



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

0295

701 OCEAN STREET, 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
 (831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123  
 KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

September 4, 2014

**Agenda Date: September 16, 2014**

Board of Supervisors  
 701 Ocean Street  
 Santa Cruz CA 95060

**SUBJECT: Vacation Rentals by Supervisorial District and Recommendation to Initiate Extension of the Live Oak Designated Area Vacation Rental Provisions to the Seacliff/Aptos Area**

Members of the Board:

Last month your Board considered proposed amendments to the Vacation Rental ordinance and took two actions: 1) initiated the proposed amendments and directed they be considered by the Planning Commission and 2) directed the Planning Department to report back on the number of vacation rental applications in each Supervisorial District, including the pace of new vacation rental applications, and an evaluation of applying the Live Oak Designated Area (LODA) vacation rental regulations to the Aptos area.

According to Planning Department and GIS records, the breakdown of vacation rental factors in each Supervisorial district is as shown in the following table.

Vacation rental factors	Supervisorial District				
	1 <sup>st</sup> Leopold	2 <sup>nd</sup> Friend	3 <sup>rd</sup> Coonerty	4 <sup>th</sup> Caput	5 <sup>th</sup> McPherson
Applications received	204	225	42	0	7
Applications approved	204	225	42	0	7
Applications denied	0	0	0	0	0
Number of vacation rental-eligible parcels and number and percentage of those with vacation rentals	13,955 204 1.46%	17,867 225 1.26%	2542 42 1.65%	2539 0 --	21,795 7 0.032%
Number of vacation rental-eligible parcels in the Aptos planning area both south of Highway One and within the Urban Services Line and number and percentage of those with vacation rentals	--	6658 189 2.83%	--	--	--
Number of vacation rental-eligible parcels in the LODA and number and percentage of those with vacation rentals	1996 184 9.2%	--	294 42 14.2%	--	--
Totals for LODA irrespective of Supervisorial District	2290 226 9.86%				

“Vacation rental-eligible parcels” means those parcels in zone districts that allow residential uses without requiring any other use. The zone districts are the following:

- Agriculture: CA or A
- Residential (excluding parcels in the Mobile Home Park Combining Zone District): RA, RR, R-1, RB, or RM
- Parks and Recreation: PR
- Timber Production: TP
- Special Use: SU, with one of these underlying General Plan land use designations:
  - Agriculture (AG)
  - Existing Parks and Recreation (O-R)
  - Urban Open Space (O-U)
  - Residential (R-M, R-R, R-S, R-UVL, R-UL, R-UM, and R-UH)).

In 2011, when the vacation rental ordinance took effect, there were 368 applications filed, mostly for existing vacation rentals. Attachment 2 shows the locations of existing vacation rentals.

The following table shows the number of applications received by supervisorial district for 2012, 2013, and 2014 to date.

Supervisorial District Year	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>	5 <sup>th</sup>	TOTAL
<b>2012</b>	20 (19 LODA)	17	5 (4 LODA)	0	1	43 (23 LODA)
<b>2013</b>	19 (17 LODA)	14	3 (2 LODA)	0	1	37 (19 LODA)
<b>2014, to date</b>	12 (11 LODA)	10	7 (all LODA)	0	1	30 (18 LODA)
<b>TOTAL</b>	51 (47 LODA)	41	15 (13 LODA)	0	3	110 (60 LODA)

Except for the large volume of applications in 2011, which was a result of the limited grandfathering-time for applying as an existing vacation rental, the pace of applications has remained similar from year to year.

As shown in Table 1, the data demonstrates that the existing percentage of all housing units that are used for vacation rentals in Supervisorial District 2 (Seacliff/Aptos) is just below that in

District 1 (Live Oak), 1.26% vs. 1.46%. Due to concerns about the effect of converting approximately 15 homes per year from permanent housing to vacation rentals in Seacliff/Aptos, and approximately 40 per year County-wide, it is recommended that the Board extend the LODA provisions to the Seacliff/Aptos area.

In the LODA, vacation rental regulations limit the number of vacation rentals in two ways, density by block, and by overall percentage. First, if existing vacation rentals on the same block total 20 percent or more of the total vacation rental-eligible parcels on that block, no new vacation rentals are permitted. Second, no more than 15 percent of all vacation rental-eligible parcels in the LODA may contain vacation rentals. Additionally, the LODA regulations limit the life of a vacation rental permit to five years, with the possibility of renewal.

If this same model is applied to portions of Seacliff/Aptos, the most logical area for this would be the portion of the Aptos Planning Area closest to the beach, or south of Highway One from Park Avenue on the west to the Urban Services Line on the southeast, as shown on Attachment 1 as the Seacliff/Aptos Designated Area (SADA).

