



Staff Report to the Zoning Administrator

Application Number: **241350**

Applicant: Bailey Property Management
Owner: Steve Becker
APN: 043-072-51
Site Address: 272 Beach Drive, Aptos 95003

Agenda Date: December 20, 2024
Agenda Item #: 1
Time: After 9:00 a.m.

Project Description:

Proposal to establish a new three-bedroom vacation rental for the purpose of overnight lodging for a period of not more than 30 days at a time. Requires a Vacation Rental Permit and an On-Site Parking Exception.

Location: Property is located on the southern side of Beach Drive (272 Beach Drive), approximately 850 feet southeast from the intersection of Rio Del Mar Boulevard and Beach Drive in Aptos.

Permits Required: Vacation Rental Permit; On-Site Parking Exception

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

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 241350, based on the attached findings and conditions.

Analysis

The project site is located on the southern side of Beach Drive in the Aptos Planning Area, approximately 850 feet southeast from the intersection of Rio Del Mar Boulevard. The neighborhood is comprised of one to three-story single-family residences consisting of a mix of architectural styles.

The subject property is developed with an existing three-bedroom single-family dwelling, originally constructed in 1935 and subsequently remodeled in 1965. The remodel included an addition to the dwelling, and creation of a patio/sundeck on the roof. The project proposes to operate a vacation rental in the existing three-bedroom dwelling.

As indicated in Santa Cruz County Code 13.10.694(D)(2)(c)(iv), two on-site parking spaces are required for vacation rentals containing three bedrooms. In situations where the required on-site

parking cannot be provided, an On-Site Parking Exception may be requested in conjunction with a Level 5 Vacation Rental Permit for consideration by the Zoning Administrator at a public hearing. The existing residence covers nearly the entirety of the parcel on which it is located. There are no on-site parking spaces located on the subject parcel; therefore, approval of an On-Site Parking Exception is required in conjunction with this Vacation Rental Permit.

Granting the On-Site Parking Exception will not adversely affect existing traffic and parking on nearby streets and properties as street parking is available along Beach drive at this location. The subject parcel is located on a residential block where many of the other residences on the block do not contain off-street parking facilities, such as driveways or garages. Historically, parking for many of these residences is provided on the street along Beach Drive. Notwithstanding, it is appropriate to consider how the project should be conditioned given that on street parking availability may be limited at times due to the fact that no onsite parking is available for most of the units on this part of Beach Drive. Thus, if authorized, this vacation rental has been conditioned to allow up to a maximum of two non-exclusive on street parking spaces.

Vacation rentals within residential structures are permitted within the RM-2.5 zone district, and the operation of the vacation rental is required to comply with all requirements of the vacation rental ordinance. Vacation rental permits are subject to renewal pursuant to County Code Section 13.10.694(D)(3), as conditioned.

Pursuant to SCCC 13.10.694(D), vacation rental permits expire the same month and day five years subsequent to the effective date of the Vacation Rental/Renewal Permit; therefore, the date of expiration of this permit is January 03, 2030.

Bailey Property Management has been designated as the 24-hour contact for the vacation rental. The 24-hour contact is located in Aptos, within the required 30-mile response radius from the proposed vacation rental property.

The property is located with the 'no limit' zone of the Seacliff/Aptos/La Selva Designated Area (SALSDA), which does not limit the number of vacation rentals on a residential block for all parcels fronting along the subject section of the street along Beach Drive.

This property has previously operated as a vacation rental under permit number 201119, which was originally approved in May 2020 and voided in August 2024 due to a transfer of property.

Zoning & General Plan Consistency

The subject property is a 1,089 square-foot lot, located in the RM-2.5 (Multi-Family Residential, 2,500 square-foot minimum) zone district, a designation which allows Vacation Rental uses. The proposed vacation rental is a permitted use within the zone district and the zoning is consistent with the site's R-UH (Urban High-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 **241350**, 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 Division, 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

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Santa Cruz CA 95060
Phone Number: (831) 454-3371
E-mail: Michael.Lam@santacruzcountyca.gov

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

The Santa Cruz County Planning Division 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: 241350

Assessor Parcel Number: 043-072-51

Project Location: 272 Beach Drive, Aptos 95003

Project Description: Proposal to establish a new, three-bedroom Vacation Rental in an existing single-family dwelling. Requires a Vacation Rental Permit and On-Site Parking Exception.

Person or Agency Proposing Project: Bailey Property Management

Contact Phone Number: (831) 688-7009

- 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.

Michael Lam, Project Planner

Date:_____

EXHIBIT A

Discretionary Permit Findings

- (a) **Health and Safety.** The proposed location of the project and the conditions under which it would be developed, 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 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. In addition, the vacation rental standards address noise, occupancy, and parking to ensure that there are no detrimental effects of the vacation rental.

- (b) **Zoning Conformance.** The proposed location of the project and the conditions under which it would be developed, operated, or maintained will be in substantial conformance with the intent and requirements of 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 RM-2.5 (Multi-family residential - 2,500 square feet) 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.

- (c) **General Plan Conformance.** The proposed project is in substantial conformance with the intent, goals, objectives, and policies of all elements of the County General Plan and 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-UH (Urban High 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 not been adopted for this portion of the County.

- (d) **CEQA Conformance.** The proposed project complies with the requirements of the California Environmental Quality Act (CEQA) and any significant adverse impacts on the natural environment will be mitigated pursuant to CEQA.

This finding can be made, in that the project has been determined to be exempt from further review under the California Environmental Quality Act, as indicated in the Notice of Exemption for this project.

- (e) **Utilities and Traffic Impacts.** The proposed use will not overload utilities, result in inefficient or wasteful use of energy, or 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. The project will not overload utilities or otherwise result in an inefficient or wasteful use of energy.

- (f) **Neighborhood Compatibility.** The proposed use will be compatible with the existing and proposed land uses, land use intensities, and dwelling unit densities of the neighborhood, as designated by the General Plan and Local Coastal Program and implementing ordinances.

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.

- (g) **Local Coastal Program Consistency.** For proposed projects located within the coastal zone, the proposed project is consistent with the provisions of the certified Local Coastal Program.

This finding can be made, in that the short-term vacation rental of an existing residential dwelling is consistent with the provisions of the certified Local Coastal Program.

Site Development Permit Findings

- (a) **Siting and Neighborhood Context.** The proposed development is designed and located on the site so that it will complement and harmonize with the physical design aspects of existing and proposed development in the neighborhood, as designated by the General Plan and Local Coastal Program and implementing ordinances.

