



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

January 7, 2014

Agenda Date: February 7, 2014

Agenda Item #: 3

Zoning Administrator
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Subject: Six Month Review of Vacation Rental (Permit #131066) located at 3709 Mission Drive (APN 025-033-07)

Zoning Administrator:

On June 14, 2013 you approved Application Number 131066 to operate a new 4 bedroom residential vacation rental for periods of not more than 30 days at a time subject to conditions of approval (Exhibit C). This permit authorized an overnight occupancy of 10 people, daytime guest occupancy of 20 people, and a maximum of 5 on-site parking spaces for overnight guests. Prior to exercising the permit, staff was required to confirm whether a second unit was present within the dwelling. In addition, the vacation rental lease was conditioned to be revised to permit a maximum of 10 guests, prohibit illegal behavior, prohibit outdoor activities and use of the hot tub after 10 pm, prohibit subletting the dwelling, and to establish a maximum stay for periods of not more than 30 days and require trash pick-up weekly. Operational conditions of approval required compliance with the noise ordinance, posting of a 24 hour contact sign outside the dwelling, payment of transient occupancy tax, agreement to engage in dispute resolution and to act in good faith to resolve disputes with neighbors arising out of the use of the dwelling as a vacation rental.

Given concerns expressed by the neighbors regarding the operation of this vacation rental prior to issuance of the permit, the Zoning Administrator required review of the vacation rental for adherence to the conditions of approval after six months of operation.

Since issuance of the permit staff completed an inspection of the dwelling and confirmed that there is only one dwelling unit on site consistent with the approved building permits. Staff received one email complaint by a neighbor and a lengthy complaint letter by a group of neighbors submitted to Supervisor Leopold and forwarded to the Planning Director (Exhibit D).

The neighbors allege that the vacation rental operation does not comply with the permit with regard to on-site and off-site parking limits, signage, noise impacts, illegal activity, and trash management issues. The property owner submitted a response to these complaints (Exhibit D) and the on-site manager was also contacted by staff for input. This report addresses what staff believes are the main neighborhood concerns and provides clarification regarding permit conditions and recommendations regarding the vacation rental permit.

Complaints

On-Site Parking

A complaint log (Exhibit E) is provided that includes input from neighbors, the property owner, and the on-site manager. On four occasions the neighbors allege that between five and eight cars were parked in the driveway in violation of the permit. Two separate log incidents appear to indicate that daytime guests temporarily over-parked the site while dropping dinner guests off. On July 20th, vehicles were moved off site after guests were unloaded from their vehicles. On August 10th parking did not exceed the maximum permitted five parking spaces. In the third instance, August 19th, the property manager was contacted by the neighbors and the daytime guest vehicles were removed from the site. The last entry cannot be corroborated.

The log data suggests that it should be recognized that day time rental guests require enough time to unload the vehicles and then relocate the vehicles to the lower Mission Drive area. The on-site manager has indicated that the tenants are informed that on-site parking is limited to overnight occupants and is not available to day time guests.

Review of the neighbor's complaints and owner's responses also suggest a need to clarify the number of permitted parking spaces on-site because up to eight vehicles can easily be parked in the driveway and there are an additional three parking spaces in the garage, as evidenced by the photos provided by the neighbors (Exhibit D). An explanation about how the parking space maximum was established and additional parking recommendations are provided below to address the operation of the vacation rental.

Plans provided to the Department for review show three linear parking spaces, each with three spaces (one in the garage and two spaces in front of the garage), totaling nine potential parking spaces. The parking ordinance, 13.10.554 (B), allows a maximum of two linear spaces for residential parking (one in garage and one on the parking apron). Thus, only six spaces were permitted for the vacation rental. The additional parking apron to the west of the home was not included in the permitted parking count as the plans did not provide dimensioned spaces side by side that meet the required parking space dimensions established by the code (8 1/2 by 18 feet). Furthermore, one of the six standard parking spaces was reserved for the manager and not included in the five permitted parking spaces for the vacation rental.

Staff has become aware that the lease agreement allows four parking spaces in the driveway and one space within the garage for the on-site manager, which reflects the actual parking availability for guest and maneuvering space for the on-site manager. The location of four spaces on the driveway apron is consistent with the parking ordinance limit of two maximum tandem spaces (space in front of space) provided that no vehicles related to the vacation rental use are parked in the garage, with exception of one garage space for the on-site manager with a clear area in front of the garage.

These parking issues and permit regulations suggest the need to clarify the permit conditions to reflect actual operational parking conditions, which would provide greater clarity for the property owner, on-site manager, and neighbors. A revised site plan has been provided for this purpose (Exhibit B). It calls out the location and number of approved parking spaces.

On-Street Parking

The complaint log (Exhibit E) documents alleged on-street parking violations. It appears that one incident involved one car parked in the street, which was moved away after the on-site manager was informed by the neighbors. The other incident was determined to be associated with a party held by the neighbor.

The vacation rental permit is conditioned to prohibit on-street parking. The intent of this condition is to prohibit parking in the upper Mission Drive private street where a parking shoulder is not available and not to restrict daytime guests from parking in the lower Mission Drive area as anyone from the public may park on a public street. There is no specified restriction on parking on the lower Mission Drive for this reason. Permit conditions have been clarified to identify where on-street parking is prohibited and where it is not prohibited.

24 Hour Contact Signage

During the weekend of August 8th the neighbors allege that the 24 hour contact sign was not visible to the street. The owner reported that during this weekend the sign was removed a number of times by an unknown person or persons. Following these sign removal incidents the owner affixed the sign to the inside of the front window of the house visible to the street. Conditions have been revised to allow the signage in the house window instead of the front yard to ensure contact information is always available to the neighbors.

Noise

The complaint log (Exhibit E) documents alleged noise violations. An alleged party was held on September 14th from 10 p.m. until after 12:30 a.m. The 24 hour phone contact did not immediately respond to the neighbors call at that time so the neighbor subsequently contacted the Sheriff's Office, and a deputy responded to the residence at 1 a.m. after the noise had concluded. The Sheriff's call log (Exhibit G) corroborates the call, though a citation was not issued. An email from a neighbor notifying staff of this incident was forwarded to the owner on September 19th. The owner responded with a follow-up email to staff on September 20th, noting that he was aware of the noise complaint and evicted the tenants the morning after the noise complaint. The property owner has since added additional signage placards on the windows and doors to provide additional notice to tenants regarding the noise limits of the vacation rental. To address potential noise from escaping the residence, he also requires the tenants to close the windows facing the street to reduce noise levels. These additional measures have been added as conditions of approval.

Trash Management

The neighbors observed that the trash bin has been overfilled or overflowing. Trash bins are now placed behind a gated fence with provision for a larger trash can and trash pickup from behind the gate so trash bins are not visible to the neighbors.

Permit Compliance

The vacation rental ordinance establishes that "it is unlawful for any person to use or allow the use of property in violation of the provisions of this section. The penalties for violation of this

section are set forth in Chapter 19.01...” The ordinance goes on to say that “if more than two documented significant violations occur within any 12 month period, a permit may be reviewed for possible revocation”. In the event that revocation is deemed appropriate, permit revocation, pursuant to Chapter 19.01 (Enforcement of Land Use Regulations), is subject to Planning Commission or Board approval.

The vacation rental ordinance establishes that “evidence of significant violations includes, but is not limited to, copies of citations, written warnings, or other documentation filed by law enforcement; and copies of homeowners Association warnings, reprimands, or other Association actions, or other documents which substantiate allegations of significant violations”.

The Planning Department policy is that the dispute resolution process is required before code enforcement action (i.e., posting a notice of violation). This would be most appropriate where there appears to be an alleged complaint and a difference of opinion between neighbors regarding the extent or nature of a complaint, validity of a complaint, or complaints that cannot be corroborated, such as demonstrated “he said” vs. “she said” matters. Following dispute resolution, the results of the dispute resolution may be submitted to the Planning Department to determine if permit conditions need to be modified.

By accepting the vacation rental permit the owner agreed to engage in dispute resolution via the Santa Cruz County Conflict Resolution Center. Therefore, staff recommends that the owner be required to initiate dispute resolution with the neighbors regarding any neighborhood complaints after the next vacation rental season (through September 2014) in conformance with the permit conditions. A conflict resolution fact sheet is attached as Exhibit H for an explanation regarding the mediation process. In general, the dispute resolution process requires the willingness on the part of the neighbors to engage in mediation with the property owner. An additional permit review by the Zoning Administrator is recommended to address the outcome of the dispute process.

Notwithstanding the above direction, the input provided by the neighbors has informed staff regarding the operation of the vacation rental and where the conditions of the permit may need to be improved. For the most part it appears that complaints were addressed via the 24 hour contact and resolved by the on-site manager. It also appears that while the response of the 24 hour contact is not always immediate, it has been effective in resolving neighborhood complaints. Staff would like to acknowledge that the ordinance has put the onus on the both the neighbors and applicant for coordination and resolution of issues with the 24 hour contact, which was the intent of the code. While neighborhood involvement may not be a responsibility desired by neighbors, the ordinance established this process as a means to be fair to both the vacation rental owner and the neighbors, with provisions for the third party review process.

Recommended revisions to permit conditions (Exhibit A) are as follows:

- Deletion of the requirement for a special inspection of the dwelling as this has been completed and no longer applies;
- Permit four bedrooms for guest occupancy (10 guests permitted) and one bedroom for the on-site manager, consistent with the permitted 5 bedrooms in the dwelling;
- Allow a maximum of 4 on-site vehicles associated with overnight guests and one garage space for the on-site manager, as shown on the attached revised site plan

(Exhibit B);

- Prohibit on-street parking associated with the vacation rental in the upper Mission Drive (private portion of street only) area and permit on-street parking on lower Mission Drive (public portion of street);
- To reduce noise, require that all house doors and windows be closed after 10 p.m.;
- To ensure that neighborhood contact information is consistently available, require the 24 hour contact sign to be posted in the front window of the house visible to the street;
- Require that the owner engage in dispute resolution with the neighbors via the Conflict Resolution Center of Santa Cruz County after September 2014 and no later than October 15, 2014 to address any neighborhood complaints; and,
- Require Zoning Administrator Review of the results of the Conflict Resolution Center of Santa Cruz County in the fall of 2014

Recommendation

Staff recommends that the Zoning Administrator:

- Accept this report regarding the operation of the Vacation Rental Permit 131066; and
- Approve the recommended revisions to the conditions of approval (Exhibit A).

