



Staff Report to the Zoning Administrator

Application Number: **05-0009**

Applicant: Kim Tschantz
Owner: David & Margaret Wood, Trustees
APN: 066-212-02

Agenda Date: July 15, 2005
Agenda Item #: **6**
Time: After 10:00 a.m.

Project Description: Proposal to Amend Commercial Use Permit **473-U** by removing Condition #5, which prohibits serving alcohol at Roaring Camp.

Location: Project is located on the south side of Graham Hill Road, approximately 700 feet southeast of the intersection with Zayante Road.

Supervisory District: 5th District (District Supervisor: Mark Stone)

Permits Required: Amendment to a Commercial Development Permit

Staff Recommendation:

- Approval of Application 05-0009, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review **under** the California Environmental Quality Act.

Exhibits

- | | |
|---|------------------------------|
| A. Project plans | F. Site Location Map |
| B. Findings | G. Zoning map |
| C. Conditions | H. General Plan map |
| D. Categorical Exemption (CEQA determination) | I. Site Photos |
| E. Assessor's parcel map | J. Comments & Correspondence |

Parcel Information

Parcel Size: 161.26 acres
Existing Land Use - Parcel: Park
Existing Land Use - Surrounding: Parks and Open Space
Project Access: Graham Hill Road
Planning Area: San Lorenzo Valley
Land Use Designation: O-R (Existing Parks and Recreation)
Zone District: SUPR (Special Use/Parks, Recreation and Open Space)
Coastal Zone: — Inside ☒ Outside

Environmental Information

Geologic Hazards: None in public use areas
Soils: Not a mapped constraint
Fire Hazard: Not a mapped constraint
Slopes: N/A
Env. Sen. Habitat: None in public use areas
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Graham Hill Road is a mapped scenic resource, however the proposal does not entail any construction, site disturbance or intensification of existing permitted uses on the site. No resources will be impacted.
Drainage: Existing drainage adequate; no proposed changes
Traffic: N/A
Roads: Existing roads adequate; no proposed changes
Parks: Existing park facilities adequate; proposal will not intensify **use**.
Archeology: An archaeological site review was performed in 1997 with negative results.

Services Information

Urban/Rural Services Line: — Inside ☒ Outside
Water Supply: N/A
Sewage Disposal: CSA 12
Fire District: Felton Fire Department
Drainage District: Zone 8

History

Roaring Camp is **an** existing family recreational facility that was approved by the Board of Supervisors in July 1960. The Master Plan of Use Permit 473-U included approval for 71 structures totaling 140,000 square feet. The structures included a blacksmith shop, **glass** shop, hotel, bank, saloon, dance hall and other such facilities as to represent a pioneer town **between** the years of 1848 and 1878. The park also included the adjacent railroad and train and was

intended to provide a family oriented commercial and recreational facility.

The camp was approved for year-round use, without operational hours or limitations on the number of people. Since **1960** two Minor Variations to the original use permit have been approved to allow the construction of additional structures and to increase the size of two existing structures. It should be noted that the existing use includes substantially fewer buildings than allowed under the original Use Permit.

Over the past **40** years, the use of the site has evolved. While many original facilities, such as the hotel, have been eliminated, the park **has** become a popular venue for family and community gatherings such as company picnics, reunions, wedding receptions and other social functions.

Staff Reports and supporting documentation for all prior approvals are on file and available for viewing at the Santa Cruz County Planning Department.

Project **Setting**

The proposed Amendment would delete Condition #5 of Use Permit 473-U, which prohibits the serving of liquor, so that beer, wine and champagne can be served at picnics, wedding receptions, and other organized gatherings at the park. Such functions remain consistent with the original intent to use the site for family and community events. Allowing beer, wine and champagne to be served on the premises would not represent an intensification of the existing use on the site, but would allow the facilities to be used for a variety of events in a way that is consistent with the family-oriented use of Roaring Camp and with other similar venues throughout the County.

Currently, several County Parks, such as Aptos Village and Highlands Park, permit the serving of beer, wine and champagne. Limited alcohol service is an amenity that people want and the existing prohibition at Roaring Camp places the park at a commercial disadvantage.

