

Frenchy's Back in Town: The Saga of Earl Kuhns

by Mickey Larsen

In 1976, Earl Kuhns was convicted of distributing obscene material in Santa Cruz County. He drove to the Sheriff's Rehabilitation Center in a classic steel gray Rolls Royce to do his time.

His economic status commanded a certain respect and envy from inmates and deputies. Not so strangely, the envy was mixed with resentment and suspicion towards Earl's character and mores. The nature of his profession, "adult book store operator," is suspect even in jail because jails are filled with highly "moral" individuals. Earl, who was somewhat an enigma to inmates and deputies, did his job in the kitchen and served his sentence.

Kuhns' battle with society and Santa Cruz County has

been a long one. In January of 1971, he took out a license to do "retail sales" at 1013 Pacific Avenue. When "retail sales" was discovered to be Frenchy's K&T Adult Books in February of the same year, Earl had to cover himself along with the doors and windows of his shop.

Nobody wanted the city's founding fathers (and their children) to be titillated beyond the call of duty. In September of 1972, Earl Kuhns was arrested for distributing obscene material and after four years of protest and appeal ended up serving the chow line at the Rehab.

Interestingly, during the appeal process in 1975, Kuhns purchased a building on Portola Avenue and was granted a permit by the planning commission to operate a book store. The

board of supervisors, however, overrode the commission and denied the permit.

Kuhns has spent a lot of money trying to do business in Santa Cruz County. He remains in the adult book store trade because he still espouses First Amendment liberties and he makes money. Some time ago Earl must have discovered the idea and fantasy of sex was more lucrative than the act himself.

How much money has passed through his hands over the years is pure speculation. Earl is cautious and reticent when it comes to divulging factual information. He is particularly quiet on matters concerning his confrontation with the county. Kuhns prefers to skirt direct questions about his business and will more readily talk about freedom issues in general along with his acquisition of vintage cars — the most recent being a 1933 Cadillac.

In this respect Earl is like most businessmen who operate on the edge of legality or an unpopular moral ethos. He is amiable and speaks in a personable manner which attempts to lend acceptance and credibility to his profession. He does not talk shop unless he is certain of your viewpoint and "professional" understanding.

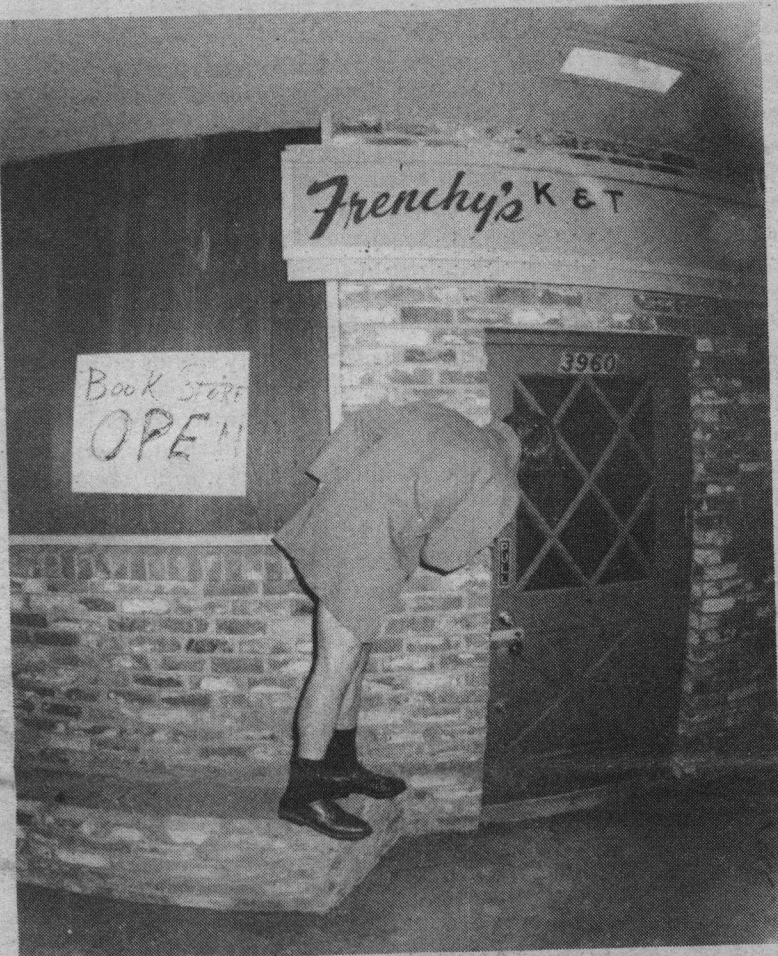
In May, 1977, Kuhns was denied a permit to open an "adult" book store at the Portola location. In January, 1977, he opened the store without the permits, forcing the county to institute an injunction against him. He appealed the decision denying his permit.

