



County of Santa Cruz

COUNTY ADMINISTRATIVE OFFICE

701 OCEAN STREET, SUITE 520, SANTA CRUZ, CA 95060-4073

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SUSAN A. MAURIELLO, J.D., COUNTY ADMINISTRATIVE OFFICER

Agenda: September 19, 2000

September 13, 2000

BOARD OF SUPERVISORS

County of Santa Cruz

701 Ocean Street

Santa Cruz, CA 95060

RE: Appeal of Panning Commissions Actions relating to Application Number 97-0787, Redwood Meadows Ranch

Dear Members of the Board:

Attorney Lloyd Williams has submitted the attached letter dated September 5, 2000, on behalf of his clients Redwoods Meadows Ranch (Application Number 97-0787, APN 063-071-28), raising a number of issues with regard to the consistency of actions of the Planning Commission relative to the Findings and Conditions on their land use application. Without commenting on the merits of the issues raised, I have contacted the Planning Director and we believe that these issues should be resolved by the Commission.

When an appeal to the Board has been properly filed, the Clerk of the Board is required to submit for consideration by the Board whether the matter should be set for a jurisdictional hearing on a date to be determined and set by Board action. At the hearing, the Board is required to consider whether to take jurisdiction and schedule the appeal for a hearing on the merits, deny jurisdiction or return the matter to the Planning Commission for further consideration.

In this instance, the appellant is not requesting a hearing. They are requesting that the matter be returned to the Planning Commission in order to issues that they believe create technical inconsistencies between the Findings and Conditions of the Permit that was issued by the Commission. Upon review of this request, our office and the Planning Director believe that this request should be granted. If your Board concurs, since no hearing would be held, we would plan to return the appellants filing fees for the appeal. The additional costs associated with the further review by the Planning

Commission would be borne by the applicant through the Planning Department's fee processes.

In summary, the matter before you recommends that an appeal filed by Lloyd Williams on behalf of his clients Redwood Meadows Ranch, be referred back to the Planning Commission for consideration. In the alternative, it is within your Board's discretion to also set a jurisdictional appeal on this matter. Staff is prepared to recommend a date and time for such a hearing if the Board would prefer to proceed in that manner.

IT IS THEREFORE RECOMMENDED THAT YOUR BOARD refer the letter of Attorney Lloyd Williams to the Planning Commission for consideration at a scheduled meeting, with notice of the meeting to be sent to the current mailing list for this application and return the \$2,274 filing fee to the appellants.

Very truly yours,



Susan A. Mauriello,
Clerk of the Board of Supervisors/
County Administrative Officer

SAM: hs

cc: Lloyd R. Williams, Esq
Rahn Garcia, County Counsel
Alvin James, Planning Director
Cathleen Carr, Planning Department

3

LAW OFFICES OF

**BOSSO, WILLIAMS, SACHS,
ATAK & GALLAGHER
AND**

PETER L. SANFORD
AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

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PLEASE REPLY TO SANTA CRUZ

ROBERT E. BOSSO
LLOYD R. WILLIAMS
PHILIP M. SACHS
CHARLENE M. ATAK
JOHN M. GALLAGHER
PETER L. SANFORD
CATHERINE A. PHILOPOVITCH
PASCHA R. STEVENS

* CERTIFIED SPECIALIST IN TAXATION
LAW, THE STATE BAR OF CALIFORNIA,
BOARD OF LEGAL SPECIALIZATION

September 5, 2000

VIA HAND-DELIVERY

Clerk of the Board of Supervisors
County of Santa Cruz
701 Ocean Street, 5th Floor
Santa Cruz, CA 95060

Re: Application No. 97-0787
Applicant: Pacific Rim Planning Group for Owner
Owner: Redwood Meadows Ranch
APN 063-071-28

Dear Madam Clerk:

This office represents Redwood Meadows Ranch in connection with the above-referenced application for construction of a winery. At the August 23, 2000 hearing, the Planning Commission approved the proposed project, with Conditions, and it also adopted Findings. The Findings adopted by the Commission were those that had been prepared by Staff in connection with Staffs recommendation to approve the winery, but to deny winery related special events. Essentially, the Planning Commission voted 5-0 to allow winery related special events of up to 50 guests at any one time. The Findings adopted by the Commission are, therefore, inconsistent with the approved project. Enclosed is a photocopy of the Findings adopted by the Planning Commission, highlighted to show the portions that create the inconsistency with the conditions, and with revisions to make the Findings consistent.

