



**COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT**

MEMORANDUM

TO: Santa Barbara County Planning Commission

FROM: Nathan Eady, Planner III
Development Review Division

HEARING DATE: November 12, 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

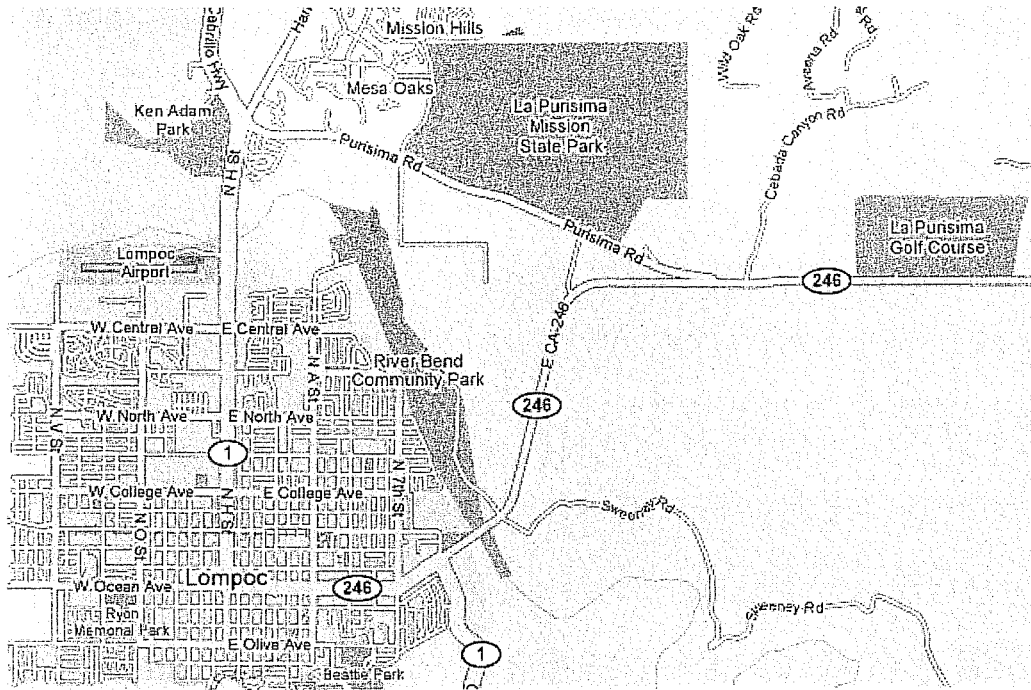
1.0 REQUEST:

Request of Mr. Erik Vazquez, agent for Ken Hunter, property owner and applicant, for initiation of a General Plan Amendment (08GPA-00000-00002) [application filed on February 6, 2008] which would include a change in land use designation from Agriculture to Resort/Visitor Serving Commercial; and amendments to the text of the Land Use Element to allow development of the Hunter/La Purisima Resort in the Rural area of the County. The requested General Plan Amendment proposes development of an 80 room hotel/resort with an approximately 4,400 square foot restaurant and a 3,240 square foot spa facility, and 85 clustered casitas (fractional or wholly owned residential units) that would be detached from the main resort. The project involves three valid legal parcels totaling approximately 306.2 acres, known as APNs: 099-131-008, 099-131-009, and 099-131-010; which are commonly known as 3455 East Highway 246. The site is located approximately one mile east of the intersection of Purisima Road and Highway 246 and approximately 3 miles east of the City of Lompoc, in the Cebada Canyon area, Fourth Supervisorial District. The project site includes an existing recreational facility known as La Purisima Golf Course and all three subject parcels are currently zoned 100-AG.

2.0 RECOMMENDATION:

That the Planning Commission deny the request to initiate the General Plan Amendment, due to its inconsistency with the fundamental tenets of the County's Land Use Element.

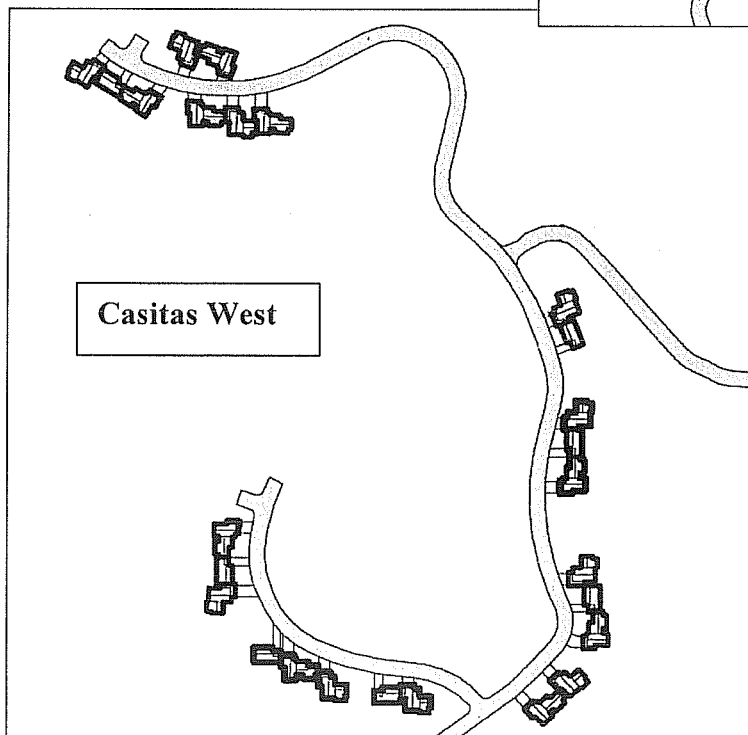
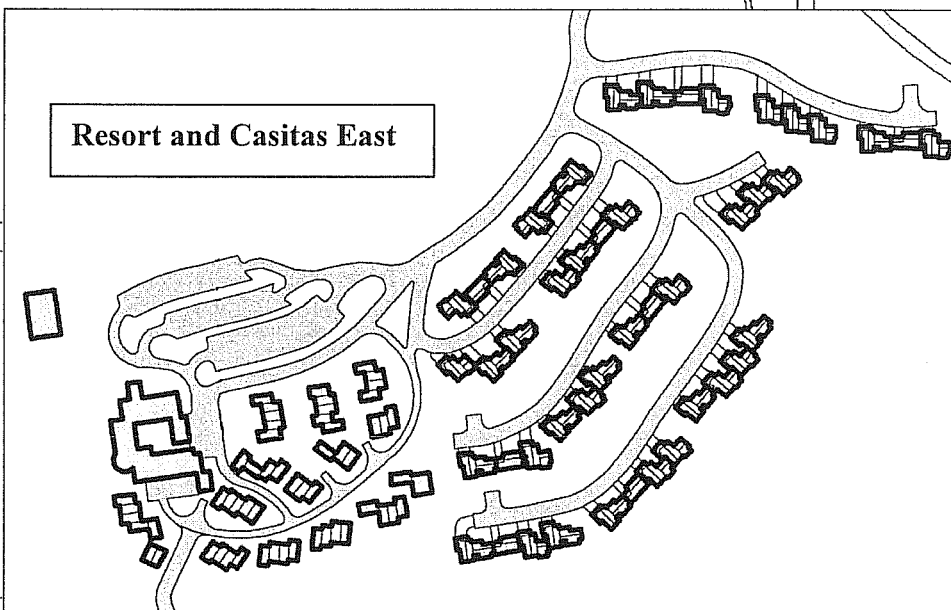
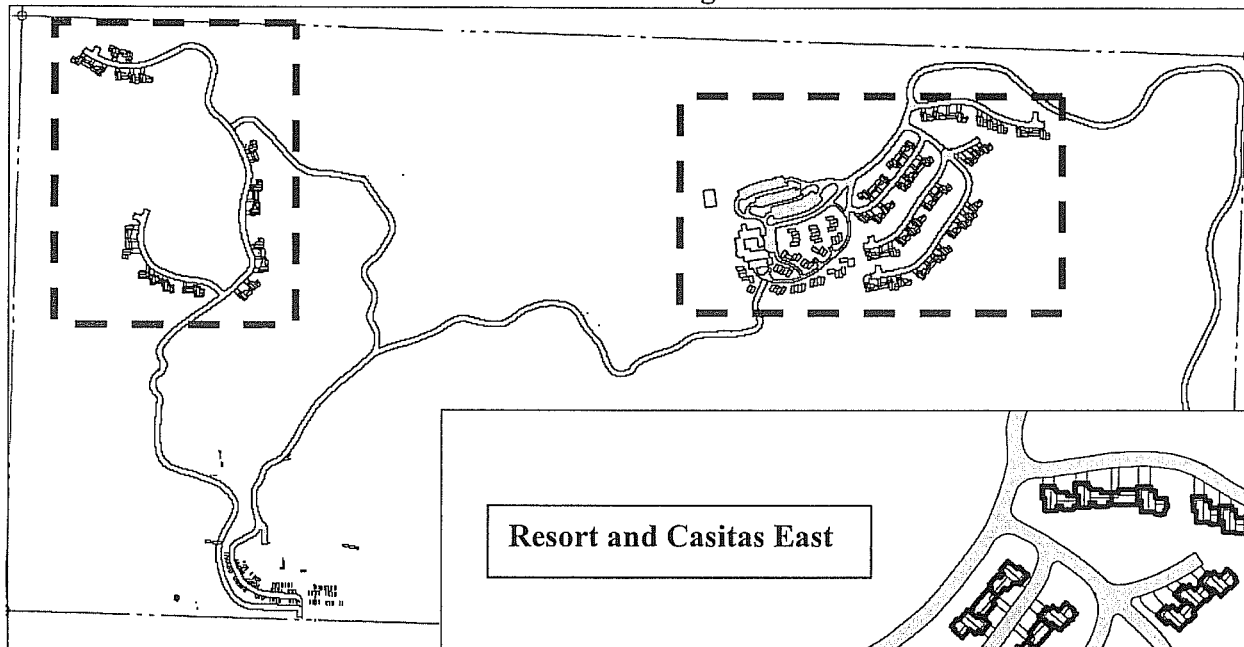
Vicinity Map



