



## Staff Report to the Zoning Administrator

Application Number: **171279**

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**Applicant:** Carol Davis  
**Owner:** Carol Davis  
**APN:** 043-031-01

**Agenda Date:** December 1, 2017  
**Agenda Item #:** 2  
**Time:** After 9:00 a.m.

**Project Description:** Proposal to operate a new 4 bedroom vacation rental. Requires a Vacation Rental Permit.

**Location:** Property located on the south side of Martin Drive at the corner of Elva Street and Martin Drive (322 Martin Drive) in Aptos.

**Supervisory District:** 2nd District (District Supervisor: Friend)

**Permits Required:** Vacation Rental Permit

### Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 171279, based on the attached findings and conditions.

### Exhibits

- |    |                                            |    |                                                    |
|----|--------------------------------------------|----|----------------------------------------------------|
| A. | Categorical Exemption (CEQA determination) | F. | Vacation Rental Agreement                          |
| B. | Findings                                   | G. | Assessor's, Location, Zoning and General Plan Maps |
| C. | Conditions                                 | H. | Comments & Correspondence                          |
| D. | Project plans                              |    |                                                    |
| E. | Vacation Rental Permit Application         |    |                                                    |

### Parcel Information

|                                  |                                      |
|----------------------------------|--------------------------------------|
| Parcel Size:                     | Approximately 6,000 square feet      |
| Existing Land Use - Parcel:      | Residential                          |
| Existing Land Use - Surrounding: | Residential                          |
| Project Access:                  | Martin Drive                         |
| Planning Area:                   | Aptos                                |
| Land Use Designation:            | R-UL (Urban Low Density Residential) |

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Zone District: R-1-6 (Single family residential - 6,000 square feet minimum)  
Coastal Zone: X Inside      Outside  
Appealable to Calif. Coastal Comm.      Yes X No

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
Soils: Soils report not required  
Fire Hazard: Not a mapped constraint  
Slopes: Parcel is flat  
Env. Sen. Habitat: Not mapped  
Grading: No grading proposed  
Tree Removal: No trees proposed to be removed  
Scenic: Not a mapped resource  
Drainage: No change to existing drainage  
Archeology: Not mapped

### Services Information

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

### Project Setting/Analysis

The subject parcel is approximately 6,000 square feet in size and located on the corner of Elva Drive and Martin Drive in Aptos. The subject parcel is developed with an existing single family dwelling with attached garage constructed in 1995. Properties in the vicinity are developed with single family dwellings.

The project is located in a quiet coastal neighborhood containing primarily single family dwellings consisting of a mix of architectural styles. Streets in the vicinity are sufficient to provide non-exclusive on-street parking and adequate sight distance. Currently, there are no approved Residential Vacation Rentals within three blocks of the subject property.

This is a proposal to operate a residential vacation rental in an existing four bedroom dwelling. The property is shown on maps as located within a portion of the Seacliff/Aptos Designated Area (SADA) which limits the number of vacation rentals to 20% on a residential block. All vacation rentals within the SADA expire five years from the date of issuance. As indicated in SCCC 13.10.694(D)(2), a public hearing is required for vacation rentals consisting of four or more bedrooms.

Taylor Property Management has been designated as the 24-hour contact for the proposed vacation rental. Taylor Property Management has a history of managing vacation rentals in the County of Santa Cruz and maintains policies regarding 24-hour emergency response procedures and coordinating payment of Transient Occupancy Taxes to the Treasurer-Tax Collector.

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

The subject property is a parcel of approximately 6,000 square feet, located in the R-1-6 (Single family residential - 6,000 square feet minimum) zone district, a designation which allows residential uses and vacation rentals. The proposed vacation rental is a principal permitted use within the zone district and the zoning is consistent with the site's R-UL (Urban Low Density Residential) General Plan designation.

### **Conclusion**

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

### **Staff Recommendation**

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **171279**, based on the attached findings and conditions.

**Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.**

**The County Code and General Plan, as well as hearing agendas and additional information are available online at: [www.co.santa-cruz.ca.us](http://www.co.santa-cruz.ca.us)**

Report Prepared By: Nathan MacBeth  
Santa Cruz County Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz CA 95060  
Phone Number: (831) 454-3118  
E-mail: [nathan.macbeth@santacruzcounty.us](mailto:nathan.macbeth@santacruzcounty.us)



# CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 171279

Assessor Parcel Number: 043-031-01

Project Location: 322 Martin Drive

**Project Description: Proposal to operate a vacation rental in an existing single family dwelling.**

**Person or Agency Proposing Project: Carol Davis**

**Contact Phone Number: (209) 825-4282**

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

E. ☒ **Categorical Exemption**

Specify type: Class 1 - Existing Facilities (Section 15301)

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

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

None of the conditions described in Section 15300.2 apply to this project.

\_\_\_\_\_  
Nathan MacBeth, Project Planner

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



## **Development Permit Findings**

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

This finding can be made in that the proposed vacation rental is located in an existing four bedroom residential structure with an attached garage in an area consistent with County code Section 13.10.694 designated for residential uses and is not encumbered by physical constraints to development. The residential vacation rental will comply with health and safety standards established for vacation rental units, including smoke and carbon monoxide alarms, working ground fault circuit interrupters, emergency egress in all sleeping rooms, and handrails along stairs and walking surfaces above 30 inches in height to insure the optimum in safety. In addition, the vacation rental standards address noise, occupancy, and parking to ensure that there are no detrimental effects of the vacation rental.

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that the location of the proposed vacation rental and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances, including the vacation rental ordinance, and the purpose of the R-1-6 zone district which allows one single family residential dwelling and vacation rental use of the dwelling, meeting all requirements of the vacation rental ordinance.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed residential vacation rental use is consistent with the use and density requirements specified for the Urban Low Residential land use designation in the County General Plan as it is a residential use in an existing residential structure and the vacation rental ordinance implements the standards contained in the Noise Element of the General Plan.

