



PLANNING COMMISSION AGENDA REPORT

DATE: July 28, 2023

AGENDA OF: August 3, 2023

ITEM NO: CP23-0033

400 Beach St

RECOMMENDATION: That the Planning Commission acknowledge the environmental determination and approve the Special Use Permit, Coastal Permit, and Design Permit based on the Findings listed below and the attached Conditions of Approval in Exhibit “A”.

PROJECT DATA

APN: 007-321-04

Property Owner: Santa Cruz Seaside Company
Project Applicant: Peter Bagnall

Application Type: Special Use Permit, Coastal Permit, and Design Permit for one new amusement ride (Ferris Wheel) that exceeds the zoning district height standards at an amusement park in the C-B/CZ-O Appeal zone districts.

Zoning: Beach Commercial (C-B), Coastal Zone Overlay (CZ-O)
Project Consistency: With Special Use Permit, Coastal Permit, and Design Permit approval, the project is consistent with the Zoning Ordinance.

General Plan: Regional Visitor Commercial (RVC)
Project Consistency: Consistent with the General Plan designation

Land Use - existing: Boardwalk
- proposed: Ferris wheel on the Boardwalk
- surrounding: Amusement park, parking area, beach
Lot Area: 568,893 square feet

Environmental Review: Categorical Exemption (Section 15303(c), Class 3, New construction of small commercial structures)

Planning Staff: Rina Zhou

PROJECT DESCRIPTION & BACKGROUND

The project site is located at the Santa Cruz Beach Boardwalk (the Boardwalk), across from the Giant Dipper rollercoaster, and next to the existing Sea Swing ride that will remain.

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According to the Santa Cruz Seaside Company, the Santa Cruz Beach Boardwalk has had a long history with Ferris wheels dating back to 1925 when the first Ferris wheel was installed. In 1945, a small kiddie Ferris wheel opened for operation and this ride was removed in 1970. The Boardwalk's most recent Ferris wheel opened in 1959 near the location of the current Pirate Ship ride. The wheel was moved to the park's lower end in 1984, where it operated until it was removed mid-2017.



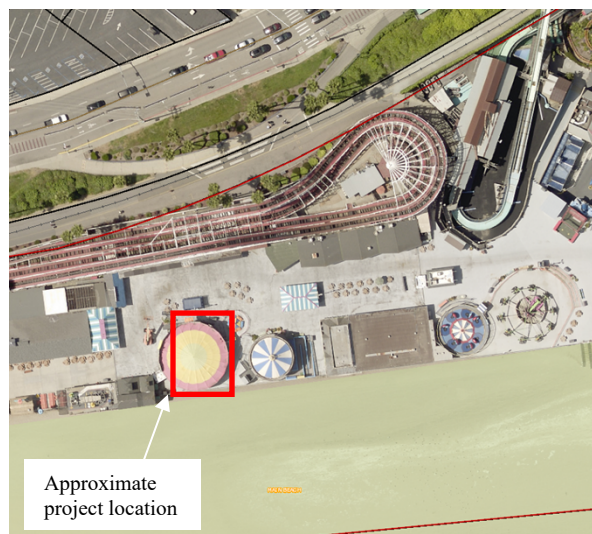
Boardwalk's Original Wheel 1925 – 1929



Ferris Wheel 1959 – 2017

The applicant now proposes to install one new Ferris wheel ride, the Chance Wheel. The Chance Wheel will replace the Rock & Roll ride. This ride exceeds the Beach Commercial zone district height limit of 40 feet and therefore requires a Special Use Permit. The project also requires a Coastal Permit and Design Permit because it involves construction of commercial structures in the Coastal Appeal Zone.

Zoning Ordinance Section 24.04.150 states that when a project requires more than one permit, and the approval of those permits normally rests with more than one decision making body, the body with the highest authority shall take action on all permits concurrently. As such, these permits will be heard at a public hearing by the Planning Commission.



Approximate project location

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ANALYSIS

General Plan and Zoning Consistency

The proposed location of the Chance Wheel ride is within the RVC (Regional Visitor Commercial) Beach Area land use designation under the General Plan. The RVC/Beach Area land use designation calls for uses such as amusement parks and installation of the proposed ride at the Boardwalk therefore meets the goal of this land use designation. The proposed project also meets several General Plan 2030 policies, including Policy ED1.8.10, which encourages the City to work with local owners to ensure a continuing high quality visitor experience for their patrons.

The project site is located in the Beach Commercial zone district, which allows amusement rides by right. This zone district does not have setback requirements, but it has a maximum height requirement of 40 feet. The applicant is requesting an exception to the height limit pursuant to Section 24.12.150(2)(b) of the Zoning Ordinance which specifically allows for Ferris wheels to exceed this height limit with approval of a Special Use Permit.