Aerial Photograph



Site Plan with Vignettes

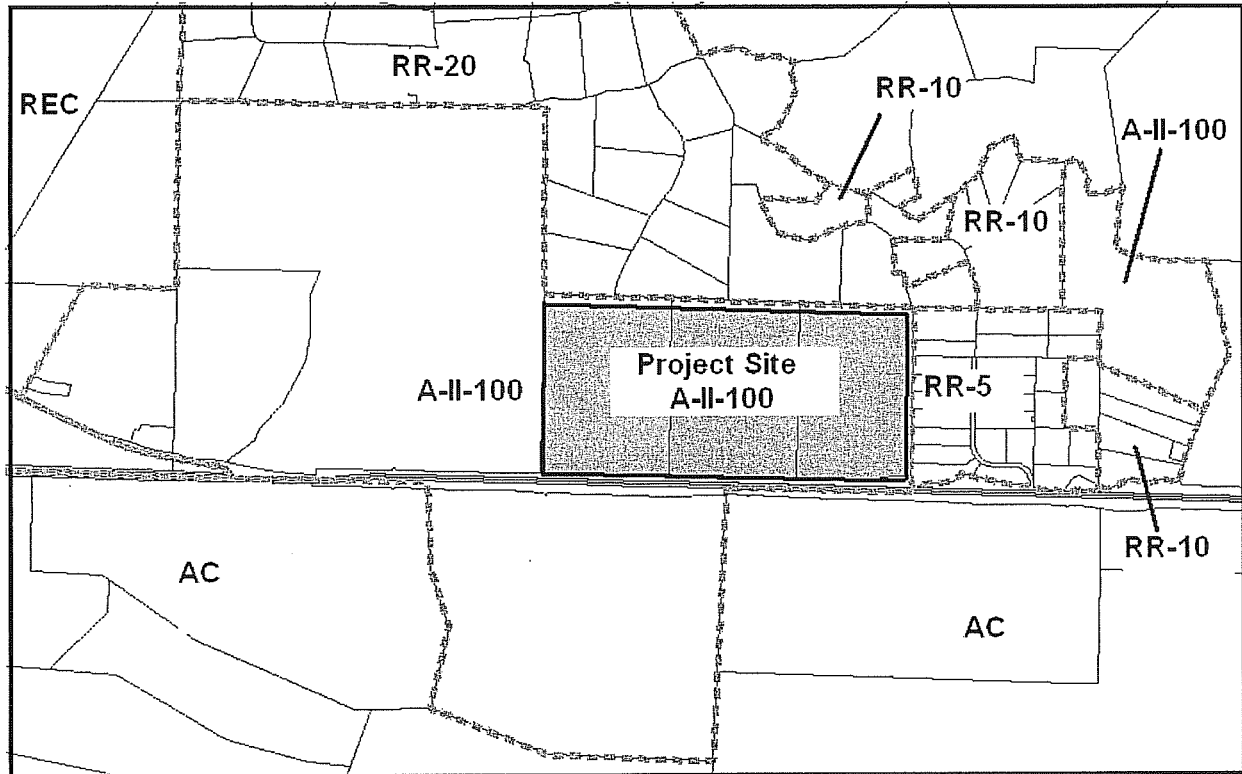


3.0 PROJECT SUMMARY:

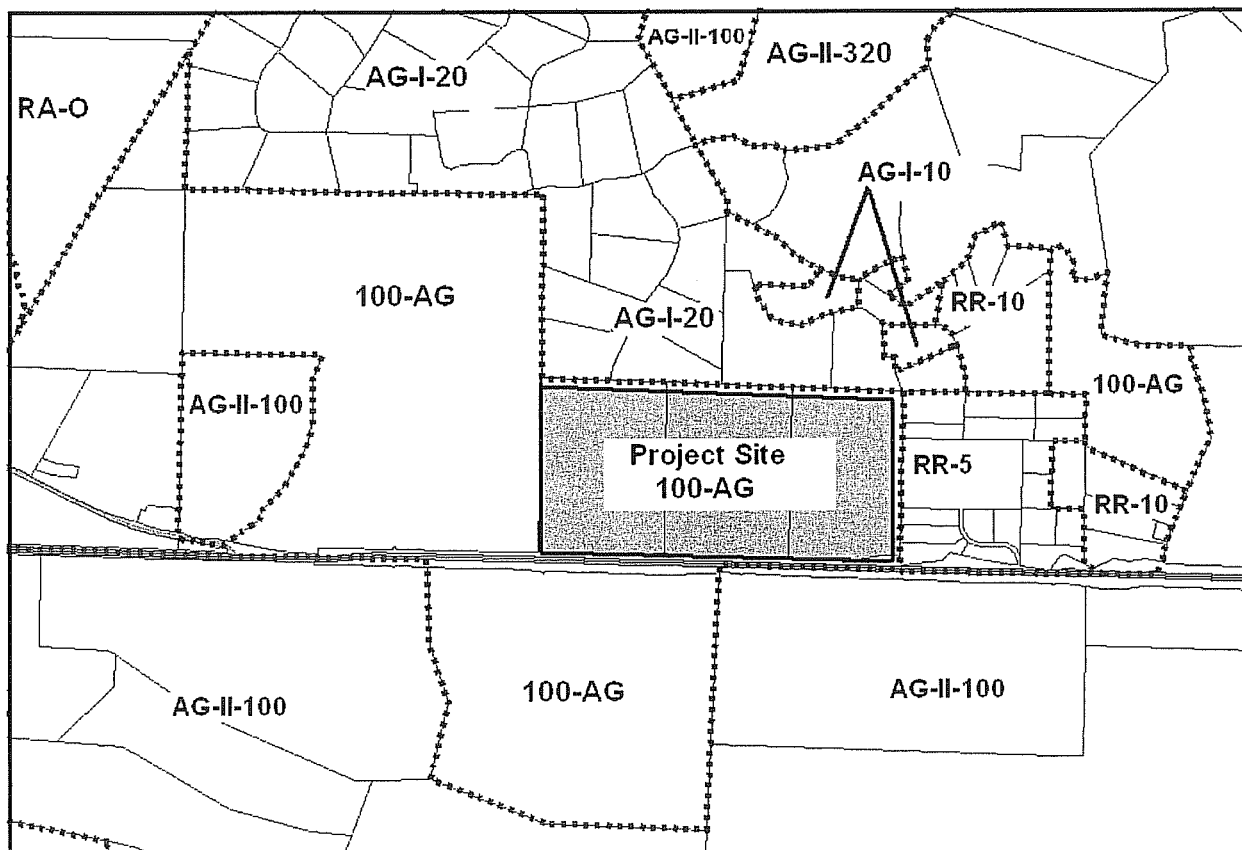
The conceptually proposed hotel/resort facility would consist of the following components:

- 1) An 80 room main resort/hotel structure which would consist of an approximately 16,000 square foot lobby structure and 40,960 square feet of hotel room development. This portion of the development would consist primarily of 2-story architecture with heights varying from 15 to 30 feet, however, a non-habitable tower of 45 feet in height is also proposed for architectural interest only.
- 2) An approximately 4,400 square foot restaurant with a maximum capacity of 293 patrons. Included within this square footage estimate is a dedicated banquet facility.
- 3) An approximately 3,240 square foot spa facility with 8 treatment rooms.
- 4) Eighty-five clustered hotel casitas (fractional or wholly owned residential units) which are detached from the main resort development. Each casita would be approximately 2,000 square feet in size for a total development area of 170,000 square feet.
- 5) Various parking facilities which would include approximately 115 new, uncovered parking spaces.
- 6) Due to the conceptual nature of the project design a quantitative assessment of necessary grading activities has not been established.

