

STARBUCK MINIKIN, INC.

606 SANTA BARBARA ST. SANTA BARBARA, CA. 93101

July 2, 2014

Joyce Gerber- county Planner
Salud Carbajal- Supervisor

Regarding: Public beach access at 2825 Padaro Lane, Carpinteria

To Whom It May Concern:

It is my strong belief that the existing public access to the beach on the northern end of Padaro Lane is more than adequate to provide the beach to the public. I am a frequent user of this access and it is a lot less invasive to the creek area habitat that is going to be affected by an added access at 2825 Padaro Lane. I encourage you to not provide access here needlessly.

Respectfully,

Charles Starbuck

Gerber, Joyce

From: Donna Melville [decemelville@cox.net]
Sent: Thursday, July 03, 2014 11:23 AM
To: Gerber, Joyce
Subject: Dear Ms. Gerber.

Dear Ms. Gerber.

As a resident of Padaro Lane for several years and as Secretary of the Padaro Lane Owners' Association, I would like to express my concern for the current land use issue facing Padaro Lane residents. These problems along our California coast, between private citizens and the non-profits that support them and the private rights of property owners, are on-going and endless. Ultimately, it seems, the land owner loses. He must relinquish some of his privacy, as well as some of the land he has worked hard to earn. Where does it end? I urge the Board to 1) DENY the Appeal (13APL-00000-00029 and 2) uphold the original approval (12TPM-00000-00006, 11CDH-00000-00006 and 11CDH-00000-00054).

Sincerely,
Donna Melville
3487 Padaro Lane
Carpinteria, CA 93013
805.684.1186

Sent from my iPad

Gerber, Joyce

From: Ron Melville [melvillewine@cox.net]
Sent: Saturday, July 05, 2014 4:30 PM
To: Carbajal, Salud; Gerber, Joyce
Subject: Padaro Lane and the pending Appeal of 2825 Padaro Lane

Regarding the current Padaro Lane Beach access issue, I urge the Santa Barbara County Supervisors

To: 1. Deny Appeal # 13APL-00000-00029 and #2 UPHOLD the original approval #12TPM-00000-00006, 11CDH-00000-00006 and 11CDH-00000-d

I am a 19 year resident of Padaro Lane, and I love living here, but, I am very concerned how private citizens, who do not even live on Padaro Lane, can continually hold court over the rights of property owners on Padaro Lane who want to build or remodel their homes.

The Loon Point parking lot, improved beach trail, and rest rooms, all paid for by the citizens of Santa Barbara County, offer easy access to the Beach, making another Beach access, only a few yards away, redundant and ridiculous.

Sincerely, Ron Melville
3487 Padaro Lane
Carpinteria, CA. 93013

Gerber, Joyce

From: Brian Edwards [bredwards51@cox.net]
Sent: Thursday, July 03, 2014 1:51 PM
To: Gerber, Joyce
Subject: Appeal of 2825 Padaro Lane

Dear Joyce,

It has come to my attention that there is a group appealing a neighbor's proposed lot split at the above-referenced property.

I have read the Appeal and have the following comments:

- 1) Safety is an issue, because there is no adjacent parking and people would have to cross Padaro on a blind curve and walk up the street to the proposed trail, which is dangerous.
- 2) The trail and park that is being proposed by the parties appealing is just absurd. The public has an existing trail to the beach less than 1/8 mile away from the proposed new trail.
- 3) The fact that the public cannot access the small beach in front of the subject property during high tides is not sufficient enough of a reason to justify blazing a new public access trail. They can access from the existing Loon Point Trail when tides are low to medium.
- 4) This whole project would affect the safety and security of our neighborhood, if approved.

In closing, are we coming to a point where the government is going to extort property from owners for public access merely because the tide is high? I hope not. Do property owners have any constitutional rights anymore?

I ask that you please deny this appeal, and let the owner do his lot split and build his home.

Thank You in Advance,

Brian R. Edwards
Full-time resident
3279 Padaro Lane

Gerber, Joyce

From: Greg Renker [GRenker@guthy-renker.com]
Sent: Sunday, July 06, 2014 10:29 AM
To: Gerber, Joyce
Subject: Padaro lane

Thank you for your careful consideration in rejecting the appeal for unnecessary additional public access to the beachfront. Thank you also for your ongoing community service..

Thanks,
Greg

Gerber, Joyce

From: Vincent, James B [james.vincent@bernstein.com]
Sent: Sunday, July 06, 2014 10:49 AM
To: Carbajal, Salud; Gerber, Joyce
Subject: Hi Salud and Joyce, quick note concerning the upcoming hearing on the creation of a public park and/or trail on Padaro Lane.

