



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, PLANNING DIRECTOR

July 24, 2018

Zoning Administrator

Consent agenda, meeting of August 17, 2018

Subject: Status Update for Application # **171035, Vacation Rental**
Assessor's Parcel #: **039-261-02**
Owner: **Odio**

Honorable Zoning Administrator:

On February 16, 2016, the Zoning Administrator approved a Vacation Rental at 137 Las Lomas Dr. (see Staff Report, Attachment 1). The amended conditions of approval approved by the ZA included a requirement that staff report back within six months of the approval date, including the results of at least two site visits to determine compliance with permit conditions including trash containment, maximum number of vehicles (3), vehicles entering private driveways and all use of decks and any other outdoor activity to cease at 9 p.m. The permit conditions also required the property owner, together with the 24-hour emergency contact, to organize and attend a discussion with neighbors prior to March 16, 2018, regarding how the neighborhood concerns "will be taken seriously and addressed."

The community meeting was held by the property owner at 6 pm on March 15, 2018 and attended by the then-property manager. Approximately eight community members from Las Lomas Drive and Haas Road attended. The ongoing concerns raised by the neighbors included safety on the private roads, permit compliance, communication by the applicant with neighbors, trespassing, fire concerns and noise during quiet hours. These issues were discussed at the meeting.

The owner has implemented the following actions to address neighborhood concerns (see photos, Attachment 3):

- Hired a new 24-hour contact and property manager who visited the property several times proactively. The new 24-hour contact is:

BnB Sitter Santa Cruz
Janiece Rodriguez
360-909-2236
bnbsittersantacruz@gmail.com
346 Fairmount Ave.
Santa Cruz, CA. 95062

- Installed sign with 24-hour contact in the front yard.
- Submitted an updated the rental contract (Attachment 2) that meets all the approved Conditions of Approval of permit 171035, including:
 - The rental contract directs guests to obey speed limit and to drive carefully.
 - The contract directs guests to park in driveway, states that there is no parking in street and limits vehicles to a maximum of three.
 - The contract includes map, clear driving directions and photos of driveways and roads not to be mistaken for correct route.
 - The contract sets overnight guest limit of 6 during quiet hours and sets a celebration guest limit of 8.
 - The contract meets all other requirements of County Code Sect. 13.10.694.
- Installed signs inside the dwelling that require guests to drive slowly, obey the speed limit to be quiet on the patio at night by decks.
- Removed the barbeque from front of dwelling. (Owner stated that he may propose to re-install the barbeque in a quieter area).
- Re-installed a wireless-enabled security camera on the exterior of the house to monitor & enforce the guest limit.
- Offered to install speed hump (not accepted by neighbors).
- Offered to install a 10-mph speed limit sign (not accepted by neighbors).
- Placed a revised sign in front of the unit, legible from the street, with the updated 24-hour contact
- Placed or intends to place copy of contract, including “no trespassing” photos, in a folder inside house for reference by guests.
- Documented signs asking drivers on Las Lomas Dr to slow down.
- Posted a list of rules inside the vacation rental in a location readily visible to all guests, stating the maximum number of guests allowed, maximum number of people allowed for celebrations and gatherings between 8:00a.m. and 10:00 p.m., maximum number of vehicles allowed, strict prohibition of illegal activity and use of all fireworks, and a reference to the standards contained in the County Noise Ordinance (County Code Chapter 8.30).
- Posted a copy of the County Noise Ordinance (County Code Chapter 8.30) inside the vacation rental in a location readily visible to all guests.
- Posted signage shall be clearly posted at the front entrance and all deck entrances specifying the 9:00 p.m. outdoor activity restriction.
 - Posted the name, address, and telephone number(s) of the local contact person inside the vacation rental in a location readily visible to all guests, and
 - Submitted to the County Sheriff’s Office the name, address, and telephone number(s) of the local contact person.
 - Supplied the name, address, and telephone number(s) of the local contact person to the property owners of all properties located within a 300-foot radius of the parcel on which the vacation rental is located.

These actions rendered the Vacation Rental compliant with all the conditions of approval of permit 171035 (Attachment 1).

After the community meeting, the owner has been communicating with the neighbors regarding the desire of most, but not all, of the neighbors to require the owner to install a 5-mph speed limit sign on Las Lomas Drive. County staff informed neighbors that a posted speed limit below the 85th percentile of drivers can cause collisions by fostering inconsistent driving speeds, unsafe passing and collisions. Staff informed the owners and neighbors that a 5-mph speed limit sign

could potentially decrease safety, was not recommended by the Department of Public Works and would not be required by staff to comply with the Conditions of Approval. Staff initially supported posting a speed limit no lower than 10-mph. However, after further discussions with the Department of Public Works, staff does not currently endorse the posting of any special speed limit on Las Lomas Drive and does not propose to require such posting to implement the Conditions of Approval of permit 171035.

As stated in the attached staff report, the shortness of the street, is small, rural character and slopes discourage consideration of speed bumps. The vacation rental operator has volunteered to the neighbors to place a speed bump or speed hump, but the neighbors have not yet indicated a consensus on whether to install a speed bump.

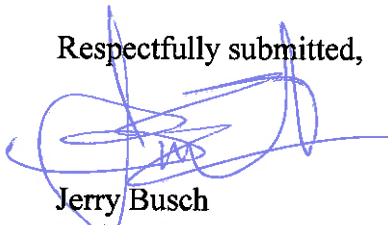
The permit review revealed an error in the conditions of approval that stated the project approval date as 02/16/2017. Staff corrected the conditions of approval to reflect the actual approval date (02/16/2018). A corrected copy was inserted into the project file and provided to the owner. The corrected Conditions of Approval are attached (Attachment 1).

During the development of permit compliance measures, the owner stated that he did not rent the subject property as a vacation rental, but as a month-to-month rental. The vacation rental did not commence, the owner stated, until July 2, allowing insufficient time for staff to conduct two site visits prior to the required deadline for submitting a status report on the vacation rental use for review before August 16, 2018.

Therefore, staff recommends that the Zoning Administrator accept and file this report and direct staff to submit a permit status report in two months, including the results of two site visits and general permit compliance.

Please questions or comments concerning this report to Jerry Busch, (831) 454-3234 or e-mail: jerry.busch@santacruzcounty.us.

Respectfully submitted,



Jerry Busch
Project Planner
Development Review

Attachments:

1. Staff Report and Conditions of Approval (corrected) for permit 171035
2. Revised rental agreement
3. Photographs of signs on Las Lomas Drive and on Haas Drive at the intersection with Las Lomas Drive, and inside the vacation rental unit
4. Public comments and correspondence after approval of permit 171035



Staff Report to the Zoning Administrator

Application Number: **171035**

Applicant: Francis Padilla
Owner: Odio
APN: 039-261-02

Agenda Date: February 16, 2018
Agenda Item #:
Time: After 9:00 a.m.

Project Description: Proposal to operate a new 3-bedroom residential vacation rental (see code case). Requires a Vacation Rental Permit, Level 5.

Location: Property located on the west side of Las Lomas Drive (137 Las Lomas Drive) about 500 feet west of the intersection with Haas Drive, Aptos.

Supervisory District: Second District (District Supervisor: Zach Friend)

Permits Required: Vacation Rental Permit, Level 5

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 171035, based on the attached findings and conditions.

Exhibits

- | | |
|---|---|
| A. Categorical Exemption (CEQA determination) | E. Proposed lease agreement |
| B. Findings | F. Assessor's, Location, Zoning and General Plan Maps |
| C. Conditions | G. Appeal of vacation rental application |
| D. Project plans | H. Comments & Correspondence |

Parcel Information

Parcel Size:	1.38 acres
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential and open space
Project Access:	Private road
Planning Area:	Aptos
Land Use Designation:	R-UVL / O-U (Residential - Urban Very Low / Urban Open Space)
Zone District:	R-1-1AC (Single-family residential, one-acre minimum)
Coastal Zone:	<input type="checkbox"/> Inside <input checked="" type="checkbox"/> Outside

County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor, Santa Cruz CA 95060

ATTACHMENT 1

Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Fire Hazard:	Not a mapped constraint
Env. Sen. Habitat:	Not mapped/no physical evidence on site
Grading:	No grading proposed
Tree Removal:	No trees proposed to be removed
Scenic:	Not a mapped resource
Drainage:	Existing drainage adequate

Services Information

Urban/Rural Services Line:	<u> X </u> Inside <u> </u> Outside
Water Supply:	Soquel Creek Water District
Sewage Disposal:	Septic
Fire District:	Aptos FPD
Drainage District:	NA

History

The existing residence, a 3-bedroom, 1.5 bath single-family dwelling of approximately 1,250 square feet, was built with a building permit finalized in 1964. Three bedrooms are on the original permit description.

The property was red-tagged on 12/09/2016 for operating an unpermitted vacation rental. The County Planning Department received an application for a vacation rental permit on 2/2/2017. A neighborhood petition appealing the application, post-marked 5-5-2017, requested that the application be denied based on concerns about noise, traffic safety, and road maintenance. The application was elevated to a Level 5 public hearing review, for which the at-cost deposit was received on 9/6/2017.

Project Setting

The site of the proposed vacation rental is a sloping parcel in a rural setting. The lot is located near the end of Las Lomas Drive, a short (500-foot), dead-end road serving eight properties of one to two acres in size. Las Lomas Drive is on the west side of Haas Drive approximately 1/3 mile north of Soquel Drive. The small, quiet neighborhood is bordered on the west by Borregas Creek and on the east by Haas Drive. Cabrillo College borders the opposite side of the creek. The parcel is within the urban services area, served by the Soquel Creek Water District and within the sphere of influence of the Santa Cruz Sanitation District.

The dwelling (circled structure at right) is separated from the other dwellings in the neighborhood by vegetation and topography. It is situated about 40 feet lower than neighboring dwellings and buffered by a mixture of oak and evergreen trees. The dwelling has 468 square feet of exterior deck area but no developed yard. The parcel has three offstreet parking spaces.

Zoning & General Plan Consistency

The subject site is approximately 1.38 acres, located in the R-1-1AC (Single-family residential, one-acre minimum) zone district, a designation which allows Residential uses. A 3-bedroom vacation rental normally requires a Level 2 approval within a residential zone district, while a four-bedroom rental currently requires a Level 5. The property's zoning is consistent with the site's R-UVL / O-U (Residential - Urban Very Low / Urban Open Space) General Plan designation.



Analysis

Under the County Code § 13.10.694(D)(2)(c)(iv), the applicant could be allowed up to 8 overnight guests, with up to 16 guests for events and gatherings. The highest number of vehicles associated with the vacation rental could be the total number of existing offstreet spaces (three, in this case) plus two on-street spaces: a maximum of five vehicles.

The applicant proposes to limit use of the subject facility to substantially less than the maximum under the County Code. The proposed vacation rental would be limited to 6 overnight guests. Only two additional visitors would be allowed for celebrations and events; no more than 8 persons would be allowed on the property at a time. The proposed rental agreement does not exclude children under 8 from the count. The number of vehicles associated with the use would be limited to three, matching the three offstreet parking spaces available at the site.

The proposed intensity of use for celebrations and gatherings at the vacation rental would be half that typically associated with a three-bedroom dwelling and all the parking could be accommodated on site. The wooded hillslope intervening between the subject dwelling and its neighbors will help to mitigate potential noise impacts, although the rural setting accentuates any noise that may occur. It is noteworthy that the vacation rental site is adjacent to the campus of Cabrillo College. In consideration of the quiet, rural neighborhood, a condition of approval is proposed to prohibit exterior activities at the vacation rental after 9:00 p.m.

