

Sustainable Saratoga: Why We Oppose the Golf Resort Zoning Amendment

On Tuesday, September 15, 2015, at 6:45 p.m., the City Council will consider a zoning amendment to allow “golf resorts” in the Rural Residential zoning district (the greenbelt).

Listed below are some of the reasons why Sustainable Saratoga is opposed to the zoning amendment.

Key Points

- **High intensity development:** The proposal results in high-intensity development in the greenbelt, where low-intensity development is required.
- **Contrary to “City in the Country” vision:** 148 units of lodging, a large banquet facility, a business meeting center, retail stores, and a commercial spa in the middle of the greenbelt violate the city’s accepted “City in the Country” vision. Those commercial uses should be directed to the city’s downtown and designated economic development areas.
- **Conservation emphasis already exists:** The proposal claims to create conservation opportunities, but conservation is *already* a feature of greenbelt development. There is a significant open space and conservation emphasis in the city’s *existing* greenbelt standards – but without creating new high-density commercial uses.
- **Precedent for commercial sprawl:** The amendment would open the door to commercial sprawl by allowing other high-density resorts to be built anywhere in the greenbelt where single or multiple property owners can meet minimum acreage thresholds. The County Planning Board advisory states: “...While the proposed zoning text amendment clearly has arisen in response to one particular proposal for property development, the zoning changes that are being considered are applicable to the substantial number of properties now currently zoned as Rural Residential throughout the city.”
- **Contrary to Comp Plan:** The proposal is inconsistent with the Comprehensive Plan, which was only recently approved unanimously by the City Council. The Planning Board advisory provided no substantive support for their assertion that the amendment is consistent with the Comp Plan and Zoning Ordinance.
- **Too much Planning Board discretion:** The proposed amendment gives the Planning Board carte blanche to determine the intensity of a number of the proposed commercial land uses, rather than anchoring these decisions in the city’s land use policy documents approved by the City Council.
- **Has already been rejected in previous proposals:** The proposal is similar to the Resort Overlay proposal and the PUD proposal rejected by the City Council during the Comprehensive Plan review process. Why consider it now?

- **Has not exhausted less intrusive options:** If Saratoga National Golf Course has not applied for business expansion alternatives that are specific to just their property, why is a zoning amendment which would create a new commercial use in the entire greenbelt even being considered at all?

The Major Issues

THE PROCESS SO FAR HAS FAILED TO ADDRESS THE REAL ISSUES.

- Saratoga Springs has a guiding principle of “the City in the Country.” This means that city planning fosters a dense urban core surrounded by a “greenbelt” of *low-density* development. This area of low-density or low-intensity development is designated in the Comprehensive Plan as the Conservation Development District.
 - This does not mean that the “Country” has no development – current standards promote development but it must be at a level of low-intensity.
 - Lands of environmental sensitivity should have no development or have protective covenants that prevent development; current standards allow for this.
 - The “open space” requirements for Conservation Subdivisions are based upon a conservation analysis specific to the property proposed for development. It is intended to ensure that the development that is permitted is designed in a way to enhance rural character.
- The SNGC proposal may reference conservation easements on much of the golf course property, although that information has not yet been verified or documented in a meaningful way. But, even if SNGC pursues this, an existing conservation easement already protects much of the SNGC parcel, including the most environmentally sensitive areas of the property. Furthermore, existing city greenbelt standards emphasize conservation in various ways.
- The SNGC proposal relies on clustering and says that clustering is the opposite of sprawl. It is not. Clustering is simply a design technique that reorganizes the same density on a property. It does not alter the proposal’s substantial density of new commercial uses, which is the fundamental concern with the proposal.

THE PROPOSAL WEAKENS THE “CITY IN THE COUNTRY” POLICY AND CREATES BAD PRECEDENT.

- If the City allows intensive development of golf resorts in the low-density Conservation Development District, it sets a precedent for other property owners to propose other higher intensity commercial uses (even other types of resorts) on their properties.
- City land use policy is supposed to be predictable. The rules should be clear and understandable. People make investments based upon the policy. The City is unfortunately moving toward an “anything goes” policy, where any economic opportunity trumps predictable land use growth patterns. The undefined densities of the new “golf resort” underscore this problem.
- A call for common sense and honesty: In its policy documents, the city targets specific areas for higher density commercial uses; it doesn’t make sense to now claim that this high-density

proposal is compatible with an area designed for low-intensity development. A “golf resort” as defined in this proposal is not low-intensity development.

THE PROPOSAL IS NOT CONSISTENT WITH THE 2015 NEWLY ADOPTED COMPREHENSIVE PLAN.

- This proposal for a golf resort is not compatible with the overall vision of the existing 2015 Comprehensive Plan:

“Saratoga Springs is the “City-in-the-Country.” This concept reflects a city with an intensively developed urban core and an economically vibrant central business district, with well defined urban edges and an outlying area of rural character, comprised of agriculture, open lands, natural and diverse environmental resources, and low density residential development.

- The golf course property and RR district are also within the “Country Development District” (CDD) within which low-density development with rural character is envisioned, as expressed in the 2015 Comprehensive Plan:

The Conservation Development District designation reflects the “Country” of the City in the Country. This designation allows for low density residential, outdoor recreation, agricultural, and other rural uses utilizing land conservation methods such as clustering.