We own a small home on Padaro Lane. We love the Carpinteria community. I went to school here, and grew up on these beaches. I now have four children enjoying the beaches as well. With the public parking, trail and beach access at the northern part of Padaro Lane, and the public access at the southern part of the beach at Santa Claus Lane, I feel like the community is enjoying the beach in a meaningful, fulfilled way. I certainly never thought we needed an additional trail when I was surfing all the breaks such as Loon's and Padaro Point while growing up. The idea of forcing a trail or park on private lands seems plainly mean spirited, particularly when access is already there? This doesn't seem like how we should all act, nor is it an American approach to property rights, or the spirit of the law in my opinion.

Kind Regards,
Jim Vincent
James Vincent
Sanford C. Bernstein. L.P.
Office: 310-407-0021

Sent from my BlackBerry

.....
For further important information about AllianceBernstein please click here
<http://www.alliancebernstein.com/disclaimer/email/disclaimer.html>

Gerber, Joyce

From: Stacey Pressman [slp1313@aol.com]
Sent: Sunday, July 06, 2014 12:01 PM
To: Carbajal, Salud
Cc: Gerber, Joyce
Subject: Padaro Beach

SENT ON BEHALF OF ARLEEN SORKIN:

Dear Salud-

As the homeowner of both 3351 & 3281 Padaro, we do not support another public trail and park.

There already exists public trails to the beach. Please do not let this happen.

Arleen Sorkin

Gerber, Joyce

From: John Janofsky [jjanofsky@waterskraus.com]
Sent: Sunday, July 06, 2014 1:08 PM
To: Gerber, Joyce
Subject: Appeal of 2825 Padaro Lane

To whom it may concern:

I reside at 3531 Padaro Lane.

I write to voice my concern that if this appeal is granted, it would compromise the safety and security of homeowners on Padaro Lane such as myself and my family.

I am requesting as an interested party that the appeal be denied.

There is already more than adequate access to the beach for the public and the request is unnecessary under the circumstances.

Sent from my iPhone

John Janofsky | Partner
Waters, Kraus & Paul

This electronic message contains information from WATERS & KRAUS, LLP that may be privileged and confidential attorney work product or attorney/client communication. The information is intended to be for the use of the addressee only. If you are not the addressee, note that any disclosure, copying, distribution or use of the contents of this message is prohibited. If you received this message in error, please notify the sender immediately.

Gerber, Joyce

From: Kapustay Rebecca [rkapustay@gmail.com]
Sent: Sunday, July 06, 2014 2:25 PM
To: Gerber, Joyce
Subject: Fwd: Appeal of 2825 Padaro Lane lot split

Begin forwarded message:

From: Kapustay Rebecca <rkapustay@gmail.com>
Subject: Appeal of 2825 Padaro Lane lot split
Date: July 6, 2014 at 2:19:30 PM PDT
To: scarbaja@co.santa-barbara.ca.us, jgerber@co.santa-barbara.us

Dear Supervisor Carbajal and County Planner Gerber,

We are writing to both of you to express our concern regarding a group that is appealing a lot split of 2825 Padaro Lane.

In reading the appeal, it appears there are no grounds for this appeal other than to use the appeal as leverage to gain access to a small beach which is already accessible to the public except in high tides. There already is beach access within 1/8 of a mile! What is even more surprising is that most of the good surfing in this area is done at low tide when access is readily available.

We are concerned that approval of this appeal will set a precedence for homeowner extortion and negatively effect property values for beach property not only on Padaro Lane but on all beach properties in California. We respectfully urge you to deny this appeal.

Thank you for your consideration.
Sincerely,
Rebecca Kapustay
David Ludwig
3315 Padaro Lane

Gerber, Joyce

From: Sea Isle [sea.isle@hotmail.com]
Sent: Sunday, July 06, 2014 3:19 PM
To: Carbajal, Salud; Gerber, Joyce
Subject: 2825 Padaro Lane
Attachments: Letter dtd 6 July 2014 in Support of Application and Request to Deny Appeal.pdf

July 6, 2014

Supervisor Salud Carbajal	County Planner Joyce Gerber
First District Supervisor	County of Santa Barbara
County of Santa Barbara	Planning and Development
105 E. Anapamu St.	123 E. Anapamu St.
Santa Barbara, CA 93101	Santa Barbara, CA 93101

Re: Planning Commission December 4, 2013 Approval of the Beach Club Lot Split

Summerland Citizens' Association Appeal of the Beach Club Lot Split

Dear Mr. Carbajal and Ms. Gerber:

I am writing this letter to request: 1) the Board DENY the Appeal (13APL-00000-00029) and 2) uphold the original approval (12TPM-00000-00006, 11CDH-00000-00006, and 11CDH-00000-00054).

My wife and I are property owners on Padaro Lane and, as such, we are of standing in this matter.

I have read the Applicant's request and subsequent Appeal letters from the Chytilo law firm.