Currently, two streets in the SADA exceed the proposed model's 20 percent per block density. These are Beach Drive (approximately 35%) and Rio del Mar Boulevard between Beach Drive and the Cliff Drive/Kingsbury Drive intersection (27%). Applying the LODA model there without modification would mean that no new vacation rentals could be approved in those areas. Given that many of the homes along Beach Drive are vacation and/or second homes and that they are on or across Beach Drive from the beach, it may be appropriate to either exempt Beach Drive from a maximum percentage of vacation rentals or to propose a new ratio. A similar consideration could be made for the impacted area of Rio del Mar Boulevard.

The proposed amendments to the Vacation Rental Ordinance that were approved by your Board are tentatively scheduled to be heard by the Planning Commission on October 8<sup>th</sup>, returning to your Board on October 28<sup>th</sup>. In order for the Commission to consider staff's recommendation to extend the LODA model to the proposed SADA area, with possible exemptions or revised ratios for Beach Drive and a portion of Rio del Mar Boulevard, these dates may require some extension.

It is therefore **RECOMMENDED** that your Board take the following actions:

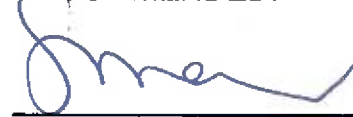
1. Accept and file this report;
2. Direct the Planning Department to take to the Planning Commission both the language in the amendments approved in concept by your board on August 19<sup>th</sup> and staff's recommendation to establish a Seacliff/Aptos Designated Area (SADA), that would apply the regulations of the Live Oak Designated Area to the SADA, with consideration of either a possible exemption of certain streets from any maximum number of vacation rentals or a revised ratio; and
3. Set the date of the Board of Supervisors public hearing on the ordinance amendments for October 28, 2014, including consideration of the Planning Commission's recommendation, and direct the Clerk of the Board to provide the requisite notice.

Sincerely,



Kathy M. Previsich  
Planning Director

RECOMMENDED:



---

SUSAN A. MAURIELLO  
County Administrative Officer

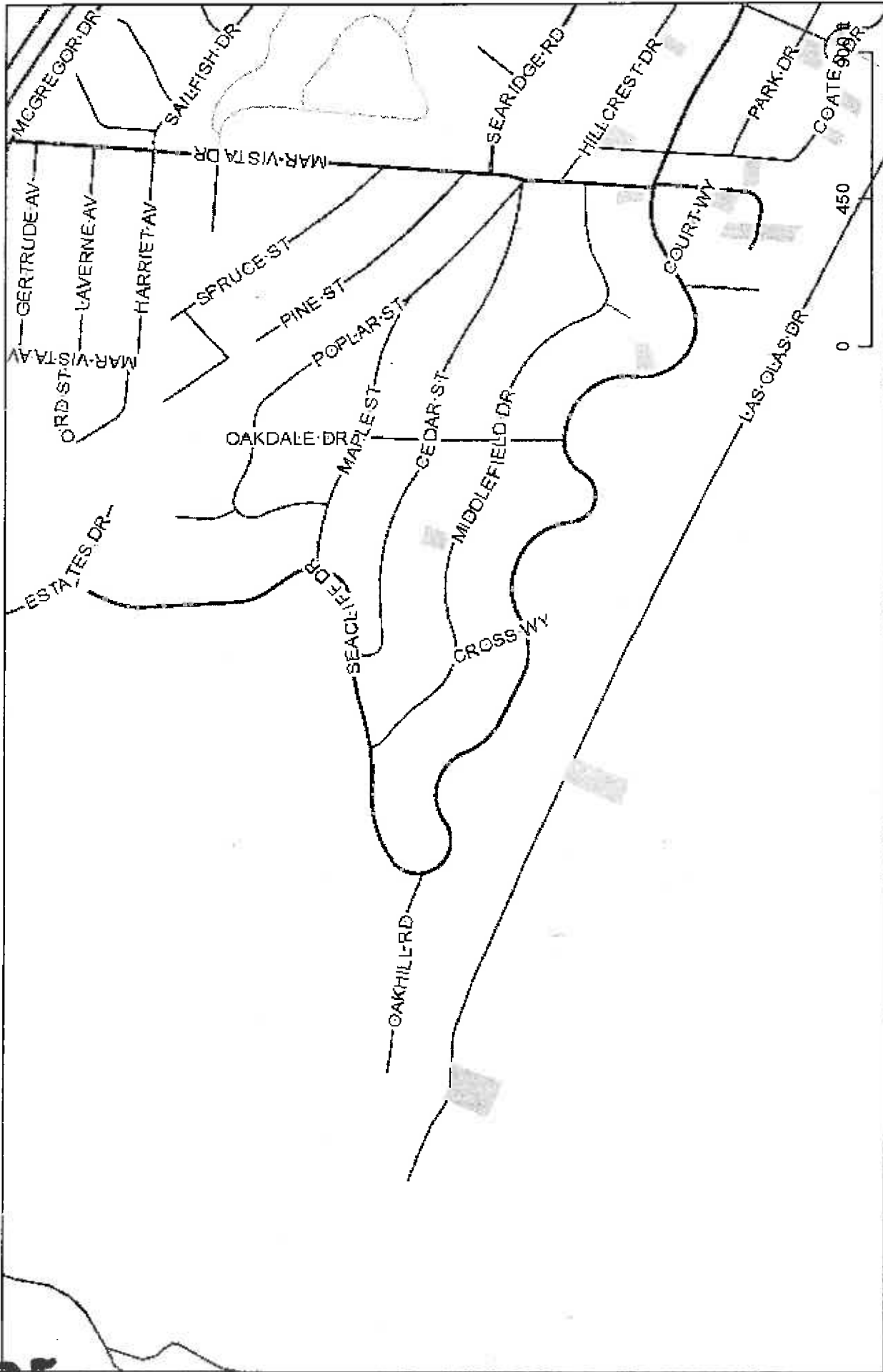
#### Attachments

1. Proposed Seacliff/Aptos Designated Area (SADA) map
2. Locations of Existing Vacation Rentals



August 28, 2014

Las Olas - Mar Vista

