 29 days and less as well as monthly stays.**

The Vacation rental permit is required by Santa Cruz County and has restrictions on how they rent their property. I have listed the main restrictions below.

1. property will be limited to rent to no more that 6 occupants (kids younger than 8 don't count)
2. daytime guests are limited to occupy the unit until 8PM and then must leave.
3. the number of cars that may park on the street is limited to the designated parking spots, and up to one on the street.
4. tenants must abide by the County noise ordinance of 10PM to 8AM as quiet time
5. Rental must have an on call contact person for noise complaints available 24/7 (**cheshire Rio Realty is that contact 831-688-2041 24 hours per day**)
6. Excess trash must be removed immediately
7. the permit is limited to a 5 year renewable time period
8. the permit revocable for violations of the above restrictions.

I Danielle Panceretta owner of 206 beach drive give my permission for the owners of 208 Beach drive to apply for a Santa Cruz County vacation rental permit.

owner Signature

Danielle Panceretta

date 4/19/21

for more info: visit the County planning dept. at [www.santacruzcounty.org](http://www.santacruzcounty.org) or call 454-2871

From 206 beach

EXHIBIT I

COPY



REALTY & PROPERTY MANAGEMENT, INC.  
107 Aptos Beach Drive  
Aptos, California 95003  
(831) 688-2041 FAX (831) 688-0702

April 20, 2021

### NOTIFICATION OF OBTAINING A VACATION RENTAL PERMIT

Dear Homeowner

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Santa Cruz County requires your consent for them to apply and obtain a Vacation rental permit. **Once obtained the owner will continue to rent their unit on the short term basis, 29 days and less as well as monthly stays.**

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4. tenants must abide by the County noise ordinance of 10PM to 8AM as quiet time
5. Rental must have an on call contact person for noise complaints available 24/7 (cheshire Rio Realty is that contact 831-688-2041 24 hours per day)
6. Excess trash must be removed immediately
7. the permit is limited to a 5 year renewable time period
8. the permit revocable for violations of the above restrictions.

I Ray Ferragán owner of 210 beach drive give my permission for the owners of 208 Beach drive to apply for a Santa Cruz County vacation rental permit.

owner Signature

date 4/20/21

for more info: visit the County planning dept. at [www.santacruzcounty.org](http://www.santacruzcounty.org) or call 454-2871

From 210 Beach

EXHIBIT I