

Alexander, Jacquelyne

From: Richard Scott <petitions-noreply@moveon.org>
Sent: Wednesday, June 22, 2016 9:56 AM
To: Email Lafco
Subject: I'm the 102nd signer: "Keep Santa Barbara Museum of Natural History Land in the County"

Dear Craig Geyer,

I just signed a petition addressed to you titled [Keep Santa Barbara Museum of Natural History Land in the County](#). So far, 102 people have signed the petition.

You can reach me directly by replying to this email. **Or, post a response for MoveOn.org to pass along to all petition signers by clicking here:** http://petitions.moveon.org/target_talkback.html?tt=tt-102115-custom-63534-20260622-=H5_zY

The petition states:

"We do not support the annexation of the woodland acres from the County to the City. Further, we do not want the City to take control from the County the entry into Mission Canyon from the bridge to Puesta del Sol or an Easement for Las Encinas Road annexed to the City."

My additional comments are:

The land should become a county park

To download a PDF file of all of your constituents who have signed the petition, including their addresses, click this link: http://petitions.moveon.org/deliver_pdf.html?job_id=1816515&target_type=custom&target_id=63534

To download a CSV file of all of your constituents who have signed the petition, including their addresses, click this link:

http://petitions.moveon.org/deliver_pdf.html?job_id=1816515&target_type=custom&target_id=63534&csv=1

Richard Scott
Santa Barbara, CA

This email was sent through MoveOn's public petition website, a free service that allows anyone to set up their own online petition and share it with friends. MoveOn does not endorse the contents of petitions posted on our public petition website. If you have any questions, please email petitions@moveon.org. If you don't want to receive further emails updating you on how many people have signed this petition, click here: http://petitions.moveon.org/delivery_unsub.html?e=Lv2VdJnpT.8b9U.XZIHOhWxhZmNvQHNibGFmY28ub3Jn&petition_id=102115.

Alexander, Jacquelyne

From: Paul Hood <hood.paul@sbcglobal.net>
Sent: Tuesday, June 28, 2016 3:48 PM
To: Alexander, Jacquelyne
Subject: FW: SB Museum of Natural History

From: Shelley Bookspan [<mailto:shelley@shelleybookspan.com>]
Sent: Tuesday, June 28, 2016 3:22 PM
To: hood.paul@sbcglobal.net
Subject: SB Museum of Natural History

Dear Mr. Hood and Local Agency Formation Commissioners:

I am writing in strong support of annexing to the City of Santa Barbara of the portion of the Natural History Museum's property that lies in an unincorporated area of the county. Subjecting the institution to two jurisdictions simply makes no sense, it only complicates oversight and adds unnecessary layers both of bureaucracy and costs to the Museum and to any involved agencies. Moreover, the multiple studies and hearings have all favored this annexation. For those concerned that the Museum has secret plans to develop its woodland property, and that this annexation represents a stealthy move in that direction, I point to the very public commitments the Museum has made to preserve the woodlands as a sensitive habitat. I know of no evidence available that contradicts these well documented commitments.

I, therefore, urge you to approve of this annexation. Thank you.

Sincerely,

Shelley Bookspan, Ph.D.;

Santa Barbara County and City Qualified Professional Historian;

1807 Lasuen Road, Santa Barbara, CA 93103

December 21, 2015

Chair Doreen Farr and Commissioners
Santa Barbara Local Agency
Formation Commission
105 E. Anapamu Street
Santa Barbara, CA 93101

**Re: Application of Museum of Natural History for Annexation of “Western
Parcels” into Jurisdiction of the City of Santa Barbara – Preservation of
Easement in Favor of Robert and Kristine Muller**

Dear Commissioners,

We are writing to comment upon the proposed annexation of properties owned by the Santa Barbara Museum of Natural History into the jurisdiction of the City of Santa Barbara and to express concerns about impacts upon our property rights.

We own an undeveloped parcel (APN 023-250-047) that lies adjacent to the Museum’s western properties whose legal ingress/egress is on Las Encinas Road as established by the Elizabeth McCalla’s subdivision map of 1920. Las Encinas Road runs through the two parcels that the Museum is requesting to have annexed into the City of Santa Barbara. That portion of Las Encinas Road has not been utilized in several years; however, the easement has not been relinquished. Indeed, the existence of the easement enabled the City of Santa Barbara to route sewer access in the 1980s to serve our property, another adjacent neighbor, and the Museum’s “Western Residence.” That same easement has been tacitly acknowledged in the Museum’s application by its exclusion from the area designated as sensitive habitat. We have written to the Museum to document and establish our ingress/egress rights and the Museum has acknowledged those rights.

During the past three years we have asked repeatedly that the planning process address “what impacts will annexation have on adjacent neighbors.” We wrote to the City Planner, Mr. Daniel Gullet, without response. We asked the question at public forums held by the Museum and received no answer. We have addressed the Santa Barbara City Council and the question did not receive attention.

Now, Mr. Gullet has recently informed us that annexation by the City of Santa Barbara will place the property on which our ingress/easement occurs under the

Chair and Commissioners
Santa Barbara Local Area
Formation Commission
December 21, 2015
Page 2

constraints of El Pueblo Viejo. We have been informed that these include oversight by the Historic Landmarks Commission, as well as the necessity of meeting additional requirements by the City's storm water management program.

It is clear that throughout the 10-year planning process leading to the Museum's application for annexation, no one has addressed the question of what will be the impacts of annexation from County of Santa Barbara jurisdiction to the City of Santa Barbara on adjacent landowners. In order to avoid placing undue financial and regulatory hardships on adjacent landowners, the Local Area Formation Commission needs to require that these impacts be fully evaluated and mitigated before annexation can proceed. Please let us know how we can assist in this evaluation.

Sincerely,



Robert N. Muller
2770 Lax Encinas Road
Santa Barbara, CA 93105

Kristine A. Muller

Inclusions:

- 1) May 21, 2015 letter to Museum of Natural History establishing legal right of ingress/egress on Las Encinas Road
- 2) July 18, 2015 letter from Museum of Natural History's attorney acknowledging legal right of ingress/egress on Las Encinas Road
- 3) August 10, 2015 letter to Mayor Schneider and Santa Barbara City Council asking the Council to evaluate how the Museum's Master Plan (including annexation) will impact ingress/egress on Las Encinas Road

Mullen & Henzell L.L.P.
ATTORNEYS AT LAW

e-mail: glyons@mullenlaw.com



May 21, 2015

Luke Swetland
President/CEO
Santa Barbara Museum of Natural History
2559 Puesta Del Sol
Santa Barbara, CA 93105

J. ROBERT ANDREWS
JAY L. BUCKERMAN
JOSEPH F. GREEN
MACE S. STANTON
GREGORY F. FAULKNER
CHRISTINE P. ROBERTS
MICHAEL E. CAGE
LOBI A. LEVIE
PAUL K. WILCOX
JARED M. KALZ
DEBORAH K. BOSWELL
RAMON R. GUPTA
GRAHAM M. LYONS
RAFAEL GONZALEZ
JANA S. JOHNSTON
LINDSAY G. SHEFF
JARED A. GREEN
KATHARINE W. ALLEN
BRIAN T. STANTON
BRETT W. PIERSON

DENNIS W. RULLY
STEPHEN N. YENGLER
OF COUNSEL

THOMAS M. MULLEN
949-4991

ARTHUR A. HENZEL
805-920

**Re: Las Encinas Tract – Easement Access Over 2559 Puesta Del Sol
In Favor of Bob and Kris Muller**

Dear Mr. Swetland:

We represent Bob and Kris Muller (the “Mullers”) with respect to their properties located on Las Encinas Road (APN 023-250-046, “Lot 46,” and the neighboring parcel, APN 023-250-47, “Lot 47”). The Mullers’ properties are adjacent to and directly north of property owned by the Santa Barbara Museum of Natural History (“Museum”), located at 2559 Puesta Del Sol (APN 023-250-039) (“Lot 39”). As you are aware, various subdivision maps of the area dating as early as 1920 depict Las Encinas Road running through a portion of Lot 39 and a neighboring parcel also owned by the Museum (APN 023-250-066, “Lot 66”). We understand the Museum is in the process of annexing to the City of Santa Barbara that portion of its property through which Las Encinas Road (as it appears of record) runs, in connection with its proposed Master Plan. We are writing to reconfirm our clients’ right in Las Encinas Road, including that portion occupying Lots 39 and 66.

As further explained in this letter, the Mullers’ right in and to Las Encinas Road is set forth on a recorded Survey that creates a legally binding subdivision map and has been relied upon by the owners of all adjacent parcels—including the Museum—since it was first recorded in June of 1920. Because the Mullers’ Lot 47 would be landlocked but for the easement granted through the Survey, Las Encinas Road also constitutes an easement of necessity. Although the Mullers have not regularly traversed the easement, they have in no way abandoned it and are by this letter asserting their right to continued use thereof.

112 East Victoria Street
Santa Barbara, California 93101
(805) 966-1501 FAX (805) 966-9204
www.mullenlaw.com



1. Las Encinas Road, as Shown on the 1920 Survey Map, Constitutes an Easement for the Benefit of All Parcels in the Las Encinas Tract

Las Encinas Road is clearly and unambiguously depicted on that certain map entitled Survey of Las Encinas, Mission Canon, filed in Book 12, Page 93 of Maps and Surveys, Santa Barbara County, and recorded on June 29, 1920 (the "1920 Survey," attached hereto as Exhibit A), including that portion of Las Encinas Road occupying Lots 39 and 66. The 1920 Survey was caused to be filed by Elizabeth H. McCalla, the owner of the tract at the time, and shows a subdivision of the tract into eleven lots through which the thirty (30) foot-wide road labeled "Las Encinas Road" runs. The obvious intent of Ms. McCalla in creating Las Encinas Road through the 1920 Survey was to provide access to and from the nearest public street for all eleven parcels.

Although the 1920 Survey may not meet all of the technical requirements that existed at the time of its recordation for creation of a subdivision map, the law does not require a legal subdivision map under these circumstances in order to establish easement rights. McCalla's sale of the Las Encinas Tract parcels by reference to the 1920 Survey establishes the existence of Las Encinas Road as depicted, and the right of the lot owners to its use, whether or not the 1920 Survey technically satisfied all legal requirements for a subdivision map. The California Supreme Court explained this principle in *Danielson v. Sykes* (1910) 157 Cal. 686, 689, as follows:

It is a thoroughly established proposition in this state that when one lays out a tract of land into lots and streets and sells the lots by reference to a map which exhibits the lots and streets as they lie with relation to each other, the purchasers of such lots have a private easement in the streets opposite their respective lots, for ingress and egress and for any use proper to a private way, and that this private easement is entirely independent of the fact of dedication to public use, and is a private appurtenance to the lots, of which the owners cannot be divested except by due process of law.

