



Staff Report to the Zoning Administrator

Application Number: 211133

Applicant: Gabreal and Marcus Franklin

Agenda Date: October 15, 2021

Owner: Gabriel and Marcus Franklin

Agenda Item #: 1

APN: 028-173-19

Time: After 9:00 a.m.

Site Address: 2162 Portola Dr, Santa Cruz, CA 95062

Project Description: Proposal to establish a new four-bedroom vacation rental in the upper level of a legal duplex. Requires a Vacation Rental Permit.

Location: Property is located at the southwest corner of the intersection of Coastview Drive and Portola Drive.

Permits Required: Vacation Rental Permit

Supervisory District: First District (District Supervisor: Manu Koenig)

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 211133, based on the attached findings and conditions.

Project Description & Setting

The project site is located at 2160 Portola Drive, at the intersection with Coastview Drive, in the Live Oak Planning Area. The neighborhood is comprised of mainly one to two-story single-family residences consisting of a mix of architectural styles.

The subject property was originally constructed in 1957 as a one-story building with a basement unit, with the main unit consisting of two-bedroom, and the basement unit consisting of one bedroom. A vacation rental permit (131157) was approved in 2013 to allow both units (two-bedroom upper unit and one-bedroom lower unit) on site to operate as vacation rentals. This permit had been expired since 2018.

Approximately 493 square feet second story was added to the upper unit in 2017 per Building Permit (163255), resulting in expansion of the upper unit from a two-bedroom to a four-bedroom dwelling.

Vacation Rental Permit

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

The property is located within Live Oak Designated Area (LODA), one of three areas in the County in which the number of vacation rentals are limited by block as well as by an area cap. Within the LODA, no more than 262 vacation rental permits shall be issued. There are currently 253 active and two pending vacation rental permits in the LODA. Therefore, the proposal meets the vacation rental permit cap in the LODA.

In addition, no new vacation rental shall be approved if parcels with permitted vacation rentals or permitted hosted rentals on the same block total 20 percent or more of the total parcels on that block that allow residential use. Currently there are two properties with active Vacation Rental permits on this area block that contains 10 parcels. The two parcels with Vacation Rental permits are adjacent the subject property on Portola Drive and Coastview Drive. If approved, this application will result in third vacation rental on the subject block on which this property sits.

The application was submitted (previously under permit number 201107) on March 16, 2020. The project is consistent with the block map provision as codified prior to the Santa Cruz County Board of Supervisors' approval of the Vacation Rental Ordinance Amendments on January 26, 2021. As part of the amended code, an official block area map was adopted to provide consensus in identifying the blocks where a block cap on vacation rentals and hosted rentals applies.

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

Parking

The provided parking will meet the requirements of SCCC 13.10.694(D)(2)(c)(iv) B. Pursuant to this Code Section, parking for vacation rentals is limited to the number of on-site parking spaces. A minimum of two on-site spaces is required for rentals containing three or more bedrooms. Guests are also allowed to park one additional off-site vehicle in the vicinity of the vacation rental but shall not have any exclusive or assigned use of any available street parking. The subject dwelling is comprised of four bedrooms; therefore, two on-site parking spaces are required. Five parking spaces are available on-site, meeting the parking requirements of SCCC 13.10.694(D)(2).

Permit Expiration

Pursuant to SCCC 13.10.694(D), vacation rental permits expire the same month and day five years subsequent to the date of issuance of the original Vacation Rental Permit; therefore, the date of expiration of this permit is October 15, 2026. In addition, any new vacation rental permit issued for vacation rentals consisting of four or more bedrooms shall be issued a one-year provisional

permit subject to review for compliance with vacation rental code requirements prior to granting the remainder of the standard five-year term. This permit is conditioned accordingly.

Emergency Contact

Marcus Franklin has been designated as the 24-hour contact for the vacation rental, who lives on site in the basement unit, within the required 30-minute response radius from the proposed vacation rental property.

Zoning & General Plan Consistency

The subject property is a 7,231 square foot lot, located in the R-1-4 (Single Family Residential, 4,000 square foot parcel size) zone district, a designation which allows vacation rental uses. The proposed four-bedroom vacation rental is a conditionally permitted use within the zone district and the zoning is consistent with the sites R-UM (Urban Medium Density Residential) General Plan designation.

Conclusion

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

Staff Recommendation

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **211133**, based on the attached findings and conditions.

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

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.sccoplanning.com

Report Prepared By: Shila Bagley
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3209
E-mail: shila.bagley@santacruzcounty.us

Exhibits

- A. Categorical Exemption (CEQA determination)
- B. Findings
- C. Conditions
- D. Project plans
- E. Assessor's, Location, Zoning and General Plan Maps
- F. Parcel information
- G. Vacation Rental Application and Agreement
- H. Transient Occupancy Registration Certificate

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: 211133

Assessor Parcel Number: 028-173-19

Project Location: 2162 Portola Dr, Santa Cruz, CA 95062

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

Person or Agency Proposing Project: Marcus Franklin

Contact Phone Number: (831) 431-0078

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

F. Reasons why the project is exempt:

Class 1 – Existing Facilities: Conversion of an existing single family residence, to a short term residential vacation rental, will not result in environmental impacts in that a vacation rental use is synonymous with a residential use.

Class 3-Conversion of Small Structures: Conversion of the existing single family residence, to allow for short term vacation rental use, will not result in modifications to the existing, legally constructed residential structure.

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

Shila Bagley, Project Planner

Date: _____

EXHIBIT A

Development Permit Findings

1. That the proposed location of the vacation rental 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, 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 residential vacation rental is located in an existing residential structure in an area designated for residential uses and is not encumbered by physical constraints to development. The residential vacation rental will comply with health and safety standards established for vacation rental units, including smoke and carbon monoxide alarms, working ground fault circuit interrupters, emergency egress in all sleeping rooms, and handrails along stairs and walking surfaces above 30 inches in height to insure the optimum in safety. The property owner has provided the required "Vacation Rental Safety Certification" to verify compliance with these standards. In addition, the vacation rental standards address noise, occupancy, and parking to ensure that there are no detrimental effects of the vacation rental.

