

October 15, 2012

County of Santa Barbara Board of Supervisors

RE: Case No. 12APL-00000-00015, the appeal of the Planning Commission's September 5th, 2012 approval of Park Hill Estates V.2, Project Case No. 10TRM-00000-00001 and the adoption of the Revised Final Mitigated Negative Declaration. Hearing Date October 16th, 2012
Agenda Item #3

Dear Chair Farr and Members of the Board,

My name is Christopher O'Connor and I reside at 4691 La Espada Dr. I have lived in the area since 1986 and in my current home since 1996. I am opposed to the approval of Park Hill Estate V2 10TRM-00000-0001 based on the Revised Final Mitigated Declaration. Please include this letter in the official county record for this proposed project.

On January 25th, 2012 the Planning Commission unanimously concluded this project cannot continue without a focused EIR in the areas of biology and fire safety. This decision was appealed to the Board of Supervisors by the applicant and ultimately ended in limbo with your board's 2-2 vote. After very minor changes to the MND and no additional environmental review a "new" project was heard and approved 3-2 by the Planning Commission on Sept. 5th, 2012. As stated at the meeting by your Planning Commission Chair Mike Cooney, "nothing has changed except the very limited offer that Mr. Nelson made to make some improvements to what he calls an offsite improvement, that may be enough if an environmental impact report were prepared on fire safety which begins in the negative declaration on page 45, maybe it would say that the improvement of that exit way would be sufficient to mitigate the concerns. I don't know that, I don't presume that. I am convinced however, that we have to go there and so I cannot make the finding that the negative declaration that is presented to us today is adequate for purposes of approving this project the way it is presented."

Chair Cooney is correct, nothing has changed since the last finding at the Planning Commission meeting in January and the Board of Supervisors meetings in May of this year. The neighborhood deserves to have all options reviewed along with recommendations to mitigate the danger. We are not opposed to development as Mr. Nelson continues to paint a picture of a neighborhood of "NIMBYS" trying to stop his project at all costs.

I was not involved with the previous approval of the Park Hills Estate 2007 project. At the time, it seemed appropriate that a project consisting of 12 homes on 14 acres

that fit with the surrounding neighborhood was appropriate. Of course this was before we had to evacuate two times for wildfire. In the Jesusita fire are neighborhood came close to succumbing to the fire. Fortunately, the fire department had been working to suppress the fire for days and they were prepared as it approached our neighborhood unlike the Painted Cave Fire which destroyed it in a matter of minutes. Even with sufficient notice to evacuate, chaos was still happening. Our only safe exit route was the San Antonio Creek Rd/Via Los Santos. The Jesusita fire reminded me why it is important that we address the looming “elephant in the room”. We live in a high fire hazard area and our safety needs to be first and foremost concern before anymore homes are allowed in this neighborhood. The county has continued to allow development without addressing the fire issue. It’s not a matter of “if” we have another fire it’s “when”.

Over the years, a few projects were approved with the promise of a safe evacuation out of the neighborhood. The largest of the projects was La Romana consisting of 24 homes. The county turned a blind eye to the safety of the existing neighbors by approving the project. The final solution after years of legal wrangling between the county and the developer was an exit out of the back of the project connecting to Via Clarice. Of course, in order to use this exit the residents would have to remove multiple fences and somehow drive down the “road” which is overgrown with weeds and maneuver around boulders blocking the final portion of the exit at Via Clarice. Once they have made it this far, they end up on a road that intersects with San Antonio Creek near the Highway 154. Assuming someone would attempt this route (highly unlikely considering the past three fires have come from the mountains and the Highway 154 was closed). Of course this exit is only available to La Romana residents leaving the rest of us to use our only exit down La Riata to San Antonio Creek Rd.

