

Barton Myers Associates, Inc. Architects, Planners

July 17, 2018

Santa Barbara County Board of Supervisors

1st District Das Williams, Chair

2nd District Janet Wolf

3rd District Joan Hartman

4th District Peter Adam

5th District Steve Lavagnino, Vice Chair

Re: Myers Bridge Appeal (16APL-00000-00021) of the County Planning Commission's Denial of Case No. 16LUP-00000-00109, First Supervisorial District

Supervisors:

It has been some 20 months since the Board of Supervisors voted 5 to 0 to continue the project, conduct appropriate CEQA analysis, as revised to meet Carpinteria/Summerland Fire Protection District Emergency Access Standards, and return with findings for approval (or denial).

Vicki and I greatly appreciated your understanding of the compelling reason why the County should support our proposal to build a bridge and road at 949 Toro Canyon Road as a second means of access/egress for the purposes of enhanced health/life safety, with insignificant environmental impact and at no cost to the County.

Given the Toro Canyon potential for devastating wildfire, now proved by the Thomas Fire, not to support a plan that could potentially save lives of residents and firefighters and which is fully supported by 2 Fire Chiefs 3 Fire Marshalls, and 1 distinguished Fire Captain, seems unjustified and could expose the County to enormous liability.

Attached please find an abbreviated Power Point of the arguments presented to you at the BOS hearing of 11/22/16 and a photographic survey of the role played by the road as a key element in stopping the Thomas Fire from continuing down Toro Canyon Road, vindicating what Chiefs Navarro and Rampton, Fire Marshals Foster, Coffman and Oaks, and Captain (Ret) Al Meskimen predicted.

Vicki and I, as well as members of the Toro Canyon Community, will be grateful for your support of this appeal and for allowing us to move forward to the realization of this project.

Respectfully,



Barton Myers, FAIA

949 TORO CANYON ROAD

APPLICATION FOR ROAD/BRIDGE

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July 17, 1018

To the Santa Barbara County Board of Supervisors:

1st District: Das Williams, Chair

2nd District: Janet Wolf

3rd District: Joan Hartman

4th District: Peter Adam

5th District: Steve Lavagnino, Vice Chair

Twenty months ago (11/22/16) the Board heard the Myers Road/Bridge Appeal (949 Toro Canyon Rd.) for a second means of egress/access for enhanced health/life safety in one of Santa Barbara's most dangerous areas for the potential of devastating wild fires, with insignificant environmental impact and at no cost to the County. Since the hearing, we have experienced a devastating wild fire of historic proportions (12/8-15/17) and a debris flow event 1/9/18) at a scale unprecedented in this County.

Interestingly, as predicted, the built portion of the proposed road proved instrumental in Cal Fire's protection of both the structures and adjacent landscaping, and became a component of a firebreak cut west from Toro Canyon Road, north of the accessory building and then east up a mountainside. Although we lost some 35 acres of our 40 to fire, the work of Cal Fire, our fire defensive landscaping, and fire resistant designed structures meant that 949 Toro Canyon became the fire stop, preventing the fire from continuing down Toro Canyon Road.

The following debris flow event rendered our easement access road impassable for two days until we could have it dug out, giving further argument for the need for a second access road. When we applied for an LUP for the road/bridge as a second means of egress in early 2016 given the compelling reasons for health/life safety, the County support of existing agriculture, the need of a new well for EMMWC, and with insignificant environmental impact, we thought the applications would have been expeditiously processed and approved. Given that the major goal of planning is public safety, why this did not happen is puzzling. We can only surmise that:

1. there was a lack of appreciation of the context, the danger of devastating fire in the northern area of Toro Canyon Road and for health/life safety compelling reasons for the second means of egress.
2. and a misinterpretation of the intent of the Toro Canyon Plan which suggests a balance between reasonable development and environmental protection.

We believe that the application of development standard Fire TC-24 from the Toro Canyon Plan, which "required" 2 means of ingress and egress only for new subdivisions of 5 lots or more, was not appropriate, given that 949, 930 and 925 Toro Canyon are only three lots and are existing developments.

In a letter to Supervisor Peter Adams, 11/21/16 former Fire Marshal Scott Coffman explains:

There is an important historical note to this case. Ed Foster and I wrote the code for Carpinteria Summerland Fire Protection District at the time of the construction of the Myers property. We felt requiring a secondary means of egress or access under 5 parcels was potentially a taking. Importantly, the

Barton Myers Associates, Inc. Architects, Planners

potential to identify a secondary means of egress was placed as a definitive means to obtain highly valued secondary access road at the time of permit approval at a future date.

This might explain why neither CSFPD nor SBCOFPD has executed Cal Fire 503.1.2 that based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climate conditions or other factors that could limit access, the fire code official is authorized to require more than one fire apparatus access road.

While CSFPD could not “require”, Fire Chief Ray Navarro, former Fire Chief Jim Rampton, Fire Marshall Ed Foster, former Fire Marshall Scott Coffman, SBCO Fire Marshall Steve Oaks and retired SBCO Captain Al Meskinen, M Arch Fire Protection, all support the second means of egress as “prudent, increase and enhance safety, improve fire fighting and firefighter and occupant safety, support, recommend ...”. Chief Navarro letter to BOS 11/22/17 emphasized benefits, merits, and asks for the permit process to move forward.

Fire Chiefs Navarro, Rampton and Fire Marshall Ed Foster have identified the existing easement road as “inadequate”, “construction on properties next to your property which made the long (dead end) drive congested...” (see CFC 501.2.3)

The Toro Canyon Plan: the statement that there is “no justification to allow the construction of a bridge and road in an ESH area” ignores the compelling reasons of health/life/safety, egress access, AG support for existing agriculture and well water connection to EMMWC wells 3 & 4. and is a misread of the Toro Canyon Plan bio standards, which do not prohibit a property owner from crossing an EHS area for compelling reasons. Instead the Plan suggests a balance between reasonable development and environmental protection, “to the maximum extent feasible” (see BIO TC7, BIO TC7.2).

The estimated disturbance identified by the County approved biologist Impact Sciences is “less than 2,000 square feet” - .004% in some 500,000 square feet of designated ESH, an insignificant impact on a 40 acre property.

Now, with the signing of 24 mitigation measures agreement, the owner and the County are in agreement that there is an insignificant impact.

With my appreciation of this matter.