Public comments

The neighbors have expressed concern over guests at the vacation rental driving at unsafe speeds over Las Lomas Drive, particularly entering the street from Haas. As indicated above, Las Lomas is a very short, narrow street. It goes through a right-angled turn and over a small knoll. The shortness of the street, its small, rural character, and slopes discourage consideration of speed bumps.

Neighbors have also observed trespassing of guests onto a private parcel located approximately 250 feet south of the subject parcel. The vacation rental is situated in a location on Las Lomas Drive where traffic is expected from only one or two other parcels.

Environmental Review

The project is exempt from further review under §15301 (Existing Facilities) of the California Environmental Quality Act (CEQA).

Conclusion

As proposed and conditioned, the proposed vacation rental has been substantially reduced in scope and intensity to reflect the quiet, rural nature and small size of the neighborhood. The proposed project should accommodate all parking demand on site. 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 171035, based on the attached findings and conditions.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

Application #: 171035
APN: 039-261-02
Owner: Odio

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Report Prepared By: Jerry Busch
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3234
E-mail: jerry.busch@santacruzcounty.us

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 would take place in an existing dwelling unit in a zoning district (R-1-1AC) that provides for such use. Although Las Lomas is a narrow street, it has good sightlines over most of its length. The shortness of the street, its small, rural character, and its turns and slopes discourage excessive speeds. The number of overnight guests (6), event-related guests (8) and the maximum number of vehicles (3) for the proposed project would be substantially less than allowable under Santa Cruz County Code §13.10.694, which allows a maximum of 16 celebration guests and 5 vehicles.

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

This finding can be made, in that the proposed location of the vacation rental and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-1AC (Single-family residential, one-acre minimum) zone district, as the primary use of the property will be a vacation rental, consistent with the applicable zone district. The proposed intensity of use, in guests and vehicles, would be substantially less than that potentially allowable under SCCC section 13.10.694.

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 use is consistent with the use and density requirements specified for the R-UVL / O-U (Residential - Urban Very Low / Urban Open Space) land use designation in the County General Plan.

The proposed use will not entail construction and will be required to meet the County Noise Standards set forth in the General Plan, with the added condition of approval requiring outdoor activity to cease at 9:00 p.m. Quiet hours will be required to be posted at the site. Noise emanating from the site will also be buffered by topography, vegetation and distance from neighboring parcels.

A specific plan has not been adopted for this portion of the County.

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

This finding can be made, in that the proposed vacation rental would be located in an existing dwelling unit and the traffic generated by the proposed project is anticipated to be less than a standard rental of this size. The three-vehicle maximum will not substantially impact existing

roads or intersections in the surrounding area.

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 proposed use is consistent with the land use intensity and density of the neighborhood. The dwelling where the activity will take place is more than 100 feet from the nearest dwelling, and only two neighboring dwellings are closer than 200 feet. The site is not visible from any neighboring dwellings. There is no developed yard at the site and the parking spaces will be required to remain open and clear, and the associated vehicles parked on site, so the activity should take place within the structure or on the attached decks.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that no new structures are proposed.

Conditions of Approval

Exhibit D: Project plans, 2 sheets, prepared by James Beebe, dated Nov. 10, 2017.

I. This permit authorizes the establishment of a 3-BR vacation rental use as indicated on the approved Exhibits (D) and (E) for this permit. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:

- ✓ A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
- ✓ B. Provide the County Planning Department a revised lease agreement with the following language added:
 - ✓ 1. Guests shall obey the speed limit. Lessee shall advise all guests to drive carefully.
 - ✓ 2. All associated vehicles shall park in the driveway. No parking is allowed on the street.
- ✓ C. *Added by ZA 9/16/18 – the lease agreement shall include a map that clearly identifies the route to the site, provides detailed directions to the site and indicates driveways and roads not to be mistaken for correct route.*
- ✓ D. Provide the vacation rental with a sign identifying the structure as a permitted vacation rental, including the following verbiage:

VACATION RENTAL
Permit #171035
24-hour complaint response:
831-420-0202

The sign shall not exceed 216 square inches, be legible from, and be posted no more than 20 feet back from the adjoining right of way .

The sign shall be updated whenever the 24-hour contact phone number changes, to maintain current information.

- E. *Added by ZA 9/16/18 – Staff shall report back to ZA in six (6) months regarding permit compliance, including the results of at least two site visits to determine compliance with permit conditions including, but not limited to, trash containment, maximum number of vehicles (3), vehicles entering private driveways, and all use of decks and any other outdoor activity to cease at 9 p.m.*
- ✓ F. *Added by ZA 9/16/18 – By no later than March 16, the property owner, together with the 24-hour emergency contact, shall organize and attend a discussion with*

neighbors regarding how the neighborhood concerns will be taken seriously and addressed. The property owner shall provide advance notice of the time and location of the neighborhood discussion to all of the signatories to the petition opposing the vacation rental.

- ✓ G. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
 - H. Any outstanding balance on the at-cost contract due to the Planning Department must be paid prior to exercising this permit.
- II. Operational Conditions.
- A. The vacation rental shall be maintained and operated so that, at all times, it is in compliance with the County Code and these 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.
 - ✓ C. The maximum, overnight occupancy of the vacation rental shall not exceed 6 people.
 - ✓ D. Maximum number of people that are allowed for celebrations and gatherings between the hours of 8:00 a.m. and 10:00 p.m. shall not exceed 8 people.
 - ✓ E. The maximum number of vehicles associated with the overnight occupants shall not exceed three. Parking spaces shall be kept clear of storage items, appliances or other obstructions and shall be available for vehicle parking at all times. Site activities shall not interfere with vehicular parking in the spaces designated on the approved site plan.
 - ✓ F. Occupants and guests shall adhere to the noise standards contained in the County Noise Ordinance (County Code Chapter 8.30).
 - ✓ 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 8:00a.m. and 10:00 p.m., maximum number of vehicles allowed, strict prohibition of illegal activity and use of all fireworks, 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. Outdoor activities in the rear yard, deck, and hot-tub shall cease at 9:00 p.m. Signage shall be clearly posted at the front entrance and all deck entrances

specifying the 9:00 p.m. outdoor activity restriction.

- ✓ J. The exterior sign providing the 24-hour complaint information shall be continuously maintained while the dwelling is rented.
 - K. 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, 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. The local contact person is fully responsible to respond 24 hours a day to any complaints.
 - ✓ L. Any change in the emergency contact person's address or telephone number shall be promptly furnished to the Planning Department, agencies referenced above and neighboring property owners within a 300 foot radius.
 - ✓ M. 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.
 - ✓ N. 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 three years from the effective date listed below unless the conditions of approval are complied with and the use commences before the expiration date.

Approval Date: 2/16/2018

Effective Date: 3/2/2018

Expiration Date: 3/2/2021

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.

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: 171035

Assessor Parcel Number: 039-261-02

Project Location: 137 Las Lomas Dr.

Project Description: Establish a new vacation rental

Person or Agency Proposing Project: Francis Padilla

Contact Phone Number: 831-246-0738

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

Specify type: Exemption 15301. Existing Facilities. Class 1.

F. Reasons why the project is exempt:

Operation and leasing of existing private structure involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

In addition, none of the conditions described in Section 15300.2 apply to this project.

Jerry Busch, Project Planner

Date: _____

Guest Name:

Reservation Dates:

Check-in anytime after 4 pm

Check-out anytime before 11 am

Guest Count:

Peaceful Tree House with Ocean View

Property Address: 137 Las Lomas Dr, Aptos, CA 95003

Short-Term Rental Agreement

This license agreement is between you (guest) the Licensee of rental property, hereafter referred to as Guest(s) and, BnB Sitter Santa Cruz, hereafter referred to as BNBS SC, the Licensor authorized by the owner of said rental property, hereafter referred to as Owner.

1. LICENSE

- In consideration of the monies paid and promises contained herein, the Owner does hereby grant to the Guest, the license to use those premises during the period as indicated in the reservation.
- Guest acknowledges that he/she is occupying the premises only as a licensee of the Owner, and that this agreement does not create a landlord-tenant relationship nor any other interest in the Owner's property.

2. RESERVATIONS

- For the reservation to be confirmed, Guest must agree to the Terms and Conditions via BnBSitterSantaCruz@gmail.com and must receive this signed agreement and the Reservation Deposit within 48 hours of reservation creation. If the reservation is created on a 3rd party travel site, such as Airbnb, HomeAway, etc, Guest agrees to their Terms and Conditions as well.
- The Reservation Deposit will be automatically billed to Guest at the time of reservation creation.
- All reservations must be paid in full once the reservation is accepted.

3. GOOD NEIGHBOR POLICY and Santa Cruz County Noise Ordinance (County Code Chapter 8.30).

- Guest agrees to observe the following restrictions **Failure to do so is grounds for immediate termination of the Guest License Agreement AND eviction without refund.**
- Occupants and guests shall adhere to the noise standards contained in the County Noise Ordinance (County Code Chapter 8.30) as stated:
- Guest understands that premises are located in a residential area and that neighbors live in close proximity. Respect for the residents is of utmost importance. Due to this quiet time begins at 8:30 pm through 8 am. There is no talking on any of the decks after 8:30 pm. Noise travel easily in this valley. We appreciate the care you will take in adhering to this rule.

Guest will be held responsible for all fines and penalties per incident for neighborhood complaint calls made to the police or complaint calls to BNBSOC after hours emergency number, or any other neighborhood complaint regarding Guest noise, nuisance and parties, **BNBSOC HAS A ZERO TOLERANCE POLICY.**

- **Absolutely NO parties, large events, kegs, drugs, tents, or loud music. Overcrowding is not permitted. SMOKING OF ANY KIND IN OR ON THE PROPERTY IS PROHIBITED.**

4. RENTAL PARTY

- Please list the names of all members of your party and for children please provide their ages:

NO more than 6 guests are allowed to sleep at the property during any reservation. Maximum number of people that are allowed between the hours of 8:00 a.m. and 10:00 p.m. shall not exceed 8 people and ONLY with PRIOR APPROVAL

_____	_____
_____	_____
_____	_____

5. Identity Verification

The person who has booked the reservation must provide a copy of their driver's license and be present at check-in.

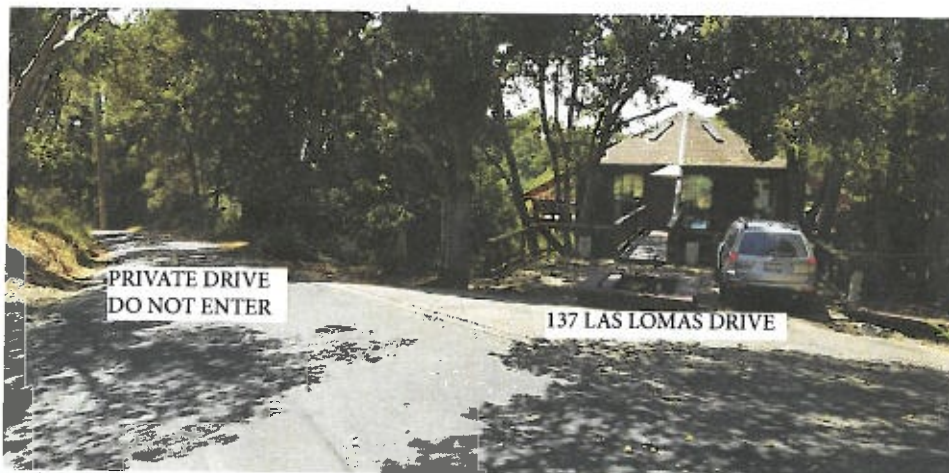
6. SPEED LIMIT

All guests and visitors are to obey the speed limit. The house is on a small residential street and children are often outside. The speed limit is 5 mph at all times while on Las Lomas and 15 mph when on Haas Dr.