This finding can be made, in that the proposed short-term vacation rental is in substantial conformance with the requirements of the County Design Review Ordinance because no exterior changes to the existing residence are proposed as part of this application.

- (b) **Design.** The proposed development is in substantial conformance with applicable principles in the adopted Countywide Design Guidelines, except as prohibited by site constraints, and any other applicable requirements of SCCC 13.11 (Site Development and Design Review). If located in the Coastal Zone, the site plan and building design are also in substantial conformance with the policies of the Local Coastal Program and coastal regulations of SCCC 13.20.

This finding can be made, in that the proposed short-term vacation rental is in substantial conformance with the requirements of the County Design Review Ordinance because no exterior changes to the existing residence are proposed as part of this application.

On-Site Parking Exception Findings

- (a) Existing traffic and parking on nearby streets and properties would not be adversely affected by granting of an on-site parking reduction, as off-site parking is typically available and not subject to significant levels of congestion.

This finding can be made, in that the subject parcel is located on a residential block where many of the other residences on the block do not contain off-street parking facilities, such as driveways or garages. Historically, parking for many of these residences has occurred on the street along Beach Drive. The cars associated with the proposed Vacation Rental would not exceed the number that would be typically associated with use of the property as a single-family dwelling with full-time occupants.

Conditions of Approval

Exhibit D: Project plans, prepared by Draeger Design & Development, dated August 2024.

- I. This permit authorizes the operation of a vacation rental for the purpose of overnight lodging for a period of not more than 30 days at a time, 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 Santa Cruz County Planning 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 on file with the Department of Community Development and Infrastructure.
 - 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 eight 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 two 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 16 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. Vacation rental 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; restrictions on noise (contained in the County Noise Ordinance), illegal behavior, and disturbances, including an explicit

statement that fireworks are illegal in Santa Cruz County; and directions for trash management.

- 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. For all rentals, the sign shall also display the beginning and end dates of the five-year vacation rental permit. Sign information shall be updated upon any renewal of this permit. The sign shall be continuously maintained while the dwelling is rented.
- J. The name, address, and telephone number(s) of the local property manager (24-Hour contact person) shall be posted inside the vacation rental in a location readily visible to all guests.
- K. Any change in the local property manager's name, address, or telephone number shall be promptly furnished to the Planning Department, the local Sheriff Substation, the Auditor-Controller-Treasurer Tax Collector, the main County Sheriff's Office, and the local fire agency, and to the property owners of all properties located within a 300-foot radius of the boundaries of the parcel on which the vacation rental is located. Proof of mailing or delivery of the updated contact information to all of the above shall be submitted to the Planning Department within 30 days of change in the local property manager's contact information.

In addition, the applicant shall complete the online contact (see link below) information survey to ensure that the Community Development and Infrastructure Department is apprised of current contact information and for emergency notifications by the County Office of Response, Recovery and Resilience. Survey can be accessed via this link: <https://forms.office.com/g/5kjvAnC8n6>.

- L. The local property manager (24-hour contact person) shall be located within 30 miles of the vacation rental. The local property manager shall be available 24 hours a day to respond to tenant and neighborhood questions or concerns. Failure to respond within 60 minutes of being contacted, as verified by County Code Enforcement staff or the County Sheriff, shall constitute a significant violation and may lead to revocation of the permit in accordance with SCCC 18.10.136.
- M. 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. Advertising a vacation rental for a property without a vacation rental permit is a violation of this chapter and violators are subject to the penalties set forth in SCCC 19.01.
- N. 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.

- O. 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.
- P. 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 public hearing by the Zoning Administrator (or by the Planning Commission upon referral).
- Q. If more than two significant violations occur on a vacation rental property within a 12-month period, a permit shall be noticed for a public hearing to consider permit revocation, pursuant to SCCC 18.10.136. "Significant violations" are: citations for violation of SCCC 8.30 (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.
- R. The Vacation Rental shall provide overnight lodging for a period of not more than 30 days at a time.
- 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

- 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.

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.

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.



County of Santa Cruz
Community Development & Infrastructure
701 Ocean Street 4th Floor, Santa Cruz, CA 95060
www.cdi.santacruzcountyca.gov

Vacation Rental Permit & Renewal Application Form

Form
PLG-150
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Rev 1/12/23

24-Hour Contact

NOTE: The 24-hour contact must reside within a 30-mile radius of the vacation rental.

Name: Bailey Property Management
Physical Address: 106 Aptos Ca 95003
City: Aptos State: Ca Zip Code: 95003
Phone No.: 831.688.7009 Email: vacationse@baileypm.com

Elected / Public Official or County Employee Information Publication

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

Contact person signature, if applicable

Date



Vacation Rental Permit & Renewal Application Form

Rental Safety Certification

The following items require verification to assure the rental 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 current building code requirements.
 - 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 current building code requirements.
 - 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 current electrical code requirements.
- ☒ 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 current building code requirements.
- ☒ All stairs shall have at least one continuous **handrail** running the full length of the stairs per current building code requirements.
- ☒ 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 current building code requirements. 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 requirements
- ☒ 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