Sincerely,

Sheila McDaniel
Project Planner
Development Review

Reviewed By: Steven Guiney
Steve Guiney, AICP
Principal Planner
Development Review

Exhibits:

- A. Revised Conditions of Approval
- B. Revised Site Plan
- C. Use Permit #131066 Original Conditions of Approval
- D. Correspondence
- E. Staff Prepared Complaint Log
- F. Transient Occupancy Tax Receipts
- G. Sheriff's Call Log
- H. Conflict Resolution Fact Sheet
- I. Lease Agreement

J. Vacation Rental Certification form

Revised Conditions of Approval

Development Permit No. 131066
Property Owner: Lynn Pennington
Assessor's Parcel No.: 025-033-07

Exhibit B D: *Revised Project Plans*
Exhibit H: *Conflict Resolution Fact Sheet*
Exhibit G I: *Vacation Rental Lease Agreement*
Exhibit J: *Vacation Rental Certification*

- I. This permit authorizes operation of a new 4 bedroom residential vacation rental for periods of not more than 30 days at a time for each rental. ~~The occupancy of this rental is limited to 10 guests (2 per bedroom + 2 additional); the number of automobiles allowed is 5 (three within the garage and two within the driveway apron); and the number of people permitted at celebrations or gatherings (allowed only between 8:00 am and 10:00 pm) is 20 (twice the number of guests allowed). Children under 12 are not counted toward the maximums.~~ This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
- A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - ~~B. Obtain a Special Inspection from the Santa Cruz County Building Official to confirm whether a second unit is present. In the event that a second unit (apartment) is confirmed, the applicant shall obtain a building permit for conversion of a bedroom to a second unit. If the second unit exceeds 17 feet in height a Zoning Administrator Public Hearing approval is required. The lease agreement shall be revised to address this issue, as necessary.~~
 - B. Revise the vacation rental lease (*Exhibit I*) (~~Exhibit G~~) agreement to:
 - 1. Permit a maximum of 10 overnight guests.
 - 2. Prohibit illegal behavior.
 - 3. Prohibit use of the Jacuzzi and other outdoor activities after 10 p.m.
 - 4. Prohibit subletting of the dwelling.
 - 5. Establish that the maximum stay shall not be for periods of more than 30 days at a time.
 - 6. Identify that trash pick will occur weekly.
 - C. The applicant shall submit revised 24 hour contact information to reflect the on-site manager.
- II. Operational Conditions
- A. The vacation rental shall be maintained and operated so that, at all times, it is in

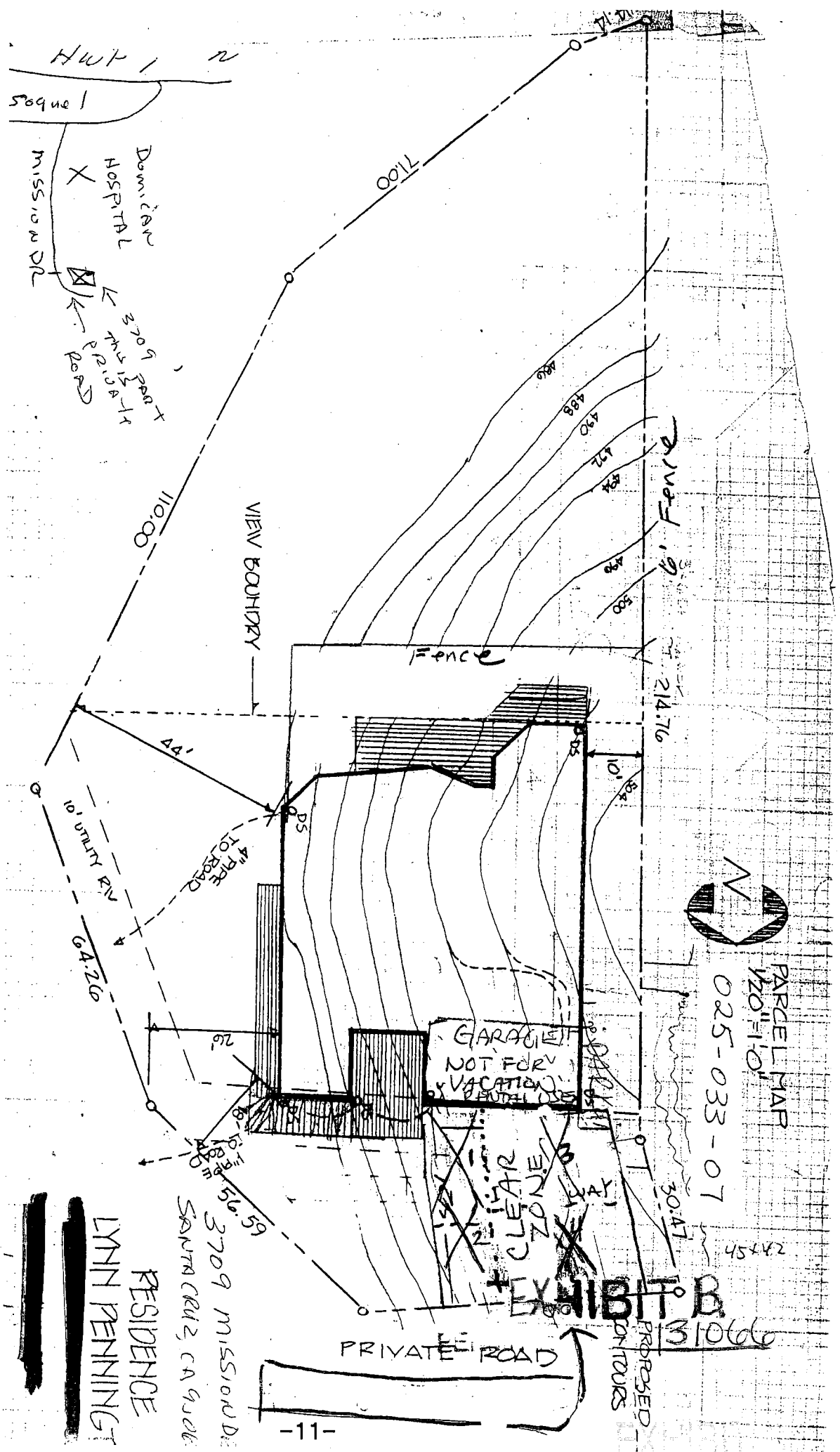
compliance with the items listed on the Vacation Rental Safety Certification form (Exhibit H).

- B. The maximum, overnight occupancy of the vacation rental shall not exceed 10 people (2/bedroom + 2, children under 12 not counted). *Four bedrooms are available for guest occupancy and one additional bedroom is available for the on-site attendant.*
- C. The maximum number of *on-site* vehicles associated with the overnight occupants shall not exceed 4 ~~5~~ (number of on-site parking spaces on site available to guests) *and one garage space shall be available for the on-site manager, as shown on the site plan (Exhibit B).* ~~On-street is prohibited~~
- D. 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 10 overnight occupants, children under 12 not counted).
- E. *On-street parking associated with the vacation rental is prohibited in the upper Mission Drive right-of-way (private street). On-street parking is permitted on lower Mission Drive.*
- F. Occupants and guests shall adhere to the noise standards contained in the County Noise Ordinance (County Code Chapter 8.30). In order to reduce noise, *all house doors and windows facing the street shall be closed by 10 p.m.*
- G. A list of rules shall be posted inside the vacation rental in a location readily visible to all guests. The rules shall include, but not necessarily be limited to the following: maximum number of guests allowed, maximum number of people allowed for celebrations and gatherings between 8:00 a.m. and 10:00 p.m., maximum number of vehicles allowed, and a reference to the standards contained in the County Noise Ordinance (County Code Chapter 8.30).
- H. A copy of the County Noise Ordinance (County Code Chapter 8.30) shall be posted inside the vacation rental in a location readily visible to all guests.
- I. 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 *inside the front house window, visible from the street. no more than 20 feet back from the nearest street.* ~~The sign shall be displayed when guests are occupying the home.~~
- 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 owner/applicant shall agree to engage in dispute resolution and act in good faith to resolve disputes with neighbors arising out of the use of the dwelling as a vacation rental. Unless an alternate dispute resolution entity is agreed to by all parties involved, dispute resolution shall be conducted through the Conflict Resolution Center of Santa Cruz County.
 - M. *The owner shall engage in dispute resolution with the neighbors after September 30, 2014 (vacation rental season) and not later than October 15, 2014 regarding any neighborhood complaints. Neighbors shall submit complaints to the property owner and Conflict Resolution Center of Santa Cruz County. Dispute resolution shall occur through the Conflict Resolution Center of Santa Cruz County unless the parties come to a mutually satisfactory agreement on their own, according to the Conflict Resolution Center's procedures (Exhibit H). Both parties shall submit, or cause to be submitted, to the Planning Department the results of the conflict resolution process.*
 - N. This permit shall be reviewed by the Zoning Administrator *in the fall of 2014* ~~within six months of approval~~ to evaluate permit compliance.
 - O. 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. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
 - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
 - 1. COUNTY bears its own attorney's fees and costs; and
 - 2. COUNTY defends the action in good faith.

- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
 - D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.
-

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.