4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed residential vacation rental is to be located within an existing single family residential structure. The expected level of traffic generated by the proposed vacation rental is commensurate to any other residential use of the dwelling because the short term rental occupancy of a residence does not change the type of use within the dwelling and, further, guest celebrations that result in temporary increased traffic can occur with both non-vacation rental residential use and vacation rental use.

Application #: 171279

APN: 043-031-01

Owner: Davis

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

This finding can be made, in that the short term vacation rental is proposed to be located within an existing residential dwelling located within a residential neighborhood, consistent with the land use intensity and density of residential neighborhoods. Both non-vacation residential uses and vacation rental uses can include celebrations that result in temporary increase in vehicles and building occupancy.

## Conditions of Approval

Exhibit D: Project Plans 2 sheets, prepared by Richard Emigh, dated 9/18/17

- I. This permit authorizes the operation of a 4 bedroom vacation rental. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
- II. Operational Conditions
  - A. The vacation rental shall be maintained and operated so that, at all times, it is in compliance with the conditions of approval. 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.
  - B. The maximum, overnight occupancy of the vacation rental shall not exceed 10 people (children under 8 years old are not counted).
  - C. Maximum number of people that are allowed for celebrations and gatherings between the hours of 8:00am and 10:00pm shall not exceed 20 people (children under 8 are not counted).
  - D. The maximum number of vehicles associated with the overnight occupants shall not exceed 6, (number of on-site parking spaces, plus 2 additional on-street spaces that are not assigned to or for exclusive use of the vacation rental).
  - 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.
  - J. 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. Permits for vacation rentals located in the Seacliff Aptos Designated Area (SADA) shall expire 5 (five) years from the date of approval. To continue in operation as a legal vacation rental, an application to renew the permit must be made before the expiration date, but no sooner than 180 days before the expiration date. Vacation rental permits in the SADA are non-transferable and become void when a property transfer triggers reassessment
  - M. 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.
- 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.

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

**Please note: This permit expires five years from the approval date listed below unless an application to renew this approval is submitted prior to the expiration date.**

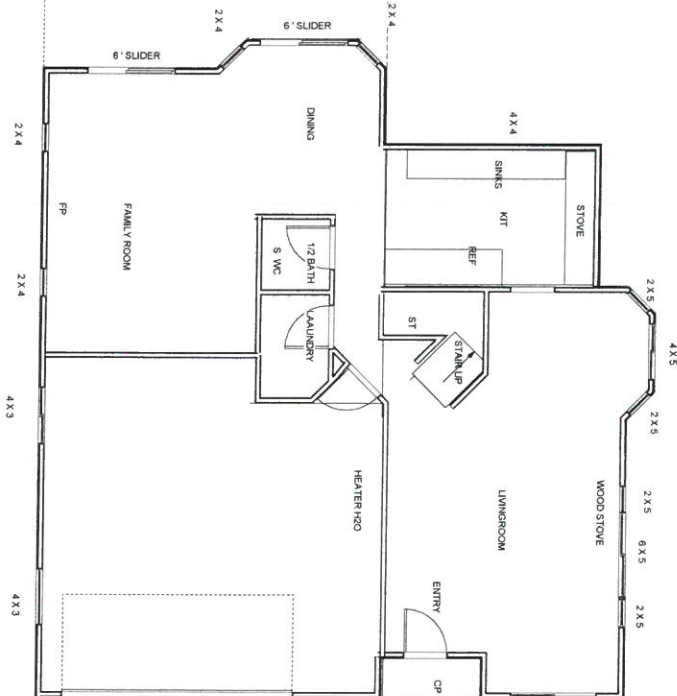
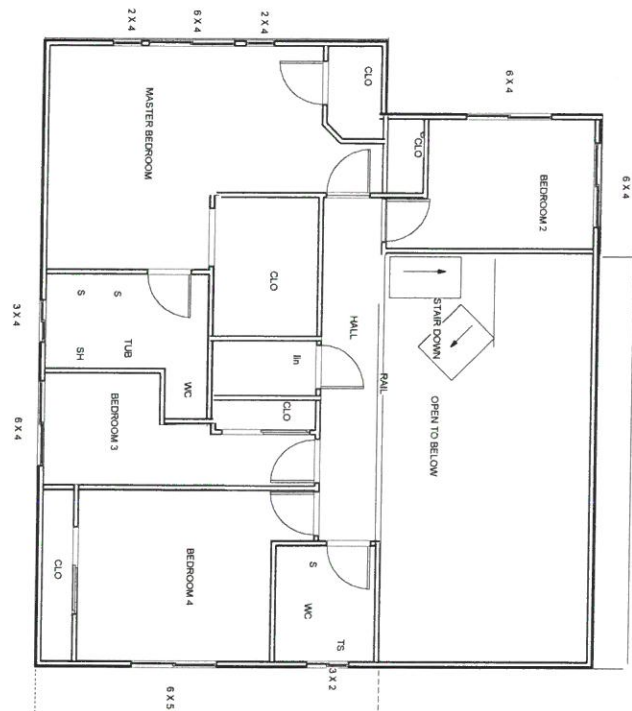
Approval Date: \_\_\_\_\_