Date

Certified Home Inspector

License #

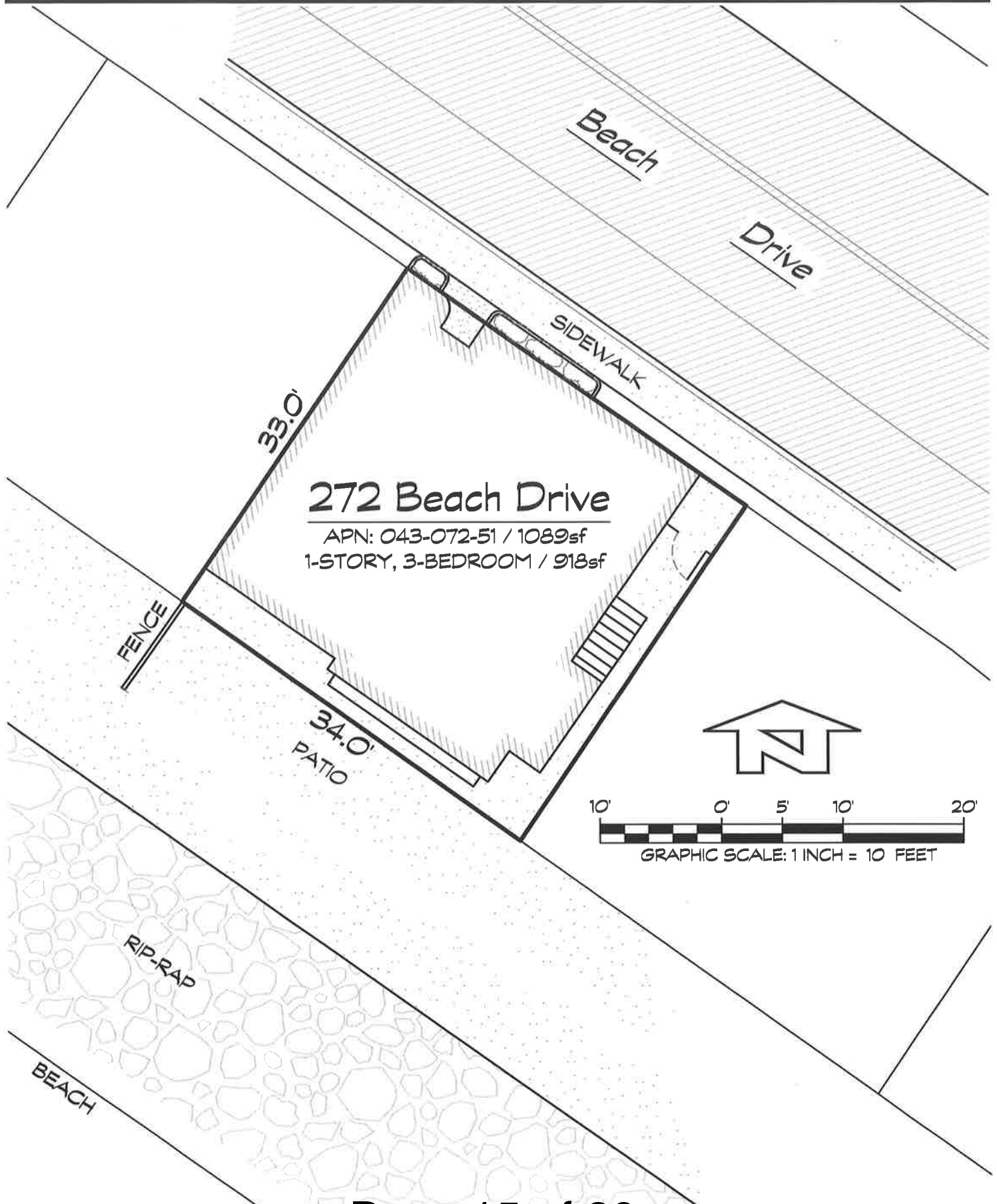
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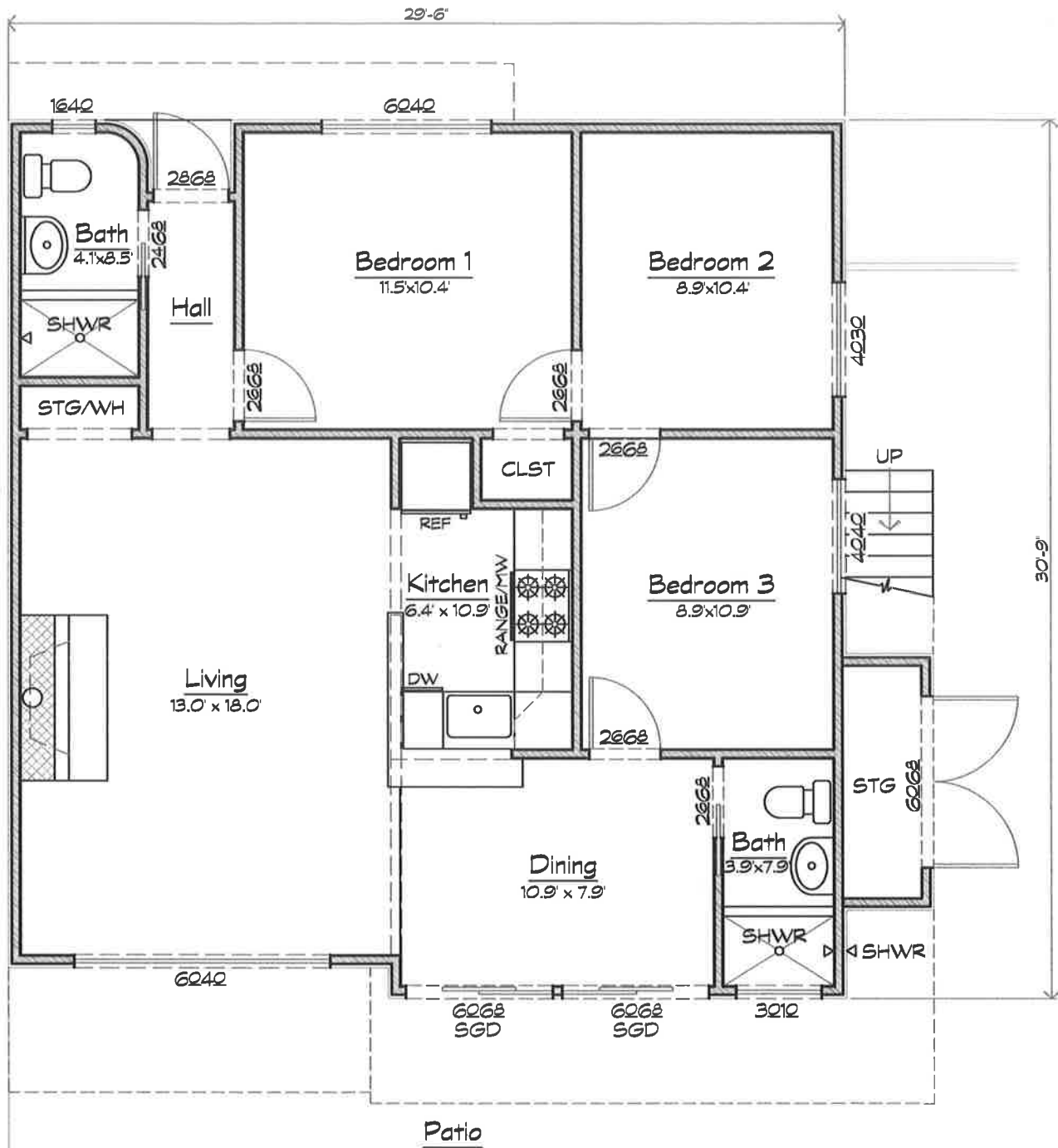
County Building Inspector

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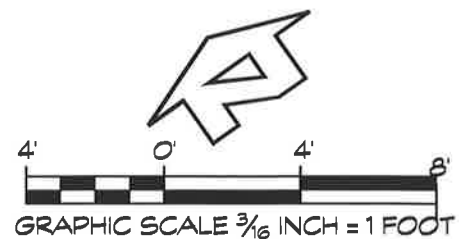
Property Manager/ Agent