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

This finding can be made, in that the location of the proposed vacation rental and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances, including the vacation rental ordinance, and the purpose of the R-1-4 (Single family residential - 4,000 square feet parcel size) zone district as the primary use of the property will be a residential vacation rental dwelling that meets all requirements of the vacation rental ordinance.

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

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

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

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

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

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.

Pursuant to County Code Section 13.11.040, the proposed residential use is exempt from the Design Review Ordinance.

Conditions of Approval

Exhibit D: Project plans, titled “Lagoon view Beach House”

- I. This permit authorizes the operation of a vacation rental, as indicated on the approved Exhibit "D" for this permit. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
- II. Operational Conditions
 - A. The vacation rental shall be maintained and operated so that, at all times, it is in compliance with the items listed on the Vacation Rental Certification form (See Exhibit G. Vacation Rental Application and Agreement).
 - B. Issuance of this permit shall not infer approval of new development or the private use of any property outside of the subject parcel boundary, including public and private rights-of-way, State Parks land, and County owned property. The term “new development” shall include, but is not limited to, fencing, patios, and accessory structures. The term “use” shall include, but is not limited to, outdoor seating, parking (in non-designated areas), and storage of equipment or materials.
 - C. The maximum, overnight occupancy of the vacation rental shall not exceed ten people (two per bedroom, plus two additional people, children under eight not counted).
 - D. The maximum number of vehicles associated with the overnight occupants shall not exceed six (five on-site parking spaces, plus one additional non-exclusive on-street parking spaces).
 - E. The maximum occupancy allowed for celebrations and gatherings between 8:00 a.m. and 10:00 p.m. shall not exceed 20 people (twice the number of overnight occupants, children under 8 not counted).
 - F. Occupants and guests shall adhere to the noise standards contained in the County Noise Ordinance (County Code Chapter 8.30). A copy of the County Noise Ordinance (County Code Chapter 8.30) shall be posted inside the vacation rental in a location readily visible to all guests.
 - G. A list of rules shall be posted inside the vacation rental in a location readily visible to all guests. The rules shall include, but not necessarily be limited to the following: maximum number of guests allowed, maximum number of people allowed for celebrations and gatherings between 8:00 a.m. and 10:00 p.m., maximum number of vehicles allowed, and a reference to the standards contained in the County Noise Ordinance (County Code Chapter 8.30).

- H. Fireworks are illegal in Santa Cruz County and prohibited at the vacation rental.
- I. The vacation rental shall have a sign identifying the structure as a permitted vacation rental and listing a 24-hour local contact responsible for responding to complaints and providing general information. The sign shall not exceed 216 square inches, be legible from, and be posted no more than 20 feet back from the nearest street.
- J. The name, address, and telephone number(s) of the local contact person shall be posted inside the vacation rental in a location readily visible to all guests, and shall be submitted to the local Sheriff Substation, the main County Sheriff's Office, the local fire agency, and shall be supplied to the property owners of all properties located within a 300 foot radius of the parcel on which the vacation rental is located. Any change in the contact person's address or telephone number shall be promptly furnished to the agencies and neighboring property owners as specified above.
- K. The owner/applicant shall comply with the regulations and standards set forth in Chapter 4.24 of the County Code, including any required payment of transient occupancy tax for the vacation rental unit.
- L. The initial Vacation Rental Permit is a one-year provisional permit subject to review for compliance with vacation rental code requirements prior to granting the remainder of the standard five-year term.
- M. Permits for vacation rentals shall expire five years from the date of approval. To continue in operation as a legal vacation rental, an application to renew the permit must be made before the expiration date, but no sooner than 180 days before the expiration date. Vacation rental permits are non-transferable and become void when a property transfer triggers reassessment.
- N. Renewal applications must show significant rental use for three out of the previous five years. Significant rental use shall be interpreted to include no fewer than 10 percent of weekend nights in a given year, or a minimum occupancy of five weekends or 10 nights per calendar year.
- O. All advertising for vacation rentals shall include the vacation rental permit number in the first two lines of the advertisement text, and where photos are included, a photo containing the permit number shall be included, as well as a photo of the required signage that includes the 24-hour contact information and vacation rental identification.
- P. By accepting a vacation rental permit, vacation rental owners agree to engage in dispute resolution and act in good faith to resolve disputes with neighbors arising from the use of a dwelling as a vacation rental. Unless an alternative dispute resolution entity is agreed to by all parties involved, dispute resolution shall be conducted through the Conflict Resolution Center of Santa Cruz County.
- Q. A violation of any of the requirements to obtain a vacation rental permit may be grounds for denial of a new vacation rental permit application. Further, violations

of vacation rental regulations, or of any other provision of the Santa Cruz County Code, may be grounds for denial of a renewal application or revocation of an existing vacation rental permit after consideration at a Level V public hearing by the Zoning Administrator (or by the Planning Commission upon referral).

- R. If more than two significant violations occur on a vacation rental property within a 12-month period, a permit shall be noticed for a Level V public hearing to consider permit revocation. "Significant violations" are: citations for violation of Chapter 8.30 SCCC (Noise); violation of any specific conditions of approval associated with the permit; mis-advertising the capacity and limitations applicable to the vacation rental; written warnings, or other documentation filed by law enforcement; violations of State or County health regulations; non-compliance with a public health order or emergency regulation issued by State or local authorities which may limit use and occupancy of vacation rentals; delinquency in payment of transient occupancy taxes, fines, or penalties; non-responsive property management, including failure by the local property manager to respond to calls within 60 minutes; and failure to maintain signage. In the event a permit is revoked, the person or entity from whom the permit was revoked shall be barred from applying for a vacation rental permit for the same parcel without prior consent of the Board of Supervisors.
- S. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

III. Indemnification

The applicant/owner shall indemnify, defend with counsel approved by the COUNTY, and hold harmless the COUNTY, its officers, employees, and agents from and against any claim (including reasonable attorney's fees, expert fees, and all other costs and fees of litigation), against the COUNTY, its officers, employees, and agents arising out of or in connection to this development approval or any subsequent amendment of this development approval which is requested by the applicant/owner, regardless of the COUNTY's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the COUNTY. Should the COUNTY in its sole discretion find the applicant's/owner's legal counsel unacceptable, then the applicant/owner shall reimburse the COUNTY its costs of defense, including without limitation reasonable attorney's fees, expert fees, and all other costs and fees of litigation. The applicant/owner shall promptly pay any final judgment rendered against the COUNTY (and its officers, employees, and agents) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this development approval.