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

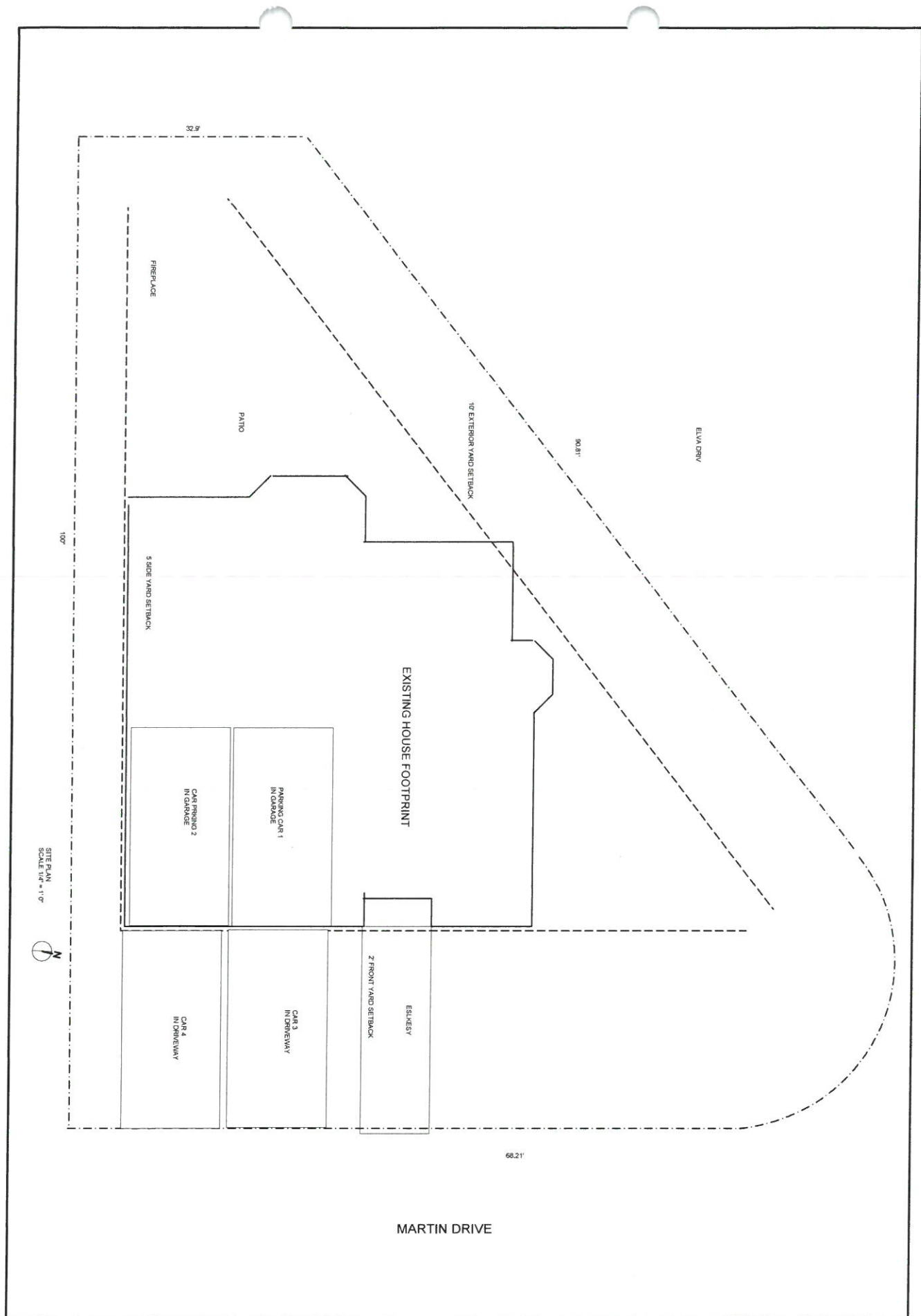
Expiration Date: \_\_\_\_\_

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








SITE PLAN  
SCALE 1/4" = 1'-0"



|                                                                                                     |                                                                                    |                                                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 322 Main Drive, Apros CA<br>PLANS FOR VACATION RENTAL<br>Existing 3 Bedroom House<br>APN 043-031-01 | OWNER:<br>Richard L. Emigh<br>809 Spring Valley Dr<br>14502-0410<br>C 202-821-9251 |  <b>RICHARD L. EMIGH A.I.B.D.</b><br>DRAFTING, DESIGNING & LAND USE ANALYSIS<br>413 Capitola Avenue Capitola, CA 95010<br>Phone: 831-479-1452 Fax: 831-479-1476 |
|                                                                                                     | DRAWN 5-18-2011<br>BY ELE                                                          |                                                                                                                                                                                                                                                     |



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

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

## Vacation Rental Permit Application

Carefully read the List of Required Information (LORI) on page 7 and ensure that ALL required information is included with this application. If you do not have ALL of the required information, your application will not be accepted.

### Permit and Property Information

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

Assessor's Parcel Number (APN): 043-031-01  
(APNs MAY BE OBTAINED FROM THE ASSESSOR'S OFFICE AT (831) 454-2002)

Street Address: 322 MARTIN DRIVE APTOS CA

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

NAME: Richard L. Emery

MAILING ADDRESS: 413 Capitola Ave

CITY/STATE Capitola CA ZIP 95010

PHONE NO. (831) 479-1452 CELL PHONE NO. ( ) \_\_\_\_\_

EMAIL: REDESIGN@2@YAHOO.COM

### Owner Information

NAME: Carla Davis

MAILING ADDRESS: 879 SPRING MEADOW

CITY/STATE MARTINEZ CA ZIP \_\_\_\_\_

PHONE NO. (209) 825-4292 CELL PHONE NO. (209) 601 5057

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

### **NOTE:**

If the application submittal is made by anyone other than the owner, a signed Owner/Agent form (attached) or a property management agreement must be submitted with the application.

