



**COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT**

MEMORANDUM

TO: Santa Barbara County Planning Commission

FROM: Nathan Eady, Planner III
Development Review Division

HEARING DATE: December 10, 2008

RE: General Plan Amendment Initiation of the Hunter/La Purisima Resort
08GPA-00000-00002
APNs 099-131-008, 099-131-009, 099-131-010
East of Lompoc and Mission Hills on State Route 246
Fourth Supervisorial District

1.0 BACKGROUND INFORMATION:

On November 12, 2008 the Planning Commission considered initiation of a General Plan Amendment (GPA) which would allow the development of a resort facility on the La Purisima Golf Course Property. During this hearing the Commissioners reviewed and discussed possible GPA options which were presented by staff. Although individual Commissioners expressed their preference regarding these various options, the Commission did not reach a consensus regarding project initiation. Instead the Commission continued the initiation request to the December 10, 2008 hearing to allow further consideration and analysis of GPA options.

2.0 COMPREHENSIVE PLAN AMENDMENT OPTIONS

In its previous memo to the Commission, dated November 12, 2008, staff presented four main GPA options regarding the Hunter/La Purisima Project.

These options included:

- 1) Amend Land Use Element Definitions
- 2) Rural Resort/Visitor Serving Commercial Overlay

- 3) Wine Tourism Support Overlay
- 4) Expand the Use of Condition Use Permits

During its hearing of November 12, 2008 the Commission expressed an interest in having a more detailed discussion of the GPA options and their impact on land use patterns in the County. Staff has provided additional analysis of these previous four options and introduced an additional option which discusses resort development in combination with existing golf courses.

2.1 Amend Land Use Element Definitions

Concept: As previously discussed in staff's Pre-Application Memorandum (dated January 9, 2008 and included as Attachment A), the proposed resort project and its corresponding change in land use conflicts with several provisions of the County's Land Use Element. These conflicts can be summarized as follows:

- 1) The Land Use Element defines a commercial use of this intensity as *Urban Development*.
- 2) The Land Use Element states that *Urban Development* shall be confined to the *Urban* areas of the County and not allowed to encroach upon the County's *Rural* lands.
- 3) The Land Use Element definition for *Resort/Visitor Serving Commercial* does not provide for residential development (such as the proposed partially or wholly owned casitas) as an allowed use.

One possible avenue by which these conflicts could be resolved would be to amend the text of the Land Use Element (LUE) as follows:

- a) Amend the LUE definition of *Rural Area* to list *Resort/Visitor Serving Commercial* development as a land use allowed in *Rural Areas* of the County.
- b) Amend the LUE definition of *Resort/Visitor Serving Commercial* to stipulate that residential development is a compatible use within this designation.

Additional Analysis: Very little specificity regarding this option and its associated growth inducing impacts is possible at this time. As mentioned in the previous staff memo, amending the LUE definition would allow property owners to submit an application for resort development on virtually any parcel in the Rural Area of the County. Applications for resort development on many of these parcels would be constrained based on the lack of infrastructure, problematic topography & hydrology, or presence of sensitive agricultural and biological resources present on most Rural parcels. However, as initially explained in the Rural Resort/Visitor Serving Commercial Overlay analysis, there are approximately 47 parcels in the Rural Area of the County which have the basic characteristics (i.e. minimum parcel size, transportation infrastructure, etc.)

necessary to support resort development. Furthermore, the majority of parcels excluded from this count were eliminated based on the property's failure to meet the 100 acre minimum parcel size or were currently under agricultural preserve contract. Simple lot mergers, lot line adjustments, or non-renewal of agricultural preserve contracts could create parcels which would meet the draft criteria for resort development. With this in mind, it is possible that pursuing this option could allow resort development on more than one hundred parcels throughout the County's Rural Area. In this respect, the implementation of this option would most likely result in market conditions being the limiting factor on how many resorts were developed in the County, not comprehensive planning.

2.2 Create a new Land Use Overlay

Another option to achieve the course of action discussed above would be to create a new Land Use Overlay. This overlay would define certain characteristics that are considered critical for allowing *Urban* intensity uses within *Rural* areas and would therefore reduce the scope of the potential for *Urban Development* in the County's *Rural* areas. A Land Use Overlay could be used in the following two ways, outlined below.