7. PARKING

All vehicles shall park in the driveway. No parking is allowed on the street. **Parking is limited to 3 vehicles. NO EXCEPTIONS**

Please be mindful of our neighbors and drive slowly!

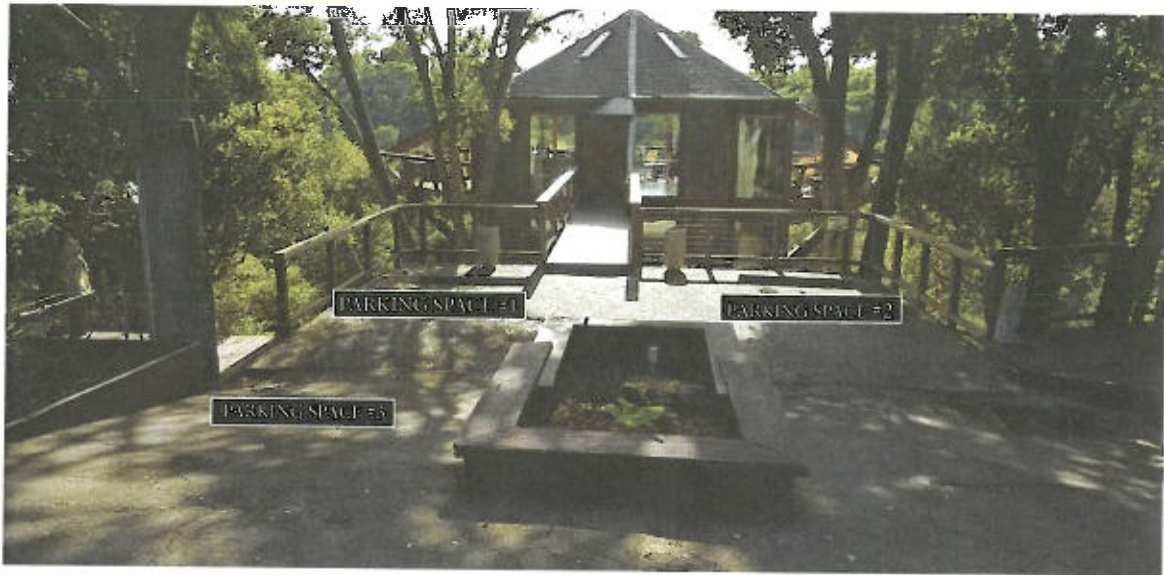


From Hwy 1 South bound
Exit Park Drive
Turn right on to Soquel Drive
Turn left onto Haas Drive (25 miles per hour)
Turn left onto Las Lomas (5 miles per hour)

From Hwy 1 North bound
Turn right onto State Park Drive
Turn Left onto Soquel Drive
Turn Right onto Haas Drive (25 miles per hour)
Turn left onto Las Lomas (5 miles per hour)

The house is the 3rd house on the right. Pull all the way into the driveway. **Only 3 vehicles are allowed in the driveway and no additional vehicles are allowed on the street.**

PARKING CONTINUED:



8. PAYMENTS

Payments may be made by PayPal Friends and Family or through booking sites (Airbnb or VRBO).

9. CANCELLATION

- Refunds will be granted if the cancellation occurs 30 days prior to your reservation. OR the cancellation policy regarding your booking on Airbnb or VRBO
- Guest will not be responsible for cleaning fees, tax, or damage coverage.
- If the property is re-rented for less than the original rate, guest will receive a partial refund equal to the re-rented rate. Guest will not be responsible for cleaning fees, tax, or damage coverage.
- If the property is not re-rented, owner will retain all payments. Guest will not be responsible for cleaning fees, tax, or damage coverage.
- Guest must submit a cancellation request to BNBSSC by e-mail or letter.

VACATION RENTAL INSURANCE: CSA Vacation Rental Insurance has been made available with your reservation. Vacation Rental Insurance reimburses for pre-paid, non-refundable expenses due to certain unforeseeable circumstances that may jeopardize your vacation investment and force you to incur unplanned expenses. We highly recommend you purchase this valuable protection. If you do not elect coverage, you acknowledge you have read and understand our cancellation policy and choose not to purchase Vacation Rental Insurance on behalf of all occupants. Insurance cannot be added after a potential loss or after final payment. Separate CSA terms and conditions apply, please read your policy and contact CSA with questions. <http://www.vacationrentalinsurance.com/> for trip protection

10. **SECURITY DEPOSIT****

The Security Deposit is \$1000 this must be received within a week of signing this contract.

OR

Purchase Vacation Rental Damage Protection by visiting
<https://www.vacationrentalinsurance.com/vacationrentaldamage.do>

Proof of your policy must be provided within one week of signing this contract.

** Guest will be charged for all damage or loss that is in excess of guests security deposit, including but not limited to; intentional damage, unauthorized pets, additional cleaning, excess laundry, any fines issued by governing bodies for items such as, but not limited to, noise, trash, or parking fines.

If damage or loss occurs, Guest must immediately report details of the incident or loss to BNBSCC for the incident to be covered. Guest should report any missing or broken items within 24 hours of arrival to avoid any liability.

Upon Guest's departure of the property, the Security Deposit will be refunded, minus any damage cost or fees or fines incurred. The Security Deposit refund may take up to 14 days after the departure date, depending on circumstances such as, but not limited to, Guest's financial institution, notification from governing bodies regarding fines, and charges for excessive use of utilities.

11. **NON-SMOKING POLICY**

All properties are NON-SMOKING. This includes ALL types of smoking. Guest will be held financially responsible should smoking take place in or on the premises during Guest's stay including, but not limited to, additional cleaning and deodorizing expenses for carpet, drapery, and upholstery and all other costs associated with returning the property to a non-smoking condition.

This applies to the use of vape, cigarettes, cigars, pipes, incense and any other use of the like. There are no exceptions

If you are staying at a home and must smoke, please do so outside after closing all doors and windows.

If the property smells of smoke after your departure, you will be billed for all costs incurred by returning the premises to a non-smoking condition.

12. EARLY CHECK-IN AND LATE CHECK-OUT REQUESTS

- If Guest departs later than 11:00 AM without prior approval by BNBSSC, Guest will be subject to a late departure fee equivalent to one night's rent.
- Guest must submit a late check-out request no later than 24 hours prior to the departure date to be considered by BNBSSC. A BNBSSC representative will notify Guest regarding the decision of the request.
- BNBSSC does NOT guarantee earlier check-in times or later check-out times, but will consider all requests contingent upon availability, maintenance issues, cleanliness, and other deciding factors.

13. MAINTENANCE AND REFUNDS

- **ABSOLUTELY NO REFUNDS** for items that BNBSSC was able to address and resolve within the time-frame of the Guest's stay. Any issues should be reported immediately for BNBSSC or the homeowner to attempt to resolve by Guest's departure date. Repairs are corrected in as timely a manner as possible, and non-emergency repairs may take up to 24-48 hours.
- **ABSOLUTELY NO REFUNDS** will be issued due to a malfunction in equipment including, but not limited to, the complimentary bicycles, body-boards, chairs game equipment, electronic equipment in the property, and other minor maintenance issues.
- **ABSOLUTELY NO REFUNDS** will be issued over neighborhood activities or construction. Guest may encounter inconveniences including, but not limited to, construction work or other events that may occur in any densely populated residential areas, parties or loud noises caused by non- BNBSSC guests or properties, street noise, no street parking, road closures. If BNBSSC is made aware of such an event, you will be contacted as soon as possible and may have the option, if it exists, to move to an alternate property.
- **ABSOLUTELY NO REFUNDS** for extenuating circumstances such as, but not limited to, flight delays or cancellation, the weather, pests or insects in/and around the property, alley/street conditions, neighbor's trash, no parking, rude

neighbors, nearby construction, street noise, neighborhood demographic, and outages with internet/phone/cable/power.

- **All maintenance issues or concerns must be brought to our attention immediately.**
- BNBSSC reserves the right, if necessary, for maintenance staff to enter the premises during business hours for repair, care, or management of the property. BNBSSC will make every effort not to disrupt Guest's vacation and will first attempt to contact Guest to schedule best times to enter the property.

14. KEYS

- You will be provided a personal door code upon check-in.

15. ACCOMMODATIONS

- **ABSOLUTELY NO REFUNDS** will be given due to Guest's personal likes or dislikes and/or "personal preferences" such as but not limited to, decor, location, size of the rooms or property, views, distance to areas of interest, not offering items that are not listed in the property description. Property descriptions, photos, location, and reviews are accurately posted on Airbnb or VRBO. Guest acknowledges responsibility over their due diligence in researching every feature and amenity the property has to offer.
- Guest claims responsibility in thoroughly researching every feature and amenity the property has to offer.
- Guest acknowledges that every rental property is privately owned and reflects the taste of each owner.
- Every effort has been made to ensure accurate and complete information in the Rental License Agreement and on the websites. However, BNBSSC cannot be held responsible for typographical errors, omissions, environmental factors, price changes and changes made by Owner in furnishings, equipment, bed arrangements, any erroneous descriptions on 3rd party travel sites..
- All properties are fully furnished for normal housekeeping in "turn-key" condition. Kitchens are equipped with dishes, cookware, flatware, glasses, and basic appliances. Additionally, all linens, including sheets, blankets, and towels are furnished.
- A starter-kit of some toiletries and cleaning supplies are provided. However, it will be Guest's responsibility to purchase any additional supplies once the starter-kit is depleted, if needed.

16. CLEANING

- **ABSOLUTELY NO REFUNDS** will be given due to the housekeeper or maintenance staff still present at the time of check-in.
- Guest shall keep and maintain the premises in a clean and sanitary condition at all times.
- Guest agrees to clean grill with wire brush when finished cooking each meal.
- Upon termination of the agreement, Guest shall surrender the premises to Owner in the same condition as when received, except light cleaning and laundry. Excessive cleaning i.e. dirty dishes, garbage, extra laundry, etc. will result in a charge of \$100.00
- Additional housekeeping service is available on a weekly basis for multi-week reservations.
- If Guest arrives early, Guest may not enter the unit or store any items in the unit until cleaning is complete, unless a prior request has been approved by BNBSSC. BNBSSC is not responsible for any lost or stolen items, injury caused to chemicals or wet surfaces.

17. PETS

NO PETS ARE ALLOWED. NO EXCEPTIONS. A \$200 fee will be deducted from your deposit if there is evidence of a pet.

18. LOST AND FOUND

- BNBSSC cannot be held responsible for items left in homes or condominiums. Guest is encouraged to double-check the property for personal items prior to departure.
- If BNBSSC is asked to return items to Guest, BNBSSC will do so for a service charge of \$15.00 plus applicable shipping charges, which will be billed to Guest's credit card.
- Items not claimed after 14 days will be donated to local charity.

