

**O.P.E.N.**  
**Open-space Preservation Education Network**  
A project of the Environmental Defense Center

**To: Santa Barbara County Board of Supervisors**  
Santa Barbara County, Office of Long Range Planning  
30 E. Figueroa Street  
Santa Barbara, CA 93101

October 2, 2009

**Re: Santa Ynez Valley Community Plan and Final Environmental Impact Report (FEIR)**

Honorable Board of Supervisors:

The following comments are submitted by the Open-space Preservation Education Network (OPEN) project of the Environmental Defense Center (EDC) in response to the FEIR for the Santa Ynez Valley Community Plan (Plan) and the Planning Commission's recommendation to the Board of Supervisors (BOS) to adopt the environmentally superior Downzone Alternative. The purpose of the OPEN project is to engage all interested sectors of our communities in a dialog about developing policies and programs to protect agricultural and open space lands and the urban-rural interface. OPEN assesses general plan policies and related ordinances as well as local efforts that seek to protect agricultural resources, and monitors County-wide proposals and individual precedent-setting projects with the potential to convert open space and agriculture. This approach includes a comprehensive analysis of policy tools to support the preservation of rural lands and agricultural operations, open space, and the urban-rural boundary. OPEN has developed the following comments on the portions of the Plan that deal with the long-term preservation of agriculture, open space and the urban/rural interface.

OPEN fully supports the Planning Commission and County Staff recommendation for the BOS to adopt the Downzone Alternative based upon the "pillar goal" of the SYVCP which is to: "Maintain the SY Valley's rural character and agricultural tradition while accommodating some well-planned growth within the township boundaries that is compatible with surrounding uses". The Downzone Alternative is the only alternative that addresses the many zoning issues currently threatening the future of agriculture in the Valley. We appreciate and support this recommendation, and encourage the BOS to consider the following recommendations to further ensure the long-term protection of agriculture and open space in the Valley. Per the Planning Commission's request, additional options have been presented for the BOS's consideration for two of the downzone properties (Lindemann and Shephard). Specific comments regarding the suite of options for these properties provided by staff are included in this letter.

The following items address and support the goal of agricultural preservation, and are discussed in detail in this letter. They include:

- Support for the recommendation to adopt the environmentally superior Downzone Alternative.
- Additional recommendations for Staff's suite of options for the Lindemann and Shephard properties.
- Suggested language additions for the proposed annexation policy.
- The need to reinstate previously prepared ESHA layers which were omitted from consideration in the Plan.

### **Project Background:**

The proposed Plan (without implementation of the Downzone Alternative) presents a future scenario for physical development of the SYVCP Plan Area containing 3,901 parcels and an area of approximately 46,933 acres. The Plan Area currently contains 3,384 primary residential units. The 20-year buildout and rezoning actions under the proposed Community Plan would result in 516 new primary residential units, 132 new residential second units, 24 new agricultural employee units, and 149 new mixed-use residential units, as well as up to 115 additional primary residential units on four AHOD sites. This would represent a total of 936 new residential units in the Plan Area. In addition, 20-year buildout conditions would result in 555,334 square feet (sf) of additional commercial development.

In contrast, based on historical data, the 20-year buildout under the existing Comprehensive Plan would result in 516 new primary residential units, 132 new residential second units, 24 new agricultural employee units, and 38 new mixed-use residential units. This would comprise a total of 710 additional residential units, and 585,533 additional square feet of commercial development.

The Planning Commission and Staff recommendation to adopt the Downzone Alternative is different than that described above, and would (for the 20-year buildout scenario) result in approximately 20 fewer primary residential units and approximately 111 fewer secondary residential units.

### **Summary of Comments:**

**1. The environmentally superior Downzone Alternative should be adopted by the County BOS in accordance with Staff and Planning Commission recommendations to protect agriculture and open space in the Valley and prevent sprawl.**

The importance of maintaining viable agriculture in the Santa Ynez Valley cannot be overstated. Agriculture continues to be the County's major producing industry. The 2008 gross production was valued at \$1,137,350,118. This is a \$34 million (3.0%) increase in gross value when compared with the 2007 figures and is the third year in a row that agriculture has surpassed the one billion dollar benchmark. Santa Barbara County's diversified agriculture continues to provide a strong base for our local economy. Through the multiplier effect, it has a local impact in excess of \$2.2 billion dollars, according to the Agricultural Commissioner's report.