The property is located in an area mapped as potentially sensitive for archaeological resources under the General Plan. Because installation of the ride will not include any soil disturbance, an archaeological investigation does not apply to this project.

Design

The Chance Wheel consists of a Ferris wheel and loading platform, and will be located in approximately the same area as the Rock & Roll ride, which will be demolished. It will take up a footprint of approximately 2,200 square feet, including the access ramps, steps and landings. There are 15 gondolas on the Chance Wheel that can seat up to 4 adults or 6 children at a time. The color of the Chance Wheel consists of a blue wheel and spokes, with alternating yellow, orange and pink gondolas. The ride will be illuminated with theatrical lighting, with the exception of red-spectrum lights which are prohibited to address any concerns related to bird-safe development. The RGB (red, green, blue) LED light strips will be attached to the ride's spokes, and these lights can be programmed to create most colors in the color spectrum. The use of the theatrical or themed lighting will follow Boardwalk operating hours. Based on the Boardwalk's current operating calendar, it is estimated that Boardwalk rides are illuminated after dark fewer than 85 days per year and the majority of those days Boardwalk rides are scheduled to close before 9pm. The bright colors, illumination, and form blend in well with other buildings and rides at the Boardwalk, which also use bright colors, illumination, and theme-defining icons and have a wide variety of forms.

Noise

To determine noise effects, a sound analysis was conducted by Chance Rides (the manufacturer) at an existing location where a similar Chance Wheel is in operation. Given the location, there was considerable amount of ambient noise and Chance Rides was unable to measure the noise of the Chance Wheel in isolation. Therefore, the noise levels measured for the Chance Wheel is higher than if the noise level was measured in isolation. The report specifies that at 30 to 50 feet from the ride, the average dBA was 63. At twelve feet from the motors on the ride platform, the average dBA was 74. Noise impacts are measured at the property lines. The proposed ride at the Boardwalk is located more than 50 feet from all property lines, so at the property lines, the noise level of the ride will be less than 63 dBA. Additionally, the Chance Wheel is replacing the Rock & Roll ride,

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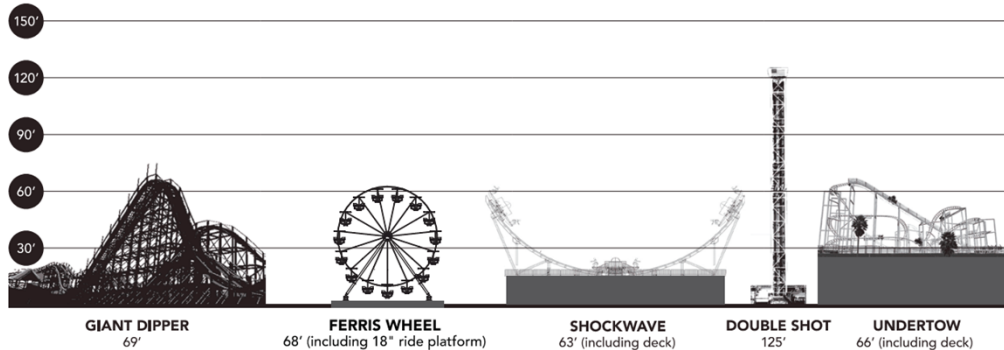
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which is an existing ride that generates noise, both from the mechanical equipment, and from people who go on the ride. The Chance Wheel is not a thrill ride that induces or encourages screaming, therefore the noise levels coming from the Chance Wheel, while it is operating, will not have an adverse impact on the adjacent properties or the existing Boardwalk. Furthermore, a condition of approval requires that rides shall not be operated when the park is closed. As such, with the surrounding rides and buildings in the existing amusement park atmosphere, the noise level of the proposed ride is consistent with the noise level of the Boardwalk. The noise level also falls within the range of conditionally acceptable noise levels for sports arena, outdoor spectator sports as outlined in General Plan and Local Coastal Program 1990-2005 and General Plan 2030. No additional conditions of approval related to noise are required as the ride will only be operating while the amusement park is open and is consistent with the noise level of the Boardwalk.

Effects of Height

At 68 feet tall, including the ride platform which will be located on top of the Boardwalk deck, the Chance Wheel will fit within the range of heights of existing buildings and rides at the Boardwalk. Existing buildings at the Boardwalk are one to three stories tall, and several of the taller rides at the park include the 125-foot Double Shot, the 69-foot Giant Dipper, the 63-foot Shockwave, the 66-foot Undertow (including deck), and the 66-foot Undertow (including deck).