Much of the Chytilo law firm's basis for the Appeal revolves around the notion of public access to the ocean. They attempt to use a variety of arguments to request that you deny the Application; they even suggest that the broad language of the California Constitution applies with some specificity to the Applicant's property by quoting from the Constitution that "access to the navigable waters" ... "shall always be attainable for the people". This may well be non-sequitur to the Appellant's argument as the Constitution does not provide for public access at every point on the California coast and clearly does not speak to the State's requirement to provide "safe" access which is another argument by the Appellant – that "safe" access is somehow a Constitutional guarantee. The Constitution merely speaks to granting public access to the coast but such access is subject to the rights of property owners.

In the case of Padaro Lane and the Applicant's property, such right of way has already been provided to the public for access to the coast. The County has provided substantial access through the Loon Point trail along with excellent, dedicated parking which is for the sole public use to access the coast – which certainly satisfies any Constitutional requirement to provide access.

Another reason to deny the appeal is on the grounds of reasonable accommodation. The access through the Applicant's private property which the Appellant is requesting is but 1/8th of a mile from the Loon Point access – that dedicated Loon Point access does provide for such reasonable accommodation.

A further ground to dismiss the appeal is the notion raised by the Chytilo law firm that the Applicant, themselves, are not worthy of the approval. The Appellant, through the Chytilo law firm, attempts to cast a negative presumption on the Applicant by referring to them gratuitously as being a celebrity (whatever that may be). The Applicant's request must be considered by the Board on the basis of the property owner's rights as any such determination relating to this Application will run with the land, not with the current owner who may well be a "celebrity", but future owners who may well not be.

I urge the Board to grant approval for the Application and deny the Appeal.

Sincerely,

Richard Bergmark

Gerber, Joyce

From: Susan Neuman [tsuneumi@cox.net]
Sent: Monday, July 07, 2014 9:49 AM
To: Carbajal, Salud; Gerber, Joyce
Subject: Re: establishment of parking and hiking trail through privately held land; 2825 Padaro

> Dear Salud and Joyce,
> As a 3rd generation owner of a home on Padaro Lane, I find it very disturbing that there is an issue once again being raised to enable more public access through property that is privately OWNED, MAINTAINED AND HEAVILY TAXED. There is a liability issue, as well as a security issue for our homes along Padaro Lane, should more public access be provided. There is currently public access at Loon Point with parking, as you are well aware. The effort to take private property because the beach cannot be accessed during a high tide, is not RIGHT. The parking at Santa Claus Lane has already impacted our homes in a negative way during peak season. Please do not allow for more.

> Susan Neuman
> tsuneumi@cox.net
> 805 684-4908

Gerber, Joyce

From: Stephanie Nicks [stephanienicks@mac.com]
Sent: Monday, July 07, 2014 10:40 AM
To: Carbajal, Salud; Gerber, Joyce
Cc: bredwards51@cox.net
Subject: Appeal of 2825 Padaro Lane

Dear Salud and Joyce,

We are inclined and strongly agree with Brian Edwards position regarding public access to the beach regarding 2825 Padaro Lane.

Thank you and respectfully,

Stephanie Nicks
3292 Beach Club Road

Gerber, Joyce

From: rjmewoodruff@sbcglobal.net
Sent: Monday, July 07, 2014 10:42 AM
To: Gerber, Joyce
Subject: DENY the Appeal of 2825 Padaro

PLEASE. !
We are in complete
agreement with Brian
R. Edwards letter

The Woodruff Family

Sent from my iPhone

Gerber, Joyce

From: Laurie Ballard [laurieb@lbbsculpture.com]
Sent: Monday, July 07, 2014 11:26 AM
To: Gerber, Joyce
Subject: Appeal of 2825 Padaro Lane

From: Laurie Brecheen Ballard (Andros) Laurieb@LBBSculpture.com
and Jim Andros Vaquero.Padaro@Gmail.com and

Date: July 6, 2014 1:50:17 PM PDT

To: scarbaja@co.santa-barbara.ca.us

Subject: Appeal of 2825 Padaro Lane

Dear Salud,

It has come to my attention that there is a group appealing a neighbor's proposed lot split at the above-referenced property.

I have read the Appeal and have the following comments:

- 1) Safety is an issue, because there is no adjacent parking and people would have to cross Padaro on a blind curve and walk up the street to the proposed trail, which is dangerous.
- 2) The trail and park that is being proposed by the parties appealing is just absurd. The public has an existing trail to the beach less than 1/8 mile away from the proposed new trail.
- 3) The fact that the public cannot access the small beach in front of the subject property during high tides is not sufficient enough of a reason to justify blazing a new public access trail. They can access from the existing Loon Point Trail when tides are low to medium.
- 4) This whole project would affect the safety and security of our neighborhood, if approved.

In closing, are we coming to a point where the government is going to extort property from owners for public access merely because the tide is high? I hope not. Do property owners have any constitutional rights anymore?