19. TERMINATION OF RENTAL

- BNBSSC reserves the right to refuse or discontinue Rental License Agreement if in its opinion the Guest is detrimental to the property. Any violation of the above mentioned policies will result in immediate eviction with loss of entire rental amount.

20. CREDIT CARD IF your reservation was NOT booked on Airbnb or VRBO

- Guest will provide his/her credit card number as a guarantee and for the purposes described above.
- Guest expressly accepts the terms of this Rental License Agreement and understands that Guest's credit card may be charged in compliance with the terms of this agreement. Guest further agrees that credit card charges that comply with the terms of this agreement are final.

21. RENTAL RULES

Guest agrees to abide by the **Rental Rules** attached as **Exhibit A** 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.

22. NO ILLEGAL BEHAVIOR:

Strict prohibition of any illegal behavior (for example, drug use) is prohibited on this premises. Illegal behavior is considered a violation of this contract. Fireworks of any kind are prohibited.

23. WAIVER, INDEMNITY, AND RELEASE OF LIABILITY

- Registered guest must meet the minimum age requirement of 25.
- Guest acknowledges penalties and/or eviction without refund, if the number of guests exceed the property's stated limit.
- Guest agrees that he/she is solely responsible for any property damage, accident or personal injury, or loss sustained by Guest, and others in Guest's party, arising out of Guest's occupancy of the premises, unless caused by the sole negligence of BNBSSC or Owner.
- Guest agrees to be familiar with appliances located on the premises, and to use all furnishings in a safe and reasonable manner.
- Also available for Guest's use in some of the units may be bicycle equipment and beach toys including boogie boards ("Equipment"). By signing this agreement, Guest understands the nature of using the Equipment and that use of the Equipment involves risks of serious bodily injury, including permanent disability, paralysis, and death.

- Guest agrees to supervise and be responsible for use of Equipment by any persons under the age of 18 (all persons under 18 must wear a helmet when using the bikes under CA law).
- Guest further agrees to indemnify and hold Owner, BNBSSC and its employees, other group, harmless from any claims arising from Guest use of the premises and or Equipment, including risk of injury and death to Guest and others from all recreational activities of Guest while occupying the premises.

24. FACSIMILE AND E-SIGNATURE

An E-Signature or Scanned PDF signed copy of this Agreement shall have the same force and effect as the original.

25. DISPUTES

In the event of any legal dispute concerning this agreement, the prevailing party shall be reimbursed by the losing party for all reasonable fees and costs for the legal services involved. This paragraph shall survive this contract.

26. AGREEMENT

- Guest certifies that he/she has carefully read and agrees to the terms of this agreement and by clicking the accept button (online) or signing below, is authorizing all rental charges due and any outstanding charges remaining after departure to be charged to the credit card on the reservation.
- By signing below you agree to the house rules and are acknowledging that you have read the house manual and **Exhibit A (House Rules)**. See attached Addendum

Applicable to Guests that made reservations through Airbnb and other 3rd party travel websites. Payment is due at the time of booking on such websites. Payment amount varies based on the company; Guests are subject to the terms and conditions and cancellation policies according to those websites as well as BNBSSC's.

Guest Name First and last (print)

Guest Signature

Guest email address and phone number

Date

Reservation ID Number

Janiece Rodriguez
Vacation Rental Manager BnB Sitter Santa Cruz

VRM Signature

Date

Exhibit A

RENTAL RULES

1. **Smoking:** Please, no smoking, e-cigarettes, or vaping inside. Please close windows if smoking outside and please be mindful of the fire risk posed by your ashes. Any unusual odors will result in loss of damage deposit.
2. **Guest count:** All guests (of all ages) must be registered in advance. No more than 6 overnight guests are allowed at the house. The people other than those in Guest's party set forth above (SECTION 2) may not stay overnight in the property. Any other person in the property is the sole responsibility of Guest. maximum number of people of guests allowed for celebrations and gatherings is 8 between 8:00a.m. and 10:00 p.m
3. **No large groups:** The presence of no more than 8 individuals in the house at one time. Only between the hours of 8:00 am and 10:00 pm. Only 6 registered guests are allowed at the house between 10:01 pm and 7:59 am. The presence of more than 8 guests at any time (6 overnight and 2 additional guests) will obligate the guests to vacate the premises, forfeit any fees associated with this reservation (damage deposit, nightly rate for the entire reservation and cleaning included), and void any remaining obligations of the Host.
4. **No parties or loud music:** In addition to "quiet hours" enforced by Santa Cruz county (9 PM – 8AM), please be respectful to our neighbors and the peacefulness of the space throughout the day. For example, please do not play amplified music outside at any time. Unfortunately, because of the quiet nature of the neighborhood, parties are also prohibited. Parties or outside amplified music will result in forfeiture of damage deposit.
5. **Limited liability:** Host 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.
6. **Common sense:** Keep the property and all furnishings in good order. In general, if you use it, drop it or spill it, take care of it, pick it up, clean it up and put it away. Only use appliances for their intended uses.
7. **Pets:** Pets are not allowed.
8. **Parking:** The driveway can fit **three vehicles**. No more than three vehicles shall be parked in association with use of this rental at any time, and all associated vehicles shall be parked in spaces located entirely on the parcel (fully out of the right-of-way). Any illegally parked cars are subject to towing; applicable fines/towing fees are the sole responsibility of the vehicle owner.
9. **Housekeeping and trash:** There is no daily housekeeping service. While linens and bath towels are included in the unit, daily maid service is not included in the rental rate. Please sort and dispose of all trash outside in the sturdy "waste management" containers. Do not let trash accumulate outside of these containers.
10. **Septic:** The property is on a septic system. The septic system is very effective; however, it will clog up if improper material is flushed. DO NOT FLUSH anything other than toilet paper. No feminine products should be flushed at any time. If it is found that feminine products have been flushed and clog the septic system, Guest will incur \$2,000 in charges associated with damage and cleaning to the septic system.
11. **Utilities:** We ask that one month rentals pay for any utility cost over \$500. This shouldn't happen, unless you do something unusual like leave the water running for days at a time (water is precious here). Santa Cruz County is under drought conditions; please use water wisely.

12. **No illegal behavior:** strict prohibition of any illegal behavior (for example, drug use) is prohibited on this premises. Illegal behavior is considered a violation of this contract. Fireworks of any kind are prohibited.
13. **Outside Surveillance:** Please do not tamper, in any way, with the outside cameras, or this may result in forfeiture of damage deposit. These security cameras are always on and recording. They are for the safety of the guest and the property.
14. **Noise Ordinance.** Please read and follow the Santa Cruz Noise Ordinance posted on the wall on the left side of the door.

Welcome to Peaceful Tree House with Ocean View

House Information

Dear Guests, we welcome you to our home and wish a relaxing vacation by the woods and sea. We hope you find everything to be comfortable; if you need anything, just ask!

Janiece Rodriguez manages the property and is on call 24/7 to answer any questions you may have throughout your stay and help you get settled. Her phone number is 360-909-2236. Please contact her anytime. She is happy to answer all questions and address all concerns big or small. She will check in on you during your stay. Please let her know how things are going. We hope you will find the house comfortable and enjoy your vacation here. We know you had a choice of where to book and we are excited that you chose us. Thank you!

We are very mindful about our environment and respect the ocean and the nature around us. We ask our guests to do the same. As California is in a drought, we ask that showers remain short, and washing dishes is done conservatively. We are an eco-friendly home, trying to conserve our natural surroundings. For example you will only find all natural non-chemical cleaning products.

PARKING:

Parking is limited to 3 vehicle(s). Vehicles are to be parked in the driveway only. Parking on the road or landscaping is not permitted. Any illegally parked cars are subject to towing; applicable fines/towing fees are the sole responsibility of the vehicle owner.

GETTING IN:

Janiece is happy to greet you and show you around the house. At this time she will provide you with a personal code for entry into the house.

BEFORE YOU ENTER AND WHILE INSIDE:

1. We encourage you to take off your shoes and make yourself at home.
2. Please rinse your feet before entering the house if you have been to the beach. Please do not bring any sand into the house. It is very difficult to remove and wears on the interior of the property.
3. Please only eat in the dining room, kitchen and/or outside. There is no eating anywhere other than these areas. Please.
4. Please keep the front door closed at all times. If you open the sliding doors please ensure that the screen doors are closed at all times. This is to ensure that critters do not enter the house.
5. Do not open the emergency exit door next to the washer and dryer unless it is an emergency. This door has no screen on it. Thank you!

This is to ensure the longevity of our wood flooring as well as keep the house clean inside. Furthermore there is **absolutely no smoking of any kind on the property**. The cleaning staff is instructed to inspect the carpets, bedding and furniture for noncompliance of these rules. The return of your deposit weighs heavily on compliance **with house rules**. We graciously appreciate your cooperation. Thank you!

IMPORTANT TO KNOW:

THIS IS A TREE HOUSE: As a result, your experience will not be the same as a hotel:

- There is only one bathroom.
- To get from the living area to the sleeping area you must walk down a tight winding staircase.
- The floor of the house is not perfectly level
- The house sways in the wind
- The house sways if you jump, run, or perform other vigorous activities
- The house is lofted on a central pillar, meaning some of the decks are approximately 30 feet off the ground.
- The patio railings are not safe for small children.

KEYS:

This is a keyless property. You have been issued a code to unlock the front door for a specified amount of time. The treehouse front door uses an internet-connected digital keypad for access.

CHECK-OUT INSTRUCTIONS:

1. Please let us know when you depart, we like to come to the house shortly after.
2. Take all garbage and recycling to the appropriate cans outside. **DO NOT PILE GARBAGE OUTSIDE OF THE CONTAINERS.**
3. Pile towels and used linen near the washer and please start a load of towels. We appreciate your help ☺
4. Please Load dishwasher and start it.
5. Wash, dry and put away pots, pans and any items not able to go in the dishwasher.
6. No need to strip the beds. Please leave the beds unmade.
7. Please return items to their original locations and leave the house in the same condition as when received.
8. Please check that all doors/windows are secured. Including the small windows in the bedrooms. Close and lock all sliding patio doors and the front door.

LIGHTING: The outdoor lights turn on at dusk and turn off at 11:30 PM. Use the switch by each door to turn the lights back on if you're using them.

GARBAGE:

Inside garbage is located to the left of the sink. There are two cans. One is for garbage and the other is for recycling.

1. Create minimal garbage – We recommend only creating one bag for a one week stay. The brown can is for garbage.
 2. Recycle, Recycle, Recycle! If you recycle the amount of garbage going into our landfill will be minimal. The BLUE can is for recycling.
 3. The can with the GREEN lid is for our gardener.
-
6. IF it is Wednesday please take all three cans to the curb. If you won't be around to do this or if you prefer that we take care of it please let us know on Tuesday. On Thursday please return them to where they belong.

Recycling program can be found here:

<http://www.santacruzcountyrecycles.org>

INTERNET:

Network: Santa Cruz Treehouse Guest. No password needed.

RESPECT OUR NEIGHBORS

QUIET HOURS are between 8:30 p.m. and 8:00 a.m. Our neighborhood is quiet and noise travels. Please abide by the county's noise ordinance (Santa Cruz County Code, Section 8.30.010).