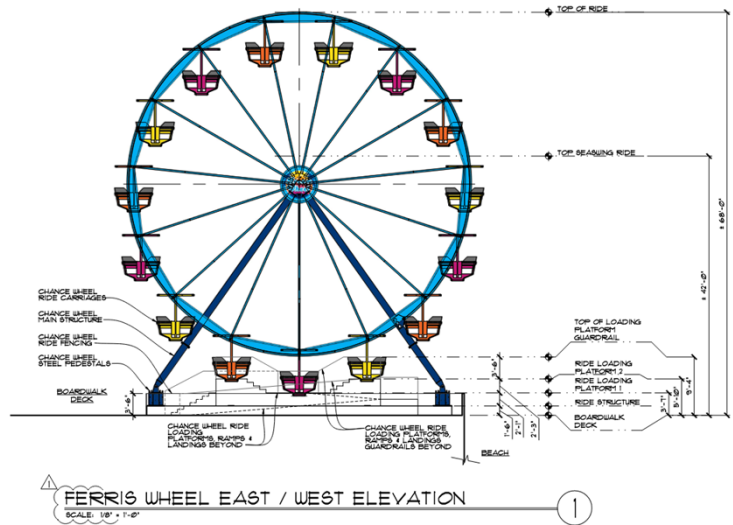
The Boardwalk’s previous Ferris wheel that was removed in 2017 was 67 feet tall. With the proposed Chance Wheel being 68 feet tall, including the ride platform which will be located on top of the Boardwalk deck, the previous and proposed Ferris wheels are similar and comparable in height.

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67'



"Old" Ferris Wheel – Santa Cruz Beach Boardwalk



Caption: Left is the previous Ferris Wheel at the Boardwalk, Right is the proposed Ferris Wheel

The proposed ride will also meet General Plan and Local Coastal Program 1990-2005 policies regarding maintaining important views. Policy CD2.1.3 encourages protection of views to and along the shoreline. Visual simulations (attached) show that the ride does not disrupt the existing height line created by buildings, trees, and other rides at the Boardwalk and does not disrupt any views of the shoreline. General Plan Policy CD3.5.2 aims to maintain the visual prominence of important city landmarks and destinations as viewed from major circulation routes and public viewpoints. The visual simulations show that the proposed ride does not impact any views as seen from the Municipal Wharf, Beach Street, and East Cliff Drive.



SOUTH PERSPECTIVE OF FERRIS WHEEL FROM MUNICIPAL WHARF ③



NORTH PERSPECTIVE OF FERRIS WHEEL FROM BEACH STREET ①

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Noise and lighting can intensify the effects of an unusually tall structure, but in this case these characteristics will not affect the surrounding area substantially. As indicated above, noise measurements of this ride at another location show that the ride will meet the noise limitations in the General Plan and will have a noise level consistent with the noise levels at the Boardwalk. The rides will be illuminated with LED light strips that will not cause glare or illuminate areas outside the Boardwalk.

A Memorandum by the City's Resource Ecologist Kirk Lenington dated November 17, 2003 discusses bird collision hazard at the Santa Cruz Beach Boardwalk with regards to the "Double-Shot" ride. The memo provides background information on avian collision, and how lights on structures appear to be a key component contributing to the hazard of a structure. The memo specifically discusses the Double Shot ride and how, despite its height, it will be situated in a location within the amusement park where a current ride will be removed, meaning that the ride will be located in an area already subject to significant lighting and noise arising from the surrounding rides and will not be an isolated tall structure. The same logic can be applied to the proposed Chance Wheel which will replace the existing Rock & Roll ride. As noted in the memo, research data indicates that red lights pose a greater hazard than other colored lights so conditions of approval are included that prohibit the use of red-spectrum lights and that prohibit illumination in the evenings when the ride is not in use. With this condition, the impact on migratory birds is expected to be less than significant. A letter was also provided from the Santa Cruz Seaside Company specifying that during 116 years of operation at the Boardwalk, there have been no observance of injured or dead birds at the Santa Cruz Boardwalk caused by Boardwalk rides and operations.

Coastal Resources

The proposed ride preserves coastal resources in that they do not block any currently available views of the ocean. The project also meets the policies of the Coastal Land Use Plan. Policy L1.6 encourages development in the Coastal Zone to be visually compatible with the character of the surrounding area. As discussed earlier, the scale, form, colors, and illumination fit in with the existing buildings and rides at the amusement park. Program L3.5.2 seeks to ensure that development does not interfere with the public's right to access the ocean. The proposed ride will not interfere with a coastal access pathway. The ride will be consistent with the Coastal Plan goal of providing visitor-serving needs as they will provide another attraction for visitors to the coast.

Environmental Review

The project qualifies for a Categorical Exemption (Section 15303, Class 3) in that it is considered new construction of small structures or facilities. The ride takes up a footprint of 2,200 square feet, which is less than the maximum 10,000 square feet commercial building allowed for this exemption in an urbanized area. The project also meets the requirements for this exemption in that it does not include significant amounts of hazardous substances and it is not located on an environmentally sensitive site.