The proposed Amendment to the existing Use Permit would allow catering of group events to include serving of beer and wine along with the serving of food and non-alcoholic beverages. No permanent bar service or alcohol concession would be allowed under the conditions of this permit.

Zoning & General Plan Consistency

The subject property is a 161.23-acre lot, located in the SUPR (Special Use/Parks, Recreation and Open Space) zone district, a designation that allows Commercial uses. The proposed Amendment is a principal permitted use within the zone district and the project is consistent with the site's (O-R) Existing Parks and Recreation 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

- **APPROVAL** of Application Number **05-0009**, based on the attached findings and conditions.
- Certification that the proposal is **exempt** from ~~further~~ Environmental Review under the California Environmental Quality Act.

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

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

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Commercial Development Permit Findings

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

This finding can be made in that the surrounding parcels are primarily **used** as park or open **space**, with a small residential area adjacent to the north. The proposed beer and wine service will be conditioned to restrict the hours of operation, the location, and to require a representative of Roaring Camp to be present at all times. The project, as conditioned, will not be detrimental to the health, safety, or welfare of surrounding neighbors or the general public. Additionally, the proposed amendment will be conditioned to include a review period after one year to ensure that no negative impacts have been documented.

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

This finding can be made in that the proposed Amendment to allow beer and wine to be *served* at private events and the conditions under which it would be operated, will be consistent with all pertinent County ordinances and the purpose of the SU/PR (Special Use/Parks, Recreation and *Open Space*) zone districts in that the primary use is consistent with a commercial/recreational use of the PR zoning district.

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 Amendment to allow beer and wine to be served at private events does not include the construction of any structures, require any ground disturbance, and allows an additional amenity, which complements an existing use.

A Specific Plan has not been adopted for this portion of the County.

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

This finding can be made, in that the serving of beer and wine is an additional amenity to ~~an~~ existing special events 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.

This finding can be made, in that the surrounding land uses are primarily park, open space, and a small area of adjacent residential development. The subject parcel is over 160 acres and the proposed amendment does not represent an intensification **of** use or any other physical change that would impact the surrounding neighborhood. **As** stated above, the project will be conditioned to require a mandatory review after one year to assess whether any negative impacts to the surrounding neighborhood have been documented.

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

This finding can be made in that the proposal does not include any physical change to the site and will not impact design standards or guidelines.

Conditions of Approval

Exhibit A: Site Plans (three sheets) prepared by Mesiti-Miller Engineering, dated 09/27/97

I. This permit authorizes an Amendment to Use Permit 473-U, deleting condition #5, which prohibits the serving of alcohol. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:

- A.** Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
- B.** Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
- C.** Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
- D.** Provide proof that a non-retail license has been obtained from the Department of Alcoholic Beverage Control (ABC).
- E.** All voided applications on this parcel must be abandoned or finalized.
- F.** Final plans must show the facilities in which beer and wine service is proposed. The facilities must be restricted, and signage placed in such a way as to prevent patrons from leaving the area with alcoholic beverages.
- G.** Final plans must be revised to remove references to structures that have already been constructed or are otherwise not associated with this Use Permit.

II. Operational Conditions

- A.** Beer, wine and champagne are the only alcoholic beverages permitted to be served.
- B.** For each individual event, alcoholic beverages may be served and consumed for only one six-hour time period per day. The six-hour period must end at least one hour before park closing.
- C.** A representative from Roaring Camp must be present at all times during the period when wine and beer are served.
- D.** The non-retail license from the ABC must be displayed at all times.

- E.** All alcoholic beverage servers must complete ABC training.
- F.** Permit 05-0009 shall be brought back before the Zoning Administrator at a notified public hearing in one year from the effective date of said permit for compliance review. The Permit may be revoked if any documented incidents of violence, disturbance of the peace, or any other deleterious impacts to the surrounding community can be demonstrated.
- G.** 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.

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 two years from the effective date unless Conditions I. (A-G) are satisfied.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Robin Bolster-Grant
Project Planner

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

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

Application Number: 05-0009

Assessor Parcel Number: 066-212-02

Project Location: 5401 Graham Hill Rd., Felton

Project Description: Proposal to amend Commercial Use Permit 473-U to allow the serving of alcoholic beverages

Person or Agency Proposing Project: Kim Tschantz

Contact Phone Number: (831) 685-1007

- 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).

