


S U Z A N N E  E L L E D G E
P L A N N I N G & P E R M I T T I N G S E R V I C E S , I N C .

PRINCIPAL PLANNERS
SUZANNE ELLEDGE • LAUREL F. PEREZ
2 December 2010

Goleta Valley Planning Advisory Committee (GVPAC)

Valerie Olsen, Chair
Bonnie Freeman
Kenneth Mineau
Kim True
Kenan Ezal
Ted Adams
Tom Elliot

Subject: **Goleta Valley Community Plan Administrative Draft
Agricultural and Rural Land Use
South Patterson Agriculture Flats Subarea**

Chair Olsen and GVPAC Members,

As four agricultural landowners in the South Patterson Agricultural Flats Subarea we have reviewed the Goleta Valley Community Plan 2010 Administrative Draft with great interest. In general, we believe the Administrative Draft lacks reference to tools that would serve as *incentives* for agricultural operators to pursue proposals that will enhance the long term viability of urban agriculture. More specifically, we are very disappointed that none of the South Patterson Flatlands Agricultural Overlay District (Overlay) concepts we presented to County staff and the GVPAC Plan Review Subcommittee have been incorporated into the Administrative Draft. Indeed, there is not even a reference to the Overlay concept we developed as a result of your invitation to prepare small area plans.

We have been working since February 2010, at significant expense, to develop the Overlay as a method to allow some agricultural land to be used to generate income to help landowners sustain their existing operations. The Overlay was originally presented at the public workshop held in Goleta on February 27, 2010. Subsequently, our team met twice with staff from Long Range Planning with refined versions of the Overlay concept. After each meeting our team responded to staff requests for additional information or clarification and adjusted the proposal accordingly. On August 20, 2010 our team presented the refined Overlay concept to the GVPAC Plan Review Subcommittee. While we have been aware since June 2010 that staff may have a preference for requiring a Specific Plan rather than our Overlay concept, we made several attempts to be updated yet received no indication that the Overlay was being completely dismissed until we reviewed the Goleta Valley Community Plan 2010 Administrative Draft.

Our participation has been genuine and we offered meaningful community benefits in exchange for some relief. The current draft of the Community Plan is essentially no

different than it was 20 years ago. In some ways it is even worse with the inclusion of a mandated specific plan for the entire area if any changes in use are considered.

Policies and Development Standards

Below is a series of questions reflecting our concerns, objections, and disappointment:

- What was the purpose of inviting stakeholders to work together and prepare small area plans if the efforts were to be dismissed? Our efforts to develop the Overlay have required multiple meetings, many hours and significant cost. The Administrative Draft does not even acknowledge receipt of the Overlay concept and does not incorporate any of its ideas.
- Why is a Specific Plan recommended for conversion when these properties lie in an urbanized area surrounded by public roadways, public sewer and public water? These are not isolated "green field" properties. Is it not apparent from what locations access and utilities will be provided?
- How does shifting the financial burden of planning the Flats Subarea from County Planning and Development to the agricultural land owners (by imposing burdensome Specific Plan requirements) preserve and enhance the long term viability of agricultural operations in the area?
- Why was the concept of allowing a percentage of these agricultural lands to be converted in exchange for agricultural conservation easements rejected? This concept could potentially be a win-win by allowing operators to pursue potentially profitable land uses (consistent with standards to be developed) while addressing the community concern of sustaining existing urban agricultural operations.
- Is it appropriate to adopt a long range plan that essentially carries forward twenty-year-old policies that do not acknowledge increasing challenges or provide a realistic framework to process an application to convert properties to a more viable use? The proposed Urban Agriculture zoning designation includes no incentives for an agricultural operator to pursue the additional uses allowed by the new designation.
- Is it fair to burden owners of agricultural properties surrounded by urban development with the costs of maintaining the community's romantic vision of agriculture? Given the challenges faced by urban agricultural operators, can we as a community agree that agricultural operations need to be profitable for the land owner and not merely a community viewshed or open space (that provides no public use or access) or a convenient means to halt future development?

Below are specific concerns regarding the recommended policies and development standards included in the Administrative Draft:

- DevStd LUA-EGV-1A and 1B: These policies are essentially placing the burden of providing buffers between agricultural and non-agricultural development upon the agricultural operators. What if buffers were required on the adjacent lands that have gradually encroached upon the agricultural uses?
- Policy LUA-EGV-2.1: How will proposals for additional agriculture-related uses be processed? The Administrative Draft currently reads that proposed uses will be "deemed compatible by the Zoning Administrator". Has any consideration been given to how burdensome this process may be? If an operator must go through a lengthy or costly permit process to implement an agritourism use, these projects will not be pursued.