2.2.1 Rural Resort/Visitor Serving Commercial Overlay

Concept: A potential option could be to create a new Rural Resort/Visitor Serving Commercial Overlay. This option could be achieved as follows:

- a) Insert new Overlay language into the Land Use Element which allows resort development on parcels which contain a major recreational element and which meet specific restrictive criteria.
- b) Define specific limitations for the use of the Overlay, such as:
 - i) Minimum parcel size.
 - ii) Appropriate zone districts.
 - iii) Proximity to a major circulation element (state highway).
 - iv) Availability of services (water, sewer, emergency).
 - v) Limited visibility from scenic viewsheds.
 - vi) Neighborhood compatibility.
 - vii) Proximity to (or inclusion of an onsite) major recreational element.
- c) Define or provide examples of a "major recreational element."¹

¹ The Land Use Element states that Resort/Visitor Serving Commercial uses, "should be found adjacent to important recreational resource areas, at special points of interest, or in special neighborhoods or communities" (Page 171). However, the Land Use Element does not define any of these terms, including what qualifies as an "important recreational resource."

- d) Amend the Land Use Element to include a Land Use Overlay, specifying the aforementioned site requirements. Any property owner(s) wishing to have this overlay applied to their property would need to process a general plan amendment.

The use of such site specific limitations could assist in reducing the changes to the County's Rural land use pattern and could reduce the cumulative environmental effects such as traffic and visual impacts. As a more specific example of this system, the following variables could be utilized to create a Rural Resort/Visitor Serving Overlay:

- 1) Minimum 100 acre parcel size.
- 2) 100 acre minimum zoning.
- 3) Close proximity (within 200 feet) to a state highway.
- 4) Not currently in an Agricultural Preserve Contract.
- 5) Not publicly owned land.
- 6) Contains an existing major recreational element onsite or propose to develop one.

With the application of the first five variables listed above, staff has produced a conceptual Rural Resort/Visitor Serving Overlay Map (refer to Attachment C) which highlights all of the parcels which meet the aforementioned criteria. There are approximately 47 parcels Countywide which meet these minimum requirements. As the last criterion (possession of a major recreational element onsite) is somewhat subjective and could be developed in the future, this was not included in the criteria for mapping purposes. Not all of the parcels highlighted in the conceptual Overlay Map would meet the final criterion of possessing a major recreational element; therefore, the list of reasonable candidates would be reduced. The number of parcels eligible for inclusion in this overlay could be substantially affected by the type of recreational element which is deemed appropriate or allowable by the County. For instance, if the only acceptable recreational amenity was a golf course, the quantity of sites which could qualify for the overlay under existing conditions would be reduced from 47 parcels to fewer than ten parcels.

Additional Analysis: As previously mentioned, this Rural Resort/Visitor Serving Commercial Overlay could initially limit the potential for resort development in the *Rural* area to approximately 47 parcels. The number of prospective resort sites could be further narrowed by specifying which recreation amenities are an acceptable component of a Rural Resort. The previously mentioned 47 parcels have been categorized as follows according to their existing recreation potential:

Parcels which contain an existing golf course:

3 parcels- La Purisima Golf Resort

1 parcel- Rancho San Marcos Golf Club

Total = 4 parcels

Parcels which are adjacent to an existing golf course:

- 1 parcel- Rancho Maria Golf Course
- 2 parcels- La Purisima Golf Resort
- 1 parcel- Sandpiper Golf Resort (course located in City of Goleta)

Total = 4 parcels

Parcels which have direct contact with, or are in close proximity to, coastal access:

- 7 parcels- North of Highway 101, Gaviota Coast
- 2 parcels- South of Highway 101, Gaviota Coast

Total = 9 parcels

Parcels located within or adjacent to the Los Padres National Forest:

- 1 parcel- No established trail system, part of Rancho San Marcos Golf Club
- 2 parcels- Have established trail system.

Total = 3 parcels

Located Adjacent to a State Park:

- 2 parcels- Both adjacent to the La Purisima Mission

Total = 2 parcels

Parcels adjacent to a major water body other than the Pacific Ocean:

- 1 parcel- Adjacent to Lake Cachuma and Santa Ynez River,
part of Rancho San Marco Golf Club

Total = 1 parcel

When examining the list of parcels and their associated existing recreational use above, it is important to note that this list was derived only from those 47 parcels which currently meet the following characteristics:

- 1) Minimum 100 acre parcel size.
- 2) 100 acre minimum zoning.
- 3) Close proximity (within 200 feet) to a state highway.
- 4) Not currently in an Agricultural Preserve Contract.
- 5) Not publicly owned land.

However, a significant number of parcels could meet these criteria in the future by the nonrenewal of agricultural preserve contracts and/or lot mergers. It should be recognized that voluntary lot mergers are neither subjected to environmental review nor are they processed by the Planning and Development Department. Lot mergers are a ministerial process which are reviewed and approved by the County Surveyor's Office. As such, a considerable number of parcels which have been not been considered in this previous analysis because they are not currently 100 acres in size could easily be merged into legal lots of 100 acres or more. Additionally, existing golf course properties (such as the Glen Annie Golf Course) have not been included in this analysis as they do not meet some of

the minimum requirements. The Glenn Annie Golf Course Property is in excess of 200 feet from a State Highway, it is approximately 2800 feet north of Highway 101.