Specify type:

E. ☒ **Categorical Exemption**

Specify type: Class 5 - Minor Alterations in Land Use Limitations (Section 15305)

F. Reasons why the project is exempt:

Amendment to an existing use permit that does not intensify existing use

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

Robin Bolster-Grant, Project Planner

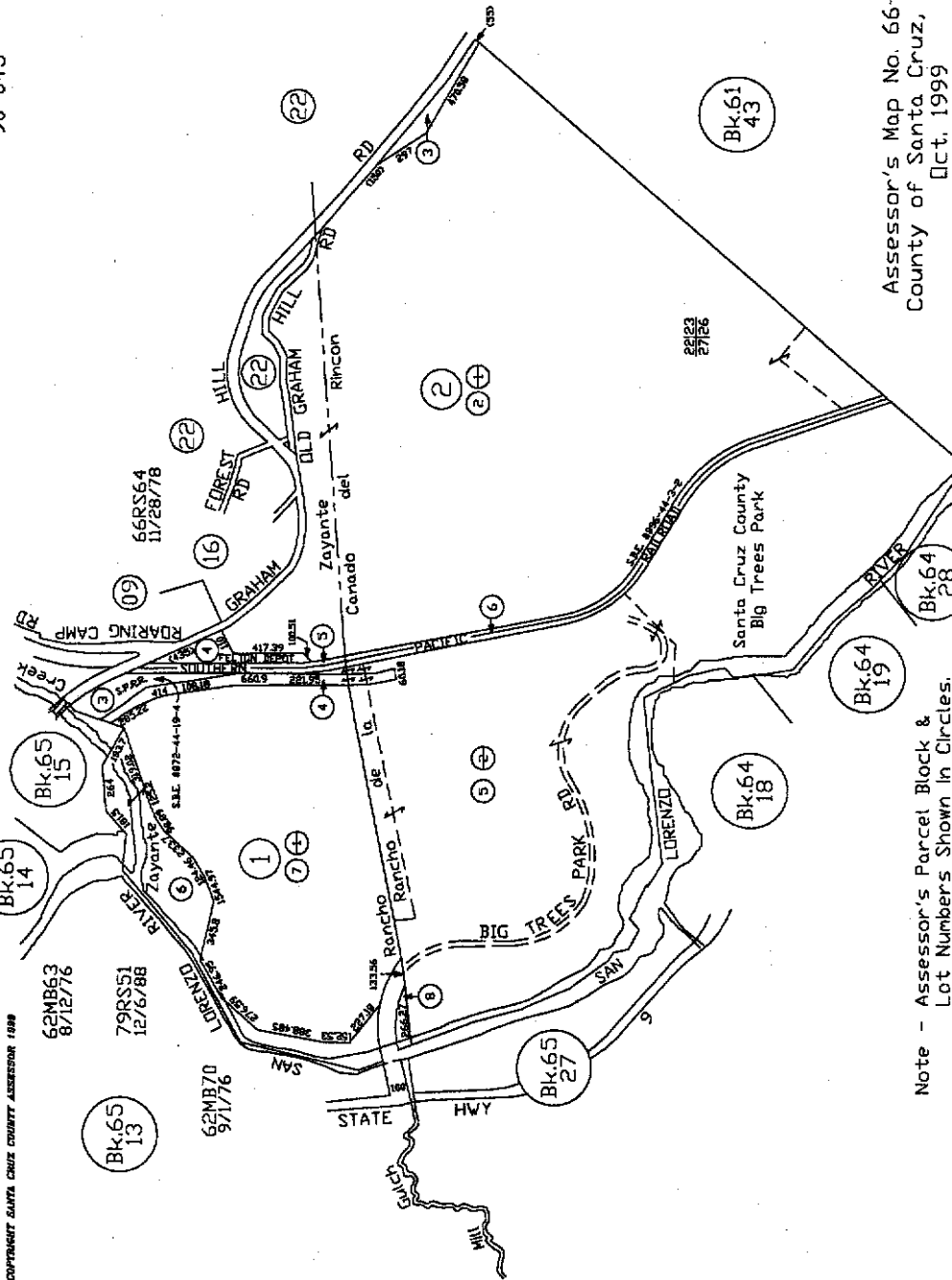
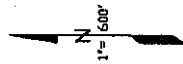
Date: _____

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 LIABILITY FOR THE SAME. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
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PLUR. ZAYANIE & RINCUN RANCHU'S
 SECS. 22,23,26 & 27, T.10S., R.2W., M.D.B. & M.

