



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

**Application Number: 211144**

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**Applicant:** Sylvia Fields

**Owner:** Sylvia Fields

**APN:** 046-211-58

**Site Address:** 464 Oceanview Drive, Aptos

**Agenda Date:** July 16, 2021

**Agenda Item #:** 2

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

**Project Description:** Proposal to operate a new five-bedroom vacation rental. Requires a Level 5 Vacation Rental Permit.

**Location:** Property located on the southwest side of Oceanview Drive at 464 Oceanview Drive in Aptos

**Permits Required:** Vacation Rental Permit

**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 211144, based on the attached findings and conditions.

### **Project Description & Setting**

The project site is located on the southwest side of Oceanview Drive in the La Selva Planning Area, approximately .25 miles south from the intersection with Hillview Way. 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 three-story single-family residence, originally constructed in 1966. This is a proposal to operate a vacation rental in the existing five-bedroom dwelling. As indicated in SCCC 13.10.694(D)(2), a public hearing is required for vacation rentals consisting of four or more bedrooms.

Vacation rentals within residential structures are permitted within the R-1-6 (Single-Family Residential - 6,000 square feet minimum) zone district, and the operation of the vacation rental would be required to comply with all requirements of the vacation rental ordinance.

Kendall & Potter Property Management has been designated as the 24-hour contact for the proposed vacation rental. Kendall & Potter Property Management is located in Capitola, within the required 30-minute response radius from the proposed vacation rental property.

The provided parking will meet the requirements of SCCC 13.10.694(D)(2)(c)(iv)B. Pursuant to this Code Section, parking for vacation rentals is limited to the number of on-site parking spaces. A minimum of two on-site spaces is required for vacation rentals containing three or more bedrooms. The guest(s) will also be allowed to park one additional vehicle off-site using street parking for the off-site vehicle in the vicinity of the vacation rental but will not have any exclusive or assigned use of any available street parking. Three parking spaces are available on-site, meeting the parking requirements of SCCC 13.10.694(D)(2).

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. In addition, any new vacation rental permit issued for vacation rentals consisting of four or more bedrooms shall be issued a one-year provisional permit subject to review for compliance with vacation rental ordinance requirements prior to granting the remainder of the standard five-year term. The permit is conditioned accordingly.

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

The subject property is a 1,873 square foot lot, located in the R-1-6 (Single-Family Residential - 6,000 square feet minimum) zone district, a designation which allows vacation rental uses. The proposed five-bedroom vacation rental is a conditionally permitted use within the zone district and the zoning is consistent with the site's R-UL (Urban Low Density 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 **211144**, 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  
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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 Agreement Signed by Attached Dwelling Unit

# 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: 211144

Assessor Parcel Number: 046-211-58

Project Location: 464 Oceanview Drive, Aptos

**Project Description: Proposal to operate a five-bedroom vacation rental. Requires a Vacation Rental Permit.**

**Person or Agency Proposing Project: Sylvia Fields**

**Contact Phone Number: 408-655-3097**

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

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.

This finding can be made in that the proposed vacation rental will be located in an existing five-bedroom residential structure consistent with County Code Chapter 13.10. The 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. The property owner has provided the required "Vacation Rental Safety Certification" to verify compliance with these standards. In addition, the vacation rental standards address noise, occupancy, and parking to ensure that there are no detrimental effects of the vacation rental to properties in the vicinity.

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 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 and the purpose of the R-1-6 (Single-Family Residential - 6,000 square feet minimum) zone district which conditionally allows for vacation rentals within residential structures, meeting all requirements of the vacation rental ordinance.

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 vacation rental use is consistent with the use requirements specified for the R-UL (Urban Low Density Residential) land use designation in the County General Plan. Additionally, the vacation rental use is conditioned to operate in compliance with the vacation rental ordinance, which 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 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. 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 a vacation rental use.

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

This finding can be made, in that the 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.

## Conditions of Approval

Exhibit D: Project plans, prepared by RL Emigh, dated June 16, 2021.

- 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. The maximum, overnight occupancy of the vacation rental shall not exceed 12 people (two per bedroom, plus two additional people, children under eight not counted).
  - C. The maximum number of vehicles associated with the overnight occupants shall not exceed four (number of on-site parking spaces, plus one additional on-street parking space).
  - D. 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).
  - E. 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.
  - F. 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).
  - G. Fireworks are illegal in Santa Cruz County and prohibited at the vacation rental.

- H. 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.
- I. 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.
- 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, 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.
- 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 initial Vacation Rental Permit is a *one-year provisional permit* subject to review for compliance with vacation rental code requirements prior to granting the remainder of the standard five-year term.
- 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. Renewal applications must show significant rental use for three out of the previous five years. Significant rental use shall be interpreted to include no fewer than 10 percent of weekend nights in a given year, or a minimum occupancy of five weekends or 10 nights per calendar year.
- O. All advertising for vacation rentals shall include the vacation rental permit number in the first two lines of the advertisement text, and where photos are included, a photo containing the permit number shall be included, as well as a photo of the required signage that includes the 24-hour contact information and vacation rental identification.



- P. By accepting a vacation rental permit, vacation rental owners agree to engage in dispute resolution and act in good faith to resolve disputes with neighbors arising from the use of a dwelling as a vacation rental. Unless an alternative dispute resolution entity is agreed to by all parties involved, dispute resolution shall be conducted through the Conflict Resolution Center of Santa Cruz County.
- Q. 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 5 public hearing by the Zoning Administrator (or by the Planning Commission upon referral).
- R. 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 5 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.
- S. 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: \_\_\_\_\_