The Owner/Applicant appeals the decision of the Planning Commission solely with respect to the inconsistency of the Findings adopted by the Commission. We do not appeal the substantive decision of the Planning Commission. We request that the Board, pursuant to Section 18.10.340(d)2 of the County Code, not take jurisdiction of this matter, but refer the matter to the Planning Commission for reconsideration of its Findings and adoption of revisions consistent with the enclosed Findings. We are not seeking a de novo review by the Board. Enclosed are the Findings, redlined to show the changes that we request.

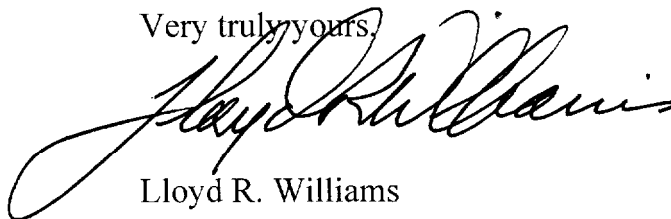
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Board of Supervisors
September 5, 2000
Page 2

Enclosed is our client's check for \$2,274, constituting the County's fee for filing this appeal.

Thank you for your consideration.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lloyd R. Williams".

Lloyd R. Williams

LRW/bd

Enc.

cc: Bill and Robin Cunningham
Rahn Garcia, County Counsel's Office
Cathleen Carr, Planner
Stephen Cassidy, Esq.
Jim Weaver

F:\WPDATA\LRW\redwoodappeal3.ltr

COASTAL DEVELOPMENT PERMIT FINDINGS

1. THAT THE PROJECT IS A USE ALLOWED IN ONE OF THE BASIC ZONE DISTRICTS, OTHER THAN THE SPECIAL USE (SU) DISTRICT, LISTED IN SECTION 13.10.170(d) AS CONSISTENT WITH THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LUP DESIGNATION.

The construction and operation of a winery is conditionally permitted in the “A” zone district. The “A” zone district is consistent with the General Plan and Local Coastal Program land use designations of Rural Residential (R-R) and Mountain Residential (R-M). The proposed adjunct commercial use of hosting special events (weddings, banquets, private parties, etc.) is not a listed use in the “A” zone district, although it has been approved on other winery permits in an agricultural zone district (the “CA” zone district).

2. THAT THE PROJECT DOES NOT CONFLICT WITH ANY EXISTING EASEMENT OR DEVELOPMENT RESTRICTIONS SUCH AS PUBLIC ACCESS, UTILITY, OR OPEN SPACE EASEMENTS.

The parcel is governed by an Open Space Easement (OSE) contract. The development potential for this parcel was used, through parcel averaging, to create twelve residential lots under 83-254-CZ, 82226-S, 82-227-PUD, 82228-Z. The subject parcel was identified as agricultural open space and accordingly was placed within an Open Space Easement Contract. This contract allows “Any and all uses allowed by the “A” Agricultural Zone District, but not including any permanent residential structure. The exceptions will require development or building permits, where applicable.” A winery was an allowed use within the “A” zone district at the time of the Open Space Easement contract, the Planned Unit Development and Coastal Development Permits which created the subject parcel, and is still an allowed use at the present time. The proposed adjunct commercial use of hosting special events (weddings banquets, private parties, etc.) is not specifically addressed ~~allowed~~ in the “A” zone district presently nor at the time of the development permits and OSE contract. A “special events” adjunct use is also not specifically addressed ~~authorized~~ in the Santa Cruz County winery regulations (County Code’ Section 13.10.637). The special events use, however, is becoming increasingly associated with wineries throughout the state and in Santa Cruz County. Each winery application which includes such an adjunct use must be evaluated on a case by case basis. ~~The special events use is not consistent with the open space and agricultural uses designated for this parcel through the Planned Unit Development and the Open Space Easement.~~ As demonstrated through the Environmental Review process, the proposed site can adequately accommodate this proposed use without significant adverse impacts to the environment. However, the