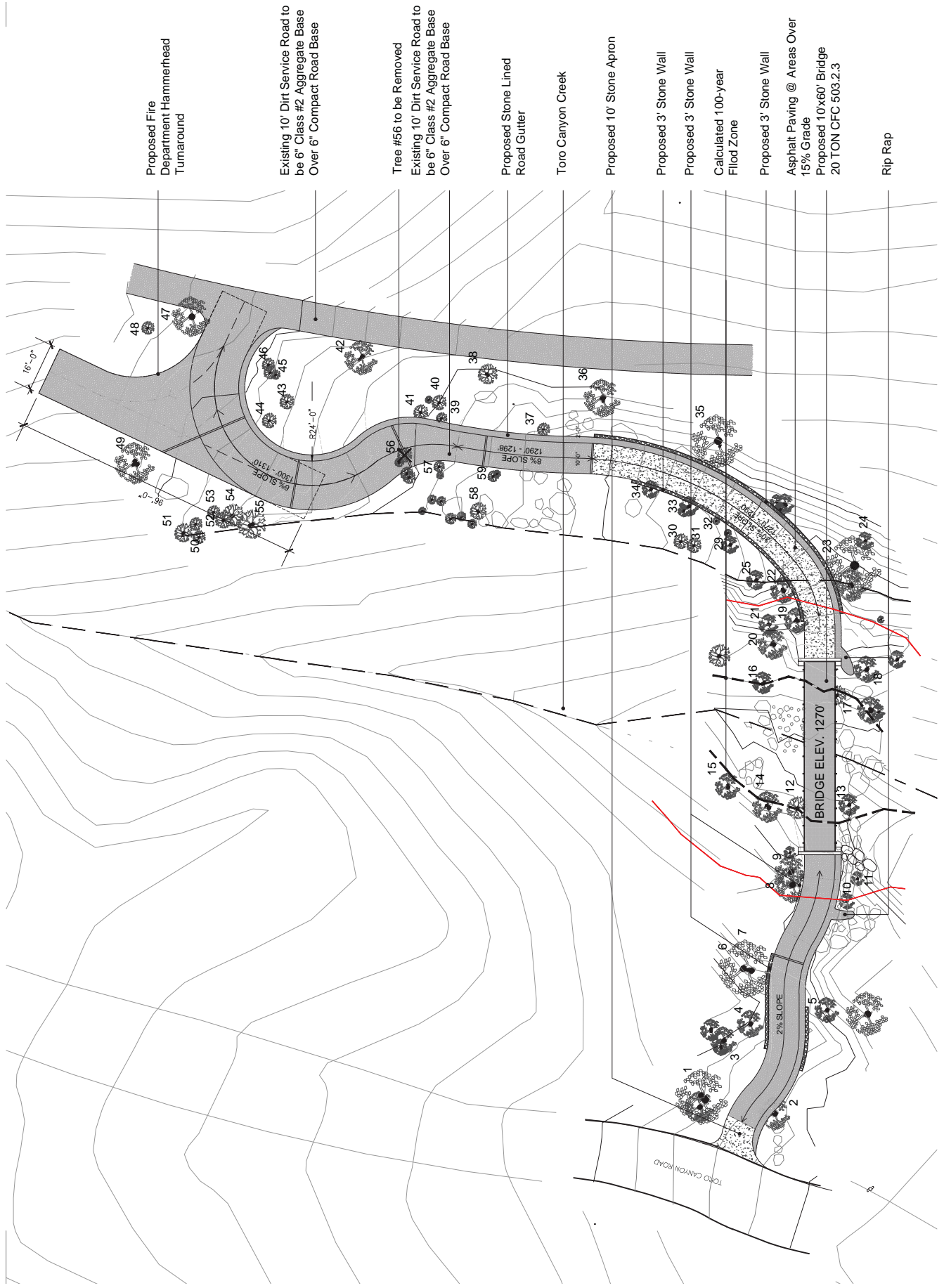
Respectfully,



Barton Myers, FAIA

THE ROAD & BRIDGE

A SECOND MEANS OF EGRESS AT 949 TORO CANYON ROAD



Proposed Fire Department Hammerhead Turnaround

Existing 10' Dirt Service Road to be 6" Class #2 Aggregate Base Over 6" Compact Road Base

Tree #56 to be Removed
Existing 10' Dirt Service Road to be 6" Class #2 Aggregate Base Over 6" Compact Road Base

Proposed Stone Lined Road Gutter

Toro Canyon Creek

Proposed 10' Stone Apron

Proposed 3' Stone Wall

Proposed 3' Stone Wall

Calculated 100-year Flood Zone

Proposed 3' Stone Wall

Asphalt Paving @ Areas Over 15% Grade
Proposed 10'x60' Bridge
20 TON CFC 503.2.3

Rip Rap



View to the East

949 TORO CANYON ROAD

A case for a 2nd means of egress/access

CONTEXT

- 40 ACRE SITE: Largest on Toro Canyon
- The most dangerous potential for a devastating wild fire (60 yrs/5 yrs of drought)

4 COMPELLING REASONS

- A. FIRE: HEALTH/LIFE SAFETY
- B. AG SUPPORT
- C. WELL WATER EXPLORATION
- D. RIPARIAN WATER AND AG RIGHTS (1894)

P& D DENIAL: 4 REASONS

- 1. FIRE:** Existing road ADEQUATE, NOT REQUIRED by CSFPD
- 2. ACCESS:** Property NOT AG ZONED
- 3. ESH:** INCONSISTENT with Toro Canyon Plan

4. NATIVE & SPECIMEN TREE PROTECTION:

P&D has determined that a secondary egress road and bridge are NOT NECESSARY

DESIGNING FOR FIRE



THOMAS FIRE MAP
3 January 2018

1. FIRE:

a. Existing road is adequate

Objection: Fire Chief Rampton and Fire Marshall Ed Foster CSFPD noted “Construction occurring on properties next to your property, which made the long (dead-end) drive “Congested.” Intent (FC 501.2.3)

501.2.3 Additional access. *The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access*

SEE LETTER TO D.G RICHARDSON 11/1/16 ON CONGESTION AND BLOCKAGE

DEBRIS FLOW ON 1/9/18 RENDERED ROAD INACCESSIBLE

1. FIRE:

b. CSFPD is NOT REQUIRING a second means of egress

Objection: Overlooking the fact that No1 goal in planning is safety, P&D incorrectly applies standard Fire TC-2.4 which requires a 2nd means of egress only for new subdivisions of 5 lots or more to a totally different situation - a large lot in an extremely dangerous fire zone.

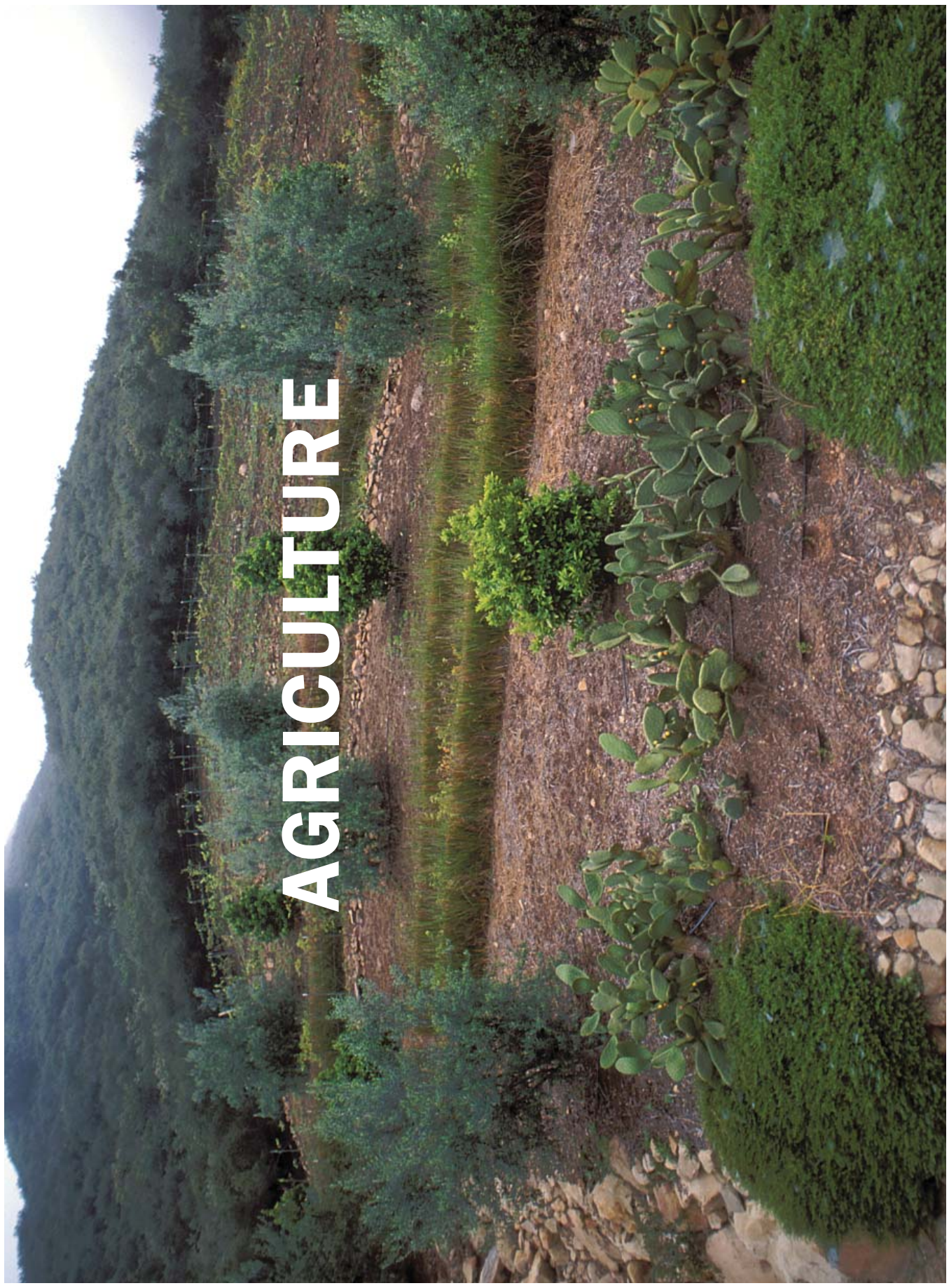
*Chief Rampton and Fire Marshall Ed Foster not only believe it **prudent** but **fully support** 949's concept of a second means of egress, enhancing fire fighting and improving occupant's safety. Fire chiefs Ray Navarro, Steve Oaks, Fire Marshals Scott Coffman, Captains Al MesKimen and Bill Taff agree that a 2nd means of egress would make the area safer and support the application.*

1. FIRE:

b. CSFPD is NOT REQUIRING a second means of egress

Thus The County should support the property owner's proposal to build a bridge and road at 949 Toro Canyon Road for the purposes of enhanced health/life safety and with insignificant environmental impact and at no cost to the County.

