

# Staff Report to the Zoning Administrator

Application Number: 211193

**Applicant:** Joe and Leslie Concilla **Agenda Date:** September 17, 2021

Owner: Joe and Leslie Concilla Agenda Item #: 1 APN: 043-095-22 Time: After 9:00 a.m.

**Site Address:** 363 Beach Drive, Aptos

**Project Description**: Proposal to establish a new four-bedroom vacation rental.

Location: Property is located on the northeast side of Beach Drive approximately 0.4 miles

southeast of the intersection with Rio Del Mar Boulevard.

Permits Required: Vacation Rental Permit

Supervisorial 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 211193, based on the attached findings and conditions.

### **Project Description & Setting**

The project site is located on the northeast side of Beach Drive, in the Aptos Planning Area. The neighborhood is comprised of mainly two 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 1961 under building permit 10474. A substantial remodel and addition to the home was approved in March of 2008, under Coastal Development permit and Residential Development permit for structural alterations to a significantly non-conforming structure (07-0622) and the subsequent Building permit (0067122M-00151722), was completed in May of 2010. The home has one bedroom on the second floor and three bedrooms on the third floor with a deck facing the beach on the front side of the property.

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

The subject property is an approximately 5,000 square foot lot, located in the R-1-6 (single-family residential, 6,000 square foot parcel size) zone district, a designation which allows

County of Santa Cruz Planning Department 701 Ocean Street, 4th Floor, Santa Cruz CA 95060 APN: 043-095-22

Owner: Joe and Leslie Concilla

vacation rental uses. The proposed four-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.

#### **Vacation Rental Permit**

The property owner proposes to establish a new four-bedroom vacation rental in the existing single-family dwelling. As required by Santa Cruz County Code (SCCC) 13.10.694(D)(2), a public hearing is required for vacation rentals consisting of four or more bedrooms.

The property is located within Sea Cliff/Aptos/La Selva Designated Area (SALSDA), one of three areas in the County in which the number of vacation rentals are limited by block as well as by an area cap. However, the residential parcels on Beach Drive are exempt from the caps or block limits set forth in the SALSDA.

Impacts resulting from the use of the property as a vacation rental are anticipated to be mitigated through the proposed conditions of approval and requirements established in the Vacation Rental Ordinance. A maximum of ten overnight guests (two per bedroom, plus two additional people, children under eight not counted) and twenty people are allowed for celebrations and gatherings between 8 AM and 10 PM. Hallie Richmond has been designated as the 24-hour contact for the proposed vacation rental. Ms. Richmond is located within the required 30 miles from the proposed vacation rental property. Trash management, noise (including quiet hours), and prohibition on illegal behavior and fireworks are provided in the lease agreement for the guests.

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. Guests will also be allowed to park one additional vehicle off-site using street parking in the vicinity of the vacation rental but will not have any exclusive or assigned use of any available street parking. Two covered 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 original 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 code requirements prior to granting the remainder of the standard five-year term. This permit is conditioned accordingly.

#### 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

Application #: 211193 Page 3 APN: 043-095-22

Owner: Joe and Leslie Concilla

California Environmental Quality Act.

 APPROVAL of Application Number 211193, 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

Report Prepared By: Shila Bagley

Santa Cruz County Planning Department

701 Ocean Street, 4th Floor Santa Cruz CA 95060

Phone Number: (831) 454-3209

E-mail: shila.bagley@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 and Agreement
- H. Letter from Tax Collector

# 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.

| 1 1             | el Number: 043-095-22  |
|-----------------|--|
|                 | on: 363 Beach Drive, Aptos, CA 95003   |
| Project Descr   | ription: Proposal to operate a new four-bedroom vacation rental.   |
| Person or Ag    | ency Proposing Project: Joe and Leslie Concilla  |
| Contact Pho     | ne Number: (650) 255-3801  |
| A<br>B          | The proposed activity is not a project under CEQA Guidelines Section 15378. The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).                         |
| C               | <u>Ministerial Project</u> 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. <u>X</u>     | Categorical Exemption  |
| Specify type:   | See Below.   |
| F. Reaso        | ns why the project is exempt:  |
| residential vac | ing Facilities: Conversion of an existing single-family residence, to a short-term cation rental, will not result in environmental impacts in that a vacation rentals use rate with a residential use. |
| In addition, no | one of the conditions described in Section 15300.2 apply to this project.  |
|                 |  |
|                 | Date:  |
| Shila Bagley,   | Project Planner  |

## **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 four-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 proposed location of the single family residence 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 parcel size) zone district which 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 and density requirements specified for the R-UL (Urban Low Density Residential) land use designation in the County General Plan. Additionally, the vacation rental would be 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,

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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.

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## **Conditions of Approval**

Exhibit D: Project plans, prepared by Thacher & Thompson, dated 2009 and revised on.

- I. This permit authorizes the establishment of a four-bedroom 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 Safety Certificate form (See Exhibit G. Vacation Rental Application and Agreement).
- B. The maximum, overnight occupancy of the vacation rental shall not exceed ten people (two per bedroom plus two, children under eight not counted).
- C. The maximum occupancy allowed for celebrations and gatherings between 8:00 a.m. and 10:00 p.m. shall not exceed 20 people (twice the number of overnight occupants, children under 8 not counted).
- D. The maximum number of vehicles associated with the overnight occupants shall not exceed three (two on-site and one street parking spaces).
- 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, a prohibition on all fireworks, 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. 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.
- J. The owner/applicant shall comply with the regulations and standards set forth in Chapter 4.24 of the County Code, including any required payment of transient occupancy tax for the vacation rental unit.
- K. The 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.
- L. 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.
- M. 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.
- N. 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.
- 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

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.