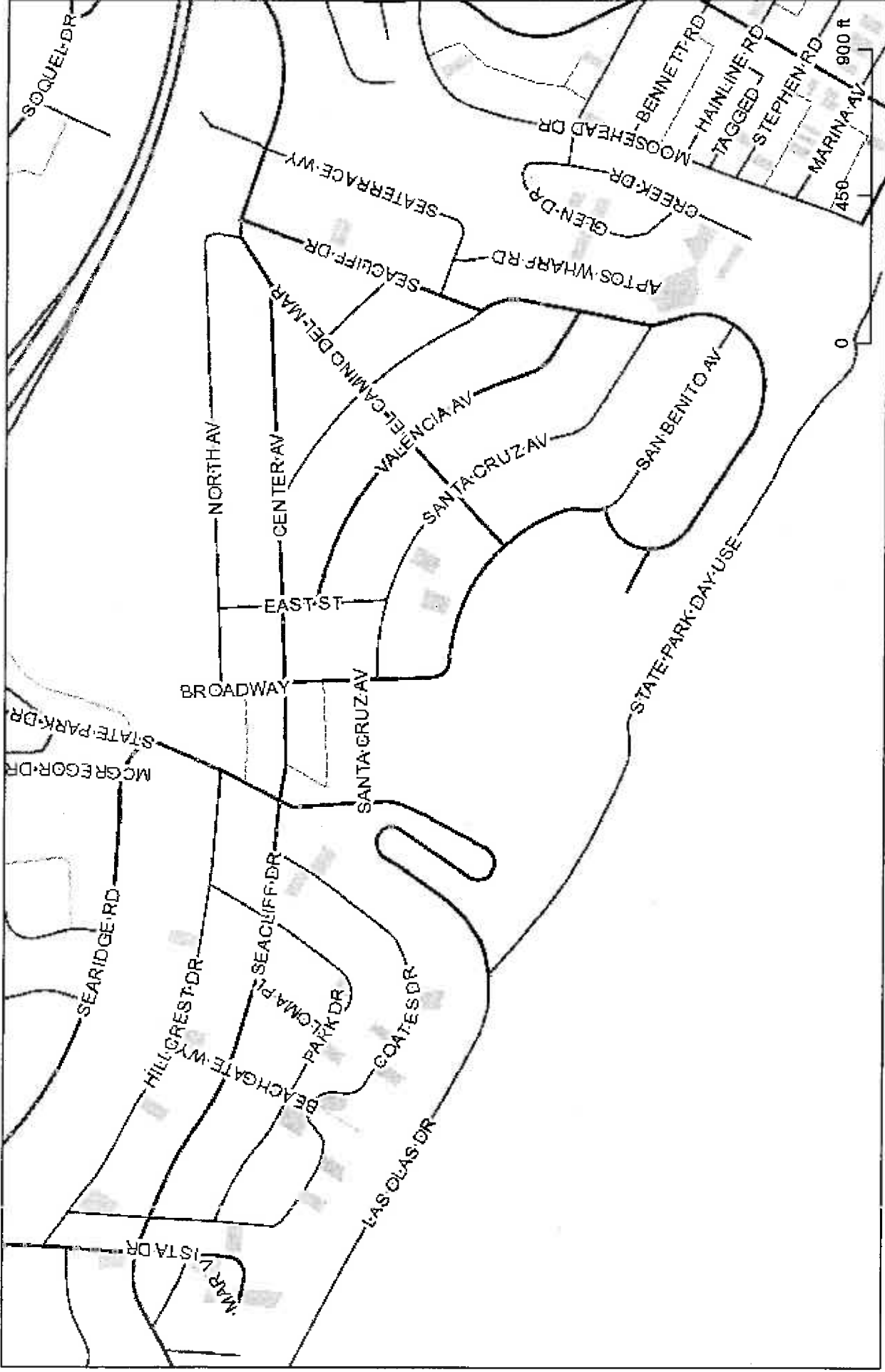


0300

LOCATIONS OF EXISTING VACATION RENTALS

August 28, 2014

Mar Vista - Moosehead



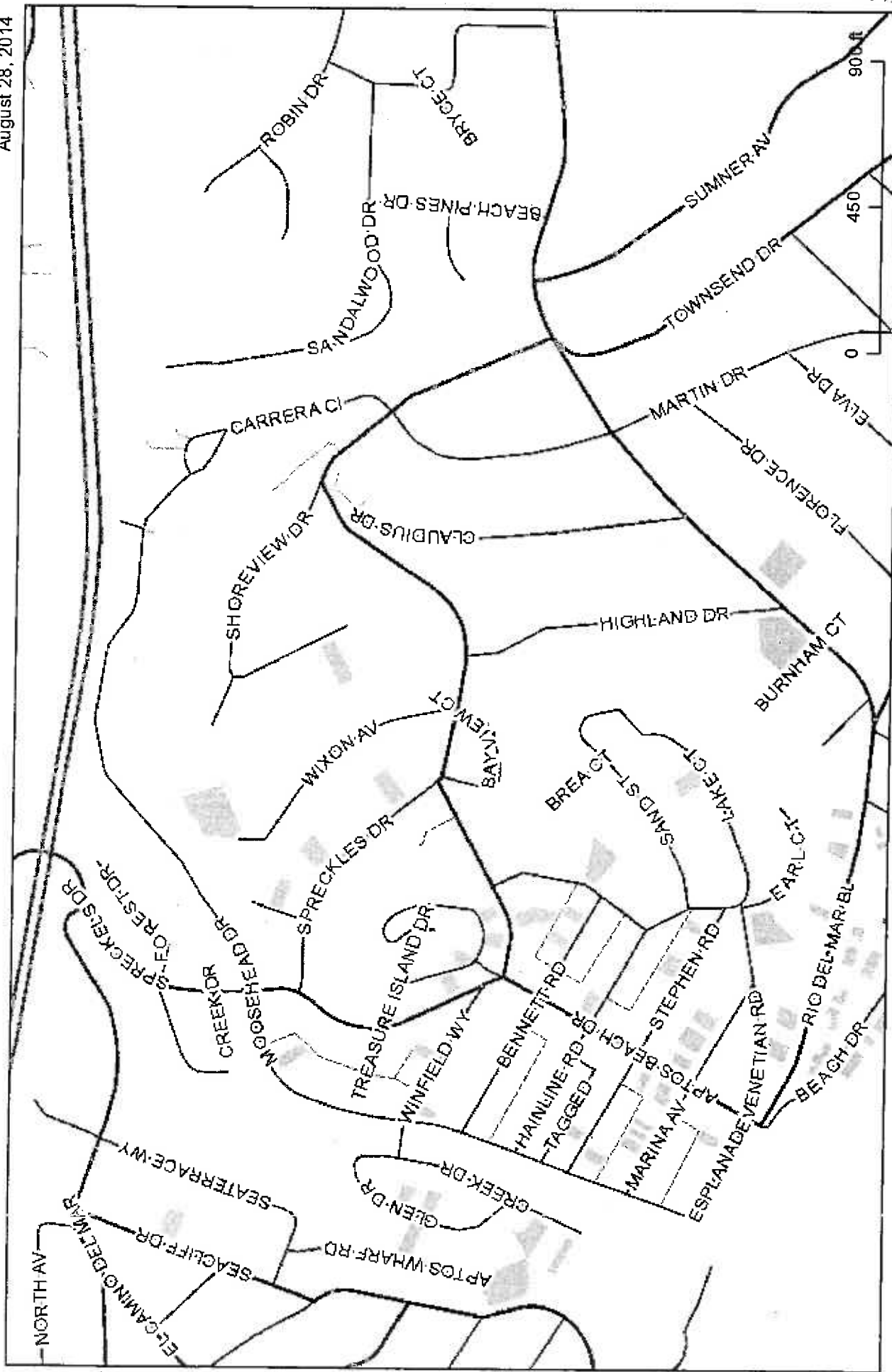
0301

LOCATIONS OF EXISTING VACATION RENTALS

August 28, 2014

0302

Rio del Mar