- A. The COUNTY shall promptly notify the applicant/owner of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. The COUNTY shall cooperate fully in such defense.

- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The applicant/owner shall not be required to pay or perform any settlement unless such applicant/owner has approved the settlement. When representing the COUNTY, the applicant/owner shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the COUNTY.
- D. Successors Bound. The “applicant/owner” shall include the applicant and/or the owner and the successor(s) in interest, transferee(s), and assign(s) of the applicant and/or the owner.

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

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

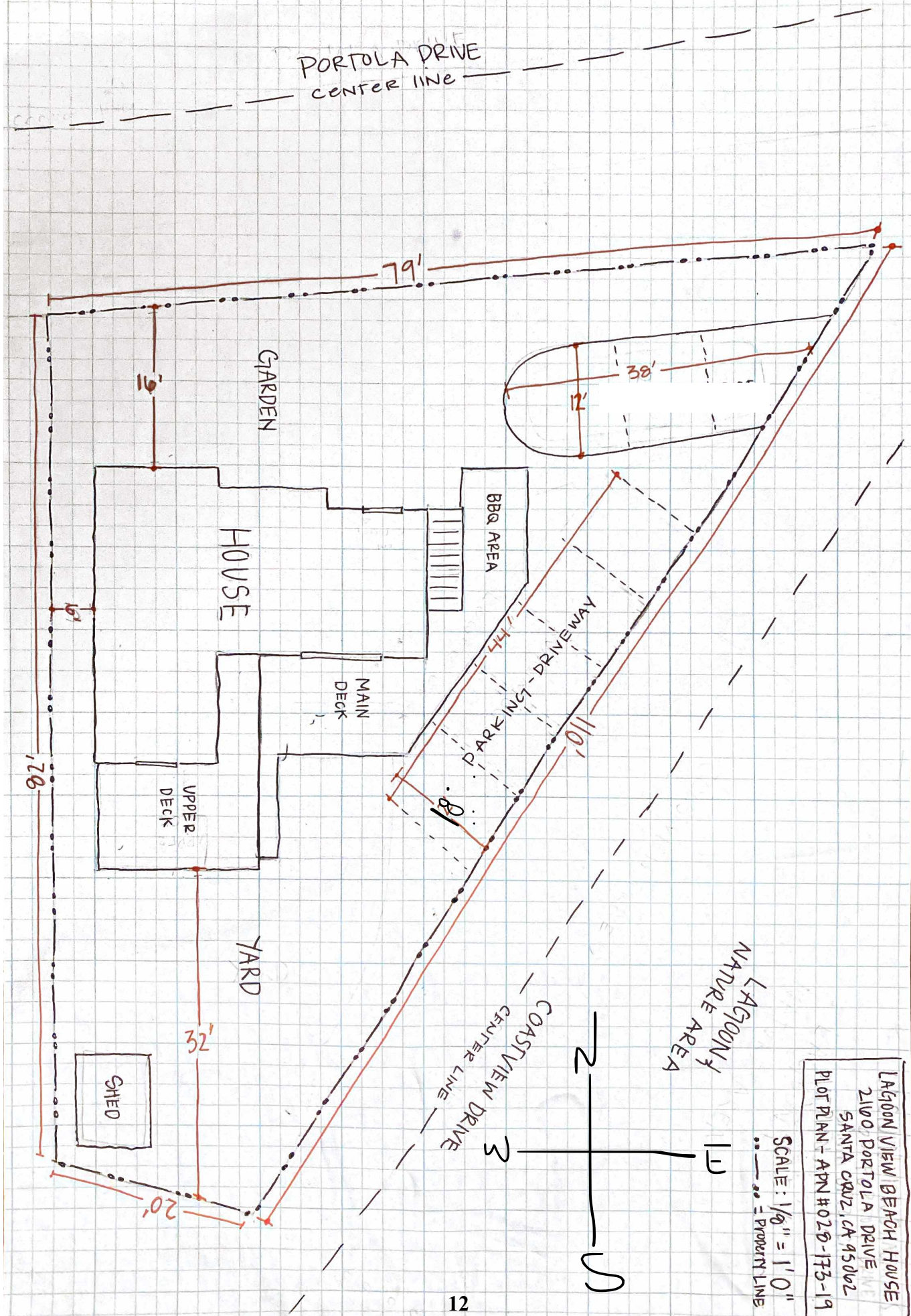
Approval Date: _____

Effective Date: _____

Expiration Date: _____

Jocelyn Drake
Deputy Zoning Administrator

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



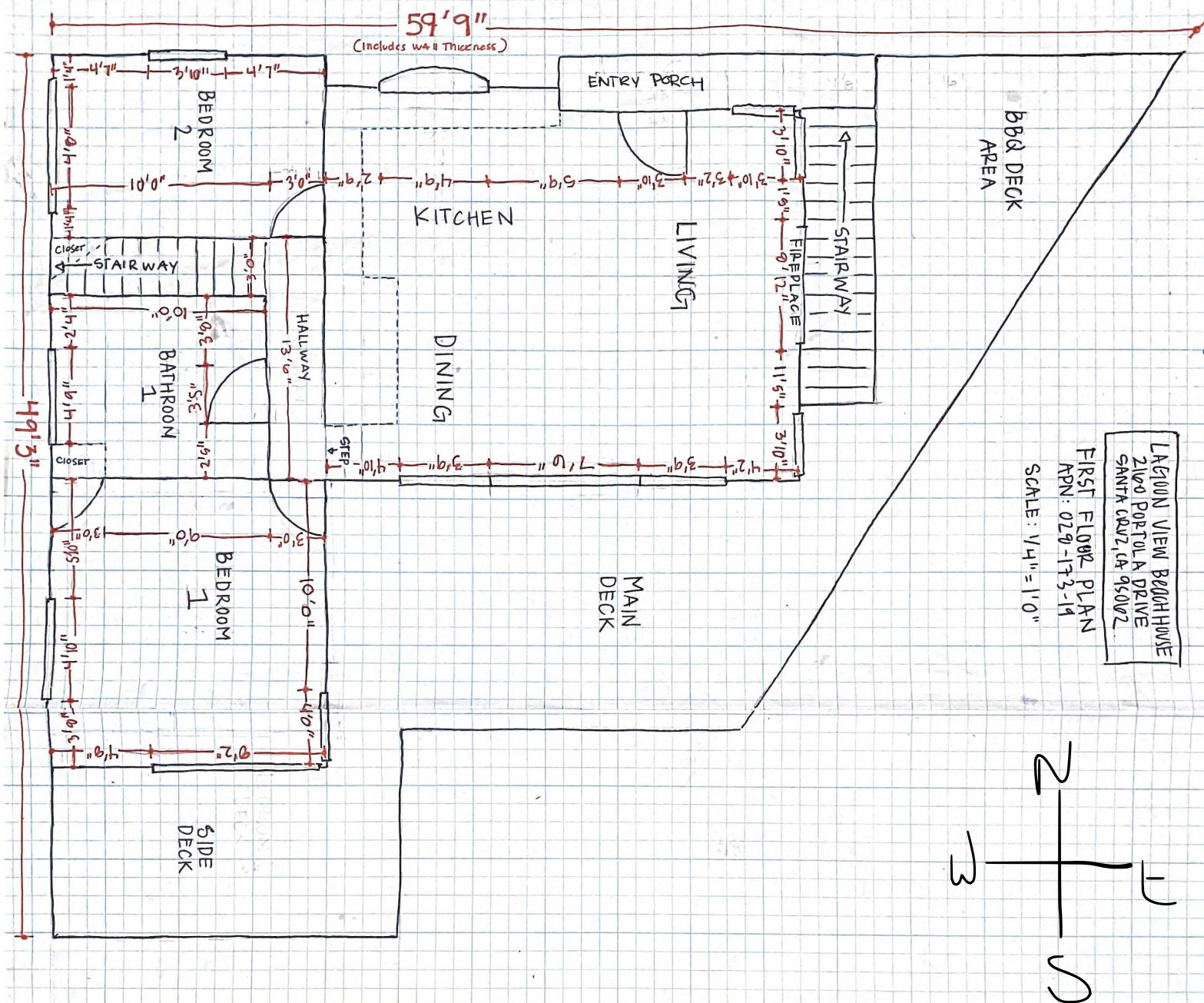
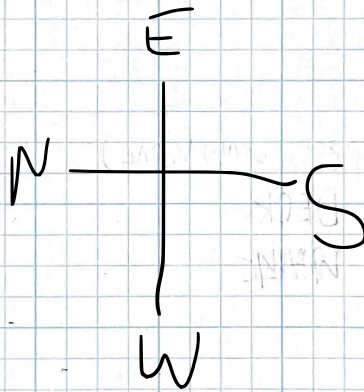
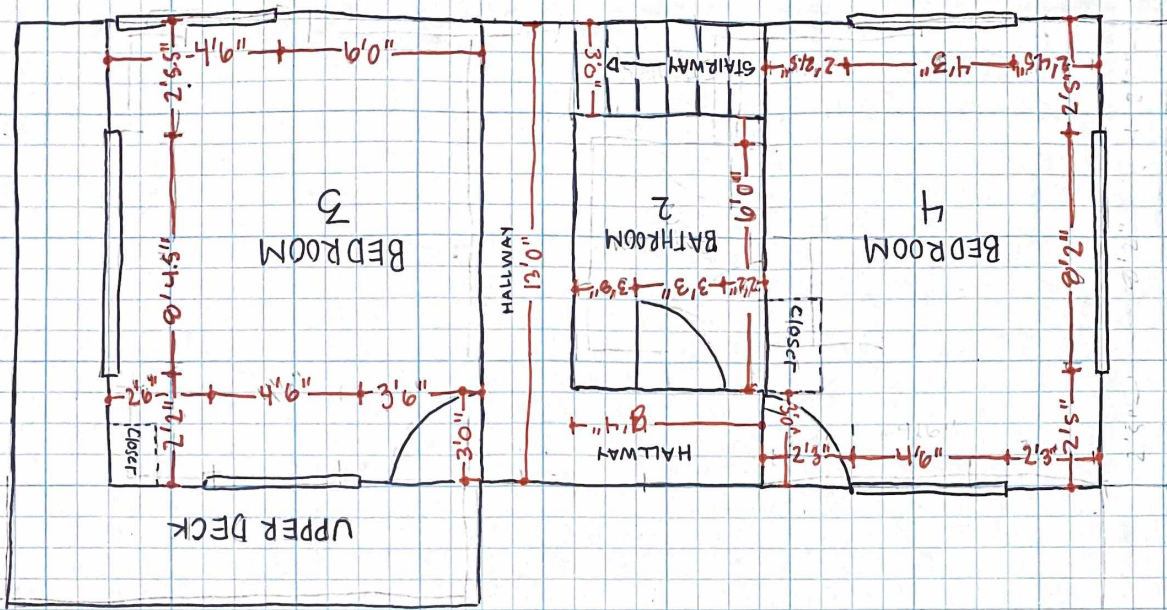


EXHIBIT D



LACON VIEW BEACH HOUSE
 2160 PORTOLA DRIVE
 SANTA CRUZ, CA 95062
 SECOND FLOOR PLAN
 APN: 028-173-19
 SCALE: 1/4" = 1'0"