circumstances specific to the subject parcel are that its' "development potential", as determined by the Rural Residential Density Determination has been used to create the residential parcels. The intensity of use for the entire property was determined to be 12 residential units which were created through the subdivision and Planned Unit Development. The remainder of the property was placed in agricultural and timber production zones. ~~intended as commonly owned or individually owned non-residential, open space.~~ All preliminary maps contained in the original subdivision file identify the subject parcel as the "Agricultural Use Area". The Planning Commission's recommendation to the Board of Supervisors stated, "Approval of 83-254-CZ, 82-226-S, 82-227-PUD, 82-228-Z, Tract #1108 (Redwood Meadows Ranch) for 12 residential parcels, agricultural open space, & timber management open space; rezoning to the RA-BS-5-Acre Zone district for the 12 residential parcels, A Zone District for the 70 acre agricultural parcel; TP Zone District for the remainder, according to the exhibits on file and subject to the following conditions". Furthermore, the language contained in the Board of Supervisors' minute order (Exhibit I) states, "The agricultural parcel shall be retained by the permit holder for agricultural and other open space uses." The Board required that both the agricultural and timber properties be placed in Open Space Easement contracts. Special events such as weddings and banquets, etc, ~~were not uses associated or permitted for wineries at the time of the Redwood Meadows Ranch subdivision and planned unit development (PUD).~~ In addition, this commercial type of use for the subject parcel was neither mentioned by the property owner nor anticipated by the Board of Supervisors at that time. The proposed special events use will have the potential to create additional traffic, the need for significantly greater infrastructure of on-site parking, access, water use and storage and sewage disposal, and other impacts. It is in the best interests of the public and the surrounding neighborhood to set initial restrictions on special events now, and to provide for public review and possible revisions based upon the actual impacts of special events one year after occupancy of the winery buildings, which are clearly not agriculturally related uses. This intensification of use was neither anticipated nor considered by the Board of Supervisors and is, therefore, inconsistent, with the Planned Unit Development and Subdivision approval and with the intent of the original OSE contract.

The private right-of-ways on the parcel provide access to other property owners with legal access to parcels they own. The project will not conflict with any existing easement or development restriction such as public access, utility as none exist, nor will it interfere with the legal access rights of other users of the private right-of-way.

3. THAT THE PROJECT IS CONSISTENT WITH THE DESIGN CRITERIA AND SPECIAL USE STANDARDS AND CONDITIONS OF THIS CHAPTER PURSUANT TO SECTION 13.20.130 et seq.

The proposed buildings for the winery facility ~~has~~ have been located on the site to minimize visibility from the adjacent residential parcels. The proposed structures are not ~~is~~ ~~not~~ visible from Bonny Doon Road, a General Plan designated Scenic Road. The winery is screened from sight along Bonny Doon Road by the topography and by several groves of redwood trees. The grading of about 2,400 cubic yards for the winery and access improvements is predominantly excavated materials for the 15,000 square foot wine making facility which will be notched into the base of a slope. The fill materials will be spread over the currently uncultivated meadow areas so no material will be exported. The building site grading has been designed to maintain the overall appearance of the natural topography and is commensurate with the size and scope of the project. The largest structure is located at the base of a slope with two smaller structures (1,800 square foot wine tasting building and a 886 square foot office building) located at the top of a small knoll. The knoll top buildings are screened from view of the nearby residences by large redwoods and earthen berms. In addition, the project is not sited on a prominent ridge line, and does not obstruct any public views. The project has been designed to maintain potentially useable agricultural lands in the meadow area. All trees removed (living and dead) are required to be replaced utilizing native species. Thus, the project is consistent with the design criteria, special use standards and conditions of County Code Section 13.20.130 et seq., in that the project has minimized grading, is not on a prominent ridge, and is visually compatible with the character of the surrounding area.

As discussed in Finding #2, the proposed special events use will be subject to restrictions, with a public review and possible revisions based upon the actual impacts of special events one year after occupancy of the winery buildings. ~~does not conform with design standards, as this intensification of use to conflicts with the development and use standards of the Planned Unit Development, Subdivision and Coastal Zone Approvals which created the subject parcel.~~

4. THAT THE PROJECT CONFORMS WITH THE PUBLIC ACCESS, RECREATION, AND VISITOR-SERVING POLICIES, STANDARDS AND MAPS OF THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LAND USE PLAN, SPECIFICALLY CHAPTER 2; FIGURE 2.5 AND CHAPTER 7, AND, AS TO ANY DEVELOPMENT BETWEEN AND NEAREST PUBLIC ROAD AND THE SEA OR THE SHORELINE OF ANY BODY OF WATER LOCATED WITHIN THE COASTAL ZONE, SUCH DEVELOPMENT IS IN CONFORMITY WITH THE PUBLIC ACCESS AND PUBLIC RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT COMMENCING WITH SECTION 30200.

