

Alexander, Jacquelyne

From: Paul Hood <hood.paul@sbcglobal.net>
Sent: Wednesday, July 06, 2016 6:22 PM
To: Alexander, Jacquelyne
Subject: FW: support for annexation of NHM woodland parcel by the City of SB

From: Sia Morhardt [<mailto:sia.morhardt@gmail.com>]
Sent: Wednesday, July 06, 2016 5:24 PM
To: hood.paul@sbcglobal.net
Cc: Emil Morhardt <emorhardt@cmc.edu>
Subject: support for annexation of NHM woodland parcel by the City of SB

Dear Mr. Hood,

My husband and I strongly support the Natural History Museum's request for annexation of their woodland parcel by the City of Santa Barbara. With all of the protections that are in place for protection of the land there is no reason for the Museum to be split into two jurisdictions. We believe everyone's best interests will be served by approving the annexation.

We have enjoyed peaceful walks and nature observation on that land and, like so many others, we will be happy for it to remain protected. Becoming part of the City does not mean it will be developed. Rather, we believe its protection will be facilitated.

Thank you for your thoughtful approach to the Museum's request.

Sincerely,

Sia and Emil Morhardt

Alexander, Jacquelyne

From: barbara lyon <barbelyon@gmail.com>
Sent: Wednesday, July 06, 2016 11:56 PM
To: Alexander, Jacquelyne
Subject: Deny Annexation of Nat Hist Mus 5 acres

Dear LAFCO Commisioners:

Please DENY the proposed annexation of the 5 acres behind the Museum of Natural History and keep it in the County.

Don't change something that is fine as it is. Realize that there is an ulterior motive behind the request to be annexed. It is not just that it would be easier for the Museum to be within one jurisdiction, that of the City. It is that they feel the City will give them their way, which is to enlarge the grounds and facilities, using the 5 acres to build on.

We must NOT allow the further loss of open spaces in our community, nor the destruction of the beauty and ambiance of Santa Barbara. I am sick of outsiders entering our community, whether they've been her 40 years or less from the east coast or midwest, who want to change the Museum. We are not Los Angeles. Chicago or Washington DC. I am a 3rd generation Californian from an extremely sophisticated LA background from a family who has for generations taken care of the land and all creatures, gone camping, rock climbing, skiing, canoeing, all long before they became popular. Now you go to Yosemite and see trash and hear boom boxes and loud conversations of people ignorant of natural beauty. I have run programs in one of the largest universities in the US. We do not need cute packaged "experiences" -- we need enhanced intellectual and learning experiences. We do not need signs to tell us where to park, enter, exit, walk, find exhibits -- we need better care of the artifacts and exhibits we do have. We do not want another Getty or Autry in LA nor the Smithsonian in DC, all of which I am thoroughly familiar with even into the basements several stories down. Our Santa Barbara Museum is getting more and more plastic and less and less natural. We must prevent them from using the 5 acres to build on. We are dumbing down the population and the children. If people really and truly wish their kids to learn about butterflies, then they should join the Audubon society, as my son and I did and learned all the local flora, fauna, insects, butterflies and plants, as well as the birds! We went camping a lot and learned conservation, ecosystems and wildlife. We do not need daycamps for kids at the Museum, there are plenty of excellent ones at the Zoo and so many other places.

There are so many reasons not to agree to the annexation, reasons I will let others enumerate. I am so very disheartened to even have to ride herd on people who want to make everything in life plastic and unreal. If annexed, we will lose one more open space so sweet to all of the myriad of Santa Barbara neighborhoods. Give them an inch and they'll take a mile and develop the 5 acres. Their further goal is to completely and irrevocably change the entire Mission Canyon corridor, thus the entire historic Old Mission grounds. They have not been honest to date and we cannot expect them to be honest in the future.

Very sincerely,

Barbara Lyon
Mission Canyon Resident
Coalition to Preserve Mission Canyon

Allen, Michael (COB)

From: Jana Zimmer <zimmerccc@gmail.com>
Sent: Tuesday, August 11, 2015 9:25 AM
To: Dillon, William; Allen, Michael (COB)
Cc: Carbajal, Salud; Schneider, H; Farr, Doreen; Wolf, Janet
Subject: Museum proposal for annexation of Western Parcels

Re: Annexation of Museum owned parcels in Mission Canyon

Dear Mayor Schneider and Council members:

This is to request that the City reconsider the annexation of the Western parcels to the Museum property. The Museum's stated intention for these parcels is restoration, conservation, and continued public access. That purpose can be achieved by the Museum applying for and obtaining a Conditional Use Permit from the County to enable whatever educational and conservation activities they propose for the future, with appropriate review and findings of consistency with the Mission Canyon Plan, including with the ESH and public trail policies of that plan. The County has a good record (see, e.g. the Botanic Garden CUP, among others) of carefully reviewing such proposals and enumerating the type and intensity of uses and events permissible on sensitive lands. These five acres of oak woodland and riparian habitat qualify as a unique urban refuge for wildlife and passive recreation. The oak woodland is a distinct and different environment than the existing developed campus, and needs to be treated accordingly.