I ask that you please deny this appeal, and let the owner do his lot split and build his home.

Thank You in Advance,

Laurie and Jim
Full-time residents
3355 Padaro Lane

Gerber, Joyce

From: Jon Jorgensen [jjorgensen@chandlery.com]
Sent: Monday, July 07, 2014 11:58 AM
To: Gerber, Joyce
Subject: Fwd: Attached Image from The Chandlery
Attachments: 4859_001.pdf

Joyce, Please see attached regarding costner appeal beat Jon Jorgensen

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

From: THE CHANDLERY YACHT SALE <scanner2013@att.net>
Date: 2014-07-07 11:11 GMT-07:00
Subject: Attached Image from The Chandlery
To: jon jorgensen <jjorgensen@chandlery.com>

My name is Jon Jorgensen. My address is 175 Ocean View Ave, adjacent to Summerland in Santa Barbara County. I have lived at this address for over 23 years - since 1990. I have lived and worked in Santa Barbara County for over 44 years - since 1969.

As a surfer, swimmer and hiker, I am very familiar with this area. I use the neighborhood beach, trails and roads on a regular basis. For the past 23 years I have been using Padaro lane almost daily as my jogging route from Loon Park to Santa Claus Lane.

My route is about 3.2 miles (basically a 5K round trip). Over time I have been able to closely observe conditions in the area.

I request that you deny the appeal before you regarding the provision of beach access from Padaro Lane at Toro Creek. This proposed access is unnecessary - because nearby a universally accessible developed access trail and importantly an associated parking lot has been provided to serve this beach.

This existing beach access parking lot and trail is only about 100 yards to the west of Toro Creek. This trail provides access to the entire beach. The claim that access at Toro Creek is necessary because high tides block access around the Point is without merit, as this is an infrequent and temporary occurrence, similar to hundreds of locations along the coast.

In addition to being redundant and a waste of resources, the trail at Toro Creek proposed by the appellants would present an unacceptable danger to public health and safety, and result in unacceptable degradation and loss to cultural and environmental resources.

My concerns related to public health and safety are in regard to both any trail at this location and any access to it from Padaro Lane. Any trail route would need to be within the creek bed itself as the banks are very

steep, in some places undercut, and require traverse over rocks and boulders, exposing any trail users to injury. Access from Padaro Lane Also presents problems related to the traverse of the steep banks, and troublingly, the stopping and parking of vehicles at the bridge or its approaches and along the narrow shoulders of Padaro Lane itself. There is simply no room for any parking along Padaro Lane at this location. Further, I have seen evidence of loitering at and under the bridge, including broken glass, trash, garbage and human waste, all of which would be expected to increase if any access trail in such a concealed, low-visibility area as this.

In addition to the health and safety concerns noted, the development of a trail and access here would result in unacceptable degradation and loss to cultural and environmental resources. Any construction and use associated with trail and access will increase erosion, compaction and physical damage to the sensitive habitat within the creek corridor, and increase the risk of the uncovering and tampering with sensitive archeological resources. The Creek's environmental resources have been carefully restored and managed by the property owner, and the cultural, archeological resources of the Creek and surrounding property has been carefully protected. This stewardship would no longer be possible if access were provided.

In summary, safe, maintainable universally accessible access to this beach and associated parking facilities is already developed. The provision of an additional access at Toro Creek is not only unnecessary, but will have severe negative, irreversible impacts on public health and safety, environmental and cultural resources.

Gerber, Joyce

From: Karl Lindenlaub [quickkarl@earthlink.net]
Sent: Monday, July 07, 2014 1:43 PM
To: Gerber, Joyce
Subject: 2825 Padaro Appeal

Karl M. Lindenlaub
3974 Oak Hollow Circle
Westlake Village, Ca. 91362
(805) 405-8656

Dear Sirs,

I am writing to you to voice my opinion on the upcoming decision of appeal for the project at 2825 Padaro . As an avid hiker and naturalist, with family in both Carpenteria and Montecito, I am familiar with and have enjoyed the use of the Loon Point trail and nearby beaches for many years. I do not want to see a trail along Toro Creek, nor would I welcome the detrimental impact to the area brought about by the public access across private land, as suggested by the petitioners in this appeal. This area is very important ecologically, and has historically been cared for and maintained through the system of private land ownership. The petitioner's suggestion that the current owners celebrity status would somehow negatively impact their stewardship of this land, is not only unsubstantiated, but runs counter to the very principles of free enterprise and land ownership on which our country was founded. The preservation of this area and the many wonderful alternative access points make this trail along Toro Creek both impractical and outside the best interest of public and private citizen alike. I strongly urge you to deny the appeal before you, and uphold the original approval for this parcel.