The project site is not located in the appealable area between the shoreline and the first through public road. Consequently, the proposed winery will not interfere with public access to the beach, ocean, or any nearby body of water. In addition, the project site is not identified as a priority acquisition site in the County Local Coastal Program, and is not designated for public recreation or visitor serving facilities. The subject parcel is not contiguous with any publicly owned land.

5. THAT THE PROPOSED DEVELOPMENT IS IN CONFORMITY WITH THE CERTIFIED LOCAL COASTAL PROGRAM.

The proposed 100,000 gallon capacity winery and public wine tasting use is consistent with the County's certified Local Coastal Program in that a winery is a conditionally permitted use in the Agricultural zone district in the Coastal Zone. The proposed special events use is not specifically allowed in the Agricultural zone district, but is a use that has become associated with wineries similar to that of wine tasting. There are special circumstances related to the subject parcel in that its' "development potential", as determined by the Rural Residential Density Determination has been used through parcel averaging to create the residential parcels. The intensity of use for the entire property was determined to be 12 residential units which were created through the subdivision and Planned Unit Development. The remainder of the property, which includes the subject parcel, was placed in agricultural and timber production zones. ~~was intended as commonly owned or individually owned non-residential, open space.~~ All preliminary maps contained in the. original subdivision file identify the subject parcel as the "Agricultural Use Area". The Planning Commission's recommendation to the Board of Supervisors stated, "Approval of 83-254-CZ, 82-226S, 82-227-PUD, 82-228-Z, Tract #1108 (Redwood Meadows Ranch) for 12 residential parcels, agricultural open space, & timber management open space; rezoning to the RA-BS-5-Acre Zone district for the 12 residential parcels, A Zone District for the 70 acre agricultural parcel; TP Zone District for the remainder, according to the exhibits on file and subject, to the following conditions" . Furthermore, the language contained in the Board of Supervisors' minute order (Exhibit I) states, "The agricultural parcel shall be retained by the permit holder for agricultural and other open space uses." The Board further required that both the agricultural and timber properties be placed in Open Space Easement contracts. ~~Special events such as weddings and banquets, etc. were not uses associated or permitted for wineries at the time of the Redwood Meadows Ranch subdivision and planned unit development (PUD). In addition, this commercial type of use for the subject parcel was neither mentioned by the property owner nor anticipated by the Board of Supervisors.~~ Use of the subject parcel for adjunct special events was not discussed at that time. While small scale commercial operations were, and still are, allowed in the "Agriculture" zone district under the Home Occupations

regulations, this avenue to establish such a use is obviously precluded as the parcel cannot have a residence. The special events use proposed for this project has the potential to create additional traffic! the need for significantly greater infrastructure of on-site parking, a c c e s s . interests of the public and the surrounding neighborhood to set initial restrictions on special events now. and to provide for public review and possible revisions based upon the actual impacts of special events one year after occupancy of the winery buildings requires additional infrastructure of access, parking, septic and water storage, which are not related to agricultural or open space uses. Thus, the special events use is not compatible for the open space and agricultural uses designated for this parcel through the Planned Unit Development, Subdivision and Coastal Development Permits and the open space easement.

The development permit for the winery has been conditioned to maintain the suitable agricultural portions of the property. The structure is sited, designed and landscaped to be visually compatible and integrated with the character of the surrounding neighborhood. In addition, the proposed structures will not generate visual impacts to scenic resource areas (Bonny Doon Road) in the vicinity. Project impacts have been mitigated through the required conditions that meet the requirements of Section 13.20.130. Project impacts have been evaluated through CEQA required Environmental Review and mitigation measures have been designed to address all identified impacts and potential impacts of the project. These mitigation measures have all been incorporated into the project design or the permit conditions. Therefore, the location of the buildings and the uses allowed under this approval will harmonize with the scenic rural environment of the area.

DEVELOPMENT PERMIT FINDINGS

1. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OR THE GENERAL PUBLIC, OR BE MATERIALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE VICINITY.

The location of the winery, public wine tasting and office structures and the conditions under which they would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not be materially injurious to properties or improvement in the vicinity, as the proposed project complies with all development regulation applicable to the site. The structures are situated to remove as little agricultural land from future production. The

project is located in an geologically stable area as determined by the project soils engineer. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. In order to ensure structural and site stability, specific soils engineering is required in the Conditions of Approval for specific foundation, grading and drainage design criteria prior to grading and building permit issuance. Environmental Review conducted for the project did identify potentially significant environmental issues except for erosion and soil hazards issues, which have been mitigated. The Environmental Review found that both the proposed winery and the proposed special events use (weddings, banquets, private parties, etc.) can be accommodated by the site and will not result in significant environmental impacts and would not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, or be materially injurious to properties or improvements in the vicinity.