**24-HOUR CONTACT**

**NOTE: 24-Hour Contact must reside within a 30 mile radius of the vacation rental**  
NAME: Taylor Property Management (Jen Phillips)

MAILING ADDRESS: 118 Pearl Alley Suite C

CITY/STATE Santa <sup>Cruz</sup> ~~Crus~~, CA

ZIP

PHONE NO. (831) 515-5601

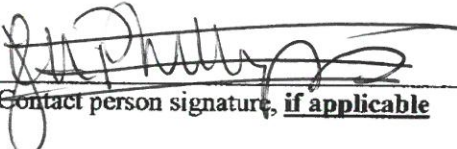
CELL PHONE NO. (831) 359-7280

EMAIL: Jenidischer@yahoo.com capitolavacationrentals@gmail.com

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

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

X

  
Contact person signature, if applicable





## VACATION RENTAL SAFETY CERTIFICATION

The following items require verification to assure the vacation rental unit is equipped and maintained to minimum safety standards to help provide for a safe vacation experience. Verification can be performed by owner (self-certified), certified home inspector, County Building Inspector, or by the property manager/agent.

- ☒ **Smoke alarms** (listed and approved by the State Fire Marshall) installed in the following locations per the 2016 California Residential Code, Sec. R314.1.
  - In each sleeping room.
  - Outside each separate sleeping area in the immediate vicinity of the bedroom(s).
  - At least one alarm on each story, including basements and habitable attics.
- ☒ **Carbon Monoxide alarms** (listed by an approved agency such as UL) installed in the following locations per the 2016 California Residential Code, Sec. R315.1.
  - Outside each separate sleeping area in the immediate vicinity of the bedroom(s).
  - At least one alarm on each story, including basements and habitable attics but not including crawl spaces or uninhabitable attics.
- ☒ Working **GFCI's** (ground fault circuit interrupters) required at all receptacles within 6 feet of all kitchen, bathroom, bar and laundry sinks per the 2016 California Electrical Code, Art. 210.8.
- ☒ All sleeping rooms shall be provided with at least one **emergency egress window** with a minimum net clear opening of 5 square feet, with a minimum opening height of 24 inches and minimum net clear opening width of 20 inches, with the bottom of the clear opening being not greater than 44" measured from the floor. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided such devices are releasable or removable from the inside without the use of a key, tool or special knowledge. Per the 2016 California Residential Code, Sec. R310.
- ☒ All stairs shall have at least one continuous **handrail** running the full length of the stairs per the 2016 California Residential Code, Sec. R311.7.8
- ☒ All walking surfaces measured vertically more than 30" above grade or other floor levels, including mezzanines, platforms, stairs, ramps and landings shall have **guard railing** a minimum of 42" in height with openings no greater than 4" per the 2016 California Residential Code, Sec. R312.1. Exception: Guards on the open sides of stairs shall have a height not less than 34" measured vertically from a line connecting the leading edges of the treads.
- ☐ **Pool/spa safety barrier** enclosures shall comply with Santa Cruz County Code, Sec. 12.10.216. Exception: Self-contained spas/ hot tubs with approved safety covers need not comply with barrier reqs.
- ☒ Rental equipped with at least one **fire extinguisher** (type 2A10BC) installed in a readily visible/accessible location near the kitchen.

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

Carol Davis

Owner of Rental Unit

9/11/17

Date

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

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

John Phillips

Property Manager/Agent

9/20/17

Date

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

**PLANS REQUIRED FOR RENEWALS**

Please check the appropriate boxes below.

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

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

**APPLICANT'S SIGNATURE**

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

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

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

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

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

Carol Davis  
Signature of Owner or Authorized Agent

Sept 11, 2017  
Date





## *Taylor Property Management Services*

### **Booking Confirmation**

Dear Guest:

Thank you for choosing our vacation rental home for your vacation. We want you to have a pleasant stay and will provide all the services related to your rental.

The property is located at:

**322 Martin Drive  
Aptos, CA 95003**

Your confirmation is as follows:

**Check-in date:** \_\_\_\_\_ **after 3pm PST**  
**Check-out date:** \_\_\_\_\_ **by 11am PST**

**Number of adults:** \_\_\_\_\_  
**Number of children:** \_\_\_\_\_

**Please sign and return the attached rental agreement.**

**Keys are available in a lockbox on the property. Code will be provided to you on date of check in. Please note that we charge a \$50 key replacement fee. Please be sure to put the key back in the lock box upon departure.**

**Enjoy your stay!**





## *Taylor Property Management Services*

### SHORT TERM RENTAL AGREEMENT

This Short Term Rental Agreement (the “*Agreement*”) is made by and between Taylor Property Management Group (“*Property Manager*”) and \_\_\_\_\_ (“*Guest*”) as of the date last set forth on the signature page of this Agreement. For good and valuable consideration, the sufficiency of which is acknowledged, the parties hereby agree as follows:

1. Property. The property is located at:

322 Martin Drive, Aptos, CA 95003

The property is furnished and includes linens and towels.

2. Rental Party: The rental party shall consist of Guest and the following persons:

3. Maximum Occupancy: The maximum number of guests is limited to **10** persons which is a maximum of 2 adults per bedroom + 2 children under the age of 8 years old.

4. Term of the Lease. The lease begins at 3 p.m. on \_\_\_\_\_ (the “*Check-in Date*”) and ends at 11 a.m. on \_\_\_\_\_ (the “*Checkout Date*”).

5. Minimum Stay: This property requires a **2** night minimum stay.

6. Rental Rules: Guest agrees to abide by the **Rental Rules** attached at all times while at the property and shall cause all members of the rental party and anyone else Guest permits on the property to abide by the following rules at all times while at the property.

7. Access: Guest shall allow Property Manager access to the property for purposes of repair and inspection. Property Manager shall exercise this right of access in a reasonable manner.



## *Taylor Property Management Services*

### 8. Rental Rate and Fees

- a. Deposit: A deposit of \$ 500 is collected before arrival.