Tax Area Code
 90-045

66-21



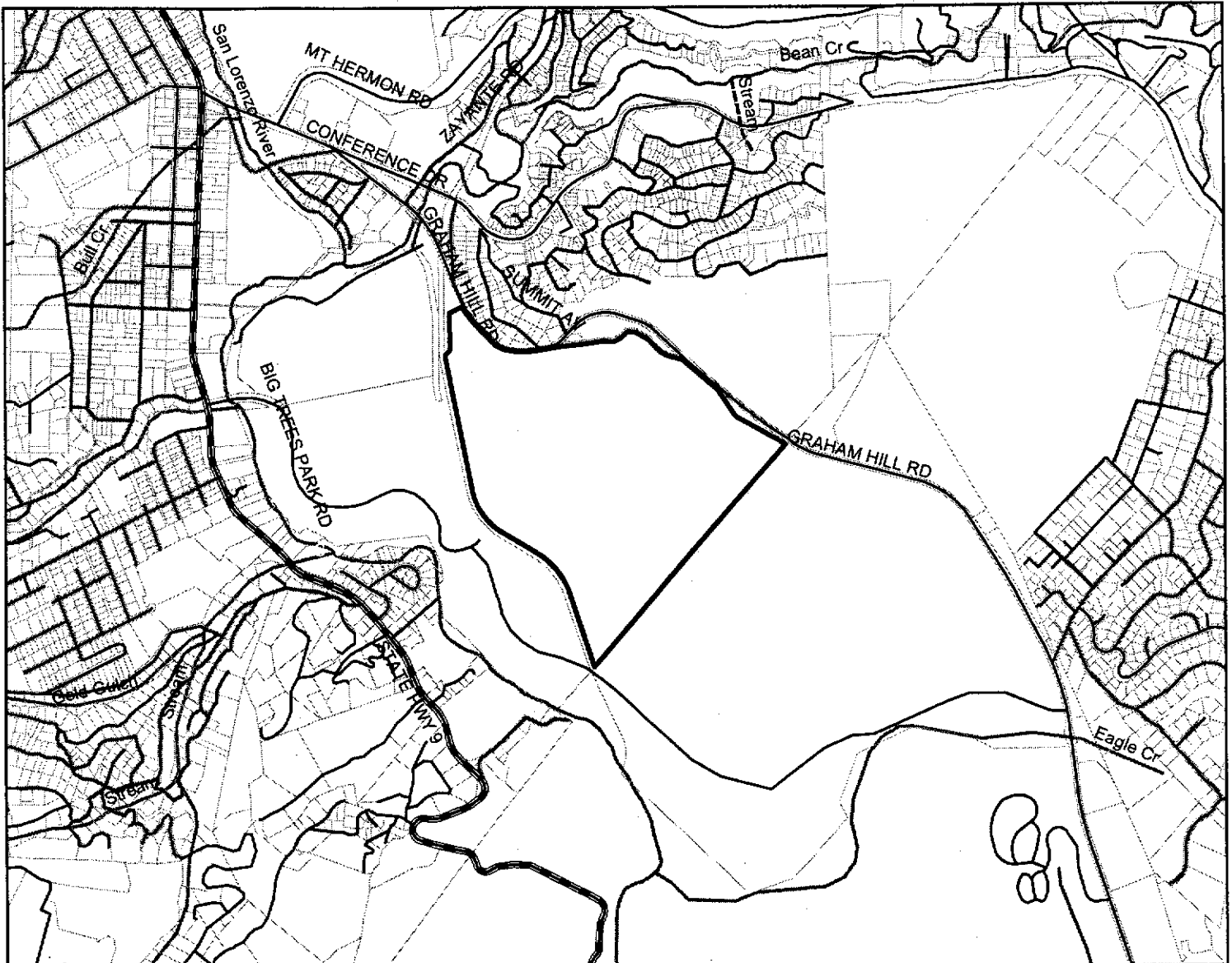
Note - Assessor's Parcel Block &
 Lot Numbers Shown in Circles.