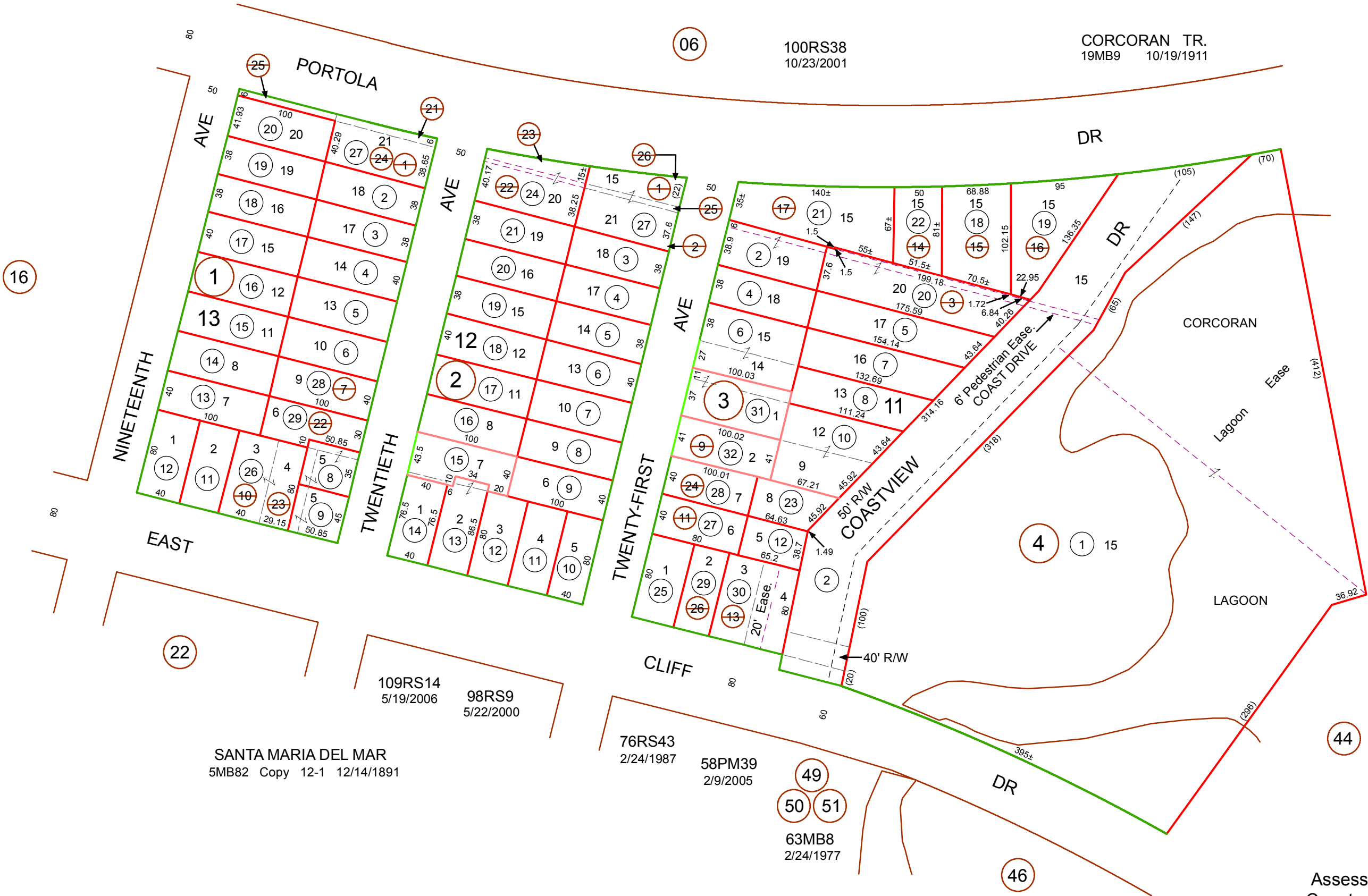
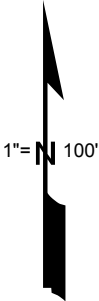
FOR TAX PURPOSES ONLY

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POR. OF N.E. 1/4 SEC. 20,
T.11S., R.1W., M.D.B. & M.