Given the Toro Canyon potential for the devastating wildfire, not to support a plan that could potentially save lives of residents and firefighters and which is fully supported by 2 Fire Chiefs, 3 Fire Marshals, and 1 distinguished Fire Captain, seems unjustified and could expose the County to enormous liability.



AGRICULTURE

2. ACCESS:

Property NOT AG ZONED

Objection: 949 TORO CANYON - AN AGRICULTURAL PROPERTY

- The Comprehensive Plan Land Use designation (until December 2004) was AG II.40 rural Zone Residential 40-E-1.
- AG started on 949 Toro Canyon in 1996. +/- 5 acres.
- Comprehensive Plan Designation: A-11-40 RURAL was changed to AG Land Use designation, Mountain Area (MA-40), Zone MT-Toro.
- Planning and Dev Map 8/1/10 depicts under General Zoning both AG and MA.
- Article 35.2 p. 2-23 shows MT-Toro Principal Allowable Land Use as AG and AG-11-40 as Legal Non-conforming(Historical Legal) use.
- An AG support road is an improvement and not a new development per 35.11 Glossary p.11-6, AG Element GOAL 1, Policy 1C Goal VI.

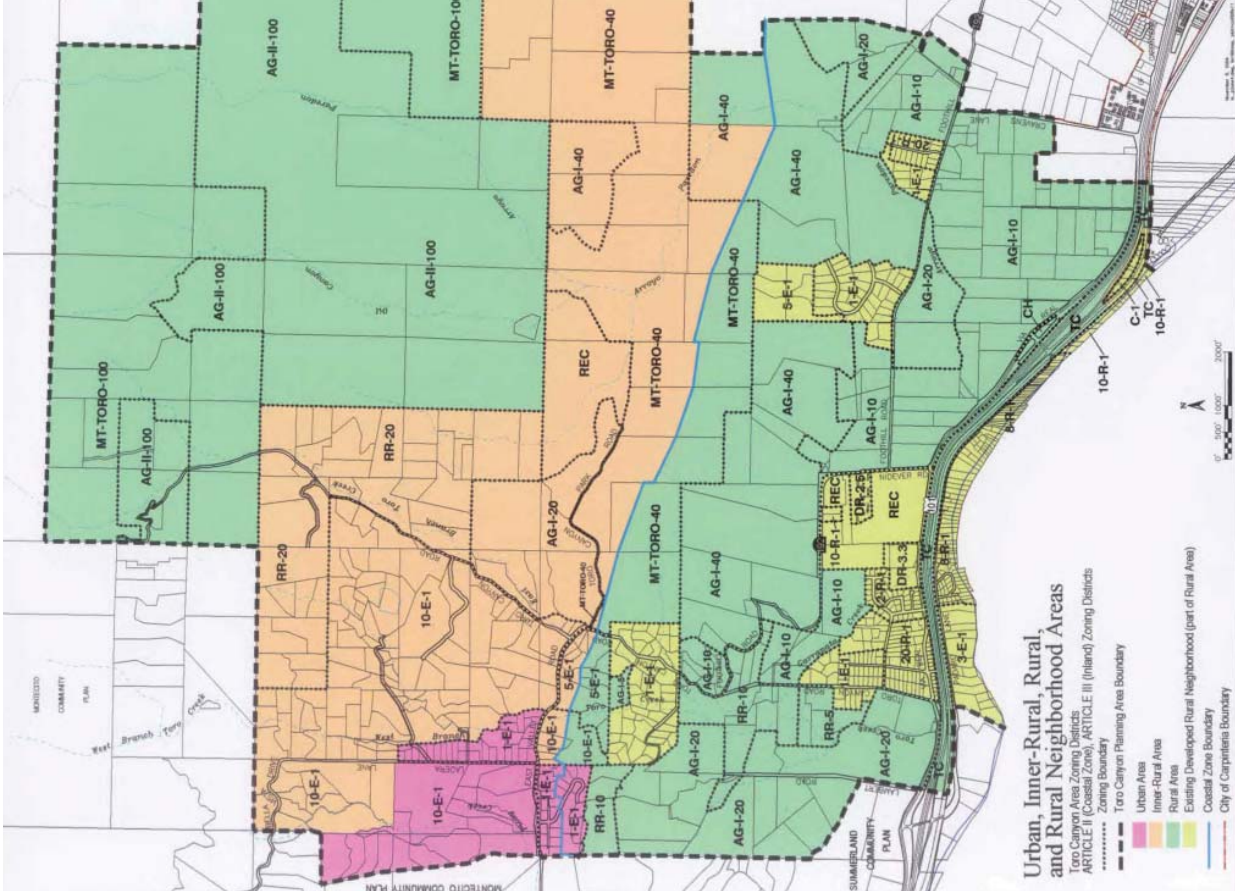
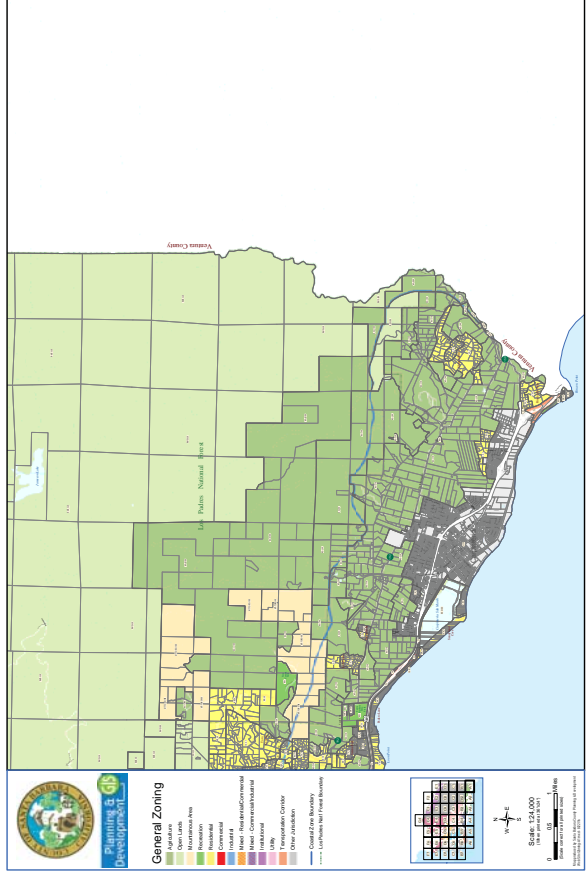
Toro Canyon Plan

Table 1. Development and Potential Buildout

Comprehensive/Coastal Plan Land Use Designation	Applicable Zoning	No. of Parcels	Existing Resid. Units	Acres	Potential Add'l Units
AC	Various	7	6	882	6
A-I-5	AG-I-5	1	0	5.6	1
A-I-10	AG-I-10	92	47	498	54
A-I-20	AG-I-20	34	25	476	11
A-I-40	AG-I-40	20	13	715	20
A-II-100	AG-II-100	6	6	117	0
MA-40	MT-TORO-40	15	8	635	8
MA-100	MT-TORO-100	15	6	755	11
Cemetery	AG-I-5/10	1	0	11.7	—

TABLE 4: AGRICULTURAL LAND USE DESIGNATIONS

Land Use Plan Designation	Number of Parcels*	Acres
A-I-5	1	6
A-I-10	92	498
A-I-20	34	476
A-I-40	20	715
A-II-100	6	117
MA-40	15	635
MA-100	15	755
AC	7	882
Totals:	190	4,084





7.1 Site Plan - Hatched Area shows existing Agricultural

3. ESH:

No justification to allow construction of a bridge and road in an ESH; in conflict with the 7 policies cited.