Assessor's Map No. 66-21
 County of Santa Cruz, Calif.
 Oct. 1999

electronically prepared 10/17/99 KSA



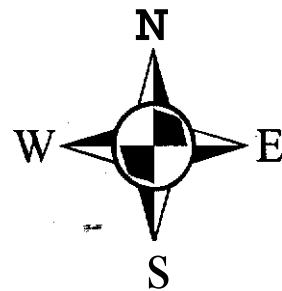
Parcel Location Map



0 1,300 2,600 5,200 7,800 10,400 Feet

Legend

-  APN 066-212-02
-  Streets
-  State Highways
-  Assessors Parcels
-  INTERMITTENT STREAM
-  LAKE
-  PERENNIAL STREAM

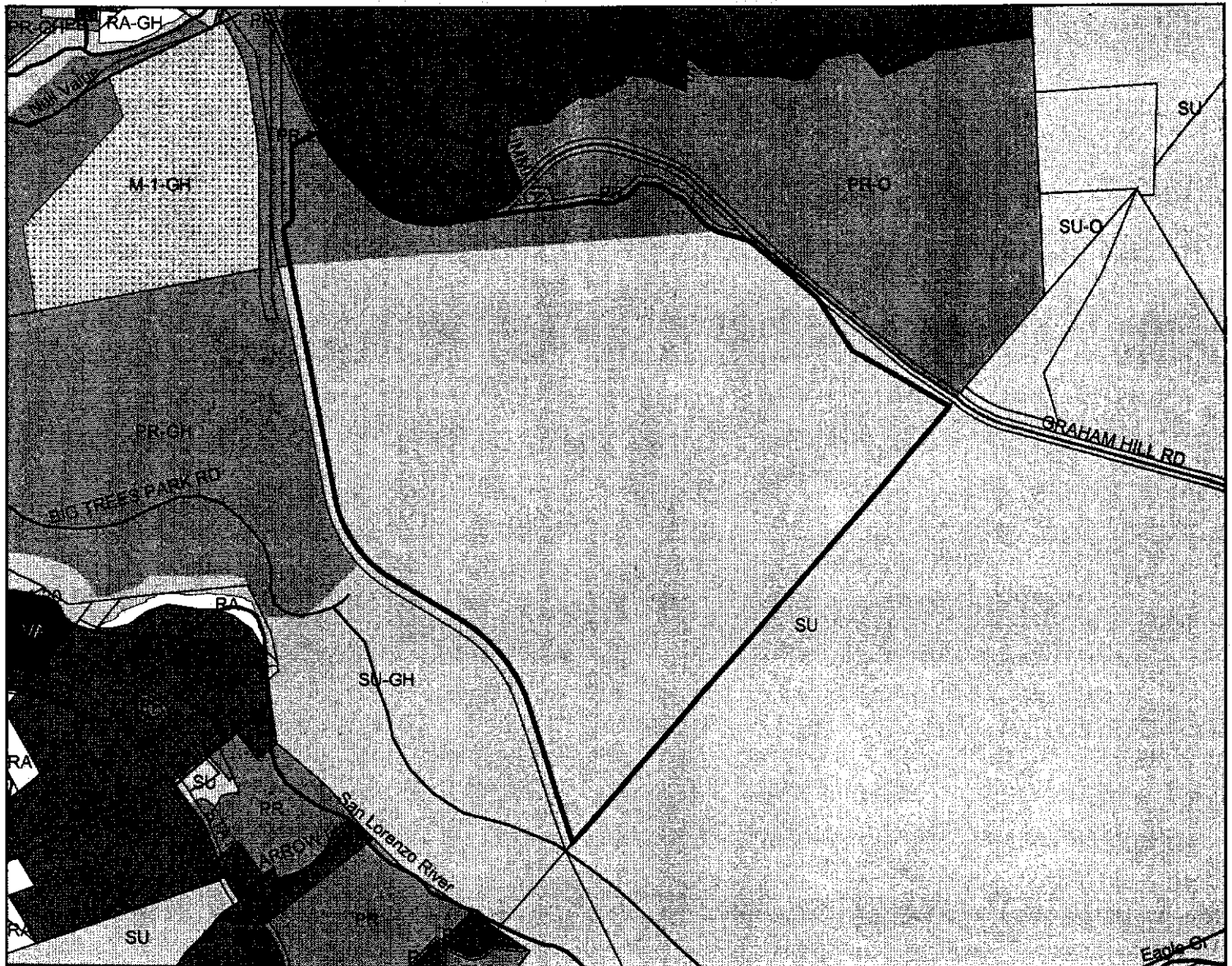


Map Created by
County of Santa Cruz
Planning Department
January 2005

EXHIBIT F