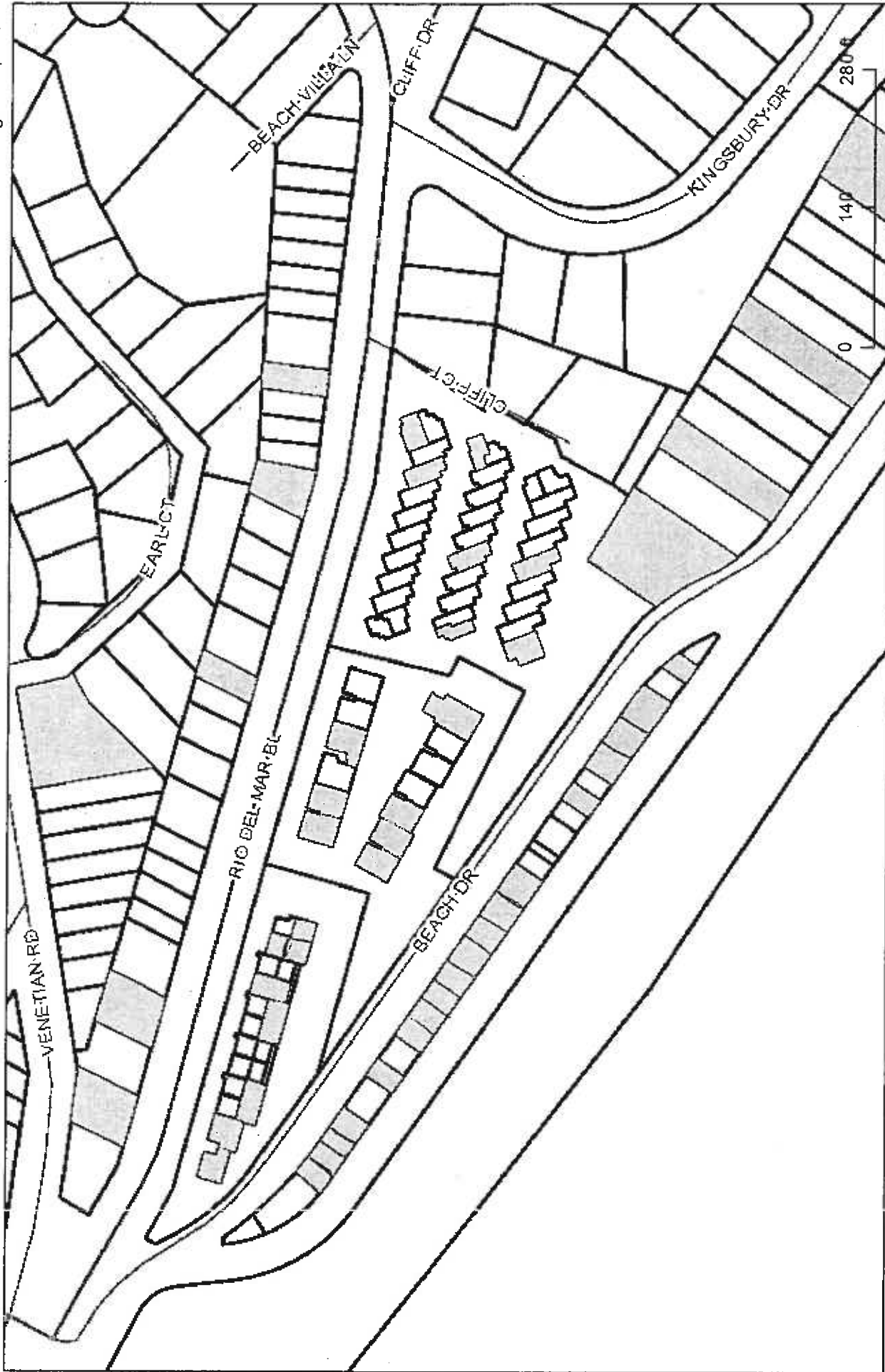


LOCATIONS OF EXISTING VACATION RENTALS



# Seacliff -- Beach Drive-Rio del Mar Blvd

August 28, 2014



- Vacation Rental Permitted
- Parcels
- Alley
- Business Route
- Driveway
- Levee
- Major Road
- Ramp
- State Highway
- Street
- Unnamed