Objection a:

3 Compelling Reasons:

- Health Life Safety - Fire Egress/Access
 - AG Support Road
 - Well #4 EMMWC Exploration

SEE LETTER EMMWC TO GLENN RUSSELL 10/26/16

3. ESH:

No justification to allow construction of a bridge and road in an ESH; in conflict with the 7 policies cited.

Objection b:

The 7 TC Policies cited and the +/-10 not cited by P&D do not prohibit a property owner from crossing an ESH area for Compelling Reasons and suggest a balance between reasonable development and environmental protection, “Maximum extent feasible.” See Bio TC 7, 7.2 The estimated disturbance is .004% in some 500,000sf of designated ESH - an insignificant impact on a 40-acre property.

3. ESH:

No justification to allow construction of a bridge and road in an ESH; in conflict with the 7 policies cited.

Objection c:

We believe the proposal for a 2nd means of egress meets the following TORO CANYON PLAN GOALS:

- **GOAL:** The primary intent of the Plan shall be to improve the quality of new development that occurs within the area, to the enduring benefit of the area and its inhabitants.
- **GOAL:** Provide for the reasonable use of property and limited additional development that largely maintains and is compatible with the existing scale and character of the area;

3. ESH:

No justification to allow construction of a bridge and road in an ESH; in conflict with the 7 policies cited.

Objection c:

We believe the proposal for a 2nd means of egress meets the following TORO CANYON PLAN GOALS:

- **GOAL:** Protect sensitive habitats and other biological resources, and provide a balance between protection of habitats and various activities that can adversely affect natural vegetation and wildlife such as flood control, fire protection, and agricultural development;
- **GOAL:** Maintain adequate services and infrastructure to support development and provide for public safety, but with few major changes such as road widening and urban service extensions;

3. ESH:

No justification to allow construction of a bridge and road in an ESH; in conflict with the 7 policies cited.

Objection c:

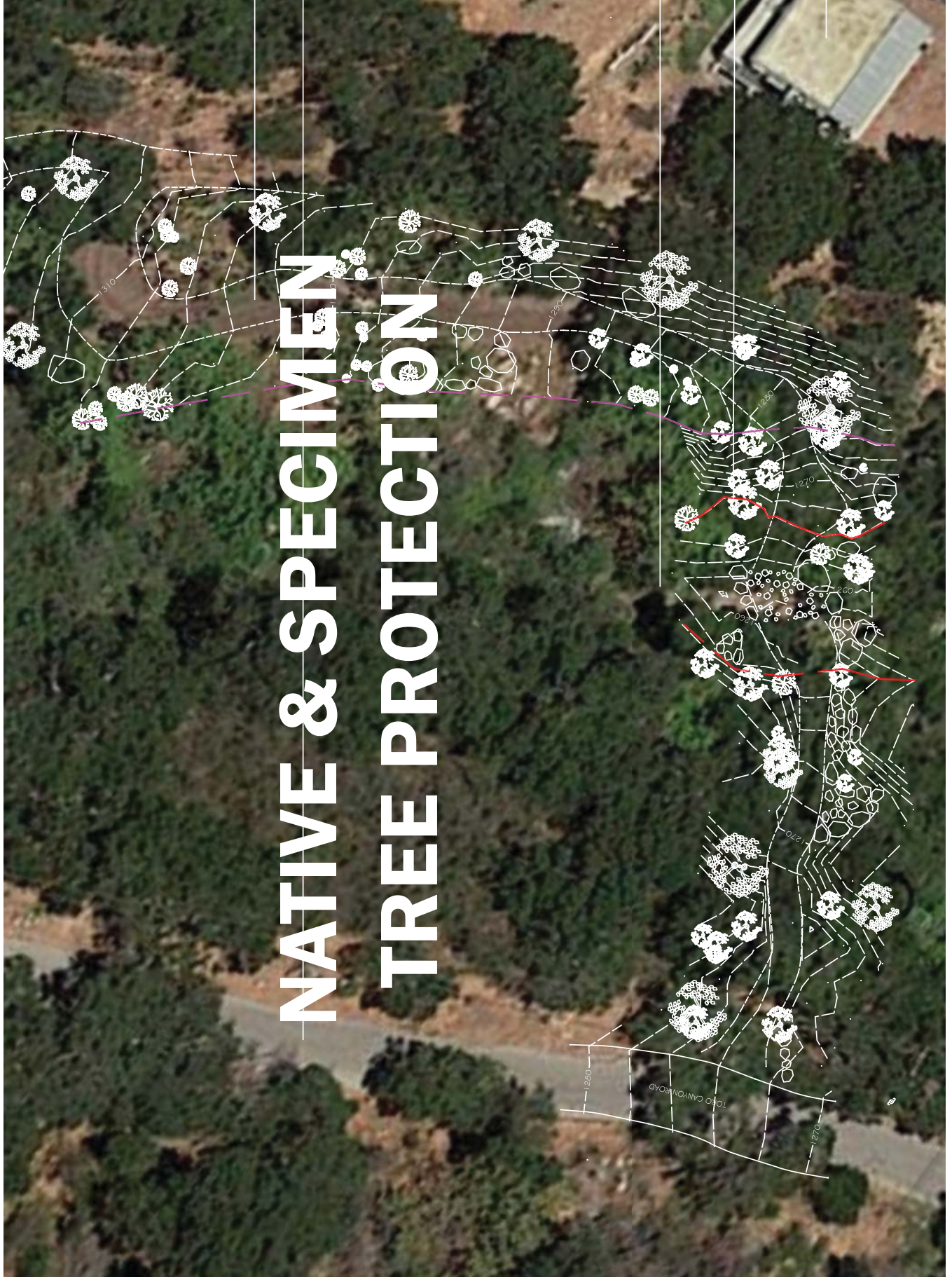
We believe the proposal for a 2nd means of egress meets the following **TORO CANYON PLAN GOALS:**

Policy LUG-TC-4: *(INLAND) Land Use and Zoning designations shall provide for reasonable use and development of property within given site constraints.*

Policy LUG-TC-6: *(INLAND) The Policies and Development Standards of this Plan shall be implemented in a manner that does not take private property for public use without just compensation as required by applicable law.*

P&D interpretation that the Toro Canyon Plan would prohibit any crossing of the creek on a 40-acre site appears to be a taking.

NATIVE & SPECIMEN TREE PROTECTION



4. Native and Specimen Tree Protection:

Several protected trees were removed

Objection:

- No protected Native Trees have been removed in the construction of the 2nd road, confirmed by arborist Kenneth Knight, aerial photos showing undisturbed tree canopy and Google Toro Canyon Road Images.
- Mr Knight surveyed 59 protected trees and 22 Sycamore trees concurring 2 in excellent health, 51 in good health, and 6 in fair health. Others in good condition although all trees stressed by 5-year drought related reasons.
- Knight's mitigation suggestions are intended to reduce extent of construction damage to acceptable levels, so that the existing trees can be assured of survival without decline.



February 2016

Winter - Sycamore Trees have no leaves



April 2013

Spring - Sycamore Trees have leaves



949 Toro Canyon Road Entrance - April 2012

NOTE: Marked Trees



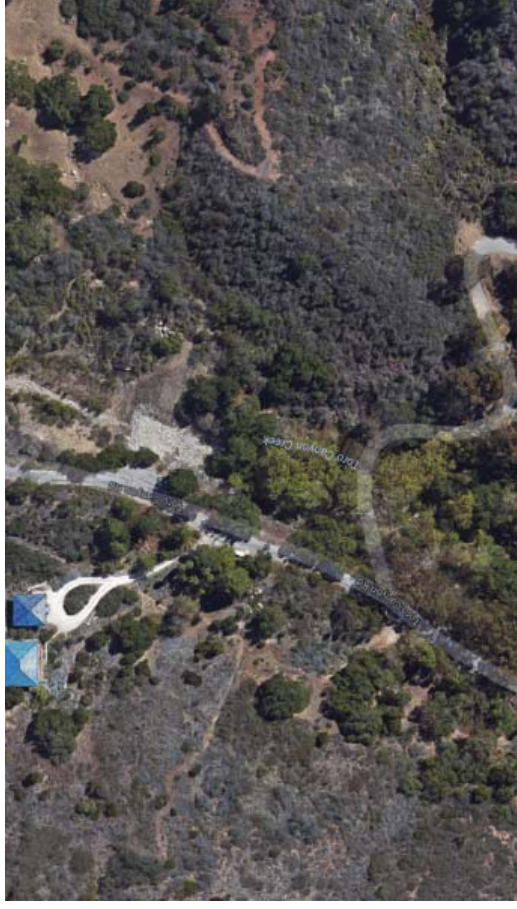
949 TORO CANYON ROAD
AUGUST 2016

Barton Myers Associates Inc., Architects, Planners

949 Toro Canyon Road Entrance - August 2016

NOTE: Marked Trees are still there

CREEK CROSSINGS



- There are +/- 24 crossings of Toro Canyon Creek from Via Real to the end of Toro Canyon Road.
- Between route 192 to the end of Toro Canyon Road there are two fords and two culverts.
- 949 Toro Cyn Bridge will be the first bridge to be constructed north of route 192 - the least environmental impact.