Sincerely,
Karl M. Lindenlaub

Gerber, Joyce

From: Art Cameron [artcameroniii@gmail.com]
Sent: Monday, July 07, 2014 2:04 PM
To: Gerber, Joyce; Carbajal, Salud
Subject: Case No. 13APL-00000-00029
Attachments: A. Cameron Letter to County of SB 7-7-14.pdf

Dear Board of Supervisors,

Attached please find a letter regarding the above referenced case and Summerland Citizens' Association Appeal of the property at 2825 Padaro.

Please contact me should you have any questions regarding the attached.

Best regards,

Arthur Cameron III

ARTHUR CAMERON

2937 PADARO LANE
SUMMERLAND CA, 93013
TELEPHONE: (805) 284-7807

July 7, 2014

County of Santa Barbara
Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101

RE: Case No. 13APL-00000-00029, 2825 Padaro Appeal

Dear Chair Lavagnino and Members of the Board of Supervisors,

I am writing as a concerned citizen of the community and neighbor to the property at 2825 Padaro Lane. I grew up on the property and in 2004 after my father's passing we sold the property to Mr. Costner. I have continued living on a portion of the original property at 2937 Padaro Lane, which is adjacent to the 2825 property so I am well aware of the issues that this matter has raised. I have witnessed firsthand some of the events and the concerns that many have voiced in their support of denying the appeal made by Summerland Citizens Association.

Although privacy is a concern of mine there are other more pressing and serious issues that should concern the Board as well and cause the denial of the appeal. Those include the past history with another area on the property that has been used illegally to access the beach and the effects of that use, safety concerns for both pedestrians and drivers on Padaro Lane and the potential for an increased fire hazards and environmental impact both on the 2825 property as well as the neighboring properties.

Some of my concerns about the public having an additional trail to the beach stems from my experience with the Toro Creek that splits my property and 2825. Very occasionally, it has been used illegally despite a locked gate and sign that indicates that the Toro Creek is private property and trespassing is not permitted. I have seen firsthand that this use not only contributes to illegal passage onto the property but theft, vandalism, drug use, animal waste and trash are also results of the use.

In addition, there is a safety issue for people who would be using the trail and the drivers traveling on Padaro Lane. The only parking available to the public would be the lot located on the opposite side of the street from the 2825 property. There is no cross walk available to protect pedestrians, lighting of the area, and there is a lack of visibility to drivers around the curve to see crossing pedestrians. All of these cumulatively are a receipt for someone or several people to be unnecessarily injured.

As a resident adjacent to the 2825 Padaro property the letter from Fire Chief Michael Mingee dated April 8, 2014 is very concerning. He states that if there is a trail that is available to the public then there is a great increase in probability that once a fire is ignited "it will quickly increase in intensity and spread rapidly." He concludes his letter by stating, "the Fire District is not supportive of any improvements that would introduce or generate increased human use in such a highly vegetated area." As a home owner on Padaro the threat of homes on Padaro having an increased chance of being destroyed by fire to add an additional trail is very concerning and in my opinion unnecessary. Another environmental matter is raised by Native Chumash consultant Patrick Tumamait who states in his letter to the Board dated April 30, 2014 that "the site is a documented Chumash Archeological site with human remains and that the site should be preserved and protected from the general public to avoid further desecration." There has already been at least one incident where a trespasser has entered the property illegally and tried to dig on the site and remove human remains from the site.

Due to all of these negative consequences that this public access trail has raised I ask the Board to deny the appeal made by Summerland Citizens Association to protect the homes on Padaro and pedestrians. There is currently a trail that allows for safe beach access and I do not see the purpose in allowing another especially because of the issues I raised above.

Please feel free to contact me with any questions concerning the above statements.

Sincerely,

Arthur Cameron III

Gerber, Joyce

From: Chris Lloyd [cwntalloyd@aol.com]
Sent: Monday, July 07, 2014 2:29 PM
To: Gerber, Joyce
Subject: Padaro Lane Issue

Ms. Gerber,

My name is Christopher Lloyd and I am a resident on Padaro Lane in Carpinteria. I understand there is a proposal before you which concerns adding a beach access as well as a public park at the west end of our street.

I am against this.

I have no objection to public access, but as there is already a public access point merely a couple hundred yards away, and because the proposed new access would potentially present a safety hazard (cars commonly travel at 50mph at this spot, I think it is in no one's best interest.

I am additionally concerned about the safety and security of my home.

Given that there is already a safe (and close by) location from which the public can access this beach, I urge you to stand against this proposal.