2.2.2 Wine Tourism Support Overlay

Concept: Another overlay option could be tailored to providing support to the County's burgeoning wine tourism trade. Currently the Land Use Development Code allows the development of wineries within the *Rural* area of the County when they are directly supportive of onsite vineyards. However, these Winery regulations do not allow such wineries to include supportive uses such as restaurants. A Wine Tourism Support Overlay could consider the placement of resorts, restaurants, and other supportive uses in areas of the County with a high density of wineries. This option could be achieved with the following actions:

- a) Amend the Land Use Element to include a new Overlay which allows for Urban type uses which are supportive of the wine tourism industry in select *Rural* areas of the County.
- b) Define site specific limitations for the use of the Overlay.
 - i) Minimum parcel size.
 - ii) Particular zone districts.
 - iii) Proximity to state highway.
 - iv) Availability of services (water, sewer, emergency).
 - v) Limited visibility from scenic highways.
 - vi) Neighborhood compatibility.
 - vii) Proximity to (or inclusion within) an existing wine appellation area.
 - viii) Require a vineyard and/or winery on the project site.
- c) Define which uses are directly supportive of the wine tourism industry.
- d) Amend the Land Use Element to include a new Land Use Overlay, specifying the aforementioned site requirements. Any property owner(s) wishing to have this Overlay applied to their property would need to process a general plan amendment.

As with the previously discussed Rural Resort/Visitor Serving Commercial Overlay, the use of site specific limitations could assist in reducing the Countywide effects resulting from a Wine Tourism Support Overlay. As a more specific example of this system staff has identified the following variables which could be utilized to create a Wine Tourism Support Overlay:

- 1) Minimum 100 acre parcel size.
- 2) 100 acre minimum zoning.
- 3) Close proximity (within 200 feet) to a state highway.
- 4) Not currently subject to an Agricultural Preserve Contract.

- 5) Not publicly owned land.
- 6) Partially or entirely located within an existing wine appellation.

With the application of all of these variables listed above staff has produced a conceptual Wine Tourism Support Overlay Map (refer to Attachment D) which highlights all of the parcels which meet the aforementioned criteria. Based on this mapping data there are approximately 11 parcels which meet these minimum requirements. It is possible to add further requirements such as the need for an onsite vineyard or winery to ensure that these uses are directly tied to the continued growth and success of Santa Barbara County's wine trade.

Additional Analysis: This option was not further analyzed as its implications were clearly evident when presented to the Commission at its prior hearing on November 12, 2008 and no Commissioners expressed an interest in pursuing this option further. This option has the potential to initially limit development to 11 parcels, but future parcels could become eligible via non-renewal of agricultural preserve contracts, lot mergers or lot-line adjustments, and/or the expansion of Wine Appellation boundaries by the Federal Government.

2.3 Expand the application of Conditional Use Permits

Concept: Another possible option for allowing resort development in *Rural* areas under controlled circumstances would be to expand the uses allowed by Conditional Use Permit. This method could be achieved by either expanding the use of the existing Major Conditional Use Permit or creating a new Rural Conditional Use Permit. Either action could be achieved as follows:

- a) Modify the Comprehensive Plan and LUDC language, as necessary, to expand the use of the existing Major Conditional Use Permit or create a new Rural Conditional Use Permit.
- b) Define new findings for special application CUPs, such as:
 - i) Site is appropriate for the scale and intensity of development.
 - ii) Project would not have an adverse effect on agriculture in the area.
 - iii) Development is subordinate to the Rural character of the area.
 - iv) Project is consistent with the surrounding community character.
 - v) Project is not located in a scenic viewshed.
 - vi) Adequate services and road capacities are available.
 - vii) Project does not have growth inducing impacts.

Additional Analysis: As previously discussed, it would be difficult to specify the quantity or location of project sites which could apply for, or would meet the necessary findings to allow resort development via Conditional Use Permits.

Currently the LUDC requires the following findings to be made for Major Conditional Use Permits (Inland Area):

- 1) **The site for the proposed project is adequate in terms of location, physical characteristics, shape, and size to accommodate the type of use and level of development proposed.**
- 2) **Significant environmental impacts will be mitigated to the maximum extent feasible.**
- 3) **Streets and highways are adequate and properly designed.**
- 4) **There will be adequate public services, including fire protection, police protection, sewage disposal, and water supply to serve the proposed project.**
- 5) **The project will not be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood and will be compatible with the surrounding area.**
- 6) **The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan, including any applicable community or area plan.**
- 7) **In designated rural areas the use will be compatible with and subordinate to the rural and scenic character of the area.**

Since any proposed resort would need to meet all of the findings listed above, it could be assumed that a future project site would require a large enough parcel to accommodate both the proposed structural development and the associated onsite infrastructure (i.e. sewage treatment, stormwater retention basins, parking, etc.). Project site would also need to contain a developable area with a relatively flat topography, favorable hydrologic surface flow, and be unencumbered by sensitive biological resources or prime agricultural lands.