None of the exceptions to the exemptions under Section 15300.2 apply to the project in that the project is not part of a larger project that could result in a cumulative impact, there are no unusual circumstances associated with the project or subject parcel, the project will not result in damage

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to resources associated with an officially designated scenic highway, the project site is not included on any lists compiled pursuant to Section 65962.5 of the Government Code related to Hazardous Waste Sites, and the project will not result in substantial adverse changes in the significance of a historical resource site. The Santa Cruz Beach Boardwalk was designated a California State Historic Landmark in 1989. Two of its rides, the carousel and the Giant Dipper roller coaster are on the National Register of Historic Places. The natatorium and casino are also listed as historic buildings in the City's Historic Building Survey. The proposed Chance Wheel is not located close to the casino, natatorium or the carousel and will have no impact on these buildings and rides. Installation of the new ride would not result in disturbance to or have any effect on these rides or a historical resource. General Plan Policy CD4.1.5 aims to maintain the visual prominence of important city landmarks and destinations as viewed from major circulation routes and public viewpoints. The visual simulations show that the view of the Giant Dipper will not have any adverse impacts from the Chance Wheel as the Chance Wheel is located behind a small portion of the Giant Dipper and is shorter than the Giant Dipper. No archaeological investigation was required for the project as installation of the ride will not include any ground or soil disturbance.

Health in all Policies (HiAP)

HiAP is a collaborative approach to improving the health of all people by incorporating health considerations into decision-making across sectors and policy areas. HiAP is based on 3 pillars: equity, public health, and sustainability. The goal of HiAP is to ensure that all decision-makers are informed about the health, equity, and sustainability impacts of various policy options during the policy development process. The project supports the pillar of equity by adding a lower-intensive ride to the existing amusement park that does not expand the area of the Boardwalk or exceed the height of existing surrounding rides, therefore, providing more local attractions to people living in the area and afar without negatively impacting quality of life to those living nearby. The development is on a site that is improved with sidewalks and that is in close proximity to commercial goods and services, recreational areas and neighborhoods. The addition of the proposed amusement park ride encourages and promotes recreational uses in a designated area, which contributes to a healthy and sustainable lifestyle. Therefore, the project is considered to be consistent with the three pillars of the HiAP and is recommended as an efficient use of the land.

SUMMARY

The project, as conditioned, meets all the required site standards and the findings for approval of the Special Use Permit, Coastal Permit, and Design Permit, as attached. Therefore, staff recommends that the Planning Commission acknowledge the environmental determination and approve the Special Use Permit, Coastal Permit, and Design Permit based on the Findings listed below and the Conditions of Approval in the attached Exhibit A.

FINDINGS

Use Permit, Section 24.08.050

- 1. The proposed structure or use conforms to the requirements and the intent of this title, and of the General Plan, relevant area plans, and the Coastal Land Use Plan, where appropriate;**

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As conditioned, the proposed development is consistent with the Zoning Ordinance, General Plan 2030, the Beach and South of Laurel Plan, and the Coastal Land Use Plan. The rides meet height requirements of the C-B zone district with approval of a Special Use Permit and it can be found that the additional height is consistent with the visual and noise impacts of surrounding rides and uses, and does not affect coastal resources. The project meets several General Plan policies. Policy CD1.1.2 encourages protection of views to and along the shoreline. Policy CD3.2 seeks to ensure that the scale, bulk, and setbacks of new development preserve public view of city landmarks. Policy CD4.1.5 aims to maintain the visual prominence of important city landmarks and destinations as viewed from major circulation routes and public viewpoints. Policy ED1.8.10 encourages working with local owners to ensure a continuing high quality visitor experience for their patrons. With the proposed location and orientation of the Chance Wheel, the visual simulations show that the proposed ride does not impact any views as seen from the Municipal Wharf, Beach Street, and East Cliff Drive.

The project meets the policies of the Coastal Land Use Plan. Policy CD1.1 aims to infill and intensify land uses consistent with commercial district patterns. Policy L1.6 encourages development in the Coastal Zone to be visually compatible with the character of the surrounding area. Program L3.5.2 seeks to ensure that development does not interfere with the public's right to access the ocean. Visual simulations show that the ride does not disrupt the existing height line created by buildings, trees, and other rides at the Boardwalk and does not disrupt any views of the shoreline. The site is located in a sensitive archaeological area, but installation of the ride will not include any soil disturbance; therefore, an archaeological investigation does not apply to this project.

2. That any additional conditions stipulated as necessary in the public interest have been imposed;

Additional conditions of approval have been added to the approval of the project to ensure the proposed ride has no adverse impacts on surrounding uses. A condition of approval requires the applicant to not run the rides at night when the park is closed in order to avoid effects of noise or illumination on nearby properties and residents. Another condition of approval prohibits red-spectrum lighting on the proposed ride to address any bird-safe development concerns.