The deposit is for security and shall be refunded within 10 days of the Checkout Date provided no deductions are made due to:

- i. damage to the property or furnishings;
- ii. dirt or other mess requiring excessive cleaning; or
- iii. any other cost incurred by Property Manager due to Guest's stay.
- iv. In the event guest fails to check out by 11am, guest will be charged another night's stay. Late checkout times must be prearranged with Property Manager prior to date of checkout

***If the premises appear dirty or damaged upon Check-in, Guest shall inform Property Manager immediately.***

- b. Rental Rate. Payment in full is due 30 days before arrival.

|                                   |                          |
|-----------------------------------|--------------------------|
| <u>    </u> nights @ \$ per night | \$ <u>          </u>     |
| Cleaning fee                      | \$ <u>  225  </u>        |
| T.O.T Tax 11%                     | \$ <u>          </u>     |
| TMD Tax @ \$1.75/night            | \$ <u>          </u>     |
| <br>TOTAL Charge                  | <br>\$ <u>          </u> |

9. Cancellation Policy: 50% Refund up to one week prior to rental per Airbnb/Homeaway policy.

10. Insurance: We encourage all renters to purchase travelers insurance.



## *Taylor Property Management Services*

**The parties agree to the terms of this Short Term Rental Agreement, as evidenced by the signatures set forth below.**

Property Manager:  
Taylor Property Management Group

Guest:

(Signature): \_\_\_\_\_

Name: Jen Phillips \_\_\_\_\_

Name (print): \_\_\_\_\_

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

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

Phone # (during stay):

Phone # (during stay):

831-359-7280 \_\_\_\_\_

\_\_\_\_\_

Email: capitolavacationrentals@gmail.com Mailing Address: \_\_\_\_\_

City, St, Zip \_\_\_\_\_

Email: \_\_\_\_\_

[Rest of page intentionally left blank]





## *Taylor Property Management Services*

### **RENTAL RULES**

1. Smoking is NOT allowed.
2. People other than those in the Guest party set forth above may not stay overnight in the property. Any other person in the property is the sole responsibility of Guest and must abide by the rental rules. Gatherings are limited to 20 persons and must be held between the hours of 8am and 10pm
3. All of the units are privately owned; the owners are not responsible for any accidents, injuries or illness that occurs while on the premises or its facilities. The Property Manager 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 others whom they invite to use the premise.
4. Keep the property and all furnishings in good order
5. Only use appliances for their intended uses
6. Pets are NOT allowed. Knowledge of pets on property will result in loss of deposit.
7. Keys. We charge \$50 for key replacement. Be sure to put the keys back in the lock box upon departure
8. Parking: There are 2 parking spaces on site and also off-street parking. Street parking is on a first come, first serve basis. Property Manager is not responsible for lack of street parking.
9. Housekeeping: There is no daily housekeeping service. Cleaning is done prior to guest arrival, and immediately afterwards
10. Water Usage: The State of California is in a major drought. We ask that you use water sparingly. DO NOT FLUSH anything other than toilet paper. No feminine products should be flushed at any time.
11. Storms: If there is a storm or hurricane, no refunds will be given unless:
  - The state or local authorities order mandatory evacuations in a "Tropical Storm/Hurricane Warning area" and/or
  - A "mandatory evacuation order has been given for the Tropical Storm/Hurricane Warning" area of residence of a vacationing guest.



## ***Taylor Property Management Services***

11. Illegal Activity: Any illegal activity including but not limited to drug use, noise violations including fireworks, violence, and destruction of property will result in eviction and forfeiture of deposit, paid rental rates, and may result in criminal charges.
12. Garbage: All garbage must be contained in trash receptacles inside of unit.
13. Noise ordinance: All guests must abide by noise ordinance and keep noise to a minimum between the hours of 10pm and 8am.
14. NO FIREWORKS allowed under any circumstances!

# FOR TAX PURPOSES ONLY

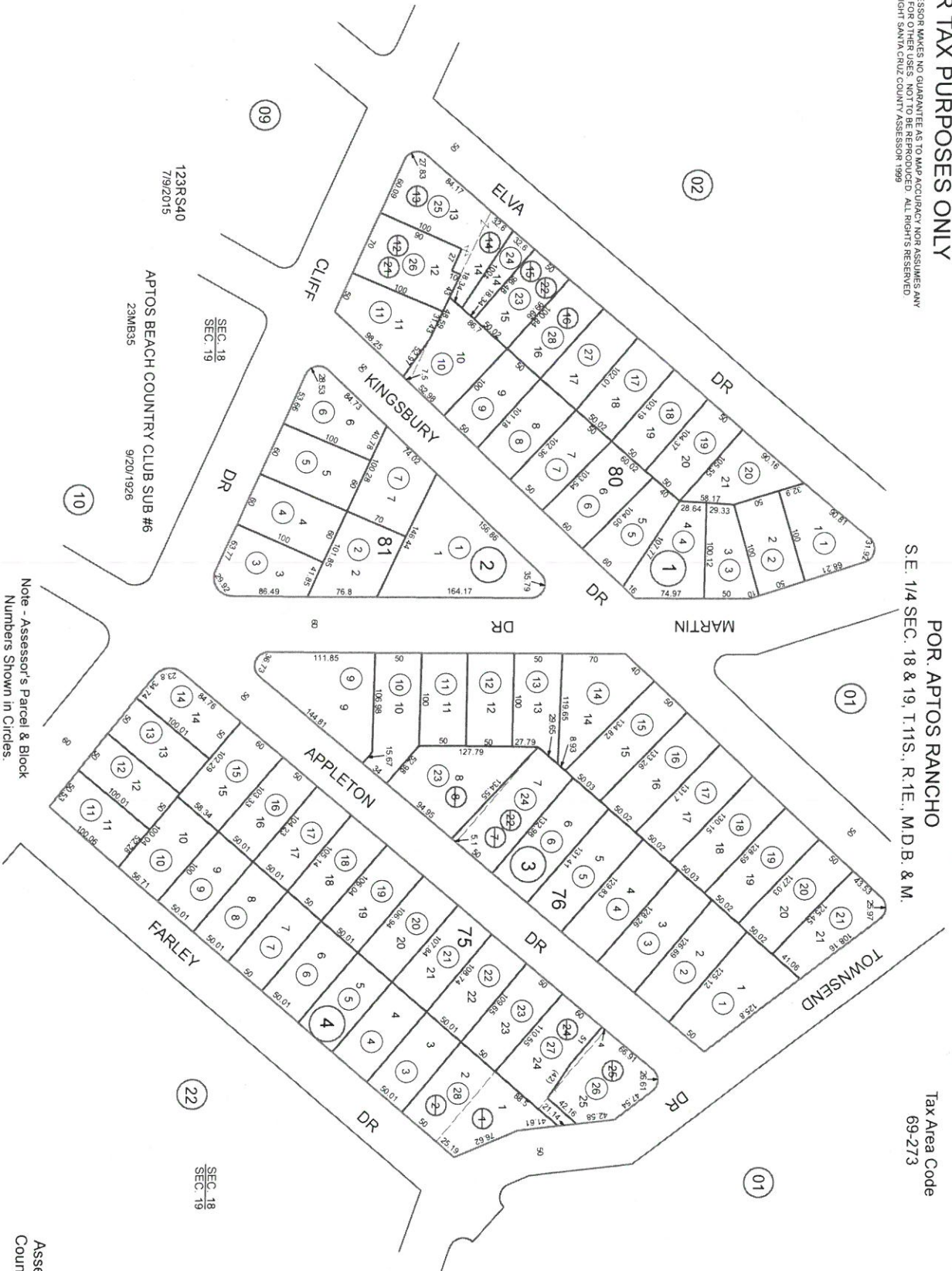
THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE USED FOR ANY OTHER PURPOSES.  
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POR. APTOS RANCHO  
S.E. 1/4 SEC. 18 & 19, T.11S., R.1E., M.D.B. & M.