- (Santa Cruz County Code, Section 8.30.010) the county sheriff will be called for noise or illegal activities, and you will be immediately evicted and your lease terminated with no refunds of Rent, Tax, and Security Deposit.
- Guest recognizes that other properties and neighbors are in close proximity and that noise is easily heard when outside.
- When leaving or returning to the property, please do not cause any excessive noise. Guest understands that the property is located in a residential area and that neighbors live in close proximity.

WATER:

Please try to conserve water. Santa Cruz County is in a water emergency (drought).

ANIMALS:

We are surrounded by nature. You will see deer, squirrels, raccoons, and other wildlife. Please do not feed them or leave food outside.

TOILET:

Do not flush feminine hygiene products, napkins, baby wipes, cosmetic wipes or other wipes down the toilets. There are bags behind the toilet in the basket for you to dispose of these items into. Thank you!

HEAT:

There are three thermostats: one located by the top floor entrance, one in the downstairs bathroom, and one in the downstairs bedroom farthest from the

staircase. The house is equipped with radiant heat and a space heater that will take a while to heat up (sometimes the downstairs bedrooms get chilly).

POISON OAK:

There is poison oak in the area, including in the park closest to us (Nisene Marks). You may also encounter it if you explore our property. Long pants advised.

REUSABLE GROCERY BAGS:

The County of Santa Cruz merchants charge .25 cents per bag. We encourage you to use the bags we provide to save a little money and help the environment. There are reusable grocery bags in the kitchen. Please return them for future guest use.

BBQ:

Is off limits at this time. Please do not use.

FURNITURE:

Keep the property and all furnishings in good order. Do not rearrange furniture

KITCHEN:

We provide all the essentials such as cookware, tableware, and cutlery. Anything else we've left is okay for your use. You will also find all cleaning soaps and detergents under the sink, including soap for dishwasher. Please let us know if something important is missing.

Bake ware and pots, pans are located in the corner cabinet in the kitchen.

DISHWASHER:

Please rinse all dishes well prior to placing them in the dishwasher. Select the desired wash cycle and press start.

TV:

This smart TV is connected to Netflix, Amazon Prime Video, and has an HDMI cable. If you have a HDMI laptop or iPhone cable you can plug it into the TV.. We are not connected to local cable. If you make any purchases using the host's account, please remember to reimburse us for them.

LAUNDRY:

There is a laundry detergent next to the washer. PLEASE NO NOT USE BLEACH OR LAUNDRY DETERGENT PODS IN OUR WASHER.

BATHROOM:

We provide towels and the basic necessities, including a blow dryer, Shampoo, conditioner, and body wash for your use.

TOWELS:

There are extra bath and beach towels in both bedroom closets inside the glass cabinet. If you need more towels or linen please wash what has been provided.

STUFF TO DO:

Weekday traffic: Try to avoid CA Route 1 and CA Route 17 during rush-hour (southbound in the afternoons, northbound in the mornings). Traffic can easily double travel times. Local traffic conditions can be found at www.cruz511.org

State parks: Find anything interesting in Nisene Marks? Save the coordinates and I'll add them here!

You are within 15 minutes of several state beaches:

- [Capitola City Beach](#) (boardwalk, food, busy)
- [New Brighton State Beach](#) (closest, less developed, lots of campers)
- [Seacliff State Beach](#) Only two miles from the Treehouse, this beach has an hour-long walk, is less developed, and dog friendly.
- [Beer Can Beach](#) is four miles away and well worth the extra distance. It is more secluded with comparatively fewer people, especially on public holidays. It's a 5-10 min drive from the treehouse. You access the beach through a neighborhood, but parking is easy (and obvious!). We'll often go there and walk two miles south on the beach. The further you go from the entrance the fewer the people!
- The closest marked entrance to [Nisene Marks State Park](#) is 1.5 miles away, at 904 Mesa Grande Rd (in the neighborhood next to ours). If you choose to drive there you'll find plenty of street parking nearby. It is a dense redwood forest. Great for trail running, mountain biking, or long hikes. If you like to wander, enjoy the dozens of unmarked trails, some with stunning views of monterey bay. Bring plenty of water, GPS (if you have it), and plan to spend at least a couple hours hiking. Cell reception is limited.
-

Food: If you want something fancier for a dinner celebration than [Shadowbrook](#) is the place to go. The food is good and the vibe is nice and cabin/cozy. You actually have to take a short tram ride to get to the restaurant. Also check the blue folder of menus gathered by recent treehouse guests. Please add your menu to the folder!

Live music: [Aptos Street BBQ](#) (about 10 minutes away) has live music most nights. With great BBQ and a large selection of beers, it's a local destination.

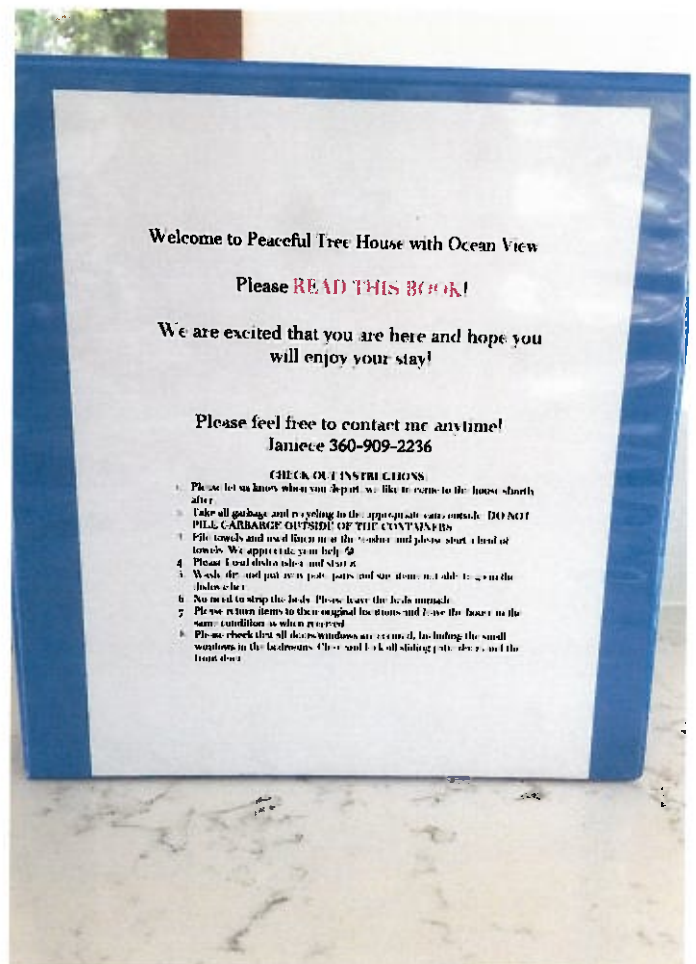
Birds: Here is a link to the birds of Santa Cruz County:
https://en.wikipedia.org/wiki/List_of_birds_of_Santa_Cruz_County,_California

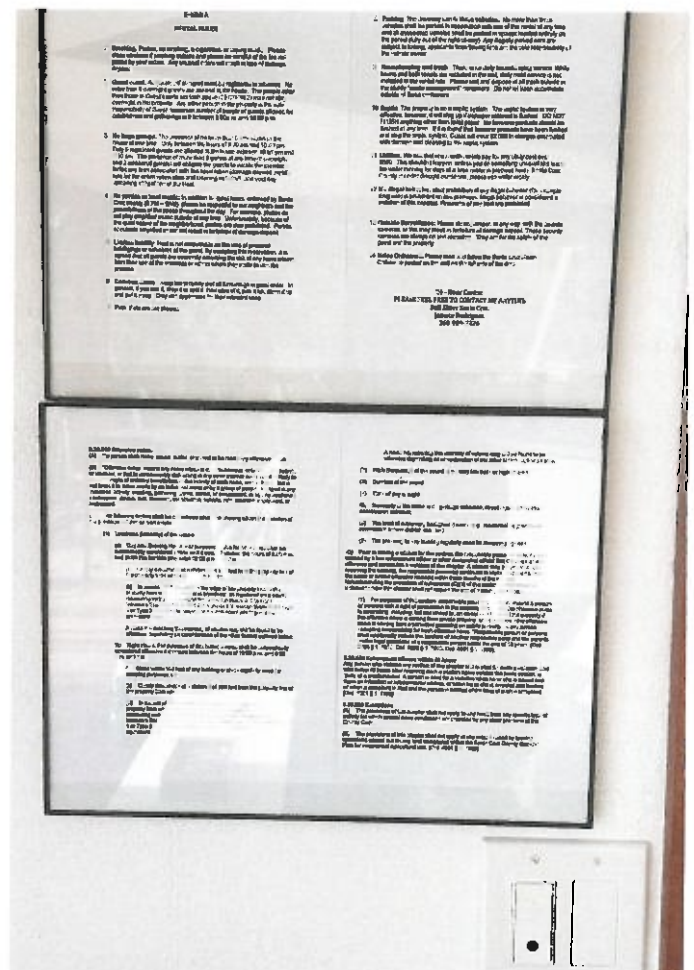
Nearby Cultural & Shopping:

https://en.wikipedia.org/wiki/Santa_Cruz,_California#Cultural_events
www.CapitolaVillage.com

Emergency info: 911 and or Janiece Rodriguez 360-909-2236

Thank you. Enjoy your holiday on the lovely Monterey Bay Sanctuary!





8.30.010 Offensive noise.

(A) No person shall make, cause, suffer, or permit to be made any offensive noise

(B) "Offensive noise" means any noise which is loud, boisterous, imitating, penetrating, or unusual, or that is unreasonably distracting in any other manner such that it is likely to disturb people of ordinary sensitivities in the vicinity of such noise, and includes, but is not limited to, noise made by an individual alone or by a group of people engaged in any business, activity, meeting, gathering, game, dance, or amusement, or by any appliance, contrivance, device, tool, structure, construction, vehicle, ride, machine, implement, or instrument.

(C) The following factors shall be considered when determining whether a violation of the provisions of this section exists:

(1) Loudness (intensity) of the Sound

(a) **Day and Evening Hours.** For purposes of this factor, a noise shall be automatically considered offensive if it occurs between the hours of 8:00 a.m. and (E:30 Pm for this property) 10:00 p.m. and it is:

(i) Clearly discernible at a distance of 150 feet from the property line of the property from which it is broadcast, or

(ii) In excess of 75 decibels at the edge of the property line of the property from which the sound is broadcast, as registered on a sound measuring instrument meeting the American National Standard Institute's Standard S1 4-1971 (or more recent revision thereof) for Type 1 or Type 2 sound level meters, or an instrument which provides equivalent data.

A noise not reaching this intensity of volume may still be found to be offensive depending on consideration of the other factors outlined below.

(b) **Night Hours.** For purposes of this factor, a noise shall be automatically considered offensive if it occurs between the hours of 10:00 p.m. and 5:00 a.m. and it is:

(i) If within 100 feet of any building or place regularly used for sleeping purposes, or

(ii) Clearly discernible at a distance of 100 feet from the property line of the property from which it is broadcast, or

(iii) In excess of 50 decibels at the edge of the property line of the property from which the sound is broadcast, as registered on a sound measuring instrument meeting the American National Standard Institute's Standard S1 4-1971 (or more recent revision thereof) for Type 1 or Type 2 sound level meters, or an instrument which provides equivalent data.

A noise not reaching this intensity of volume may still be found to be offensive depending on consideration of the other factors outlined below.