3. That such use or structure will not constitute a nuisance or be detrimental to the public welfare of the community; and

The proposed ride will not produce noise or illumination greater than what currently exists at the Boardwalk so as to cause a nuisance. To determine noise effects, a sound analysis was conducted by Chance Rides (the manufacturer) at an existing location where a similar Chance Wheel is in operation. Given the location, there was considerable amount of ambient noise and Chance Rides was unable to measure the noise of the Chance Wheel in isolation. Therefore, the noise levels measured for the Chance Wheel is higher than if the noise level was measured in isolation. The report specifies that at 30 to 50 feet from the ride, the average dBA was 63. At twelve feet from the motors on the ride platform, the average dBA was 74.

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Noise impacts are measured at the property lines. The proposed ride at the Boardwalk is located more than 50 feet from all property lines, so at the property lines, the noise level of the ride will be less than 63 dBA. Additionally, the Chance Wheel is replacing the Rock & Roll ride, which is an existing ride that generates noise, both from the mechanical equipment, and from people who go on the ride. The Chance Wheel is not a thrill ride that induces or encourages screaming, therefore the noise levels coming from the Chance Wheel, while it is operating, will not have an adverse impact on the adjacent properties or the existing Boardwalk. Furthermore, a condition of approval requires that rides shall not be operated when the park is closed. As such, with the surrounding rides and buildings in the existing amusement park atmosphere, the noise level of the proposed ride is consistent with the noise level of the Boardwalk. The noise level also falls within the range of conditionally acceptable noise levels for sports arena, outdoor spectator sports as outlined in General Plan and Local Coastal Program 1990-2005 and General Plan 2030. No additional conditions of approval related to noise is required as the ride will only be operating while the amusement park is open and is consistent with the noise level of the Boardwalk.

The Chance Wheel will be illuminated with theatrical lighting, with the exception of red-spectrum lights which are prohibited to address any concerns related to bird-safe development. The RGB (red, green, blue) LED light strips will be attached to the ride's spokes, and these lights can be programmed to create most colors in the color spectrum. The use of the theatrical or themed lighting will follow Boardwalk operating hours. Based on the Boardwalk's current operating calendar, it is estimated that Boardwalk rides are illuminated after dark fewer than 85 days per year and the majority of those days Boardwalk rides are scheduled to close before 9pm. The bright colors, illumination, and form blend in well with other buildings and rides at the Boardwalk, which also use bright colors, illumination, and theme-defining icons and have a wide variety of forms. Furthermore, a condition of approval requires that rides shall not be operated and ride lights shall be turned off when the park is closed to minimize effects of noise or lighting on nearby properties.

- 4. That all thrift store uses shall include a management plan that identifies collection facilities for donated items, operating hours for donation facilities which discourage unsupervised dropoffs, adequate storage areas for sorting the materials, and provides a plan to properly dispose of unusable items in a timely, secure, and orderly fashion and maintains premises in a clean and attractive condition.**

The above finding is not applicable, as the project does not include a thrift store use.

Coastal Permit, Section 24.08.250

- 5. The hearing body must find that the development is consistent with the General Plan, the Local Coastal Land Use Plan and the Local Coastal Implementation Program;**

As conditioned, the proposed development is consistent with the General Plan 2030, the Beach and South of Laurel Plan, and the Coastal Land Use Plan. The project meets several General Plan policies. Policy CD1.1.2 encourages protection of views to and along the shoreline. Policy CD3.2 seeks to ensure that the scale, bulk, and setbacks of new

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development preserve public view of city landmarks. Policy CD4.1.5 aims to maintain the visual prominence of important city landmarks and destinations as viewed from major circulation routes and public viewpoints. Policy ED1.8.10 encourages working with local owners to ensure a continuing high quality visitor experience for their patrons. With the proposed location and orientation of the Ferris wheel, the visual simulations show that the proposed ride does not impact any views as seen from the Municipal Wharf, Beach Street, and East Cliff Drive.

The project meets the policies of the Coastal Land Use Plan. Policy CD1.1 aims to infill and intensify land uses consistent with commercial district patterns. Policy L1.6 encourages development in the Coastal Zone to be visually compatible with the character of the surrounding area. Program L3.5.2 seeks to ensure that development does not interfere with the public's right to access the ocean. Visual simulations show that the ride does not disrupt the existing height line created by buildings, trees, and other rides at the Boardwalk and does not disrupt any views of the shoreline. The site is located in a sensitive archaeological area, but installation of the ride will not include any soil disturbance; therefore, an archaeological investigation does not apply to this project.

7. Maintain views between the sea and the first public roadway parallel to the sea;

The proposed ride is located at the Boardwalk amusement park, which is located between the Pacific Ocean and Beach Street, the first public roadway parallel to the sea. The proposed Chance Wheel is sited and oriented in a way where the smallest width (side of the Ferris wheel) is facing the ocean so that this view is maintained and the scale and bulk of the Chance Wheel will not adversely impact the view of the ocean to Beach Street. In addition, the Chance Wheel is also located behind the Giant Dipper rollercoaster, which is approximately the same height as the proposed Chance Wheel. The view from Beach Street to the ocean is already impacted by the Giant Dipper, and the proposed Chance Wheel will not have any adverse impact on the view between Beach Street and the ocean.