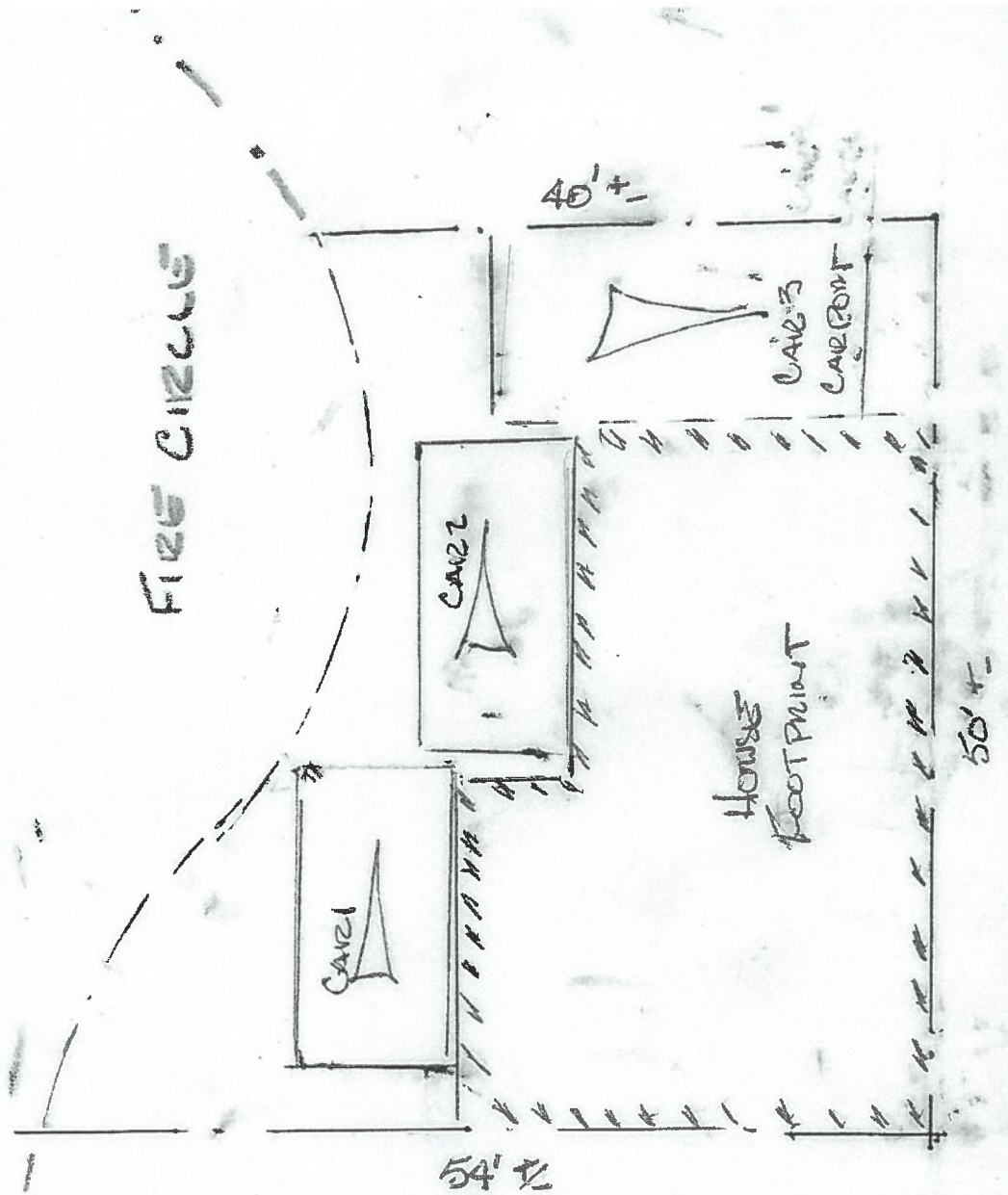
\_\_\_\_\_  
Annette Olson  
Deputy Zoning Administrator

**EXHIBIT C**

Application #: 211144  
APN: 046-211-58  
Owner: Sylvia Fields

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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.



FROM APN MAP  
GIS PHOTO  
& SITE VISIT

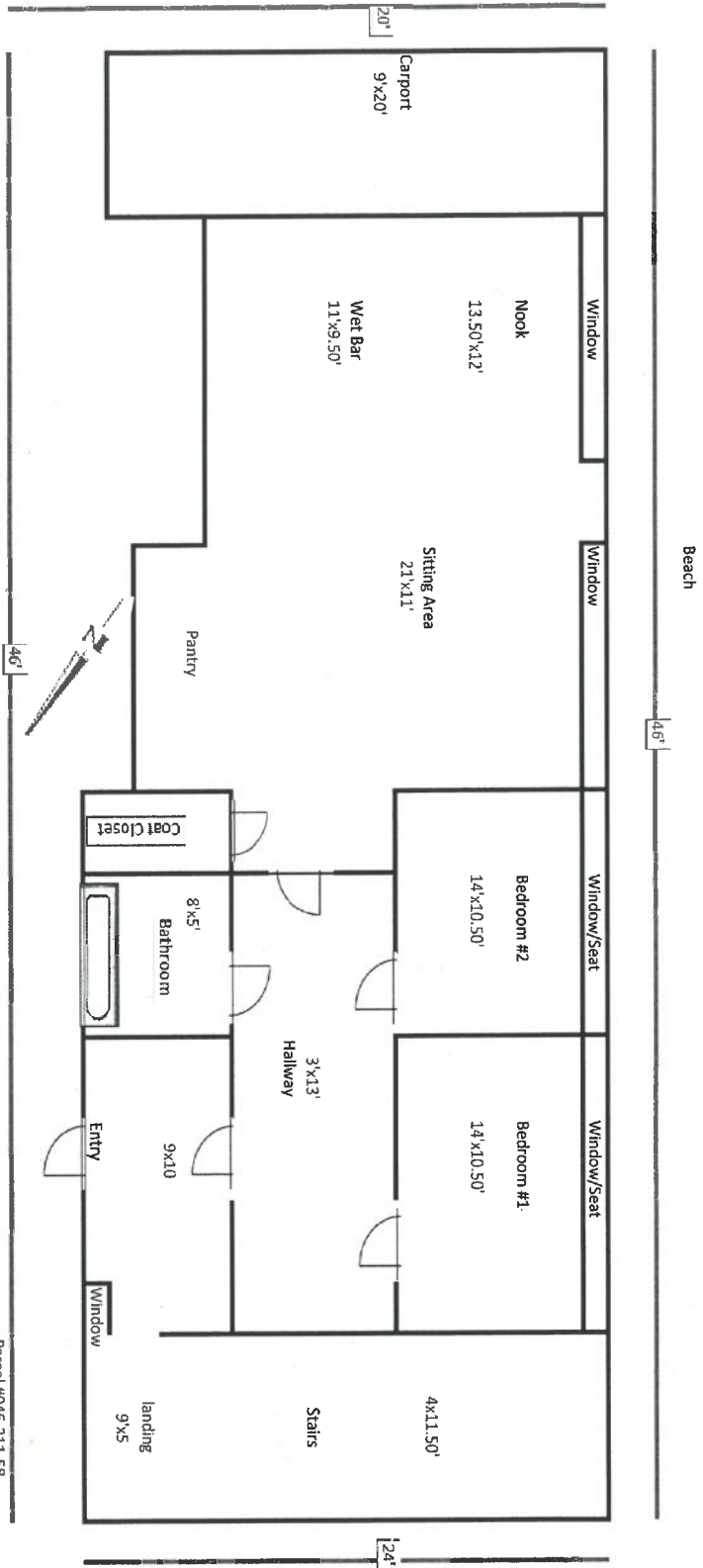
SITE PLAN  
1" = 10'