Tax Area Code
82-040

28-17



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

EXHIBIT E

Assessor's Map No. 28-17
County of Santa Cruz, Calif.
Aug. 1998

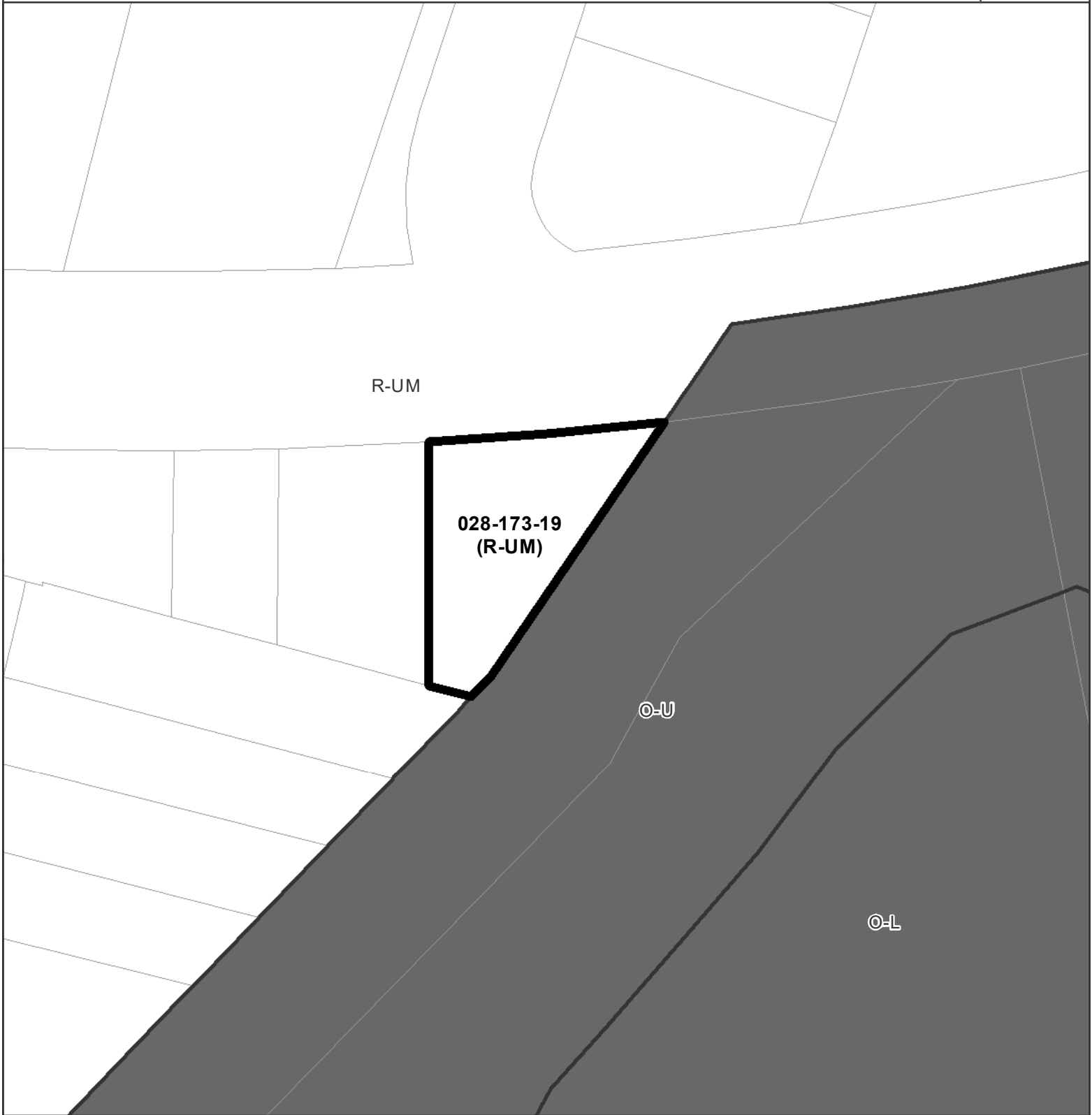
Electronically Redrawn 8/19/98 nw
Rev. 6/6/00 mvm (98RS9)
Rev. 11/30/01 mvm (100RS38)
Rev. 2/8/02 mvm (st. name)
Rev. 5/21/07 td (109RS14)
Rev. 10/18/10 CB (10-0036461, Comb 1-27)



Parcel General Plan Map

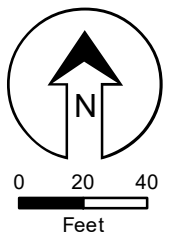


Mapped
Area



- O-L Lake/Reservoir/Lagoon
- O-U Urban Open Space
- R-UM Res. Urban Medium Density

EXHIBIT E





Parcel Zoning Map



Mapped
Area



- PA Professional/Admin Office
- PR Parks, Recreation, & Open Space
- R-1 Single-Family Residential
- RM Residential Multi-Family

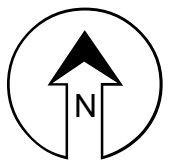
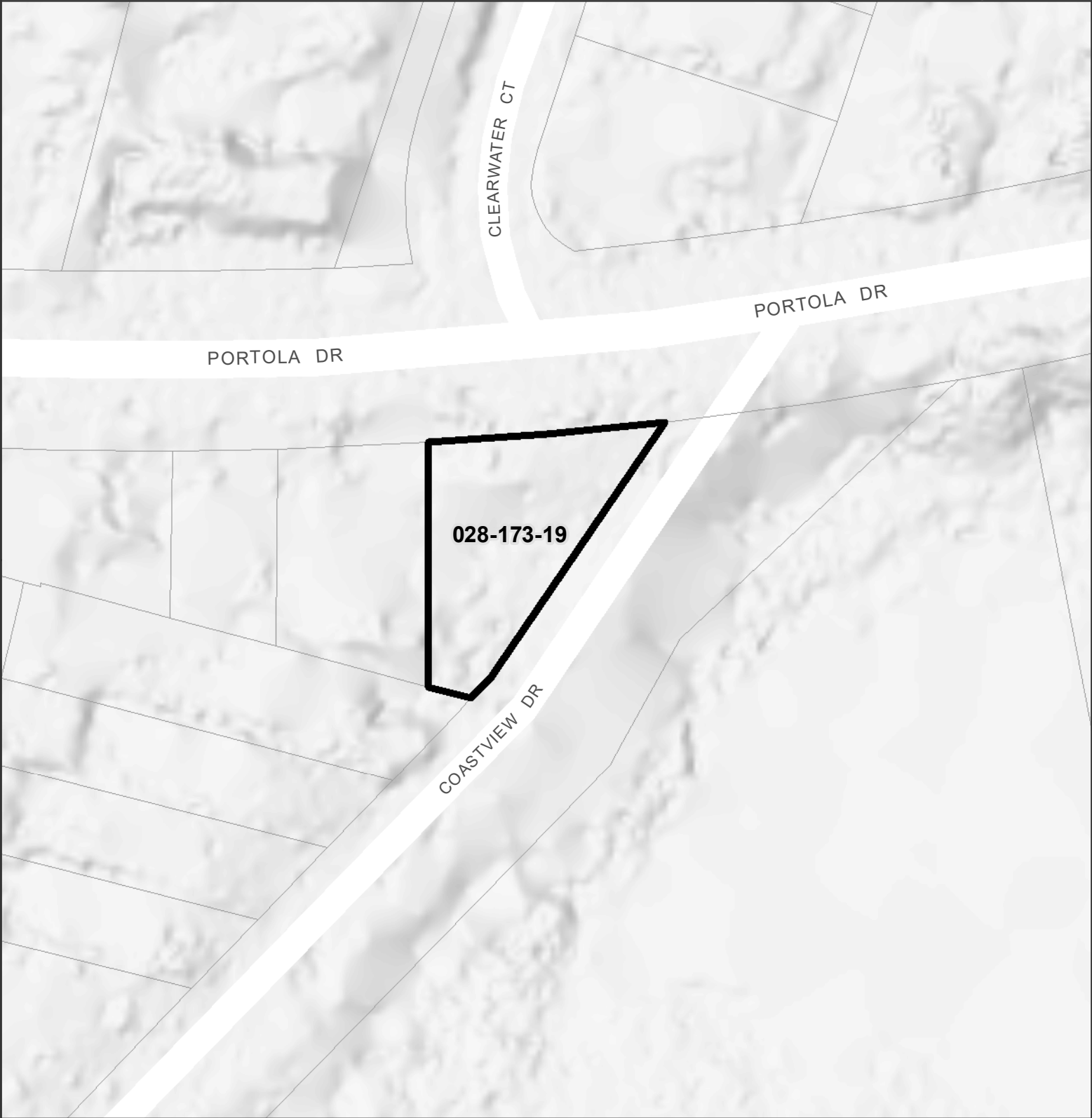