Land Use Designation Map



Zoning Designation Map



4.0 BACKGROUND INFORMATION:

4.1 Pre-Application

A Pre-Application (07PRE-00000-00013) was filed with the office of Planning and Development on August 28, 2007 which requested the conceptual review of a new resort and casitas proposed for the La Purisima Golf Course property. This property is located within the Rural area of the County. The proposal included a change in land use designation and rezone to Resort/Visitor Serving Commercial.

Staff reviewed the proposal and found several conflicts between the County's Comprehensive Plan Policies and the proposed development. The most significant issues associated with the proposal involve its divergence from the following key provisions of the County's Land Use Element:

- Rural areas are reserved for low intensity uses; primarily agriculture, recreation, and public uses (Land Use Element, p. 175); and
- Urban uses (i.e. commercial and residential development with a density in excess of 0.2 units per acre) are restricted to urban areas (Land Use Element, p. 176).

The distinction between Urban and Rural uses is reiterated throughout the Land Use Element, including the overarching policies, definitions, maps, and Lompoc Area Policies. The Resort Visitor Serving Commercial land use designation does not allow a residential component, such as the proposed casitas (which may be wholly owned by discrete property owners). As a result of these inconsistencies, if the proposal were to be accepted for processing several changes to the County's Comprehensive Plan would be required. The Countywide implications of these policy changes would need to be addressed. Staff's analysis of the land use and Comprehensive Plan issues associated with the Pre-Application is provided in the Conceptual Review Memo (dated January 9, 2008) included as Attachment A.

4.2 Conceptual Review by the Planning Commission

The aforementioned Pre-Application proposal was presented to the County's Planning Commission for conceptual review on January 9, 2008. The Commission was presented with a conceptual outline of the project and staff's analysis of potential conflicts with the County's Comprehensive Plan. As part of the Conceptual Review process, the Commission did not take a formal vote; instead, individual members of the Commission offered individual comments on the proposal. Although individual Commissioners offered a wide range of comments regarding the proposed La Purisima Resort, three of the four Commissioners present during this conceptual review (Cooney recused) favored further consideration of the project. The Commission showed interest in being presented with various options by which the proposed project could be approved with minimal effects on the established pattern of Countywide land use as guided by the Comprehensive Plan. For greater detail regarding the individual Commissioner comments

during this aforementioned Conceptual Review, please view the Action Letter (dated January 18, 2008) included as Attachment B.

5.0 COMPREHENSIVE PLAN AMENDMENT OPTIONS

As indicated in the previous section of this document, the County Planning Commission expressed an interest in analyzing various options to consider in the context of a Comprehensive Plan Amendment initiation by which the proposed resort and casita development can be approved with minimal precedent setting effects on the remainder of the County's Rural area. The following discussion includes several options which could allow such a project to move forward; each option has some potential to affect the established land use pattern in *Rural* areas of the County. In developing options by which such a resort project can be introduced into the *Rural* area, staff has focused on options which would minimize the potential for widespread *Urban Development* within the County's *Rural* areas.

5.1 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.

Analysis: The effect of these changes on the pattern of land use in the County could be wide-ranging. Such changes in the Land Use Element would allow application submittal for initiation of a Comprehensive Plan Amendment to a *Resort/Visitor Serving Commercial* designation for virtually any parcel within the *Rural* area of the County. Although the majority of Rural parcels would be inappropriate for such intense

development due to various site constraints (agricultural, biological, topography, etc.) there are hundreds of parcels located throughout the County which include similar site characteristics to the La Purisima Golf Course property. Therefore, the potential widespread effects of this option are significant.

5.2 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.

5.2.1 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."^{*}
- 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:

^{*} 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 what qualifies as an "important recreational resource."

- 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.

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. However, there are two concerns regarding this approach. The first concern is that this overlay contains several parcels along the Gaviota Coast. As these parcels have access to the ocean, which is obviously a major recreational amenity, the overlay could lead to resort development in this area, and may conflict with other policy objectives of the County. The second concern is that the overlay, at the time of implementation, would prohibit resort development on parcels currently under Agricultural Preserve Contract. However, any parcels either currently in contract non-renewal or non-renewed in the future could be added to the overlay. In this manner, the approval of such an overlay could ultimately encourage property owners to leave the agricultural preserve program and seek to replace viable agricultural operations with resort development. Additionally, property owners could pursue the development of golf courses or other recreational elements on agricultural land in order to qualify for the resort overlay. Therefore, a Rural Resort/Visitor Serving Commercial Overlay would have the potential to expand far beyond the properties identified in Attachment C.

5.2.2 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.

Analysis: As discussed above, the Wine Tourism Support Overlay could initially limit the potential for resort development in the *Rural* area to approximately 11 parcels. This overlay would not apply along the Gaviota Coast, as no wine appellation exists in that area of the County. However, this overlay could encourage property owners to non-renew their agricultural preserve contracts in order to pursue resort development. A further complication is that the County does not control one the variables. The County does not control the creation of new wine appellations or the expansion of existing appellations. Approval of appellation boundaries fall in the jurisdiction of the federal government and therefore the quantity and location of parcels which qualify for the overlay could change over time without County approval.

5.3 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.

Analysis: In the context of environmental review for the changes to the Comprehensive Plan and LUDC, it would be difficult to determine the quantity or location of project sites which could apply for, or would meet the necessary findings to allow resort development. Under this option, any application for resort development would be subject to environmental review and analysis as to whether the project site would meet the requirements (access, services, etc.) necessary to support the resort development. However, the cumulative effects of such a change in land use regulations would be difficult to assess.

5.4 Other Options Considered

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

5.4.1 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.

5.4.2 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.

6.0 CONCLUSION

The various options by which this project could be processed all could result in significant changes to the County's *Rural* land use pattern and more specifically could substantially disrupt existing agricultural operations. 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. Most significantly, the 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. By design, the vast majority of the County's *Rural* area consists of viable agricultural property. 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. Furthermore, as discussed in the previous "Land Use Overlay" options, proceeding with approval of this project could encourage property owners to non-renew their agricultural preserve contracts in order to pursue development of a resort. This could contribute to the loss of agriculturally viable land in the County.

ATTACHMENT A: HUNTER/LA PURISIMA PRE-APPLICATION MEMO



**COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT**

MEMORANDUM

TO: Santa Barbara County Planning Commission

FROM: Nathan Eady, Planner II
Development Review Division

HEARING DATE: January 9, 2008

RE: Conceptual Review of Pre-Application Project Hunter/La Purisima Resort
07PRE-00000-00013
APNs 099-131-008, 099-131-009, 099-131-010
East of Lompoc and Mission Hills on State Route 246
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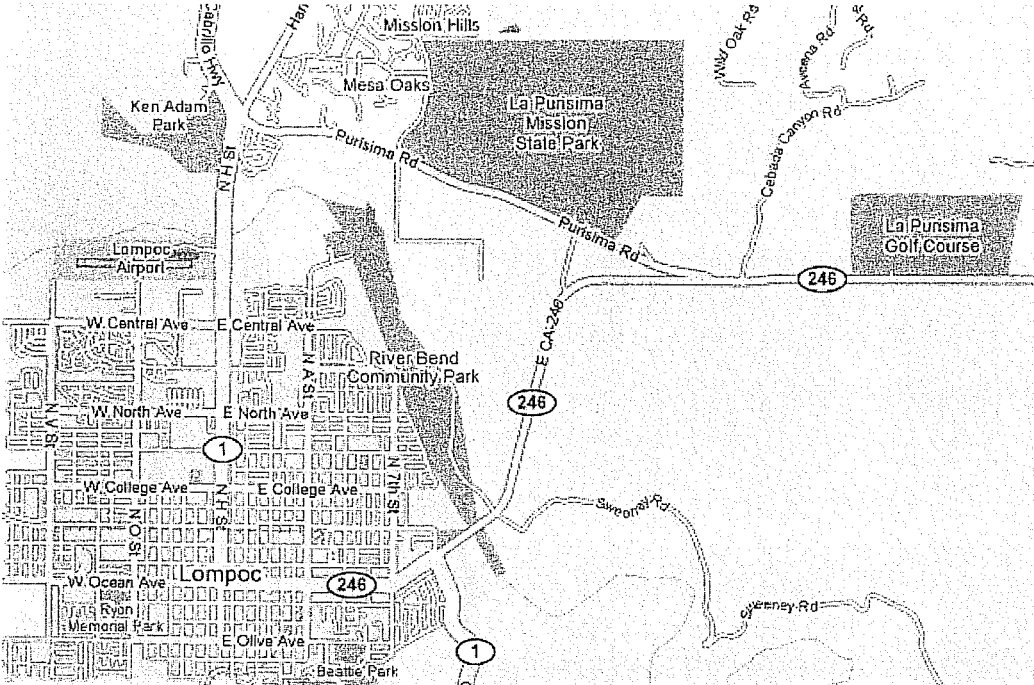
1.0 REQUEST:

Request of Mr. Ken Marshall, agent for Ken Hunter, property owner and applicant, for Conceptual Review by the Planning Commission of the Hunter/La Purisima Resort Pre-Application project (07PRE-00000-00013) [application filed on August 28, 2007]. This conceptual project would require approval of General Plan Amendments, Rezone, and a Development Plan. Specifically, the General Plan Amendments would include a change in land use designation from Agriculture to Resort/Visitor Serving Commercial; and several text amendments. The proposed development includes an 80 room hotel/resort with an approximately 4,400 square foot restaurant and a 3,240 square foot spa facility, and 85 clustered casitas (fractional or wholly owned residential units) that would be detached from the main resort. The project involves three valid legal parcels totaling approximately 306.2 acres, known as APNs: 099-131-008, 099-131-009, and 099-131-010; which are commonly known as 3455 East Highway 246. The site is located approximately one mile east of the intersection of Purisima Road and Highway 246 and approximately 3 miles east of the City of Lompoc, in the Cebada Canyon area, Fourth Supervisorial District. The project site includes an existing recreational facility known as La Purisima Golf Course and all three subject parcels are currently zoned 100-AG.

2.0 RECOMMENDATION:

That the Planning Commission provide conceptual review of the proposed project.

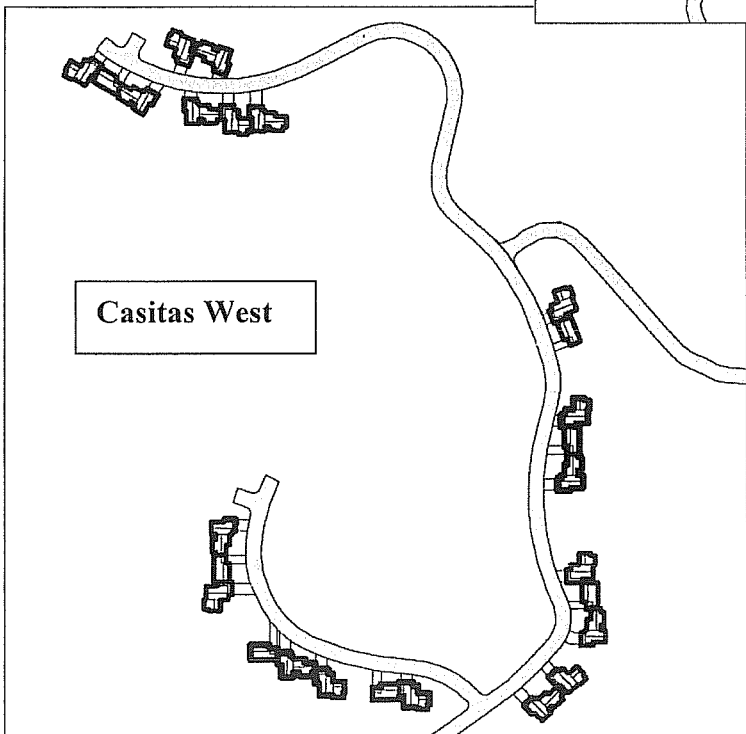
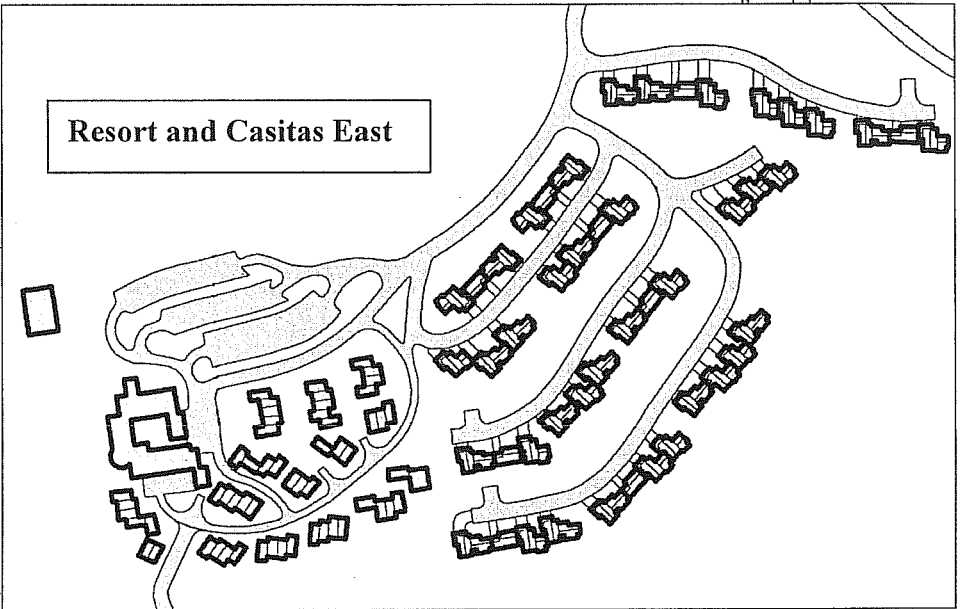
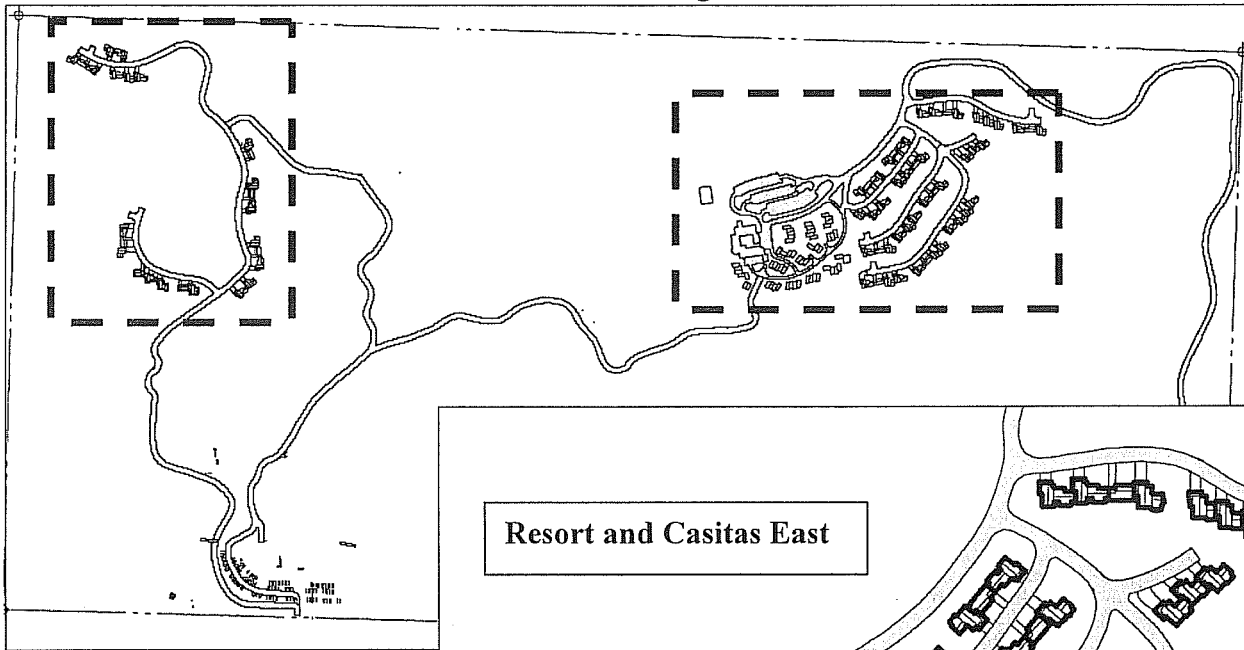
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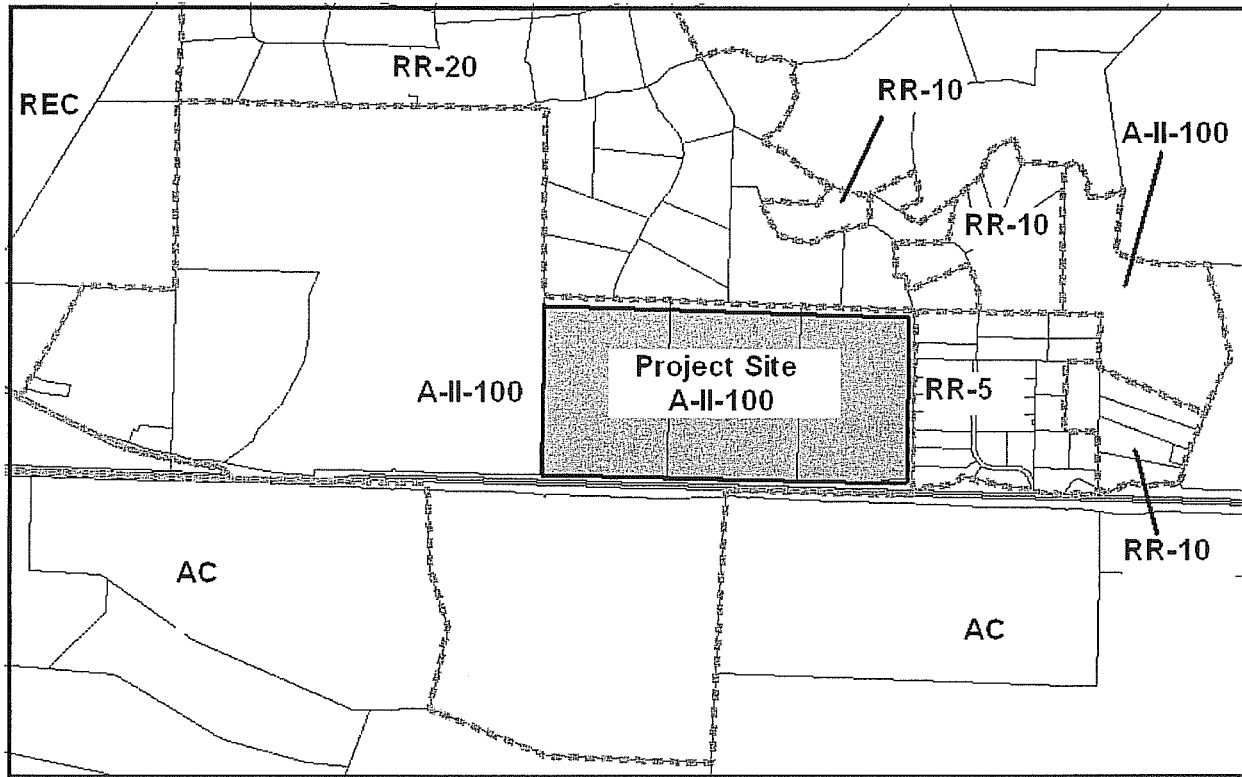