~~TX~~

6-16-2021  
By R L EMIGIT

464 OCEANVIEW DRIVE  
LA SELVA BEACH CA 95076  
APN 046-211-58

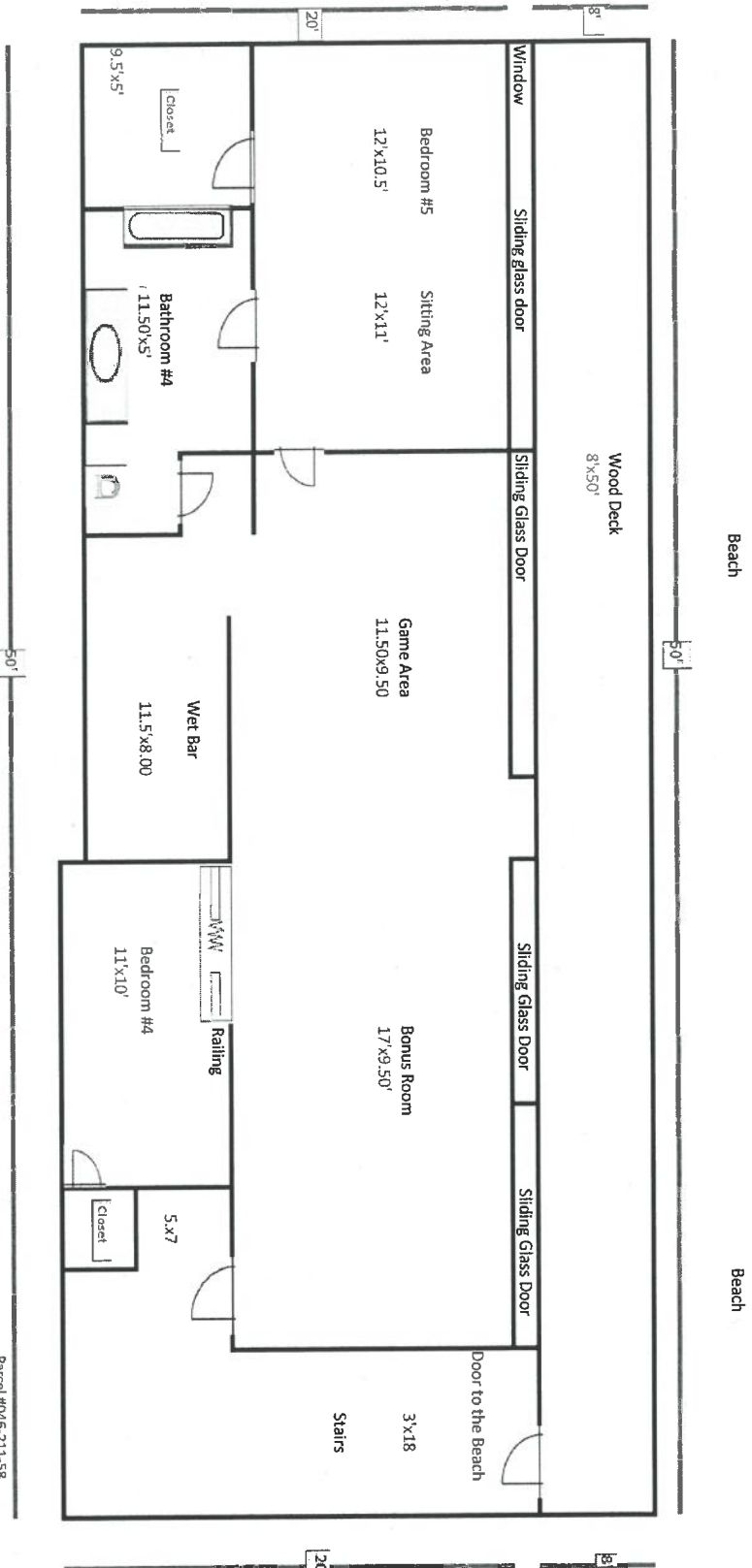
EXHIBIT D



Parcel #046-211-58  
Fields Residence  
464 Oceanview Drive  
Watsonville, Ca 95076  
First Floor Plan

EXHIBIT D





Parcel #046-211-58  
 Fields Residence  
 464 Oceanview Drive  
 Watsonville, Ca 95076  
 Third Floor

EXHIBIT D



# FOR TAX PURPOSES ONLY

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.  
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POR. SAN ANDREAS RANCHO  
SEC. 33, T.11S., R.1E., M.D.B. & M.