In other words, when property is conveyed by reference to a map showing streets or other rights-of-way, an easement to use the streets or rights-of-way is implied in the absence of a contrary intent. (Restatement 3d of Property: Servitudes, §2.13; see also *Tract Dev. Servs., Inc. v Kepler* (1988) 199 CA3d 1374; *Sumner Hill Homeowners' Ass'n, Inc. v Rio Mesa Holdings, LLC* (2012) 205 Cal.App.4th 999, 1029; *Sykes*, supra.)



Elizabeth H. McCalla conveyed each one of the lots depicted on the 1920 Survey, beginning in October of 1920, by reference to the map. In fact, every deed we reviewed conveying property within the Las Encinas Tract and recorded after June of 1920 describes the property conveyed by reference to the 1920 Survey. This includes the most recent conveyances of the Mullers' properties (see Quitclaim Deed, Inst. No. 2004-19766 regarding Lot 46; Quitclaim Deed, Inst. No. 2004-26072 regarding Lot 47), as well as the Museum's Lot 39 and Lot 66 (see Corporation Grant Deed, Inst. No. 37730). Nothing in the deeds or in the 1920 Survey evidences any intent contrary to the creation of an easement over and through Las Encinas Road for the benefit of the parcel owners. Furthermore, every owner within the Las Encinas Tract received actual notice of Las Encinas Road, as the 1920 Survey is expressly referenced in the legal descriptions of their respective lots. As a result, the original grantees of the lots and all of their successors have a legal right to use Las Encinas Road for ingress and egress "and for any use proper to a private way." (*Sykes*, supra, at 689.)

Furthermore, equitable principles mandate that the Mullers have an easement over Las Encinas Road appurtenant to their parcels. All purchasers of property on the Las Encinas Tract whose deeds reference the 1920 Survey, including the Mullers and the Museum, have relied on the existence of the easement based on its incorporation in their deeds. Because all relevant purchasers have been led to believe, by incorporation of the roadway in their deeds, that they have an easement over Las Encinas Road, the Museum is estopped to claim that the 1920 Survey does not create an easement. (See, e.g., *Christian v. Flora* (2008) 164 Cal.App.4th 539, 549 ["An estoppel may occur where the owner of the dominant parcel relies on the ... representations of the servient owner such that equity establishes an easement in order to prevent an injustice"].) In fact, even the Museum relies on the existence of an easement over Las Encinas Road: Lots 39 and 66 would lack complete access out to the main roadways were it not for the existence of the easement rights over Las Encinas Road granted by the 1920 Survey.

Simply stated, the 1920 Survey creates an easement over Las Encinas Road, as depicted, in favor of all parcels whose deeds describe the land by reference to it. California law does not require the deeds to specifically mention the easement, because "[a] transfer of real property passes all easements attached thereto. . . ." (Cal. Civ. Code §1104.) In other words, because the 1920 Survey establishes the easement, it is immaterial that the metes-and-bounds description in the deeds omits specific reference to it.



2. Even Absent an Enforceable Easement, the Muller Lot Is Entitled to an Easement of Necessity Over the Museum Property

But for the easement over Las Encinas Road granted by the 1920 Survey, the Mullers' Lot 47 is landlocked. There is no other easement within the Las Encinas Tract that would allow access to and from Lot 47, and due to the long-standing improvements on the Mullers' Lot 46, it would be impracticable and infeasible to access Lot 47 through Lot 46.

Under circumstances such as these, California law recognizes an implied easement of necessity based on well-established public policy of the state favoring use and occupation of land. (*Hewitt v. Meaney* (1986) 181 Cal.App.3d 361, 366.) According to the California Court of Appeals in *Hewitt*, “[a] prima facie case for such an easement arises when parcels were under common ownership when a conveyance was made which landlocked one of them and created a strict necessity for access across the other.” (*Id.*) Easements by necessity are based upon the “inferred intent of the parties,” which is determined from the “terms of the instrument and circumstances surrounding the transaction.” (*Id.*)

Here, when Elizabeth H. McCalla subdivided her original tract by recording the 1920 Survey and thereafter selling the parcels in accordance with it, she clearly intended for Lot 47 to access areas outside of the tract via Las Encinas Road (as depicted). Thus, the elements establishing a prima facie case are present: the Las Encinas Tract was once under common ownership; conveyances were made which, but for the presumed existence of the easement over Las Encinas Road, would have landlocked Lot 47; and the intent for Lot 47 to access other roads using the easement is abundantly clear as it is specifically depicted in the conveyancing instrument.

Once an easement by necessity is established, it “cannot be extinguished so long as the necessity exists.” (*Kellogg v. Garcia* (2002) 102 Cal.App.4th 796, 804 [citing *Blum v. Weston* (1894) 102 Cal. 362, 369].) Indeed, it “may be asserted by remote grantees in the chain of title long after the easement was created by the original common grantor, despite the failure of a prior grantee to exercise the right.” (*Kellogg*, *supra*, at 804.) Thus, no statutory abandonment of the easement can have occurred (such as that provided in Civil Code §887.050).

No circumstances have changed since the original subdivision of the Tract that would eliminate the easement by necessity benefitting Lot 47. The route provided on the deed by which the Mullers took title to Lot 47 (i.e., Las Encinas Road)

Mr. Luke Swetland
May 21, 2015
Page 5



is clearly the path intended by the parties' predecessors and continues to be the most logical means of ingress and egress. Thus, if the 1920 Survey for whatever reason did not establish an express easement in favor of Lot 47 over Las Encinas Road, Lot 47 nevertheless has an easement by necessity over it.

For the foregoing reasons, we respectfully request on behalf of the Mullers that the Museum formally recognize the easement in favor of Lot 47 over Las Encinas Road, as it is shown on the 1920 Survey, and that the Museum in no way prevent or obstruct the Mullers' use of Las Encinas Road, specifically that portion that occupies Lots 39 and 66.

We appreciate your anticipated cooperation. Please contact us with any questions. Thank you.

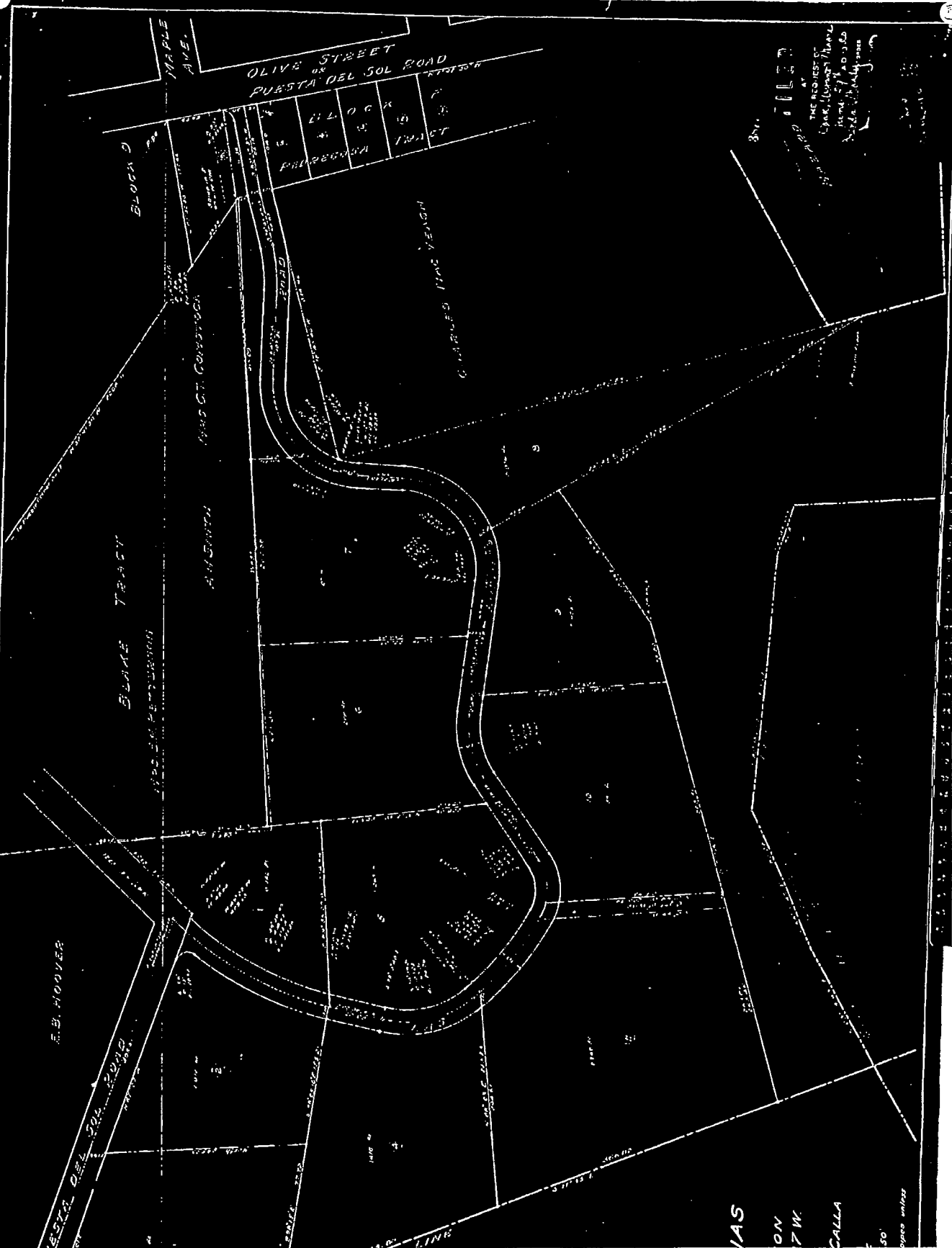
Very truly yours,

A handwritten signature in black ink, appearing to read 'Graham M. Lyons', with a long horizontal flourish extending to the right.

Graham M. Lyons of
Mullen & Henzell L.L.P

GML:rpl

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OR
PUERTA DEL SOL ROAD

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LARRY...
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F.B. HOOVER

PUERTA DEL SOL ROAD

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CALLE

July 16, 2015

Christopher A. Jacobs
Attorney at Law
805.882.1412 tel
805.965.4333 fax
CJacobs@bhfs.com

VIA FIRST CLASS MAIL

Graham M. Lyons
Mullen & Henzell LLP
112 East Victoria Street
Santa Barbara, CA 93101

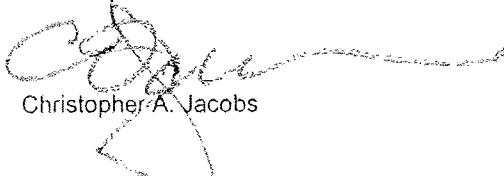
RE: Las Encinas Road

Dear Graham:

Luke Swelland has asked us to respond to your May 21, 2015 letter on behalf of Robert and Kristine Muller. Based on a careful evaluation of the materials you provided, we are in agreement that both of the Muller parcels; APN 023-250-046 (the "Improved Parcel"), and APN 023-250-047 (the "Unimproved Parcel") are derived from parcels depicted on a 1920 map entitled "Survey of Las Encinas" (the "Survey"). The Museum had not uncovered the Survey in its prior research. We acknowledge that the Survey depicts an alignment of Las Encinas Road as a 30 foot wide easement established for the apparent benefit of the parcels shown on and created by the Survey. While we disagree with your factual summary and analysis as to the history of the conveyances by Elizabeth McCalla, the original subdivider of the eleven lots created by the Survey, we do concur with your conclusion that the Mullers' Improved Parcel and Unimproved Parcel have the same claim to implied rights to the use of Las Encinas Road as depicted on the Survey as all of the other parcels derived from the original lots so depicted.