8. Protect vegetation, natural habitats and natural resources consistent with the Local Coastal Land Use Plan;

The site is not located within any mapped areas for sensitive vegetation, habitats, or other natural resources. A previous permit issued for the Double Shot ride required the Seaside Company to provide access for individuals to monitor the effect of the ride on migratory birds. A letter from the Santa Cruz Seaside Company dated June 1, 2023 states that no bird injuries or deaths have been found as a result of any rides at the Boardwalk since that time. Therefore, the proposed rides will also not result in effects on migratory birds.

9. Be consistent with any applicable design plans and/or area plans incorporated into the Local Coastal Land Use Plan;

The site is located in the Beach and South of Laurel Comprehensive Area Plan; however, the plan does not provide design recommendations for the Boardwalk. Therefore, this finding is not applicable.

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10. Maintain public access to the coast along any coastline as set forth in the Local Coastal Land Use Plan;

The project site is located adjacent to the coast. The proposed ride is located at the edge of the Boardwalk deck, in approximately the same area where the existing Rock & Roll ride is (which will be demolished). Therefore, the proposed Chance Wheel does not block any existing public coastal access routes through the Boardwalk.

11. Be consistent with the Local Coastal Land Use Plan goal of providing visitor-serving needs as appropriate;

The new ride will increase the available entertainment at the Boardwalk, thereby providing recreational services to visitors.

12. Be consistent with the Local Coastal Land Use Plan goal of encouraging coastal development uses as appropriate.

The project does not provide a coastal dependent use; therefore, this finding is not applicable.

Design Permit, Section 24.08.430

13. The site plan and building design are consistent with design and development policies of the General Plan, any element of the General Plan, and any area plan, specific plan, or other city policy for physical development. If located in the Coastal Zone, the site plan and building design are also consistent with policies of the Local Coastal Program.

As conditioned, the proposed development is consistent with the Zoning Ordinance, General Plan 2030, the Beach and South of Laurel Plan, and the Coastal Land Use Plan. The rides meet height requirements of the C-B zone district with approval of a Special Use Permit. The project meets several General Plan policies. Policy CD1.1.2 encourages protection of views to and along the shoreline. Policy CD3.2 seeks to ensure that the scale, bulk, and setbacks of new development preserve public view of city landmarks. Policy CD4.1.5 aims to maintain the visual prominence of important city landmarks and destinations as viewed from major circulation routes and public viewpoints. Policy ED1.8.10 encourages working with local owners to ensure a continuing high quality visitor experience for their patrons. With the proposed location and orientation of the Ferris wheel, the visual simulations show that the proposed ride does not impact any views as seen from the Municipal Wharf, Beach Street, and East Cliff Drive.

The project meets the policies of the Coastal Land Use Plan. Policy CD1.1 aims to infill and intensify land uses consistent with commercial district patterns. Policy L1.6 encourages development in the Coastal Zone to be visually compatible with the character of the surrounding area. Program L3.5.2 seeks to ensure that development does not interfere with the public's right to access the ocean. Visual simulations show that the ride does not disrupt the existing height line created by buildings, trees, and other rides at the Boardwalk and does

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not disrupt any views of the shoreline. The site is located in a sensitive archaeological area, but installation of the ride will not include any soil disturbance; therefore, an archaeological investigation does not apply to this project.

- 14. For non-residential projects, the project’s location, size, height, operations, and other significant features and characteristics are compatible with and do not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, safety, and welfare. For residential projects, the project complies with the objective standards and requirements of the zoning district in which it is located, as well as any objective standards of any area plan or other regulatory document that applies to the area in which the project is located.**

The Chance Wheel’s location, size, operations and design is compatible with the surrounding buildings and structures as it is located in an existing amusement park with other amusement park rides, buildings and structures around it. The proposed ride is replacing an existing ride. The RVC land use designation calls for uses such as amusement parks in the beach area; installation of the proposed ride at the Boardwalk is compatible with the existing use. The project site is located in the Beach Commercial zone district, which allows amusement rides by right. This zone district does not have setback requirements, but it has a maximum height requirement of 40 feet. Since the proposed ride is taller than this requirement, the applicant must obtain a Special Use Permit to be consistent with the Zoning Ordinance. At 68 feet tall, including the ride platform, the Chance Wheel will fit within the range of heights of existing buildings and rides at the Boardwalk. Existing buildings at the Boardwalk are one to three stories tall, and several of the taller rides at the park include the 125-foot Double Shot, the 69-foot Giant Dipper, the 63-foot Shockwave (including deck), and the 66-foot Undertow (including deck). As such, the proposed ride’s location, size, height, operations, significant features and characteristics are compatible with and do not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, safety, and welfare.