The annexation and proposed upzoning of the oak woodland for up to three residences per acre has no rational policy basis, and is counterproductive to the Museum's stated purposes of conservation and restoration. The CUP that the City approved for the developed portion of the Museum property should not be extended to apply to the woodland, because it does not adequately specify the proposed intensity of use of the woodland for Museum educational and event uses. Without any legally enforceable mechanism to implement the Museum's representations that these parcels will not be further developed for residential uses, (which the Museum has consistently refused to provide) and that the existing trail network will in fact continue to be available to the public, this annexation will be contrary to the community's interest, in particular the policies of the Mission Canyon Plan. Our legal and practical concerns have intensified since the Council's action on the CUP as a result of the following occurrences:

First, on May 7, 2015, the Court of Appeal held, on similar facts, including the potential for impacts from noise from exterior speakers and events on biological resources, that the County of Santa Clara should have prepared an EIR, rather than a mitigated negative declaration in a case involving the use of sensitive lands for noise generating events. See, *Keep our Mountains Quiet v. County of Santa Clara* 5/7/2015. Here, the Museum has asserted that the annexation of five acres of pristine oak woodland/riparian habitat for inclusion in the City's CUP, its use for an unspecified intensity of Museum 'educational activities', and the installation of 13 external speakers, (which had previously been declared a nuisance by the City), and oriented toward the woodland and the creek can be **exempt** from environmental review.

We have previously set forth why none of the categorical exemptions applies to this annexation. Evidence has been provided on the effect of noise on wildlife in the riparian area and ESH, but this issue has not been analyzed in any environmental document circulated to the public. The CUP that the City approved allows for a significant increase from long range historical documented annual visitation to the developed portion of the property, which has averaged since 1988 approximately 100,000 per year, to potentially up to 165,000 visitors per year. Despite our requests, the CUP failed to enumerate the types or numbers of classes, events, times of

day, or numbers of visitors using the oak woodland. The entire woodland is sensitive habitat, identified as such in the Mission Canyon Plan. While other public agencies charged with the protection of sensitive lands have recognized that overuse—and even ill-conceived and improperly executed “restoration” plans,— may damage or destroy the resource, the City has failed to analyze the potential impacts of Museum uses to ESH, let alone address them through enforceable limitations.

We have observed that the City seems to have developed a pattern and practice of exempting certain projects, no matter how they may impact the environment, from CEQA review. In this case, after three years of ex parte contacts and ‘preliminary’ meetings with the Museum’s representatives, the City short-circuited the public review of the Museum’s CUP by declaring the entire project exempt from CEQA after the Museum’s application was called complete. We have recently been made aware that efforts by members of the public, including the Chair of the County’s Mission Canyon Plan Advisory Committee, to obtain records under the Public Records Act to establish how this might have occurred have simply been ignored. These practices are contrary to the purposes of CEQA, the Public Records Act, and the Brown Act, to enable citizens to participate and understand what their elected officials are doing, and why.

Second, the CUP ‘formalized’ certain unpermitted Creekside development, and re-privatization of certain trail segments that had long been identified for public access through the property. There is already evidence that the City’s failure to specify the Museum’s obligations as to public access on the trail system has and will lead to reduced opportunity for the public to use the trail networks that have been used for decades. We informed the City Attorney and the project planner that several weeks ago, a large tree fell across a portion of the loop trail, and the Museum stated its intention to simply leave it, blocking the trail. The photographic and documentary evidence of this is in the City’s record. It was only after this was brought to the attention of City officials that the Museum removed the segment of the tree that had blocked the trail. In the CUP process, the Museum had asserted that it would create a ‘new’ trail segment to replace those portions which it asked to re-privatize, but there is no time frame set for that replacement. There is also signage on the trails that implies that permission to use the trails can be revoked at will, despite the representations in the CUP that the trails will remain available. The effect of this is that already members of the public who have used these trails for decades are being actively discouraged from continuing to access the property.