- Tree Removal
- 4 1/2" stem removes



AG Fire Break
 Fire Department
 Hydrant #89/Hammerhead



Future AG Fire Break

Fuel Management
 for Toro Canyon Road

Toro Canyon Creek

Property Line

Existing Well #3 / #4
 Hammerhead
 Fire Refuge

Existing Service Road

Existing AG

Existing Fire Hydrant

Location of Proposed Bridg

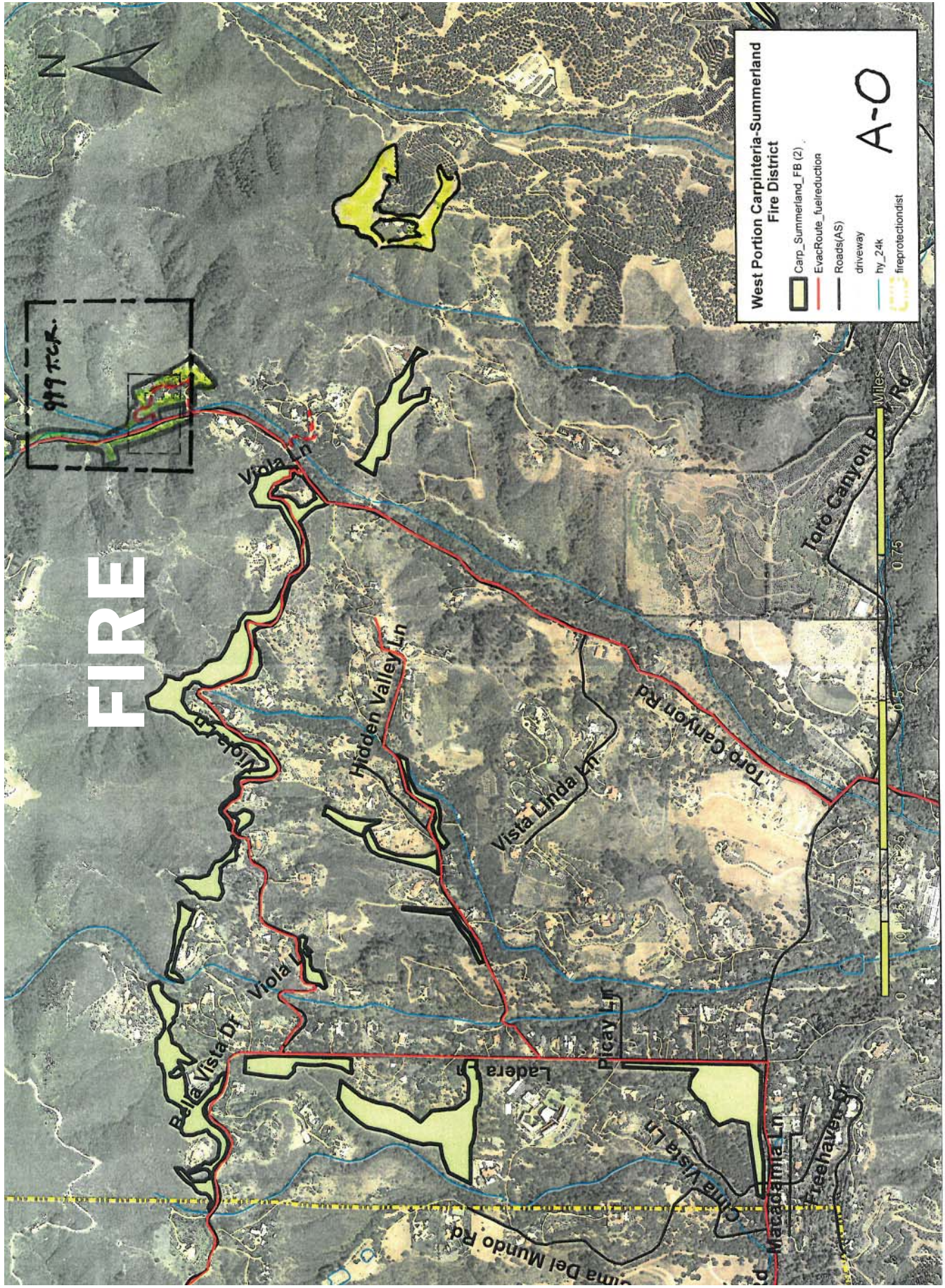
Existing Residence
 (4 Buildings @ 6,000SF)
 Fire Resistant Shelter

Hammerhead

Existing Driveway



**349 Toro Canyon Road
 RE PROTECTION PLAN**



A PLAN TO CREATE A FIRE-PROTECTION ZONE AT 949 TORO CANYON ROAD

A fire protection zone at the northern end of Toro Canyon Road, arguably the most dangerous area in Santa Barbara County for devastating wildfires, with compelling public health/life safety benefits would create:

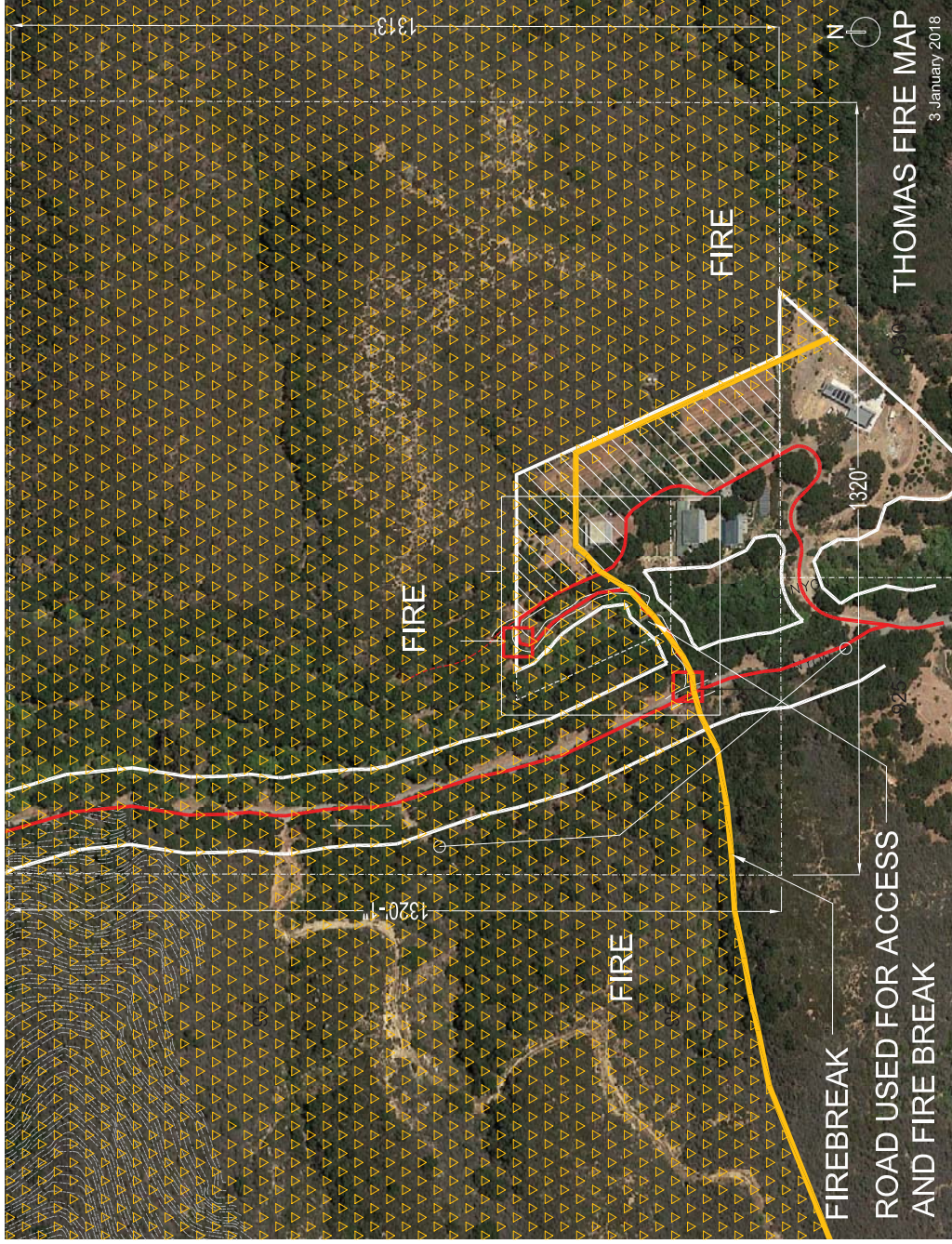
1. a secondary means of egress/access at 949 Toro Canyon
2. three well-spaced fire hydrants
3. incorporation of East Montecito Mutual Water Company wells #3 and #4
4. a fuel management zone over the some 1500 linear feet of Toro Canyon Road through 949 Toro Canyon Road
5. provide three hammerheads for fire vehicles
6. provide potential refuge for residents and firefighters alike. 949 has 4 buildings that are specially designed to withstand fire