- 15. For non-residential projects, the project provides for an arrangement of uses, buildings, structures, open spaces, and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.**

The proposed project will maintain a balance of scale, form, and proportion to the existing site and neighborhood. The proposed ride adds to the variety of amusement park rides and available entertainment at the Boardwalk. At 68 feet tall, including the ride platform, the Chance Wheel will fit within the range of heights of existing buildings and rides at the Boardwalk. Existing buildings at the Boardwalk are one to three stories tall, and several of the taller rides at the park include the 125-foot Double Shot, the 69-foot Giant Dipper, the 63-foot Shockwave (including deck), and the 66-foot Undertow (including deck). With the proposed Chance Wheel being surrounded by existing amusement park rides, buildings and structures, it is compatible with the scale and character of the subject property and neighborhood.

- 16. The exterior design and appearance of buildings and structures and the design of the site plan shall be compatible with design and appearance of other existing buildings and structures in neighborhoods which have established architectural character worthy of preservation.**

The appearance of the proposed ride will be compatible with the appearance of other buildings and structures at the Boardwalk. This amusement park includes buildings and rides that have bright or contrasting colors and graphics that reflect the theme of each building or ride. The Chance Wheel will consist of a blue wheel and spokes, with alternating yellow, orange and pink gondolas, and LED light strips attached to the ride's spokes. The ride will be illuminated with theatrical lighting, similar to other amusement park rides, with the exception of red-spectrum lights which are prohibited to address any potential concerns related to bird-safe development, as described in the memorandum from Resource Ecologist, Kirk Lenington, dated November 17, 2003.

- 17. Design of the site plan respects design principles in terms of maintaining a balance of scale, form and proportion, using design components which are harmonious, and materials and colors which blend with elements of the site plan and surrounding areas. Location of structures takes into account maintenance of public views; rooftop mechanical equipment is incorporated into roof design or screened from public rights-of-way to the extent possible. Utility installations such as trash enclosures, storage units, traffic-control devices, transformer vaults and electrical meters are accessible and screened.**

At 68 feet tall, as measured from the Boardwalk deck, the Chance Wheel will fit within the range of heights of existing buildings and rides at the Boardwalk. Existing buildings at the Boardwalk are one to three stories tall, and several of the taller rides at the park include the 125-foot Double Shot, the 69-foot Giant Dipper, the 63-foot Shockwave (including deck), and the 66-foot Undertow (including deck). While this ride exceeds the 40-foot height limit of the C-B zone district, it blends in with the scale of other rides and buildings at the Boardwalk and will not block any public views of the Giant Dipper, the ocean, or the Santa Cruz Mountains. The Chance Wheel will consist of a blue wheel and spokes, with alternating yellow, orange and pink gondolas, and LED light strips attached to the ride's spokes. The ride will be illuminated with theatrical lighting, similar to other amusement park rides, with the exception of red-spectrum lights which are prohibited to address any concerns related to bird-safe development. The illumination will help the rides blend in with several existing rides on the site that are also illuminated. A condition of approval will require any utility installations associated with the rides to be screened from the public right of way.

- 18. Where a site plan abuts, or is in close proximity to, uses other than that proposed, the plan shall take into account its effect on other land uses. Where a nonresidential use abuts or is in close proximity to a residential use, the effect of the site plan should maintain the residential quality of adjacent or nearby areas.**

The proposed Chance Wheel is located adjacent to other rides and amusement park buildings and structures. The ride will not affect the beach to the south or Beach Street to the north

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beyond the existing effects of the Boardwalk on these uses. The noise level of the proposed Chance Wheel falls within the range of conditionally acceptable noise levels for sports arena, outdoor spectator sports, which is 50 to 75 dBA measured at the property lines, as outlined in General Plan and Local Coastal Program 1990-2005 and General Plan 2030. While the ride will be within half a mile of residences in the Beach Flats, Beach Hill, and Seabright neighborhoods, the sound level of the ride at approximately 63 dBA, as measured at 30 to 50 feet from the ride, will not increase the noise level from the Boardwalk already reaching these residences. The Chance Wheel is located more than 50 feet from all property lines, so at the property lines, the noise level of the ride will be less than 63 dBA. A condition of approval will require the applicant to not run the ride at night when the park is closed, ensuring that the ride's sound or illumination will not affect nearby residents.

19. **To the extent feasible, the orientation and location of buildings, structures, open spaces and other features of the site plan maintain natural resources including significant trees and shrubs, minimize impacts to solar access of adjacent properties, and minimize alteration of natural land forms; building profiles, location, and orientation must relate to natural land forms.**

The proposed ride will be located on top of the Boardwalk deck and will not be near any natural resources or significant vegetation. The ride will be over 150 feet from the nearest parcel, which is the parking lot for the Boardwalk, so it will not affect solar access for nearby parcels. The Boardwalk is flat, and the ride will not alter the landform.