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.

The project site is located in the "A" zone district with an Open Space Easement contract. The purposes of the "A" zone district are to encourage and provide for noncommercial agricultural uses and to allow limited commercial agricultural activities and to maintain productive open space and rural character in the county. A winery is an allowed use in the "A" zone district and is an agriculturally related pursuit and service. The proposed winery and public wine tasting use and winery structures and the conditions under which they would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the "A" zone district. The proposed winery structures and development have been reviewed with respect to the design review regulations. The design review findings can be made for the proposed project. The winery meets the County's Geologic Hazards ordinance in that engineering soils engineering report has been completed and reviewed which delineate appropriate building sites and construction methods for the project. The design of the proposed winery is consistent with that of the surrounding neighborhood, and is sited, designed and landscaped to be visually compatible and integrated with the character of surrounding area, and by that meets the intent of County Code Section 13.10.130, "Design Criteria for Coastal Zone Developments" and Chapter 13.11 "Site, Architectural and Landscape Design Review." The proposed Mediterranean style winery buildings will utilize a mottled sandstone colored stucco exterior with green and sandstone window trim, brick colored doors and eaves and a tile roof. The proposed

colors and materials harmonize with those of the natural surrounding.

The proposed adjunct commercial use of hosting special events (weddings, banquets, private parties, etc.) is not specifically addressed ~~allowed~~ in the “A” zone district or the winery regulations set forth in County Code section 13.10.673. This use, however, has been increasingly associated with wineries throughout the state and in Santa Cruz County and has been approved for other wineries in an agricultural zone district (specifically “CA”). ~~Nevertheless, this proposed use was not allowed nor anticipated at the time this parcel was created via a subdivision and Planned Unit Development.~~ In addition, ~~There~~ are special circumstances related to the subject parcel in that its’ “development potential”, as determined by the Rural Residential Density Determination has been used through parcel averaging to create the residential parcels. The intensity of use for the entire property was determined to be 12 residential units which were created through the subdivision and Planned Unit Development. The remainder of the property, which includes the subject parcel, was placed in agricultural and timber production zones. ~~intended as commonly owned or individually owned non-residential, open space.~~ All preliminary maps contained in the original subdivision file identify the subject parcel as the “Agricultural Use Area”. The Planning Commission’s recommendation to the Board of Supervisors stated, “Approval of 83-254-CZ, 82-226-S, 82-227-PUD, 82-228-Z, Tract #1108 (Redwood Meadows Ranch) for 12 residential parcels, agricultural open space, & timber management open space; rezoning to the RA-BS-5-Acre Zone district for the 12 residential parcels, A Zone District for the 70 acre agricultural parcel; TP Zone District for the remainder, according to the exhibits on file and subject to the following conditions”. Furthermore, the language contained in the Board of Supervisors’ minute order (Exhibit I) states, “The agricultural parcel shall be retained by the permit holder for agricultural and other open space uses.” The Board further required that both the agricultural and timber properties be placed in Open Space Easement contracts. ~~Special events such as weddings and banquets, etc. were not uses associated or permitted for wineries at the time of the Redwood Meadows Ranch subdivision and planned unit development (PUD). In addition, this commercial type of use for the subject parcel was neither mentioned by the property owner nor anticipated by the Board of Supervisors~~ Use of the subject parcel for adjunct special events was not discussed at that time. The special events use proposed for this project has the potential to create additional traffic, the need for significantly greater infrastructure of on-site parking, access, water use and storage and sewage disposal, and other impacts. It is in the best interests of the public and the surrounding neighborhood to set initial restrictions on special events now, and to provide for public review and possible revisions based upon the actual impacts of special events one year after occupancy of the winery buildings ~~requires additional infrastructure of access, parking, septic and water storage, which are not related to agricultural or open space uses. Thus, the special events use is not compatible for the open space and~~

~~agricultural uses designated for this parcel through the Planned Unit Development, Subdivision and Coastal Development Permits and the open space easement. The language of the Open Space Easement Contract allows all uses allowed in the "A" zone district except residential. Nevertheless, the special events use was not an allowed use in the "A" zone district at the time of the Planned Unit Development and was not a use anticipated by the Board of Supervisors. Thus, the proposed commercial special events use is not consistent with the Planned Unit Development and Subdivision approval as well as the intent of Open Space Easement contract and the County's open space policies.~~

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.