About a month ago, Kuhns won the right to operate a "regular" book store on Portola Avenue when the courts overruled the board of supervisors' most recent denial of his permit. This action has temporarily silenced the bureaucratic arsenal of the county to impose zoning ordinances, parking regulations and small town legal manipulation on Mr. Kuhns.

But the Flesh War is still not over. For one thing, the courts imposed a number of regulations which Kuhns must follow if he is to operate a "regular" book store. These include:

- A substantial portion of the

(cont'd on back page)



What's inside of Earl Kuhns' recently-opened store in Live Oak? Wouldn't you like to know. Either pay a visit to Earl's place or read Mickey Larsen's account of the Kuhns v. Santa Cruz County saga above.
Photo by Dan Coyro

Supes 'Betrayed' Measure J

by Jerry Busch

Supervisor Gary Patton, the man who wrote Measure J, said Tuesday the ordinance passed by the board of supes to implement the growth control measure is "a complete betrayal of the idea of controlling sprawl."

"Measure J requires the county to 'preserve a distinction' between rural areas and urban areas. But the board is using it to designate areas for urban expansion, which is wrong," Patton told the *Independent*.

"To 'preserve a distinction' means that the county should preserve existing rural areas and direct development into existing developed areas," Patton said.

"What my colleagues are doing instead is setting aside hundreds of acres for future urban expansion, and providing large, unserved parcels for development interests," Patton charged.

The urban services line passed Tuesday by the supes delineates the extent of urban development for 1979. The line will come up annually before the supervisors for review and modification.

"They've used the argument the 'J' will constrict the housing market in the county. But the

line can be redrawn annually, which means that if the market begins to constrict, we can open up new areas," Patton said.

"Until then, Measure J is supposed to protect agricultural and open space lands from development. The present line fails to do this properly."

Patton said eventually the courts will require proper implementation of "J." "We've clearly failed to comply with the intent of Measure J, which was to prevent sprawl. There is definitely room for a legal antidote here."

The average development density projected for areas inside the urban services line is five units per acre. Outside the line, developments must meet a whole range of development criteria expressed in the county's "Measure J Rural Development Policies."

One of the primary purposes of the urban limit line is to separate the county into two population growth zones. In rural areas, the growth rate is 1.9 per cent per year. In urban areas, it is 2.4 per cent per year.

By compacting development into urban areas, however, a new spate of problems is created. Greater areas of pave-

ment and roofs mean more greasy runoff will flow down riparian corridors into coastal sloughs and lagoons. Parking demands are increased, along with bus services, and traffic jams become more frequent.

These problems are particularly apparent in Live Oak, where high density, low-income housing will be built. Live Oak Supervisor Dan Forbus calls the drainage problems of Live Oak "the worst in the county."

Forbus believes the solution to these problems is spreading development into the hills, rather than regulating development in existing urban areas. He has pushed to get new developments above Soquel and behind Dominican Hospital, and favors extension of 41st Avenue toward Old San Jose Road above Soquel.

The urban services line contains a number of "nodes" on the urban periphery suitable for large developments.

Near Santa Cruz, the line extends up Graham Hill Road far enough to include the Graham Hill Showgrounds. The showgrounds are located on the hill across from Henry Cowell Redwoods State Park, providing a fine vista of acacia and

redwood trees and grassy meadows.

The showgrounds are presently being eyeballed by developers in search of land suitable for condominiums. Rumor has it that offers have been made on the property and are being considered by the owners of the property.

The line includes tracts of open lands along Branciforte Creek, and could conceivably allow an area of development from Graham Hill Road to DeLaveaga Park.

East of DeLaveaga, the line dips down to exclude the controversial Chamanade property bordering Arana Creek. The "Chamanade," as it is called, was slated for development by a consortium from northern California. The rural designation may prevent this development, thus benefitting the yacht harbor open space downstream.

However, the line includes space for the O'Neill Ranch, where one of the largest developments in the count is purportedly in planning stages. Located west of Old San Jose Road, above Soquel, the O'Neill Ranch would be serviced by an extension of 41st

(cont'd on back page)