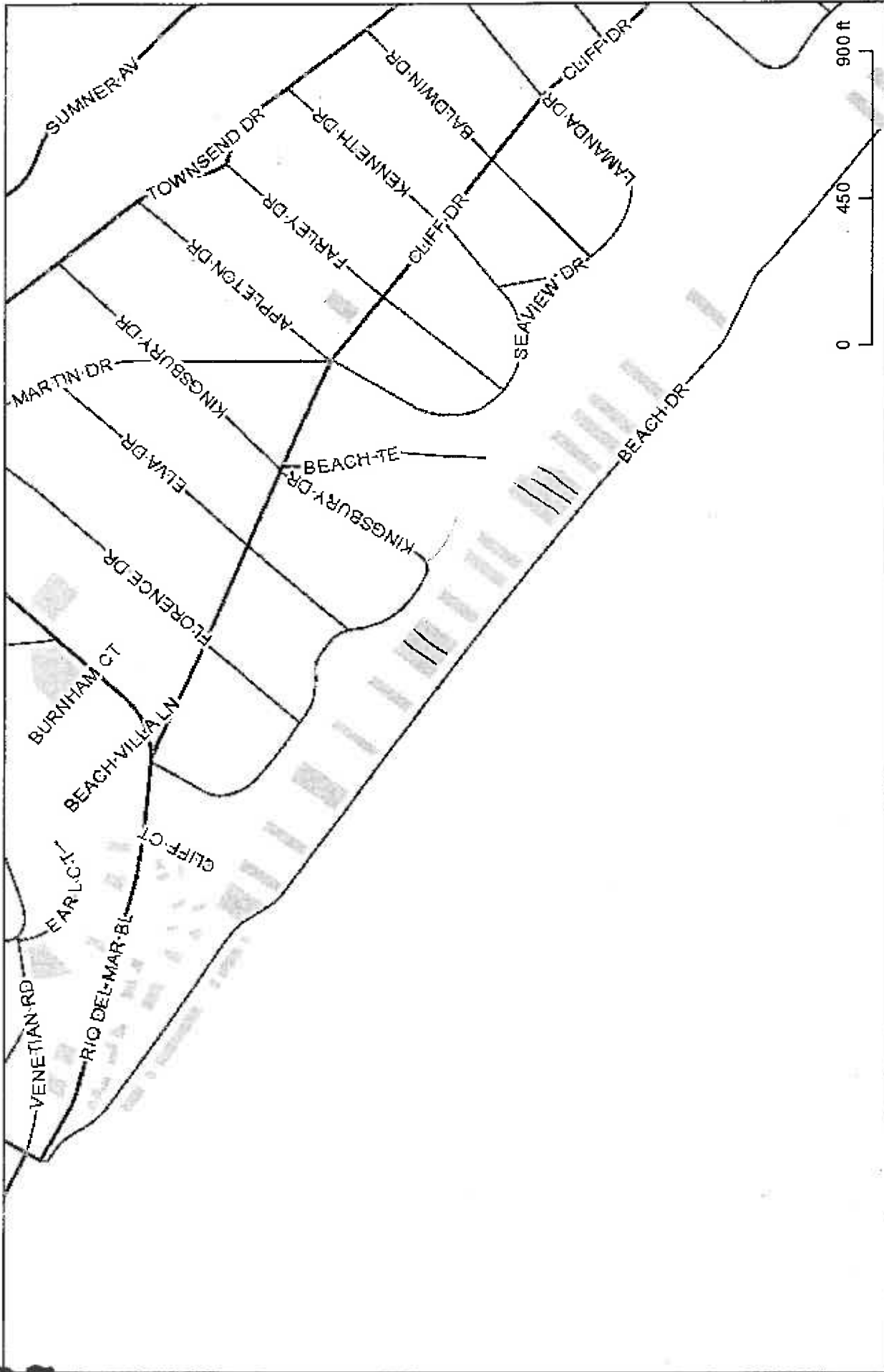
0303

## LOCATIONS OF EXISTING VACATION RENTALS

ATTACHMENT

August 28, 2014

Beach Drive North

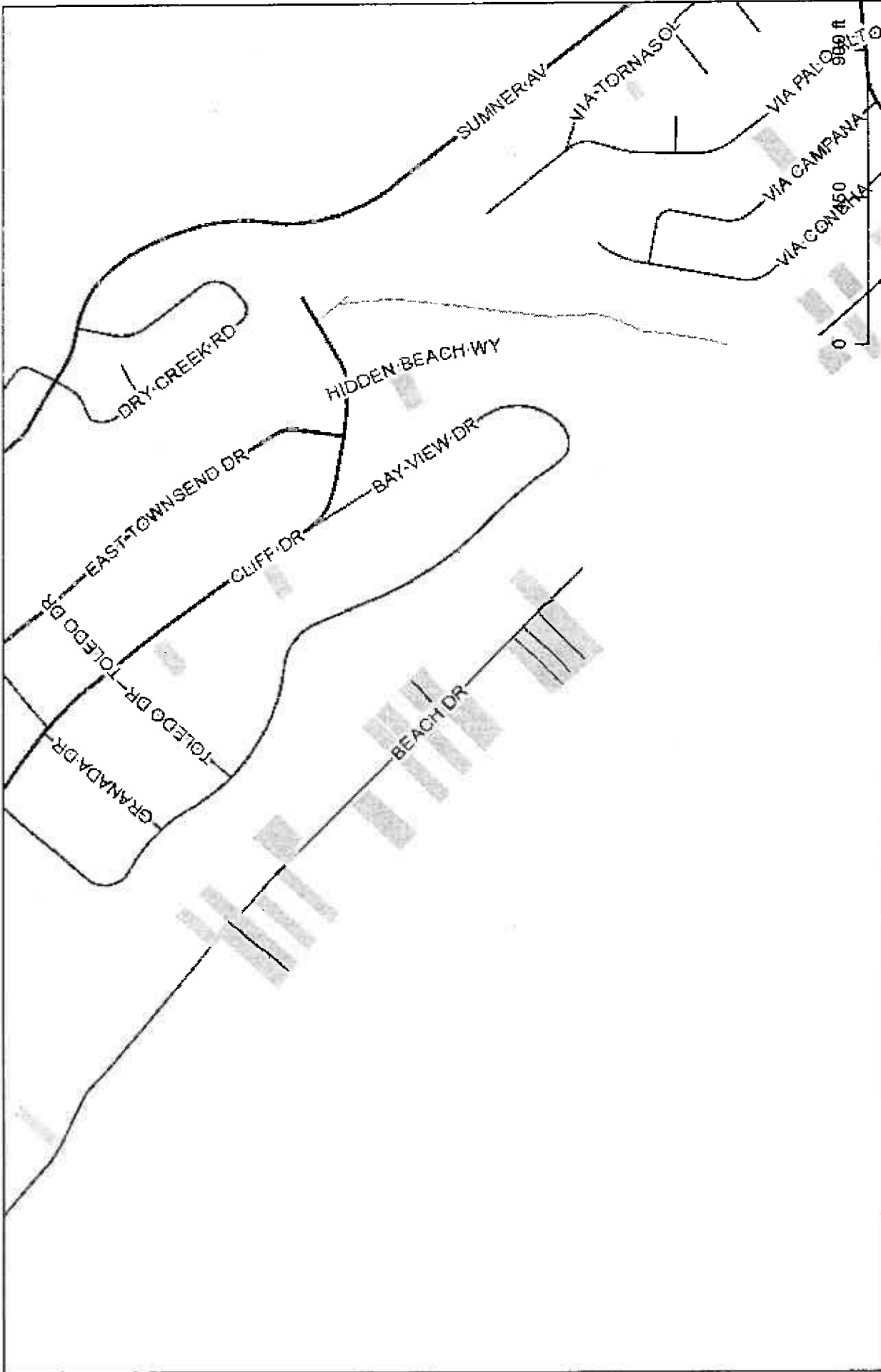


0304

LOCATIONS OF EXISTING VACATION RENTALS

August 28, 2014

0305



Beach Drive South

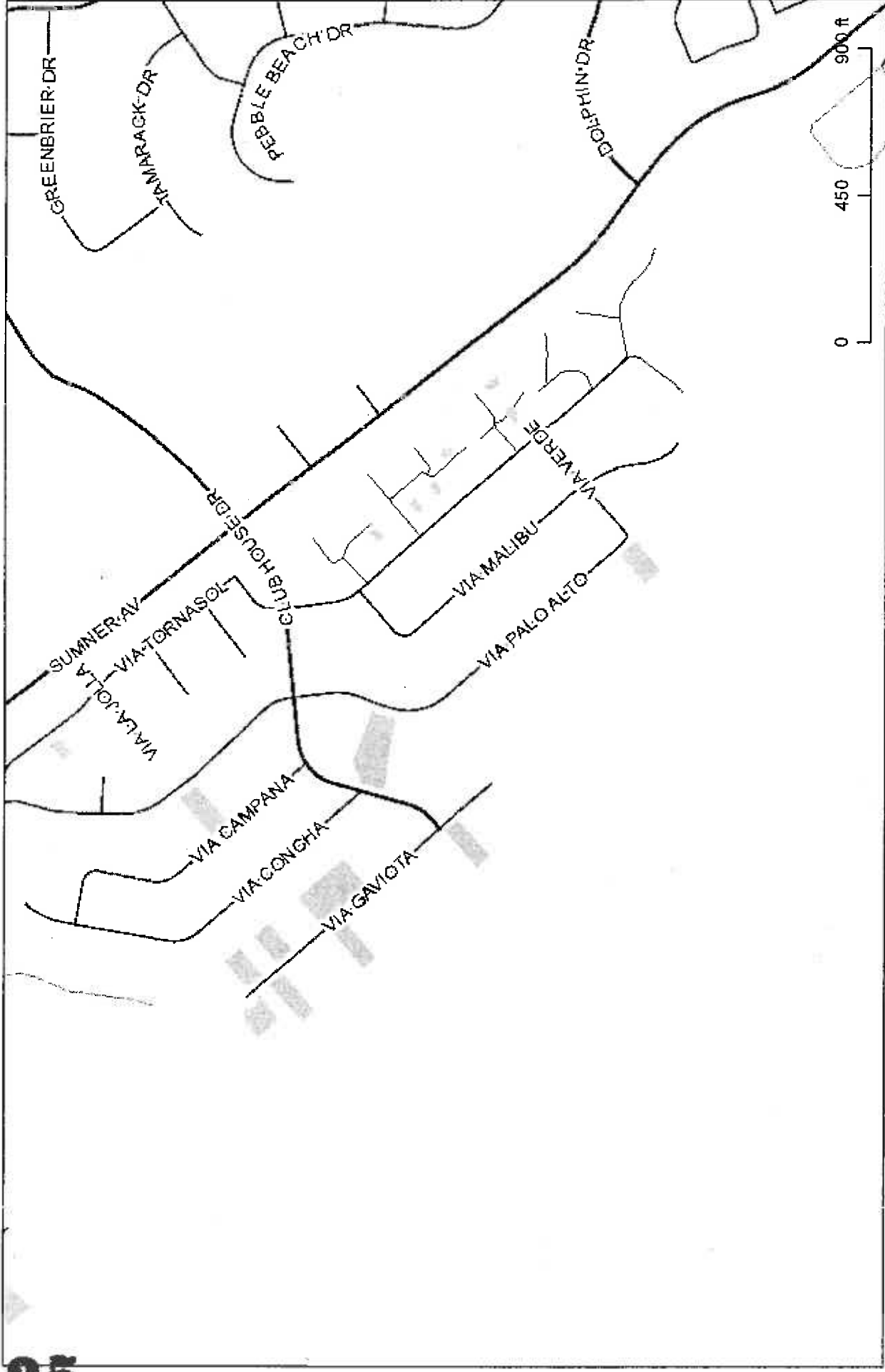
LOCATIONS OF EXISTING VACATION RENTALS



0306

Sumner - Clubhouse

August 28, 2014



LOCATIONS OF EXISTING VACATION RENTALS

**Alicia Murillo**

---

**From:** cbdbosmail@co.santa-cruz.ca.us  
**Sent:** Tuesday, September 16, 2014 6:34 AM  
**To:** CBD BOSMAIL  
**Subject:** Agenda Comments

---

**Meeting Date :** 9/16/2014

**Meeting Type :** County Board of Supervisors

**Item Number :** 25.00

**Name :** Rose Marie McNair

**Email :** Not Supplied

**Address :** Not Supplied

**Phone :** Not Supplied

**Comments :**

Honorable Supervisors:

When the Vacation Rental Ordinance was adopted, only one area had more stringent requirements, and that area was the Live Oak District Area, designated LODA. At that time, it was promised that only the LODA would have those restrictions.

Without consulting the large st property management company in the county, or others, as far as I know-- the County has placed this item on the consent agenda for calendaring with the Planning Commission for review.

It would seem logical to me that those experts in the field should be consulted prior to agendizing such mandates. I am unable to attend this meeting today, but I highly suggest that this item be pulled from the consent agenda for discussion and postponement.

Thank you for your consideration,  
Rose Marie McNair