3.0 PROJECT SUMMARY:

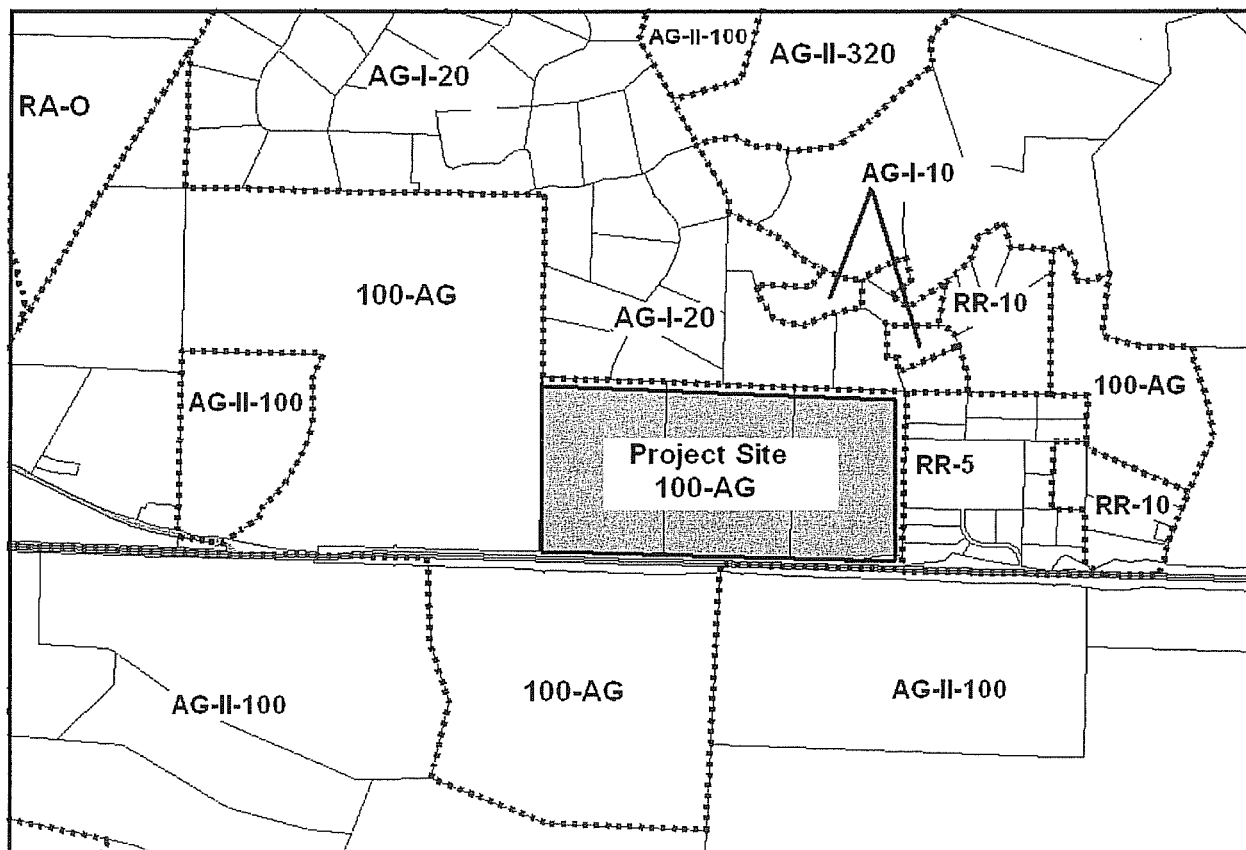
The conceptually proposed hotel/resort facility would consist of the following components:

- 1) An 80 room main resort/hotel structure which would consist of an approximately 16,000 square foot lobby structure and 40,960 square feet of hotel room development. This portion of the development would consist primarily of 2-story architecture with heights varying from 15 to 30 feet, however, a non-habitable tower of 45 feet in height is also proposed for architectural interest only.
- 2) An approximately 4,400 square foot restaurant with a maximum capacity of 293 patrons. Included within this square footage estimate is a dedicated banquet facility.
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- 5) Various parking facilities which would include approximately 115 new, uncovered parking spaces.
- 6) Due to the conceptual nature of the project design a quantitative assessment of necessary grading activities has not been established.

Land Use Designation Map



Zoning Designation Map



4.0 KEY POLICY ISSUES:

4.1 Land Use Element

4.1.1 Resort/Visitor Serving Commercial Uses

The proposed project site currently has an AG-II-100 (Agriculture) land use designation in accordance with the Comprehensive Plan's land use maps. The applicant proposes that the Comprehensive Plan's land use designation be changed to Resort/Visitor Serving Commercial for all three subject parcels to accommodate the proposed resort facility.

The Land Use Element defines Resort/Visitor Serving Commercial (V) as follows:

"The intent of this designation is to cater to the needs of visitors to recreational areas. Visitor serving commercial uses will normally be found adjacent to important recreational resource areas, at special points of interest, or in special neighborhoods or communities. The intensity of the commercial development shall be subordinate to the character of the recreational setting. Uses shall include, but not be limited to, the following: resort hotels, motels, restaurants, country clubs, guest ranches, riding stables, and beach clubs. Uses, buildings, and structures customarily incidental and accessory to such recreational facilities, including commercial uses and services, are also permitted. Uses not permitted under this designation include other retail services, unrelated office and professional services, highway related services for transients normally found at major highway interchanges or highway exits." (p. 171-172)

The subject property is located in a portion of the County designated as a *Rural Area* and therefore proposes to create an area of Resort/Visitor Serving Commercial within the *Rural Area*, as defined on the County's Land Use Maps. The closest boundary in relation to the project site, which separates areas of *Rural* and *Urban* development is located approximately two miles to the west along the edge of the Mission Hills community. There are currently only three locations in the County where the Resort/Visitor Serving Commercial land use designation exists. These areas include the Miramar property, the Biltmore Hotel, and San Ysidro Ranch; all three of these properties are located within the *Urban* development boundary.