However, we note that Las Encinas Road was never constructed as per the alignment shown on the Survey. As you are certainly aware, the easterly and westerly segments of Las Encinas Road do not connect in the looping configuration shown on the Survey, and the Unimproved Parcel does not front on either improved segment. What impact this may have on Elizabeth McCalla's implicit inclusion in her conveyances of an easement over the full extent of Las Encinas Road as shown on the Survey is a question that Mr. and Mrs. Muller may need to address with the City of Santa Barbara and the neighborhood should the Mullers formally pursue development of the Unimproved Parcel and propose using portions of the segment of Las Encinas Road which was not developed. For now, the Santa Barbara Museum of Natural History has no objection to the Mullers pursuing whatever rights they believe they may have relating to the Survey and its depiction of Las Encinas Road.

Sincerely,



Christopher A. Jacobs

cc: Luke Swelland

04099210002112461568.1

1020 State Street
Santa Barbara, CA 93101-2711
tel: 805.963.7000

Brownstein Hyatt Farber Schreck, LLP

Mullen & Henzell L.L.P.
ATTORNEYS AT LAW

e-mail: glyons@mullenlaw.com



August 10, 2015

J. ROBERT ANDREWS
JAY L. BECKERMAN
JOSEPH F. GREEN
MACK S. STATION
GREGORY F. FAULKNER
CHRISTINE P. ROBERTS
MICHAEL E. CAGE
LORI A. LEWIS
PAUL K. WILCOX
JARED M. KATZ
DEBORAH K. BOSWELL
RAMÓN R. GUPTA
GRAHAM M. LYONS
RAFAEL GONZALEZ
JANA S. JOHNSTON
LINDSAY G. SHINN
JARED A. GREEN
KATHARINE W. ALLEN
NATHAN E. KLOUDA
BRETT W. PIERSMA
BRIAN T. DALY

DENNIS W. REILLY
STEPHEN N. YUNGLING
OF COUNSEL

THOMAS M. MULLEN
1915-1991

ARTHUR A. HENZELL
RETIRED

Hon. Mayor and City Council Members
Santa Barbara City Clerk's Office
Post Office Box 1990
Santa Barbara, CA 93102-1990

**Re: Application of Santa Barbara Natural History Museum to Annex Land in
Las Encinas Tract to City – Statement of Easement in Favor of Bob and
Kris Muller**

Dear Hon. Mayor Schneider and Council Members:

We are writing on behalf of Bob and Kris Muller (the “Mullers”) regarding the August 11, 2015 City Council hearing on the application of the Santa Barbara Museum of Natural History (the “Museum”) for annexation of certain woodland parcels in the Las Encinas Tract, known as Assessor’s Parcel Numbers 023-250-039, -066, and -068 (the “Western Parcels”), into the City in connection with the Museum’s Master Plan.

First, we would like to take this opportunity to confirm the Mullers’ continued overall support for the Museum’s Master Plan, including the proposed annexation. However, we also want to ensure that the City Council is aware of certain easement rights in favor of the Mullers and other property owners within the Las Encinas Tract over an area of the Museum’s property proposed for annexation.

As a bit of background, the Mullers own two neighboring properties located on Las Encinas Road: Assessor’s Parcel Numbers 023-250-046 (“Lot 46”) and 023-250-47 (“Lot 47”). The Mullers’ properties are adjacent to and directly north the Museum’s Western Parcels.

The Mullers also hold an easement over Las Encinas Road (as it appears of record), which runs through a portion of the Western Parcels (APNs 023-250-039 and -066). The Mullers’ right in and to the easement over Las Encinas Road is set forth on a recorded Survey that creates a legally binding subdivision map and has been relied upon by the owners of all adjacent parcels—including the Museum—since it was first recorded on June 29, 1920. The Survey, which appears in Book 12, Page 93 of Maps and Surveys, Santa Barbara County, is attached as Exhibit A.

112 East Victoria Street
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(805) 966-1501 FAX (805) 966-9204
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Hon. Mayor and City Council Members
City of Santa Barbara
August 10, 2015
Page 2



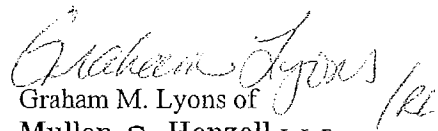
In addition, because the Mullers' Lot 47 would be landlocked but for the easement granted by the Survey, Las Encinas Road also constitutes an easement of necessity.

The Museum is aware of the Mullers' easement and has acknowledged its existence via a letter from its counsel dated July 16, 2015. We write now to ensure that the City, too, is aware of the Mullers' easement rights. We also wish to inform the City that, although the Mullers have not regularly traversed the underdeveloped portion of Las Encinas Road, they have in no way abandoned it and they in fact intend to use it to access their back parcel, Lot 47, which as stated above is currently landlocked.

We do not expect the City Council's proposed action will interfere with the Mullers' easement rights, but we nevertheless ask the City Council to consider how the proposed Master Plan may impact the Mullers' and other's ability to use Las Encinas Road. For example, restoration of the woodland area that contains the underdeveloped portion of Las Encinas Road could interfere with the Mullers' easement rights and impair access to their property.

We appreciate your attention to this matter. Please contact us with any questions.
Thank you.

Very truly yours,


Graham M. Lyons of
Mullen & Henzell L.L.P

GML:rpl

cc: City Clerk
Gwen Peirce
Bob and Kris Muller

G:\22306\0001\DOCS\1138.DOCX

3/3/16

Dear Commissioners

Roger Aceves, Doreen Farr, Craig Geyer, Judith Ishkanian, Steve Lavagnino, Jeff Moorhouse, Bob Orach, Jim Richardson, Bob Short, Roger Welt, and Janet Wolf,

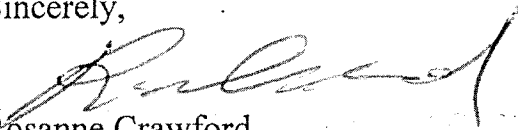
We are pleased to present you signatures to date of this open petition affirming this statement:

"We do not support the annexation of the woodland acres from the County to the City.

Further, we do not want the City to take control from the County the entry into Mission Canyon from the bridge to Puesta del Sol or an Easement for Las Encinas Road annexed to the City."

Attached is a list of individuals who have added their names to this petition to date, as well as additional comments written by the petition signers themselves.

Sincerely,



Rosanne Crawford

Keep them in the County!

Alex Mahto
SANTA BARBARA, CA 93105
Jan 20, 2016

Hope Baylor
Santa Barbara, CA 93105
Jan 13, 2016

home is on Montrose. Leave the way it is. It works just fine

michael Gray
Goleta, CA 93118
Jan 13, 2016

Merrilee Ford
Santa Barbara, CA 93105
Jan 12, 2016

Judith Rubenstein
Santa Barbara, CA 93105
Jan 12, 2016

I am an adjacent landowner to Museum property.

Neil Botts
SANTA BARBARA, CA 93105
Jan 12, 2016

Barbara Botts
Santa Barbara, CA 93105
Jan 11, 2016

Frank and Linda Ferratta
Santa Barbara, CA 93105
Jan 11, 2016

Eric Smith
Santa Barbara, CA 93105
Jan 10, 2016

Karen Jorgensen
Santa Barbara, CA 93105
Jan 10, 2016

Katheryn Boisen
Santa Barbara, CA 93105

Jan 10, 2016

Gregory Brown
Santa Barbara, CA 93105
Jan 10, 2016

Diane W. Wolf
Santa Barbara, CA 93105
Jan 9, 2016

Delila Moseley
Santa Barbara, CA 93105
Jan 9, 2016

Rosanne Allison
Santa barbara, CA 93105
Jan 9, 2016

Gabriela Gomez
Goleta, CA 93117
Jan 9, 2016

Anna Gardner
Santa Barbara, CA 93105
Jan 9, 2016

Michael Arntz
Santa Barbara, CA 93105
Jan 9, 2016

Penny Arntz
Santa Barbara, CA 93105
Jan 9, 2016

josette troxler
santa barbara, CA 93103
Jan 9, 2016

Norman Grant
Santa Barbara, CA 93105
Jan 9, 2016

Changing the route will increase already danger our speeds and despoil scenic landmarks.

Mary O. Furner
Santa Barbara, CA 93015
Jan 9, 2016

Patricia I casselman
Santa barbara, GA 93109
Jan 9, 2016

Lenore Los
Santa Barbara, CA 93105
Jan 9, 2016

Nicole Lowry
Santa barbara, CA 93105
Jan 9, 2016

Susan Del Real
Santa Barbara, CA 93105
Jan 9, 2016

Amanda Frost
Santa Barbara, CA 93105
Jan 9, 2016

Christine Davanzo
Santa Barbara, CA 93105
Jan 9, 2016

Dan Onorato
Santa Barbara, CA 93105
Jan 8, 2016

I am a Santa Barbara native and grew up in one of the first homes built in Mission Canyon. I ask that you allow the corridor to remain the same, keeping the canyon's treasured history intact. Please do not make it into something that it is not with the idea that it needs to change to keep up with the times. I use the area every day and see no reason for improvements.

Tina Messineo
Santa Barbara, CA 93105
Jan 8, 2016

Ruth Warkentin
Santa Barbara, CA 93105
Jan 8, 2016

Thomas Senning
Santa Barbara, CA 93105
Jan 8, 2016

Lawrence Davanzo
SANTA BARBARA, CA 93105
Jan 8, 2016

Anthony Vincenti
Santa barbara, CA 93101
Jan 8, 2016

Cherie Baroni
Santa Barbara, CA 93109
Jan 8, 2016

Cyndi Burns
Santa Barbara, CA 93105
Jan 8, 2016

Charmien Carrier
Santa Barbara, CA 93105
Jan 8, 2016

Keith Smith
Santa Barbara, CA 93105-2214
Jan 8, 2016

I prefer no annexation, leave it as it is with the County of Santa Barbara.

Marie Maschal
Santa Barbara, CA 93105
Jan 8, 2016

Please do NOT annex the woodland acres or take control of the entry into mission canyo

Diana Wolf
Santa Barbara, CA 93103
Jan 8, 2016

Marcus Flemming
Santa Barbara, CA 93105
Jan 8, 2016

Thank you for protecting us!