The project is located in the Rural Residential and Mountain Residential land use designation. Wineries are an allowed use in the agricultural zone district and in the Residential Agriculture and Rural Residential zone districts, all of which implement the Rural Residential and Mountain Residential General Plan land use designations. The proposed winery has been located to be consistent with the General Plan policies and zoning regulations for the protection of agriculture, compatibility with nearby residential development, fire safety, traffic, noise, access and septic disposal. Approval of the winery is also consistent with General Plan policies 5.15.19, 5.15.20 and 5.15.21 "Wineries and Viticulture". As discussed in the Coastal Zone Findings for this project, all LCP policies have been met in the proposed locations of the winery and public wine tasting and with the required conditions of this permit. The project grading is commensurate with the size and scope of the project, with most of the earthwork resulting from notching the wine production facility into the base of a slope. The excess materials will be spread on the adjacent meadow area which will be later cultivated for wine grape production and olive groves. A Biotic Assessment has been prepared for this project as well as a Wetlands Delineation. These studies did not identify any rare, endangered or sensitive species or habitats within the project area. The wetlands were determined to be marginal with no habitat value or water quality significance. The sensitive habitat/wetlands issues have been assessed as part of the Environmental Review process and the mitigation measures have been incorporated into the conditions of approval.

As discussed in Finding #2 above, the proposed adjunct special events use will be subject to restrictions, with a public review and possible revisions based upon the actual impacts of special events one year after occupancy of the winery buildings. ~~is not consistent with the County's General Plan policies with respect to the intensification of nonagricultural use proposed on a parcel designated for open space and agricultural uses under a Planned Unit Development and Subdivision approval and under the intent of the original Open~~

~~Space Easement contract.~~

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.

The winery, wine tasting and special events uses will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity as determined by a Traffic Study and as evaluated as part of the Environmental Review process. The applicable mitigation measures have been incorporated into the conditions of approval. The increase in the intensity of use associated with the winery, public wine tasting and special events can be accommodated with adequate septic disposal, water supply for use as well as fire protection and access. Adequate off-street parking will be provided for the permitted use.

5. THAT THE PROPOSED PROJECT WILL COMPLEMENT AND HARMONIZE WITH THE EXISTING AND PROPOSED LAND USES IN THE VICINITY AND WILL BE COMPATIBLE WITH THE PHYSICAL DESIGN ASPECTS, LAND USE INTENSITIES, AND DWELLING UNIT DENSITIES OF THE NEIGHBORHOOD.

The development potential for this parcel was used, through parcel averaging, to create twelve residential lots under 83-254-CZ, 82-226-S, 82-227-PUD, 82-228-Z. The subject parcel was identified as agricultural open space and accordingly was placed within an Open Space Easement Contract. This contract allows "Any and all uses allowed by the "A" Agricultural Zone District, but not including any permanent residential structure. The exceptions will require development or building permits, where applicable." A winery was an allowed use within the "A" zone district at the time of the Open Space Easement contract, the Planned Unit Development and Coastal Development Permits which created the subject parcel, and is still an allowed use at the present time. The proposed adjunct commercial use of hosting special events (weddings, banquets, private parties, etc.) is not specifically addressed allowed in the "A" zone district presently nor at the time of the development permits and OSE contract. Special events such as weddings and banquets, etc. have the potential to create additional traffic, the need for significantly greater infrastructure of on-site parking, access, water use and storage and sewage disposal, and other impacts. It is in the best interests of the public and the surrounding neighborhood to set initial restrictions on special events now, and to provide for public review and possible revisions based upon the actual impacts of special events one year after occupancy of the ~~winery buildings - use can be physically accommodated on the site and by the area as demonstrated through the Environmental Review process, this~~

~~proposed intensification of commercial use is not compatible with the Planned Unit Development which created the subject parcel. The intent of the PUD was for this parcel to be utilized as agricultural open space. The increase of commercial use beyond the allowed use of winery and wine tasting was not anticipated by the Board of Supervisors and is inconsistent with the intent of the Open Space Easement contract.~~

The proposed 100,000 gallon winery and public wine tasting use is compatible with the land use intensities for the area and the specific site. The associated structures will complement and harmonize with the existing and proposed land uses in the vicinity (agricultural, rural residential, timber production and open space) and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood. The structure size is comparable to existing wineries with production similar to that proposed for this project. The winery is sited to protect arable land and as a permit condition, vineyards for wine production will be cultivated on site. The structures are naturally screened from existing residences and residential building sites in the area by vegetation and topography with some additional screening berms. Moreover, the buildings will utilize earth tone colorations which harmonizes with the surrounding area. Thus, the winery and wine tasting project, as approved and subject to the required conditions, is compatible and integrated with the character of the surrounding neighborhood and the natural setting.

