



September 7, 2024

To: Steve Monowitz, Community Development Director, San Mateo County  
Dan Carl, Coastal Commission  
Stephanie Rexing, Coastal Commission

From: Lennie Roberts, Legislative Advocate, Green Foothills

Re: PLN2024-00185 CDP and Land Clearing Permit in Montecito Riparian Corridor  
PLN2021-00478 Design Review and Major Modification in Montecito Riparian Corridor

Dear Steve, Dan and Stephanie,

On behalf of Green Foothills, I dispute the determination by County Planning regarding the required setback(s) from documented wetlands/riparian vegetation on the above-referenced projects and furthermore respectfully request that the Coastal Commission take jurisdiction over these two CDPs.

The first item appears to be testing the minimum allowable development allowed on a parcel that is entirely covered with wetland/riparian vegetation/buffer.

The second item has been languishing at County Planning since 2014. Mr. LaCasia, the initial owner/applicant, sadly passed away in the spring of 2014. His dying wish was to obtain approval of a single-family residence and ADU at 779 San Carlos Avenue, El Granada. Mrs. LaCasia has diligently pursued approval and deserves closure in order to move beyond the limbo she is trapped in. Adjacent neighbors Rich and Kathy Klein wish to purchase the LaCasia's property to ensure privacy and space for their long-time enjoyment of their property.

An equitable solution is needed to resolve these disputes; and the Commission's experience with similar challenges is crucial to achieve that solution.

Thank you all for your dedication to the coast and to the people of California.

Sincerely,

Lennie Roberts, former Commissioner and Legislative Advocate, Green Foothills

cc: Rich and Kathy Klein



## Martinez, Erik@Coastal

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**From:** Martinez, Erik@Coastal  
**Sent:** Wednesday, February 9, 2022 11:12 AM  
**To:** Glen Jia  
**Subject:** RE: PLN2021-00478 Project Referral

Hi Glen,

One thing I forgot to include in my email yesterday is that the current referral (PLN2021-00478) states that the project is not appealable to the Coastal Commission while the previous referral (PLN2020-00448) states that it IS appealable to us and notes that it's out of our appeals jurisdiction. Please keep in mind that per Section 30603 of the Coastal Act, any developments approved by local governments that are located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff are appealable to the Coastal Commission.

-Erik

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**From:** Martinez, Erik@Coastal  
**Sent:** Tuesday, February 8, 2022 4:14 PM  
**To:** Glen Jia <bjia@smcgov.org>  
**Subject:** PLN2021-00478 Project Referral

Hi Glen,

Thank you for sending this referral over to us for comments. It' looks like we had comments on a related referral (PLN2020-00448) concerning future development given the set riparian buffers as well as the need for an updated biological assessment.

It seems like those concerns were addressed in this new referral, however, I still have some questions:

1. **Buffers.** I took at look at the plan sets and it appears to be different buffers used in the Plan Set document and the Drainage and Erosion Control Plan. In the Plan set, it shows that only the overhanging deck cuts into the 30 foot riparian buffer whereas the Drainage and Erosion Control Plan shows a good part of the proposed residence extending to the 20 foot buffer line. Additionally, the provided biological assessment states that the home would be built mostly outside of the 30-foot riparian corridor buffer area with the exception of the southwest corner of the house which would come within 21 feet (Plans dated 7/15/2020). Please clarify which buffer is actually being used.
2. **Alternatives and Mitigations.** Regardless of the buffer being used, it seems like there will be some encroachment into the buffer which according to LUP Policy 7.12 is allowed. It states that within buffer zones residential uses on existing legal building sites, set back 20 feet from the limit of riparian vegetation are allowed , only if no feasible alternative exists, and only if no other building site on the parcel exists. Was there an alternatives siting analysis conducted for this property? Additionally, if there will be encroachment into the buffer area, is there mitigation being proposed?
3. **Wetlands.** We previously received some public comments raising concerns that part of the parcel might characterize as a wetland given the one parameter standard mainly because of the dominant

presence of arroyo willow, a facultative wetland species. Was a wetland delineation conducted for the project site to make this determination?

Best,

[Erik Martinez](#)

Coastal Planner

California Coastal Commission

## Cooper, Isobel@Coastal

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**From:** Cooper, Isobel@Coastal  
**Sent:** Friday, June 7, 2024 11:09 AM  
**To:** Glen Jia  
**Cc:** Ringuette, Oceane@Coastal  
**Subject:** CCC Comments PLN2021-00478 (779 San Carlos Ave - Major Mod)  
**Attachments:** CCC Comments 2-7-22.pdf

Hi Glen,

Thanks for your patience as I work through several of the referrals in my backlog.

As a refresher, it appears that Erik provided comments on earlier iterations of this project (see attached). The bulk of the comments below echo the comments provided in 2022:

- **Buffers:** An August 2020 letter from Coast Ridge Ecology notes that the unnamed creek that runs through the Montecito riparian corridor is identified as a perennial creek on 1997 USGS maps, while previous site visits (2020 and earlier) to the property showed that the creek was “functioning more like an intermittent creek.” As you know, there is a 20ft difference in required buffers for perennial and intermittent streams. Is the creek still (as of 2024) functioning as an intermittent stream (i.e. confirm that the 30ft riparian buffer remains appropriate)?
- **Alternatives and Potential Impacts of Encroachment:** LCP Policy 7.12 allows for residential uses set back 20 feet from the edge of riparian vegetation, *only if no feasible alternative exists and only if no other building site on the parcel exists*. Based on the most recent site plans provided, it appears that the covered deck on the first floor extends significantly into the 30 foot riparian setback (assuming, again, that this remains the correct buffer distance based on the classification of the creek as intermittent). Was an alternatives analysis, or other support/justification provided for the reduced buffer? Additionally, portions of the 3<sup>rd</sup> floor extend out over the 30ft buffer. While the LUP and the IP do not speak to this type of “overhang” encroachment (as far as I can tell), it may be beneficial to consider any potential impacts.
- **Wetlands (?):** Our offices received a comment from a member of the public who noted that the Arroyo willow, spreading rush and slough sedge suggests the site would potentially be subject to the LCP-required 100 foot wetland buffer. Was a wetland delineation completed for the site? Looking at the Riparian Boundary Assessment completed for the site does not note any of the species specified in LCP policy 7.14 (except for Arroyo willow).
- **Landscaping:** Based on the planting plan provided it appears that a significant amount of landscaping would occur within the 30ft buffer (potentially some within the 20ft setback?). LCP Policy 7.13 requires minimized removal of vegetation within buffer zones and to replant where appropriate with native and non-invasive exotics.

Best,

Isobel Cooper | Coastal Planner

California Coastal Commission

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