

**PAUL**  
**HASTINGS**

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April 17, 2019

**VIA EMAIL**

Ms. Anne Wells  
Advance Planning Manager  
City of Goleta  
130 Cremona, Suite B  
Goleta, CA 93117

Re: City of Goleta New Zoning Ordinance  
The Ritz-Carlton Bacara

Dear Ms. Wells:

This letter is in follow up to my letter dated February 26, 2019 regarding the application of the New Zoning Ordinance to the Ritz-Carlton Bacara resort (the "Bacara"). In that letter, I emphasized that there were a number of important areas – including height, parking, and permitted uses – as to which the New Zoning Ordinance could cause the Bacara to be legal non-conforming. As a result, the Bacara would be subject to new approval requirements merely to rebuild the existing buildings.

The Bacara was approved as a comprehensive development by the County of Santa Barbara and the California Coastal Commission in 1997 after a lengthy and rigorous approval process and environmental review. The County of Santa Barbara approved a Final Development Plan that was specific to the site as well as a rezoning and Coastal Land Use Plan amendment. The Coastal Commission approved and issued a Coastal Development Permit that encompassed the entire project.

In addition, the Bacara was designed for a unique site that consists of significant elevation and grade changes. The Bacara is developed on two parcels, one of which has the hotel, resort and surface parking lot. The other parcel is generally undeveloped, other than tennis courts, an accessory building and a publically accessible parking lot. The developed parcel with the hotel and resort is partially flat and the remainder slopes toward Tecolote Creek, with an approximate 85 foot elevation difference. All of the buildings are designed in a unified Spanish colonial architectural style. In addition, the project was configured to maximize the preservation of environmentally sensitive areas, Native American archaeological sites and open space available for public use.

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The Bacara is a truly unique project that is unlike any other property in Goleta. The Bacara is one of only three properties zoned Visitor Serving Commercial in Goleta. Of the other two properties, one property is located in the Coastal Zone, is approximately two acres and is not developed. The other site is developed with the Pacifica Suites hotel and is located outside the Coastal Zone.

Because of its uniqueness and the County's approval of a comprehensive Final Development Plan, we believe that the Bacara's previous entitlements and its comprehensive Final Development Plan should be honored by grandfathering it under the New Zoning Ordinance. This would allow the Bacara to avoid becoming a legal nonconforming property with the attendant complications that would arise if there was damage to any of the buildings.

The New Zoning Ordinance includes a discretionary approval for Development Plans for projects that, due their size and scale, require comprehensive analysis. This is essentially the approval that was granted by the County.

We therefore propose that the New Zoning Ordinance include a provision establishing that, as of the date the New Zoning Ordinance goes into effect, the Final Development Plan for the Bacara approved by the County is deemed approved in all respects as a Development Plan for purposes of Chapter 17.59 (Development Plans), notwithstanding any deviation from the requirements of the New Zoning Ordinance. We feel that this approach will achieve fair treatment for this unique property in the most straightforward manner.

I would be happy to discuss this with you at your convenience.

Very truly yours,



Mitchell B. Menzer  
Of Paul Hastings LLP

cc: Mr. Lorcan Drew  
Mr. Peter Imhof