4.1.2 Commercial Development as a Primarily Urban Use

The Land Use Element defines *Urbanization* or *Urban Development* as:

"a. any type of commercial or industrial use, excepting only those limited uses which may be permitted within the Rural or Inner-Rural Areas under the Coastal Dependent Industry designation, the Overlay Symbols of Mineral Resource Area or Spa, any of the Overlay Symbols for Rural Areas Only (Mineral Resource Industry, Agricultural Industry, Waste Disposal Facility, Petroleum Resource Industry), and/or the Conditional Use Permit provisions of the applicable County Zoning Ordinance (which explicitly require a finding of consistency with the Comprehensive Plan);

- b. *Residential development at a density higher than 0.2 units per gross acre (one unit per five gross acres);*
- c. *The creation by land division or lot line adjustment of any parcel(s) smaller than five acres in gross area. However, the creation of smaller parcel(s) within the Rural and Inner-Rural areas shall not be defined as "urbanization" or "urban development when such parcel(s) are for a public use, consistent with the "Public Facilities" policies of this Element." (p.176)*

This section from the Land Use Element clearly indicates that commercial land uses are considered "*Urban Development*", and that the introduction of commercial land uses within a *Rural* area would be defined as "*Urbanization*."

4.1.3 Limited Provisions for Commercial Development in Rural Areas

Within the Land Use Element the *Rural Area* is defined as follows:

"An area shown on the land use map within which development is limited to agriculture and related uses, mineral extraction, recreation, low-density residential, and uses of a public or quasi-public nature. The minimum lot size permitted within this area is 40 acres, with the sole exception of any parcel(s) to be owned and used solely by a public agency, consistent with the "Public Facilities" Policies of this Element. Existing smaller lot neighborhood developments are permitted within the Rural Area only in designated locations." (p.175)

This definition does not specifically identify commercial development as an allowable land use within a *Rural Area*. A basic principle of the Land Use Element mandates that *Urban* land uses be confined to areas contained within the *Urban* development boundary. One of the few exceptions to this principle, which is described in the Land Use Element, states that commercial uses can be allowed within the *Rural Area* if there is a clearly defined resource which the commercial entity is reliant upon. For example, a mineral spa must be located in close proximity to a mineral hot spring regardless of the *Rural* land use designation. A second exception provides for the limited introduction of commercial uses in the *Rural Area*, subject to the Conditional Use Permit (CUP) provisions of the Land Use Development Code, if those uses are consistent with the Comprehensive Plan. These CUP provisions allow limited uses such as bed and breakfasts, guest ranches, and golf courses within the *Rural Area* without the need for a General Plan Amendment or the accompanying potential for setting County wide precedents. Lastly, Highway Commercial uses are also allowed in *Rural Areas* of the County.

The Land Use Element defines Highway Commercial (H) as:

"When shown in small centers along highways and freeways, this designation permits only those uses which serve the highway traveler such as hotels, motels, restaurants, garages, and service stations. Additionally, overnight recreation-vehicle facilities may be permitted subject to a conditional use permit." (p. 171)

The Highway Commercial land use designation is sometimes located in rural areas of the County as it is necessary to provide services (food, gas, lodging) at intervals along the highway corridors located within the County. The proposed project would not be permissible under the Highway Commercial designation as the resort development would be a destination location, rather than providing services for the highway traveler. Typically, Highway Commercial uses are restricted to gas/service stations, convenience stores, restaurants, motels, and similar uses specifically intended to serve the needs of the highway traveler.

4.1.4 Commercial Land Use Patterns within Rural Areas of the County

Evidence of the consistent implementation of the *Urban* and *Rural* land use system can be seen in the County's current land use pattern. There are approximately forty commercially designated parcels located within the *Rural Areas* of the County. Seventeen of these parcels are located within Existing Developed Rural Neighborhoods.¹ All of the (23) remaining rural parcels with commercial land uses are designated Highway Commercial.

In summary, the project would conflict with the provisions of the Land Use Element as it would create *Urban* development within the *Rural Area*. It would also represent a significant shift from existing land use patterns as it would constitute the first rural commercial land use designation, other than Highway Commercial, within the County's unincorporated area. If the proposed project were to ultimately be accepted for a General Plan Amendment, the scope of the project would need to include one or more text amendments to the Comprehensive Plan. The text amendments would need to provide clear language specifying exactly what, if any, additional commercial land uses (such as Resort/Visitor Serving Commercial) should be allowed within the *Rural Areas* of the County. The County wide implications of these changes would need to be evaluated at a programmatic level.

4.1.5 High-Density Residential Development within Rural Areas of the County

As previously mentioned, the Land Use Element clearly indicates that *Rural* areas of the County are intended to be restricted to uses such as agriculture, mineral extraction, recreation, low-density residential, and public facilities. New residential development in excess of one residence per 5 gross acres is defined as "*Urban Development*" by the Land Use Element. Areas of existing rural residential development in excess of this density were created prior to the application of current zoning and land use regulations and have since been contained within Existing Developed Rural Neighborhoods (EDRN's). The proposed project includes the development of 85 clustered casitas which are hotel units that can be either fractionally or wholly owned by a private party. The

¹ The seventeen commercial parcels located within EDRN's are a mixture of C-1, C-3, and CH zoning. The parcels designated C-1 and C-3 contain historic uses which predate the application of the County's Comprehensive Plan. The EDRN designation was therefore added to these parcels to allow the retention of the historic use, without the EDRN designation these historic uses and their respective C-1 and C-3 zoning designations would not be allowed in the *Rural Areas* of the County.

development of 85 casitas on the subject parcels would result in an essentially residential development with a density defined as “*Urban Development*” (as defined by the Land Use Element, pages 175-176). Therefore, if the proposed development was approved, the project would have to include a text edit to the Comprehensive Plan to clearly indicate that residential density in excess of 0.2 units per acre is allowed in *Rural Areas* of the County under specified circumstances. This change would constitute a significant departure from existing land use policies and regulations.

4.1.6 Residential Uses within the Resort/Visitor Serving Land Use Designation

Within the Land Use Element, the Resort/Visitor Serving Commercial land use designation is described as an attempt to, “...cater to the needs of visitors to recreational areas. Visitor serving commercial uses will normally be found adjacent to important recreational resource areas, at special points of interest, or in special neighborhoods or communities” (p. 171-172). The proposed project site does contain an existing golf course (La Purisima, legally permitted under a Condition Use Permit) which could be considered a substantial recreational resource.² The Land Use Element states that typical uses allowed within an area of Resort/Visitor Serving Commercial include: resort hotels, motels, restaurants, country clubs, guest ranches, riding stables, and beach clubs (p. 171-172). There is no specific provision which would allow privately owned residences within a Resort/Visitor Serving Commercial development (p. 171-172). Therefore, if the proposed development were to be processed the project would have to include a proposed text edit to the Comprehensive Plan to provide that residential uses be allowed within the Resort/Visitor Serving Commercial land use designation.

4.1.7 Summary of Land Use Policy Issues

The most significant issues associated with the proposal involve its divergence from the following key provisions of the County’s Land Use Element:

- That rural areas are reserved for low intensity uses; primarily agriculture, recreation, and public uses (Land Use Element, p. 175); and
- That urban uses (i.e. commercial and residential development with a density in excess of 0.2 units per acre) are restricted to urban areas (Land Use Element, p. 176).

The distinction between Urban and Rural uses is reiterated throughout the Land Use Element, including the overarching policies, definitions, maps, and Lompoc Area Policies. If the proposal were to be accepted for processing, the Countywide implications of these policy changes would need to be addressed.

² The La Purisima Golf Course was legally permitted under a Conditional Use Permit, 83-CP-78. In the Environmental Impact Report for the La Purisima Golf Course, 84-EIR-7, the project was described as a compatible land use as it would allow for the revegetation of Sandhill Chaparral species, the preservation of Coast Live Oaks, and would retain approximately 200 acres of agricultural land to be utilized for Cattle Grazing. (84-EIR-7, pages 4-5)

4.2 Project Site Constraints

If the proposed project were to move forward for formal application processing, the site and project specific issues delineated below would need to be addressed.

4.2.1 Agricultural Resources

The Cebada Canyon area and the Highway 246 corridor are active agricultural areas with varied farming and animal rearing uses. Historically, the agricultural uses within this region of the County have included cattle ranching, dry farming, row crops, viticulture, etc. Currently, the project site is zoned Agriculture (100 acre minimum), however, the project site currently contains an existing golf course and maintains a primarily recreational use. Although the project would not result in disruption or displacement of an active agricultural operation on the project site itself, it would result in the loss of agriculturally zoned land. Also, the introduction of additional commercial and residential uses could be a hindrance to agricultural operations in the vicinity. Currently there is evidence of active cattle grazing located immediately south of the project site and the cultivation of row crops as well as dry farming immediately west of the project site. The proposed project could introduce indirect impacts to local agricultural operations. These impacts are driven by the introduction of concentrated population in a farming area.