Tax Area Code  
69-273

43-03

Electronically Redrawn 2/4/99 rw  
Rev. 3/15/17 jg (123RS40)



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

Assessor's Map No. 43-03  
County of Santa Cruz, Calif.  
Feb. 1999

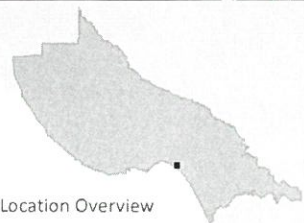
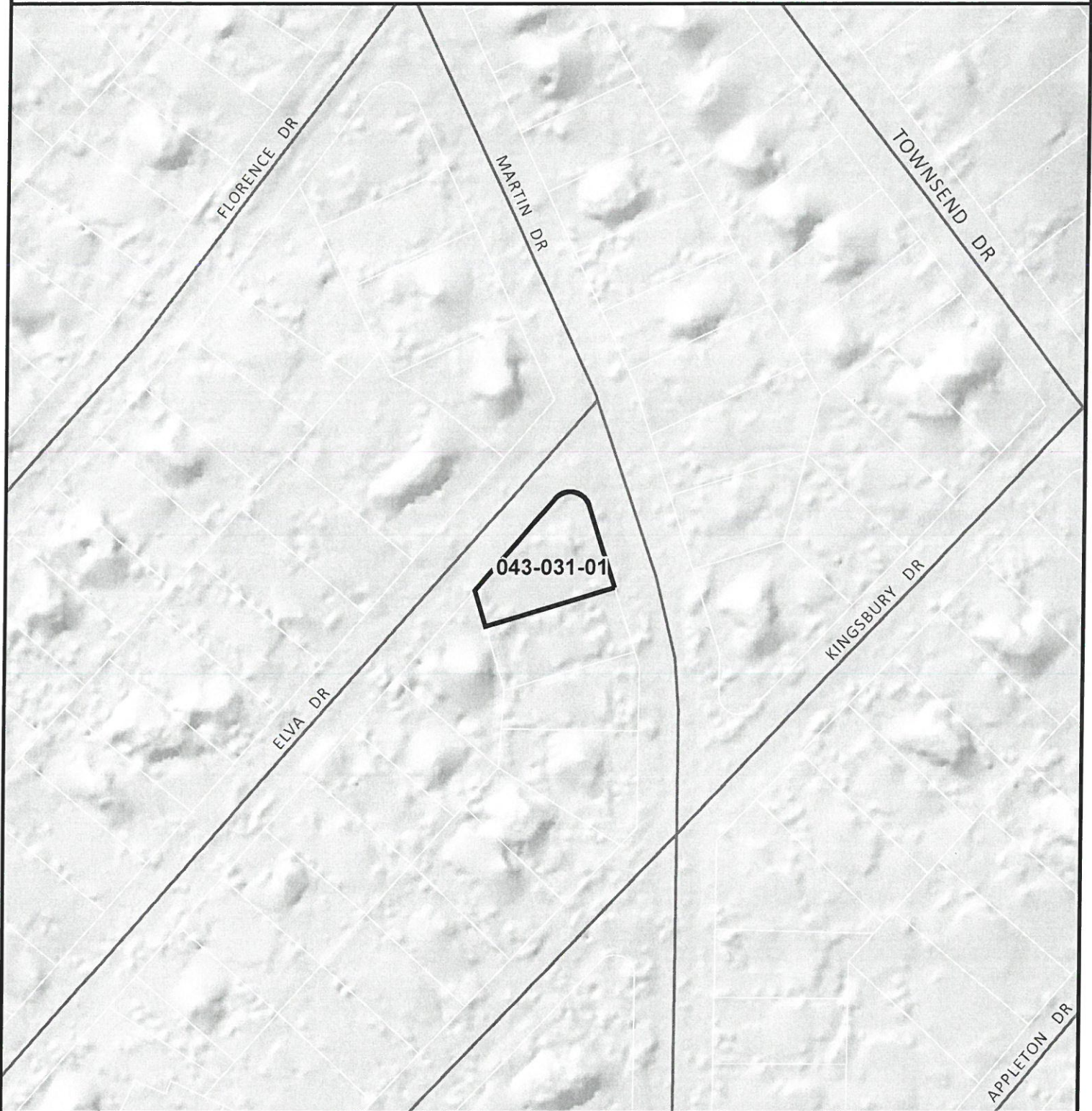