Therefore, in order for this annexation to achieve its stated purposes to ‘preserve and protect’ the oak woodland, and to assure that the project will have no possibility of a significant effect on the environment or on existing public access, the Council and/or LAFCO must, at a minimum, require the following:

1. Delete the residential zoning and substitute open space zoning. If the Museum’s intention is to preserve the oak woodland for restoration and conservation, rather than for future sale and residential development, it is completely counterproductive for City to zone the annexed property at a residential density that would allow even more homes to be constructed than under the existing County zoning.
2. Require a conservation and open space easement, as well as formal dedication of all trail areas that the Museum has stated it intends to preserve for the public. The trails that the Museum has stated it will preserve for the public must be clearly identified, and the Museum’s maintenance obligations (i.e. prompt removal of obstacles, welcoming signage) must be set forth.
3. Delete the use of external speakers from the CUP. The conditional use permit purports to ‘guarantee’ that sound from the unlimited announcements of planetarium shows and events will not migrate beyond the property line. However, the sound, and the very purpose of the speakers is to ‘reach’ Museum customers who are outside, in the play area that was built without benefit of permit in riparian habitat, and throughout the oak woodland ESH. The Museum has no limitation on the number of

announcements permitted per hour, throughout the day. Impacts of the disturbance to wildlife from this repetitive noise source has not been evaluated.

4. In addition, the City must specify within the conservation easement the specific types, numbers, and intensity of activities intended for the riparian/oak woodland area. Contrary to the implications of the staff report, the Museum has **no** current right to engage in Museum related activities, such as classes or camps, on the annexation parcels, as those parcels are zoned for residential use only, and the Museum has never applied for or received a conditional use permit for such activities from the County.

Finally, we are concerned that the proposed annexation of certain roadways and parcels for the benefit of access to the Museum has been segmented from this project.

Once again, all we are requesting is that the Museum be held to the same rigorous standard as the hundreds of residential properties with lesser impacts to the environment in the Mission Canyon Plan area.

Cc: Paul Hood, LAFCO
Salud Carbajal
Doreen Farr
Janet Wolf
William Dillon, County Counsel

Alexander, Jacquelyne

From: Paul Hood <hood.paul@sbcglobal.net>
Sent: Thursday, July 07, 2016 7:05 AM
To: Alexander, Jacquelyne
Subject: FW: SBNHM annexation of the oak woodland parcels that are currently in the County – and bring them into the City APPROVE

From: Anabel Ford [<mailto:anabel.ford@ucsb.edu>]
Sent: Wednesday, July 06, 2016 9:01 PM
To: hood.paul@sbcglobal.net
Cc: Luke Swetland <lswetland@sbnature2.org>
Subject: SBNHM annexation of the oak woodland parcels that are currently in the County – and bring them into the City APPROVE

TO: [LAFCO Commissioners](#)

As a neighbor and as a community member, I am encouraging them to approve the annexation of the floating parcel of Sta Barbara County land into the existing parcels of the SBNHM landscape to ultimately make one complete contiguous parcel for the whole museum. Do not be swayed by the misinformation and assertions. The SBNHM is a wonderful asset in the City. The City is bound to gain from the making a contiguous parcel for the museum .

It is noteworthy that the Mission Canyon Association and the Upper East Association, the two neighborhood associations that represent over 600 neighborhood households, have come out in support of the annexation.

Thank you for your consideration and support.

Anabel Ford

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Dr. Anabel Ford  
President  
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and Director  
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## Alexander, Jacquelyne

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**From:** Paulina Conn <pconn43@cox.net>  
**Sent:** Thursday, July 07, 2016 10:18 AM  
**To:** Alexander, Jacquelyne  
**Cc:** Email Lafco  
**Subject:** Rebuttal to Suzanne Elledge LAFCO comments Museum of Natural History

July 7, 2016

**Rebuttal to Public Comments by Suzanne Elledge from Paulina Conn.** Ms. Elledge is the consultant for the Museum of Natural History.

Dear LAFCO Commissioners,

**RE 1. : Refuting Suzanne Elledge's misleading parcel size per single family dwelling unit County vs City,** paragraph 6 of her Public Comments of June 27, 2016. The County single family zone designation for these five parcels APN- 023-250-039,066, and 068 is 1.8 units per acre or one unit. The City's is 3 units per acre.

An acre is 43,560 sq. ft.

3 units per acre = 14,520 sq. ft of land per unit in the City.

1.8 units per acre = 24,200 sq. ft. of land per unit in the County.

The difference is 9,680 sq. ft. of land that is left as open space in the County. The equivalent of 2 city lots that are 49' x 100'.