LYNN PENNING

RESIDENCE

3709 MISSION DR
SANTA CRUZ, CA 95061

- 11 -

Original Conditions of Approval

Development Permit No. 131066
Property Owner: Lynn Pennington
Assessor's Parcel No.: 025-033-07

Exhibit D: Project Plans
Exhibit G: Lease Agreement
Exhibit H: Vacation Rental Safety Certification Form

- I. This permit authorizes operation of a new 4 bedroom residential vacation rental for periods of not more than 30 days at a time for each rental. The occupancy of this rental is limited to 10 guests (2 per bedroom + 2 additional); the number of automobiles allowed is 5 (three within the garage and two within the driveway apron); and the number of people permitted at celebrations or gatherings (allowed only between 8:00 am and 10:00 pm) is 20 (twice the number of guests allowed). Children under 12 are not counted toward the maximums. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
- A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Special Inspection from the Santa Cruz County Building Official to confirm whether a second unit is present. In the event that a second unit (apartment) is confirmed, the applicant shall obtain a building permit for conversion of a bedroom to a second unit. If the second unit exceeds 17 feet in height a Zoning Administrator Public Hearing approval is required. The lease agreement shall be revised to address this issue, as necessary.
 - C. Revise the vacation rental lease (Exhibit G) agreement to:
 - 1. Permit a maximum of 10 overnight guests.
 - 2. Prohibit illegal behavior.
 - 3. Prohibit use of the Jacuzzi and other outdoor activities after 10 p.m.
 - 4. Prohibit subletting of the dwelling.
 - 5. Establish that the maximum stay shall not be for periods of more than 30 days at a time.
 - 6. Identify that trash pick will occur weekly.
 - D. The applicant shall submit revised 24 hour contact information to reflect the on-site manager.
- 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 Certification form

(Exhibit H).

- B. The maximum, overnight occupancy of the vacation rental shall not exceed 10 people (2/bedroom + 2, children under 12 not counted).
- C. The maximum number of vehicles associated with the overnight occupants shall not exceed 5 (number of on-site parking spaces on site available to guests). On-street parking is prohibited.
- D. 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 12 not counted).
- E. Occupants and guests shall adhere to the noise standards contained in the County Noise Ordinance (County Code Chapter 8.30).
- 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. A copy of the County Noise Ordinance (County Code Chapter 8.30) shall be posted inside the vacation rental in a location readily visible to all guests.
- H. 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 owner/applicant shall agree to engage in dispute resolution and act in good faith to resolve disputes with neighbors arising out of the use of the dwelling as a vacation rental. Unless an alternate dispute resolution entity is agreed to by all parties involved, dispute resolution shall be conducted through the Conflict Resolution Center of Santa Cruz County.

- L. This permit shall be reviewed by the Zoning Administrator within six months of approval to evaluate permit compliance.
 - M. 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. (added by the Zoning Administrator)
- III. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
 - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
 - 1. COUNTY bears its own attorney's fees and costs; and
 - 2. COUNTY defends the action in good faith.
 - C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
 - D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

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

Please note: This permit expires three years from the effective date listed below unless a building

Permit 131066

permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date: _____

Effective Date: _____

Expiration date: _____

Sheila McDaniel

From: CN Spalaris [cns7@pacbell.net]
Sent: Sunday, September 15, 2013 12:46 PM
To: Sheila McDaniel
Subject: Pennington Temporary Vacation Rental

Sheila: Please forgive me if you are not the person to contact regarding the vacation rental permit currently in effect for the Pennington residence 3709 Mission Dr Santa Cruz, APN 025-033-07.

The residents were notified by the planning commission of the temporary permit to allow Pennington to rent his house as a vacation rental. This was on a test case to comply by the promises made to neighbors who objected to this permit.

Last night, September 14 there was a loud party at Pennington's beginning at about 10 PM. The party got louder as time progressed, and especially so at about 12:30 AM. We attempted to call the phone number given to us 310-430-5708 but there was NO response at about 12:25 AM. The phone number is supposedly active 24/7. This was not the case. After our futile attempt to call the "full time contact person" we also called the sheriff. By the time the sheriff responded at about 1:00AM the loud party was over.

We are reporting this so as to establish a record of not compliance to the promise of quiet vacation rental time at APN 025-033-07!

Costas and Lenore Spalaris. 3557 Mission Dr SC.

Sheila McDaniel

From: Lynn [lp.lp@sbcglobal.net]
Sent: Friday, September 20, 2013 2:01 PM
To: dg; Sheila McDaniel
Subject: Re: Pennington Temporary Vacation Rental
Attachments: DOOR TO BE CLOSED.doc

Hi, Thank you for the notice. I am aware of this complaint. We evicted the tenants the next day and will not be giving their deposit back.

Even though in the renters contract we told them time after time that this is a noise sensitive area and we have it in the rules these the tenants failed to comply.

We are now going to place a "Important notice placard" on the major windows and or doors at eye level reminding the renters of the noise sensitivity. I have included a copy with this email.

We are doing everything we can to comply to the neighbors concerns.

We had one set of renters complain the neighbors were having a major party with a band and cars filling the road. My renters wanted to know why they had to be quiet. My response was it is in your contract.

Thank you

Lynn Pennington

----- Original Message -----

From: "Sheila McDaniel" <PLN056@co.santa-cruz.ca.us>
To: "Lynn" <lp.lp@sbcglobal.net>
Sent: Thursday, September 19, 2013 10:15 AM
Subject: FW: Pennington Temporary Vacation Rental

fyi

Sheila McDaniel, Senior Planner
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95062
831-454-2255
sheila.mcdaniel@co.santa-cruz.ca.us

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Costas and Lenore Spalaris. 3557 Mission Dr SC.

IMPORTANT

THIS DOOR AND ALL WINDOWS FACING THE STREETS NEED TO BE CLOSED BY 10 PM. THIS IS A NOISE SENSITIVE NEIGHBORHOOD. OUR RENTAL PERMIT STATES WE ARE IN VIOLATION AND SUBJECT TO LOSING OUR RIGHT TO RENT IF THE NEIGHBORS CALL IN A COMPLAINT OF TOO MUCH NOISE.

NO USE OF THE SPA IS ALLOWED AFTER 10 PM.

THESE NOTICES ARE STATED IN YOUR CONTRACT.

ALSO NO MORE THAN 4 CARS AT ANY TIME ARE ALLOWED IN THE DRIVE WAY. NO STREET PARKING IS ALLOWED UNLESS IT IS DOWN NEAR THE HOSPITAL. THESE ARE THE RULES OF OUR PERMIT. VIOLATING THESE RULES CAN CAUSE OUR LOSS OF OUR VACATION PERMIT.

VIOLATION OF THESE RULES CAN LEAD TO THE LOSS OF YOUR DEPOSIT AND MORE.

Sheila McDaniel

From: Lynn [lp.lp@sbcglobal.net]
Sent: Saturday, September 21, 2013 2:30 PM
To: Sheila McDaniel
Subject: Re: Pennington Temporary Vacation Rental

Hi, I sent you the wrong warning statement we posted. The correct one is enclosed. It basically says the same thing but better.

Thanks Lynn

PS we recieved a bill from the county for \$551.36. Is this an additional bill beyond what our deposit covered? Ap 131066. JOB # ACP 16581

----- Original Message -----

From: "Sheila McDaniel" <PLN056@co.santa-cruz.ca.us>
To: "Lynn" <lp.lp@sbcglobal.net>
Sent: Thursday, September 19, 2013 10:15 AM
Subject: FW: Pennington Temporary Vacation Rental

fyi

Sheila McDaniel, Senior Planner
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95062
831-454-2255
sheila.mcdaniel@co.santa-cruz.ca.us

-----Original Message-----

From: CN Spalaris [mailto:cns7@pacbell.net]
Sent: Sunday, September 15, 2013 12:46 PM
To: Sheila McDaniel
Subject: Pennington Temporary Vacation Rental

Sheila: Plesse forgive me if you are not the person to contact regarding the vacation rental permit currently in effect for the Pennington residence 3709 Mission Dr Santa Cruz, APN 025-033-07.

The residents were notified by the planning commission of the temporary permit to allow Pennington to rent his house as a vacation rental. This was on a test case to comply by the promises made to neighbors who objected to this permit.

Last night, September 14 there was a loud party at Pennington's beginning at about 10 PM. The party got louder as time progressed, and especially so at about 12:30 AM. We attempted to call the phone number given to us 310-430-5708 but there was NO response at about 12:25 AM. The phone number is supposedly active 24/7. This was not the case. After out futile attempt to call the "full time contact person" we also called the sheriff. By the time the sheriff responded at about 1:00Am the loud party was over.

We are reporting this so as to establish a record of not compliance to the promise of quiet vacation rental time at APN 025-033-07!

Costas and Lenore Spalaris. 3557 Mission Dr SC.

IMPORTANT WARNING!!!

THIS IS A NOISE SENSITIVE NEIGHBORHOOD

ALL PATIO DOORS AND ALL WINDOWS FACING THE STREETS MUST BE CLOSED BY 10 PM.

USE OF THE OUTDOOR DECK AND THE SPA IS NOT ALLOWED AFTER 10:00 PM.

OUR RENTAL PERMIT IS SUBJECT TO BEING WITHDRAWN BY THE COUNTY OF SANTA CRUZ, IF A NOISE COMPLAINT IS CALLED IN BY ANY OF THE NEIGHBORS.

ADDITIONALLY

MORE THAN 4 CARS MAY NOT BE PARKED IN THE DRIVEWAY AT ANY TIME.

STREET PARKING FROM THE BOTTOM OF THE HILL TO THE TOP, INCLUDING THE CUL d' SAC, IS NOT ALLOWED.

YOU AGREED TO THESE RULES & REGULATIONS WHEN YOU SIGNED THE RENTAL AGREEMENT.

VIOLATION OF THESE RULES WILL, AT MINIMUM, CAUSE YOU TO LOOSE YOUR SECURITY DEPOSIT.