- A. 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.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
  - 1. COUNTY bears its own attorney's fees and costs; and
  - 2. COUNTY defends the action in good faith.
- C. <u>Settlement</u>. 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.
- D. <u>Successors Bound</u>. 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.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

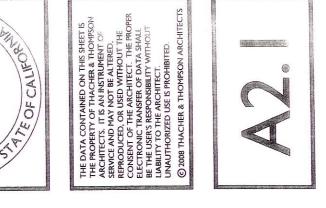
Please note: This permit expires five years from the effective date listed below unless an application to renew this approval is submitted prior to the expiration date. Vacation rental permit issued for vacation rentals consisting of four or more bedrooms will be given a one-year provisional permit subject to review for compliance with vacation rental code requirements prior to granting the remainder of the standard five-year term.

| Approval Date:   |   |
|------------------|---|
| Effective Date:  |   |
| Expiration Date: |   |
|                  | Jocelyn Drake Deputy Zoning Administrator |

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

Application #: 211193 APN: 043-095-22 Owner: Joe and Leslie Concilla

Commission in accordance with chapter 18.10 of the Santa Cruz County Code.



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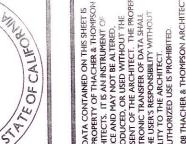
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SITE PLAN
SCALE: 1/8"=1"-0"

PROPERTY LINE

CONC. DRIVEWAY



REVISIONS
DESCRIPTION

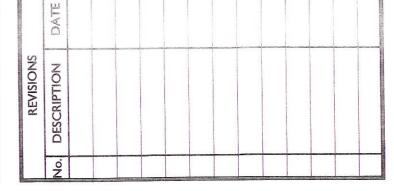
EXIST. RESIDENCE

363 BEACH DRIVE

**EXISTING CHIMNEY** 

90" HIGH C.M.U. WALL

EXIST. RESIDENCE

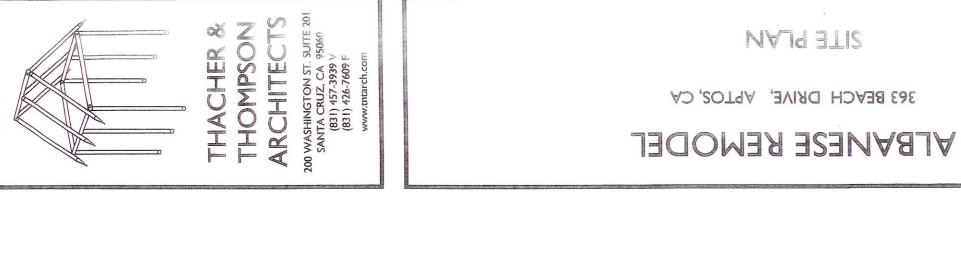


PROJECT FILE NAME BEACH DRIVE 08.CD

ISSUED TO FACILITATE CONSTRUCTION: DATE PENDING DRAWING DATE SEPTEMBER 8, 2008







I N



THIRD FLOOR DECK

PROPERTY LINE

146-2 3/8"

PROPERTY LINE

147-03/4"