Tax Area Code  
69-023

46-21

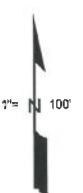


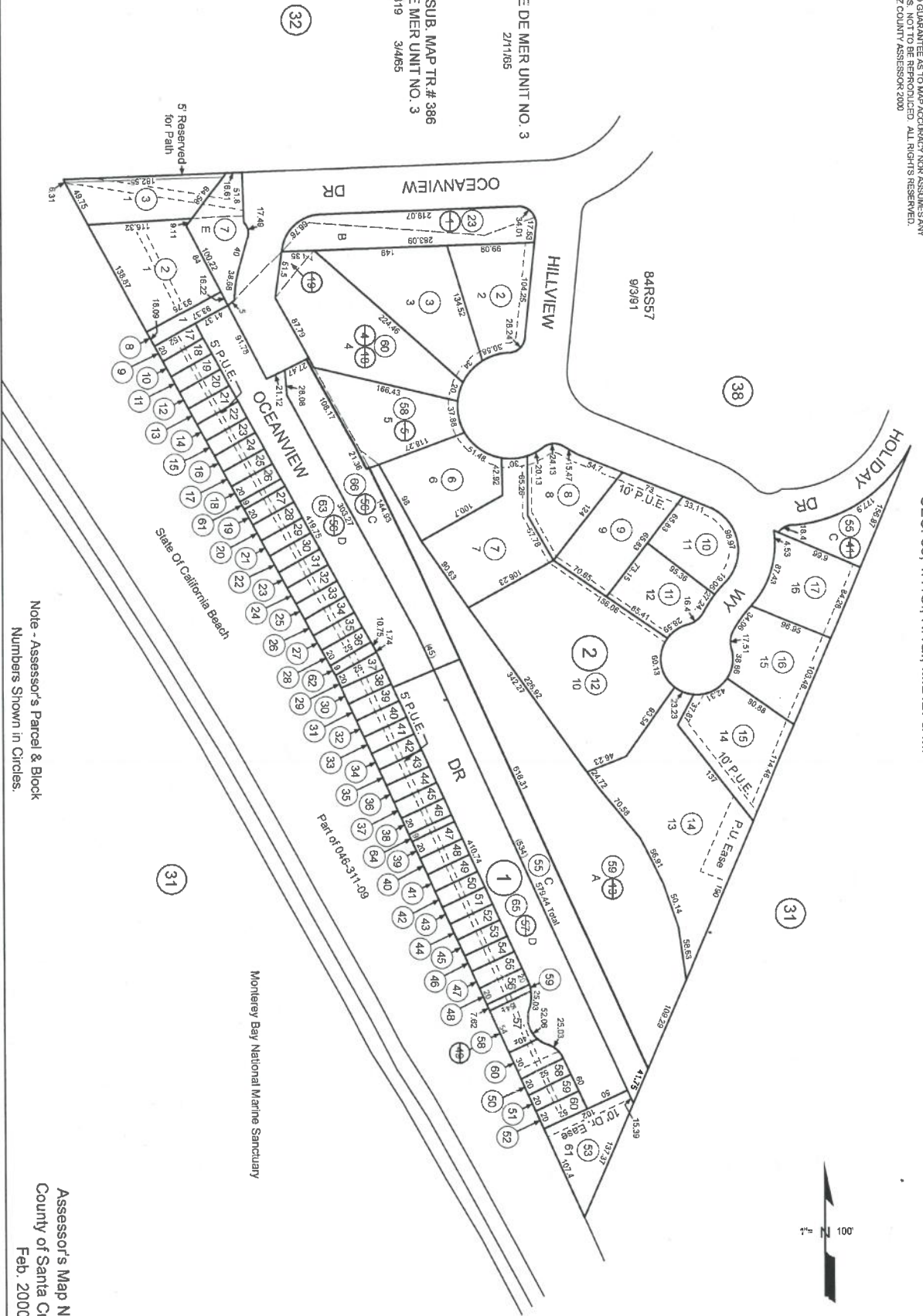
EXHIBIT E

TR. # 386 PLACE DE MER UNIT NO. 3

43MB11 271/BS

AMENDED SUB. MAP TR. # 386  
PLACE DE MER UNIT NO. 3  
43MB19 34/BS

Electronically redrawn 2/4/00 KSA  
Rev. 2/4/00 KSA (Per. to Pg. 38)  
Rev. 5/14/02 mvm (TCA)  
Rev. 7/6/04 DD (4-0008346 & 59 LBA, 1-66 & 2-68, 59)  
Rev. 1/13/07 mvm (6-0045907 comb, 2-68)



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

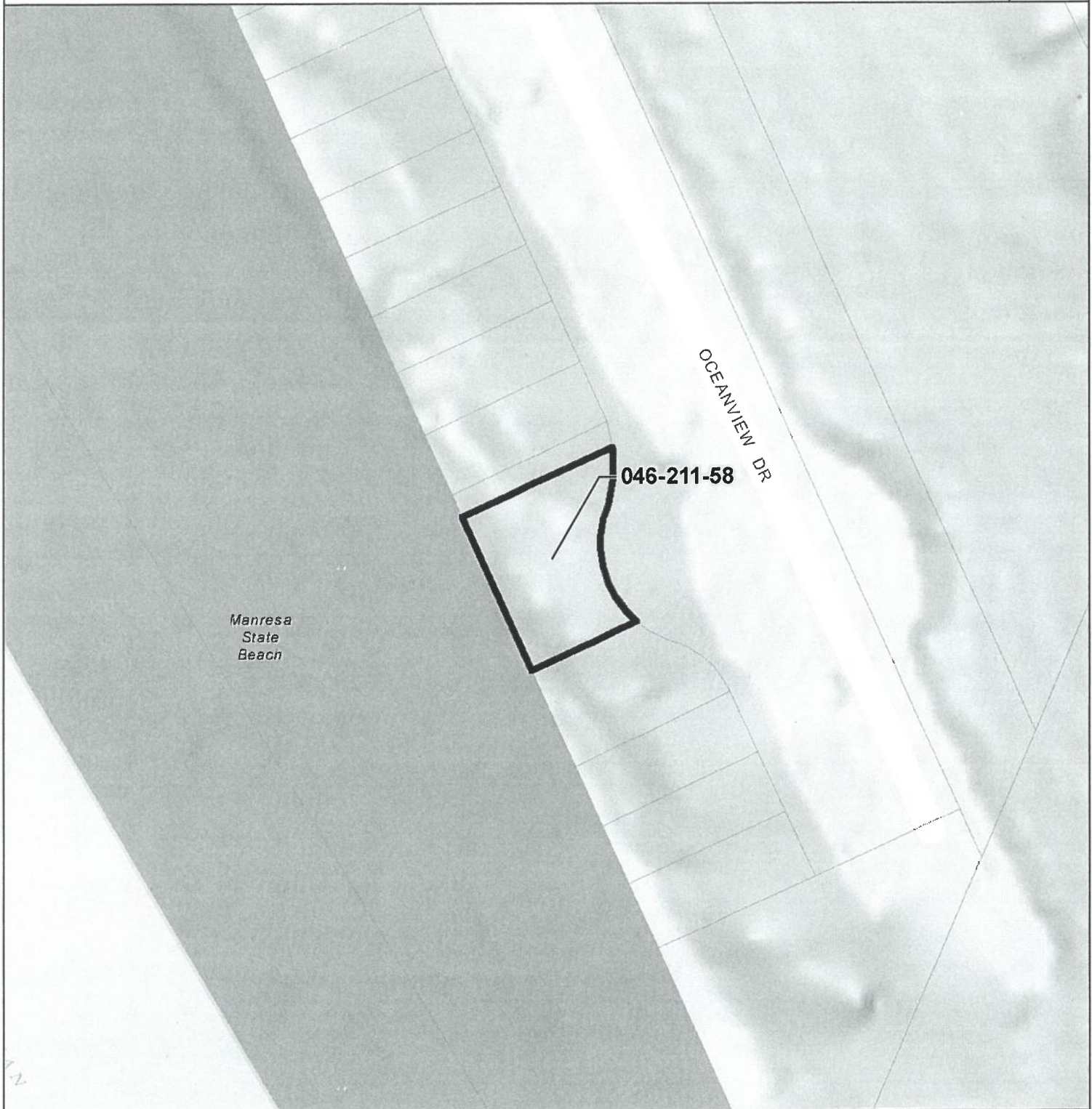
Assessor's Map No. 46-21  
County of Santa Cruz, Calif.  
Feb. 2000





SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel Location Map

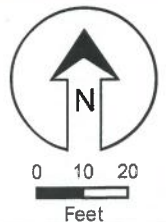


Parcel: 04621158

- Study Parcel
- Assessor Parcel Boundary
- Existing Park

Map printed: 7 Jul. 2021

EXHIBIT E



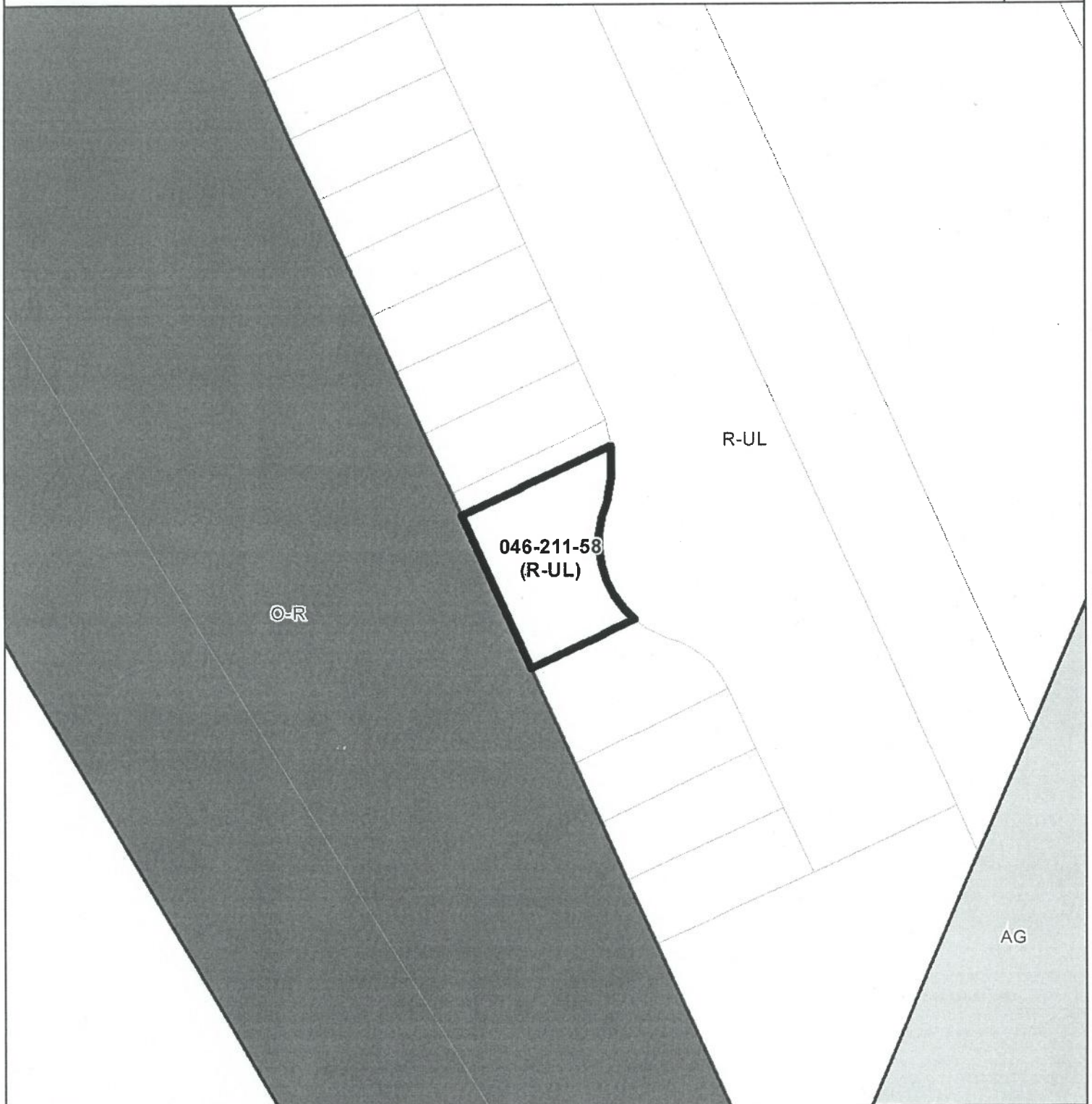





SANTA CRUZ COUNTY PLANNING DEPARTMENT

**Parcel General Plan Map**

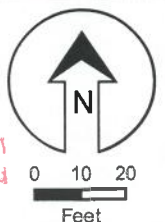


Mapped  
Area



-  AG *Agricultural*
-  O-R *Parks, Recreation & Open Space*
-  R-UL *Res. Urban Low Density*