# Parcel Location Map

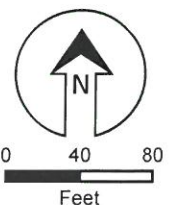
Santa Cruz County Planning Department

Parcel Number  
**043-031-01**  
Oct. 31, 2017



## Symbol Key

— Street







# Parcel Zoning Map

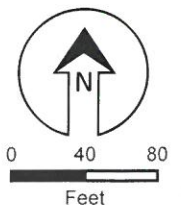
Santa Cruz County Planning Department

Parcel Number  
**043-031-01**  
Oct. 31, 2017



## Zoning

- (PF) Public & Community Facilities
- (R-1) Single-Family Residential







# Parcel General Plan Map

Santa Cruz County Planning Department



Parcel Number

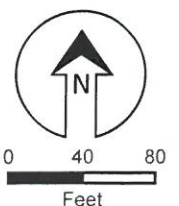
043-031-01

Oct. 31, 2017



## General Plan

-  P - Public Facilities
-  R-UL - Residential - Urban Low Density





## Nathan MacBeth

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**From:** Nathan MacBeth  
**Sent:** Thursday, November 09, 2017 4:55 PM  
**To:** 'Terri Cesari'  
**Subject:** RE: Rentals on Martin Dr.

Terri,

Looks like I forgot to give you the link to the vacation rental page on our website.

Here it is: <http://www.sccoplanning.com/PlanningHome/ZoningDevelopment/VacationRentals.aspx>

Thank you,

Nathan MacBeth  
Development Review Planner  
County of Santa Cruz

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**From:** Terri Cesari [mailto:[tecesari@cabrillo.edu](mailto:tecesari@cabrillo.edu)]  
**Sent:** Thursday, November 09, 2017 9:27 AM  
**To:** Nathan MacBeth <[Nathan.MacBeth@santacruzcounty.us](mailto:Nathan.MacBeth@santacruzcounty.us)>  
**Subject:** Re: Rentals on Martin Dr.

Thank you so much Nathan, for the information to register complaints- the other property is still on Martin, cross street is Kingsbury, 2nd house from the corner- I will see if I can update the information and let you know whether it is still operating as a B & B.

Best,  
Terri

### *Terri Cesari*

Program Coordinator  
Cabrillo College Stroke and Disability Learning Center  
831-477-3304  
[www.strokecenter.com](http://www.strokecenter.com)

*~Love Spoken Here~*

On Thu, Nov 9, 2017 at 9:20 AM, Nathan MacBeth <[Nathan.MacBeth@santacruzcounty.us](mailto:Nathan.MacBeth@santacruzcounty.us)> wrote:

Terri,

Thank you for your comments.

Regarding the operation of a vacation rental at 329 Martin APN 04301219, the Planning Department has not issued a permit for them to operate a short term rental.

We have received complaint of them operating in the past and our Code Enforcement Division has contacted them some time ago to resolve the complaint.

If they are continuing to operate a vacation rental, please contact Code Enforcement or submit a code complaint online at: <http://www.sccoplanning.com/PlanningHome/CodeCompliance/CodeComplaintForm.aspx>

Additionally, I am unaware of a vacation rental located on Kingsbury. All of the permitted vacation rentals are listed on our website along with the 24 hour contact information.

Please review the following link for information regarding vacation rentals in your neighborhood.

Thank you,

Nathan MacBeth

Development Review Planner

County of Santa Cruz

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**From:** Terri Cesari [mailto:[tecesari@cabrillo.edu](mailto:tecesari@cabrillo.edu)]  
**Sent:** Wednesday, November 08, 2017 8:09 PM  
**To:** Nathan MacBeth <[Nathan.MacBeth@santacruzcounty.us](mailto:Nathan.MacBeth@santacruzcounty.us)>  
**Subject:** re: Rentals on Martin Dr.

Hi Nathan,

Thank you for the opportunity to respond about short term rentals on Martin Dr. In Aptos. There are 2 short term rentals- one #329 is right across the street from 322 Martin, which had noisy vacation renters just a couple weeks ago- on a weeknight when neighbors need to sleep and work for a living- loud and obnoxious, drinking outside late into the night. We had to clean up after their dog who they let wander down the road. I live at #325, and there is so little parking that there is a police record of a recent neighbor dispute with the #322 previous owner.

We do have another short term rental further down the road past Kingsbury, same side of the road, 2nd house, without incident that I am aware of.

I would like to make reports when these vacation rentals are problems, so I appreciate information to report these disruptive renter issues.

Best regards,

Terri Cesari

--

*Terri Cesari*

Program Coordinator

Cabrillo College Stroke and Disability Learning Center

831-477-3304

[www.strokecenter.com](http://www.strokecenter.com)

*~Love Spoken Here~*



## Nathan MacBeth

---

**From:** Athena wolfe <athenawolfe@me.com>  
**Sent:** Friday, November 10, 2017 2:33 PM  
**Subject:** Vacation rental on Martin

Hello,

I am a homeowner that lives at 209 Elva Drive which crosses Martin Drive. I can see 322 Martin from my home.

I am not opposed to owner occupied vacation rentals but in the case of 322 Martin I am vehemently opposed to it's use as a rental.

Four bedrooms means large groups of vacationers with the potential for loud and raucous parties.

Even though our neighborhood is densely populated as each house is within a few feet of the house next door, it's also extremely quiet at night.