EXHIBIT E

0 20 40
Feet



Parcel Location Map

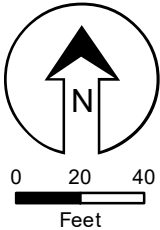


Parcel: 02817319

- Study Parcel
- Assessor Parcel Boundary

Map printed: 21 Sep. 2021

EXHIBIT E



Parcel Information

Services Information

Urban/Rural Services Line: ☒ Inside ☐ Outside
Water Supply: City of Santa Cruz Water Department
Sewage Disposal: Santa Cruz County Sanitation District
Fire District: Central Fire Protection District
Drainage District: Zone 5

Parcel Information

Parcel Size: 7,230 Square Feet
Existing Land Use - Parcel: Residential
Existing Land Use - Surrounding: Residential
Project Access: Portola Drive
Planning Area: Live Oak
Land Use Designation: R-UM (Urban Medium Density Residential)
Zone District: R-1-4 (Single family residential - 4,000 square feet)
Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

Environmental Information

Geologic Hazards: Not mapped
Fire Hazard: Not a mapped constraint
Slopes: 0% to 30%
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
Archeology: Not mapped/no physical evidence on site



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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

Vacation Rental Permit Application

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

Permit and Property Information

Current vacation Rental Permit Number (if applicable): _____

02817319

Assessor's Parcel Number (APN): _____

(APNs MAY BE OBTAINED FROM THE ASSESSOR'S OFFICE AT (831) 454-2002)

2160 Portola Drive, Santa cruz, Ca 95062

Street Address: _____

Applicant Information (Complete only if different from Owner Information)

NAME : _____
Marcus Franklin

MAILING ADDRESS: _____
2160 Portola Drive

CITY/STATE _____
Santa Cruz 95062

PHONE NO. (831) _____
431 0078

CELL PHONE NO. () _____
coastviewconsulting@gmail.com

EMAIL: _____

Owner Information

NAME: _____
Marcus and Gabreal Franklin

MAILING ADDRESS: _____
2160 Portola Drive

CITY/STATE _____
Santa Cruz CA 95062

PHONE NO. (831) _____
431 0078

CELL PHONE NO. () _____
Coastviewconsulting@gmail.com

EMAIL: _____

NOTE:

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

24-HOUR CONTACT

NOTE: 24-Hour Contact must reside within a 30 mile radius of the vacation rental

Marcus Franklin

NAME: _____

2160 Portola Drive

MAILING ADDRESS: _____

Santa Cruz CA

95062

CITY/STATE _____ ZIP _____

831 431 0078

PHONE NO. (____) _____ CELL PHONE NO. (____) _____

Coastviewconsulting@gmail.com

EMAIL: _____

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

X _____

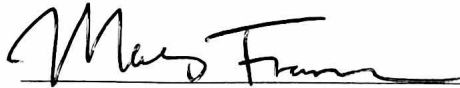
Contact person signature, if applicable

VACATION RENTAL SAFETY CERTIFICATION

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

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

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



Owner of Rental Unit

8/18/2021

Date

Certified Home Inspector

License #

Date

County Building Inspector

Date

Property Manager/Agent

Date

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

Short Term Vacation Rental Agreement

LagoonView Beach House 2160 Portola
Drive, Santa Cruz, CA. 95062

NOTE: IF YOU PAID ONLINE YOU DO NOT NEED TO
FILL THIS OUT AND RETURN IT .

IF BOOKED ON VRBO/AIRBNB ALL TERMS ARE A BINDING
AGREEMENT.

Lessee information:

Name(s):

Street : _____

City _____ State _____ ZIP _____

Source: Cell Phone: _____

Email address: _____

The Property will be ready for occupancy at 3:00 PM on the
commencement date of _____, 2020 and be vacated by
11:00 AM on _____, 2020.

The rental Cost will include:

- \$
- \$

- \$
- \$
- \$
- \$

500.00 Nightly Rate

200.00 Refundable Security Deposit

.00	_____	.00	_____
.00	_____	.00	_____

TOTAL: \$ _____

Rent Cleaning Fee + ZERO process if E-Check or Cash = +\$48

Process Taxes TOT Total

(Refundable) Security/Damage Deposit. Returned day of check-out.

TOTAL -

For this reservation to be secured a deposit must be received within 24 hours of making the reservation or it may be subject to cancellation due to other inquiries for the same dates.

\$.00 #1 PAID _____ 2020 by E-Check (Free!, thank you)

\$.00 #2 DUE _(30 days before), 2020 – Please remember to pay by E Check.