**EXHIBIT E**





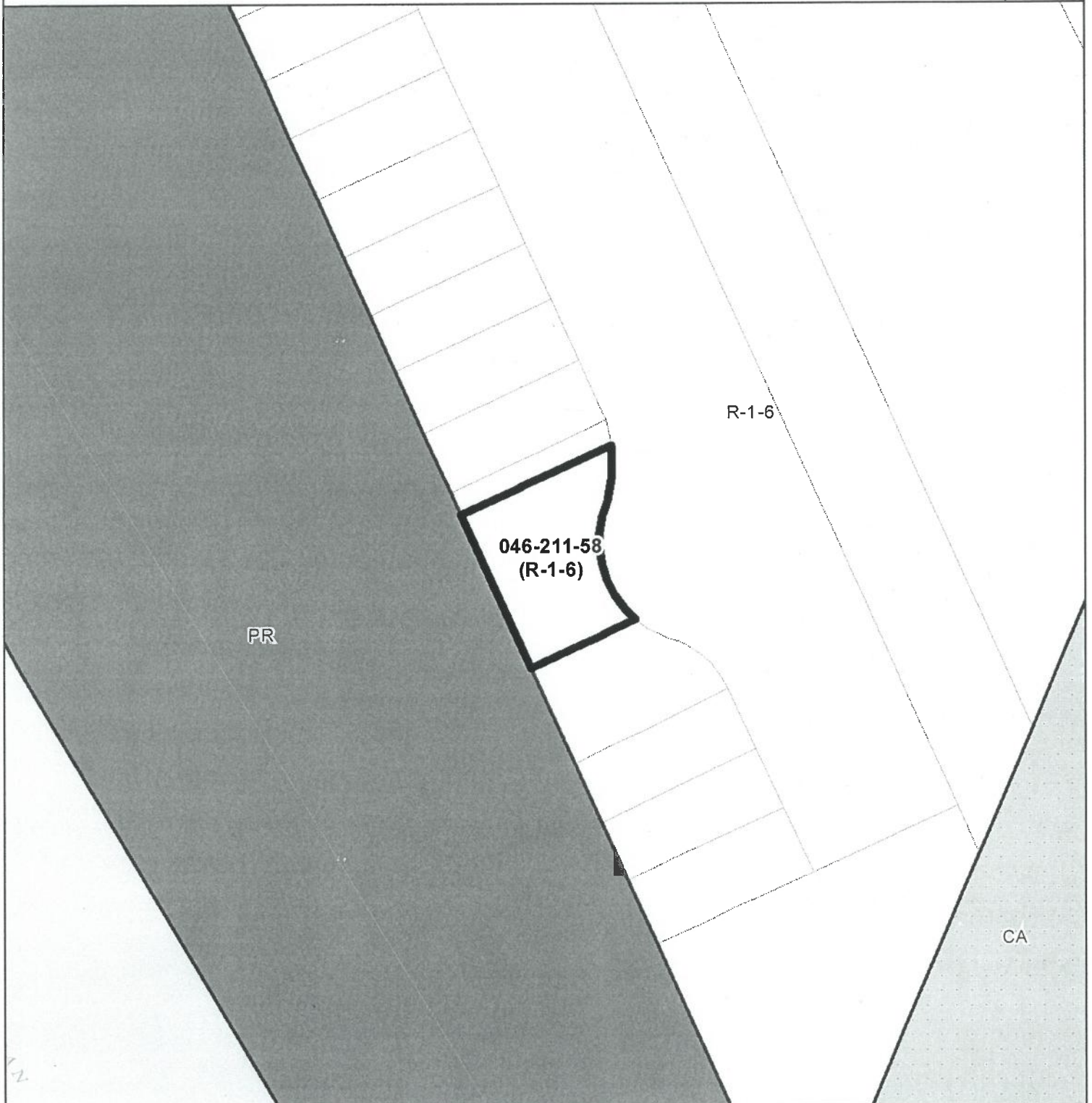


SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel Zoning Map



Mapped  
Area



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



EXHIBIT E

0 10 20  
Feet

## Parcel Information

### Services Information

Urban/Rural Services Line: X Inside       Outside  
Water Supply: Soquel Creek Water District  
Sewage Disposal: CSA 02 Place de Mer  
Fire District: Central Fire Department  
Drainage District: N/A

### Parcel Information

Parcel Size: 1,873  
Existing Land Use - Parcel: Residential  
Existing Land Use - Surrounding: Residential  
Project Access: Oceanview Drive  
Planning Area: La Selva  
Land Use Designation: R-UL (Urban Low Residential)  
Zone District: R-1-6 (Single-Family Residential (6,000 square foot minimum))  
Coastal Zone: X Inside       Outside  
Appealable to Calif. Coastal Comm.    Yes    X No

### Environmental Information

Geologic Hazards: FEMA VE Flood 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: Mapped Scenic  
Archeology: Not mapped/no physical evidence on site



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

701 OCEAN STREET, 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
(831) 454-2580 FAX: (831) 454-2131

## Vacation Rental Permit Application

*Carefully read the List of Required Information (LORI) and ensure that ALL required information is included with this application. If you do not have ALL of the required information, your application will not be accepted.*

### Permit and Property Information

Current vacation Rental Permit Number (if applicable): \_\_\_\_\_

Assessor's Parcel Number (APN): 046-211-58  
(APNs MAY BE OBTAINED FROM THE ASSESSOR'S OFFICE AT (831) 454-2002)

Street Address: 464 Oceanview Drive, Watsonville, Ca 95076

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

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

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

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

PHONE No. (\_\_\_\_) \_\_\_\_\_ CELL PHONE No. (\_\_\_\_) \_\_\_\_\_

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

### Owner Information

NAME: Sylvia Fields

MAILING ADDRESS: P.O. Box 3466

CITY/STATE Saratoga, Ca ZIP 95070

PHONE No. (831) 786-8671 CELL PHONE No. (408) 655-3097

EMAIL: sylfields@sbcglobal.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: Kendall & Potter Property Management, Inc

MAILING ADDRESS: 522 Capitola Avenue

CITY/STATE Capitola, CA ZIP 95010

PHONE NO. (800) 386-6826 CELL PHONE NO. (831) 477-7934

EMAIL: vacations@montereycoast.com

## ELECTED/ PUBLIC OFFICIAL OR COUNTY EMPLOYEE INFO. PUBLICATION

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

X

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.**

<div style="border-bottom: 1px solid black; margin-bottom: 5px;"><i>Sylvia Fields</i></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div>	<div style="border-bottom: 1px solid black; margin-bottom: 5px; text-align: center;">04/21/2021</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px; text-align: center;">Date</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px; text-align: center;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px; text-align: center;">Date</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px; text-align: center;">Date</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px; text-align: center;">Date</div>
Owner of Rental Unit	
Certified Home Inspector	License #
County Building Inspector	
Property Manager/Agent	

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

EXHIBIT G



## 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).

*Sylvia Fields*

Signature of Owner or Authorized Agent

04/21/2021

Date

EXHIBIT G





Kendall & Potter Property Management  
 522 Capitola Ave  
 Capitola, CA 95010  
 800-386-6826  
**VACATION RENTAL AGREEMENT**

Date	Reservation Number	Arrival Date	Departure Date
05/24/2021	35560	05/24/2021	05/31/2021

Guest Information	Rental Property Information
Sylvia Fields PO Box 3466 Saratoga, CA 95070 US	464/Santa Cruz Beach House 5 Bedrooms 3.5 Bathrooms 464 Oceanview Watsonville, CA 95076 Maximum occupancy: 12 people BED SIZES: / Linens ARE Provided!

Dear Sylvia,

We are pleased to confirm your reservation request and provide you with this agreement. Please read the information above and verify your Arrival/Departure dates and personal information. Please read the information provided below very carefully for rates, restrictions, terms, and conditions associated with this reservation request. Upon receipt of your rent payment in the amount of \$5,544.49, along with a copy of this Agreement signed by you, your reservation request will be converted to a confirmed reservation. Please Note: Balances are due 60 days prior to your arrival, see payment information below. Our Agency, Kendall & Potter Property Management, Inc., duly appointed as representative, rents out the property mentioned here above for the specified period and cost to the client, whose address appears in the Guest Information box above.