(2) Pitch (frequency) of the sound, e.g., very low bass or high screech;

(3) Duration of the sound;

(4) Time of day or night;

(5) Necessity of the noise, e.g., garbage collecting, street repair, permitted construction activities;

(6) The level of customary background noise, e.g., residential neighborhood, commercial zoning district, etc.; and

(7) The proximity to any building regularly used for sleeping purposes.

(D) Prior to issuing a citation for this section, the responsible person or persons will be warned by a law enforcement officer or other designated official that the noise at issue is offensive and constitutes a violation of this chapter. A citation may be issued if, after receiving the warning, the responsible person(s) continues to make or result in making the same or similar offensive noise(s) within three months of the warning. Notwithstanding the provisions of subsection (C)(1) of this section, enforcement violations under this chapter shall not require the use of a sound level meter.

(1) For purposes of this section "responsible person or persons" means a person or persons with a right of possession in the property from which the offensive noise is emanating, including, but not limited to, an owner or a tenant of the property. If the offensive noise is coming from private property, or a premises if the offensive noise is coming from a permitted gathering on public property, or any person accepting responsibility for such offensive noise. "Responsible person or persons" shall additionally include the landlord of another responsible party and the parent and/or legal guardians of a responsible person under the age of 18 years. [Ord. 5255 § 1, 2017; Ord. 5205 § 1, 2015; Ord. 4001 § 1, 1989]

8.30.020 Subsequent offense within 48 hours.

Any person who violates any section of this chapter and is cited for such a violation, and who within 48 hours after receiving such a citation again violates the same section, is guilty of a misdemeanor. A person is cited for a violation when he or she is issued and signs an infraction or misdemeanor citation, or when he or she is arrested and booked, or when a complaint is filed and the person is notified of the filing of such a complaint. [Ord. 4001 § 1, 1989]

8.30.030 Exceptions

(A) The provisions of this chapter shall not apply to any noise from any specific type of activity for which special noise regulations are provided by any other provision of the County Code.

(B) The provisions of this chapter shall not apply to any noise caused by farming operations carried out on any land designated within the Santa Cruz County General Plan for commercial agricultural use. [Ord. 4001 § 1, 1989]

1. **Smoking:** Please, no smoking, e-cigarettes, or vaping inside. Please close windows if smoking outside and please be mindful of the fire risk posed by your ashes. Any unusual odors will result in loss of damage deposit.

2. **Guest count:** All guests (of all ages) must be registered in advance. No more than 6 overnight guests are allowed at the house. The people other than those in Guest's party set forth above (SECTION 2) may not stay overnight in the property. Any other person in the property is the sole responsibility of Guest. Maximum number of people of guests allowed for celebrations and gatherings is 8 between 8:00 a.m. and 10:00 p.m.

3. **No large groups:** The presence of no more than 8 individuals in the house at one time. Only between the hours of 8:00 a.m. and 10:00 p.m. Only 6 registered guests are allowed at the house between 10:01 p.m. and 7:59 a.m. The presence of more than 8 guests at any time (6 overnight and 2 additional guests) will obligate the guests to vacate the premises, forfeit any fees associated with this reservation (damage deposit, nightly rate for the entire reservation and cleaning included), and void any remaining obligations of the Host.

4. **No parties or loud music:** In addition to "quiet hours" enforced by Santa Cruz county (9 PM - 8 AM), please be respectful to our neighbors and the peacefulness of the space throughout the day. For example, please do not play amplified music outside at any time. Unfortunately, because of the quiet nature of the neighborhood, parties are also prohibited. Parties or outside amplified music will result in forfeiture of damage deposit.

5. **Limited liability:** Host 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 premises.

6. **Common sense:** Keep the property and all furnishings in good order. If generally, if you use it, drop it or spill it, take care of it, pick it up, clean it up, and put it away. Only use appliances for their intended uses.

7. **Pets:** Pets are not allowed.

vehicles shall be parked in association with use of this rental at any time, and all associated vehicles shall be parked in spaces located entirely on the parcel (fully out of the right-of-way). Any illegally parked cars are subject to towing; applicable fines/towing fees are the sole responsibility of the vehicle owner.

9. **Housekeeping and trash:** There is no daily housekeeping service. While linens and bath towels are included in the unit, daily maid service is not included in the rental rate. Please sort and dispose of all trash outside in the sturdy "waste management" containers. Do not let trash accumulate outside of these containers.

10. **Septic:** The property is on a septic system. The septic system is very effective, however, it will clog up if improper material is flushed. DO NOT FLUSH anything other than toilet paper. No feminine products should be flushed at any time. If it is found that feminine products have been flushed and clog the septic system, Guest will incur \$2,000 in charges associated with damage and cleaning to the septic system.

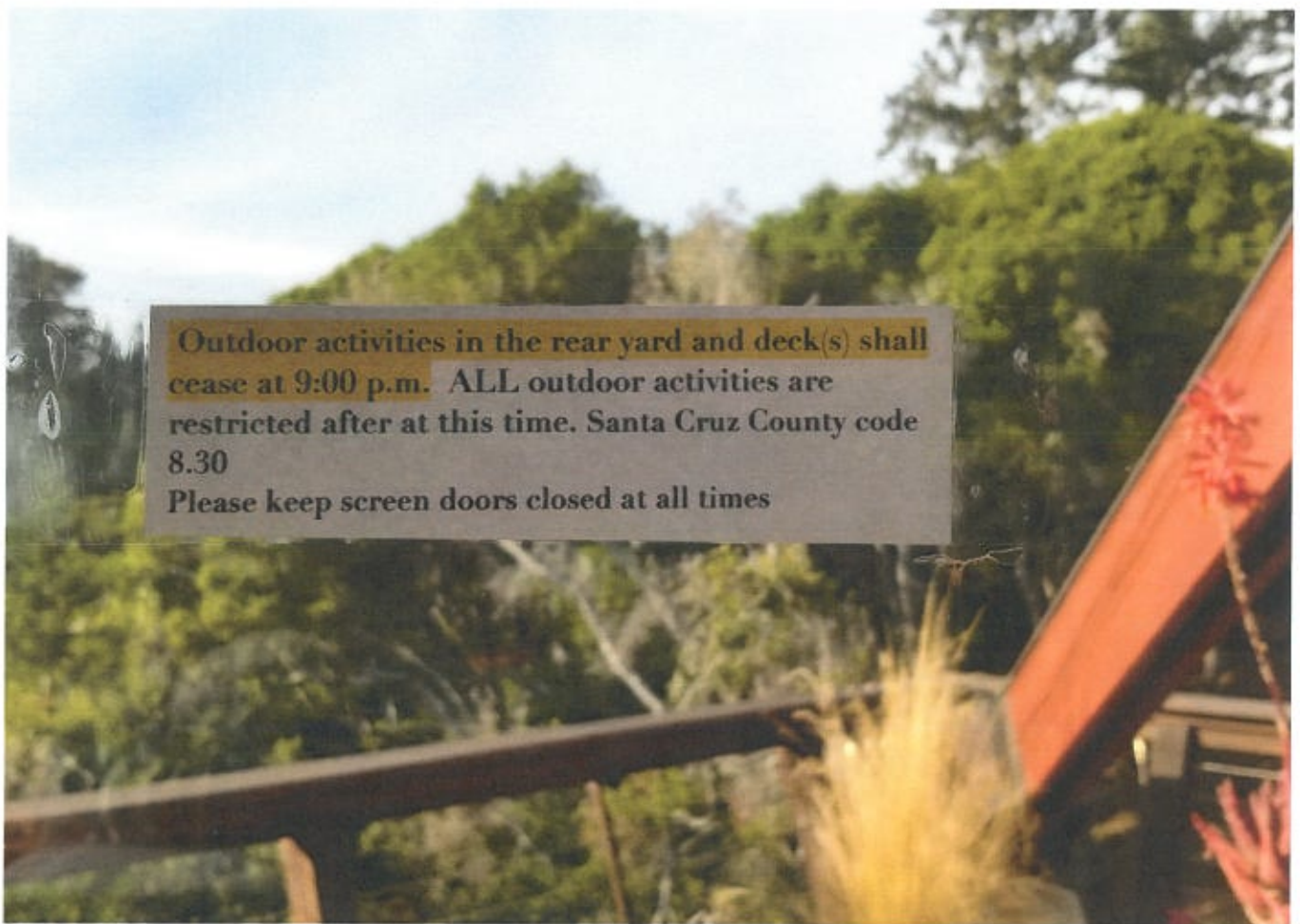
11. **Utilities:** We ask that one month rentals pay for any utility cost over \$500. This shouldn't happen, unless you do something unusual like leave the water running for days at a time (water is precious here). Santa Cruz County is under drought conditions, please use water wisely.

12. **No illegal behavior:** strict prohibition of any illegal behavior (for example, drug use) is prohibited on this premises. Illegal behavior is considered a violation of this contract. Fireworks of any kind are prohibited.

13. **Outside Surveillance:** Please do not tamper, in any way, with the outside cameras, or this may result in forfeiture of damage deposit. These security cameras are always on and recording. They are for the safety of the guest and the property.

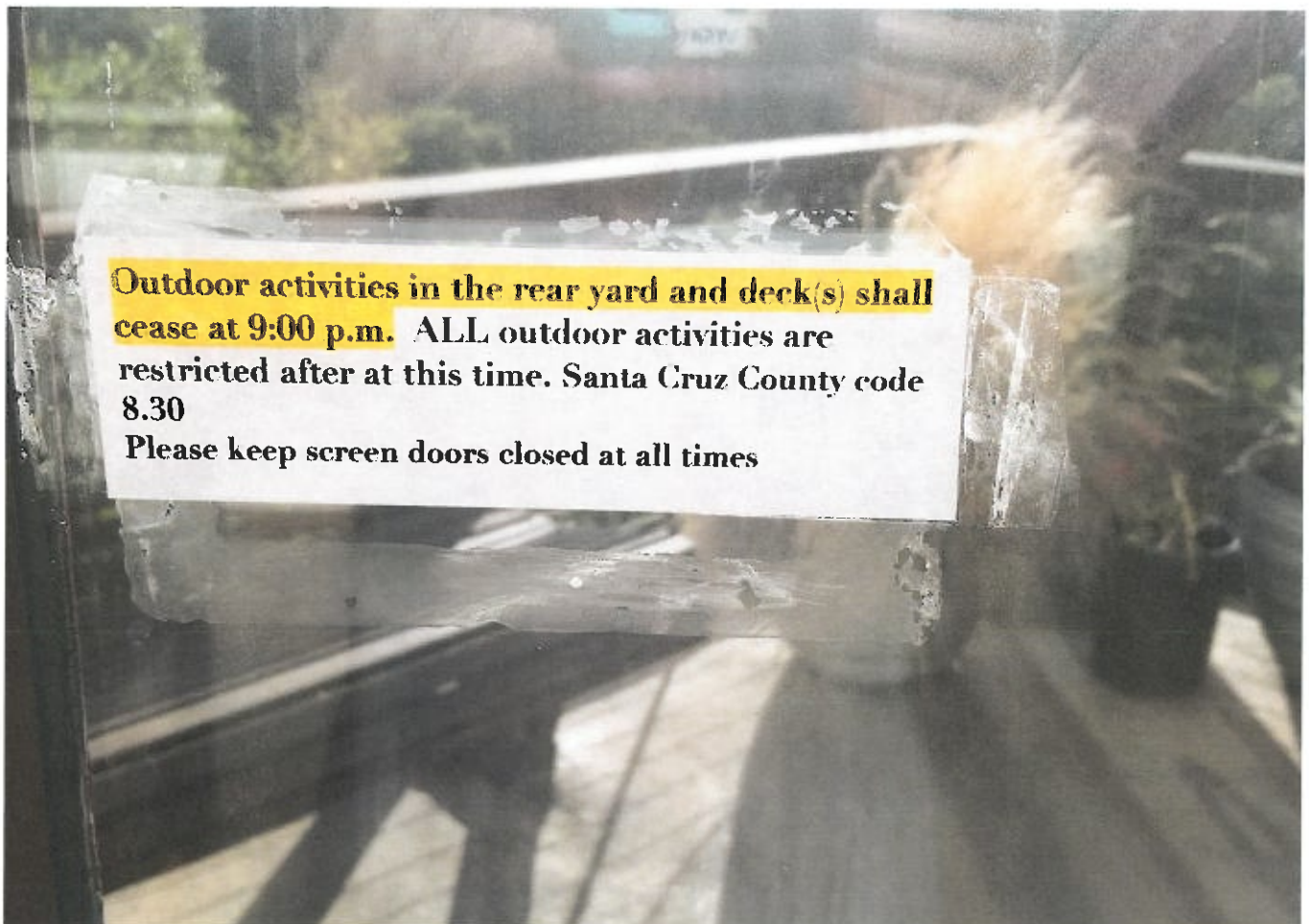
14. **Noise Ordinance:** Please read and follow the Santa Cruz Noise Ordinance posted on the wall on the left side of the door.