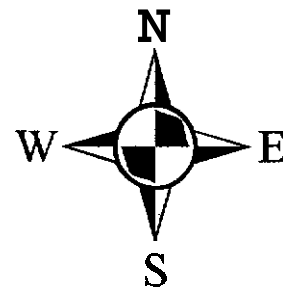
Zoning Designation Map



0 650 1,300 2,600 3,900 5,200 Feet

Legend

- APN 066-212-02
- Assessors Parcels
- Streets
- PERENNIAL STREAM
- AGRICULTURE RESIDENTIAL (RA)
- COMMERCIAL-VISITOR ACCOM. (VA)
- LIGHT INDUSTRIAL (M-1)
- MINERAL EXTRACTION (M)
- PARK (PR)
- RESIDENTIAL-SINGLE FAMILY (R-1)
- SPECIAL USE (SU)



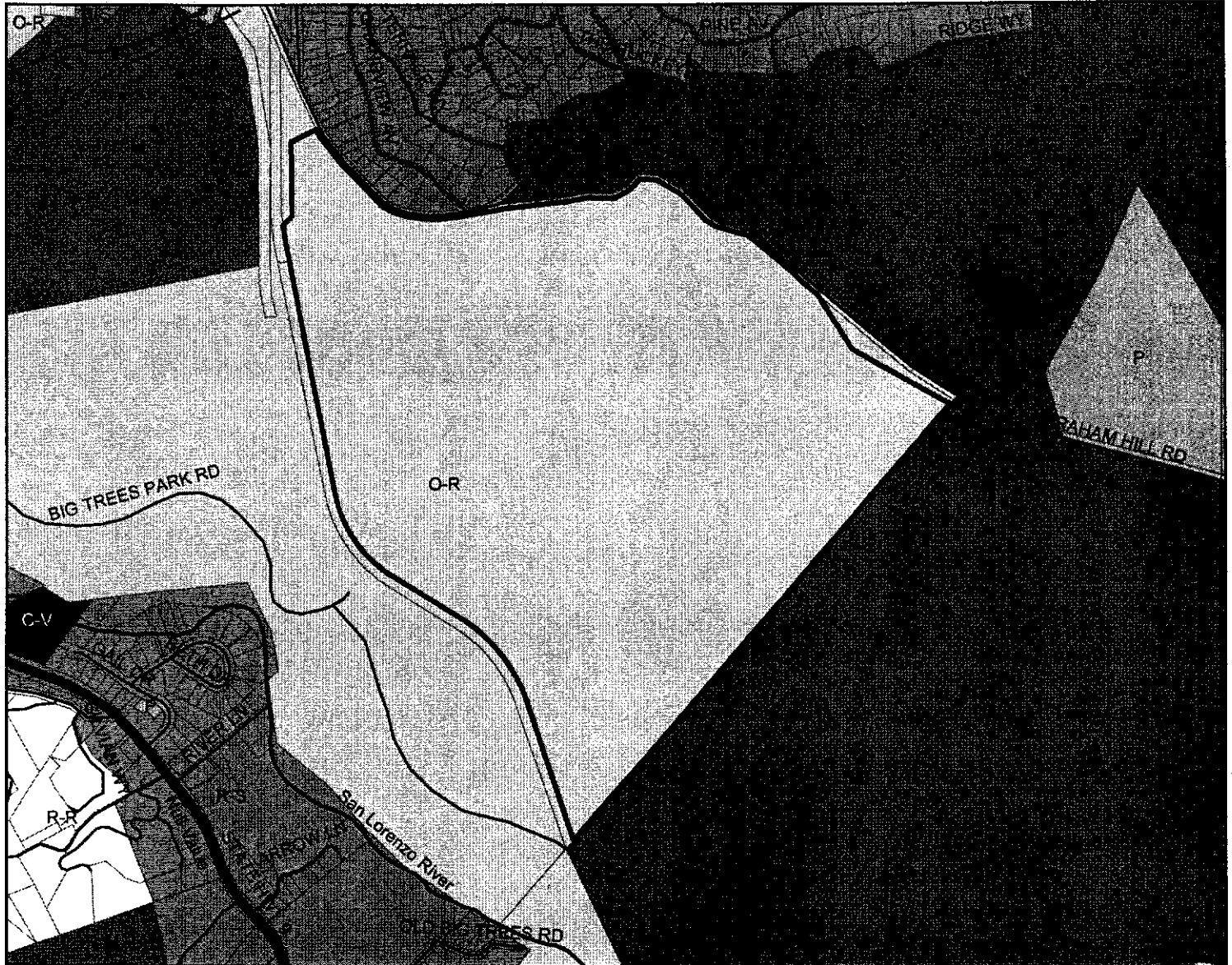
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EXHIBIT G