Renee Malloy
Santa Barbara, CA 93105-2153
Jan 8, 2016

As a Museum member and volunteer, it is most important to me that it remain natural and pristine.

Celina Andrade
Santa Barbara, CA 93111
Jan 8, 2016

Leslie White
Santa Barbara, CA 93108
Jan 8, 2016

Danika jones
Santa Barbara, CA 93105
Jan 8, 2016

George Bustillos
Santa Barbara, CA 93105
Jan 8, 2016

Sadie stern
Santa Barbara, CA 93105
Jan 8, 2016

This is one of the most iconic parts of our city. Please don't do this. It would be a terrible mistake. Jennie Riker.

jennie riker
santa barbara, CA 93105
Jan 8, 2016

Victoria
Santa barbara, CA 93105
Jan 8, 2016

alexandra terry
Santa Barbara, CA 93105
Jan 8, 2016

Karlton Terry
Denver, CO 80211
Jan 8, 2016

kathryn kier
Questa, NM 87556
Jan 8, 2016

Dr. Rachel Aarons
Santa Barbara, CA 93105
Dec 20, 2015

This area is too beautiful to allow a major development project from destroying it charm.

joel fithian
santa barbara, CA 93105
Nov 22, 2015

vasanti fithian
Santa Barbara, CA 93105
Nov 22, 2015

Sandra Lyon
Santa Barbara, CA 93110
Nov 9, 2015

Carol LeGassick
Santa Barbara, CA 93105
Nov 7, 2015

Ann Shaw
Santa Barbara, CA 93105
Nov 7, 2015

A Michael Marzolla
Santa Barbara, CA 93103
Nov 6, 2015

kathryn terry
Questa, NM 87556
Nov 5, 2015

Joe
Santa Barbara, CA 93109
Nov 5, 2015

John Franklin
Santa Barbara, CA 93105
Nov 5, 2015

Lela Schaffner
Santa Barbara, CA 93109
Nov 5, 2015

Steve Crawford
CA, CA 92835
Nov 4, 2015

Damaris
Santa Barbara, CA 93110
Nov 4, 2015

This petition makes two incorrect assertions. Here are the facts. First, the annexation is not a 'land grab' by the City. The Museum campus consists of two different land uses. The Museum itself, its buildings, astronomical observatory, and related uses are all located on one parcel of land that fronts on Puesta del Sol. Most Museum activities occur on this parcel, which is within the City of Santa Barbara and has been since 1968. The other part of the Museum campus, the woodland area, which is located immediately west of the Museum's parking lot is in the County. The Museum acquired those parcels shortly after 1968. It makes absolutely no sense to have the single Museum campus to be regulated by two different jurisdictions. Thus, when the Museum applied to the City of Santa Barbara in 2014 to update its Conditional Use Permit, we requested that the City support annexation of the woodland area to the City. City of Santa Barbara staff agreed that this made sense and would create orderly and logical governmental boundaries. In fact, the woodland parcels already have City water and sewer services and are also within the City's Sphere of Influence which means that annexation of this property has been anticipated as a probable City boundary adjustment. The City Planning Commission and City Council both voted unanimously to initiate this annexation, and the City has filed a petition with the Local Agency Formation Commission requesting that LAFCO approve the annexation. The bulk of Museum operations occur on the portion of the campus that has been under City jurisdiction for 47 years, and there is no benefit in splitting regulation of the Museum campus between two governmental jurisdictions, so annexation of the woodland area to the City makes sense. The second incorrect assertion is that annexation of the woodland area to the City will destroy Mission Canyon's rural character. Nothing could be further from the truth. In filing its CUP request with the City, the Museum volunteered a condition that requires the Museum to maintain the woods and the trail network for the free use of the public – something it had already been doing for 50 years. The City agreed, and under the Museum's new CUP the woodland area, once it is annexed to the City, can be used only for the existing single family residence, Museum educational activities, and passive recreation, including public use of the trails. No other development in the woodland is authorized under the CUP. To demonstrate its commitment to protecting the woodland, the Museum, at the request of the Mission Canyon Association, also readily agreed to adopt into its CUP the biological protections and creek setback distances articulated in the County's Mission Canyon Community Plan. Finally, the entire woodland area is oak –sycamore riparian habitat, which in both the County and City is considered environmentally sensitive habitat. The biological resource protection policies of both the City and the County protect this habitat and severely limit development. Taking all these protections into mind, there will be no change in the status quo upon annexation of the woodland area into the City which is well-known for its environmental stewardship. Luke J. Swetland, President & CEO, Santa Barbara Museum of Natural History

Luke Swetland
Santa Barbara, CA 93105
Nov 4, 2015

Kellam de Forest
Santa Barbara, CA 93105
Nov 4, 2015

karine anderson
santa barbara, CA 93101
Nov 4, 2015

scott dunn
Santa Barbara, CA 93111
Nov 4, 2015

Roberta Cordero
Santa Barbara, CO 93105
Nov 3, 2015

Rachna Marwah
Santa Barbara, CA 93109
Nov 3, 2015

kathy wilkowski
santa Barbara, CA 93101
Nov 3, 2015

Susan McIntire
Santa Barbara, CA 93109
Nov 3, 2015

Sonya Baker
Santa Barbara, CA 93105
Nov 3, 2015

Judi Doernberg
Santa Barbara, CA 93105
Nov 3, 2015

Letty Roselinsky
Santa Barbara, CA 93105
Nov 3, 2015

Milt Roselinsky
Santa Barbara, CA 93105
Nov 3, 2015

Increased development density would only benefit a select few to the detriment of Mission Canyon residents and the historic preservation of this area.

Stephen Sherrill
Santa Barbara, CA 93105
Nov 3, 2015

Barbara Bonadeo
Santa Barbara, CA 93103
Nov 3, 2015

mary lee martin
SANTA BARBARA, CA 93105
Nov 3, 2015

Larry Ragan
Santa Barbara, CA 93105
Nov 3, 2015

frangalt
santabarbara, CA 93105
Nov 3, 2015

Robert Maloy
Santa Barbara, CA 93105
Nov 3, 2015

Pamela Boehr
Santa Barbara, CA 93108
Nov 3, 2015

I fully support the KEEPING of the S.B. Natural History Museum land within the County of Santa Barbara!

Warren G. Wentink
Santa Barbara, CA 93105
Nov 2, 2015

Craig Nielsen
Santa Barbara, CA 93111
Nov 2, 2015

The Museum of Natural History land that is currently in the City should be detached from the City and reattached to the County. The 20 to 50 foot high embankment, the southern boundary to the Museum, is the natural City/County boundary. All services are available in the County. Mission Canyon is a complete county community that begins at the bridge over Mission Creek at West Mountain Drive. Detachment from the City has occurred three previous times. It is time to do it again.

Paulina Conn
Santa Barbara, CA 93105
Nov 2, 2015

I am acquainted with this area, have walked in it many times. I love the trees and that landscape as it reminds me of my hikes on the mountain. It is quiet, peaceful, and yet full of life. A true blessing for all of us as well as for the creatures with which we share life. It is of immense value to not letting it be taken over by the City. Please leave it as it now is.

Bettina Barrett
Santa Barbara, CA 93101
Nov 2, 2015

Beverly Herbert
Santa Barbara, CA 93110
Nov 2, 2015

Vanessa Atyabi
Santa Barbara, CA 93105
Nov 2, 2015

Patti Hopper
Santa Barbara, CA 93101
Oct 29, 2015

I think the Mission Canyon area is our best city park. Please keep it rural.

richard garrett
santa barbara, CA 93190
Oct 28, 2015

Teresa Seiler
santa Barbara, CA 93105
Oct 27, 2015

I love the Museum of NH & this area. Our grandkids & family are members oh the museum & we enjoy the area very much. Hope this works

Debra beuoy
Santa Ynez, CA 93460
Oct 27, 2015

bree brydenthal
Orange, CA 92865
Oct 27, 2015

I have lived in Mission Canyon for many years, but my official voting address is at my POB in Goleta. Mission Canyon is a very special place we do not wish the City of Santa Barbara to control. I am a native Californian of many generations and have lived among these oaks and sycamore and sleepy hollow neighborhoods forever. We MUST keep these 5 acres under County control or lose them, just as the City continues to build up to 3 stories and out to grab all the land they can. We do not want to become, as have Pismo and Morro Bay and so many other towns, another fake Disney style tourist trap. The Museum is already becoming that more and more, instead of concentrating on improving its upkeep and enhancement of its native american and other artefacts.

Barbara Lyon
Goleta, CA 93116
Oct 27, 2015

rosie quimby
Lompoc, CA 93436
Oct 27, 2015

Elizabeth L Guerrero
Santa Barbara, CA 93105

Oct 27, 2015

This beautiful land is essentially my backyard holding memories of wonderful walks with my dog, my dad and my precious son - all who have passed in. It is a place of peace and beauty to be protected for all of our community. Keeping this area as county land assures that.

Ann Corselius-Willson
Santa Barbara, CA 93105
Oct 27, 2015

Rosanne Crawford
Santa Barbara, CA 93105
Oct 27, 2015

Alexander, Jacquelyne

Subject: FW: Annexation of Museum of Natural History Property

From: JanaCCC [<mailto:zimmerccc@gmail.com>]

Sent: Tuesday, January 20, 2015 3:55 PM

To: Allen, Michael (COB)

Cc: Dillon, William

Subject: Annexation of Museum of Natural History Property

Dear Mr. Allen:

This is to advise that the City of Santa Barbara has approved a Conditional Use Permit for the Museum of Natural History which will cover property in the County jurisdiction and for which the City has initiated annexation. The City has posted an Notice of Exemption. An appeal has been filed by one of our neighbors to the City Council, of both the CUP approval and related recommendations, and the CEQA exemption. We will be supporting that appeal. The reasons for our objections to the CEQA exemption are contained in our letter to the City Planning Commission of January 5, which was copied to your offices.

We understand that no application for annexation has been filed at LAFCO, and that no such annexation can be considered prior to approval by the Board of Supervisors of a revenue neutrality agreement. There is significant evidence that this project cannot qualify for a CEQA exemption, that the Conditions of Approval are inadequate to address its environmental impacts and its effects on the public health and safety, and that neither LAFCO as responsible agency nor the Board of Supervisors should consider it until satisfactory mitigation measures can be developed and/or, until additional conditions are developed to address the various unexamined inconsistencies of the proposed development and intensification of use of the property with the policies of the Mission Canyon Plan, which address impacts to biological resources, public trails, traffic and circulation and fire safety, among others.

Therefore, we ask that you notify us when the applications are filed, and of any relevant hearings before the Board of Supervisors and/or LAFCO.

Thank you.