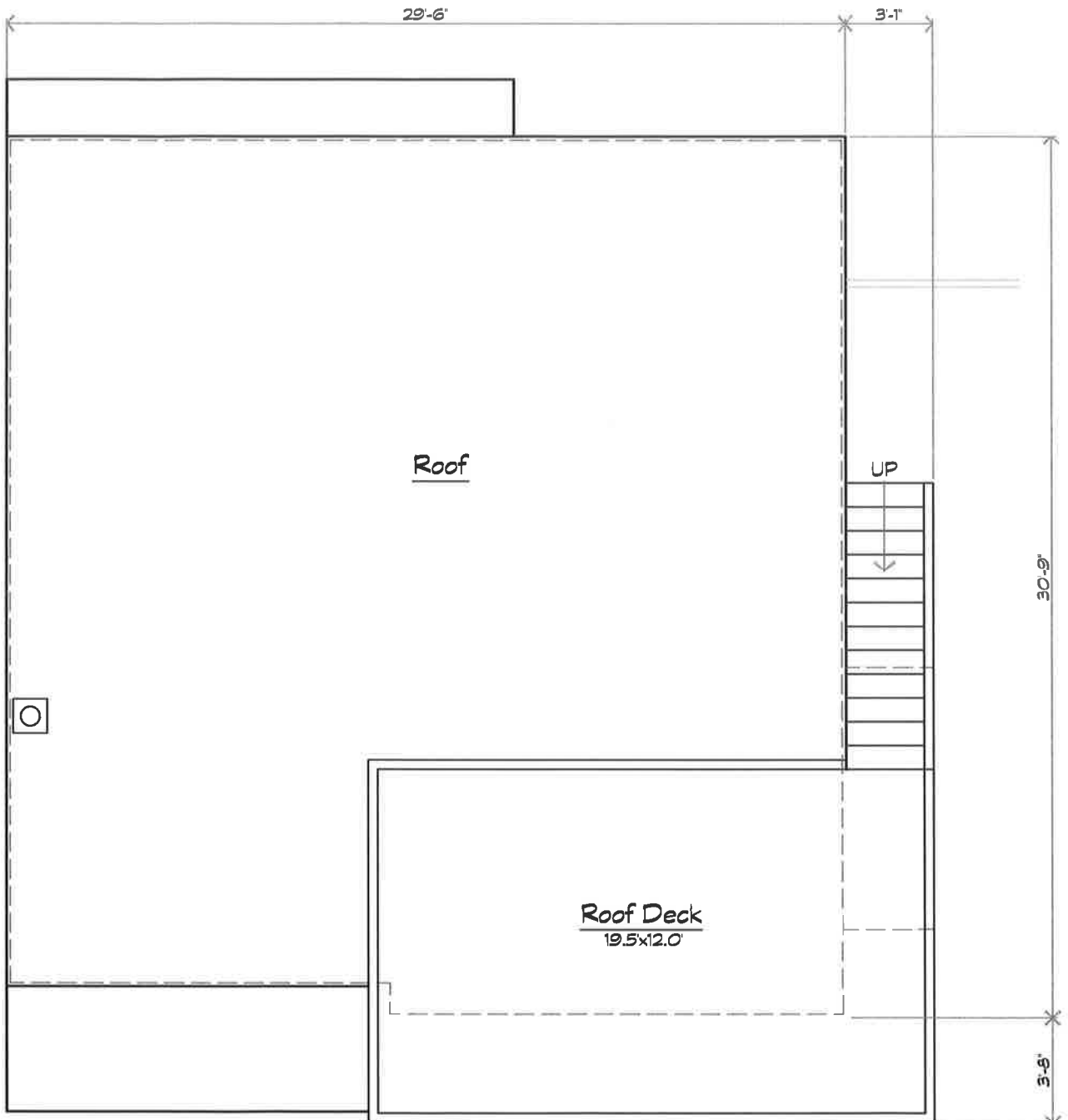
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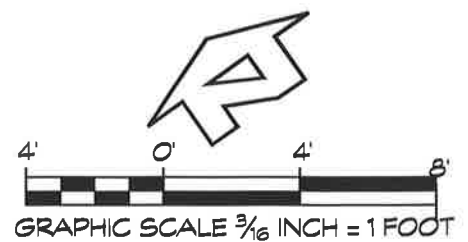


Ground Floor





Roof





106 Aptos Beach Drive, Aptos CA 95003 (831) 688-7009

GUEST VACATION RENTAL AGREEMENT & INFORMATION SHEET

GUEST RESERVATION NAME:

PREMISES: *272 Beach Drive, Rio Del Mar*

RESERVED DATES IN:

BAILEY PROPERTY MANAGEMENT, INC., ("Manager") as agent for the Owner of the above-described Premises, and the undersigned guest(s) ("Guest") agree to rent the Premises to Guest, subject to the following terms and conditions:

1. VACATION RENTAL ORDINANCE RULES: Guest represents and warrants that (1) Guest is a responsible adult; (2) Guest will limit the occupancy of the Premises to the individuals listed below ("Occupants") during the entire reserved Occupancy Period, and (3) any other invitees allowed to occupy the Premises will be family members or responsible adults. If persons not falling within the foregoing categories are found to occupy the Premises, Guest and other occupants agree to vacate the Premises immediately without a refund. Keys will not be issued to minors. **Guests shall strictly comply with the Vacation Rental Rules and Regulations attached hereto as Exhibit "A."**

CHECK IN: OFFICE

Check in time is between 3:00 and 5:00 P.M. Keys will be ready for pick up at BAILEY PROPERTY MANAGEMENT, 106 Aptos Beach Drive, Aptos. Please call the office (831-688-7009) if you will be checking in after 5:00 P.M. Keys will not be released to Guest until all paperwork is signed and received in our office before check in day. Guests are not to go to or enter the Premises prior to registration at the office.

CHECK OUT:

Check out time is 10:00 A.M. Absolutely NO late check outs. Failure to comply can result in loss of deposit. Please deliver all keys, parking permits/passes and remotes (if issued) to Manager's office. **Guest will be charged \$10.00 for all keys not returned, \$50.00 for each pool key not returned, and \$200.00 per parking permit/pass not returned.xxx**

CHECK IN: LOCK BOX:

Your Vacation Rental is on Lock Box. Please contact the office on your check in date between 3:00 P.M. and 5:00 P.M. to get the lock box code.