Sincerely,

Christopher Lloyd
351 Padaro Lane

Gerber, Joyce

From: Wendy Hoss [WHoss@clifford-brownlaw.com]
Sent: Monday, July 07, 2014 5:18 PM
To: Carbajal, Salud; Gerber, Joyce
Cc: Thomsonana@aol.com; Jeflain@aol.com; janlthomson@gmail.com; Wendy Hoss; sylvia@cattanifarming.com; jeflain2@aol.com; JSFCTim@gmail.com; AnnNThomson@aol.com; EINanster@aol.com; kristin.thomson@mail.house.gov; jillisbgrl@gmail.com; mjthomson1@gmail.com; karenmthomson@hotmail.com; jacksthomson@aol.com; nethomson@hotmail.com; emmy@cattanifarming.com.com; lhcattani@gmail.com; panspach@grimmway.com; vince@creativeoffsprings.com; Kaye Walters
Subject: Appeal of 2825 Padaro Lane

Dear Supervisors,

As a homeowner at 3505 Padaro Lane, I am strongly requesting that you please reject the Appeal of 2825 Padaro Lane Decision and allow the homeowner to proceed to develop his property as he is entitled to do, without requiring the public to cross his property.

There are parking, safety, sanitation, security, property rights and many other issues which would mandate that the property owner be allowed to retain his property free of public access.

I believe I speak for many of my co-owners and neighboring home owners on this issue, who are invited to forward this email to you if they agree.

Please do not hesitate to contact me if you have any questions.

Wendy

Winifred Thomson Hoss
Co-Owner
3505 Padaro Lane
Carpinteria, CA 93013

CONFIDENTIALITY NOTICE: This e-mail/transmission is intended to be sent only to the recipient stated therein. This e-mail/transmission is confidential and also may be legally privileged or protected by the attorney-client privilege or work product doctrine, and also may be restricted from disclosure by applicable state and federal law. Any copying, disclosure, distribution, review or use of this e-mail/transmission by other than the intended recipient or that person's agent is strictly prohibited. If you have received this e-mail/transmission in error, please notify the sender, and immediately permanently delete or destroy this e-mail/transmission, and all copies thereof from any drives or storage media, and destroy any printouts of the e-mail/transmission. No attorney-client relationship is created by the act of sending or receiving this message outside of a written agreement.

IRS CIRCULAR 230 DISCLOSURE: Any tax advice contained in this e-mail/transmission, including any attachments, was not intended or written to be used, and cannot be used, for the purpose of: (i) avoiding tax-related penalties under the Internal Revenue Code; or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

Gerber, Joyce

From: Nanci Robertson [surflane1@yahoo.com]
Sent: Monday, July 07, 2014 5:39 PM
To: Gerber, Joyce
Subject: Appeal of 2825 Padaro Lane

County Planner Joyce Gerber,

I would like to express my concern for the appeal to require a public trail and park at 2825 Padaro Lane. I have read both the original approval and the appeal by the two gentlemen representing the Summerland Citizens Assn.

Public access with an ample parking lot and a well maintained trail to the beach are only a few yards down the street. Why is there a need for another access so close to an existing one?

The appeal states that they need to access that stretch of the beach because it's unreachable during high tide. Does that mean that from now on if a beach area isn't accessible during a high tide, land owners are to provide access? How often is this area not accessible from the existing trail - certainly not most of the time if you check the tide charts. Their arguments don't hold water. No pun intended... Again, the existing parking lot and trail are only a few yards away.

What is the cost of maintaining another park and trail so close by? The county parks budget is already stretched. Why does any of this make sense?

Parking on the street poses another safety concern. The fire and police departments who know this area are already opposed and I would think they would have a weighted opinion.

I strongly request a denial of the appeal (13APL-00000-00029) and uphold the original approval (12TPM-00000-00006, 11CDH-00000-00006 and 11CDH-00000-00054).

Respectfully Signed,

Land owner and primary residence since 1976

Nanci Robertson

3555 Padaro Lane

Carpinteria Ca 93013

surflane1@yahoo.com

Gerber, Joyce

From: Pat [pat@santafe.com]
Sent: Monday, July 07, 2014 8:01 PM
To: Gerber, Joyce
Subject: Padaro Lane Beach access

I am writing to ask that you deny public access through the Costner property on Padaro Lane. Currently, surfers have safe access at Loon Point and Santa Claus Lane. Both points could be further developed for better public facilities. At the present time, surfers who want additional easy access are parking on the street, most often stripping in public and sometimes cutting through private properties for short cuts to good surf. I hope that the issue before you will halt this practice. In recent times, there also has been a rise in burglaries and break-ins on the street. Again, your action to deny additional beach access on Padaro Lane could greatly improve the lives of the Padaro community.
Sincerely, Patricia French 3265 Padaro Lane Sent from my iPad

Gerber, Joyce

From: Tiffany Foster [tiffany@foster.net]
Sent: Tuesday, July 08, 2014 7:03 AM
To: Gerber, Joyce; Carbajal, Salud
Subject: Please deny appeal 13APL-00000-00029 on July 8th, 2014

Dear Supervisor Salud Carbajal and County Planner Joyce Gerber:
My family and I are local residents and land owners at 3597 Padaro Lane, Carpinteria. We ask you, on July 8, 2014, to

1. Please deny appeal 13APL-00000-00029, and
2. Uphold the original approval (12TPM-00000-00006, 11CDH-00000-00006, and 11CDH-00000-00054).