Richard Solomon and Jana Zimmer

Alexander, Jacquelyne

Subject: FW: FW: LAFCO proceedings on Annexation of property within the County to City of Santa Barbara

----- Forwarded message -----

From: JanaCCC <zimmerccc@gmail.com>

Date: Mon, Jan 5, 2015 at 9:03 PM

Subject: FW: LAFCO proceedings on Annexation of property within the County to City of Santa Barbara

To: Jeremy Tittle

From: JanaCCC [<mailto:zimmerccc@gmail.com>]

Sent: Monday, January 05, 2015 9:01 PM

To: WDillon@co.santa-barbara.ca.us; hood.paul@sbcglobal.net; allen@co.santa-barbara.ca.us

Subject: LAFCO proceedings on Annexation of property within the County to City of Santa Barbara

Please incorporate this correspondence in the record of LAFCO's consideration of annexation of property proposed to be annexed from the County to the City of Santa Barbara for purposes of inclusion within the CUP for the Museum of Natural History, in relation to LAFCO's obligations under CEQA, and given the City's attempt to exempt the annexation from CEQA review.

Please also provide notice to the undersigned of any LAFCO meeting at which this proposed annexation is to be discussed.

Thank you.

Jana Zimmer and Richard Solomon

From: JanaCCC [<mailto:zimmerccc@gmail.com>]

Sent: Sunday, January 04, 2015 9:13 PM

To: PCSecretary@SantaBarbaraCA.gov

Cc: 'Luke Swetland'

Subject: Museum of Natural History Hearing January 8

Dear Chair Schwartz and Members of the Planning Commission:

We are long term neighbors and members of the Museum, and we support its renovation generally, and the prompt completion of the sound wall/landscape screen proposed along the Las Encinas Road easement, as long overdue. The only element of new construction which we find inconsistent with the Mission Canyon Plan, as well as with the City's HLC guidelines, is the mandated sidewalk on Puesta del Sol, and we ask that to be deleted from the requirements. *However*, our support of a new CUP is expressly contingent on representations made to the community by the Museum as to its future intentions, and on resolving our specific neighborhood and broader community concerns, and we request that the City incorporate the following changes to conditions to address them.

1. Include clear, specific enforceable measures to address the potential impacts of the Master Plan.

Issue: The applicant references various documents and identifies in narrative form categories of proposed regular activities which are not currently specifically authorized, nor specifically capped in the operational conditions as to numbers of attendees, location, time, duration and frequency. e.g. "Evening star parties", SBCC and UCSB classes, amplified "announcements" throughout the day of show times and exhibits, any of which could become a serious nuisance if not regulated. The CUP will remain unenforceable unless the applicant, and the affected public know what is and what is not allowed.

Solution:

A. Insert, as part of the conditions of approval, in Condition I, a clarified project description, in the form of a Table, which includes both physical development and operational conditions:

- (1) which specifically incorporates the allocation of uses within the existing footprint, in terms of numbers of events, maximum attendance, time of day, location and duration, and which separately enumerates the scope and intensity of 'existing' 'educational' uses on the annexation parcels which are not proposed to be increased;
- (2) which includes a maximum 'any given time' site occupancy cap specifically tied to a maximum evacuation time for wildfire which is no greater than existing evacuation times set forth in the Mission Canyon FEIR;
- (3) which specifically incorporates, in the conditions of approval, the Museum's protocols for closure and evacuation for fire hazard, and its traffic management protocols, i.e. shuttles to parking lots south of Garden Street, and
- (4) which specifically identifies and delineates, on a corrected and recorded Exhibit L1.0 and L1.2, both the "new creekside fenced area" reserved to Museum patrons, and the full extent of trails to be preserved for

continued public access, through and on the property, for bike riding, horse riding, dog walking, bird watching and passive recreation.

B. Insert, in Condition I(C)(2)(b) an additional requirement for monitoring and reporting of condition compliance, including attendance and events limits, annually, to the City Planning Commission, in a noticed public hearing, and retain discretion for the City to modify conditions on operations to resolve issues of noncompliance and/or changed circumstances.

2. Address noise issues from both New Noise sources, and Construction

Issue: The project introduces new noise sources in a semi rural, residential neighborhood in Mission Canyon, where the ‘ambient’ perceived sound, except for the sounds of nature, and noise from the Museum, is zero. The conditions as drafted are inadequate, and provide considerably less protection than conditions imposed to protect other residential areas in the City.

A. Prohibit amplified exterior sound, specifically the proposed new periodic ‘announcements’ to Museum patrons, on the proposed exterior speaker system, except for purposes of evacuation announcements in emergency.

The applicant has requested that we provide alternative language which, if imposed by the City, could be acceptable.

ALT 1: Revise Condition G3 as follows: “Prior to initiation of use, provide notice and opportunity to participate to residents at any property boundary with a residential use, of a physical test, under normal daytime conditions, to verify that the announcements are not audible at the southern boundary of the Las Encinas Road easement. In the event that such announcements are reported to be audible to residents, the exterior speaker system shall not be used except for evacuation announcements in emergency”.

ALT 2: Revise Condition G3 as follows: “Prior to initiation of use, provide notice and opportunity to participate to residents at any property boundary with a residential use, of a physical test, under normal daytime conditions, to verify that the announcements are not audible at the southern boundary of the Las Encinas Road easement. In the event that such announcements are reported to be audible to the residents, the Museum shall immediately suspend use of the system until after additional measures, acceptable to the residents, including but not limited to installation of effective sound walls offsite, and/or dual paning of windows exposed to sound offsite are completed.

B. Prohibit relocation of garbage enclosures which are proposed to be located closer to residences than the existing, and retain at existing location.

ALT 1: Add a condition to state: Prior to initiation of service to relocated enclosures, provide written commitment from Marborg to continue scheduling service of the site for pickup of trash, recycling and green waste only between 9:00 a.m. and 4:00 p.m. on weekdays. Mechanical sweeping and cleaning of the parking lot, and leaf blowing and trimming activities shall be limited to between the hours of 9:00 a.m. and 4 p.m.

C. **Under prior permits, the Museum has not been allowed to construct on Saturdays.** Modify construction conditions as follows [the following track or are adapted from Bella Riviera conditions]:

1. Modify Condition F3 to prohibit construction (including preparation for construction work) except from Monday to Friday from 8 to 5 pm. [See, e.g. Condition 10 on St. Francis/Bella Riviera]

2. Add a Condition to address Construction Equipment Mufflers and Shields

[sample from Bella Riviera]

“All construction equipment used on the site, including trucks, shall be professionally maintained and fitted with standard manufacturers’ muffler and site activity silencing devices. Sound control devices and techniques, such as noise shields and blankets, shall be employed as needed

to reduce the level of noise of all project development activity to surrounding residents”

3. Add a Condition to address Construction Parking and Staging Areas.

[sample adapted from Bella Riviera]

Modify Condition F4 to specify, as a term of construction contracts, that materials storage and construction worker parking shall be prohibited on the northern section of the parking lot along and adjacent to the Las Encinas Road easement, and shall be limited to the extent feasible to the Museum frontage on Puesta del Sol.

4. Add a Condition to address noise from onsite construction equipment

[sample from Bella Riviera]

“Shields. All construction equipment used on the site, including trucks, shall be professionally maintained and fitted with standard manufacturers’ muffler and site activity silencing devices. Sound control devices and

techniques, such as noise shields and blankets, shall be employed as needed to reduce the level of noise all project development activity to surrounding residents.”

5. Add a Condition to prohibit Radios and Alarms.

[sample from Bella Riviera]

“No radios, music playback equipment, musical instruments, or automobile or truck alarms shall be permitted on the project site.”

6. Add a Condition to regulate Portable/Stationary Equipment.

[sample from Bella Riviera]

“When portable or stationary equipment, such as but not limited to generators, air compressors and wood sawing stations are required on the project site, the equipment shall be located as far from the project boundaries with residences (other than those owned by the Museum) as possible. If it is necessary to locate portable/stationary equipment within 200 feet of the project perimeter, methods to provide noise shielding for that equipment shall be implemented. This may include but is not limited to: providing a three or four sided enclosure which is lined with a sound absorbing material between the equipment and the property line, or locating the equipment so that noise shielding is provided by existing or new structures located on the project site.”

7. Add a condition to address construction noise complaint resolution

[sample from Bella Rivera]

“Noise Complaint Resolution. In response to verified complaints regarding excessive construction-related noise, the City may require the applicant/project developer to implement a noise monitoring program. The noise monitoring program shall be designed and conducted to ensure that appropriate noise reduction and control measures are identified and implemented so that construction-related noise levels at the property lines of sensitive receptors (residences) adjacent to the project site do not exceed the following levels. [Per maximums on prior permits]

3. Address Fire Evacuation Hazard exacerbated by Large Events.

Issue: The 1400 any-given-time cap proposed by the Museum is meaningless and dangerous. It would increase and institutionalize the highest single site occupancy event theoretically possible, (the annual Wine Festival) as a ‘limit’ for any and all “high attendance” events, with no express limit on the number of high attendance events, and bears no rational relationship to the number of people who can be evacuated safely without exacerbating existing, *deficient*, evacuation times. Under the existing CUP, the Museum itself defined ‘large events’ at 350 attendees. Per the Mission Canyon Plan FEIR, *any* additional growth represents a Class I Fire Hazard. That is why the MCPAC recommended and the Board of Supervisors approved Policy Fire MC-4, which prohibits an increase in intensity of use which contributes, individually or cumulatively, to the existing evacuation deficiency.

Revise Condition C.2.b to delete ‘cap’ of 1,400 and instead to state: “For any event where the Museum sells or anticipates selling more than 350 tickets, the Museum shall provide and require shuttle parking for ticket holders at sites outside of the Mission Canyon Plan Area. The Museum shall close upon notification of any Red Flag event per its protocols, incorporated by reference herein. In addition, the maximum number of people allowed on site at any one time shall not exceed the number of guests, staff and vendors who can be safely evacuated by shuttle to remote parking sites outside the Mission Canyon Plan Area, in a manner and in a time frame which shall not increase evacuation times for existing residents and other visitors to Mission Canyon (including those at the Womens Club, and the Botanic Garden, collectively). using vehicles to evacuate.

4. Delete requirement for City sidewalk on Puesta del Sol as unnecessary for public safety and inconsistent with the rural ambience of Mission Canyon and with the historic resources on site, and instead require addition of a requirement for a landscape installation and maintenance bond, water lines along northern perimeter to maintain existing buffer vegetation, and add a hydrant to mitigate for increased fire hazard from any increased intensity of use by Museum of the Western parcels.

As set forth in detail in the letter to the Planning Commission attached, these are the *minimum* changes to conditions that, if approved by the City and accepted by the Museum, can avoid an appeal to the Council and potential litigation. Without these changes, the City cannot make the necessary findings for a new CUP, and the project cannot be approved without environmental review.