YOUR COOPERATION IS APPRECIATED!

October 5, 2013

Supervisor John Leopold
County of Santa Cruz
700 Ocean Street, 5th Floor
Santa Cruz, CA 95060

Re: Vacation Rental at 3709 Missio

Dear Supervisor Leopold,

Thank you very much for taking the time to meet with us on September 26, 2013. We appreciate the opportunity to discuss our ongoing concerns with the vacation rental at 3709 Mission Drive. We are property owners-adjacent to the subject property.

As you know, at the June 2013 Public Hearing regarding the vacation rental, the Zoning Administrator granted the vacation rental permit, with a six-month review. A second Public Hearing will be held in early 2014, at which time the Zoning Administrator will determine whether to grant the vacation rental permit. We understand there are many permit conditions, some of which include:

- Total adult occupancy is 8, per the rental contract.
- The property is to have a sign designating it as a vacation rental, with the 24-hour contact phone number.
- Total parking allowed onsite is 4 cars, and no street parking is allowed.
- No illegal activities at the rental.
- Quiet time after 10 pm.
- No use of the outdoor deck after 10 pm.
- A 24-hour contact person is available to address any concerns. (We have been notified that the contact is Rose Dyson.)
- Although not a requirement, we understand that there is an on-site attendant (Rose) at the property, to help make sure there are no problems.

The permitted vacation rentals started in mid-July 2013. For much of July and August, the rentals were continuous, 7 days a week. During September, the rentals were mainly weekends

only. During this time, we have noted many instances when the above permit conditions were not met. The following summarizes our observations and our communications with the 24-hour contact.

7/20/13 – The first weekend of rentals, there were at least eight cars in the driveway, and the on-site attendant was unable to get to her own parking space. After she contacted the renters, there were six cars in the driveway as illustrated in the following photograph taken on 7/20/13 at approximately 6:00 pm.



7/20/13 – People were observed on the deck at 12:33 am, doing some activity with lights, like twirling lighted batons. The Thornes noticed the activity because the lights were flashing into their window.

7/21/13 – The same light-twirling event was observed at 2:30 am.

8/10/13 – 8/12/13 -- No sign was visible on the house over this weekend. Also, we smelled the odor of marijuana during the day, from our yard. There were five cars in the driveway.

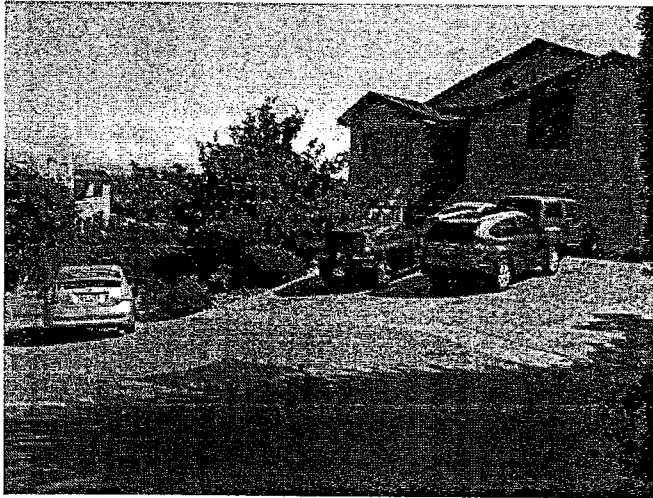
8/12/13 – There were people on the deck talking until at least 11 pm, audible across the street. At 1:00 am, both the Thorne and Moser households could hear talking on the deck.

8/13/13 – There were people talking on the deck past 10 pm. At midnight, Doug called Rose, and she said she would take care of it.

8/14/13 – Debra attempted to call Rose about the above conditions, but the voicemail did not record. Debra was traveling out of town at the time, and so decided to call when she got home.

8/19/13 – Debra left message at Rose's number, and left a message regarding her concerns that rules were not being followed during previous rentals: parking, car parked in street, no sign up,

marijuana smoking, and noise on deck after 10 pm. She also brought up excessive daytime noise, including metal-on-metal construction noises during the weekend of 7/28/13. At the time of that call, there was a car parked in the street next to the house, as shown on the photo below, taken on 8/19/13, at approximately 3:30 pm. At another time that day, there were two cars parked in the street. Debra expressed that we expected that the rentals would be managed so that the rules would be enforced and these problems would not happen.



Rose called back, with some responses to the concerns expressed. She said that when people have visitors, they park on the street. She also said that monitors the deck for noise at night. She stated that she did not see any evidence for marijuana, and that maybe Debra mistook the smell for cigarettes. (Cigarette smoking also is not allowed, according to the rental agreement on file with the permit application at the Planning Department.)

8/19/13 – Later the same day, there were eight cars in the driveway, as shown on the following photo taken on 8/19/13 at approximately 5:45 pm:



Debra called Rose at around 6:15 pm, and left a message about the parking situation. At around 9:30 pm, Diana Garza (the property manager and Rose's sister) called back. She said Rose contacted her after receiving the message. Diana said that she is the person that contacts the renters, and told them that they were violating their agreement by having more than four cars in the driveway. She said that they would take care of it.

8/28/13 – Between 10:00 and 11:00 pm, a car alarm in the driveway went off three separate times; the noise woke us up.

8/30/13 – 9/2/13 – Several times over the weekend, up to six cars were present; it looked like the renters parked excess cars some distance away down the street.

9/14/13 – Noisy partying on the deck, noticed by all three of our households. The noise awoke Debra and Nancy after midnight. Debra called Rose at around 12:15 am and left a message. Rose called back around 12:50 am and left a message that she told them to be quiet. Doug also called Rose around 12:15 am about the noise. Rose called him back approximately 30 minutes later. Also, Costas and Lenore were disturbed by the noise from 10 pm until past midnight. They also called Rose after midnight and left a message, but they did not get any response. Because there was no response, they called the sheriff. By the time the sheriff arrived around 1:00 am, the noise had stopped.

At various times, we have also observed that the household trash bin at the rental property is overfilled or overflowing. One time we overheard renters trying to dispose their trash, complaining that there was no space to put it, because the previous renters filled up the bin. This condition attracts wildlife that on occasion appears to have spread food trash (bones, avocado peels, greens, etc.) onto the adjacent property.

The numerous parking violations raise the concern about whether the 8-adult occupancy limit is being enforced.

These instances demonstrate many violations of the permit conditions. The vacation rental permit conditions are not being enforced, and as a result we, the adjacent neighbors, are subject to the nuisance and disturbance. We are very concerned that if the permanent vacation rental permit is issued, that the violations will continue and the owners will have little motivation to enforce the conditions. And since the permit could be permanent, we would never have relief.

As we have expressed throughout this process, we do not want to police the rules, and the rental activities should not disturb our neighborhood, homes and lives. We understand the vacation rental ordinance was enacted to prevent neighborhood problems arising from

vacation rentals, and we hope the ordinance can be used to stop the problems we have experienced with this rental since 2012.

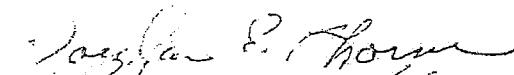
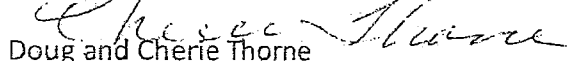
The ordinance states that if there are more than two violations of the ordinance within a 12-month period, that the permit may be revoked. As presented in this letter, many more than two violations have occurred, just in the 2-1/2 months that the rental has been in operation with a permit. Therefore, it seems only fair to deny the permit when it comes up for review.

Please feel free to contact us if you have any questions regarding this letter.

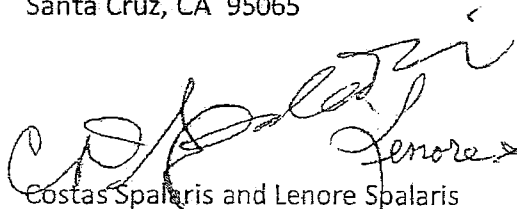
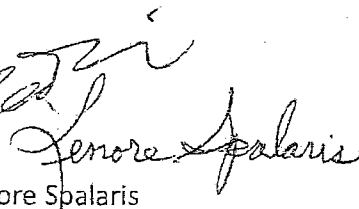
Sincerely,

Debra Moser and Nancy Keck
3711 Mission Drive
Santa Cruz, CA 95065

Doug and Cherie Thorne
3630 Mission Drive
Santa Cruz, CA 95065

Costas Spalaris and Lenore Spalaris
3557 Mission Drive
Santa Cruz, CA 95065

Sheila McDaniel

From: Lynn [lp.lp@sbcglobal.net]
Sent: Friday, November 01, 2013 3:57 PM
To: Sheila McDaniel
Subject: Re: 24 hour contact information
Attachments: ~\$OR TO BE CLOSED.doc

Hi, yes the phone number you have for Rose is correct and has not changed. I am including the extra posting we have put on the patio window, kitchen window and front door. These were not required by the county but put up by us to help discourage the violation of noise.

Regarding the call to Rose in September: She did respond and when she was able to get to thru to the tenants the noise ceased.

She has had a few calls everynow and then. She has gotten ahold of the tenants and taken care of the problem.

Thank you
LP

----- Original Message -----

From: Sheila McDaniel
To: Lynn
Sent: Friday, November 01, 2013 11:23 AM
Subject: 24 hour contact information

Lynn,

The conditions of approval required that you provide an updated contact information for the on-site manager. Is that Rose at 310-430-5708?

Thank you,

Sheila McDaniel, Senior Planner
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95062
831-454-2255
sheila.mcdaniel@co.santa-cruz.ca.us

Sheila McDaniel

From: Lynn [lp.lp@sbcglobal.net]
Sent: Friday, November 01, 2013 6:02 PM
To: Sheila McDaniel
Subject: Re: 24 hour contact information
Attachments: DOOR TO BE CLOSED.doc

ok try this.