- A golf resort with 148 lodging rooms is not compatible with a rural *low-density* greenbelt.
- A year-round business center is not compatible with *low-density* greenbelt.
- A year-round golf resort is not compatible with *low-density* greenbelt.
- The property of the Saratoga National Golf Course -- and the entire Rural Residential zoning district that is the subject of this zoning amendment – are located in the “outlying area” that is designated as low-density development.
- The proposed Comprehensive Plan amendment that accompanies the zoning amendment does not address the issue of compatibility of land use intensity. The proposed Comprehensive Plan amendment only relates to the text of the Country Overlay Area which doesn’t deal with land use types or intensity.
- The proposed commercial use in a golf resort cannot be interpreted as “commercial that supports rural and recreational uses.” It defies common sense to believe that 148 year-round lodging units, a year-round business center, a year-round restaurant and banquet center, a year-round spa, and a health and fitness center all support an 18-hole golf course. This golf resort concept is simply a way to introduce new intensive commercial resort-style uses to an area designated for low-density development.

THE PROPOSAL IS CONTRARY TO THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.

- Article 2.1 of the Zoning Ordinance states the following “district intent” for the Rural Residential zoning district:

“To provide low density residential and agricultural uses in order to preserve open space and a rural character. Limiting topography, soil condition, slopes and lack of public infrastructure also warrant the low densities.”

The proposed intensity of use associated with a golf clubhouse in the RR district is significantly inconsistent with the land use type and intensity expressed in the district intent set forth in the Zoning Ordinance.

- The Planning Board advisory opinion issued on August 19, 2015 lacked specific justification for their conclusion that the zoning amendment was compatible with the general purpose and intent of the zoning ordinance. In their discussion, there was no mention or evaluation of the land use intensity issue that is central to their assessment.

THE PROPOSED DEFINITION “GOLF RESORT” IGNORES FACILITY SIZE LIMITS.

- It is proposed that “golf resort” would be a use that would be permitted in the Rural Residential zoning district only by the issuance of a Special Use Permit by the Planning Board.
 - Uses permitted by “special use permits” generally can be denied only if the use causes significant adverse impacts on the immediate environs.
 - The proposed amendment gives the Planning Board enormous discretion in determining the intensity of the land use, rather than anchoring these decisions in the city’s land use policy documents approved by the City Council, the city’s legislative body.
- The proposed amendment for defining “Golf Resort” is vague and open-ended.
 - Without maximum limits, there is no way to assess whether the use is compatible with the land use intensity expressed in the Comprehensive Plan.
 - Maximum size limits need to be specified for the proposed “business center. How big can those types of meeting be? Shouldn’t we be encouraging those meetings to be held downtown at the City Center or at existing hotels?
 - Maximum size limits need to be specified for the “spa, health and fitness center.” Is this intended to be the size of the YMCA? Larger? Smaller?
 - Maximum size limits need to be specified for the “related retail” use. What types of stores would be permitted and how many square feet of retail area?
 - Maximum size limits need to be specified for the “restaurant and banquet facility.” What is the limit on the number of seats and the number banquet events that could be held each year?
- The only way to judge whether a proposed use is consistent with the Comprehensive Plan is to specify the maximum density/intensity of use. It is appropriate to set maximum limits on such uses, including the number of seats in restaurants, the number of lodging rooms, the maximum size of the business center, etc. (For example, the current zoning ordinance sets a limit of up to 25 rooms for an inn in the Rural Residential district.)

A GOLF RESORT IN THE CITY’S GREENBELT CANNOT BE COMPARED TO THE SPA STATE PARK .

- The SNGC property is in the Conservation Development District (Comp Plan designation) and in the Rural Residential zoning district. The Spa State Park is in a Park District (Comp Plan designation) and in the Institutional Park and Recreational zoning district. There is no low-density requirement in the designations for the Spa Park lands. In addition, the City has no zoning control over the lands owned by the State Park; the City had no say in the construction of the Gideon Putnam Hotel or SPAC.
- Most golf resorts around the country that have restaurants, hotels, meeting spaces, condos, retail shops, etc. are located in economic development business zoning districts. They are not located in areas designated for low-density development.

THE APPLICANT HAS NOT PURSUED OTHER ALTERNATIVES FOR THE PROPERTY.

The applicant has not exhausted all of the existing land use options that are available to them under current zoning regulations.

- SNGC could apply for a special use permit for an inn of up to 25 rooms, but has not done so.
- SNGC could apply for a special use permit for a private club to include a spa facility, but has not done so.
- SNGC could apply for a renewal of the prior-approved golf academy, but has not done so.
- SNGC has publicly stated that “no one can afford to build and maintain an 18 hole golf course anymore” [May 19, 2015 City Council meeting]. If this is truly the case, the applicant may have a legitimate argument for a use variance for additional uses on the property, but the applicant has not filed a use variance application.

If these other property-specific alternatives have not been exhausted, why is a zoning amendment which applies to the city’s entire greenbelt being considered?