Very Truly Yours,

Richard C. Solomon and Jana Zimmer

Attachment 1

To: Chair Schwartz and Members of Planning Commission

Re: Museum of Natural History

Hearing Date: January 8, 2015

We are grateful that the Museum has come to realize that the “Master Plan” for new construction and expansion it proposed two years ago was not feasible for them, and highly inappropriate for the Mission Canyon neighborhood. We are **not** opposed to the physical improvements now proposed, and are especially supportive of the **new screening wall** along the northeasterly portion of the parking lot, by which the Museum finally will mitigate for the noise and visual blight created over twenty years ago when the parking lot was expanded into the oak woodland buffer between our properties. We ask that the Commission confirm that this wall project will be completed, and landscape installed, within a specified time frame, and prior to any other project approval.

We have not objected to the Museum’s regular operations, including their exhibits, and educational programs. However, there are serious issues of neighborhood compatibility from ill defined caps on events, new noise sources, as well as broader issues of community concern- particularly connected to the unpermitted expansion of operations into the Western parcels which remain unaddressed. These issues– mostly related to the use of the property, not the structures- have not been disclosed to the general public and the decision makers because the Project Description either fails to disclose them at all, or misstates them, and because the City, after approving numerous past expansions without any environmental review, and after giving the Museum over twenty years to come forward with a “master plan” has, at the eleventh hour, incomprehensibly attempted to exempt the project from CEQA entirely, thus compounding the cumulative impacts going forward, rather than resolving the problems of the past.

We emphasize that we have been neighbors of the Museum for over forty years, and have accepted all of its incremental expansions. We are members, and our children and grandchildren have attended their

classes. However, since 1988 we have been requesting that the City control the negative impacts of the incremental expansions and changes in operations at the Museum, and exercise its authority, and its responsibility, to require the Museum to comply with the law by applying and enforcing reasonable conditions to protect the health, safety and welfare of the neighborhood. We have been told to wait for the Master Plan, and we have waited. Our requests have not changed: we seek clear, specific, enforceable conditions on the operations of the Museum. We seek specific, enforceable and timely mitigation for the impacts of the changes in operation which have occurred and which will continue to occur. We seek to effectively protect the environmentally sensitive riparian and oak woodland habitat on the ‘annexation parcels’. And we seek to protect the public’s historic right to access existing trails on and through the property for dog walking, bike riding, bird watching and other passive recreation.

We have met with Dr. Swetland and repeatedly told him and his predecessors that we would sit down with them to discuss resolution of our specific concerns after we knew the details of their plan and their proposed conditions. For all the delays in application submittal, the masses of material distributed, and community ‘outreach’ which has occurred, the defects in the proposed conditions did not become apparent until the staff report was released two days before Christmas and City Hall closed until three days before the scheduled hearing.

We doubt that most affected citizens have had any real opportunity to review these critical “details”, let alone have their questions answered. Nevertheless, we have worked to come to terms with the Museum and have presented Dr. Swetland with a very specific list of changes to the Conditions of Approval which would resolve our concerns. Appeals and potential litigation can only be avoided if the Museum agrees and the City incorporates these changes. They will not deprive the Museum of anything they seek, but will provide clarity, accountability, security and finally, fair treatment for the community. The reasons that the project as currently described and conditioned is unacceptable follow.

1. THE PUBLIC NOTICE OF THE SCOPE OF THE PROJECT IS INADEQUATE

1. The Notice is inadequate because it misrepresents the impacts of Annexation and use of the five acres of the Western parcels for ‘educational activities’ as enabling the continuation of an *existing use*. While the Museum may have periodically initiated a few activities over the County line *without permits from the County*, that does not make them legal, or ‘existing’. In fact, if the permits are approved as proposed, we fear that the Museum would be free to ‘relocate’ any number and type of events, and visitor population to the oak woodland. This increased intensity of use of a designated environmentally sensitive habitat will undoubtedly create new impacts related to noise, lighting, and fire hazard, at a minimum.

2. The Notice is inadequate because it fails to disclose that the project includes a new Conditional Use Permit which will supercede all preceding permits, and which will authorize new uses in areas in which they are not currently permitted (the Museum does not have a CUP for *any* use from the County for any institutional use on the Western parcels), expanded uses, such as ‘star gazing parties’, unlimited rentals and unlimited UCSB and City College classes, as well as new noise sources (public speaker announcements throughout the property at a rate of every 15 minutes through the day) which will, as acknowledged in the staff report, violate the Municipal Code, and which were expressly prohibited by the previous permits.

In addition, the expansion and relocation of noise sources, including visitors, has not been analyzed. This is compounded by the fact that the Notice fails to disclose a key issue of dispute: the project 'description' incorrectly assumes that a theoretical maximum annual "permitted" capacity (165,000 visitors), which has never been achieved under the existing permit since it was established, is the appropriate 'baseline' to evaluate the impacts of the project either for purposes of CEof CEQA or for purposes of evaluation of health, safety and welfare impacts under the Municipal Code. In fact, the annual visitation for 2013 was only 119,000, and the 20 year average annual is well below the 'theoretical' maximum. Any increase in visitation, or reallocation of 'theoretical' visitation will trigger environmental thresholds and will exceed maximum capacities of the Mission Canyon Plan.

It is important to note that for twenty years we in the surrounding neighborhoods have been told that if an activity is not specifically prohibited, or controlled, it is allowed. This is the fundamental problem we seek to correct, now. However, the 'new' Conditional Use Permit will 'de facto' eliminate conditions and mitigations which were extremely important to the neighborhood and to the broader community. For example, the City determined (at least twice), that the previous permit expressly prohibited shared use of the Museum parking lot with the parking lot of the Womens Club and the Botanic Garden for larger events. This was a very dangerous practice which we repeatedly brought to the City and the County's attention and which was finally ordered to be stopped. The community worked very hard to assure that all parking for larger events at the BG be shuttled outside the high fire hazard area, south of the Mission Creek bridge, that their large events be coordinated, and we have sought the same restrictions for both the Womens Club and the Museum. This policy goal has been specifically incorporated into the Mission Canyon Plan, as Fire MC-4. This proposed approval would 'supercede' this protection, without explicitly incorporating it into the conditions of approval.

The previous permit did not allow any amplified exterior sound, including amplified music. This was extremely important, as the configuration of the property creates a sound tunnel, such that all amplified sound migrates beyond the property line. The neighborhood also had to struggle to establish that the Museum was not allowed to hold any events north of the existing line of structural development for the same reason. The neighbors have repeatedly had to 'educate' successive administrations about these conditions.

This CUP will also wipe out conditions on previous substantial conformity determinations. For example, the 2007 SCD for the butterfly exhibit was contingent on the Museum's promise to close on Red Flag days, period. *This was a commitment to the neighborhood on which the neighbors' acceptance of the butterfly exhibit was based.* While the Museum has now produced an emergency procedures protocol, the Planning Commission must review the Museum's 'new' proposed safety program, and, even it is found to be the equivalent of 'avoiding' the hazard by closing the facility, the Museum's obligations must clearly be incorporated as a condition of approval, so that the public knows what it can rely on going forward.

For example, the Dudek Fire analysis specifically recites that in a wildfire, if we assume a site occupancy of 1400 (which has never been permitted, but is the theoretical 'maximum' of visitors, vendors and staff at the single highest attendance event of the year), it would take 2.5 **hours** to evacuate the facility by shuttle, with shuttles making up to 75 trips back and forth across the bridge at Mission Creek. (Dudek, page 62-68). The

Mission Canyon Plan policies -e.g. MC-4 were put in place to prohibit any new conditional use permit which individually or cumulatively exacerbates the existing evacuation deficiency. Therefore the 1400 any given time cap bears no relationship whatsoever to public safety, and in fact, if applied across other 'large' events (which are not proposed to be individually limited by the conditions) would multiply the existing hazard.

Furthermore, while its gate attendance has remained low, (note that as of 2013 only 14% of revenue was from Admission, while 27% was from contributions and Events), the Museum has continuously expanded and wishes to continue to expand its rentals and outside events. Most importantly, while the Museum asserts that it is now 'voluntarily' placing limits on its events, neither the Notice nor the staff report disclose that the 'new' conditional use permit actually formalizes and expands the Museum's uncontrolled large events, which is the single greatest concern for the health, safety and welfare of the neighborhood.

When the City, in 1991, established a 'baseline' annual population cap of 150,000 based on the Museum's estimated 1988 figures, (which was 'allowed' to be increased, in theory, to 165,000 without an amendment to the CUP) it also accepted the Museum's representations as to the specific allocations of events, both Museum-initiated and rentals by others. Again, there is no objection to the level of noise, traffic, or parking need for the ordinary operation of the Museum. The large events which far exceed the on site parking capacity (and for which the Museum has been granted repeated modifications from Municipal Code requirements through its 'under the radar' incremental expansions) have been the source of the vast majority of the problems. While the staff report fails to disclose or analyze this issue, or the extensive documentation in the record of this issue, a brief comparison of the reports previously submitted and on which the 1988- 1991 approvals were based dramatically illustrates this change: (Table II and III "Museum Activities and Programs Estimates of Participation".

Historically, there were four large, "Special" events (Wine Festival, Members Open House, Indian Show, (now, Tribal Arts), Museum League Art Walk). [Note: Dr. Power, in his 1991 report defined 'large' event to mean "any single or day long event during which the parking lot and adjacent on street parking are likely to be full", and calculated that there was 'room' for a total of 173 cars. Therefore he used 350 attendees as a number to describe 'large' events.] The Wine Festival was shown at 1,100 attendance. The "Indian Show" (sic) has expanded from a one day event for 1000 people, to a three day event, plus an additional evening pre-sale. Importantly, the total annual attendance at Special events was 6500 (even in the one year the total attendance was asserted to be close to 200,000). The record is replete with documentation that the CUP "baseline", that is, the actual, average annual use/visitation of the property, is far below any permitted or theoretical cap of 165,000. In 2013, the total was again low: 119,000.

However, the staff report does not acknowledge or discuss the traffic, parking, noise, fire evacuation, and other impacts of an increase from the *current* actual annual site occupancy to the 'previously permitted' theoretical maximum. Nevertheless, the Museum has acknowledged that under the Master Plan, the visitation would increase from the existing physical baseline, in its past correspondence objecting to the roadway capacities in the Mission Canyon Plan. (Copies of all this correspondence are included in the City's record, previously provided.)

Now, with the current total attendance at only 119,000, the Museum wants to ‘allocate’, in its own discretion, up to 11,500 people, (or 7% of the theoretical 165,000 cap), annually, to “high attendance” events, and is asking for an any-given- time ‘cap’ of 1400 people. This change is proposed with no analysis of the increased impacts to parking, circulation, roadway capacity, (see, e.g. documentation of Museum’s objection to roadway capacity policies in the Mission Canyon Plan), and the MC FEIR, which finds impacts of any growth to be significant and unavoidable, even with MC Policy Fire -4,¹ and most importantly, the ability to evacuate the site in a fire without impairing the ability of the *other* residents of Mission Canyon to evacuate. The Museum’s ‘protocols’ have clearly not been demonstrated to be consistent with MC Fire-4, and it is noteworthy that the FEIR assumed a high intensity event with a *total* of 594 vehicle trips associated with all conditionally permitted uses in the Plan area. In its best case scenario for evacuating 1400 people, Dudek relies on *adding* 75 large shuttle trips exiting and entering the Canyon over the Mission Creek bridge *during* a fire emergency.