CHECK OUT:

Check out time is 10:00 A.M. Absolutely NO late check outs. Failure to comply can result in loss of deposit. Please place all keys in the lock box and return parking permit/passes and remotes to the appropriate place in home. Contact our office at 831-688-7009 to notify us of your check out.

Guests will be charged \$150 for all keys not returned to the lockbox, \$50.00 for each pool key not returned, and \$200.00 per parking permit/pass and remotes not returned

2. **PAYMENTS:** At the time of securing the property, we require a non-refundable \$50 reservation fee. This \$50 is deducted from your quoted rental amount. The security deposit of \$500.00 and the balance due for the reservation must be paid 60 days prior to the check-in date, (it is guest responsibility to call in for final payment.) The security deposit will be returned to Guest 10-14 days after departure, subject to compliance with the terms and conditions of this Agreement by Guest and Guests invitees.
VRBO GUEST WILL PAY THE REQUIRED AMOUNT AGREED UPON WHEN BOOKING THE RESERVATION VIA VRBO

3. **CANCELLATION:** Should Guest wish to cancel the reservation, notice of cancellation must be received 60 days prior to the check-in date. If Guest's notice of cancellation is received less than 60 days prior to the check-in date, Guest will forfeit all sums paid, unless Manager can reassign the Premises. If Manager is unable to reassign the Premises, Manager will retain the entire amount paid and refund the security deposit to Guest.

4. **CLEANING:** The cleaning fee is included in the rental cost. The cleaning fee is for general cleaning. Prior to departure, Guest shall:

- a. Wash and put away dishes in the cupboards.
- b. Please have premises ready to be cleaned.
- c. Please do not move or rearrange furniture. Doing this can cause major damage to furniture, floors, and all areas of the home.
- d. Remove all garbage from the Premises and deposit it in the appropriate refuse container.

If additional cleaning is required, charges will be deducted from Guest's security deposit based on actual cost.

5. **LINENS:** Linen service is included with guest reservations. To include sheets, pillowcases, and towels (excluding beach towels.) 1 set of towels per person.
6. **TRASH MANAGEMENT:** Trash must be kept in closed containers and not allowed to accumulate. It is guest's responsibility to put trash out the night before trash pick-up day (Trash Day will be noted on sheet on refrigerator).
7. **WHAT MANAGER WILL SUPPLY:** The Premises are equipped and set up as fully furnished including bedspreads, blankets, and pillows, equipped kitchen, TVs, furniture, BBQs, and outdoor furniture where appropriate.
8. **GUEST LIABILITY:** Guest accepts liability for any and all damage to the Premises other than normal wear and tear, including, but not limited to misuse of appliances, and/or equipment furnished. If the cost to correct, repair, replace or remedy the damage exceeds the security deposit held, Guest agrees to reimburse Manager or Owner for the costs incurred to correct, repair, replace or remedy the damage.
9. **OCCUPANCY/DISTURBANCES:** Guest will be required to vacate the Premises and forfeit all fees and the security deposit if Guest or the Occupants breach this Agreement or if Guest or the Occupants:

a. Exceed the sleeping capacity of the Premises; **Maximum Occupancy 8**

b. Occupants over age 18:

c.

d. Responsible party must be 25 years or older to reserve premises.

e. Use the Premises for any illegal activity including, but not limited to, the serving or consumption of alcoholic beverages by persons under 21 years of age;

f. Cause damage to the Premises, or any neighboring property;

g. Cause disturbances or nuisances in violation of applicable laws or regulations;

h. Violate any rules or regulations posted within the Premises (which are incorporated herein by this reference);

i. **Violate Santa Cruz County curfew rule. Quiet hours are between 10PM and 8AM.**

j. **Violate the County's Vacation Rental Ordinance where applicable.**

10. PETS: Unless otherwise provided in California Civil Code Section 54.2, pets are not allowed on the Premises without Manager and Owner's express permission, and if allowed, a pet deposit is required. Violation of pet restrictions may result in termination of this Agreement, a forfeiture of all fees, and a forfeiture of security deposit.

a. **Manager's have approved pet on premises** **NO**

11. RATES/OWNER'S CANCELLATION: Rates are subject to change at the Owner's discretion provided that the Owner shall give guest notice of such change at least 60 days prior to the check-in date, whether previous notice of confirmation has been given. Owner reserves the right to cancel any reservation on a 60-day advance notice. Manager will attempt to locate another rental property should there be a cancellation. In the event of a cancellation by Owner, the \$50.00 reservation fee will be refunded or transferred to another rental property.

12. USE OF THE BEACH. The use of the beach or swimming in the ocean is at Guest's own risk.

13. PERSONAL PROPERTY, INJURY AND INDEMNIFICATION:

14. Guest and Occupants are not insured by Owner or Manager against loss or damage due to theft, fire, vandalism, rain, water, criminal or negligent acts of others, or any other cause. Owner and Manager recommend that Guest and Occupants carry insurance to protect them and their personal property from injury, theft, loss or damage.

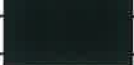
15. Guest acknowledges and agrees that Manager does not own the Premises and acts only as an agent for the Owner. Manager shall have no liability for loss, damage or injury to persons or property, arising from the condition of the Premises, nor for any defects in or stoppage of the supply of water, gas, electricity, plumbing, or other utilities or equipment. Manager shall have no liability for loss or damage caused by theft, weather conditions, natural disasters, construction projects, acts of God, or other reasons beyond its control.

16. Manager is not responsible for items left in the Premises. Manager will keep lost items for 30 days after which they will be disposed of as permitted by law. In any action concerning the rights, duties or liabilities of the parties to this Agreement, their principals, agents, successors or assigns, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs.