20. **The site plan ensures that the scale, bulk, and setbacks of new development preserves important public views along the ocean and of designated scenic coastal areas. Where appropriate and feasible, the project shall restore and enhance visual quality of visually degraded areas.**

The proposed ride is located at the Boardwalk amusement park, which is located between the Pacific Ocean and Beach Street. The proposed ride will not block an ocean view from the parking lot, since that view is already impacted by existing development at the Boardwalk, such as the Giant Dipper rollercoaster, which is approximately the same height as the proposed ride. The proposed Chance Wheel is sited and oriented in a way where the smallest width (side of the Ferris wheel) is facing the ocean so that this view is maintained and the scale and bulk of the Chance Wheel will not adversely impact the view from the ocean to Beach Street. The project is not located in a visually degraded area.

21. **The site plan shall reasonably protect against external and internal noise, vibration and other factors which may tend to make the environment less desirable. The site plan should respect the need for privacy of adjacent residents.**

Any noise or vibrations that may occur as a result of construction will be temporary. Based on the noise measurement taken from the ride at a different amusement park, the Chance Wheel sound level is approximately 63 dBA. As such, with the surrounding rides and buildings in the existing amusement park atmosphere, the noise level of the proposed ride is consistent with the noise level of the Boardwalk. The noise level also falls within the range of conditionally acceptable noise levels for sports arena, outdoor spectator sports as

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outlined in General Plan and Local Coastal Program 1990-2005 and General Plan 2030. No additional conditions of approval related to noise is required as the ride will only be operating while the amusement park is open and is consistent with the noise level of the Boardwalk. The rides are located over 300 feet from the nearest residence, too far to have an effect on residents' privacy.

- 22. Building and structures shall be designed and oriented to make use of natural elements such as solar radiation, wind, and landscaping for heating, cooling, ventilation, and lighting.**

This finding does not apply given the nature of the use.

C-B – Beach Commercial Zone District Findings, Section 24.10.1160

- 23. Can be coordinated with existing and proposed development of the surrounding areas, and, if appropriate, particularly addressing the issue of transition to the adjacent RTC and RTE neighborhoods; and.**

The subject property is zoned C-B (Beach Commercial Zone District), and located to the south of properties zoned RTC, RTE and CB. The existing amusement park is located on a 568,893 square-foot lot south of Beach Street, and this property is surrounded by the beach to the south and west, San Lorenzo River to the east, and parking lots and other visitor-serving uses to the north. The proposed Ferris wheel ride is compatible with the existing amusement park use as amusement park rides are allowed by right in the C-B zone district, and can be coordinated with existing development because it will add to the variety of amusement park rides and increase the available entertainment at the Boardwalk, thereby continuing to provide recreational services to visitors. The amusement park is separated from the RTC, RTE and CB zone districts by Beach Street, so the subject property does not impact or provide a transition between the RTC and RTE zone districts. Although it does not provide a transition, it remains compatible with the RTC and RTE zone district as the amusement park is a use that serves the neighborhood, for both residents and visitors.

- 24. Shall provide the amenity level of the development, the quality of architecture, and the landscaping to meet the requirements listed above.**

The appearance of the proposed ride will be compatible with the appearance and quality of architecture of other rides, buildings and structures at the Boardwalk. This amusement park includes buildings and rides that have bright or contrasting colors and graphics that reflect the theme of each building or ride. The Chance Wheel will consist of a blue wheel and spokes, with alternating yellow, orange and pink gondolas, and LED light strips attached to the ride's spokes. The ride will be illuminated with theatrical lighting, similar to other amusement park rides, with the exception of red-spectrum lights which are prohibited to address any potential concerns related to bird-safe development.

- 25. Shall be found to contribute to the overall economic health, vitality and general mix of uses in the beach area by providing diverse retail and merchandising for the area.**

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The proposed Ferris wheel ride will contribute to the overall economic health and vitality of the uses in the beach area by adding to the variety and diversity of amusement park rides and available entertainment at the Boardwalk. This will attract more visitors and residents, thereby continuing to provide recreational services to visitors and residents.

Submitted by:

Approved by:

Rina Zhou
Associate Planner

Samantha Haschert
Principal Planner

Attachments:

1. Exhibit “A” – Conditions of Approval
2. Project Plans
3. Sound level analysis of a representative installation of the Chance Rides Century Wheel by the manufacturer
4. Memorandum regarding Bird Collision Hazard at Santa Cruz Beach Boardwalk “Double Shot” by Kirk Lenington, dated November 17, 2003
5. Letter from Seaside Company re: bird injuries and deaths
6. Public Notice Radius Map