949 TORO CANYON ROAD PHOTO SURVEY OF THOMAS FIRE AND DEBRIS FLOW

March 19, 2018

The attached selected photos taken immediately after the Thomas Fire 12/17/17 and the 200 year flood 1/9/18 demonstrate the importance of the egress/access road in the Cal Fire's fight to stop the spread of the Thomas Fire, vindicating arguments that a second means of egress/access would enhance public health and life safety in the northern Toro canyon area, arguably one of the most dangerous areas of Santa Barbara County, with real evidence.

Barton and Victoria Myers



1. Thomas Fire Map: 1/3/18

Fire consumed over 30 acres of the 38+ acre property burned to yellow (line) fire break. Cal Fire cut a fire break west up the mountain from Toro. Used access road, pulled their hoses and fire teams to fight fire from the north and east. Thus 949 was the fire stop that prevented the fire from continuing south down Toro Canyon Road.



2. 949 Toro Canyon Road 12/17/17

Collection of fire hoses for pickup. A vindication of our arguments and those of 2 fire marshals and 1 distinguished fire captain, that the second means of access/egress would provide life/health/public safety in one of the most dangerous fire areas in Santa Barbara County.



3. 949 Toro Canyon access road 12/14/17 showing Cal Fire hoses.



4. 949 Toro Canyon access road 12/14/17 showing fire hoses west of the creek. Fire burned south to access road.



5. 949 Toro Canyon access road 12/14/17. View east of the creek with fire hoses. Notice creek to the north showing burned areas.



6. 949 Toro Canyon access road 12/14/17. East embankment above creek, hoses and burned area.



7. 949 Toro Canyon access road 12/14/17. View is south, location is west of accessory building, trail of fire hoses/



8. View of fire hose west of accessory building. Fire burned within 10 feet of the building.



9. View of fire hose east of accessory building. Fire burned within 10 feet of the building.



10. View of the fire break cut by Cal Fire through oaks north of accessory building 1/6/18.



11. Fire hoses on south property line running east up hillside. 12/14/17.



12. 200 year flood blocking 930/949 Toro Canyon easement and blocking culvert 1/9/18. Supports the need for a second means of egress.



13. Easement road blockage view east. 1/9/18.



14. Toro Canyon Creek view north from proposed bridge crossing. 7 trees lost in the immediate areas. 1/9/18.



15. Toro Canyon Creek view north showing area above the embankment of proposed bridge crossing. 1/9/18.



16. View northeast over blood oranges showing burned areas. 1/9/18. 949 is an oasis within a burned devastated area.



CARPINTERIA~SUMMERLAND FIRE PROTECTION DISTRICT

Sent Via Email

November 21, 2016

Honorable Supervisor Salud Carbajal
County of Santa Barbara Board of Supervisors
105 E. Anapamu Street, Fourth Floor
Santa Barbara, CA 93101

Re: Barton Myers Bridge Appeal; 16APL -00000-00012 & 16LUP-00000-00109

Honorable Supervisor Carbajal,

As the recently appointed Fire Chief for the Carpinteria-Summerland Fire Protection District, I have been made aware of the current appeal process of Mr. Myers. I have met with County Planning and Development representatives and my Fire District staff to receive background information about Mr. Myer's application for the development.

After speaking with my Fire Prevention staff and County Planning Officials, my assessment is there would be benefits to life, health and safety, by an alternate ingress/egress for emergency medical situations and/or evacuation, if the primary means were obstructed. I have visited the site and now familiar with the situation, believe there is merit to granting Mr. Myers permission to seek application for construction. I would be happy to continue to work with county staff and the applicant to ensure that the project meets the development standards.

I am aware that each case must be weighed on its merit and recommendation from staff on the benefits. Please consider allowing the permit process to move forward.

Respectfully,

Ray Navarro

Ray Navarro
Fire Chief

CC: Carpinteria-Summerland Fire Board

"Pride in Service"



CARPINTERIA~SUMMERLAND FIRE PROTECTION DISTRICT

January 27, 2016

Barton Myers
949 Toro Canyon Road
Santa Barbara, California 93108

Dear Mr. Myers,

Thank you for inviting myself and Fire Marshall Ed Foster to tour your property to listen to your proposal for a second means of egress from your property. During our visit it was noticed that there was construction occurring on the properties next to your property, which made the long driveway congested. It is true that your 40-acre site that is covered with chaparral has not burned in many years and given the extreme wildfire conditions has the potential for a devastating wildfire.

Given those extreme wildfire condition it is prudent to have a second means of egress. A second means of egress has the potential to enhance firefighting and improve firefighter and occupant safety. If this road is constructed and it is expected that our firefighting apparatus are to use this road, it must be constructed in a way that meets all Local, State and Federal rules for a driveway of this type.

Thank you again for your time and I appreciate your concern for our safety as well as your own during a wildfire. I fully support your concept of having a second means of egress from your property.

Respectfully,


Jim Rampton
Interim Fire Chief

Oaks, Steve

From: Oaks, Steve
Sent: Thursday, March 03, 2016 2:25 PM
To: Herron, Sean
Cc: Heckman, Rob; Tuttle, Alex; Russell, Glenn; Tan, Fred; Foster, Ed
Subject: Re: Definition of secondary access

Hello Sean,

I made a site visit yesterday in an effort to become more familiar with the issues. The question was raised regarding whether or not the secondary egress increases safety. As a general rule, **greater access does equate to an increase in safety. The opportunity for the occupant to egress and the responding resources to ingress could be enhanced by providing alternate means of access.** That being said, the responding fire department resources would access this property through the main driveway not one located further up the canyon. In addition, my Planning and Engineering folks have made contact with Ed Foster (Carpinteria Fire Marshal) and he is aware of the project. The development on this parcel has gone through the Carpinteria/Summerland Fire Protection District for Fire Department approvals, not through our department. I hope this helps. If I can be of further assistance please don't hesitate to contact Captain Fred Tan (Planning & Engineering Captain), or myself.

Regards,

*Steve Oaks, Battalion Chief
Deputy Fire Marshal
Santa Barbara County Fire Department
166 W. Hwy 246, Buellton, CA 93427
office: (805) 686-5066
cell: (805) 896-6420
email: steve.oaks@sbcfire.com*

"Answering the Call Since 1926"

From: Herron, Sean
Sent: Tuesday, March 1, 2016 5:07 PM
To: Peterson, Eric
Cc: Oaks, Steve; Heckman, Rob; Tuttle, Alex; Russell, Glenn
Subject: RE: Definition of secondary access

Hello Mr. Peterson,

The property is located at 949 Toro Canyon Road, Santa Barbara, CA 93108. The driveway entrance has the home address prominently displayed at the entrance. To see the illegal access road, continue driving north for about 200 feet and it will be on the right side. There is a prominently displayed County of Santa Barbara notice of development placard at the entrance to the illegal access road. Please let me know if you have any questions about the project.