Privacy and respect are paramount values in order to live well here. Allowing such a vacation rental in our neighborhood is the antithesis of our community values, with the definite potential to create discord and resentment toward the homeowners and their guests.

In addition there will be an increased burden on the local sheriffs when they are called to the house due to noise complaints.

My husband Christopher ask for a no vote to the application.

Sincerely,

Athena Wolfe

## **Nathan MacBeth**

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**From:** Nancy Lawson Beech <nlb3boymom@gmail.com>  
**Sent:** Friday, November 10, 2017 2:35 PM  
**To:** Nathan MacBeth  
**Subject:** 322 Martin, Aptos

Hi Nathan,

I contacted the planning commission back in September about the owners of 322 Martin Dr., in Aptos applying for an Air BnB permit. While there are not a lot of Air BnBs in the immediate area there are more and more houses that do not have full-time residents; 318 Martin Dr., 225 Elva Dr., 223 Elva Dr., 219 Elva Dr., and 215 Elva Dr. are empty most of the time. I feel that putting an Air BnB where people can easily observe the inactivity in the neighbor is inviting trouble. One of the things I loved when I moved here is the family feeling and the closeness of the neighbors. Please do not approve this permit.

Thank you,  
Nancy  
831-600-5051

Application # 171279  
Apn # 043-031-01

# PETITION

(We oppose permitting of additional short term rental units on Martin Dr. a  
residential neighborhood There are already several short term rentals that  
impact parking, noise, traffic, and public safety.

We, the undersigned affix our signatures in support for the petition for (state reason)

| Date    | Printed Name      | Address                | Signature         |
|---------|-------------------|------------------------|-------------------|
| NOV 3   | Alicia Steinhardt | 407 martin Dr Apts     | Alicia Steinhardt |
| 11/7/17 | Marie Hoesley     | 218 Kingsbury Dr Apts  | Marie Hoesley     |
| 11/7/17 | Barbara Rosenthal | 209 Kingsbury Dr. Apts | Barbara Rosenthal |
| 11/7/17 | Deborah Fess      | 206 Kingsbury Apts     | Deborah Fess      |
| 11/7/17 | Carolyn Baird     | 215 Kingsbury Apts     | Carolyn Baird     |
| 11/7/17 | Kathy Dejesu      | 213 Kingsbury Apts     | Kathy Dejesu      |
| 11/7/17 | Nevin Hongard     | 407 martin Dr. Apts    | Nevin Hongard     |
| 11/7/17 | Jen Seils         | 331 MARTIN DR APTS     | Jen Seils         |
| 11/7/17 | Tracey Brossy     | 331 MARTIN DR APTS     | Tracey Brossy     |



|    |             |                     |                       |                  |
|----|-------------|---------------------|-----------------------|------------------|
| 10 | 11/7/17     | Lisa Daniels        | 324 Martin Dr.        |                  |
| 11 | 11/7/17     | Mike Daniels        | " "                   |                  |
|    | <b>Date</b> | <b>Printed Name</b> | <b>Address</b>        | <b>Signature</b> |
| 12 | 11-7-17     | David Gray          | 327 Martin Dr.        |                  |
| 13 | 11/7/17     | Steve Leitch        | 321 Martin Dr.        |                  |
| 14 | 11/7/17     | Nicholas Torrell    | 408 Martin Dr.        |                  |
| 15 | 11/8/17     | David Hansen        | 312 Martin Dr.        |                  |
| 16 | 11/8/17     | Luke Duncan         | 332 Rio Del Mar Blvd  |                  |
| 17 | 11/9/17     | Moselle Madesko     | 220 Kingsbury Dr.     |                  |
| 18 | 11/9/17     | Marty Madesko       | 220 Kingsbury Dr.     |                  |
| 19 | 11/9/17     | Sharon Adams        | 326 Martin Dr., Aptos |                  |
| 20 | 11/9/17     | Debbie Cacher       | 212 E 1st St. Aptos   |                  |
|    | <b>Date</b> | <b>Printed Name</b> | <b>Address</b>        | <b>Signature</b> |
| 21 | 11/9/17     | Rick Kelly          | 319 Martin Dr. Aptos  |                  |
| 22 | 11/9/17     | Andrew Picquay      | 71 Martin Pl. Aptos   |                  |



## Nathan MacBeth

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**From:** Dave Linda Guy <dnlguy@pacbell.net>  
**Sent:** Thursday, November 16, 2017 9:33 PM  
**To:** Nathan MacBeth  
**Cc:** Zach Friend  
**Subject:** 322 Martin Drive

Dear Nathan,

I live directly across the street.

I am worried about the proposed vacation rental.

Other neighbors next to us tried renting. They said they can control the number of people that rent, and the cars that come, but they couldn't. They stopped renting.

The new neighbors (322) say they have room for 5 cars, they don't. No one will use the garage.

The previous owners put landscaping right up to the street, all around the house, a month before they put the home up for sale, out of spite to other neighbors they were having problems with.

They received a letter from the county to remove it, and it was never enforced. Do you know what that means? When they rent this large house out, people are going to park across the street in front of my little home.

It's dangerous, when UPS comes etc. they park in the middle of the road now. People PARK in the street. It causes traffic issues on a street that shouldn't have any. When cars park in the street across from my driveway I cannot easily back out.

Also, people love to walk our streets. Now they have to walk in the street when cars are coming, and there is that curb, that's dangerous.

Why hasn't the county enforced this previous request? I hope the county intends on telling them to move those pots, and curbs back? That would be the responsible thing to do. They owe it to us.

We paid a premium to live in this area, we sacrificed to live here, and pay high taxes. Who is sticking up for us? We have been here 23 years.

I would think new neighbors would want to be good neighbors. I hope they do the right thing.

I can't be there on the 5th because I work full time in Carmel.

Thank you,

Linda Guy

Linda Guy  
327 Martin Drive  
Aptos, CA 95003  
831-239-1780