These numbers also do not bear any relation to a number the site (or the surrounding habitat) can physically sustain, nor does it account for how this number of persons can access the site, by auto or on foot, or how such a number might relate to the hazards posed by other, simultaneously

occurring events in the Canyon, or even at the Mission. The *totals* historically achieved for the Museum’s most popular special events are a fraction of this number. (e.g. Art Walk 2011, approximately 700 people per *day* for each of two days, per e mail from Karl Hutterer). While the City’s record is replete with documentation of this issue, the staff report does not mention, let alone analyze, the roadway capacity standards recently adopted for Mission Canyon Road or the important fire protection policies adopted for conditionally permitted uses in the Canyon.

Another prominent example on the event and rental list is weddings, with and without reception. Weddings are controversial in residential neighborhoods at venues throughout the County. In 1989, as reported by the Museum, the total annual attendance for weddings was 400 people. The new permit would allow up to 15 ‘weddings with reception’ at 175 people each, *and*, an unlimited number of weddings without receptions. The fact is, the gate admissions fluctuate, and the Museum is relying more and more on outside rentals and special events for its income generation. In 2011, for example, per their own attendance summary, the Museum’s gate attendance had decreased to 75,601, while the events increased to 9195, and weddings to 4500.

Third, in the ‘base year’ rentals by other outside groups, including nature clubs and other nonprofit groups, totaled 6,000 people. By 2011, group use had grown to 12,192 people. Now, the Museum apparently proposes to rent to other groups and institutions for classes and fundraisers with no limitation on the number of events, or their size. Transferring the very popular Empty Bowls event, for one example, to the Museum, without clear and enforceable conditions, would be disastrous for safety in the Canyon. (Empty Bowls was required to move from the Womens Club when the County belatedly found that the CUP for the Womens’ Club did not authorize an event that would require offsite or shared parking.). And, transferring unlimited numbers of UCSB and City College classes, without delineation of times, numbers and locations would likewise create unmitigated new impacts which have not been analyzed.

Furthermore, it appears that the Museum’s purpose is to open up the Western parcels to *unspecified* ‘educational’ uses, with limited physical development. While there is an ‘observation’ deck proposed adjacent

to a proposed new bioswale, there is no indication of how many people it will hold, whether it will be used as part of classes, events, or 'star gazing' parties, held in the middle of this ESH, and how the resource will be protected from possibly excessive human activity and associated noise and lighting. Currently, human activity is confined to the disturbed loop trails accessed by the public, and there is no 'institutional use'. Without clear parameters on the scope of the Museum's new activities, and the intensity of human intrusion into the habitat, over the years, the woodland species 'on open air exhibit' may disappear under such attention.

The changes to the ambient sound in particular presents serious health, safety and welfare issues, as acknowledged in the staff report, as well as impacts to the ESH. This is not the temporary sound of construction, but a *permanent, on going nuisance* which will occur throughout the day for the life of the permit. The introduction of amplified announcements to the exterior of the property repeated throughout the day will affect sensitive receptors, by definition. Other than car dealerships, and K-Mart, we are aware of no permitted use in a residential neighborhood which is allowed unfettered use of amplified sound to advertise their 'schedule' of available events or products on the site.

The Dudek sound "study" is extremely misleading, and completely irrelevant to address this issue, as the current ambient sound level at the property line, except for Museum events, is admittedly perceived as "zero", and an increase in 2dba, or the 'averaging' of increased sound over 24 hours by any measure will always result in an "insignificant" change. The use of amplified sound to announce, repeatedly throughout the day, the beginning of a show, is more like a shotgun going off, or a very loud dog barking (75Db). There is no mitigation which has been identified which can assure that this sound will be inaudible at the property line, *as represented by the Museum*. Sound travels in the parking lot, and we hear *everything*, including the backup beep of the garbage truck, and sounds of crickets and frogs in the creek, hundreds of feet away. The proposed condition is completely ineffectual to deal with an impact which is a certainty from our perspective.

The point is, all these shifts in 'event' allocation, in the sole control of the Museum, and without enumeration, will substantially change the impacts of this operation to the health, safety and welfare of the neighborhood and to the physical environment of the oak woodland. Again, this is a semi rural, residential neighborhood with serious fire evacuation issues. And, it is important to note, evacuation from events at the Museum is not just an issue for the hundreds of residents of Mission Canyon, it is equally an issue for the residents of the Riviera, who must evacuate from Alameda Padre Serra, through the same pinchpoint as all of the Canyon residents. Lest we forget, during the Jesusita Fire, 30% of the City evacuated, down to De La Vina Street. And, it took evacuees from Mission Canyon over 45 minutes to travel 1 mile down Mission Canyon Road, *before* a mandatory evacuation order, and with *no event in progress* at the Museum or the Womens Club. The City needs to finally step up and seriously address this issue, and impose conditions which are at least as rigorous as those imposed on the Botanic Garden, and respectful of the Mission Canyon Plan Fire and Circulation policies.

Thus, the City cannot approve a new permit without carefully considering and imposing clear, enforceable conditions to finally address the impacts of the Museum's operation to the public health, safety and welfare. The conditions as drafted are not adequate, and therefore the proposed findings of approval are not supported by the evidence, and do not support the decision. We have provided a list of proposed changes to make them adequate.

2. THE PROJECT CANNOT LAWFULLY BE EXEMPTED FROM CEQA REVIEW

None of the grab bag of CEQA exemptions which have been proposed can be applied to this project. First, this is a Conditionally Permitted use in 80,000 square feet of structural development in a semi rural residential neighborhood in an extremely high fire hazard area, not a 'small facility' simply being renovated. Ironically, the City's own condition, to put an urban sidewalk in front of a historic wall, is itself a CEQA trigger.

Furthermore, the use of the property is what causes the primary health, safety and welfare impacts, not the fact that there is no significant new square footage proposed, and the changes to the use will result in new and additional noise, traffic, circulation, parking and safety impacts as well as impacts to sensitive habitats and established trails used by the public, not only for dog walking, birdwatching and horse riding, but as an important link in a pedestrian path and bikeway from the Foothill/San Roque neighborhood through the Museum property to downtown Santa Barbara.

The allocation of uses and annual population will concentrate the intensity of the use around events rather than the normal flow of daily 'gate' visitors. See, for example, the annual figures provided by the Museum: Att 1 to SBMNH March 6, 2014 submittal showing a total of 119,000 attendance for all categories in 2013. The gate 'admissions' fluctuate wildly, while the special events, rentals and weddings continue to grow. Despite the fact that the actual annual numbers average far less than the maximum theoretically 'permitted', the Museum now seeks to 'allocate' up to 7% of the highest theoretical number- (.07x165000=11,550) which has never been reached in 25 years, to the largest special events and rentals, and to extend an unspecified intensity of use to the riparian and woodland area. Even assuming that allocating 7% has a rational basis, .07 of the year prior to application submittal (2013), or 119,000 people= 8330.

Second, the project proposes to annex an additional five acres of land, most/all of which is designated as environmentally sensitive habitat as oak woodland and or/riparian ESH under the approved Mission Canyon Community Plan. There is an extensive trail network on the site, with established trails along the creek which have been used by the public for decades (if not by the Chumash for centuries) for dog walking, bicycling, horseback riding and birdwatching. The applicant has not proposed any enforceable mechanism, such as a conservation easement, to protect this land nor have they offered to formally dedicate the trails to protect the public's right to access this land, or to protect it from future developers.

Instead, over recent years, they have posted signs declaring that the entire property is private, and that the public is only allowed on it with permission. They have also unilaterally removed a section of the creek trail previously available to the public to create a 'play area' for Museum visitors only. (That area, the Museum "Backyard", is now being considered for an 'as built' permit, because it was developed and fenced off without permits). In order to reassure the public that the remaining established trails will remain available, an OTD or other recorded document should be required to confirm the Museum's promises, to confirm the trail network

proposed as part of the Mission Canyon Plan, and to give notice to future owners of the annexed parcels of the public's continuing right to access through the property.

Furthermore, there is no current institutional use lawfully existing on this land. The Museum requests annexation of residentially zoned parcels. The City has no authority to validate or permit any institutional use illegally established within the County's jurisdiction. Any Museum use would require a conditional use permit from the County. The project proposes intensified institutional use, in broad categories of activity, including various educational activities, camps, classes for college students, and "star parties". The Watershed Environmental report of March, 2014 identifies numerous areas of impacts (from the minor structural development proposed) to biological resources, and identifies them as "adverse, but not significant", and as to night lighting impacts to wildlife, asserts that the project description proposes mitigation, but none is specifically identified. However, the biological report does not address the impacts to sensitive resources from increased human activity proposed at all. Likewise, the biological resources report does not address the fact that under the Mission Canyon Plan biological resource, circulation and fire protection policies, the intensification of use of these parcels would be found inconsistent, and/or the stricter resource protection policies of the County's MCP would apply. Thus, the applicant's own biological resources report completely undermines the conclusion that this project, in its entirety, can be exempt from CEQA.

Furthermore, the project proposes not only to annex the land, but to change the land use and zoning designation, to 'upzone' from what could, theoretically be built under County zoning. There is currently one, small single family residence on the five acres (illegally expanded, at that). The proposed zoning would allow up to three residences on each of the parcels, with a minimum parcel size that would be 25% less than the minimum under the current County zoning. The clearly foreseeable potential is that the Museum might in the future sell the property to a developer (or seek to develop it themselves with multiple residential units), destroying the oak woodland, and obstructing or eliminating the public trails, on one of the last totally wild creekside respite areas in the urban environment. In fact, the Museum has submitted an exhibit depicting a configuration of the western end of the Las Encinas Road easement which appears to be intended to create additional access to enhance the separate accessibility of Parcel 1 and Parcels 2/3.

Under existing law and practice, if the Museum or a subsequent purchaser has Certificates of Compliance for all three existing Assessors' parcels, they may claim a 'right' to develop all three 'legal' parcels at the maximum 'new' density proposed through the annexation. With access through the City and facilitated access to City water, that claim would be much easier to pursue in the City than in the County. On this set of facts, no matter how the courts ultimately rule on the applicability of the unusual circumstances exception to certain exemptions, and/or the issue of cumulative impacts as applicable to exemptions, without enforceable commitments through deed restrictions to preserve the public trails and ESH as a condition of annexation, the City cannot avoid environmental review for the annexation and use of the Western parcels. See, e.g. Class 19: "Class 19 consists of **only** the following annexations:

I. "(a) Annexations to a city or special district of areas containing **existing public or private structures developed to the density allowed by the current zoning or pre zoning of either the gaining or losing**

governmental agency whichever is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities."