PLANNING DEPARTMENT

GOVERNMENTAL CENTER



C O U N T Y O F S A N T A C R U Z

701 OCEAN STREET SANTA CRUZ, CALIFORNIA 95060

FAX (831) 454-2131

TDD (831) 454-2123

DEVELOPMENT PERMIT APPLICATION

PHONE: (831) 454-2130

PRINT DATE: 09/06/2000

APPLICATION DATE: 10/30/1997

APPLICATION NO.: **97-0787**

PARCEL NO.
063-071-28

SITUS ADDRESS
NOT AVAILABLE

PROJECT DESCRIPTION:

Proposal to construct a winery consisting of three structures (15,000 square foot winery building, 1,800 square foot wine tasting building, and a 886 square foot office building), with a maximum annual production of 100,000 gallons of wine, a wine tasting room open to the public, to host special events consisting of up to 12 events per year with a maximum of 195 people, 24 events per year with a maximum of 150 people and 24 events per year with a maximum of 100 people, and associated improvements, including a vineyard and olive grove, road improvements, parking for 8.5 cars, two 20,000 gallon water tanks and 2,400 cubic yards of grading. This project requires approval of a Commercial Development Permit, a Coastal Zone Permit, and a Grading Permit. Located on the west side of Brisa Del Mar, about 1/2 mile west of Bonny Doon Road, Redwood Meadows Ranch.

* APPROVED BY PC 8/23/00 FOR WINE TASTING AND RELATED EVENTS FOR UP TO 50 PEOPLE AT ONE TIME, SEE CONDITIONS FOR SPECIFICS * ** APPEALED 9/6/00 **

DIRECTIONS TO PROPERTY: HIGHWAY 1 TO BONNY DOON ROAD, 1/4 MILE FROM SMITH GRADE, TURN TO THE LEFT ON BRISA DEL MAR, REDWOOD MEADOWS RANCH IN THE MEADOW.

OWNER: REDWOOD MEADOWS RANCH ATTN: BILL CUNNINGHAM 3875 BONNY DOON ROAD SANTA CRUZ CA 95060
APPLICANT: JIM WEAVER - PACIFIC RIM PLANNING GROUP 206 MORRISSEY BLVD. SANTA CRUZ CA 95062
BUS. PHONE: (457)203-3

SEND HEARING NOTICE AND STAFF REPORT TO APPLICANT

SEND: HEARING NOTICE AND STAFF REPORT

TO: BILL CUNNINGHAM

3875 BONNY DOON ROAD SANTA CRUZ CA 95060

TO: LLOYD WILLIAMS

P.O. BOX 1822 SANTA CRUZ CA 95061

STATEMENT OF INTEREST IN PROPERTY: CONSULTANT

APPLICATION FEES: RECEIPT: 00024749

DATE PAID: 10/30/1997

COMM/INDUS/INSTIT DEVEL 2-20K SQ FT - ACP

4000.00 #12823

COASTAL ZONE PERMIT - REGULAR

1947.00 #12823

COASTAL ZONE PERMIT - REGULAR

-1947.00 #12823

ARCHAEOLOGICAL SITE REVIEW >20

406.00 #12823

ARCHAEOLOGICAL SITE REVIEW >20

#12823

BIOTIC PRE-SITE

-486.00 #12823

BIOTIC PRE-SITE

-81.00 #12823

ENVIRONMENTAL RES LAND DIV/COMM >2000

500.00 #12823

ENVIRONMENTAL RES LAND DIV/COMM >2000

#12823

GRADING 251 TO 1000 CUBIC YARDS

-366.00 #12823

GRADING 251 TO 1000 CUBIC YARDS

#12823

ENVIRONMENTAL ASSESSMENT - REGULAR

-765.00 #12823

ENVIRONMENTAL ASSESSMENT - REGULAR

-771.00 #12823

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SOILS REPORT REVIEW - MINOR	569.00	#12823
SOILS REPORT REVIEW - MINOR	-569.00	#12823
COUNTY FIRE DISC APPL REVIEW	50.00	
EH DEVELOPMENT PERMIT	233.00	
APPLICATION INTAKE B	81.00	
DPW ROAD PLAN REV COMM 10-20K SQ FT	1000.00	
DPW OUT ZONE PLAN CK NEW COMM 10-20K FT	1000.00	
FLAT FEE CONVERTED TO AT COST	2405.00	#12823
*** TOTAL ***	8769.00	***
ORIGINAL - OFFICE		