The Agricultural Element of the Comprehensive Plan contains policies meant to protect and enhance agriculture. The proposed project raises issues with regard to the following policy language:

Policy IA - The integrity of agricultural operations shall not be violated by recreational or other non-compatible uses.

Policy IID - Conversion of highly productive agricultural lands whether urban or rural, shall be discouraged. The County shall support programs which encourage the retention of highly productive agricultural lands.

Policy IIIA - Expansion of urban development into active agricultural areas outside of urban limits is to be discouraged, as long as infill development is available.

4.2.2 Biological Resources

The proposed project site includes areas left undisturbed and/or undeveloped by the existing golf course. As currently proposed the project would include the removal of mature specimen trees to allow the construction of internal circulation elements. According to the prior Environmental Impact Report (84-EIR-7) prepared for this site, the property contains sensitive Burton Mesa Chaparral habitat (formerly know as Sandhill Chaparral). In addition, the proposed project site is located within the range of the California Tiger Salamander as mapped by the United States Fish and Wildlife

Service. The site also contains two existing man made ponds within the existing golf course. If the project were to move forward, further biological investigation would be necessary to ascertain potential impacts to native habitats and/or sensitive species.

4.2.3 Domestic Water Availability

The proposed project site is not located in close proximity to a public water service system. The nearest system of this type is located in the community of Mission Hills, approximately two miles west of the project site. Therefore, the proposed project would have to derive its own independent source of water from either existing or new on-site domestic wells. A preliminary water consumption analysis was conducted by Dudek and Associates (dated September 21, 2007) and concluded that the approximate water consumption of the project would be 30 acre feet per year (AFY). This conclusion was derived from interpolation of available project data and estimated water consumption ratios listed in the County's Environmental Thresholds. This water consumption estimate exceeds the County's water consumption threshold of 22 AFY for the overdrafted Lompoc Groundwater Basin. Therefore, the project would have to provide mitigation measures to reduce or avoid significant impacts to groundwater overdraft.

4.2.4 Wastewater Treatment and Disposal

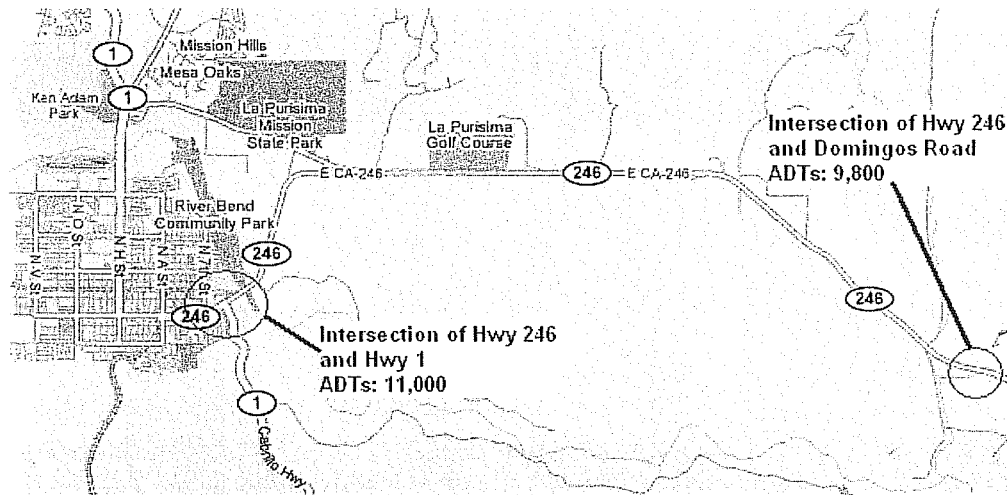
The proposed project site is not located in close proximity to any available means of public wastewater disposal. The nearest public wastewater disposal system is located within the community of Mission Hills approximately two miles west of the project site. Therefore, the proposed project would include the development of a community wastewater disposal system. Dudek and Associates has produced a preliminary analysis (dated September 21, 2007) of site conditions, approximate quantities of project generated wastewater, and possible means of sewage treatment and disposal. This analysis concludes that the project would produce approximately 34,620 gallons of wastewater per day. The aforementioned analysis also concludes that site conditions would allow for this approximate volume of project generated wastewater to be feasibly treated onsite with the use of modular, package treatment systems and drywells.

4.3 Traffic and Circulation

The subject property site is located on the northern frontage of Highway 246 approximately one mile east of the intersection of Highway 246 and Purisima Road. Highway 246 is a two-lane state highway which extends from Highway 1, in the City of Lompoc, to Highway 154, in the unincorporated community of Santa Ynez. The increased traffic resulting from the project would access the site from Highway 246 via two private driveways. As referenced by the County's Circulation Element, Highway 246 is considered a two-lane expressway with a design capacity of 29,700 average daily trips (ADTs). A preliminary traffic analysis for the project was conducted by Dudek and Associates, dated September 21, 2007, and concludes that Highway 246 has a current Level of Service (LOS) of A. The study further concludes that this LOS would remain unchanged with the additional traffic created by the project. Highway 246 has an existing traffic volume of 11,000 ADTs at its intersection with Highway 1 (CalTrans 2006 Traffic

Counts). The project would produce an additional 1,309 ADTs for a total traffic count of 12,309 ADTs on Highway 246. This level is still well below the design capacity of Highway 246.

Traffic Count Map



4.4 Neighborhood Compatibility

The current use of the project site includes a golf course, pro shop, café, and various support facilities. The proposed project would further increase the intensity of use for the Cebada Canyon/Highway 246 corridor with the addition of the resort, casitas, spa, and enlarged dining facilities. The majority of the surrounding land use consists of large parcel (40 acres or more) agricultural development with the exception of the Residential Ranchette properties located within the Cebada Canyon EDRN, which is immediately north and west of the project site. Residential properties contained within this EDRN range from approximately 5 acres to over 40 acres, with RR-5 (Residential Ranchette, 5 acre minimum parcel size) representing the highest density zoning in this area of the County. As mentioned above, the project proposes significantly higher density than any of the surrounding land uses. The introduction of 1,309 ADTs to one property on a continuous basis is consistent with an urban use. The proposed development may be inconsistent with the surrounding rural atmosphere on the basis of traffic, noise, and night lighting. However, from a visual aesthetic perspective, large structures and major urban infrastructure would not be apparent with the proposed project. The conceptual design includes an architectural style, site design, and structural massing that would be consistent with the rural aesthetic of the surrounding setting and would not be highly visible from the public views along State Route 246.

5.0 PERMITTING PROCESS:

5.1 General Plan Amendment

The proposed project would require a General Plan Amendment to change the Comprehensive Land Use Designation for the site from Agriculture to Resort/Visitor

Serving Commercial. Additionally, if it were to move forward, the project would potentially require substantial text edits to the Comprehensive Plan. These text edits would represent three distinct departures from existing land use provisions within the County of Santa Barbara. The first would be the use of Resort/Visitor Serving Commercial in a *Rural Area*. The second would be the allowance for fractional or whole ownership of residential units within lands designated as Resort/Visitor Serving Commercial. The third would allow residential development at *Urban* densities within the *Rural Areas* of the County.

5.2 Rezone and LUDC Text Amendment

The proposed project would require an application for the subject property to be rezoned from Agriculture (100 acre minimum) to Resort/Visitor Serving Commercial. Currently the Land Use Development Code does not include residential development as an allowed use within this requested zone district. Therefore, the proposed project would require an amendment to the LUDC text to allow residential uses within the Resort/Visitor Serving Commercial zone district.

5.3 Ordinance Compliance

5.3.1 Circulation/Traffic/Parking

A preliminary traffic analysis has been conducted by Dudek and Associates. If the project is accepted for processing, it may require that a project-specific traffic study be prepared to identify the estimated level of traffic and any warranted on or off-site improvements.

5.3.2 Water/Sewer

The proposed project would require domestic water service to be upgraded and be permitted as a State Transient Water System. Mitigation measures in the form of water consumption offsets, or equivalent, would be necessary to avoid significant impacts to the environment. A new community wastewater system would need to be installed and approved by the Regional Water Quality Control Board, based on the preliminary estimated flow rate.

5.3.3 Development Plan

In accordance with the requirements of the LUDC, any project which proposes development in excess of 20,000 square feet requires the review and approval of a Development Plan. The proposed project includes approximately 235,000 square feet of structural development, therefore if the project were to move forward, the processing and approval of a Development Plan would be required.