**LOT 33** 

APN: 043-095-22

86'-1" SETBACK

APN: 043-095-23

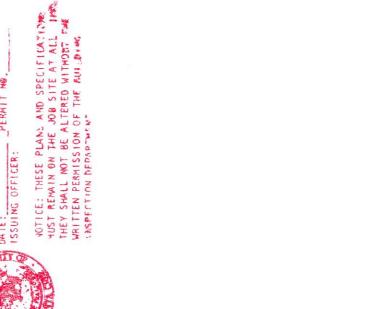
LOT 31

**LOT 32** 

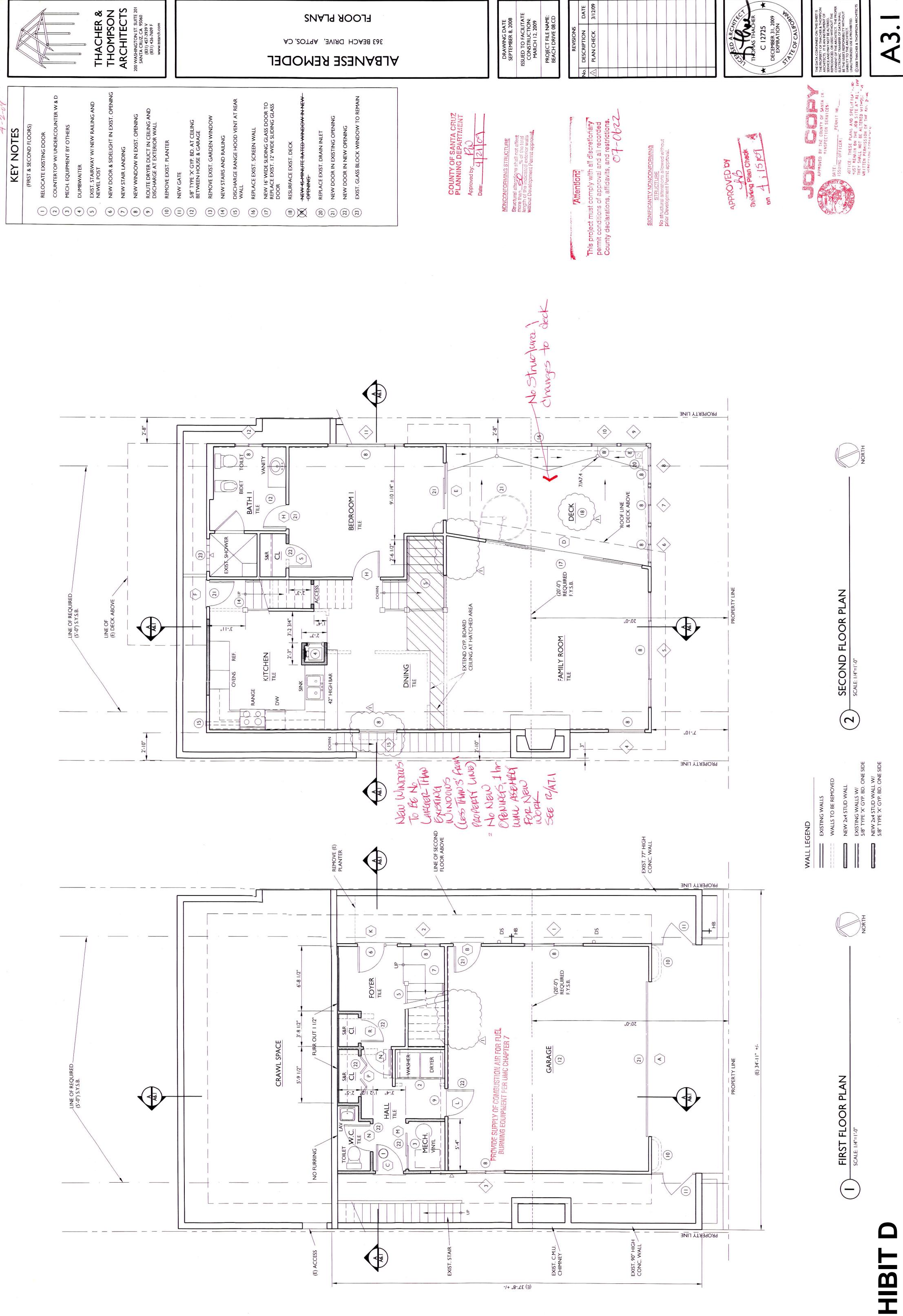








12



THIRD FLOOR PLAN

WALL LEGEND

**EXISTING WALLS** 

EXISTING WALLS W/
5/8" TYPE 'X' GYP. BD. ONE SIDE
NEW 2x4 STUD WALL W/
5/8" TYPE 'X' GYP. BD. ONE SIDE WALLS TO BE REMOVED NEW 2x4 STUD WALL



STEOF CALIFORN

363 BEACH DRIVE, APTOS, CA

NAJ9 A00JP

ALBANESE REMODEL

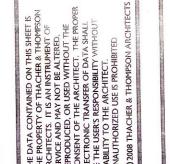
ISSUED TO FACILITATE CONSTRUCTION: DATE PENDING PROJECT FILE NAME: BEACH DRIVE 08.CD DRAWING DATE SEPTEMBER 8, 2008

REVISIONS



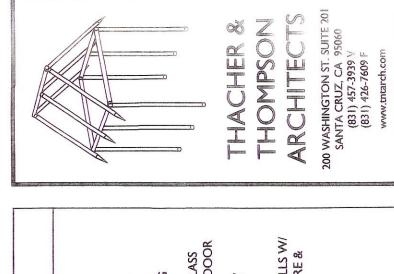












<u>-</u> (4) (0) (4)

KEY NOTES

TILE SHOWER RECEPTOR AND WALLS W/ CLEAR TEMPERED GLASS ENCLOSURE & DOOR REPLACE EXIST. 6' WIDE SLIDING GLASS DOOR W/ 9' WIDE SLIDIGN GLASS DOC NEW DOOR W/ SIDELIGHT IN NEW OPENING NEW WINDOW IN EXIST. OPENING NEW WINDOW IN NEW OPENING REMOVE EXIST. DRAINAGE INLET NEW DOOR IN EXIST, OPENING NEW DOOR IN NEW OPENING

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REMOVE EXIST. SPIRAL STAIRCASE REPLACE EXIST. DECK SURFACE EXIST. STEEL POST

REPLACE EXIST. TOILET, LAVATORY, VANITY, BATHTUB, AND FITTINGS

BATH 2

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EXIST. WOOD DECK

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(5'-0") S.Y.S.B.

COUNTY OF SANTA CRUZ
PLANNING DEPARTMENT
Approved by:
Date: 4 24 00

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BEDROOM 2 WOOD LAMINATE

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APPROVED BY THE COUNTY OF SANTA \*INSPECTION SERVICES\*

DATE:

1 SSUING OFFICER:

VOTICE: THESE PLAN, AND SPECIE APPROVED BY THE COUNTY \*INSPECTION SI

This project must comply with all discretionary permit conditions of approval and all recorded County declarations, affidavits, and restrictions. O7-O622