APPLICATION FEES:

APPEAL PLANNING COMMISSION JURISDICTIONL

*** TOTAL ***

RECEIPT: 00049320

2274.00

2274.00

DATE PAID: 09/06/2000

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PARCEL CHARACTERISTICS FOR: 06307128

ZONE DISTRICT(S): AGRICULTURE

ZONE DISTRICT(S): RESIDENTIAL AGRICULTURE

ZONE DISTRICT(S): TIMBERLAND PRODUCTION

GENERAL PLAN LAND USE DESIGNATION(S): MOUNTAIN RESIDENTIAL

GENERAL PLAN LAND USE DESIGNATION(S): RURAL RESIDENTIAL

PLANNING AREA: BONNY DOON

COASTAL ZONE: WITHIN COASTAL ZONE

GENERAL PLAN RESOURCES & CONSTRAINTS: WSW

GENERAL PLAN RESOURCES & CONSTRAINTS: C- FIRE

GENERAL PLAN RESOURCES & CONSTRAINTS: ARCRES

ASSESSOR LAND USE CODE: OSE/MISC IMPS

DISTRICT SUPERVISOR: Mardi Wornhoudt

PARCEL SIZE: 43.61 ACRES (ASSESSOR)

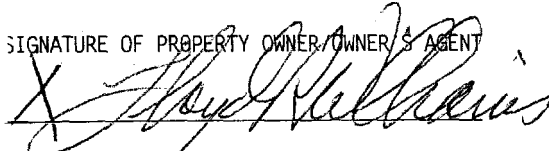
IF A MINIMUM PARCEL SIZE IS REQUIRED TO MEET COUNTY STANDARDS, YOU MAY NEED TO OBTAIN A SURVEY TO DEMONSTRATE THAT YOU HAVE SUFFICIENT LAND AREA.

ACTUAL CONDITIONS ON THIS PROPERTY MAY NOT COINCIDE WITH THE MAPPED RESOURCE/CONSTRAINT INFORMATION, WHICH IS SOMEWHAT GENERALIZED. THE APPLICATION OF SPECIFIC RESOURCE AND CONSTRAINT POLICIES IS DEPENDENT ON THE ACTUAL CONDITIONS ON THE PROPERTY AND IN THE AREA OF DEVELOPMENT.

YOU WILL RECEIVE A LETTER OR LETTERS WITH THE RESULTS OF YOUR TECHNICAL REVIEW(S).

THE UNDERSIGNED PROPERTY OWNER(S) HEREBY AUTHORIZES THE FILING OF THIS APPLICATION, AND AUTHORIZES ON-SITE REVIEW BY AUTHORIZED STAFF. I CERTIFY TO THE BEST OF MY ABILITY THAT THE ABOVE AND ATTACHED INFORMATION IS TRUE AND CORRECT, AND THAT I HAVE READ AND UNDERSTOOD THE ABOVE INFORMATION.

SIGNATURE OF PROPERTY OWNER/OWNER'S AGENT



SIGNATURE OF PROPERTY OWNER/OWNER'S AGENT

APPLICATION TAKEN BY

MARTIN J JACOBSON, PLANNING DEPARTMENT

SUBMITTED AT 701 OCEAN STREET

* NOTICE TO DEVELOPMENT PERMIT APPLICANT:

* You will be notified within five (5) working days of the name and phone number of your project planner.

* If your project is found to be extraordinarily complex, reviews normally charged a fixed development permit or technical review fee may be charged on an actual cost basis. This determination may be made either at application acceptance or during application review. Authority for these charges is found in the Planning Department Fee Schedule.

* Your application fees are not refundable, except as specified in the Planning Department Fee Schedule.

* If you have begun an activity or work requiring county review or approval without first obtaining a permit, you will be charged fees equal to the cost of investigation and resolution of the violation. Authority for these charges is found in Chapter 1.12 of the Santa Cruz County Code.

* You need to advise residents of property that Planning Department staff may be visiting the site. Site should be clearly marked/staked for staff inspection. Incomplete directions or marking will delay review of the project.

ORIGINAL - OFFICE

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