5.4 Design Review

The North County Board of Architectural (NBAR) reviewed the conceptual project design at its regular meeting of December 21, 2007. Minutes and commentary from this meeting are available as an additional public document.

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Memo 12-21-07.doc

ATTACHMENT B: PLANNING COMMISSION ACTION LETTER

January 18, 2008

Ken Marshall
1641 Mission Drive #302
Solvang, CA 93463

PLANNING COMMISSION
HEARING OF JANUARY 9, 2008

RE: Hunter/La Purisima Resort; 07PRE-00000-00013

Request of Mr. Ken Marshall, agent for Ken Hunter, property owner and applicant, for Conceptual Review by the Planning Commission of the Hunter/La Purisima Resort Pre-Application project (07PRE-00000-00013) [application filed on August 28, 2007]. This conceptual project would require approval of General Plan Amendments, Rezone, and a Development Plan. Specifically, the General Plan Amendments would include a change in land use designation from Agriculture to Resort/Visitor Serving Commercial; and several text amendments. The proposed development includes an 80 room hotel/resort with an approximately 4,400 square foot restaurant and a 3,240 square foot spa facility, and 85 clustered casitas (fractional or wholly owned residential units) that would be detached from the main resort. The project involves three valid legal parcels totaling approximately 306.2 acres, known as APNs: 099-131-008, 099-131-009, and 099-131-010; which are commonly known as 3455 East Highway 246. The site is located approximately one mile east of the intersection of Purisima Road and Highway 246 and approximately 3 miles east of the City of Lompoc, in the Cebada Canyon area, Fourth Supervisorial District. The project site includes an existing recreational facility known as La Purisima Golf Course and all three subject parcels are currently zoned 100-AG. (Continued from 11/28/07)

Dear Mr. Marshall:

At the Planning Commission hearing of January 9, 2008, the following comments were made by the Planning Commission:

Commissioner Valencia:

- This area needs a Community Plan but there is no money for such a plan. Therefore, good projects should be able to move forward until the County can devote the time and money to a Community Plan for the Lompoc Area.
- This is a difficult project with lots of issues, but this is a terrific project and should move forward.

Commissioner Blough:

- This is a terrific project that needs to move forward.
- The [future] traffic study should incorporate shared use of the resort and golf course; it should not double count visitors traveling to the premises to utilize both facilities.
- Staff should amend the Comprehensive Plan language in a manner which allows the La Purisima Resort project to move forward without setting a precedent which allows a significant change in land use.

- Work force housing should be provided as part of the project if the applicant feels it is necessary.
- The project should require visitors to the time share units to pay Transient Occupancy Tax.

Commissioner Brown:

- This project represents piecemeal planning; this area needs a Community Plan.
- The project presents concerns about changing agricultural land use designations to commercial.
- The project should incorporate work force housing; instead the project proposes more high-end housing which the County does not need.
- The project does not incorporate any sustainable measures or infrastructure.
- The project should not incorporate white plaster which has a high-contrast with the surrounding hills.
- This project would urbanize a Rural Area; Urban uses belong in Urban areas. A project proposing just housing might be approvable but not this project.

Commissioner Jackson:

- Moved by the applicant's effort to communicate with members of the public who would be affected by the project.
- Not confident that a Community Plan is coming forward for this area of the County.
- This project should move forward with thorough environmental and planning review.
- Issues such as land use, circulation, and other environmental issues should be carefully evaluated.

Commissioner Cooney:

- **Commissioner Cooney recused himself from any proceedings related to the project.**

The above statements represent an abbreviated selection of Planning Commission commentary; for a complete record of the hearing contact Planning and Development staff and a digital video disc can be provided.

Sincerely,

Dianne M. Black
Secretary to the Planning Commission

cc: Case File: 07PRE-00000-00013
Planning Commission File
Records Management
Owner: Ken Hunter, 1642 Mission Drive #302, Solvang, CA 93463

Planning Commission Hearing of January 9, 2008
Hunter/La Purisima; 07PRE-00000-00013
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County Chief Appraiser
County Surveyor
Fire Department
Flood Control
Park Department
Public Works
Environmental Health Services
APCD
Joni Gray, Fourth District Supervisor
Joe Valencia, Fourth District Commissioner
David Allen, Deputy County Counsel
Nathan Eady, Planner

DMB/jao

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**ATTACHMENT D:
WINE TOURISM SUPPORT OVERLAY**

100-Acre Ag. Not Ag Pres, w/in 200' of Hwy, not Public Land, over 100 ac.

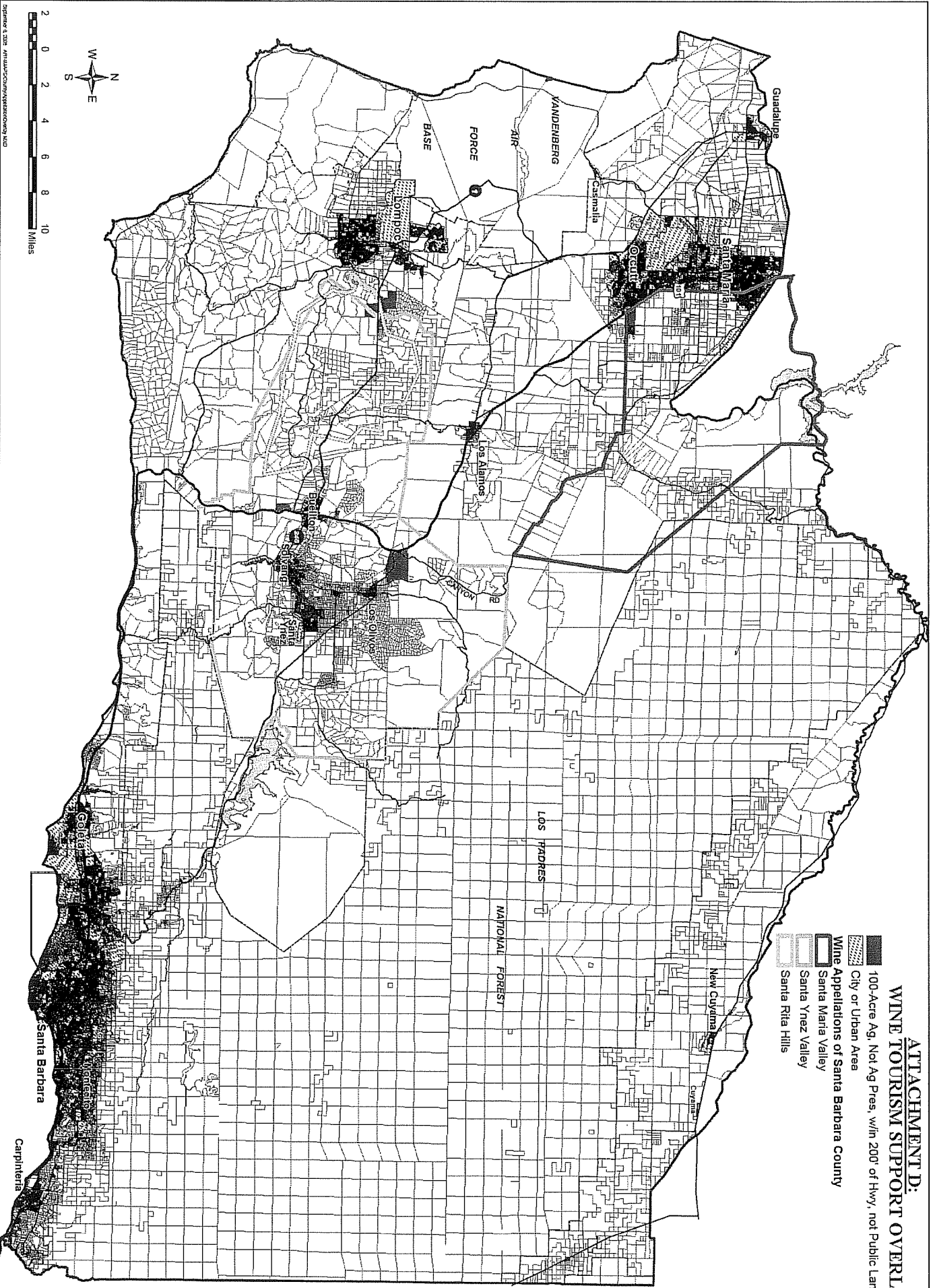
City or Urban Area

Wine Appellations of Santa Barbara County

Santa Maria Valley

Santa Ynez Valley

Santa Rita Hills



ATTACHMENT E: WINE TOURISM SUPPORT OVERLAY
PROJECT SITE VIGNETTE