LINE OF DECK BELOW

8

1.7/1 7-19

PROPERTY LINE

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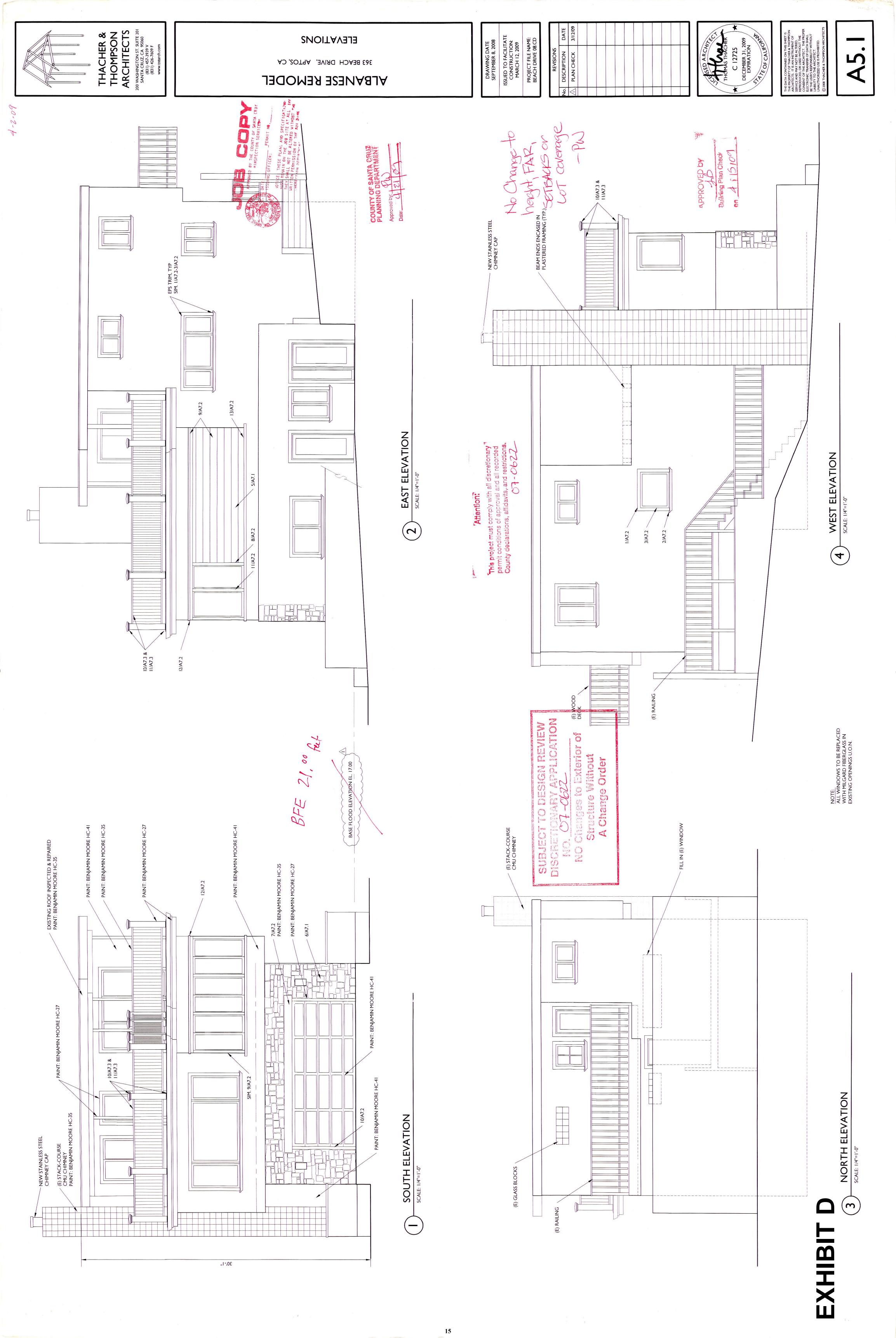
REQUIRED SET BACK

(E)UPPER DECK

Attention:

APPROVED by

ABuilding Plan Check 4115109

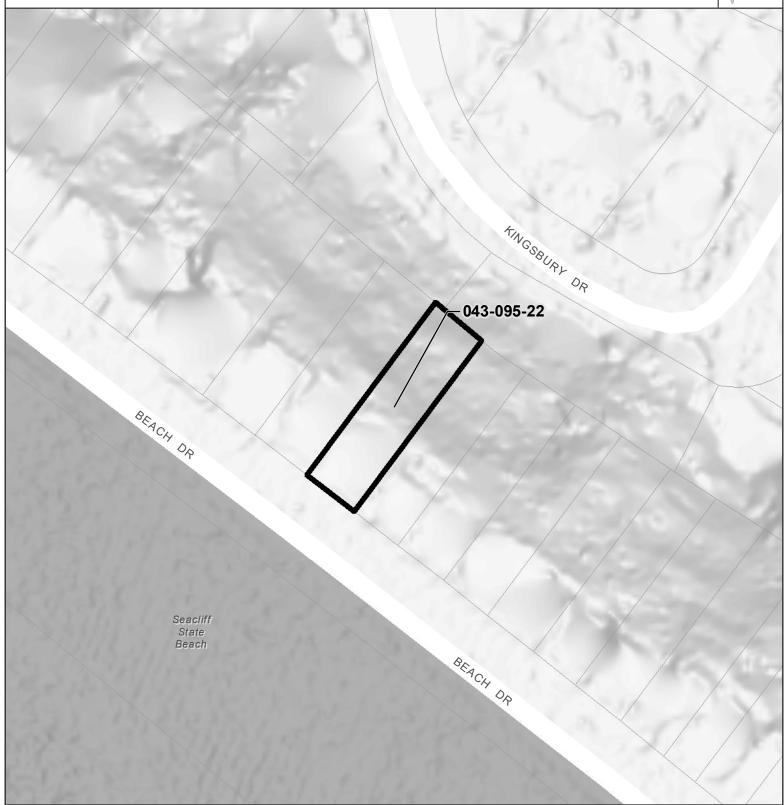




## SANTA CRUZ COUNTY PLANNING DEPARTMENT

# EXHIBITALE

# **Parcel Location Map**



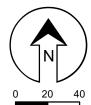
Parcel: 04309522

Study Parcel

Assessor Parcel Boundary

Existing Park

Map printed: 22 Jul. 2021



Feet



R-UL Res. Urban Low Density

# SANTA CRUZ COUNTY PLANNING DEPARTMENT

# EXHIBIT

# **Parcel General Plan Map**





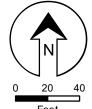
# SANTA CRUZ COUNTY PLANNING DEPARTMENT

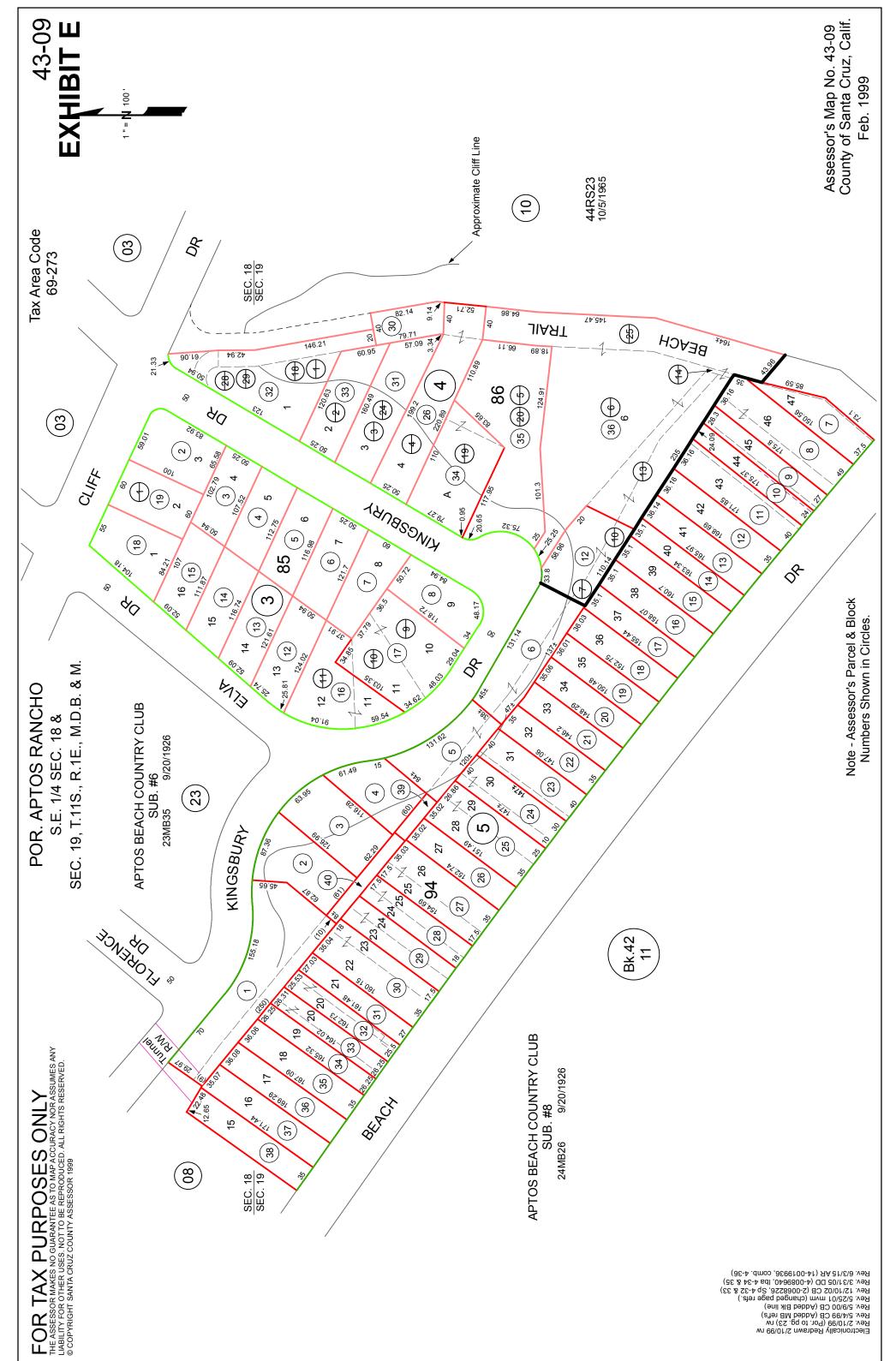
# EXHIBITAL

# **Parcel Zoning Map**



R-1 Single-Family Residential









# COUNTY OF SANTA CRUZ

### PLANNING DEPARTMENT

701 OCEAN STREET, 4<sup>™</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 <u>ALL</u> 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): 04309522  (APNS MAY BE OBTAINED FROM THE |               |                  |                |
| (APNS MAY BE OBTAINED FROM THE   | ASSESSOR'S (  | OFFICE AT (8     | 331) 454-2002) |
| Street Address: 363 Beach Dr., Aptos, CA 95003                           |               |                  |                |
| Applicant Information (Complete only if different from Owner I           | nformation    | )                |                |
| NAME:  |               |                  |                |
| MAILING ADDRESS:   |               |                  |                |
| CITY/STATE   |               | ZIP              |                |
| PHONE NO.( CELL PHONE NO. (  |               |                  |                |
| EMAIL:   |               |                  |                |
| Owner Information  |               |                  |                |
| NAME: Joe and Leslie Concilla  |               |                  |                |
| MAILING ADDRESS: 875 Knoll Dr.   |               |                  |                |
| CITY/STATE San Carlos, CA  |               | ZIP <b>94070</b> |                |
| PHONE NO. (650 255 - 380 50 CELL PHONE NO. (650                          | 619-          | 9981             | Leslic         |
| EMAIL: jconcilla@davincimarble.com (Joe) lconcilla@hotmail.com           |               |                  |                |
| NOTE:  |               |                  |                |
| If the application submittal is made by anyone other than the own        | ier, a signed | l Owner/Aį       | gent form      |
| (attached) or a property management agreement <u>must</u> be sub         | mitted with   | the applica      | ıtion.         |
| •  |               |                  |                |
|  |               |                  |                |
| Page 1   | Fe            | orm PLG150       | 0 3/10/21      |

# 24-HOUR CONTACT

| MAILING ADDRESS: 22596 E. Cliff Dr.  |   |
|--|---|
| CITY/STATE Santa Cruz, CA  | Z <sub>IP</sub> 95062   |
| PHONE NO.(831 )566-6144 CELL P   | HONE NO. (831 )465-4635   |
| EMAIL: rentsurfcity@gmail.com  |   |
| If the contact person identified above is an electer official) as defined by sections 6254.21 or 6254.24 of must be signed below by the contact person, and consection 6254.21 that the contact person's name and pho-   | the California Government Code, this application itutes written permission under Government Code  |
| website. If the contact person identified above is an scope of section 468 of the County Procedures Many contact person, it constitutes a waiver of the provisions to place the contact person's name and phone number of the contact person's name and phone number of the provisions are the contact person's name and phone number of the provisions are the contact person's name and phone number of the provisions are the contact person's name and phone number of the provisions are the provis | employee of the County of Santa Cruz within the<br>al, this application must be signed below by the<br>of that section, and it constitutes written permission |
| Contact person signature if applicable   |   |