----- Original Message -----

From: Sheila McDaniel
To: Lynn
Sent: Friday, November 01, 2013 4:01 PM
Subject: RE: 24 hour contact information

Your updated attachment would not open.

Sheila McDaniel, Senior Planner
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95062
831-454-2255
sheila.mcdaniel@co.santa-cruz.ca.us

From: Lynn [mailto:lp.lp@sbcglobal.net]
Sent: Friday, November 01, 2013 3:57 PM
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Subject: Re: 24 hour contact information

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YOUR COOPERATION IS APPRECIATED!

Sheila McDaniel

From: Lynn [lp.lp@sbcglobal.net]
Sent: Wednesday, November 13, 2013 9:17 AM
To: Sheila McDaniel
Subject: Re: Vacation Rental

Hi, my address for now is 12625 Lakeshore North, Auburn, CA 95602. Or you can email it to me.

Thank you

Lynn P

----- Original Message -----

From: Sheila McDaniel
To: Lynn
Sent: Tuesday, November 12, 2013 2:08 PM
Subject: Vacation Rental

Lynn,

I have received a five page list of dated, detailed complaints that I would like you to respond to before I prepare a recommendation to the Zoning Administrator. I will send a copy in the mail to you. Please respond to each dated complaint to the best of your knowledge, confirm if the 24 hour contact was contacted, how the issue was resolved, etc. This information was submitted to the Planning Director and was not made available to me until now. So, the project will not be scheduled for hearing on the 12/20 date we discussed. Please confirm your mailing address.

Let me know if you have any questions. Please respond as quickly as feasible.

Thank you,

Sheila McDaniel, Senior Planner
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95062
831-454-2255
sheila.mcdaniel@co.santa-cruz.ca.us

Sheila McDaniel

From: Lynn [lp.lp@sbcglobal.net]
Sent: Wednesday, December 04, 2013 11:54 AM
To: Sheila McDaniel
Subject: Re: Vacation Rental Lynn Pennington

Hi Shiela, The new can size is 96 Gal. I talked with Rose about the trash over flow before the can was upsized. She says that has happened only a few times and when it did she put tags on the extra bag which authorized the trash people to pick them up.

Thank you

Lynn P

----- Original Message -----

From: Sheila McDaniel
To: Lynn
Sent: Tuesday, November 12, 2013 2:08 PM
Subject: Vacation Rental

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Let me know if you have any questions. Please respond as quickly as feasible.

Thank you,

Sheila McDaniel, Senior Planner
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95062
831-454-2255
sheila.mcdaniel@co.santa-cruz.ca.us

Sheila McDaniel

From: lp lp [lp.lp@sbcglobal.net]
Sent: Thursday, November 21, 2013 3:32 PM
To: Sheila McDaniel
Cc: lp.lp@sbcglobal.net
Subject: Re: Vacation Rental Lynn Pennington
Attachments: Dear Sheila.doc; sign patio door.JPG; cars rental.JPG; cars rental 3.JPG; DOOR TO BE CLOSED.doc

Hi Sheila, I am attaching 5 items. First is a letter responding to the neighbor hood's letter. 2nd is a photo showing one of the locations in which I posted the notice which is the 3rd item I am enclosing. That notice I sent you before. I posted that after we had the one renter problem that you were notified about.

I am also going to attach 2 photos showing cars parking on the private road. None of the cars belong to my rental.

I think the biggest thing is the parking of the cars by my guests. I will put a request in writing regarding changing the parking restraints. Being that I should be allowed to park as many cars as I want in my driveway. No cars from my rental would be allowed on the private road.

It looks like this hearing will occur after the first of the year. I will be out of the country. Diana will be their to represent my property. I previously signed authorizing her and Rose to act as my agents.

Thank you

Lynn P

From: Sheila McDaniel <PLN056@co.santa-cruz.ca.us>
To: Lynn <lp.lp@sbcglobal.net>
Sent: Tuesday, November 12, 2013 2:08 PM
Subject: Vacation Rental

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Let me know if you have any questions. Please respond as quickly as feasible.

Thank you,

Sheila McDaniel, Senior Planner
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95062

November 20, 2013

County of Santa Cruz Planning Department
Sheila McDaniel, Staff Planner

Dear Sheila,

I am in receipt of a copy of the complaint letter we spoke about. The letter is addressed to Supervisor John Leopold, dated October 5, 2013 authored by three of our neighbor households, Debra Moser & Nancy Keck; Doug & Cherie Thorne; and Costas & Lenore Spalaris.

I have reviewed this letter with Diana, Property Manager and Rose, Site Attendant. A copy of the letter is attached and following is my reply addressing each concern. Neighbor comments prefixed with ***. My reply is stated right below each comment.

***Total adult occupancy is 8, per the rental contract.

The total adult occupancy of 8 is our self-imposed allowance. However, we are permitted by the County to allow a maximum of 10 Overnight Adult guests (children under 12 are not counted).

We have a "No Party" self-imposed rule on our Agreement. We are permitted a maximum occupancy allowance for gatherings or celebrations between, 8:00 A.M. and 10:00 P. M. not to exceed 20 people (twice the number of overnight occupants, children under 12 not counted).

***The property is to have a sign designating it as a vacation rental, with the 24-hour contact phone number.

The County requires that this sign be displayed only when guests are occupying the home. A sign identifying the home as a permitted vacation rental, and listing a 24-hour contact, responsible for responding to complaints and providing general information, was posted within 20 feet back from the street until it was suspiciously removed several times, (not by guests). It is now posted inside a front house window, visible from the street.

Each neighbor within 300 ft. radius was provided the same information. Additionally, the sign is posted inside the home for guests to see. The Sheriff's Department and Fire Department have also been provided this information.

***Total parking allowed onsite is 4 cars, and no street parking is allowed.

We have a self-imposed parking limit of 4 vehicles. Operating Conditions Item II-C states that Vehicles associated with the overnight occupants shall not exceed 5. On-street parking is prohibited on our private street. Guests are told to park on public street parking spaces, located at the bottom of the hill, as needed.

***No illegal activities at the rental.

All illegal activities are strictly prohibited on the rental property. Our Site Attendant has strict orders to call sheriff and/or evict guests immediately. Neighbors are encouraged to call police if they have proof illegal activities are taking place.

***Quiet time after 10pm, and no use of the outdoor deck after 10pm.

Quiet time after 10PM is enforced and our rental contract prohibits any use of the outdoor deck and Jacuzzi after 10:00 PM. Guests have also been asked by our site attendant to close any windows and doors facing the neighbor homes to comply with a neighbor complaint. (See attachment with pictures displaying signs & locations posted)

*** A 24-hour contact person is available to address any concerns. (We have been notified that the contact is Rose Dyson).

Rose Dyson is the Contact Person/ Site Attendant, and is available to assist in addressing and helping resolve any concerns from neighbors, guests, and owners. Her phone is always turned on (24 hrs.) fully charged, and receives calls or messages 24 hours as well.

Below, I will address the neighbors' letter citing alleged violations of our permit conditions.

7/20/13- 7/21/13..... "6-8 vehicles parked in the driveway during the day".

No complaint was received regarding vehicles parked in the driveway. The vehicles belonged to daytime dinner guests and all but 4 vehicles were removed within 5 minutes once the guests were dropped off. No more than 4 vehicles were parked in the driveway the remainder of the weekend, day or night.

No complaint was received regarding the "flashing lights". The hospital is down below, and emergency helicopters land on a regular basis day and night, with their lights flashing. Perhaps these were the lights the Thornes noticed flashing in their windows since their windows face not only the hospital, but oncoming night vehicle traffic.

8/10/13-8/14/13..... "No contact sign was visible over the weekend".

The Contact sign suspiciously disappeared several times when it was posted outside. It is now posted on the inside of a window that faces the street and is visible from the street. The sign has not disappeared since.

..... "Guests could be overheard talking until about midnight".

Doug Thorne called Rose, our attendant, regarding voices that could be heard. Upon checking on the situation, she discovered the guests were talking in the kitchen with the windows open and their voices were carrying over to the outside. She asked them to close the windows, and they immediately complied.

Debra's attempt to call Rose regarding some concerns was thwarted by Debra's own dropped calls due to her travel location. Rose's blackberry is always on, fully charged, and she has never missed a call/message from Debra.

8/19/13 "Over 4 vehicles parked in the Driveway"

Guests are reminded to tell their daytime guests that they must park on public street parking located at the bottom of the hill, not in our driveway or on our private street; and that there can only be 4 vehicles parked on the property. They are told to move the cars or they risk being evicted & losing their security deposit. They comply.

8/30/13-9/2/13..... Cars parked on the street

Our neighbors, the Kelley's had a party over Labor Day Weekend with a live band, and many guests who parked up and down our private street all day and into the night and overnight. Our guests complained to Rose about the loud music and noise. I wonder if

the Thornes', Spolaris', and Moser-Keck households found these noise and parking violations bothersome.

9/14/13.....Noisy partying on the deck.

Rose received calls from neighbors regarding noise. She returned the neighbors' calls once she spoke with the guests who agreed to quiet down. The Spolaris household chose to not answer the call from Rose, but instead called the Sheriff. There was no sign of noise or partying when the Sheriff arrived. When contacted, the guests claimed to be playing games & not partying. Regardless of the reason for the noise, they were evicted the following morning and were not allowed to stay one more night as planned.

Since then we have posted signs regarding noise rules on both the Deck Patio Doors, and on the Kitchen Windows. Rules & Regulations Information is also provided to all guests.

The neighbors' subject letter references the following:

"Cigarette smoking not allowed" Smoking is not allowed inside the home. Our Agreement does not restrict guests from smoking outside. Smoking outside ones private residence on private property is not illegal.