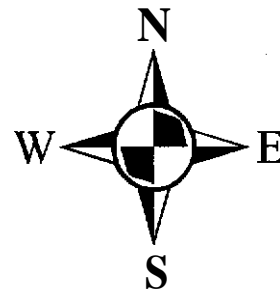
General Plan Designation Map



0 650 1,300 2,600 3,900 5,200 Feet

Legend

- APN 066-212-02
- State Highways
- Assessors Parcels
- Streets
- PERENNIAL STREAM
- Commercial-Visitor Accom. (C-V)
- Parks and Recreation (O-R)
- Public Facilities (P)
- Residential-Mountain (R-M)
- Residential-Suburban (R-S)



Map Created by
County of Santa Cruz
Planning Department
January 2005

PHOTOGRAPHS OF THE EXISTING USE AT ROARING CAMP



Picnic area at the main outdoor stage



Company and group picnic area. (Located east of ["behind"] the main outdoor stage)

Photographs of the Existing Use
Page 2

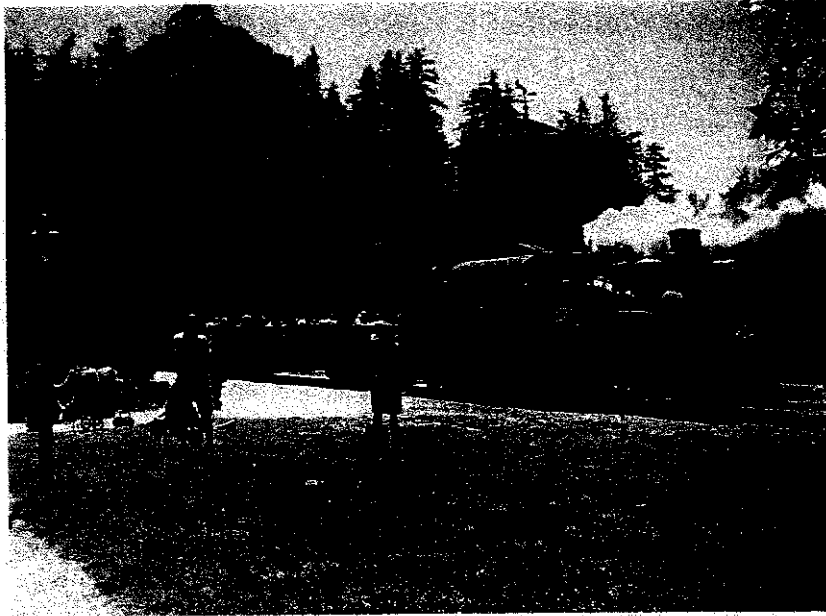


Bret Harte Hall (Located east of and facing the steam train depot and north of the main outdoor stage)



Inside Bret Harte Hall

Photographs of the Existing Use
Page 3



Steam train depot (Located at western edge of property near boundary with Henry Cowell Redwoods State Park)



Outdoor play and informal picnic area (Located east of ["behind"] Bret Harte Hall)