Suzanne's rounding of figures to 20,000 sq. ft County vs 15,000 sq. ft City leads one to believe that there is only one lot difference between County and City where there are 2 lots difference per unit.

**Re 2: Refuting Suzanne Elledge's claims of keeping land as is.**

The Museum complies with the Mission Canyon Community Plan ( a County document) on a voluntary basis. If the Museum wants to change the CUP and sell its holdings it can make a compelling case to do so thus changing "voluntary" to what it can legally do. With all land in the City the Mission Canyon Community Plan is not enforceable. The Museum is in Mission Canyon and should become a County resident again with its current city CUP but with all future development coming under the County's jurisdiction. A single jurisdiction can be formed under the County

**Re 3: Refuting Suzanne Elledge's the claim that changing jurisdiction falls within the LAFCO Criteria.**

I sent an email letter to Paul Hood on August 24, 2015 going line item by line item that shows that annexation violates most of the LAFCO criteria. In a nutshell:

The only "favorable" reason is "sphere of influence" and even this is negative because all of Mission Canyon is in the "sphere of influence". Piece-meal annexation is bad for consistency in

planning in Mission Canyon. Mission Canyon is rural and semi-rural not urban. All services are already available including mutual aid.

1. Peninsulas and islands are not eliminated. It creates new ones. The Museum of Natural History is in Mission Canyon. All of Mission Canyon is in the City's Sphere of Influence. Except for the Museum and one adjacent private parcel, all of Mission Canyon is in the County. The Museum's City acres are the outlier.

2. This is rural and semi-rural not urban with all services already available – City water and sewer, and County lighting, fire protection and sheriff services. It is also in the mutual service agreement districts with the City and County as is all of Mission Canyon. The Museum of Natural History is in Mission Canyon. It's City acres are the outlier.

3. All services already exist so annexation is not needed.

4. Annexation conflicts with the Mission Canyon Community Plan (a county planning document) which is highly specific for these acres of high environmental sensitivity.

5. Request is not by a public agency but by a private non-profit corporation that could benefit financially by jurisdiction change for future land use upon sale for higher density housing in the City or for more urban use in the City. A non-profit that pays no property taxes should not be determining future land use.

More LAFCO criteria against annexation.

1. It creates a narrow county corridor on the west, a new peninsula, causes farther distortion of Mission Canyon which is a neighborhood in the County with unifying characteristics that differ from the City such as low density, abundance of native vegetation, rural style roads and lanes without urban style curbing, shoulders, or sidewalks. These need to be planned for in a consistent unified way which the County General Plan, County Comprehensive Plan and the Mission Canyon Community Plan does.

2. Could result in premature intrusion of urbanization in a semi-rural area because keeping the five woodland acres as open space with free public access is voluntary and changeable at any time with a CUP change. The Mission Canyon Community Plan, a county document, would be unenforceable.

3. All services already exist as they do for all of Mission Canyon.

4. Development of these five woodland acre, all, or in part, is not in the public interest.

5. The proposal is motivated by self-interest not the public's best interest. The Museum is in Mission Canyon. Mission Canyon is in the County. The Museum is the outlier and never should have been annexed to the City. The natural boundary of the Mission Creek and the high Mission Ridge Fault should have precluded any annexation in 1968. The City portion is now coming in



conflict with the Mission Canyon Community Plan, neighbors and many other Mission Canyon residents.

6. Boundaries become fragmented and make the Mission Canyon Community Plan unenforceable in segments of Mission Canyon if these parcels are annexed to the city.

7. The proposal is inconsistent with the Mission Canyon community Plan, the County General Plan, and the County comprehensive Plan. All of Mission Canyon is in the City's Sphere of Influence. Piece-meal annexation is not in the public interest.

Finally, the City rejected annexation of all of Mission Canyon due to cost in 1984 when the District 12 Service district was instituted instead. Piece-meal annexation gives the City the opportunity to cherry pick beneficial annexation that will provide more revenue than expense and reject detrimental annexation.

Also, Mission Canyon residents have rejected annexation.

If the Museum wants Mission Canyon land annexed to the City it needs to request that all Mission Canyon be annexed. Otherwise, the Museum should have been a good neighbor and asked to have its City holdings in Mission Canyon returned to County jurisdiction to unify future land use.

Please keep the five acres, APN 023-250-039, 066, and 068 in the County. A building permit for the "western residence" can and should be pulled through County Planning and Development.

ANY minor changes such as bioswales are likely to receive a Substantial Conformity determination.

Sincerely,

Paulina Conn

2612 Foothill Rd.

Santa Barbara, CA 93105

682-5183