17. Guest agrees to indemnify, defend, and hold Owner and Manager harmless and to defend them against claims, cost or liability of any kind or nature arising out of the occupancy of Premises by Guest and Guest's invitees.
18. This paragraph shall survive termination of this Agreement.
19. **TERMINATION OF OCCUPANCY.** Upon termination of occupancy, Guest shall vacate the Premises and surrender it to Manager; vacate any and all parking and/or storage spaces and deliver the Premises to Manager in the same condition, less ordinary wear and tear, as received upon arrival.
20. **MEDIATION.** Guest agrees to mediate any dispute or claim arising out of this Agreement, or any resulting transaction, before resorting to arbitration or court action. Mediation fees, if any, shall be divided equally among the parties involved.
21. **JOINT AND SEVERAL OBLIGATIONS.** If there is more than one Guest, each one shall be individually and jointly responsible for the performance of all obligations under this Agreement.
22. **TRANSIENT OCCUPANCY.** Guest is renting the Premises as a transient lodger for the Occupancy Period set forth above. Owner retains all legal, possessory and access rights to the Premises.
23. **GENERAL PROVISIONS.**

- a. Amendment. This Agreement may not be amended, modified, or supplemented except by a written agreement executed by all the parties.
- b. Attorneys' Fees. In the event any party hereto institutes an action or proceeding to enforce any rights arising under this Agreement, the party prevailing in such action or proceeding shall be paid all reasonable attorneys' fees and costs.
- c. Complete Agreement. This Agreement constitutes the complete and exclusive statement of agreement among the parties with respect to the subject matter herein and therein replaces and supersedes all prior written and oral agreements or statements by and among the Parties. Any representation, statement, condition, or warranty not contained in this Agreement will not be binding on the parties or have any force or effect whatsoever, notwithstanding the provisions of Civil Code Section 1698.
- d. Counterparts. This Agreement may be executed simultaneously in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. A signature by facsimile or .PDF shall be treated as an original.
- e. Time of the Essence. Time is of the essence for each provision of this Agreement.

IN WITNESS, WHEREOF, Guest and Manager (on behalf of Owner) have entered into this Rental Agreement as of the _____ day of _____, 2024/2025

MANAGER			GUEST
BAILEY PROPERTY MANAGEMENT, INC.			
		BY	

RECEIPT OF KEYS, PARKING PASSES/PERMITS, GARAGE/GATE PASSES/REMOTES:

2 House keys issued (Office check-in)

____ House keys returned

House keys issued (Lockbox check-in)

____ House key returned

Pool keys issued/Common Area

____ Pool keys returned

Garage/Gate pass(es) issued

____ Garage/Gate passes returned

_ Parking Permit issued

____ Parking Permit returned

Beach Drive Passes issued

____ Beach Drive Passes returned

Keyless entry

Guest Signature for keys:

(If on lockbox please sign agreeing to terms of lock box use. If checking in at office, signature is due at time of check in)

Each property is supplied with the following consumables:

Kitchen:

Sponge

Dish soap

Garbage bags

1 roll of paper towel

Each Bathroom:

1 roll of toilet paper per bathroom

PLEASE NOTE: SANTA CRUZ COUNTY HAS BANNED SINGLE-USE PLASTIC TOILETRY BOTTLE ACROSS THE HOSPITALITY INDUSTRY. THERE WILL NOT BE SHAMPOO, CONDITIONER OR BODY GEL IN THE HOME.



106 Aptos Beach Drive, Aptos CA 95003 (831) 688-7009

EXHIBIT A

**VACATION RENTAL
RULES AND REGULATIONS**

NOTICE: It is unlawful for any person to use or allow the use of property in violation of the provisions of the Santa Cruz County's Vacation Rental Ordinance. The penalties for violation of this section are set forth in Chapter 19.01 of the County Code.

Pursuant to the Santa Cruz County Vacation Rental Ordinance, Ordinance #5092 (Section 13.10.694 et seq of the Santa Cruz County Code), these Vacation Rental Rules are required to be posted inside the vacation rental in a location readily visible to all guests and occupants (referred to herein as "guest or guests"). These rules are incorporated herein by reference into the vacation rental agreement with each guest.

The **Address of this Property** is: **272 Beach Drive, Rio del Mar**

The **Local Contact Person** for this Property is: Bailey Property Management

Bailey Property Management, Inc.
106 Aptos Beach Drive
Aptos, CA 95003
(831)688-7009
Attn: Lynette Valdez or Karen Wade

This local contact person is available 24 hours a day to respond to tenant and neighborhood questions or concerns. The name, address, and telephone number(s) of the local contact person has been posted on a sign legible from the nearest street and provided to the Santa Cruz County Planning Department, the local Sheriff's Substation, the main county Sheriff's Office, the local fire agency, as well as supplied to the property owners of all properties located within a 300-foot radius of the boundaries of the parcel on which the vacation rental is located, as required by the Vacation Rental Ordinance.

2. All guests shall strictly comply with Santa Cruz County's Noise Ordinance, Chapter 8.30, which provides as follows:

Santa Cruz County Code Section 8.30.010 Curfew – Offensive Noise.

A. No persons shall, between the hours of ten p.m. and eight a.m., make, cause, suffer, or permit to be made any offensive noise:

1. Which is made within one hundred feet of any building or place regularly used for sleeping purposes; or

2. Which disturbs any person of ordinary sensitivities within his or her place of residence.

B. "Offensive noise" means any noise which is loud, boisterous, irritating, 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, meeting, gathering, game, dance, or amusement, or by any appliance, contrivance, device, structure, construction, ride, machine, implement, instrument or vehicle. (Ord. 4001 § 1 (part), 1989)

8.30.020 Subsequent offense within forty-eight hours.

Any person who violates any section of this chapter and is cited for such a violation, and who within forty-eight 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 (part), 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 (part), 1989)