Please make sure of your travel plans prior to making this reservation; payment will be non-refundable other than the security deposit unless Lessor is able to rent the property during your scheduled dates. Check Out MUST be at or before 11:am, as we often have other people coming in the same day. Late

check out by pre-arrangement and written ONLY, to avoid a \$55 per hour fee against the damage deposit. Unplanned late checkout, later than 1:00 PM is a \$200 fee, so please pay attention to this important issue, as the cleaning crew needs a minimum of 4 hours to properly turn the place around. We do NOT want to have to charge you, nor do we want to inconvenience the guests following you. Thank you.

Initial_____

IMPORTANT RULES:

- There shall be no more than the stated number of 8 persons, not counting children under 8.
- No more than 3 cars from your group are permitted on the premises. Only 1 additional vehicle may be considered to use on-street parking in the vicinity, but will not have any exclusive or assigned use of on- street parking
- No more than 16 people overall for celebrations.
- Gatherings are limited from 8 a.m - 10 p.m.
- Guests must respect noise limitations from 10 p.m- 8 a.m
- See more below
 - Guests will respect trash management protocols listed below
 - Guests will respect the prohibition of illegal behavior including an explicit

prohibition of ANY fireworks.

MORE INFORMATION:

1. There is a STRICTLY ENFORCED local rule that there can be no disturbances or loud noises in the neighborhood after 10PM. If this is violated, Lessee may be asked to leave the residence, and forfeit the security deposit and any remaining days. Please take care to be a good neighbor for others in the area. LESSEE assures LESSOR that they, their family and/or guests shall not disturb, annoy, endanger or inconvenience neighbors or use the premises for any immoral or unlawful purposes. Anyone who violates any of the terms of this Lease shall be immediately denied occupancy and shall

remedy any damages or other expenses which are caused by the tenant and/or tenant's family members or guests. At no time, over the period of an entire day and up to 9:30 PM, shall more than the number of people authorized to use the place be on the premises or visit the property without constituting a possible termination of this agreement, and vacating the premises.

2. LESSEE agrees that he or she shall keep the premises free of trash, garbage, waste or hazardous materials. Trash must be kept in closed containers and will not be allowed to accumulate. LESSEE shall maintain in good condition the plumbing and all equipment and fixtures within the premises and will be responsible for repair or replacement of any damage.

3. LESSEE agrees to indemnify and save LESSOR harmless from all liability, loss or damage arising from any harm suffered on the leased premises by the Lessee, tenants, family or guests or from any carelessness, neglect or improper conduct of any persons entering, occupying, or visiting the leased premises.

4. LESSEE shall make the premises available to the LESSOR upon twenty-four (24) hours notice by LESSOR to show premises

to potential lessees, buyers or to make any repairs necessary. In an emergency, LESSOR or LESSOR'S Agent may enter the premises at any time without securing prior permission from LESSEE.

5. LESSEE may not sublet or assign this Lease for all or any part of the premises or term of Lease without the prior written consent of LESSOR.

6. LESSEE agrees that in the event any action shall be commenced by either party arising out of or concerning this lease or any right or obligation thereof, the prevailing party shall be entitled to receive attorney's fees as fixed by the Court in addition to any and all relief as law or equity.

7. DEPOSIT REFUNDS: In the event of cancellation of this Lease, any refund will be made at the discretion of the LESSOR and only to the extent that a tenant can be found to occupy the premises during the vacated time reserved under this Lease. The LESSOR, upon inspection, on or before FOUR (4) working days following the lessee vacating the premises, shall refund the security deposit (if any). Should any damages occur, or should any articles be missing, LESSOR will notify LESSEE and the replacement or repair costs shall be applied from any Security Deposit. Please note that should the cost of damage or missing articles be in excess of the Security Deposit, LESSEE is responsible for payment of the amount within Five Days of notification of same. An interest fee of 12% shall apply until such fee is paid in full.

8. ARRANGEMENT OF FURNITURE: All items of furniture shall be returned to their original placements; a fee of \$45 may be deducted from your security deposit if furnishings are displaced. Having read and understood all the terms and conditions of this Short Term Vacation Reservation Agreement, LESSEE Agrees to said terms and conditions.

UTILITIES: LESSOR shall supply water, heat, a/c, and electricity usage. Accommodations contain all furnishings for your comfort

and enjoyment, including 1 55" UHDTV television with cable, and 3 bedroom TVs with DVD or AppleTV/NETFLIX.

If you have a complaint or comment about the house, please let us know immediately following your arrival, not at the end of your stay

The local contacts is: Marcus Franklin (831) 431-0078

Please Print Name and Information Below:

Lessee(s): _____ Name(s): _____

_____ Date: _____

Number of nights: _____

Up to 8 Adults max and _____ children under 8. Signature(s):

Lessors:

Gabreal Franklin _____

Marcus Franklin _____

POST THIS CERTIFICATE IN A CONSPICUOUS PLACE ON THE PREMISES

COUNTY OF SANTA CRUZ

TRANSIENT OCCUPANCY REGISTRATION CERTIFICATE

ISSUED PURSUANT TO CHAPTER 4.24 OF ORDINANCE

Date of Issue: June 12, 2013

This Transient Occupancy Registration Certificate signifies that the person named on the face hereof has fulfilled the requirements of the Uniform Transient Occupancy Tax Ordinance by registering with the Tax Administrator for the purpose of collecting from transients the Transient Occupancy Tax and remitting said tax to the Tax Administrator. This certificate does not authorize any person to conduct any unlawful business or conduct any lawful business in an unlawful manner, nor to operate a transient occupancy facility without strictly complying with all local applicable laws, including but not limited to those requiring a permit from any board, commission, department or office of this County. This certificate does not constitute a permit. This certificate becomes void upon any change of ownership or location whatsoever. Notify the Tax Collector immediately upon any change.

Name of Facility: LAGOON VIEW BEACH HOUSE

Location of Facility: 2160 PORTOLA DR SANTA CRUZ CA 95062

Operator: GABREAL FRANKLIN

Mailing Address: 535 COASTVIEW DR SANTA CRUZ CA 95062

By: _____

Michelle Garcia
Michelle Garcia, Deputy
TREASURER-TAX COLLECTOR