Page 2

Form PLG150 3/10/21

# 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.

| 7                     | Smoke alarms (listed and approved by the State 2016 California Residential Code, Sec. R314.1.  • In each sleeping room.   | e Fire Marshall) installed in  | the following locations per the                              |
|-----------------------|---|--|--|
|                       | <ul> <li>Outside each separate sleeping area in the</li> <li>At least one alarm on each story, include</li> </ul>   | ne immediate vicinity of the ing basements and habitable   | bedroom(s). attics.  |
| <b>.</b>              | Carbon Monoxide alarms (listed by an appr<br>locations per the 2016 California Residential Co  Outside each separate sleeping area in th  At least one alarm on each story, including<br>spaces or uninhabitable attics.  | de, Sec. R315.1. ne immediate vicinity of the  | bedroom(s).  |
| v                     | Working GFCI's (ground fault circuit interrup kitchen, bathroom, bar and laundry sinks per the  | ters) required at all recepta<br>2016 California Electrical (  | acles within 6 feet of all Code, Art. 210.8.                 |
|                       | All sleeping rooms shall be provided with at leaclear opening of 5 square feet, with a minimum of width of 20 inches, with the bottom of the clear of Bars, grilles, grates or similar devices are pern openings provided such devices are releasable or or special knowledge. Per the 2016 California Re | pening height of 24 inches are<br>pening being not greater than<br>mitted to be placed over ear<br>removable from the inside | ad minimum net clear opening<br>44" measured from the floor. |
| V                     | All stairs shall have at least one continuous har California Residential Code, Sec. R311.7.8  | ndrail running the full leng   | th of the stairs per the 2016                                |
|                       | All walking surfaces measured vertically more mezzanines, platforms, stairs, ramps and landings with openings no greater than 4" per the 2016 C Guards on the open sides of stairs shall have a he connecting the leading edges of the treads.  | shall have guard railing a california Residential Code.  | minimum of 42" in height Sec. R312.1. Exception:             |
|                       | Pool/spa safety barrier enclosures shall comply<br>Exception: Self-contained spas/ hot tubs with app  | with Santa Cruz County Cooroved safety covers need no  | de, Sec. 12.10.216. t comply with barrier regs.              |
| <b>[</b> ]            | Rental equipped with at least one fire extinguished location near the kitchen.  |  | _  |
| I hereby<br>useable a | certify that the safety standard conditions listed alund functioning condition. Form must be signed   | oove are fully complied with by one of the following for   | and will be maintained in a ur parties.                      |
| m                     | lle Conulla   |  | 5-17-21  |
| Owner of              | f Rental Unit   |  | Date   |
| Certified             | Home Inspector  | License #  | Date   |
| County B              | uilding Inspector   |  | Date   |
| Property 1            | Manager/Agent   |  | Date   |
| For question          | ons regarding these safety certification requirements p<br>3  |  | cial at (831) 454-3195<br>Form PLG150 3/10/21                |

# 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? |  |  |
|-------------|--|--|--|
|             | Ø  | YES. If you check this box, you must submit revised fl plan, the current floor plan, and explain what work was de  | · · · · · · · · · · · · · · · · · · ·            |
|             | V  | NO. If you check this box, you do not need to submit floo  | r plans with your renewal application.           |
| 2.          | 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 the current parking, and explain what has changed and the Information, page 7).   |  |
|             | V  | NO. If you check this box, you do not need to submit a ple   | ot plan with your renewal application.           |
| If y        | ou ch  | hecked no to both questions, you do not need to submit a   | ny plans with your renewal application.          |
|             |  |  |  |
|             |  | APPLICANT'S SIGNA  | TURE   |
| bes<br>info | t of m   | that I am the applicant and that the information submitted very knowledge and belief. I understand that the County of Sation presented, and that inaccuracies may result in the revocate Director. | anta Cruz is not responsible for inaccuracies in |
| the         | lessee   | r certify that I am the owner or purchaser (or option holder) e or agent fully authorized by the owner to make this submit Section.  |  |
| but         | not li   | certify that there are no restrictions against vacation rentals a imited to, Homeowner's Association regulations, and I undendered void if there are restrictions against vacation rentals         | lerstand that any vacation rental permit issued  |
| con         | nplete   | tand that the County of Santa Cruz has attempted to requereview of my proposal; however, after Planning staff has to necessary to request additional information and clarification                 | aken in the application and reviewed it further, |
| the         | applic   | and that if this application will require a public hearing purs<br>cation will be converted to an "at cost" application and I w<br>time associated with processing the application as provided in  | ill be required to sign a contract and be billed |
| Sign        | A<br>natur   | re of Owner or Authorized Agent  | 5-17-21<br>Date                                  |
|             | Page 4   | · 4  | Form PLG150 3/10/21                              |

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# **Vacation Rental Agreement**

363 Beach Drive, Santa Aptos CA 95003 Manager: Surf City Rentals Phone: (831) 566-6144

Tenant agreement and information sheet:
PLEASE SIGN AND RETURN TO CONFIRM BOOKING

PROPERTY BEING RESERVED:

363 Beach Drive, Aptos CA 95003

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

- 2. AGREEMENT: Surf City Rentals, the Agents for the owner, and Tenant agree as follows: Above Tenant is an adult and will be an occupant of the unit during the entire reserved period. Other occupants will be family members, friends or responsible adults. Use of the premises will be denied to persons not falling within the foregoing categories, and as a result they would have to vacate the property immediately without any refund. No keys will be issued to anyone who is not an adult.
- 3. PETS: are not allowed.
- **4. ACCIDENTAL DAMAGE PROTECTION:** The purchase of Accidental Property Damage Protection is required as part of your reservation total and is not refundable. This replaces the traditional refundable security deposit. This policy only covers <u>accidental</u> acts by the guests. It does not cover gross negligence by a Guest; (damage from inebriation, drunkenness, anger, altercations, etc..) Any damage caused

by gross negligence will be charged to the credit card used to pay for the reservation.