Another option presented to our neighborhood was the Handerhan property. Again, this project was approved with strict requirements of fire safety. The Handerhans were in the process of a lot split that took years to complete. However, a condition of approval was providing an exit through their property. The project was going to have minimal impact on the surrounding neighborhood but the county used this approval as a way to solve the safety issues they created with the La Romana subdivision. Unfortunately, it is unlikely that the project will be done any time in the near future. Once again, the county is providing inaccurate information that could lead to a very dangerous if not deadly situation. Both at the Board of Supervisors meeting in May 2012 and at a neighborhood meeting in July 2012 representative from the county have incorrectly stated the Handerhan exit exists. Below is an email dated July 21, 2012 from Joe Handerhan (who also testified at the Planning Commission meeting on September 5, 2012) that correctly states the exit is not available and to stop telling people it exists:

To Whom It May Concern,

I have reviewed the comments and maps that you supplied me from your meeting with Janet Wolf and Scott McGolphin, and quite frankly I am appalled. It is ludicrous that our public officials can even think of telling the public that this one of your fire routes out of the neighborhood. I have been in the process of a lot split for the past 17 years that has now been stalled by poor economic times and years of studies, legal fees, processing fees, and associated costs that have now made it impossible for us to continue processing. The access road that they speak of is a dirt trail through my property that in some places is barely 12' feet wide and many times impassable. During my processing, I was required by these folks to provide easements through three other property owners's which include the County of Santa Barbara Flood Control, Ben and Laura Giordano, Cory Lyons, and Oscar Nunez. It took over \$100,000.00 in negotiations, legal fees, and an extensive Road Maintenance Agreement with all the parties. We spent several hundred thousand dollars in Engineering, Geology, Utilities Design, Roadway Construction, Creek Restoration Design, as well as acquiring the easements required to perform the work. The roadway was deemed inadequate during processing, and we were required to design a twenty foot wide roadway from the end of Via Regina through the Flood Control Property, Giordano Property, Lyons Property, and Nunez Property to our Southern property boundary, and proceed with a new 16' wide roadway along the East Branch of the Maria Ignacia Creek to the North End of our property where it connects to La Riata with turnouts in strategic locations to accommodate Fire Fighters entering the area, and citizens like yourselves escaping the flames. In the case of such an emergency, these folks are sending you into an impassable area, with no where to run. This is besides the fact that they required me to get easements from all parties involved, and no one has such an easement on my property. This puts me as a property owner susceptible to extreme liability should such an event occur. Since we have owned this parcel, we have been evacuated three times and close to being burned out from all directions. In every case, if you would have come over the hill into the canyon you would have been trapped and surrounded by flames. During my review of the project they required that I extend water lines from the end of the Goleta Water District service line at the North end of my property over the hill along the new roadway, and install Fire Hydrants at Strategic locations for even fight such a blaze in our canyon. The first leg of the existing roadway from Via Regina extending to the Giordano's Southern Property line is owned by the County for several thousand feet. It is far under the required 20 foot wide requirement, and is in terrible condition with barely enough room to get by in two way traffic. We as property owner's in the canyon have repeatedly asked the County to repair the road, but their response is that it is County owned but unmaintained. That really wants you to pay your property tax bill. There have been many incidents of pedestrians, equestrians, and cyclists that use this road having close calls with oncoming traffic from both directions. I would like to ask you to please tell your neighbors and friends not to go this direction in the event of such an emergency and send them into harms way. I would also like to ask you to please have respect for us as property owner's and not trespass on our land as we would not trespass on your property.


Having said all this, as a member of our special community, I would like to make and offer to the County in all our behalves to end this controversy. I have attached the engineer's drawings for your use with any further negotiations with the county and give our blessing to make this offer on behalf of our community to our public officials that are apparently out of touch with what our neighborhood needs. I will provide them with the necessary easements as indicated on the drawings to the County in exchange for them installing the Roadway, Creek Restoration, Fire Protection, and Utilities needed for this to actually become a viable escape route for our whole neighborhood including the folks who live here in the canyon as well. I am available for comment or a meeting with these public officials on our behalf if you feel it would help.

Sincerely,

*Joseph M. Handerhan
C.E.O.
Channel Coast Corporation
Office: 805-966-6690 Ext. 101
Fax: 805-899-8690
Cell: 805-896-3826
Email: JMH@channelcoastcorp.com*

We request your Board review all the facts as presented and uphold the appeal and furthermore require an EIR for both the biology and fire safety. As Commissioner Cooney stated at the September 5, 2012 meeting, "Nothing has changed" since the January 25, 2012 Planning Commission Meeting. You have a responsibility to the residents of the San Antonio Creek Rd area to resolve this safety issue. The county has run out of options and the only way to deal with the "elephant in the room" is further study through an EIR.

Sincerely,


Christopher O'Connor
4691 La Espada Dr
Santa Barbara, CA 93111