Susanne Tejada

From: Barton Myers(SB)
Sent: Monday, March 07, 2016 12:34 PM
To: Susanne Tejada
Subject: Fwd: 949 Toro Canyon road/bridge

Barton Myers

Begin forwarded message:

From: "Foster, Ed" <e.foster@csfd.net>
Date: March 7, 2016 at 9:56:55 AM PST
To: "Barton Myers(SB)" <b_myerssb@bartonmyers.com>
Subject: RE: 949 Toro Canyon road/bridge

Mr. Myers:

This letter shall be considered as a **Preliminary Approval of a proposed bridge**. This approval is tentative and is based on the review of a site and construction Plan which was presented on March 3, 2016. A formal plans review will be conducted after a submittal has been provided to and processed by the County of Santa Barbara Building and Safety Department.

Yours in the interest of fire and life safety,
Ed Foster
Fire Marshal
Fire Prevention Bureau
Carpinteria-Summerland Fire District
(805) 566-2451

-----Original Message-----

From: Barton Myers(SB) [mailto:b_myerssb@bartonmyers.com]
Sent: Wednesday, March 02, 2016 11:50 AM
To: Foster, Ed <e.foster@csfd.net>
Subject: 949 Toro Canyon road/bridge

Ed

Thank you for meeting me 3/1/16 for a preliminary approval of the road and bridge for a second means of egress/access for 949 Toro Canyon Road and for the discussion of the Fire Chief's letter re the above.

And thank you for clarifying the differences in SB Co's development standards for private roads and those of Carpinteria/Summerland. I now have a much clearer understanding of the jurisdictions.

As you pointed out although Santa Barbara county's development standard was a good fit for my situation it is not applicable within the boundaries of the Carpinteria/Summerland fire district. Thus searching for something "requiring" the second means of egress would be helpful, and looking at your development standards for private roads, could not the Chief, noting the extreme danger, a 900 foot dead end road with potential of blockage, and noting both prudence and

January 9, 2016

Chief Jim Rampton
Carpinteria Summerland Fire Protection District
1140 Eugenia Place, Ste A
Carpinteria, Ca. 93013

Re: Barton Myers Access Driveway, 949 Toro Canyon Road

Chief Rampton,

Hope the new year is treating you well. Good seeing everyone over lunch this last Christmas. It reminded me of the good work we did together. This correspondence concerns fire related issues at Barton Myers property located at 949 Toro Canyon Road.

Mr. Myers is interested in putting in a secondary means of access including a rated bridge. It has always been my understanding the District has been urging and very appreciative of private - public partnership in fire protection. This enhancement seems to me to be no exception. Ed Foster and I have spent long hours looking for secondary means of egress especially for life safety concerns. When areas come available we normally jumped on any means to protect our community and firefighters.

In this case, the property is in Toro Canyon, CWPP Hazard Zone 3. This in an area arguably the most hazardous zone in our District and at a pinch-point as well. Getting residents evacuated out of upper Toro could be challenging. Additionally, firefighter safety in the area is critical in a conflagration fire. I believe a rated driveway and bridge specifically in this area is of great importance and helpful to our District.

First priority is to get residents evacuated from the area. However, as we saw in the Jesusita Fire secondary access points and safe refuge areas are vital if not lifesaving. Obtaining both of these in a situation such as Mr. Myers is presenting without a discretionary permit application for an additional structure. This is unheard of normally.

Having this secondary means of access could be used as a safe refuge area for firefighters or residents on Mr. Myers cleared areas as well as safeguarding the escape

of residents from multiple properties in the 900 block of Toro Canyon. Having additional options at this location is critical if residents and firefighters are cut off from escaping the area. Sheltering in Place is a viable option. Having a secondary access road to the property helps meet that objective. Secondary access roadway to escape the area is also viable especially when everyone wants to leave at the same time.

I believe it is important that the driveway, bridge, turn arounds, and fuel reduction related to the project be rated per Fire District Regulations. Having these requirements in place will stand the test of time when it might be needed. Either leaving the property or entering in a time of need should be accomplished with all the requirements met. Additionally, having a second access driveway during times of El Nino, road washout, with potential medical emergencies or vehicle accident may well prove to be life-saving.

Meeting with Ed Foster and our engine companies on understanding the dynamics and uses of the secondary access are important. Getting the County Planning and Development to approve this project are found in the following:

- 1) Toro Canyon Plan – Development Standard TC-2.4 "Two separate and approved access roads (not alternate access) shall be provided when it is determined by the Fire Chief that access by a single road, in excess of 600ft (access road for 949 Toro Canyon Road is approximately 1,000ft),
- 2) Carpinteria-Summerland Fire Protection District CWPP pp. 23 – 25.
- 3) Private Road and Driveway Standards, Development Standard #1 section IIE PRIVATE ROAD page 3 of 18: "Two separate and approved access roads (not alternate access) shall be provided when it is determined by the Fire Chief that access by a single road, in excess of 600ft (access road for 949 Toro Canyon Road is approximately 1,000ft), might be impaired by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access." (Santa Barbara County Fire Department Fire Prevention Division – Rev 1/25/10).

Jim, again it was good seeing you this last holiday. It is encouraging and important to fight the good fight in protecting our community from the threat of wildland fire. This is an example of a private/public partnership that enhances safety in probably the most extreme threat in our District.

Respectfully Yours,

Scott Coffman

Battalion Chief (retired)

November 21, 2016

Chair Peter Adams
Santa Barbara County Board of Supervisors
105 East Anapamu Street
Santa Barbara, California 93101

Re: Barton and Victoria Myers Appeal 949 Toro Canyon Road
Case No. 16APL – [00000 – 00021](#); Agenda item #1

Thank you for taking the time to review this case. I have worked on behalf of the Myers as I believe this fire protection for the Myers and the community is essential.

What I believe is before you is of significant importance to the Toro Canyon Community. The location of subject area is in an extreme fire prone area that is constrained to get fire fighting forces if faced with a fast moving wildland fire. The Myers have added several important components to this case to protect our community. The addition of a rated hydrant on Toro Canyon as well as a turn-around are important in improving firefighting tactics.

I have spoken with Ralph Larsen of Carpinteria-Summerland FPD as well with regard to fuel reduction project on the roadside to improve defensible space and community evacuation.

Additionally, I appreciate Steve Oaks, Fire Marshal Santa Barbara County comments in support of the project. He stated the project is helpful in allowing access of firefighting forces to Myers property and residents evacuate from the secondary access road.

I believe the approval by Carpinteria Summerland FPD Fire Marshal Ed Foster, letter dated March 7, 2016, is important. I spoke with Carpinteria's new Chief Ray Navarro. He is in support of the project as well and sees this as a key wildland area.

In the Jesusita Fire, 2009 we had several firefighters hurt and burned and residents trapped. This experience points to key areas for evacuation. The secondary access road at the Myers residence is also important in that it can be used for trapped residents and firefighters to go to the Myers cleared areas as a Safe Refuge Area should Toro Canyon be blocked by smoke or fire.

There is an important historical note to this case. Ed Foster and I wrote the code for Carpinteria Summerland Fire Protection District at the time of the construction of the Myers property.

We felt requiring a secondary means of egress for access under 5 parcels was potentially a taking. Importantly, the potential to identify a secondary means of egress was placed as a definitive means to obtain highly valued secondary access roads at the time of permit approval or a future date.

Chair Peter Adams

Santa Barbara County Board of Supervisors

November 21, 2016

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This is an opportunity for the Board of Supervisors to move forward. To place community fire protection as a key priority to save lives and protect our very valuable assets, people. Thanks for letting me address the Board.

Scott Coffman

Battalion Chief (retired)

Susanne Tejada

From: Barton Myers(SB)
Sent: Monday, March 07, 2016 12:35 PM
To: Susanne Tejada
Subject: Fwd: 949 Toro Canyon road/bridge

Barton Myers

Begin forwarded message:


From: "Foster, Ed" <e.foster@csfd.net>
Date: March 7, 2016 at 9:50:18 AM PST
To: "Barton Myers(SB)" <b_myerssb@bartonmyers.com>
Subject: RE: 949 Toro Canyon road/bridge

Mr. Myers:

Mr. Myers:

In regard to your request for more definitive support for the driveway project from the Fire Chief I provide the following response.