REGULATIONS OF THE DEPARTMENT OF PARKS AND RECREATION

OF THE STATE OF CALIFORNIA

FOR TAX PURPOSES ONLY

LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY

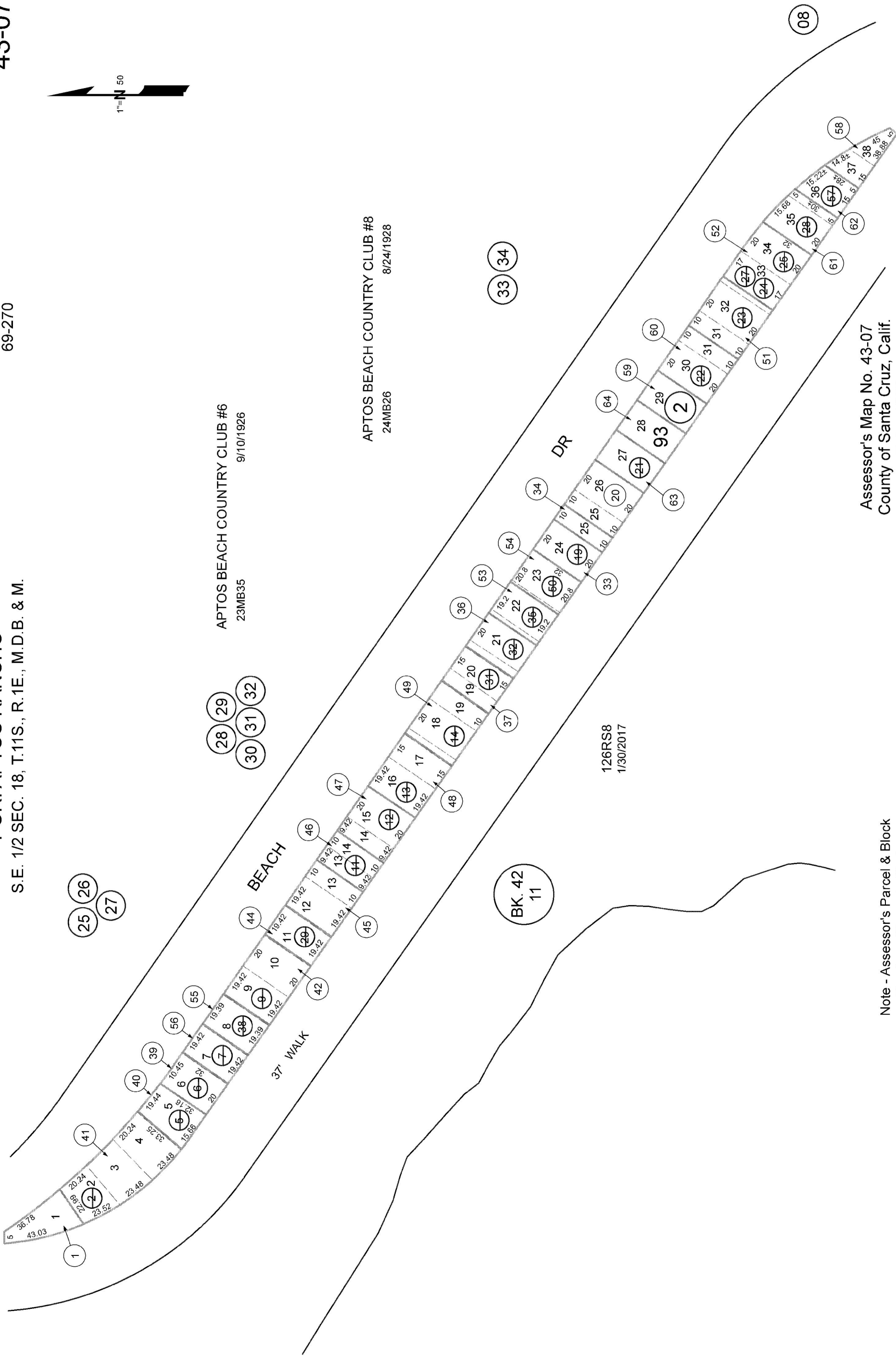
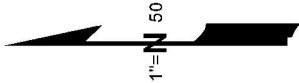
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1999

Electronically Redrawn 10/22/01 mvm
Rev 5/24/99 CB (Tax Consolidation)
Rev 5/25/01 mvm (Changed page refs.)
Rev 1/4/02 mvm (TCA)
Rev 2/19/03 DD (Cor tax code line 69-270)
Rev 6/7/04 CB (TCA change)
Rev 3/10/17 jg (126RS8)

POR. APTOS RANCHO
S.E. 1/2 SEC. 18, T.11S., R.1E., M.D.B. & M.