As residents on Padaro Lane we are constantly concerned about safety for residents, guests, and the public, when there are too many cars parked along the lane, causing the lane to become very narrow and dangerous for pedestrians. We feel that by allowing a new trail head, and a potential public park, to be allowed on any lot on Padaro lane, especially lot 2825 Padaro Lane, to be extremely dangerous. It will attract more people to the narrow lane, inviting more traffic, parking hazards, and pedestrians with children, dogs and surf boards to an already busy street on weekends.

We feel that the large public car park at Loon Point provides generous free parking for surfers and visitors, creates no additional cars or traffic on Padaro Lane as it is situated right off the 101 ramp, and provides a wide, car-free, safe path to the beach for pedestrians and animals. This public access is situated only 1/8 mile from the new proposed trail.

We hope that people can continue to use this access to the beach rather than creating a new potentially dangerous access point.

Please contact me with any questions at the above email.

Sincerely,

Tiffany (and Frank) Foster
3597 Padaro Lane
Carpinteria CA 93013
805 705 5263

Gerber, Joyce

From: Doris McCloskey [dmc106@cox.net]
Sent: Tuesday, July 08, 2014 7:49 AM
To: Gerber, Joyce
Subject: padaro

Dear Joyce.... short and sweet. Get on to important items in county avoid costly lawsuit this is a ridiculous request. Doris McCloskey 3537 Padaro Lane Carp. I am very direct... just trying to save time sugar coating words. Thank you

Gerber, Joyce

From: Rob Montgomery [montrob@gmail.com]
Sent: Tuesday, July 08, 2014 8:22 AM
To: Carbajal, Salud; Gerber, Joyce
Subject: Beach Club Lot Split Case 12TPM-00000-00006, 11CDH-00000-00006, 11CDH-00000-00054

Ladies and Gentlemen:

I am writing to urge that you deny the appeal of the approval of the above-referenced lot split.

In their letter dated March 28, 2014, Mssrs Chytilo and Citrin cite such spurious factors as potential future effects of global warming and an individual's celebrity status as reasons to take land from a private property owner.

There is a trail less than 1/8 of a mile away. The appellants are no longer satisfied with this trail, but now insist they need another one. There is no justification for their appeal. They are simply taking the opportunity of this lot split application to attempt to get something for nothing.

There is something fundamentally wrong with government if a small group can use it to confiscate private property. Please don't let government be the vehicle for such extortion.

Thank you for your attention.

Robert Montgomery

July 6, 2014

Supervisor Salud Carbajal
First District Supervisor
County of Santa Barbara
105 E. Anapamu St.
Santa Barbara, CA 93101

County Planner Joyce Gerber
County of Santa Barbara
Planning and Development
123 E. Anapamu St.
Santa Barbara, CA 93101

Re: Planning Commission December 4, 2013 Approval of the Beach Club Lot Split
Summerland Citizens' Association Appeal of the Beach Club Lot Split

Dear Mr. Carbajal and Ms. Gerber:

I am writing this letter to request: 1) the Board DENY the Appeal (13APL-00000-00029) and 2) uphold the original approval (12TPM-00000-00006, 11CDH-00000-00006, and 11CDH-00000-00054).

My wife and I are property owners on Padaro Lane and, as such, we are of standing in this matter.

I have read the Applicant's request and subsequent Appeal letters from the Chytilo law firm.

Much of the Chytilo law firm's basis for the Appeal revolves around the notion of public access to the ocean. They attempt to use a variety of arguments to request that you deny the Application; they even suggest that the broad language of the California Constitution applies with some specificity to the Applicant's property by quoting from the Constitution that "access to the navigable waters" ... "shall always be attainable for the people". This may well be non-sequitur to the Appellant's argument as the Constitution does not provide for public access at every point on the California coast and clearly does not speak to the State's requirement to provide "safe" access which is another argument by the Appellant – that "safe" access is somehow a Constitutional guarantee. The Constitution merely speaks to granting public access to the coast but such access is subject to the rights of property owners.

In the case of Padaro Lane and the Applicant's property, such right of way has already been provided to the public for access to the coast. The County has provided substantial access through the Loon Point trail along with excellent, dedicated parking which is for the sole public use to access the coast – which certainly satisfies any Constitutional requirement to provide access.

Another reason to deny the appeal is on the grounds of reasonable accommodation. The access through the Applicant's private property which the Appellant is requesting is but 1/8th of a mile from the Loon Point access – that dedicated Loon Point access does provide for such reasonable accommodation.