24 - Hour Contact
PLEASE FEEL FREE TO CONTACT ME
BnB Sitter Santa Cruz
Janiece Rodriguez
360-909-2236



Outdoor activities in the rear yard and deck(s) shall
cease at 9:00 p.m. ALL outdoor activities are
restricted after at this time. Santa Cruz County code
8.30

Please keep screen doors closed at all times



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Please keep screen doors closed at all times

24 - hour contact
PLEASE FEEL FREE TO CONTACT ME ANYTIME
BnB Sitter Santa Cruz
Janiece Rodriguez
360-909-2236

Our neighbors ask that you **please drive slowly 5 MPH**
on our street. Children often play in the street.
Thank you!





★★★★

SMILE YOU'RE ON CAMERA

Jerry Busch

From: BnB Sitter Santa Cruz <bnbsittersantacruz@gmail.com>
Sent: Tuesday, July 24, 2018 9:23 AM
To: Jerry Busch
Cc: Sam Odio
Subject: Re: SR 171035 REV after PH - Approval date corrected.pdf

Hi Jerry,

I notified the Sheriff's office and cc'd both you and Sam. I didn't get a confirmation from them. I'm not sure if they send one or not but I will follow up with them.

I sent out all 19 notices yesterday.

All the best,
Janiece

On Jul 24, 2018 8:55 AM, "Jerry Busch" <Jerry.Busch@santacruzcounty.us> wrote:

Hi, Janiece –

Thank you for the updated contract, photodocumentation and all of the actions to render the unit compliant.

Have you sent out notices of the new emergency contact to the mailing list provided and notified the Sheriff's Department of the new contact?

Thank you,

Jerry Busch

Planner IV, Development Review

County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
831-454-3234
jerry.busch@co.santa-cruz.ca.us

Jerry Busch

From: Sam Odio <odio.sam@gmail.com>
Sent: Tuesday, July 24, 2018 11:13 AM
To: BnB Sitter Santa Cruz; Sabine DeBonis
Cc: Guy Cote; Jack Beebe; Jerry Busch; Kent Miller; Laura Miller; Nancy Guinther; Sarah Coviello; Stuart Beck; Todd Debonis; dulce Ivancko
Subject: Re: SIGNS & SPEEDBUMPS / Conversation regarding short term rental permit at 137 Las Lomas Dr

Sabine - I'm sorry that you don't feel I'm welcome in the neighborhood. That response is a dramatic contrast from the beautiful stories of humanity and love (engagements, anniversaries, marriages) that come from those staying at the house. At some point I hope I can share some of those stories with you. Many guests have had life-changing (I mean that literally) experiences at the house.

I hope you can understand my reluctance to 5MPH, Sabine, given Jerry's concerns about safety and the fact that neighbors have indicated that the speed limit should be impractically low so that guests won't abide by it and that those violations will result in the loss of the permit. The reality, based on the time I've spent observing the road, is that almost everyone does not drive at 5MPH or even 10. The subtext of this conversation has not been about safe driving, as a speed bump would be an effective way to actually slow down traffic, but about "gotchas" to get the short-term rental permit revoked.

Regardless, I've got a couple updates:

- I have hired a new property manager, Janiece, who is helping with the house. She's great and her contact info is below. She will work to make sure those staying at the house aren't disruptive. Please reach out to her at any time if there is an issue.

- I have permission from Blake Carpenter to install the sign and will move forward with a 5MPH sign at the location indicated with a green X below. I do not believe this is the safest option, as expressed by Jerry and the county, but I don't see any other way to resolve this (which I desire to do).

- I plan on installing a second "slow children and pets at play" sign beneath the 5MPH sign on the same sign post. If that's an issue let Janiece know.

Im open to any other suggestions to encourage safe driving and make sure the treehouse rental is a non-disruptive neighbor,

Thanks
-Sam Odio

—

BnB Sitter Santa Cruz
Janiece Rodriguez
360-909-2236
BnBSitterSantaCruz@gmail.com

On Fri, Jul 6, 2018 at 4:51 PM Sabine DeBonis <tosaisma@gmail.com> wrote:

Sam,

Here we go again! I'm starting to believe that you actually enjoy this attention.. negative attention is better than none?

Why don't you just put a 5 mph sign on our private road as requested and call it good?

It's a waist of my energy to take in your negativity and want to argue. I'm actually really happy you don't live in our neighborhood.

Looking forward to an end,

~ Sabine

831.600.6388

On Jul 6, 2018, at 13:32, Nancy Guinther <nguinther@comcast.net> wrote:

We on main Haas Dr. and Haas spur support all you neighbors on Las Lomas—a 5mph sign was requested long ago. Should be no delays.

Nancy

On Jul 6, 2018, at 11:50 AM, Stuart Beck <apples@mcn.org> wrote:

Not a County road ,Sam.

Ultimately it is not their decision.

It is the residents/ownership that decides.

I vote for 5mph.

Stuart

Stuart Beck

Saucito Land Company

156 Bonifácio Pl

Monterey, CA 93940

Cell- 707 272 7200

Off. 831 373 2664

BRE# 01266518

Please excuse brevity and mistakes

On Jul 6, 2018, at 2:40 PM, Sam Odio <odio.sam@gmail.com> wrote:

Sabine - The Airbnb started at the beginning of July.

My understanding is that the neighborhood is not supportive of a 10MPH sign nor a speed bump/hump that's designed to slow traffic down to 10MPH. I'm very willing to install either if that's not the case. For safety reasons, I don't believe the county is willing to require a 5MPH sign (based on Jerry's previous email).

I'd also like to install a more visible and durable "Slow, Children at Play" sign at the corner of Haas and Las Lomas. I need the contact info for Kris and Shayne at 3335 Haas as the sign would be on their property.

Does anyone have the email or phone number for Kris and Shayne at 3335 Haas?

Thank you for your help.

On Thu, Jul 5, 2018 at 10:10 PM, Sabine DeBonis

<tosaisma@gmail.com> wrote:

That's on Haas..on the right side of Haas not doing anything to address the slow down on Las Lomas.. I thought we are addressing Las Lomas Drive?

Sam, I believe the neighbors still haven't heard about the 5 or 10 mph sign you were supposed to install on Las Lomas Drive before you open your business to the public? The speed bump has been postponed for now, correct? Mainly to see how your guests regard the speed limit sign you are still putting up, correct?

I don't know if maybe there were emails I wasn't copied on and you are already finishing up on your action items that were decided on in the meeting a few months back.

~ Sabine

831.600.6388

On Jul 5, 2018, at 11:44, Sarah Coviello <scoviello@sbcglobal.net> wrote:

There's already one there.

<image1.jpeg>

On Jul 5, 2018, at 10:46 AM, Samuel Odio <odio.sam@gmail.com> wrote:

Thanks for your clarification Jerry.

Everyone - I'd still be supportive of installing a weatherproof reflective "Slow, Children at Play" sign on the corner of Las Lomas and Haas. Does anyone have the contact info for the neighbor at 3300 Haas Dr? I believe the sign would need to be on the side of their property (on Las Lomas Rd).

Thanks.

Jerry Busch

From: BnB Sitter Santa Cruz <bnbsittersantacruz@gmail.com>
Sent: Friday, July 13, 2018 12:28 AM
To: Roseanne Leso
Cc: Jerry Busch; Sam Odio
Subject: Updated 24 Hour Contact

Hello Roseanne,

I would like to update the 24-hour contact for 137 Las Lomas Dr, Aptos CA.

BnB Sitter Santa Cruz
Janiece Rodriguez
360-909-2236
BnBSitterSantaCruz@gmail.com

Thank you!
Janiece Rodriguez

Jerry Busch

From: Jerry Busch
Sent: Wednesday, July 11, 2018 4:57 PM
To: 'Sam Odio'
Subject: RE: Permit application - progress and next steps.

Hi, Sam –

Thank you for the prompt information and the photos to come.

Could you please provide to me the name, phone number, email, mailing address and location address of the new property manager?

Please provide the implementation status of the following conditions of approval:

- 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 8:00a.m. and 10:00 p.m., maximum number of vehicles allowed, strict prohibition of illegal activity and use of all fireworks, and a reference to the standards contained in the County Noise Ordinance (County Code Chapter 8.30).
- A copy of the County Noise Ordinance (County Code Chapter 8.30) shall be posted inside the vacation rental in a location readily visible to all guests.
- Signage shall be clearly posted at the front entrance and all deck entrances specifying the 9:00 p.m. outdoor activity restriction.
- 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 and the main County Sheriff's Office, 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 emergency contact person's address or telephone number shall be promptly furnished to the Planning Department, agencies referenced above and neighboring property owners within a 300 foot radius.

After reviewing the speed limit issue again with the Dept. of Public Works, is evaluating whether any special speed limit sign will be required in order to comply with the conditions of approval.

Thank you,

Jerry Busch

Planner III, Development Review
County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
831-454-3234
jerry.busch@co.santa-cruz.ca.us

From: Sam Odio <odio.sam@gmail.com>

Sent: Wednesday, July 11, 2018 12:15 PM

To: Jerry Busch <Jerry.Busch@santacruzcounty.us>; BnB Sitter Santa Cruz <bnbsittersantacruz@gmail.com>

Subject: Permit application - progress and next steps.

Jerry - thanks for the call. I've summarized the progress here. Janice, my property manager is also on this thread. She will follow up with photos/documentation as noted below.

Janiece - call me let me know if you have any questions.