Please note that the Fire District is most certainly in support of any measures that will enhance the fire safety of the those who reside in or own property in the areas designated as Very High Fire Hazard Severity Zones and High Fire Hazard Severity Zones and in consideration of the significant risk created by the environment in those designated areas the Fire District is continuously searching for support from every home owner and resident of those areas to implement the nationally and local fire agency recommended courses of action. Over the last several years our agency has put forth efforts to reduce the density of the "fire load" by sponsoring and assisting in vegetation clearing to create defensible space around structures and enhanced road ingress and egress clearance. At the same time our responsibility to ensure enforcement of and compliance with provisions of codes, regulations and standards must be exercised in concert with other agencies which provide for the health and safety of the citizenis of our community.

 The previous letter from the Fire Chief does in fact support your efforts in a positive manner. However, there is no evidence to support a specific requirement to mandate a secondary means of egress; therefore, your suggestion to change the wording in the letter or to send a modified letter is not one that the Chief will consider.

Yours in the interest of fire and life safety,
Ed Foster
Fire Marshal
Fire Prevention Bureau
Carpinteria-Summerland Fire District
(805) 566-2451

-----Original Message-----

From: Barton Myers(SB) [mailto:b_myerssb@bartonmyers.com]

May 4, 2016

949 Toro Canyon Road

Secondary Road and Bridge Project

Climatic and Topographic Conditions affecting Site:

The location is in CWPP Hazard Zone 3, High Fire Hazard Zone and apart of the Santa Barbara County State Responsibility Area. This is arguably one of the most constrained sites for wildland fire control in Santa Barbara County. The property lies in a box canyon including 40 acres on both sides of Toro Canyon Road. The improved property including 4 structures are on the east side of Toro Canyon Road in the throat of the box canyon with flat to 85% plus slopes.

After looking at wildfire prediction modeling, on light wind days as well as Sundowner Conditions the geologic and climatic conditions place the property in jeopardy. Fire behavior models including Behave Plus show conditions as being extreme and placing fire control strategies as not effective. Additionally, this places firefighter safety as a critical concern.

Of primary concern is that a fire from the top of Toro Canyon (especially in a Sundowner Condition) brings fire down Toro Canyon like a freight train with vast amount of smoke and ember wash ahead of it. Firefighters arriving from below would be faced with a frontal assault. Of course a direct attack on the head of a fire moving at a rapid rate of spread (ROS) is an ill-advised concept. Attacking from the sides of the fire or flanks or the back of the fire called the heal are generally far more successful.

The big point is that in most conditions the property lies geographically beyond a "Threshold of Control" to protect the residents and property from the ravages of a wildland fire. This vulnerability speaks to a multi-faceted approach to protect area life, environment, and property. This project will enhance community safety and this property safety dramatically:

- Addition of a new secondary access driveway for resident escape or resident access to the property "Safe Refuge Area" if necessary.
- Addition of a new rated fire hydrant and staging area for fire department fill operations
- Proposed Well #4 addition for additional water and water storage recharge capacity
- Proposed fuel reduction along Toro Canyon Roadway using CCC or contract crews for life safety escape of residents and a safer working area for firefighters.

These enhancements help lessen the chance of loss of life. Being able to see the roadway and lessen heat while escaping a wildland fire by vehicle is of critical importance. Having an additional fire hydrant and water capacity and recharge in the area of a box canyon is so helpful. With these enhancements, the better option of fighting the fire from the flanks or sides or heal is more realistic. The idea of fighting a fire from the flanks or heal or fire following is a safer option and vastly more successful.

Rothermel (Behave Plus) & Campbell Prediction System (NASA Web Word Wind SDK)

Location 949 Toro Canyon Road; lat. 34.27.908, Long. 119.33.33

Results: Fuel Conditions moderate, moderate dead fuel, fully cured herbaceous, chaparral 6'

10 mph from Northeast, field above homes in 6' chaparral facing southwest and 42% slope

Morning Relative Humidity 20% and dropping

Fuels	Mod	1 hour – 9%	10 hour – 10%	100 hr. – 11%		
Fuels	Mod	Fuel Moisture	30% Herbaceous	60% Woody		
Elevation	Mod	1460 feet	1400 hr. 85F	Sunset 75F	Sunrise 65F	Noon 80F
Aspect		South West				
Slope		42%				
Wind		10mph N.E.				
Flame Length		37.3 feet	(15' critical)			
Rate of Spread		242.3 Chains per hour				
BTU/SqFt.		3339 BTU per SqFt.				

Fuel Conditions moderate, moderate dead fuel, fully cured herbaceous, chaparral 6'

10 mph from Southwest field above homes in 6' chaparral facing southwest and 42% slope

Morning Relative Humidity 20% and dropping

Fuels	Mod	1 hour – 9%	10 hour – 10%	100 hr. – 11%		
Fuels	Mod	Fuel Moisture	30% Herbaceous	60% Woody		
Elevation	Mod	1460 feet	1400 hr. 85F	Sunset 75F	Sunrise 65F	Noon 80F
Aspect		South West				
Slope		42%				
Wind		10 mph S.W.				
Flame Length		35.5 feet	(15' critical)	*No wind 8 feet		
Rate of Spread		228.9 Chains per hour				
BTU/SqFt.		3176 BTU per SqFt.				

Fuel Conditions moderate, moderate dead fuel, fully cured herbaceous, chaparral 6'

25 mph from Northeast field above homes in 6' chaparral facing southwest and 42% slope

Morning Relative Humidity 20% and dropping

Fuels	Mod	1 hour – 9%	10 hour – 10%	100 hr. – 11%			
Fuels	Mod	Fuel Moisture	30% Herbaceous	60% Woody			
Elevation	Mod	1582 feet	1500 hr. 80F				
Aspect		South West					
Slope		42%					
Wind		25 mph N.E.					
Flame Length		79.5 feet	(15' critical)				
Rate of Spread		1420 Chains per hour					
BTU/SqFt.							

Fuel Conditions moderate, moderate dead fuel, fully cured herbaceous, chaparral 6'

45 mph from Northeast field above homes in 6' chaparral facing southwest and 42% slope

Morning Relative Humidity 20% and dropping

Fuels	Mod	1 hour – 9%	10 hour – 10%	100 hr. – 11%			
Fuels	Mod	Fuel Moisture	30% Herbaceous	60% Woody			
Elevation	Mod	1582 feet	1500 hr. 80F				
Aspect		South West					
Slope		44%					
Wind		25 mph N.E.					
Flame Length		100 feet	(15' critical)				
Rate of Spread		2369 Chains per hour					
BTU/SqFt.							

Florian & Associates Inc.

fire protection & sustainability thru design

FlorianDesign@msn.com
805-252-5320 cell
805-966-4271 office
web: floriandesign.net

Al MesKimen
Florian Design
845 Weldon Road
Santa Barbara, CA 93109

Fire Chief Jim Rampton
Carpinteria-Summerland Fire District
140 Eugenia Pl, Carpinteria, CA 93013

December 22, 2015

Dear Chief Rampton

I would like to recommend the additional of a second means of access/egress to Barton Myers property locate at 949 Torro Canyon on the basis of enhanced firefighting ability and improved life safety.

The current environmental conditions that support this recommendation are that the current ingress/egress is shared by three properties, and is many times congested. The surrounding vegetation is composed of highly flammable chaparral and oak lands that have not burned since the Coyote Fire of 1964.

The physical layout of the driveway is approximately 1,000 feet with a dead end. I have been at the property when the access/egress is impaired by vehicle congestion, construction. I understand that this experience happens far too often.

The current driveway serves three parcels, four dwelling units, and two home based offices. Productive agriculture and landscaping occur on this property. There can be as many as 50 persons using this access on any given day.

In the event of an emergency whether it is medical, law enforcement or fire the emergency response would be hampered with current egress conditions, especially with a fire or obstruction on the existing access to the south.

Given the extreme danger of a wildfire it is prudent to have a second means of egress, increased firefighter and occupant safety, and improved firefighting ability. Smoke generates visibility problems with accidents.

Further evidence of the need for secondary access is covered in the Santa Barbara County Fire Department Fire Prevention Division – Rev 1/25/10 under Private Road and Driveway Standards, Development Standard #1 section IIE PRIVATE ROAD page 3 of 18: "Two separate and approved access roads (not alternate access) shall be provided when it is determined by the Fire Chief that access by a single road, in excess of 600ft (access road for 949 Toro Canyon Road is approximately 1,000ft), might be impaired by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access."

My appreciation for your immediate attention to this important matter.

Respectfully yours,

Al MesKimen