A further ground to dismiss the appeal is the notion raised by the Chytilo law firm that the Applicant, themselves, are not worthy of the approval. The Appellant, through the Chytilo law firm, attempts to cast a negative presumption on the Applicant by referring to them gratuitously as being a celebrity (whatever that may be). The Applicant's request must be considered by the Board on the basis of the property owner's rights as any such determination relating to this Application will run with the land, not with the current owner who may well be a "celebrity", but future owners who may well not be.

I urge the Board to grant approval for the Application and deny the Appeal.

Sincerely,

Richard Bergmark

Gerber, Joyce

From: Black, Dianne
Sent: Sunday, July 06, 2014 6:25 PM
To: Almy, Anne; Gerber, Joyce
Subject: Fwd: Loon Point and Toro Creek Coastal Access

FYI.

Sent from my iPhone

Begin forwarded message:

From: Daniel Gira <dangira@msn.com>
Date: July 6, 2014 at 10:31:04 AM PDT
To: Salud Carbajal <scarbajal@sbcbos1.org>, "jtittle@sbcbos1.org" <jtittle@sbcbos1.org>
Cc: "grussell@co.santa-barbara.ca.us" <grussell@co.santa-barbara.ca.us>, Dianne Meester <dianne@co.santa-barbara.ca.us>, Alice McCurdy <amccurdy@co.santa-barbara.ca.us>, "atuttle@co.santa-barbara.ca.us" <atuttle@co.santa-barbara.ca.us>, "mwilkinson@sbtrails.org" <mwilkinson@sbtrails.org>, Bobbi King <kingbobbi@yahoo.com>, "reevewoolpert@gmail.com" <reevewoolpert@gmail.com>, Marc chyttilo <marc@lomcsb.com>
Subject: Loon Point and Toro Creek Coastal Access

Dear Salud,

I visited Loon Point this morning during a moderate 2.0 low tide and wanted to provide you with the following observations regarding existing private and public coastal access:

1. A new *private* coastal access stone stairway and trail has been constructed down the steep bluff face into the drainage adjacent to the Loon Point public coastal access trail and the drainage lined with stone paving (I seem to recall that there were a couple willows and mule fat shrubs-riparian vegetation, previously growing in drainage). This trail is cut through dense coastal sage scrub and eucalyptus woodland, both of which may be ESH and considered by some to be high fire hazard areas. This *private* trail is gated just from the beach and emerges at the bluff top immediately west of a known major archeological site.
2. I walked east around Loon Point, which was just passable at a 2.0 tide with relatively high summertime sand conditions, although I had to scramble through boulders to access the sandy beach downcoast around the point. A couple turned around and went back saying it was too difficult, demonstrating that Loon Point limits public access to east even in summertime sandy conditions at moderate tides.
3. There are three existing *private* coastal access trails within the Toro Creek ESH corridor all with various levels of hard and soft improvements.
4. On the west, a *private* road has been cut down the bluff face to the beach by the creek and protected by 15 foot high gabions (rock filled wire baskets) within the creek and a low revetment of large boulders about 100 feet along the beach. Another private *trail* descends directly into the creek from the west about 100 feet inland from the beach. These *private* coastal access trails are within the Toro Creek ESH area or buffer and a riparian-eucalyptus woodland that some consider

a high fire hazard area and proximate known sensitive archeological resources. There are also landscape improvements and irrigation within the creek, with what appear to be both native and non native species planted.

5. On the east side of the Creek, a *private* 4-6 foot wide coastal access trail lined with a wooden rail fence runs through the riparian woodland along the toe of the creek bank to a *private* picnic area constructed within the ESH. This *private* coastal access trail and picnic area are within the Toro Creek ESH and a riparian-eucalyptus woodland that some consider a high fire hazard area and proximate known sensitive archeological resources.

If all of these *private* improvements have been permitted by the County, then it would seem that the County has already made the determination that *private* coastal access trails in ESH/ potential high fire hazard areas, near archaeological sites are consistent with adopted policy. If *private* trails are consistent, then *public* trails should be as well. If coastal access trails in such locations are not consistent with County policy, or if many of these improvements are unpermitted (as is most likely), then perhaps they should all be removed and no coastal access allowed.

The Trails Council has no objection to these existing permitted or unpermitted *private* coastal access improvements. However, we respectfully request that the County provide the same treatment to public coastal access trails and protect and defend the public's right to access to and along the shoreline and require provision of public coastal access through the Toro Creek corridor. To permit extensive *private* access while denying the public's rights is wholly inconsistent with the purpose and intent of the County's Local Coastal Plan and a key goal of the State Coastal Act.

It seems that from Pardaro Lane to Paradiso del Mare and Las Varas Ranch, it is falling upon community organizations to protect the public's rights to access to and along the shoreline; we need the County's active help on these issues!

Thank you for considering this input.

Dan

Dan Gira
Vice President
Santa Barbara County Trails Council