As the staff report for the downzone recommendation states, the Downzone Alternative addresses potential agricultural conversions near the Rural Boundary/Inner-Rural area interface. Considerable growth and the emergence of new development trends have raised concerns regarding the changing character of the Valley. These concerns include preserving the viability of agriculture amidst continuing subdivision of larger working agricultural parcels into ranchettes. The subdivision of agricultural land allowed under existing zoning would have decreased agricultural viability and increased land use conflicts in the Valley. The Plan's original proposed zoning and policies would have allowed this trend to continue. The Downzone Alternative addresses these concerns by eliminating the threats posed by numerous zoning anomalies within the Plan area.

A great deal of analysis was provided to County Staff in our letter on the DEIR regarding the planning benefits of individual rezones throughout the Plan area. Detailed reasoning for these recommendations is appended to this letter for ease of reference (please see Exhibit 1). Adopting the Downzone Alternative will provide County planners with the basic planning foundation to support sound planning choices that will preserve agriculture and open space in the Valley. The Downzone Alternative also contains very important revisions to the urban and inner-rural boundaries that will ensure growth ensues in an orderly fashion. The GPAC for the Plan recommended adjustments to the Urban, Inner Rural and Rural Boundaries consistent with the recommended downzones that reduce the potential for sprawl and the fragmentation of agricultural resources, and OPEN supports those recommendations. For example, the northern Urban Boundary of Los Olivos should be aligned with Hwy. 154 (a logical boundary for the town of Los Olivos). This critical change would create a clear and distinct boundary that defines future expansion of the township.

It is our sincere hope that the BOS embraces and adopts the Downzone Alternative (and its proposed revisions to urban and inner-rural boundaries) to ensure the continued viability of agriculture in the Valley, and to support a well-planned path for achieving the Plan's "pillar goals" for the future.

**2. Additional considerations for Staff's suite of options for the Lindemann and Shephard properties should be recognized.**

The July 15, 2009 Planning Commission's recommendation directed staff to work with several property owners and respond to concerns regarding proposed zoning and development standards that may affect future development potential. Due to these

property owners retaining legal counsel and protesting the downzone of their parcels under the Downzone alternative, staff has modified their recommendations for these parcels.

The long-range vision for the Valley and the needed planning and zoning modifications that should be implemented require some difficult decisions from the BOS. Since there is a high potential for these properties to change hands during the 20 year timeframe for the Community Plan, the overarching vision rather than short-term needs of current property owners should be addressed. Maintaining the larger vision will provide the basis for sound and logical planning patterns in the Valley for decades to come and will help to prevent setting a precedent for undesirable subdivisions and potential additional zone changes from being requested in inappropriate areas of the Valley. The reasoning for the original downzones is attached as Exhibit 1 of this letter (originally prepared for the first Planning Commission meeting held in September 2008 on the Plan). The long-range planning issues and anomalies that are presented by the properties proposed for each downzone are all important and should be addressed during the Plan update. The original reasoning provided in OPEN’s 2008 letter to the PC for the recommended downzones of the Shephard and Lindemann properties are copied here for ease of reference:

<p><b>Shephard Property</b>  This site (also designated as EDRN #9), is located east of Hwy 154.</p>	<p>This site is one parcel, zoned AG-I-10 (80 acres)</p>	<p>The parcel is essentially an “island” in the middle of land that is zoned AG-II-100.</p> <p>If this property is not downzoned, and is allowed to subdivide and develop to its maximum potential of 10-acre lots, the density of this island would not only conflict with the surrounding AG-II-100 parcels, but would also be located outside of the rural planning boundary, creating a potentially precedent-setting development scenario that would likely lead to the conversion of the surrounding larger lots into smaller parcels at a future date.</p>
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<p><b>Lindemann Property</b>  Directly east (and south) of Brinkerhoff Avenue</p>	<p>Zoned AG-I-20</p>	<p>This area abuts the rural and community plan boundaries, and currently consists of very large parcels. The separation of this area by Brinkerhoff provides a logical boundary from the parcels located to the west of Brinkerhoff, which are currently</p>	<p>These parcels should be downzoned to provide an appropriate buffer area between the area west of Brinkerhoff at an appropriate density given the existing and proposed zoning of the surrounding parcels (to AG-II-100).</p>
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		subdivided into much smaller parcels in accordance with their AG-I-20 zoning. The downzoning of these parcels would provide a needed buffer zone between the subdivided areas to the west of Brinkerhoff from the large agricultural parcels located outside of the Community Plan boundary.	
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*Discussion: Shepherd Property*

The Shepherd property consists of 80 acres northeast of the Santa Ynez Township and State Highway 154 within a designated Rural area. The property is zoned AG-I-10 and is surrounded on all sides by AG-II-100 zoned parcels under Williamson Act contract. The property is also incorrectly designated as an Existing Developed Rural Neighborhood (EDRN) apparently due to its 10-acre zoning, which is incompatible with the Rural area and surrounding zoning. This EDRN is incorrect because the property is neither developed nor an existing rural neighborhood, and it should not be allowed to develop into a “rural neighborhood” in the future, *given the high quality of larger zoned prime soils agricultural parcels in Williamson Act contract that surround this parcel.* The EDRN designation should be removed and the original downzone recommendation for AG-II-100 should move forward. This parcel comprises a problematic zoning anomaly that should be addressed during the Plan update.

In the Downzone Alternative to Heritage Sites, the Draft SYVCP proposed to downzone the property to AG-II-100 and remove the EDRN designation in order to maximize consistency with surrounding properties in the Rural area and provide maximum protection for on-site prime soils. This original recommendation should be retained, particularly given the site’s physical constraints that would likely limit the amount of subdivision potential regardless of the zoning designation.

*Discussion: Lindemann Property*

The Lindemann and surrounding properties consist of approximately 1,330 acres in the northeast portion of the SYVCP area near the intersection of Roblar, Mora, and

Brinkerhoff Avenues in a designated Inner-Rural area. The properties are zoned AG-I-20 and AG-I-40 and are adjacent to properties zoned AG-I-10, AG-I-20, and 40-AG to the west and south, and properties zoned AG-II-100 to the east.

Under the Draft SYVCP, the properties were proposed to retain existing zoning. However, under the Downzone Alternative to Heritage Sites, the Draft SYVCP proposed to downzone the properties to AGII-40 and AG-II-100 and adjust the Rural boundary to minimize future subdivision potential, and provide for a more logical and stable Rural boundary co-located with Brinkerhoff Avenue. Further analysis directed by the Planning Commission has resulted in a revised staff recommendation to downzone a portion of the properties to AG-II-40 & AG-II-100, while retaining existing zoning for the properties that are more integral to the Inner-Rural area. The majority of the properties would be re-designated Rural through a boundary adjustment. This revision which would allow for some future subdivision while increasing consistency with surrounding properties with appropriate transition zoning density for properties approaching the Inner Rural/Rural interface. The proposed revisions would increase future subdivision to four potential lots from the six potential lots under the Downzone Alternative to Heritage Sites.

The compromise presented by staff is reasonable, however, *all properties to the east of Brinkerhoff and north of Roblar Avenue should still be considered for a minimum 100 acre parcel zone designation to provide a clear break from the AG-I-20 subdivisions that are located immediately west of Brinkerhoff Road with the exception of the three smaller size parcels (36.55, 58.08, and 50.23 acres in size), where the proposed AG-II-40 designation would be appropriate.*

**4. A slight wording addition to the proposed Annexation Policy under consideration would help to clarify this policy.**