TERMS & CONDITIONS	PAYMENT INFORMATION			
<p><b>PAYMENT TERMS:</b> Check, American Express, Visa, Master Card or Money Order made out to: Kendall &amp; Potter Property Management. There is a \$50 charge for all returned checks plus the cost of collection. If coming in less than 60 days prior all funds must be paid by Certified Funds, i.e. Cashier Check, Money Order or Credit Card.</p> <p><b>DAMAGE PROTECTION PLAN:</b> There is a non-refundable \$75.00 fee, which MUST be paid in order to confirm your reservation. The guest is responsible for all damages and excessive cleaning of the property. This fee is in lieu of a security deposit and is included in the TOTAL RENT DUE.</p>	<b>Total Rent Due:</b>		<b>\$5,544.49</b>	
	<b>Expected Charges</b>			
	<b>Due Date</b>	<b>Description</b>	<b>Amount Due</b>	
	05/24/2021	Required Payment: 100.00%	\$5,544.49	
	<b>Grand Total of Expected Charges:</b>		\$5,544.49	
	<b>Payments/Folio History</b>			
	<b>Date</b>	<b>Type</b>	<b>Description</b>	<b>Amount</b>
	<b>Total (includes all folio items):</b>			\$5,544.49
	<b>Balance:</b>			\$5,544.49
	<b>Balance After Processing Scheduled Payments:</b>			\$5,544.49

**\$5,544.49 CHARGE AMOUNT**

I agree to pay the above total amount according to card issuer agreement.  
 {{signature}}

**EXHIBIT G**

Check in time is 4:00 P.M. Check out time is 10:00 A.M.

**CANCELLATION POLICY:** In the event your plans change and your rental must be cancelled by you, regardless of reason, including bad weather, illness, death or economic factors there is a \$150 cancellation fee. Only the Guest listed on this contract can cancel the reservation. Any cancellation notification received more than 60 days prior to arrival you will be refunded the 1/2 payment less the cancellation fee. There are NO refunds if the reservation is cancelled less than 60 days prior to arrival.

If you have accepted the Traveler's insurance and you must cancel, the claim must be made through the insurance company. The Traveler's insurance premium will not be refunded, if cancelled after 10 days or payment, regardless of if the travel insurance company covers cancellation or not.

Rentals are privately owned homes and are limited to families (with children and responsible groups of adults 21 years of age or older). Persons not authorized by Agent to use the property or persons who do not properly identify themselves will be required to vacate immediately without refund. Rentals must be thoroughly cleaned and ready for the next guests, see CHECK OUT is at 10 am, please see SPECIAL INSTRUCTIONS EMAILED TO YOU.

**FURNISHINGS:** If you feel compelled to re-decorate or move furniture, please be sure to put it back! There is a minimum charge of \$150 fee for putting furniture back in place.

**NOISE ORDINANCE:** Santa Cruz County has a noise ordinance #Section 8.30.010 of the Santa Cruz Code and Penalty. Any noise or loud music before 8 am or after 10 pm is subject to a fine of \$200.00 per incident. If the Sheriff's office is called the fine will be \$500.00 charged to the person who is responsible for the reservation. This is a neighborhood and everyone must be respectful of others rights of enjoyment.

**SMOKING:** All of Kendall & Potter properties are NON SMOKING vacation rentals. Capitola now has a law passed of NO SMOKING within the Village. Violators will be fined up to \$200.00.

**DAMAGE PROTECTION PLAN:** The Damage Protection Plan is a non-refundable fee designed to protect our guests from risk of substantial charges related to damage to the rental home during their stay. This plan excuses you from house damages to a maximum of \$1,000.00 as long as the damage was not willful, wanton or a result of gross negligent behavior or damaged by a pet. This fee is in lieu of a security deposit.

**REPORTING DAMAGE:** DAMAGE MUST be reported promptly to Kendall & Potter's office or this DAMAGE PROTECTION PLAN IS VOID. Kendall & Potter Property Management, Inc. will have the sole authority to determine the extent of the repairs necessary. Arbitration is required prior to litigation. The prevailing party in any arbitration or litigation shall be entitled to recover and/or reimbursement of all fees in connection with same.

**DAMAGE PROTECTION PLAN DOES NOT INCLUDE**

1. Acts of God
2. Intentional acts of a guest.
3. Gross Negligence or willful conduct.
4. Any cause, if the guest does not report the damage to Kendall & Potter Property Management, Inc.
5. Normal wear and tear.
6. Damage or loss caused by a pet or other animal brought onto the premises by guest.
7. The plan applies only to the direct physical loss of damage to covered property. It does not cover loss of use of such property.
8. The plan does not apply to loss of damage to any property owned by or brought onto the premises by a guest.
9. Request cleaning or any additional cleaning required.

**DAMAGE PROTECTION PLAN EFFECTIVE TERM:** The "Damage Protection Plan" becomes effective upon check in to a Kendall & Potter Property Management, Inc. vacation rental and ends on departure.

At agents' discretion, in an emergency, agent may substitute like properties.

Guests assume all risk of accidents or injuries to persons or property, including invitees, and hold agent and owner harmless from any such damages.

**LINENS:** Sheets and Towels are provided at all of our properties. Renters will be charged for missing or damaged linens. Upon your departure do not strip the beds. Please leave dirty towels in a pile in the bathrooms. We apologize but Beach Towels are NOT provided at any of the rentals. \*BEACH TOWELS ARE NOT PROVIDED\*

You shall not permit more than 12 authorized persons overnight, disturb neighbors and/or allow pets on the premises unless applicable. Violation of any of these requirements will result in forfeiture of rent and possible evictions. Up to \$200.00 will be charged to your credit card for each key, gate pass or parking permit not returned to the office on departure.

The Maximum number of people that are allowed for gatherings between 8 a.m. and 10:00 p.m. is 24 people (County Code Section 13.10.694(d)(1)(D)).

The Maximum number of vehicles that are allowed on the premises is: 4. (County Code Section 13.10.694(d)(1)(D))

Trash must be kept in closed containers and not allowed to accumulate. Trash day is Friday (County Code Section 7.20.005, et seq.).

Prohibition on illegal behavior and prohibition on any and all fireworks in Santa Cruz County.

If Guest defaults in the performance of any aspect of this agreement or in the recovery of possession of the property, Agent and Owner shall be entitled to recover all costs and expenses, including court costs.