# 5. NO SMOKING ON OR INSIDE THE PROPERTY NO FIREWORKS ON THE PROPERTY

- **6. CANCELLATION**: Should you wish to cancel this reservation, notice of cancellation MUST BE IN WRITING AND RECEIVED MORE THAN 30 DAYS PRIOR TO YOUR CHECK IN DATE. We will refund the sums you have paid, less a \$250 cancellation fee. If your notice of cancellation is RECEIVED LESS THAN 30 DAYS PRIOR TO YOUR CHECK IN DATE, you will forfeit all sums paid, unless we are able to re-rent the property to someone else, at the same rate, for the same period. If the property is rented we will only charge the \$250 cancellation fee.
- **7. CHECK IN:** Check in time is 4:00 PM. EARLY CHECK IN TIMES ARE ALLOWED ONLY WHEN THE PROPERTY IS CLEANED AND READY FOR OCCUPANCY AND PRIOR APPROVAL IS REQUIRED.
- **8. CHECK OUT:** Check out time is 11:00 AM. Please leave remote controls, and parking permits/passes (if issued) at the location.
- **9. PARKING:** There are 2 parking spots in the garage and 2 parking spots in the driveway.
- 10. CLEANING: Each property will be inspected and properly cleaned after your departure. The cleaning fee you have paid will provide for 4 hours of normal cleaning so that you can enjoy your vacation up to the last moment. YOU ARE REQUIRED to leave the property in the same general condition that you received it by making sure, dishes are done, and the home is generally picked up and ready to be cleaned by the house cleaners. If additional cleaning is required, appropriate charges will be deducted from your security deposit at the rate of \$25 per hour.

- 11. WHAT WE SUPPLY: The property is equipped and set up as a fully furnished property that will include bedspreads, linens, blankets, pillows, towels, as well as a fully equipped kitchen. THERE WILL BE EXTRA CHARGES TO YOUR SECURITY DEPOSIT FOR REPLACING THESE ITEMS IF FOUND TO BE NECESSARY.
- 12. WHAT YOU SHOULD BRING: Plan on packing your personal toiletry items. Since we provide only a limited supply of toilet paper, paper towels, and other dispensable items to get you started on your first day of vacation, you should plan on making a trip to the grocery store to replenish these items as you need them.
- 13. TENANTS LIABILITY: Tenant agrees to accept liability for any damages caused to the property (other than normal wear and tear) by Tenant or Tenants guests, including, but not limited to, landscaping, misuse of appliances, and/or equipment furnished. If damages are in excess of the security deposit being held, Tenant agrees to reimburse the owner for costs incurred to repair/replace damaged items.
- 14. SLEEPING CAPACITY/GATHERINGS: The maximum number of people that are allowed for sleeping is 10 (2 per bedroom plus 2). The maximum number of people that are allowed for celebrations and gatherings between the hours of 8:00 AM and 10:00 PM as per the County Code section 13.10.694 (d)(1)(D) is 20. Tenants and all other occupants will be required to vacate the premises and forfeit the rental fee and security deposit for any of the following:
- A. Occupancy exceeding the sleeping capacity of 10.
- B. Using the premises for any illegal activity including, but not limited to, the possession, serving or consumption of alcoholic beverages by or to persons less than 21 years of age.
- C. Causing damage to the premises rented or to any of the neighboring properties.

- D. Any other acts which interferes with neighbors' right to quiet enjoyment of their property. E. Violation of the 10:00 PM Santa Cruz County and Capitola Noise Ordinance.
- 15. NOISE/DISTURBANCES: County Code Section 8.30.010 states quiet hours are 10:00 PM to 8:00 AM and must be followed within the Santa Cruz county limits. The City of Capitola has a similar noise ordinance. Government ordinances also prohibit any illegal behavior. Fireworks are illegal in Santa Cruz County.
- **16. TRASH MANAGEMENT**: County Code Section 7.20.005 states that all trash must be kept in closed containers and not allowed to accumulate. Therefore, please put all your trash in the Waste Management trash bins that are provided at each of our vacation rentals.
- 17. HOLD HARMLESS: The owner does not assume any liability for loss, damage or injury to persons or their personal property. Neither do we accept liability for any inconvenience arising from any temporary defects or stoppage in supply of water, gas, electricity or plumbing. Nor will the owner accept liability for any loss or damage caused by weather conditions, natural disasters, acts of God, or other reasons beyond its control.
- 18. CLIFFS: Tenant hereby acknowledges that a large section of the beachfront on West Cliff and East Cliff Drives are filled with 'riprap' (a foundation of large rocks piled together to prevent erosion), which is not designed for walking, climbing or sitting. The undersigned is fully aware that the 'riprap' is jagged, unstable, dangerous, and slippery when wet, and injury is likely to occur to anyone who attempts to walk, climb or sit thereon. With full knowledge of the above facts and warnings, the undersigned accepts and assumes all risks involved in or related to walking climbing or sitting on the 'riprap'.
- 19. ADDITIONAL TERMS AND CONDITIONS: The undersigned, for himself/herself, his/her heirs, assignors, executors, and administrators, fully

releases and discharges Owner from any and all claims, demands and causes of action by reason of any injury or whatever nature which has or have occurred, or may occur to the undersigned, or any of his/her guests as a result of, or in connection with the occupancy of the premises and agrees to hold Owner free and harmless of any claim or suit arising therefrom. In any action concerning the rights, duties or liabilities of the parties to this agreement, their principals, agents, successors or assignees the prevailing party shall be entitled to recover reasonable attorney fees and costs.