At the time of the 2006 Board of Supervisors Draft SYVCP initiation, concerns arose regarding Santa Ynez Reservation annexations. The Board of Supervisors directed staff to develop language to ensure review of proposed annexations in the Plan Area. As a result, the SYVCP contains policy language regarding County opposition to any proposed annexations deemed inconsistent with SYVCP as shown below:

**Policy LUG-SYV-6: The County shall oppose the loss of jurisdictional authority over land within the Plan area where the intended use is inconsistent with the goals, policies, and development standards of the Plan or in the absence of a satisfactory legally enforceable agreement.**

Action LUG-SYV-6.1: The County shall pursue legally enforceable government-to-government agreements with entities seeking to obtain jurisdiction over land within the Plan Area to encourage compatibility with the surrounding area and mitigate environmental and financial impacts to the County.

In order to clarify this policy, it is suggested that the language be slightly modified to incorporate the following italicized and highlighted language:

**Policy LUG-SYV-6: The County shall oppose the loss of jurisdictional authority over land within the Plan area where the intended use is inconsistent with the goals, policies, and development standards of the Plan and associated Comprehensive Plan elements or in the absence of a satisfactory legally enforceable agreement.**

**3. The County should reinstate previously prepared ESHA layers which were omitted from consideration in the Plan.**

The Santa Ynez Valley contains some of the best examples of native habitat in the County. Native plant communities within the Plan Area include valley needlegrass grassland, oak savanna and woodland, riparian forest and scrub, wetlands, buck brush chaparral, and coastal scrub, among others. These habitats support a variety of mammal species, including gray fox (*Urocyon cinereoargenteus*), coyote (*Canis latrans*), mule deer (*Odocoileus hemionus*), bobcat (*Lynx rufus*), black bear (*Ursus americanus*), mountain lion (*Felis concolor*), and Botta's pocket gopher (*Thomomys bottae*). Common bird species include various sparrow species, scrub jay (*Aphelocoma corulescens*), acorn woodpecker (*Melanerpes formicivorus*), Anna's hummingbird (*Calypte anna*), and California quail (*Callipepla californica*). Raptors include red-tailed hawk (*Buteo jamaicensis*), golden eagle (*Aquila chrysaetos*), Cooper's hawk (*Accipiter cooperi*), white-tailed kite (*Elanus leucurus*) and bald eagle (*Haliaeetus leucocephalus*). Reptiles and amphibians found in the Plan Area include the western fence lizard (*Sceloporus occidentalis*), coast horned lizard (*Phrynosoma coronatum*), gophersnake (*Pituophis catenifer*), common kingsnake (*Lampropeltis getula*), western rattlesnake (*Crotalus oreganus*), and Pacific treefrog (*Hyla regilla*). The Plan Area provides habitat for a number of threatened and endangered species including the southern California steelhead (*Oncorhynchus mykiss irideus*), California redlegged frog (*Rana draytonii*), vernal pool fairy shrimp (*Branchinecta lynchi*), least Bell's vireo (*Vireo bellii pusillus*) and southwestern willow flycatcher (*Empidonax traillii extimus*). These important habitats, and the species that live in them, must be protected. Riparian areas of importance in the Valley include the Santa Ynez River, Santa Agueda Creek, Zanja de Cota Creek, Alamo Pintado Creek, Adobe Canyon, Ballard Canyon, Cable Canyon, Zaca Creek, Alisal Creek, Nojoqui Creek, and De La Questa Canyon.

Numerous ESHA maps prepared by the County for these habitats and riparian areas were removed from the Plan. All ESHA maps and the related policy language should be reincorporated and adopted as part of the Plan update to address needed protection for these important areas in the Valley. Where mapping is incomplete for the habitat types designated as ESHAs, additional mapping must be completed as individual discretionary projects are considered by the County.