"Trash Bins Overflowing"..... Our 3 trash bins are kept behind a four foot high structure with gate doors. In addition to increasing the trash can size, we pay extra to have the Trash collected from behind the gated structure to the side of our driveway. Our trash cans are never visible from the street. All our neighbors place their trash bins on the street where they are often knocked over by their own dogs. Debra and Nancy's cats and other neighborhood cats are allowed to run loose and get into everyone's knocked over cans spreading trash and attracting rodents.

"Sounding Car Alarm"..... It is not uncommon for a car alarm to go off in anyone's garage/driveway including our neighbor's own cars. This occurrence was immediately resolved.

"Construction noise during the day"..... There is no reason why any of our guests would be performing any construction. Construction noise throughout our neighborhood is not uncommon with Doug's homes, attached & detached structures, landscaping, hardscaping, and unsightly solar panels constantly under construction and maintenance; and other neighbors' ongoing renovation and remodeling at any given time.

Similarly, excessive barking noise from Debra's unattended dogs is very disturbing.

In summary, it appears that the parking of more than 4 vehicles in our driveway is our neighbor's biggest concern. Our driveway is large enough to allow up to 9 vehicles without blocking anyone's egress or ingress on our private road. The cars parked in the driveway during the day, do not represent the number of overnight occupants, which we hold to eight adults.

The neighbor stated that our home is rented everyday. I wish this were true, however, this is not the case. We turn away many potential guests, and many guests do not want to rent our home, due to our "Noise Sensitive Neighborhood" and "No Party" clauses in the Agreement. Potential guests are emailed our Agreement and Diana (Property Manager)

interacts with them via phone conversations, emails and regular mail, reminding them of our "Noise Sensitive Neighborhood".

It is unfortunate that since these few neighbors do not want our Vacation Rental in our neighborhood to succeed, they feel the need to overly police our Home. We have gone out of our way to insure that any of their concerns are addressed and resolved in a timely manner.

Once again, thank you for your consideration in issuing a permanent permit for my Vacation Rental.

Sincerely,

Lynn Pennington, Owner
Vacation Rental
3709 Mission Drive, Santa Cruz, Ca.95065

Cc: Supervisor John Leopold
County of Santa Cruz
700 Ocean St., 5th Floor
Santa Cruz, Ca. 95060

IMPORTANT WARNING

THIS IS A POWER SENSITIVE INSTRUMENTATION

ALL PATIENT ROOMS AND ALL WAITING ROOMS AND THE
STREET MUST BE CLOSED BY 11 PM

IF THE INTERCOM SYSTEM AND THE SPA IS NOT
CLOSED BY 11 PM

OUR RENTAL FIRM IS SUBJECT TO BEING
WITHDRAWN BY THE COUNTY OF SANTA CRUZ AS A
RESULT COMPLAINTS IS CALLED IN BY ANY OF THE
RENTALERS.

ADDITIONALLY

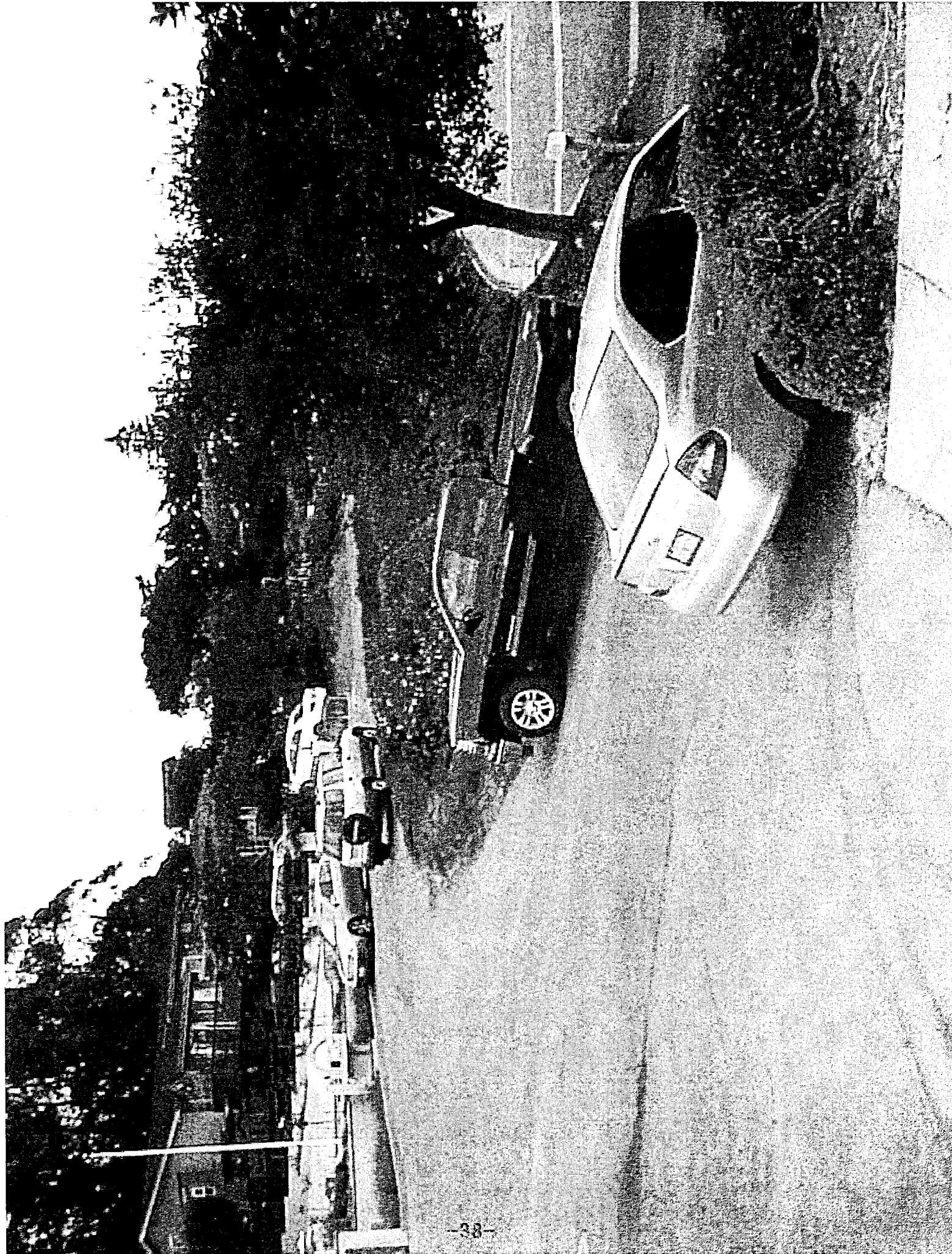
NO TRUCKS OR TRAILERS MAY NOT BE PARKED IN THE
DRIVEWAY AT ANY TIME.

STREET PARKING FROM THE BOTTOM OF THE HILL
TO THE TOP INCLUDING THE CURB IS NOT
ALLOWED.

YOU AGREE TO THESE TERMS & CONDITIONS WHEN
YOU SIGNED THE RENTAL AGREEMENT.

VIOLATION OF THESE RULES WILL BE CONSIDERED
AS A VIOLATION OF THE RENTAL AGREEMENT.

YOUR COOPERATION IS APPRECIATED.





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OUR RENTAL PERMIT IS SUBJECT TO BEING WITHDRAWN BY THE COUNTY OF SANTA CRUZ, IF A NOISE COMPLAINT IS CALLED IN BY ANY OF THE NEIGHBORS.

ADDITIONALLY

MORE THAN 4 CARS MAY NOT BE PARKED IN THE DRIVEWAY AT ANY TIME.

STREET PARKING FROM THE BOTTOM OF THE HILL TO THE TOP, INCLUDING THE CUL d' SAC, IS NOT ALLOWED.

YOU AGREED TO THESE RULES & REGULATIONS WHEN YOU SIGNED THE RENTAL AGREEMENT.

VIOLATION OF THESE RULES WILL, AT MINIMUM, CAUSE YOU TO LOOSE YOUR SECURITY DEPOSIT.

YOUR COOPERATION IS APPRECIATED!

Neighborhood Complaint Log

On-Site Parking Complaint Log

Date	Number of Parked Vehicles in driveway	Photo Documentation	On-site Manager contacted	Response/Resolution
7/20/2013	6-8 during day	Yes, 6 vehicles at 6 pm	No (per owner)	Owner documented that after daytime dinner guests were unloaded the site contained four rental vehicles the remainder of the weekend
8/10/2013	5	No	No	No action required, permit allowed 5 vehicles
8/19/2013	8 at 5:45 pm	Yes	Yes	Yes, renters contacted by on-site manager, daytime guest vehicles moved, four rental vehicles parked remainder of time
8/30- 9/2/2013	6 cars parked several times over weekend	No	No	On-site manager noted that this was a result of daytime guest drop off

On-Street Parking Complaint Log

Date	Number of vehicles parked in street	Photo Documentation	On-site Manager contacted	Response/Resolution
8/19/2013	1 -3	yes (1 car)	yes	owner documented that guests were informed to move vehicles from the street, they did so
8/30/2013- 9/2/2013	unspecified vehicles in street	no	no	on-site manager indicated that the neighbors (Kelley's) had a party and party guests parked in the street

Noise Complaint Log

Date	Incident Description	Photo Documentation	On-site Manager contacted	Response/Resolution
8/12/2013	11 pm, people talking	No	No	unclear
8/13/2013	People talking on deck past 10 pm	No	Yes, at Midnight	Guests were talking in kitchen, manager asked them to close the windows
9/14/2013	Deck Party, until 1 am, Sheriff	On sheriff call log	Yes	Party concluded before the Sheriff arrived. Tenants evicted by manager the morning after party

Illegal Activity

Date	Incident Description	Photo Documentation	On-site Manager contacted	Response/Resolution
8/19/2014	Smelled Marijuana	no	no	Unconfirmed



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

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

Rental Name & Address:

PENNINGTON

3709 MISSION DR

SANTA CRUZ

Remitter Name & Address:

Pennington
3709 Mission Dr.
Santa Cruz, Ca. 95065

TRANSIENT OCCUPANCY TAX (TOT)

Reporting Month *March, April, May, June*

To file this reporting form timely, it is due on or before the last day of the month following the reporting month. All fields must be filled in completely or form may be returned and penalties may be assessed.