"..."

We think it is highly unfortunate that the Museum has continued to argue that this project is exempt from CEQA. We have informed the Museum, repeatedly, that this project could qualify for a mitigated negative declaration, (see, communications to Karl Hutterer and Suzanne Elledge in 2010-2012) **if** the project description clearly recognized potential impacts and incorporated conditions into the project to clearly address the impacts. That approach would have allowed for appropriate public review, and comment, intelligent discussion and responsible decisionmaking. This approach undermines the credibility of the City's process and the Museum.

We have been waiting 25 years for issues associated with the Museum's operation to be addressed. Instead of clear commitments, we are confronted with completely unenforceable representations that do not adequately inform or address the public's concerns. No one should wonder why that is not acceptable.

This project should be sent back for review and for circulation of at least a Mitigated Negative Declaration. Nevertheless, in the interest of dispute resolution, we have provided a list of conditions, that in substance would minimally satisfy our concerns. We have provided this list to the Museum, and the City.

Very Truly Yours,

Richard C. Solomon and Jana Zimmer

cc: City Council

City Attorney

Paul Hood, Executive Director LAFCO

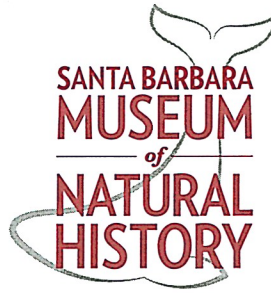
Salud Carbajal, 1st District Supervisor

¹MC-4 states: “For new, amended, or revised Conditional Use Permits that include temporary events, the County shall consider the following measures as part of the required Fire Protection Plan in the conditions of approval: Annual special event calendar coordination between institutional uses within and adjacent to the Plan Area; A traffic management program for all events that have the potential to exceed the existing supply of visitor parking

spaces. Offsite parking for temporary events shall not occur on adjacent residential streets and parking for shuttle buses shall occur outside the Plan Area; and, A maximum attendance number for any single event during the County Fire Department declared High Fire Season.”

2016 JUN -8 PM 2: 46

COUNTY OF SANTA BARBARA
CLERK OF THE
BOARD OF SUPERVISORS
June 17, 2016



Santa Barbara LAFCO
c/o Mr. Paul Hood, Executive Officer
105 East Anapamu Street, Room 407
Santa Barbara, CA 93101

Dear Commissioners,

On behalf of the Board of Trustees of the Santa Barbara Museum of Natural History, I am writing to ask for your approval of the annexation of the Museum's county parcels into the City.

The Museum's campus consists of two different land uses. The Museum itself, its buildings, astronomical observatory, and related uses are all located on property that fronts on Puesta del Sol. Most Museum activities occur on this parcel, which is within the City of Santa Barbara and which has been under City jurisdiction since 1968. The other part of the Museum campus is the approximately five acres of woodland area, which is located immediately west of the Museum's parking lot. This property was acquired by the Museum in the early 1970's and is in the County.

It makes absolutely no sense to have the single Museum campus regulated by two different jurisdictions. Thus, when the Museum applied to the City of Santa Barbara in 2014 to update its Conditional Use Permit, we requested that the woodland area be annexed to the City so that the Museum's entire property would be subject to one single comprehensive permit. City of Santa Barbara staff agreed that this made sense and would create orderly and logical governmental boundaries. In fact, the woodland parcels are already served by City water and sewer and are also within the City's Sphere of Influence. This annexation has long been anticipated as a City boundary adjustment. The City Planning Commission and City Council both voted unanimously to initiate this annexation, and the City has filed the petition that is before you.

For more than eight years and through more than 20 community meetings, the Museum has worked with its neighbors and the larger community to develop a master plan for the stewardship of its campus. The annexation of the woodlands so that they could be managed under the new CUP was always a publicly stated element of that master plan. The proposed annexation is also anticipated in the Mission Canyon Community Plan. The Mission Canyon Association, which represents the interests of the Mission Canyon community, supports annexation of the woodland area to the City of Santa Barbara.

MUSEUM
2559 Puesta del Sol, Santa Barbara, CA 93105
805.682.4711

SEA CENTER
211 Stearns Wharf, Santa Barbara, CA 93101
805.962.2526

For the almost 50 years it has owned the woodlands, the Museum has voluntarily maintained them in their natural state and has invited the public to freely use and enjoy the trail network that winds through them. In filing its CUP request with the City, the Museum volunteered a condition that requires the Museum to continue to maintain, restore and enhance the natural environment of the woodland parcels and to maintain the trail network for the free use of the public. The City incorporated this measure into the project conditions of approval, and under the Museum's new CUP the woodland area, once it is annexed to the City, can be used only for the existing single family residence, Museum educational activities, and passive recreation, including public use of the trails. These are the only uses that are authorized in the woodland under the approved CUP.

To demonstrate its commitment to protecting the woodland, the Museum, at the request of the Mission Canyon Association, also readily agreed to adopt into its CUP biological protections and creek setback distances articulated in the County's Mission Canyon Community Plan.

Finally, the entire woodland area is oak – sycamore riparian habitat, which in both the County and City is considered environmentally sensitive habitat. The biological resource protection policies of the City of Santa Barbara protect this habitat and severely limit any possible development.

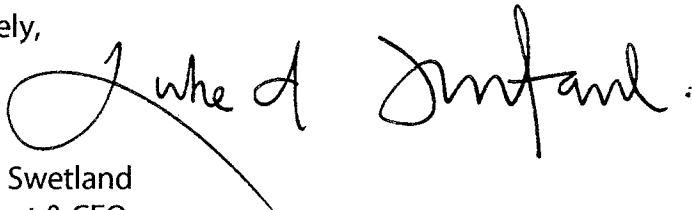
Taking all these protections into mind, there will be no change in the status quo upon annexation of the woodland area into the City of Santa Barbara, a city which is well-known for its environmental stewardship. Annexation will have no impact whatsoever on Mission Canyon's rural character.

Having both Mission Creek and an oak woodland within the Museum's CUP is a wonderful and powerful manifestation of the Museum's mission and is a key element in the visitor experience – providing children and families with the opportunity to truly engage with real nature at the Museum.

Annexation will not change our commitment to this important work.

Thank you for consideration and please do approve this request.

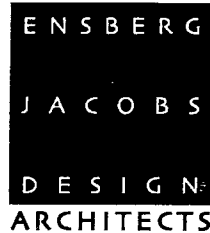
Sincerely,

A handwritten signature in black ink that reads "Luke J. Swetland". The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping underline that extends across the width of the signature.

Luke J. Swetland
President & CEO

2016 JUN -8 PM 2: 46

COUNTY OF SANTA BARBARA
CLERK OF THE
BOARD OF SUPERVISORS



June 20, 2016

Santa Barbara LAFCO
c/o Mr. Paul Hood
105 East Anapamu Street, Room 407
Santa Barbara, CA 93101

Subject: LAFCO #15-05, Santa Barbara Museum of Natural History Reorganization

I am a former Board member of the Mission Canyon Association and former chair of the MCA Architectural Review Board. For many years I have been involved in the MNH's Master Plan process and am honored to sit on the Museum's Master Planning Committee. I support the diligent planning work that has resulted in crafting a renewed CUP through an open process that has involved many participants and points of view and insures the continuing stewardship of this vitally important and historic community resource. The Museum now finds itself in the final stage of this process with the request for annexation that is before you today. It is abundantly clear that it is in the public's and the Museum's best interest to now transfer jurisdiction of that portion of the Museum's property that has been in the County to the City via the annexation process. The new CUP lays out the conditions of the operations of the Museum's property that it currently in the City; it follows that the City should similarly dictate the conditions that should apply to the Museum's adjacent woodland area. The Museum property is a mashup of irrational historic boundaries that just no longer make sense in light of the new CUP. Good governance dictates that a unified jurisdiction is the most rational and puts the decision making in the appropriate body-the City. For over 7 years this discussion and evolution of Museum-City partnership has been at the public forefront, it's not a new thing. The Museum has voluntarily adopted significant safeguards to protect and enhance the woodlands for future generations to experience, enjoy, and learn from. What could be a better outcome?

I say to those concerned with the details: the CUP is well crafted, fair and maintains the historic neighborhood access to the meandering trails, and provides appropriate restrictions on development.

885 Veronica Springs Road, Santa Barbara, California 93105
www.ensbergjacobsdesign.com
805.898.8004

RE: LAFCO: SB Museum of Natural History re Annexation

2

The resolution of the Museum's annexation process will be a good thing; let's get down to business and finish the work at hand-the Natural History Museums' annexation process and long awaited implementation of the well thought out CUP.

Thank you.

A handwritten signature in black ink, appearing to read "Tom Jacobs", with a long horizontal stroke extending to the right.

Tom Jacobs, AIA

2016 JUN 22 PM 2:14

COUNTY OF SANTA BARBARA
CLERK OF THE
BOARD OF SUPERVISORS

Bobbie Kinnear
997 La Paz Road
Santa Barbara, CA 93108

June 19, 2016

Santa Barbara LAFCO
c/o Mr. Paul Hood
105 East Anapamu Street, Room 407
Santa Barbara, CA 93101

Subject: LAFCO #15-05, Santa Barbara Museum of Natural History Reorganization

Dear Commissioners:

As Chair of the Board and a longtime trustee and former docent, I have supported the Santa Barbara Museum of Natural History for more than 40 years because:

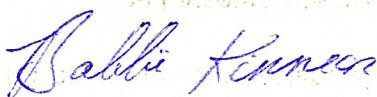
The Museum has always endeavored to fulfill its critical mission of inspiring residents of the Santa Barbara (and beyond) communities to learn about the unique natural history of the area. The Museum provides educational programs for adults and children, and hosts community forums on relevant issues involving science, conservation and the environment. The beautiful in-door and out-door exhibits further enlighten the visitors in their quest to understand the natural world around us.

Throughout the recent City review and approval process of a new master plan and CUP, the Museum has worked to ensure its long-term position as a successful institution while, not in any way, jeopardizing the important needs of the neighborhood or the community more broadly. Through dozens of open community meetings, monthly discussions with the Mission Canyon Association, and lengthy, honest dialog with several neighbors who had concerns about the Museum – we listened and we responded to address every reasonable concern.

As an institution, we look forward to operating within our new CUP under a single jurisdiction and turning our full attention back to operating your Museum for the benefit of all.

I urge you to approve the proposed annexation.

Sincerely,



Bobbie Kinnear

6/25/2014

To Whom It May Concerns,

My family has lived in
Mission Canyon since 1963.

We say NO to the annexation
of Museum of Natural History
woodlands from the County
to the city of Santa Barbara.

Sincerely,

Linda Goena
LINDA GOENA
2708 Puerta Del Sol
Santa Barbara, Ca
93105
(805) 722-0467

COUNTY OF SANTA BARBARA
CLERK OF THE
BOARD OF SUPERVISORS

2016 JUN 28 PM 4:12