**Conclusion**

The recommendations contained in this letter are intended to serve as suggestions for strengthening policies and actions in the Plan that can support the goal of the long-term preservation of agriculture and the urban/rural boundary in the Valley. To recap, the following items are suggested:

- The BOS should support the PC and Staff's recommendation to adopt the environmentally superior Downzone Alternative, as it creates a logical and careful way to address future development in the Valley while preserving agriculture and open space.
- The revised recommendations from staff for the Shephard and Lindemann properties should be carefully reconsidered given the long-term implications that would result from build out of the properties under the proposed zoning.
- The County should clarify the language of Policy LUG-SYV-6 to include a reference to the Santa Barbara County Comprehensive plan Elements.
- The County should reinstate previously prepared ESHA layers which were omitted from consideration in the Plan, and require that ESHA analysis and mapping are completed for all future discretionary projects (where applicable).

The OPEN project appreciates the opportunity to provide comments on the Plan, and looks forward to adoption of the Downzone Alternative by the BOS, as it creates a long-term vision for the Valley that will reduce subdivision potential and encourage the continuation of agriculture. It is also most appropriate method for addressing the impacts of future development in the Valley.

Most Sincerely,  
*Via E-mail*

Christina McGinnis, OPEN Project Director



**Exhibit 1: Downzone recommendations**

<b>TABLE 1: DOWNZONE RECOMMENDATIONS</b>			
<b>LOCATION</b>	<b>CURRENT OR PROPOSED ZONING</b>	<b>SURROUNDING ZONING AND ISSUES</b>	<b>RECOMMENDED ZONING</b>
East of Figueroa Mountain Road (also proposed to continue as a designated EDRN, site #6).	One parcel, zoned AG-I-20	Abutted by AG-II-100 zoned lands on its east and west sides, this parcel is outside the proposed rural boundary. If this site is allowed to develop outside of the rural boundary at its current proposed density, it would set a precedent for lands to subdivide <i>outside of the rural boundary line</i> . This site and planning anomaly should be addressed during the Plan update.	An appropriate downzone (to AG-II-100), should be assigned to the property to reduce the potential for development in this area.
The “triangle” between Santa Ynez and Hwy 154), located directly west of Highway 154 and east of the Santa Ynez urban boundary limit.	Zoned AG-I-5	If these parcels are allowed to develop under their proposed (and existing) zoning, they would likely pose direct conflicts with the AG-II-100 zoned agricultural land located south of the area, as well as impact the scenic corridor of HWY 154 [a State-designated scenic highway] with small 5 acre lots. If this area is downzoned, it would provide the	These parcels should be rezoned at an appropriate density for compatibility with the surrounding parcels (to AG-II-40).

		<p>larger agricultural lots with the needed buffer from more urbanized uses and density outside of the Santa Ynez urban planning area. In addition, this land is located immediately north of the Santa Ynez Airport area, and if built out under the 5 acre zoning designation, several of these parcels would likely be within the flight safety zone of the airport.</p>	
<p>Directly south of the southwestern urban planning boundary of Santa Ynez.</p>	<p>Zoned AG-I-5 and AG-I 20</p>	<p>This area, which represents an existing anomaly of the rural boundary, is abutted by AG-II-100 and AG-II-40 zoned lands on its east, south, and west sides. The rural boundary is currently drawn specifically around these parcels to accommodate the unusually high density that would be allowed here.</p>	<p>These parcels should be rezoned at an appropriate density for compatibility with the surrounding parcels (to AG-II-100 on the larger northern parcel, and AG-II-40 on the smaller southern parcels), and the rural boundary should be moved northward in accordance with the rezone.</p>
<p>Directly east (and south) of Brinkerhoff Avenue</p>	<p>Zoned AG-I-20</p>	<p>This area abuts the rural and community plan boundaries, and currently consists of very large parcels. The separation of this area by Brinkerhoff provides a logical boundary</p>	<p>These parcels should be downzoned to provide an appropriate buffer area between the area west of Brinkerhoff at an appropriate density given the existing and proposed zoning of the surrounding parcels (to AG-II-100).</p>