Number of Available Rental Units 1

Gross Receipts from Rental Units

Deductions - Long term (more than 30 consecutive days) rentals receipts

Net Taxable Receipts

TAX DUE (9.5% of taxable receipts)

(A) \$ 0

New VRBO not approved for
rent until 7/1/13
for County.
OK

ENTERED

TOURISM MARKETING DISTRICT (TMD) FEE

Total number of occupied room nights sold in this month

Total Tourism Marketing District (TMD) at the rate of \$1.00 per room/per night for 6-29 rooms and \$1.50 per room/per night for 30 or more rooms

(B) \$ N/A

If your TOT Tax return and payment is made after the due date, a penalty of 10% of the TOT tax amount is added, along with 1.5% interest. After 30 days following the delinquent date, an additional 15% is added plus the interest of 1.5%. Interest will continue at 1.5% a month until paid in full. A return check fee will also be added for any check returned unpaid in addition to applicable late payment penalties/interest.

Penalty and interest if paid after the Due Date (C) \$ N/A

TOTAL TAX and TMD fee including penalty and interest if paid after due date (Add A+B+C) \$ 0

I declare, under penalty of perjury, that the above is true and correct to the best of my knowledge and belief.

Signature

Printed Name

Rev11102011

Date

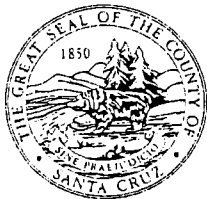
Title

Diana Garza

8/3/13

Property Manager

62503307



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

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

AUG 27 2013
95648

Rental Name & Address:

PENNINGTON

3709 MISSION DR

SANTA CRUZ

Remitter Name & Address:

PENNINGTON

3709 MISSION DR.

SANTA CRUZ, CA. 95061

TRANSIENT OCCUPANCY TAX (TOT)

Reporting Month July 2013

To file this reporting form timely, it is due on or before the last day of the month following the reporting month. All fields must be filled in completely or form may be returned and penalties may be assessed.

Number of Available Rental Units 1

Gross Receipts from Rental Units

\$ 1185⁰⁰

Deductions - Long term (more than 30 consecutive days) rentals receipts

\$ 0

Net Taxable Receipts

\$ 1185⁰⁰

TAX DUE (9.5% of taxable receipts)

(A) \$ 109⁶¹

TOURISM MARKETING DISTRICT (TMD) FEE

Total number of occupied room nights sold in this month _____

Total Tourism Marketing District (TMD) at the rate of \$1.00 per room/per night for 6-29 rooms and \$1.50 per room/per night for 30 or more rooms

(B) \$ N/A

If your TOT Tax return and payment is made after the due date, a penalty of 10% of the TOT tax amount is added, along with 1.5% interest. After 30 days following the delinquent date, an additional 15% is added plus the interest of 1.5%. Interest will continue at 1.5% a month until paid in full. A return check fee will also be added for any check returned unpaid in addition to applicable late payment penalties/interest.

Penalty and interest if paid after the Due Date (C) \$ N/A

TOTAL TAX and TMD fee including penalty and interest if paid after due date (Add A+B+C) \$ 109⁶¹ ck #102

I declare, under penalty of perjury, that the above is true and correct to the best of my knowledge and belief.

Signature

Printed Name

Rev11102011

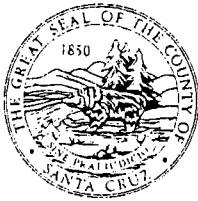
Date

Title

8/3/13

OWNER

AD
27648



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

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

Rental Name & Address:
PENNINGTON
3709 MISSION DR
SANTA CRUZ

Remitter Name & Address:
Lynn Pennington
3709 MISSION DR
SANTA CRUZ, CA 95065

TRANSIENT OCCUPANCY TAX (TOT)

Reporting Month August 2013

To file this reporting form timely, it is due on or before the last day of the month following the reporting month. All fields must be filled in completely or form may be returned and penalties may be assessed.

Number of Available Rental Units 1

Gross Receipts from Rental Units

\$ 5530.00

Deductions - Long term (more than 30 consecutive days) rentals receipts

\$ 0

TAX DUE (9.5% of taxable receipts)

Net Taxable Receipts

\$ 5530.00

(A) \$ 525.37

TOURISM MARKETING DISTRICT (TMD) FEE

Total number of occupied room nights sold in this month _____
Total Tourism Marketing District (TMD) at the rate of \$1.00 per room/per night for 6-29 rooms and \$1.50 per room/per night for 30 or more rooms

(B) \$ N/A

If your TOT Tax return and payment is made after the due date, a penalty of 10% of the TOT tax amount is added, along with 1.5% interest. After 30 days following the delinquent date, an additional 15% is added plus the interest of 1.5%. Interest will continue at 1.5% a month until paid in full. A return check fee will also be added for any check returned unpaid in addition to applicable late payment penalties/interest.

Penalty and interest if paid after the Due Date (C) \$ N/A

TOTAL TAX and TMD fee including penalty and interest if paid after due date (Add A+B+C) \$ 525.37

I declare, under penalty of perjury, that the above is true and correct to the best of my knowledge and belief.

Signature

Printed Name

Rev11102011

Date

Title



**COUNTY OF SANTA CRUZ
SHERIFF'S OFFICE
MISCELLANEOUS CORRESPONDENCE**

DATE: December 5, 2013
TO: Sheila McDaniel
FROM: Sheriff's Office
SUBJECT: Calls for service

(Note: These statistics are prepared for this particular request. They cannot be compared to any other statistic produced by the department and are based solely on specific types of calls for service).

The following are calls for service related to 3709 Mission Drive from June 1, 2013 to December 5, 2013:

Address	CreateTime	TypeID	TypeText
3709 MISSION DR	9/15/2013 0:18	415N	NOISE COMPLAINT-- COM

FAQs

- What is Mediation?
- How do I make mediation happen?
- It sounds expensive. Is it?
- Where does it happen?
- When does it happen?
- How can I tell if mediation is right for me?
- How do I convince him/her to come?
- I'd like to try working the situation out myself first. How can CRC help?
- Are mediation agreements legally binding?
- What is the difference between mediation and arbitration?
- Is mediation the same thing as Non Violent Communication?
- Isn't mediation like counseling?
- How can I become a mediator?

What is Mediation?

Mediation is facilitated dialogue between individuals or groups facing conflict. Mediation supports respectful communication and cooperative problem solving.

How do I make a mediation happen?

If you are interested in using mediation to work out a solution that has eluded you, all you need to do is call us at 831-475-6117. We'll ask you about it, go over various options for inviting the other person to participate, and guide you through the next steps--or you can read more about the mediation process.

It sounds expensive. Is it?

Our process is designed to be affordable. We believe that fees should not prevent people from using our services. It costs nothing to talk to us about your options and explore mediation as a possibility. For some of our programs, there is a fee only if mediation takes place—usually between \$90-150 for the whole session. For our workplace mediation program, the fee is \$80/hour, and the process generally takes 3-4 hours. In some cases, grants may cover the cost of your session, and we also have a sliding scale based on income.

Where does it happen?

Most of our mediations take place at our offices at 1414 Soquel Avenue in Santa Cruz. In some cases, we may move to another location. For instance, our restorative justice programs happen in local neighborhoods or at juvenile hall. In any case, we will provide you with directions well in advance so you can plan around your session.

When does it happen?

We do not have a set schedule for our mediation sessions. Rather, we find a time that works for the parties involved, whether that is during normal business hours, evenings, or weekends.

How can I tell if mediation is right for me?

Mediation helps all kinds of people. Landlords, tenants, neighbors, family members, parents, teens, housemates, home owners, coworkers, employers, organization members, contractors, business partners, service providers, customers, friends, Romans & countrymen have all benefitted from mediation. As long as:

- a) You are willing to participate in a mediation process with the other party
- b) You can advocate for yourself (mediators are not advocates)
- c) You are up for some give and take--that is to say, that participating is worthwhile even if you don't get the exact result you are looking for
- d) You are willing to follow through on the resulting agreement then you are a fine candidate for mediation.

How do I convince him/her to come?

Mediation is a voluntary process, so we will need to have both of you be willing to mediate in order to proceed. If you think the other party may not be receptive to your invitation, we are happy to contact him or her and explore the situation over the phone. We can ask what is hard about the situation as it is, how s/he would prefer it to be, what the consequences of not finding a solution might be, and why it has been difficult to resolve the situation directly. Then we can explain how CRC can be useful.

I'd like to try working the situation myself first. How can CRC help?

You may find one of our one-day workshops can boost your communication skills enough to be able to talk with the other person in a way that has not yet been possible. Or perhaps another resource in the county can provide you with the information you need to work things out on your own. You can search our [resources page](#) or call and ask who else may be able to help. Maybe talking your situation over with someone would help clarify how to proceed. Or maybe you are looking for tips on how to have the other party understand you want to work things out. If so, a call to our [consultation service](#) may help. All these options start with a phone call to our office at 831-475-6117.

ASBESTOS

Are mediation agreements legally binding?

The agreement that you compose at our mediation is not legally binding. It is more of a "memorandum of understanding." However, if you both agree to, we can include in the document that you both agree it can be submitted as evidence or taken to a lawyer to convert in to a legal document.

What is the difference between mediation and arbitration?

In both mediation and arbitration, the people involved take their situation to a third party. In arbitration, communication goes from the people involved to the arbitrator, and the arbitrator decides what should happen. In mediation, the people involved talk with the mediator AND each other. The mediator does not decide what should happen, but assists the people involved in deciding on a solution that is acceptable to both parties. Find out more about [arbitration](#).