2.4 Allowing Resort Development in Conjunction with Golf Courses

The unincorporated area of the County currently contains ten golf courses whose associated parcels total approximately 2,022 acres. These courses and additional information pertinent to the evaluation of this project have been included in the table below:

Course Name	Acreage	Land Use Designation	Urban or Rural	Adjacency to Urban Area or EDRN
La Purisima	306	Agriculture (AG-II-100)	Rural	Adjacent to EDRN

Rancho San Marcos	293	Agriculture (AG-II-100)	Rural	None
Glen Annie	159	Agriculture (AG-II-40)	Rural	Adjacent to Incorporated City Limits
Rancho Maria	335	Recreation/ Planned Unit Development/ Visitor Serving Commercial	Rural/EDRN	Contained within an EDRN
Alisal River Course	254	Agriculture (AG-I-10)	Urban = 63 ac. Rural = 191 ac.	Partially within Urban Boundary
Village Golf Course	137	Recreation	Urban	Within Urban Boundary
Ocean Meadows	70	Planned Unit Development	Urban	Within Urban Boundary
La Cumbre	109	Recreation	Urban	Within Urban Boundary
Valley Club of Montecito	150	Recreation	Urban	Within Urban Boundary
Birnam Wood	209	Recreation/SRR	Urban	Within Urban Boundary

As indicated above, five out of the ten golf courses are located wholly within Urban areas. Therefore, the issues related to the proposal to allow resort development in Rural areas would not apply to these properties. However, changing the Land Use Element to allow resort development at golf courses in Rural areas would create a precedent for the five courses which are wholly or partially located in the Rural area. The precedent would apply as well to properties which may be proposed for golf course development in the future. Allowing the development of Urban intensity uses on the five golf courses which are wholly or partially located within the Rural Area would be a significant departure from the County's past land use practices. The allowance of resort development on golf course properties in the Rural area could result in the direct loss of over 900 acres currently designated for agricultural use and/or the further disruption of surrounding agricultural operations. Furthermore, additional Rural lands could be affected by the development of additional golf courses in the future. In addition, the resulting development would expand Urban uses well into the Rural areas of the County. Urban intensity development in Rural areas would be out of character with the surrounding community and place unacceptable burdens upon Rural infrastructure.

2.5 Other Options Considered

The following options were also considered by staff but were not analyzed in significant depth.

2.5.1 Relocate the Urban Boundary Line or Create a New Inner-Rural Area

This option was not analyzed in depth because of the significant precedence this could set countywide. Furthermore, specific to this area, the County previously received a request to create a new *Inner-Rural* area which includes the golf course property and several other parcels. The State of California, which owns and operates the La Purisima Mission property (located between the project site and the nearest Urban area) favors the retention of the Mission's current *Rural* designation. Therefore, the golf course cannot be redesignated as *Urban* or *Inner-Rural* in a contiguous fashion with the County's existing Urban areas. Staff therefore did not support processing this application and it was subsequently withdrawn by the applicant. Since the State of California has not changed its position regarding the change in land use designation for the Mission property, this is still considered an inappropriate option.

2.5.2 Expand the Cebada Canyon EDRN to include the Project Site

This option was not analyzed in depth because it would be inconsistent with the purpose of an Existing Developed Rural Neighborhood (EDRN). The Comprehensive Plan states that EDRNs are to contain areas of *Urban Development* established prior to the adoption of the General Plan, and that EDRNs are intended to contain such uses in the *Rural* area and prevent their expansion (LUE Page 175). In 2006, the County received a request for an upzoning in the Cebada Canyon Existing Developed Rural Neighborhood (Gaffaney GPA). This request was denied by the Board of Supervisors on March 11, 2008.

3.0 CONCLUSION

As discussed in the previous staff report, any of the options by which this project could be processed may result in significant changes to the County's *Rural* land use pattern. Approval of a resort on the proposed project site cannot be achieved without allowing the further expansion of Urban uses into *Rural* areas of the County. The expansion of Urban uses into *Rural* areas could either directly displace agriculture or create conflicts between these resorts and existing agricultural operations. Creating a path for approval of resorts such as this would also be inconsistent with several policies of the County's Agricultural Element. Therefore, staff recommends that the Planning Commission deny the request to initiate a General Plan Amendment to allow resort development in the County's *Rural* areas.