Subsequent text states that "secondary urban agricultural uses shall be allowed only when primary agricultural uses exist onsite". This precludes the division of a property¹ and hinders the ability to divide a parcel to obtain financing to implement a project.

Additional uses, such as a restaurant, should not be unreasonably limited to the sale or processing of products grown only on site. On site products as well as those produced within Santa Barbara County makes sense.

- While the proposed Urban Agricultural Zone is a step in the right direction, it does not appear that there are any *incentives* for urban agricultural operators to pursue proposals that may enhance their long term viability.

Policy LUA-EGV-2.7: Is it the intention of Policy LUA-EGV-2.7 to essentially preclude any possibility of a conversion from an agricultural use to a non-agricultural use? Is it reasonable to impose such stringent yet general and overreaching criteria in an urbanized area? Doesn't this policy encourage an operator to cease operations if they believe they may wish to convert their property from agriculture in the future? With regard to public benefits, we believe that the range of public benefits should also include benefits to the local economy.

- DevStd LUDS-EGV-2B: The requirement of a Specific Plan for the entire Flats Subarea to accompany any general plan amendments or rezones is troubling. We do not believe that a Specific Plan is warranted in an urbanized area with existing services and infrastructure. Placing the burden of developing a Specific

¹ The subject properties are zoned for 10-acre minimum lot size.

Plan upon us as agricultural operators is unacceptable and does not accomplish the goal of enhancing the long term viability for us to remain in agriculture.

Response To Staff Concerns

When the Draft GVCP was released and we learned that none of our Overlay concept was incorporated, we contacted staff who indicated that the Overlay concept was not included in the plan for the following reasons (*our responses are indicated in italics*):

- The Overlay does not provide adequate protection against potential future annexation by the City of Goleta.

We do not believe that the Administrative Draft provides any additional assurance that a future annexation would not be pursued and we do not believe this property's adjacency to Goleta is an acceptable reason to avoid giving the Overlay further consideration.

- The Overlay could lead to fragmentation of agricultural uses in the area.

We proposed the Overlay to be implemented along Hollister Avenue and adjacent to existing non-agricultural uses on Ekwil Avenue and Patterson Avenue. The core of the Flats Subarea would be kept intact. Further, should uses allowed in the proposed Overlay District be implemented, agricultural conservation easements would be granted for the majority of the parcel.

- The Overlay could result in piecemeal development and does not provide a comprehensive analysis of traffic or compatibility of uses, for example.

This is an urbanized area surrounded by existing infrastructure. The Goleta Valley Community Plan update and its accompanying EIR is the opportunity to review potential future uses and identify analyses and development standards that will be necessary to ensure compatibility. The burden of planning the area should be more appropriately shared by the County and the community and not placed completely on the agricultural property owners.

Redesignation Request

We are also discouraged that our request for a redesignation of a portion of APN 065-230-012 from A-1-10 to Single Family Residential was not discussed in the Administrative Draft. We did not receive any feedback on the proposal and had no opportunity to revise or discuss the potential of the proposal. We continue to contend that the request is logical and consistent with good zoning and planning practices. The subject property is contiguous with existing residential development and separated from the Flats Subarea by a creek and a flood control easement. The property is within the Goleta Water District service area and directly adjacent to the Goleta Sanitary District service area, eliminating the need for an extensive planning effort such as a Specific Plan. This

site is a logical and appropriate location for additional housing and should be seriously considered.



We request that the GVPAC reconsider the Overlay and the proposed redesignation request. Overall, the Administrative Draft maintains the status quo where agricultural operators, surrounded by urban development, continue to carry the burden of providing a community asset with ever increasing constraints and financial hardship. We believe as written the Administrative Draft contains disincentives (in the form of burdensome permit processes and stringent criteria to convert properties from agriculture) rather than incentives. Why not utilize incentives and support mechanisms² to help sustain and supplement existing agricultural operations instead of creating disincentives to convert?

We look forward to the opportunity to work with you on this critical issue that is so important to the unincorporated Goleta Valley. If you have questions or would like to discuss these matters further please continue to contact us via our agent Steve Fort with Suzanne Elledge Planning & Permitting Services, Inc. He may be reached at (805) 966-2758 x21 or stevef@sepps.com.

Sincerely,



STEVEN M. FORT, AUTHORIZED AGENT FOR:

Ron Caird
Stan Giorgi
Eddie Langhorn
Howard Shannon

CC: Vicki Parker, Office of Long Range Planning
June Pujo, Office of Long Range Planning
Erika Leachman, Office of Long Range Planning

² Such as low interest loans, fast-track or reduced permitting or hearing requirements, reduced processing fees, or assistance in mediating land use conflicts, for example.