Is mediation the same thing as Non Violent Communication?

Mediation and Non Violent Communication share some of the same tools and techniques for facilitating communication. In Non Violent Communication, the emphasis is more on self-examination and intimacy in ongoing communication; in CRC's mediation, we focus on the give and take of communication and on exploring solutions to a particular situation. Find out more about [Non Violent Communication](#).

Isn't mediation like counseling?

In both mediation and counseling, people have a chance to be heard in a safe, confidential atmosphere. In counseling, that space is used to explore personal issues and deep-rooted or ongoing situations. Some people find counseling to be useful for several sessions, even years. In mediation, the same secure space is used in conjunction with another person to explore a particular situation for which both people want to find a solution. Most people need only one session to work things out; some people find a second is useful. The Conflict Resolution Center uses a maximum of three sessions to work on an issue.

How can I become a mediator?

Many people who take our Community Mediation Training have the desire either to add mediation to their professional repertoire of services or to become a professional mediator. If this is you, then you may already know you are exploring an exciting, dynamic field. Many people who become mediators find that it is much more than a profession; it can be a way to express their fundamental values in an ongoing way.

EXHIBIT A

The people in CRC's community are evidence of the inspiring people who choose to become mediators. It takes a special person with the right temperament and values to pursue mediation as a successful profession or meaningful volunteer position. As more people with mediation mindsets inhabit our homes, workplaces, and communities, we believe the world becomes a better place. Thank you for being one of those people.

Currently, in California there are no professional standards for becoming a mediator. We imagine this will change sometime in the future; but right now, there is no standard for declaring yourself a mediator.

We at CRC are committed to maintaining high standards for mediation. Our Community Mediation Training provides a great introduction to mediation skills and gives you a feel for the process. It helps you determine if you like the field and want to pursue further training and experience. We believe it takes more than our excellent training to comfortably call oneself a mediator. It's best to use our training to practice using mediation skills in your current position, or to apprentice under more experienced mediators.

If you have a question about mediation that you do not see answered here, ask it via email [\[link\]](#) After we answer you, we can add it to this page. You'll help other people with the same question!

[Back to Top](#)

RENTAL AGREEMENT

Lynn Pennington, Owner/ Diana Garza, Property Manager (831-818-9009)

GUEST:

DATE:

RENTAL ADDRESS: 3709 Mission Drive, Santa Cruz, Ca. 95065

CHECK-IN TIME: After 4:00 PM

CHECK-OUT TIME: Before 11:00 AM

RENTAL RATE:

TRANSIENT OCCUPANCY TAX:

CLEANING FEE:

REFUNDABLE SECURITY DEPOSIT PER CONTRACT: (Please provide address for Refund to be mailed to)

ON SITE ATTENDANT:

There is an on- site attendant. She is available to assist you with any questions or requests you may have to make your stay more enjoyable. Her name is: Rose and her phone #310-430-5708.

SMOKING:

This is a non-smoking Home. There is no smoking allowed in the house. If there is any evidence of smoking having taken place in the house, your \$500.00 security deposit will not be returned.

PETS:

Pets are not permitted in the house or on the property.

PROPERTY DAMAGE AND FINES:

All undersigned Guests are responsible for reimbursing Owner for all damages incurred to the property during their stay. This is a Vacation Rental Home permitted and regulated by Santa Cruz County. Guests are responsible for any fines Owner incurs as a result of Guest's violating County Codes/Ordinances during their stay.

SECURITY DEPOSIT:

The Deposit is fully refundable within 10 Days of Departure; provided the Rental Agreement Terms are adhered to, and all the following provisions are met:

There is no damage to the home or its contents, beyond wear and tear

There are no neighbor complaints regarding noise level, foul language and unruly, or illegal behavior (quiet hours are between 10:00 PM and 8:00AM County Code Sec.8.30.010)
This is a quiet, noise sensitive neighborhood.

There is no evidence of smoking having taken place inside the house

EXHIBIT

There is no evidence of food, liquids, debris, or discards of any type, are found in the Jacuzzi

All debris, rubbish, and discards are placed in the designated Trash Cans provided out front, left of the driveway behind gated area (County Code Section 7.20.005) . There is a weekly Trash Pick-up on Wednesday mornings.

Linens or towels are not lost or damaged

Contents in the home are not removed or missing

Guests are not evicted by Owner, Owner Representative, On-site Attendant, or Local Law /Enforcement

PAYMENTS: All payments require payment in accordance with the payment schedule.

CANCELLATIONS:

Cancellations that are made more than 60 days prior to the arrival date are subject to a 10% cancellation fee. Cancellations or changes that result in a shortened stay, that are made within 60 days of the arrival date, forfeit the full advance payment. Cancellation or early departure does not warrant any refund of rent/cleaning fee.

OCCUPANCY:

Subletting is strictly prohibited. The home is rented to the number of people you stated in the inquiry. The maximum number of overnight guests is limited to (8). Children under 12 are not counted. This is not a "Party House". Parties are not permitted. (County Code Section 13.10.694(d)(1)(D)).

MINIMUM STAY:

This property generally requires a three (3) night minimum stay. Longer minimum stays may be required during holiday periods.

MAXIMUM STAY:

This property has a maximum stay limit of 30 Days.

INCLUSIVE FEES:

Rates include a one-time linen and towel set-up, a starter roll of toilet paper for each bathroom, a starter roll of kitchen paper towels, dishwasher soap, and laundry detergent. Kitchen is fully equipped with all necessary pots, pans, dishes, utensils, spices, and small appliances to prepare meals.

NO DAILY HOUSEKEEPING SERVICE:

Daily maid/housekeeping service is not included in the rental rate. However, arrangements can be made, for an additional fee. These arrangements must be made at time of booking. We do not permit linens or bath towels to be taken from the home, but we do provide beach towels for your use.

PARKING:

Driveway parking is available for (4) four vehicles. (County Code Section 13.10.694(d)(1)(D)).

FIREPLACES:

There are two fireplaces in the home. They are located in the Living Room and Master Bedroom. They are non-vented gas log fired fireboxes. Please do not open or throw anything inside. Use instructions are in your "Guest Information Packet".

JACUZZI: NO JACUZZI OR OUTDOOR ACTIVITIES AFTER 10:00 PM (County Code Sec.8.30.010)

Children are not permitted in the Jacuzzi at any time without adult supervision. Use caution when heating and using the Jacuzzi. Instructions on using the Jacuzzi are in the "Guest Information Sheet". Our Jacuzzi maintenance company sanitizes, and replenishes chemicals in the tub prior to your arrival. Normal use is acceptable however, FOOD, LIQUIDS, GLASS CONTAINERS, SAND, OR DEBRIS OF ANY KIND, SHOULD NOT BE BROUGHT INSIDE THE JACUZZI. YOU WILL BE CHARGED FOR ANY SIGNS OF ABNORMAL USE OF THE JACUZZI, THAT REQUIRES ADDITIONAL CLEANING OR MAINTENANCE.

DO NOT STAND ON THE JACUZZI COVER. Jacuzzi covers are for insulation purposes and are not designed to support a person or persons. They may break and you will be charged for replacement. When removing or replacing the cover, please use the handling straps on the cover sides, do not pull from the flaps. Remember, when not using the Jacuzzi, leave cover on, so tub will retain heat.

LAUNDRY AREA: A washer and dryer are available for your use. Please remove the lint from the dryer vent, inside the door, after each use.

FALSIFIED RESERVATIONS: Any reservation obtained under false pretenses, will be subject to forfeiture of advance payment, deposit, rental money, and the Guest will not be permitted to check in.

WRITTEN EXCEPTIONS:

Any exceptions to the above mentioned policy/rules must be approved in writing, in advance.

The owners are not responsible for any accidents, injuries, illnesses, that occur while on the premises. The homeowner is not responsible for the loss of personal belongings or valuables of the guest. By accepting this reservation, it is agreed that all guests are expressly assuming the risk of any harm arising from their use of the premises, or use of the premises, by others whom they invite.

I AM FULLY AWARE THAT FIREWORKS, AND EXPLOSIVES OF ANY KIND , ARE PROHIBITTED AND ILLEGAL THROUGHOUT SANTA CRUZ COUNTY, UNDER PENALTY OF THE LAW.

BY SIGNING BELOW, I AGREE TO ALL THE TERMS OF THE AGREEMENT:

SIGNATURE: _____ Date: _____

ADDRESS: _____

PHONE: _____

24-HOUR CONTACT

NAME: ROSS
DIANA GARZA, PROPERTY MANAGER

MAILING ADDRESS: 3709 MISSION DR.

CITY/STATE SANTA CRUZ, CA. ZIP 95065

PHONE NO. (831) 818-9009 CELL NO. () SAME

FAX NO. () N/A 310-430-5708

EMAIL: brianna3wsbcglobal.net

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. All items must be checked with form signed and dated.

☒ **Smoke alarms** (listed and approved by the State Fire Marshall) installed in the following locations per the 2010 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 2010 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 1987 National 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. 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.

☒ All stairs shall have at least one continuous **handrail** running the full length of the stairs.

☒ 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 36" in height with openings no greater than 6" for older homes, and 4" for homes built after 1991.

- ☒ **Pool/spa safety barrier** enclosures shall comply with Santa Cruz County Code, Sec. 12.10.216.
Exception: Self-contained spas or hot tubs with listed/approved safety covers need not comply with barrier requirements.
- ☒ Rental equipped with at least one **fire extinguisher** (type 2A10BC) installed in a readily visible/accessible location near the kitchen.

I herby certify that the safety standard conditions listed above are fully complied with and will be maintained in a useable and functioning condition. Form must be signed by one of the following four parties.

Owner of Rental Unit

Date


Certified Home Inspector

License #

Date

County Building Inspector

Date



Property Manager/Agent

2/25/13
Date

For questions regarding these inspection requirements please contact Tony Falcone at (831) 454-3195