PROGRESS

- Hired a responsive 24-hour contact (starting 10 days ago) who has already visited the property several times proactively.
- Sign with 24-hour contact installed in the front yard (**photo coming**).
- BBQ has been removed while we work on the noise issue. We may re-install in a quieter area (**photo coming of empty BBQ area**).
- Several signs installed in-house (photos coming):
 - Guests to drive slowly (inside the front door)
 - To be quiet on the patio at night (by decks)
- Contract updated with clear instructions on how to arrive at the house including photos of no trespassing signs, parking limitation, quiet hours, and guest limit of 6 (**copy of contract coming**).
- Copy of contract (with no trespassing signs) will be made available to guests inside house at check in (**photo of blue folder with contract in house coming**)
- Re-installed a wireless-enabled security camera on the exterior of the house to monitor & enforce the guest limit.

ABANDONED

- Offered to install speed bump limiting speed to 10MPH (neighbors declined).

PENDING

- We are going to install a sign asking drivers on Las Lomas Dr to slow down (**pending approval on 10MPH speed limit from neighbors**).

Thank you.

Jerry Busch

From: Jerry Busch
Sent: Monday, July 9, 2018 4:06 PM
To: 'Sam Odio'
Subject: RE: vac rental Conditions
Attachments: Conditions of Approval -copy of revised SR.pdf

Attached.

Thank you,

Jerry Busch

Planner III, Development Review
County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
831-454-3234
jerry.busch@co.santa-cruz.ca.us

From: Sam Odio <odio.sam@gmail.com>
Sent: Monday, July 9, 2018 7:31 AM
To: Jerry Busch <Jerry.Busch@santacruzcounty.us>
Subject: Re: vac rental

Thanks Jerry. Send me the conditions when you have a minute.

On Fri, Jul 6, 2018 at 11:30 AM Jerry Busch <Jerry.Busch@santacruzcounty.us> wrote:

Thank you.

No complaints received so far.

Thank you,

Jerry Busch

Planner III, Development Review
County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
831-454-3234
jerry.busch@co.santa-cruz.ca.us

From: Samuel Odio <odio.sam@gmail.com>
Sent: Thursday, July 5, 2018 10:38 AM
To: Jerry Busch <Jerry.Busch@santacruzcounty.us>
Subject: Re: vac rental

Hi Jerry - I started it up on the 2nd. Have you received any complaints? After our neighborhood meeting I decided to hire a new property manager who is very hands on and has visited the property to communicate the private nature of the neighborhood & ensure guests are in compliance, so hopefully that will help as well.

Thanks.

-S

On Jul 2, 2018, at 10:01 AM, Jerry Busch <Jerry.Busch@santacruzcounty.us> wrote:

Hi, Sam –

What is the status of your VR?

Thank you,

Jerry Busch

Planner III, Development Review

County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
831-454-3234
jerry.busch@co.santa-cruz.ca.us

Jerry Busch

From: Jerry Busch
Sent: Thursday, May 17, 2018 8:50 AM
To: Rodolfo Rivas
Subject: FW: SIGNS & SPEEDBUMPS / Conversation regarding short term rental permit at 137 Las Lomas Dr

Hi, Rodolfo –

When you have a chance, could you review the letter below concerning a private speed limit sign on Las Lomas? I am interested in your opinion of the safety of a 5 mph sign.

Thanks,

Jerry

From: Stuart <apples@mcn.org>
Sent: Wednesday, May 16, 2018 2:43 PM
To: Jerry Busch <Jerry.Busch@santacruzcounty.us>
Cc: Nancy Guinther <nguinther@comcast.net>; Sam Odio <odio.sam@gmail.com>; Sabine DeBonis <tosaisma@gmail.com>; Du <docevida@mcn.org>; Guy Cote <guy.cote@mac.com>; Kent Miller <gohelga@gmail.com>; Laura Miller <calauramiller@gmail.com>; Sarah Coviello <scoviello@sbcglobal.net>; Todd DeBonis <todddebonis@yahoo.com>; Francis Padilla <padilla.francis1@gmail.com>; Jack Beebe <jackbeebeptos@gmail.com>
Subject: Re: SIGNS & SPEEDBUMPS / Conversation regarding short term rental permit at 137 Las Lomas Dr

Dear Sam

We have reviewed and discussed, as residents, your speed hump/signage proposals.

At this time we would like to proceed forward without the installation of the speed hump. Your suggestion of one that you are looking at purchasing is nothing the residents of our private road would like to see or have to deal with on a daily basis. Nor would it be safe for the children with their scooters/skates/ etc.

If and when we proceed with a speed hump we would like to have it made out of smooth asphalt that is “poured and shaped” in place.

As Las Lomas Drive is a “private” drive it therefore has an unenforceable speed limit. We still stand behind our proposal of a 5 MPH signage. Everybody knows that no one limits their speed to the posted speed limit. This is expected, so by posting at 5 MPH we think people will realize that they need to drive slow, very slow. If it is posted at 10MPH that means 15MPH in non residents eyes and that is too fast for this road.

I have been watching my speed since Jerry’s last email and I am constantly at 7 MPH as I round the corner onto Las Lomas and head down to my driveway. I feel this is a safe speed for the street.

Please make the signage for 5MPH as agreed by all the residents except you. And we will monitor and if your guests don’t respect the limit then we will revisit the subject of the speed hump at a later date to try to slow them down.

Thank You

Stuart

Stuart Beck
Saucito Land Company
P.O. Box 87 Monterey, CA 93942
BRE# 01266518
Cell- 707-272-7200
Ofc.- 831-373-2664
fax- 831-373-0407
apples@mcn.org

On Mar 22, 2018, at 10:57 AM, Jerry Busch <Jerry.Busch@santacruzcounty.us> wrote:

Greetings to all –

I am glad to hear you all discussing the appropriate traffic calming measures.

I feel obligated to contribute this: typically, public speed limits are designed to prevent excessive speeds without attempting to slow traffic below conventional behavior of the main users (residents) of the street or road. The reason for this is that excessively reducing speeds can itself create a hazard, where vehicles attempt to pass unsafely, or where vehicles move so slowly that they create a collision hazard.

Five m.p.h is the pace of a brisk walk. Assuming that residents honor this limit, it could raise a safety concern for guests and visitors unused to such slow speeds, and vice versa.

Please feel free to agree on a speed limit that you feel is safe and appropriate, while considering these safety conventions. Also, it would be inappropriate to set an artificially low speed limit in the mistaken belief that could somehow lead to a revocation of the approved permit.

Thank you,

Jerry Busch

Planner III, Development Review
County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
831-454-3234
jerry.busch@co.santa-cruz.ca.us

From: Nancy Guinther [<mailto:nguinther@comcast.net>]

Sent: Wednesday, March 21, 2018 9:26 PM

To: Sam Odio <odio.sam@gmail.com>

Cc: Sabine DeBonis <tosaisma@gmail.com>; Dulce <docevida@mcn.org>; Guy Cote <guy.cote@mac.com>; Jerry Busch <Jerry.Busch@santacruzcounty.us>; Kent Miller <gohelga@gmail.com>; Laura Miller <calauramiller@gmail.com>; Sarah Coviello <scoviello@sbcglobal.net>; Stuart Beck <apples@mcn.org>; Todd DeBonis <todddebonis@yahoo.com>; Francis Padilla <padilla.francis1@gmail.com>; Jack Beebe <jackbeebeaptos@gmail.com>

Subject: Re: SIGNS & SPEEDBUMPS / Conversation regarding short term rental permit at 137 Las Lomas Dr

Sam (and everyone else on this chain),

Thank you to my neighbors on Haas Dr. first. Sabine, Sarah, Stu. You are holding/are trying your best to hold Sam accountable to his words from our meeting last week in which he agreed to the terms that you on Las Lomas had insisted on. To you, Sam, I spoke my words at the meeting (when did you purchase your home? when did you open your Airbnb? and when did you apply for a permit?) bc I find you are very **disingenuous**! You may come across as a nice enough guy, who wants to do what's right for the neighborhood—AFTER you are called out for NOT following the Airbnb terms (such as meeting with your neighbors, all your neighbors) and AFTER we neighbors filed complaints to the County when you failed apply for a permit when you first opened your Airbnb.

And now you are acting as if we are somehow not understanding you! I don't!

You agreed to a 5mph speed limit sign. Then you go ahead and send us a picture of a 10mph sign and argue about speed bumps/humps whatever. Were you not listening to the group at the meeting?

Then, you send your pictures out to three people in the meeting only, rather than the whole group and explain something about the best method for conflict resolution. What? Come on. Just be a neighbor and respond to all of us; we are all concerned bc it's NOT just Las Lomas folks that may or have problems with your "guests", but all of us here on Haas. Your guests may drive slowly on Las Lomas—eventually—but we have elderly people walking up and down our Haas Road that live here also and need guests to be aware and concerned about them. And you will and do have "guests" who could care less about neighborhood private property. This is an issue for all of us and we are all committed to making certain you following regulations!

Do we need speed signs on Haas or can you somehow make this known to all your guests?

So please do not give us some weird words about "culture" differences etc. Think about being a neighbor NOT just a business man.

Nancy

On Mar 21, 2018, at 8:23 PM, Sam Odio <odio.sam@gmail.com> wrote:

Sabine - I'm sorry you interpreted my email as sarcastic. To be honest, I'm saddened by the tone of this and the other conversations we've had.

I'm open to a speed hump, but I don't think that will slow the traffic down to 5MPH.

Please let me know if there are any other suggestions.

Thanks,

On Mar 21, 2018, at 6:11 PM, Sabine DeBonis
<tosaisma@gmail.com> wrote:

Sam,

Why do you have argue about everything? Why do feel the need to be sarcastic with your approach? I know you expressed that you are having a hard time culturally between your upbringing in Redwood City and Aptos but to fix it with 'smart' remarks is not the way to go.

In the neighborhood meeting the majority agreed to a 5 mph speed sign and a possible speed hump.

Since you haven't been and won't be part of this neighborhood and are mainly interested in the business aspect of all this why does it matter to you if it is 5 or 10 mph sign?

So please just spare everyone with your comments which doesn't help your wanting to reconcile with the neighborhood. It sounds like to me that a 5 mph speed sign is it and a speed hump seems to be fine as well. When can we expect the work to be finished? I assume before your hotel opens?

And FYI breaking and talking to smaller groups doesn't work in the Aptos culture. We are a small enough group where open and honest communication is appreciated.

Does anybody else have any changes or suggestions to add for Sam?

~ Sabine
831.600.6388

On Mar 21, 2018, at 15:44, Sarah Coviello
<scoviello@sbcglobal.net> wrote:

Culture?

What's cultural about sped
signs/humps/bumps?????

~ Sarah

Jerry Busch

From: Jerry Busch
Sent: Monday, May 14, 2018 8:44 AM
To: 'Sam Odio'
Cc: Kent Miller; Laura Miller
Subject: RE: SIGNS & SPEEDBUMPS / Conversation regarding short term rental permit at 137 Las Lomas Dr

Ah, better.

Thank you,

Jerry Busch

Planner III, Development Review
County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
831-454-3234
jerry.busch@co.santa-cruz.ca.us

From: Sam Odio <odio.sam@gmail.com>
Sent: Monday, May 14, 2018 8:38 AM
To: Jerry Busch <Jerry.Busch@santacruzcounty.us>
Cc: Kent Miller <gohelga@gmail.com>; Laura Miller <calauramiller@gmail.com>
Subject: Re: SIGNS & SPEEDBUMPS / Conversation regarding short term rental permit at 137 Las Lomas Dr

Ah, I drew that sign myself in a graphics tool - so that's my fault. These are the signs I'm planning on buying (18" x 12" on 3M reflective aluminum):

- 10 MPH
- Slow down children at play