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

| TENANT<br>SIGNATURE |  |
|---------------------|--|
| DATE                |  |



revOct2020

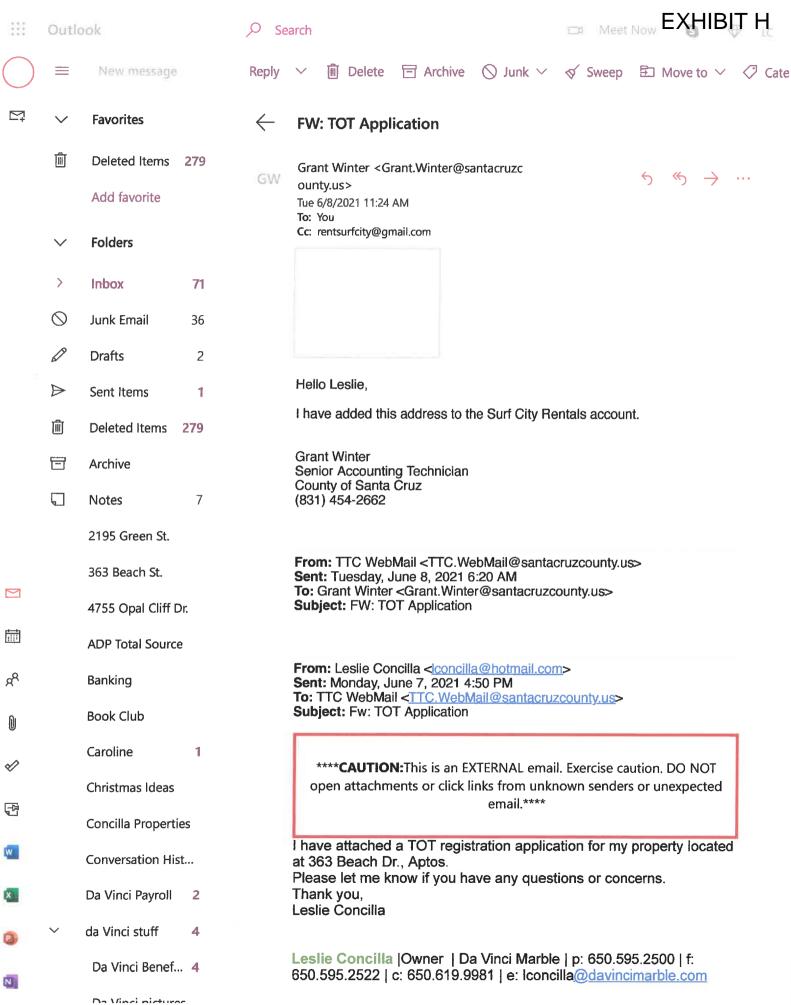
# **COUNTY OF SANTA CRUZ**

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

FOR COUNTY USE ONLY

## TRANSIENT OCCUPANCY TAX - REGISTRATION APPLICATION

|  | Certificate Numb                                   | er:                            |  |
|--|--|--------------------------------|--|
|  | Date Issue   | ed:                            |  |
|  | APN Numb   | er:                            |  |
|  |  |                                |  |
|  |  | Зу:                            |  |
| PLEASE PRINT OR TYPE   |  | Deputy Treasurer-Tax Collector |  |
|  |  |                                |  |
| Name of Facility or Unit   |  | 0                              |  |
| Address of Facility or Unit 363  |  | 95003                          |  |
| Mailing Address 875 Knoll Dr.  | San Car 105, CA 94070 Phone                        | # 650-619-9981                 |  |
| Email Address   concila @ hot  | mail. com Date                                     | of Application 6-7-21          |  |
|  |  |                                |  |
| Websites You Plan to Use: ₩VRBO  | Home Away X AirBNB ☐ AirBNB Only*                  | Other                          |  |
|  |  |                                |  |
| Type of Rental: Hotel/Motel Bed  | and Breakfast 🛛 Whole House 🗌 Hosted Ren           | tal                            |  |
| Number of Occupancy Units  |  |                                |  |
| IMPORTANT: Change of Ope   | erator and/or Ownership Require                    | s a New Application            |  |
| ·  | 1  |                                |  |
| Owner(s) Name (List Principals): JOE   | and Leslie Concila                                 |                                |  |
|  |  |                                |  |
| Operator's Name  | Address  | Phone Number                   |  |
| Surf City Rentals  | 2259 ( E. Cliff Dr. ganta Cruz                     | 831-566-6144                   |  |
| 0  |  |                                |  |
|  |  |                                |  |
| Local Emergency Contact  |  |                                |  |
| Name   | Email Address                                      | Phone Number                   |  |
| Halle Richmond   | rentsurfaty Camail. com                            | 831-465-4635                   |  |
|  |  |                                |  |
| I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. |  |                                |  |
| CORRECT TO THE BEST OF INT KNOWLEDGE AND BELIEF.   |  |                                |  |
| Signed ANUE COM  | Date_  | 6.7.21                         |  |
|  | *  |                                |  |
| *AirBNB has an agreement with the Count  | y of Santa Cruz to collect and pay the TOT for all | listings done on their site    |  |
| that are within the unincorporated area of the   | ne County. If you commit to only using AirBNB for  |                                |  |
| you will not be required to report monthly.  |  | -                              |  |



Application #: 211193 APN: 043-095-22

Owner: Joe and Leslie Concilla

## **Parcel Information**

## **Services Information**

Urban/Rural Services Line: X Inside Outside
Water Supply: Soquel Creek Water District

Sewage Disposal: County of Santa Cruz Sanitation District

Fire District: Central Fire Protection District

Drainage District: Flood Zone 6

### **Parcel Information**

Parcel Size: 5,000 square feet

Existing Land Use - Parcel: Residential Existing Land Use - Surrounding: Residential

Project Access: Public, Via Beach Drive

Planning Area: Aptos

Land Use Designation: R-UL (Urban Low Density Residential)

Zone District: R-1-6 (Single-Family Residential – 6,000 square feet per

parcel)

Coastal Zone: X Inside Outside
Appealable to Calif. Coastal Yes X No

Comm.

## **Environmental Information**

Geologic Hazards: Not mapped/no physical evidence on site

Fire Hazard: Not a mapped constraint Slopes: 0% to more than 50%

Env. Sen. Habitat: Not mapped/no physical evidence on site

Grading: No grading proposed

Tree Removal: No trees proposed to be removed

Scenic: Yes

Archeology: Not mapped/no physical evidence on site