*Tenant shall not be entitled to any refund for inoperative appliances, hot tubs, heaters, etc. Replacement or repair of such when provided by Owner, cannot be guaranteed. Upon notifying Agent of any malfunction, Agent will make every effort to have appliance, etc. repaired.*

**EXHIBIT G**

I, Sylvia Fields, and all members of my party have read, understand and agree to all of the terms and conditions stated in the agreement listed above.

{{signature}}

EXHIBIT G



Kendall & Potter Property Management  
522 Capitola Ave  
Capitola, CA 95010  
800-386-6826  
VACATION RENTAL AGREEMENT

Date	Reservation Number	Arrival Date	Departure Date
05/24/2021	35560	05/24/2021	05/31/2021

<b>Guest Information</b>  Sylvia Fields PO Box 3466 Saratoga, CA 95070 US	<b>Rental Property Information</b>  464/Santa Cruz Beach House 5 Bedrooms 3.5 Bathrooms 464 Oceanview Watsonville, CA 95076 Maximum occupancy: 12 people BED SIZES: / Linens ARE Provided!
--	--

GUEST CANCELTION INSURANCE PROTECTION CSA Vacation Rental Insurance (VRI) has been made available with your reservation. VRI reimburses for pre-paid, non-refundable expenses due to certain unforeseeable circumstances that may jeopardize your vacation investment and force you to incur unplanned expenses. We strongly recommend you purchase this valuable protection. If you do not elect coverage, you acknowledge you acknowledge you have read and understand our cancelation policy and choose not to purchase VRI on behalf of all occupants. VRI cannot be added after final payment. You are under no obligation to accept this coverage, but please think twice before declining. It is a small amount to pay compared to the loss you face if something goes wrong.

**ACCEPTING Guest Cancellation Insurance**

Your premium of 6.95% of your total reservation cost will be charged to your credit card. Trip Cancellation coverage begins the day after we receive your payment. Once we receive payment, you will receive a brochure for your Certificate of Insurance.

**DECLINING Guest Cancellation Insurance**

If you do not want to insure your investment in your travel plans, you must sign at the bottom of this page. Before you do so, we ask that you contact Generali (formerly CSA) customer service for any questions you may have at (866) 999-4018

SELECT ONE:

{{checkbox,Insurance,1,1}} I DO DESIRE GUEST CANCELTION INSURANCE

{{checkbox,Insurance,2,1}} I DO NOT DESIRE GUEST CANCELTION INSURANCE

**\*\*NOTE: CANCELTION INSURANCE CANNOT BE DENIED UNLESS WE RECEIVE THIS SIGNED DOCUMENT\*\***

{{signature}}

EXHIBIT G



# COUNTY OF SANTA CRUZ

EDITH DRISCOLL, AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR  
701 OCEAN STREET, SUITE 150, SANTA CRUZ, CA 95060-4073  
POST OFFICE BOX 5639, SANTA CRUZ, CA 95063 • (831) 454-2510 • FAX (831) 454-2257

## TRANSIENT OCCUPANCY TAX - REGISTRATION APPLICATION

### FOR COUNTY USE ONLY

Certificate Number:

Date Issued:

APN Number:

By:

Deputy Treasurer-Tax Collector

### PLEASE PRINT OR TYPE

Name of Facility or Unit \_\_\_\_\_

Address of Facility or Unit 464 Oceanview Drive, Watsonville, Ca 95076

Mailing Address P.O. Box 3466, Saratoga, Ca 95070 Phone # 408-655-3097

Email Address syfields@sbcglobal.net Date of Application 04/21/2021

Websites You Plan to Use: ☒ VRBO ☒ Home Away ☒ AirBNB ☐ AirBNB Only\* ☒ Other montereycoast.com

Type of Rental: ☐ Hotel/Motel ☐ Bed and Breakfast ☒ Whole House ☐ Hosted Rental

Number of Occupancy Units 1

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

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

Operator's Name	Address	Phone Number
Sylvia Fields (Owner)	P.O. Box 3466, Saratoga, CA 95070	408-655-3097
Kendall & Potter Property Management, Inc	522 Capitola Ave, Capitola, CA 95010	831-477-7930

#### **Local Emergency Contact**

Name	Email Address	Phone Number
Kendall & Potter Property Management, Inc	522 Capitola Ave, Capitola, CA 95010	831-477-7930

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

Signed Sylvia Fields Date 04/21/2021

\*AirBNB has an agreement with the County of Santa Cruz to collect and pay the TOT for all listings done on their site that are within the unincorporated area of the County. If you commit to only using AirBNB for all of your rentals then you will not be required to report monthly.

**EXHIBIT H**



FW: 464 Oceanview Drive, Watsonville, Ca 95076 - Fields TOT Registration

From: Grant Winter (grant.winter@santacruzcounty.us)  
To: sylfields@sbcglobal.net  
Cc: vacation.eplanreview@santacruzcounty.us  
Date: Thursday, April 29, 2021, 01:40 PM PDT

Hello Syl,

Please use this email as proof that you have applied for a TOT Certificate for the property of 464 Oceanview Drive, Watsonville.

Thank you,

Grant Winter  
Senior Accounting Technician  
County of Santa Cruz  
(831) 454-2662

**From:** Sylvee Fields <syffields@sbcglobal.net>  
**Sent:** Thursday, April 29, 2021 1:28 PM  
**To:** Grant Winter <Grant.Winter@santacruzcounty.us>  
**Subject:** 464 Oceanview Drive, Watsonville, Ca 95076 - Fields TOT Registration

EXHIBIT H

\*\*\*\*CAUTION: This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.\*\*\*\*

Dear Grant,

I have attached my TOT registration form required by the planning department. Kindly provide us with the confirmation of receipt needed so we can forward to the Planning department.

I can be reached at 408-655-3097 for any questions.

Thank you so much in advance for your help.

Regards,

Syl Fields



TOT\_Application 046-211-58 - County of Santa Cruz.pdf  
529kB

EXHIBIT H

April 27, 2021

Dr. Henry Fee  
468 Oceanview Drive  
La Selva Beach, CA 95076

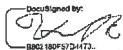
Planning Department  
County of Santa Cruz  
701 Ocean Street, 4<sup>th</sup> Floor  
Santa Cruz, CA 95060

Re: Vacation Rental Permit Application Neighbor Sign-off

Dear Planning Department:

This letter serves to communicate my approval/sign-off related to the vacation rental application for 464 Oceanview Drive, La Selva Beach, CA 95076. I do not object to Sylvia Fields utilizing her property for a vacation rental that is directly adjacent to our property.

Sincerely,

  
DocuSigned by:  
[Signature]  
B661180F37D4172

Dr. Henry Fee

**EXHIBIT I**