		<p>from the parcels located to the west of Brinkerhoff, which are currently subdivided into much smaller parcels in accordance with their AG-I-20 zoning. The downzoning of these parcels would provide a needed buffer zone between the subdivided areas to the west of Brinkerhoff from the large agricultural parcels located outside of the Community Plan boundary.</p>	
<p>This site (also designated as EDRN #9), is located east of Hwy 154.</p>	<p>This site is one parcel, zoned AG-I-10 (80 acres)</p>	<p>The parcel is essentially an “island” in the middle of land that is zoned AG-II-100.</p> <p>If this property is not downzoned, and is allowed to subdivide and develop to its maximum potential of 10-acre lots, the density of this island would not only conflict with the surrounding AG-II-100 parcels, but would also be located outside of the rural planning boundary, creating a potentially precedent-setting</p>	<p>This parcel should be rezoned at an appropriate density to ensure compatibility with the surrounding parcels (to AG-II-100).</p>

		development scenario that would likely lead to the conversion of the surrounding larger lots into smaller parcels at a future date.	
Area located to the west of Alamo Pintado Road.	Two large parcels have the potential to be built out in accordance with the current zoning designation of AG-I-10.	Lands immediately west of this proposed HSO have already been subdivided (under the AG-I-10 zoning), and lands across Alamo Pintado Road to the east are zoned AG-I-40.  Downzoning this HSO area would provide a needed buffer between the existing smaller subdivided parcels and the larger parcels on the east side of Alamo Pintado Road.	These parcels should be rezoned at an appropriate density to the surrounding parcels (AG-II-40).
Area immediately south of Baseline Avenue.	Zoned AG-I-5	The parcels are situated between lands zoned AG-I-10 to the north and AG-I-40 to the south.  This zoning is not a logical density to serve as a buffer between the 10 acre and 40 acre lots located to the north and south.	This parcel should be downzoned to provide a buffer and density transition zone for the surrounding parcels (to AG-II-20).
Area immediately southeast of the	Zoned AG-I-10	This site is immediately south	This parcel should be downzoned to provide a

<p>City of Solvang, currently shown as within the urban boundary of the Plan. Proposed for revision as within the rural boundary (to correct a prior mistake in the boundary designation).</p>		<p>of the City of Solvang, and should provide a transition zone between the more urbanized area of Solvang and the properties located to the east and south, which are zoned for AG-II-40 and AG-II-100, respectively.</p>	<p>buffer and density transition zone for the surrounding parcels (to AG-II-40 or AG-II-100).</p>
<p>Area located south of Hwy 246 (also part of proposed EDRN site #1).</p>	<p>Zoned 10-AG</p>	<p>This area is abutted by AG-II-100 and AG-II-40 zoned lands on its east, south, and west sides, and is outside the proposed rural boundary.</p> <p>This EDRN should not expand south of Hwy 246. If the site is built out under the proposed zoning of AG-I-10, it would likely present conflicts with the agricultural lands surrounding it, and would potentially induce future growth and subdivisions on the southern portion of Hwy 246.</p> <p>Although the sites on the northern portion of the Hwy 246 should be designated as an EDRN, this should not be the case for the southern</p>	<p>The parcels south of HWY 246 should be downzoned (to AG-II-40) to prevent the precedent of higher density development on the southern portion of the Hwy.</p>

		properties, particularly due to their location adjacent to the Santa Ynez River.	
Located along Hwy 246, between the eastern boundary of the City of Buellton and the western boundary of the City of Solvang.	Zoned (from east to west respectively) for AG-I-5, 10, 20 and again for AG-I-5 [near the City of Solvang].	The majority of properties between these sites are zoned for AG-I-40.	A more consistent zoning of AG-I-40 should be considered for this area.
Area located immediately south of the urban boundary of the City of Buellton, outside the rural boundary line.	Zoned AG-I-5	This area is abutted by AG-II-100 property on all sides except its northern boundary.  Allowing 5 acre parcels (upon full buildout of the site according to the existing and proposed zoning designation) would directly conflict with the larger agricultural parcels they abut.	The area should be rezoned to AG-II-100.
Parcel to the west of the town of Ballard.	AG-I-5	This parcel is sandwiched between lands zoned AG-I-10 (to the north) and AG-I-40 (to the south).	Rezoning this parcel to AG-I-20 would provide a more logical transition between the adjacent parcels and help to preserve the agricultural land uses outside of the Ballard urban boundary.