Tax Area Code
69-270

43-07



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

Assessor's Map No. 43-07
County of Santa Cruz, Calif.
Feb., 1999



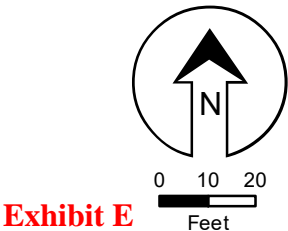
Parcel Location Map



Parcel: 04307251

- Study Parcel
- Assessor Parcel Boundary
- Existing Park

Map printed: 5 Dec. 2024

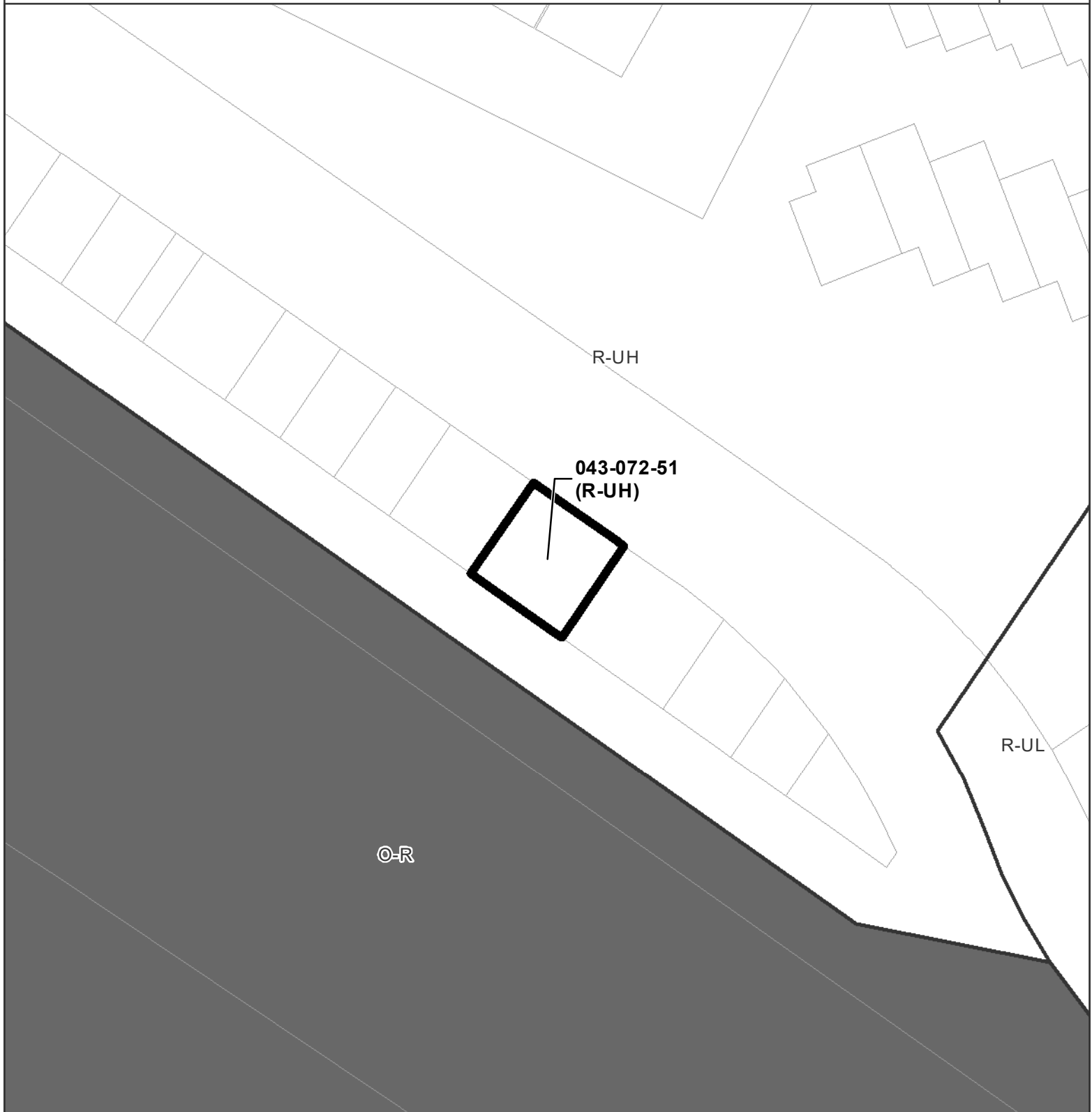







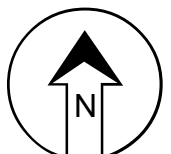
Parcel General Plan Map



Mapped
Area



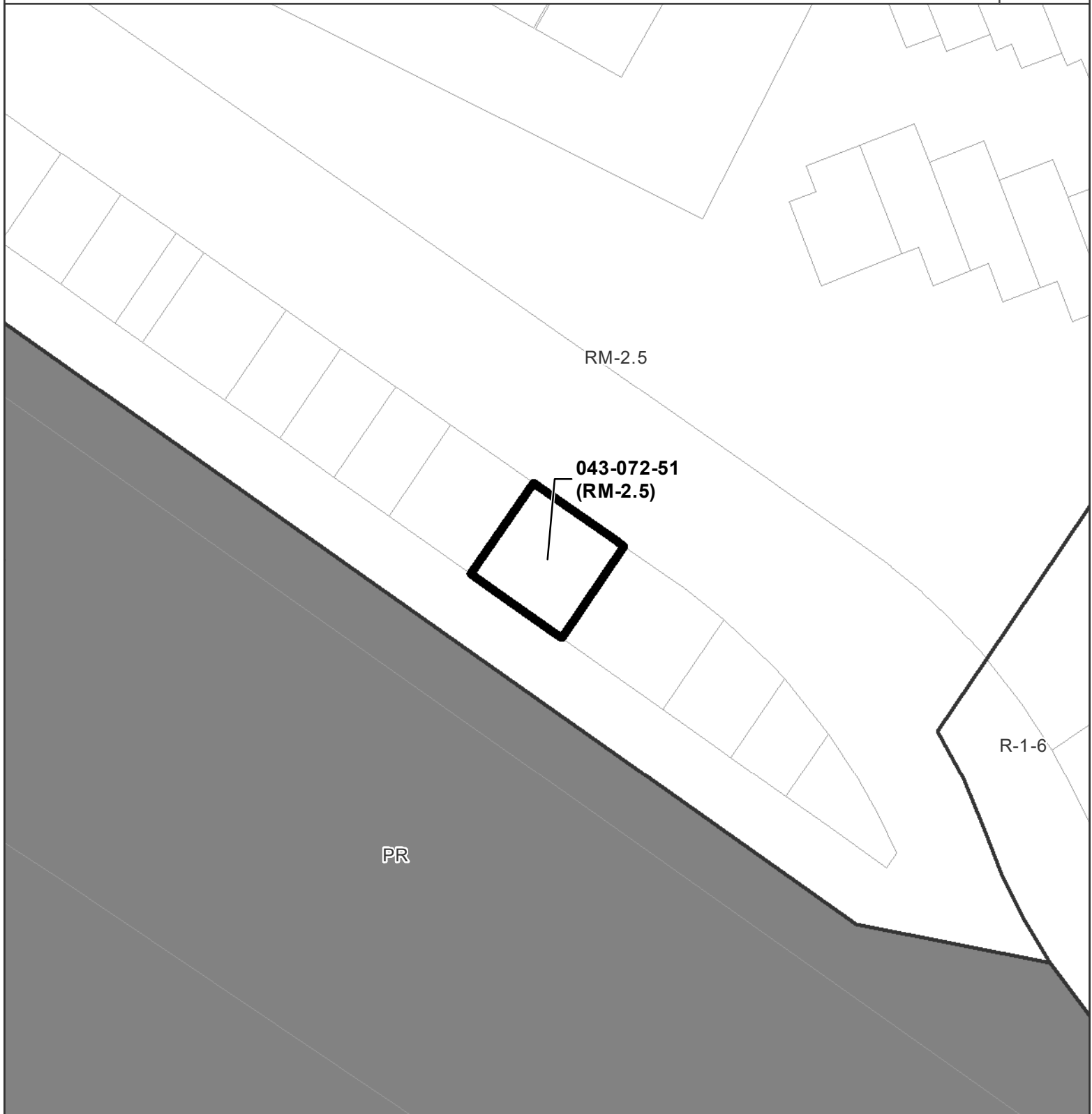
-  O-R *Parks, Recreation & Open Space*
-  R-UH *Res. Urban High Density*
-  R-UL *Res. Urban Low Density*






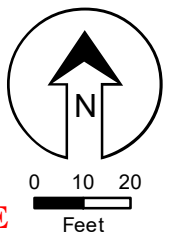
0 10 20
Feet



Parcel Zoning Map



-  PR *Parks, Recreation, & Open Space*
-  R-1 *Single-Family Residential*
-  RM *Residential Multi-Family*



Parcel Information

Services Information

Urban Services Line:	<u> X </u> Inside <u> </u> Outside
Water Supply:	Soquel Creek Water District
Sewage Disposal:	Santa Cruz Sanitation District
Fire District:	Central Fire Protection District
Drainage District:	Flood Control Zone 6

Parcel Information

Parcel Size:	1,089 square-feet
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential
Project Access:	Beach Drive
Planning Area:	Aptos
Land Use Designation:	R-UH (Urban High Density Residential)
Zone District:	RM-2.5 (Multi-family residential - 2,500 square feet)
Coastal Zone:	<u> X </u> Inside <u> </u> Outside
Appealable to Calif. Coastal Comm.	<u> X </u> Yes <u> </u> No

Technical Reviews: None

Environmental Information

Geologic Hazards:	No physical evidence on site
Fire Hazard:	Not a mapped constraint
Slopes:	N/A
Env. Sen. Habitat:	No physical evidence on site
Grading:	No grading proposed
Tree Removal:	No trees proposed to be removed
Scenic:	Yes
Archeology:	Not a mapped constraint