



Date: August 7, 2022
To: Glen Jia, Project Planner and
Camille Leung, Senior Planner
From: Lennie Roberts, Legislative Advocate, Green Foothills
Re: Item # 4 on the August 11, 2022 Coastsides Design Review Committee meeting: "Consideration of a Design Review recommendation for the construction of a new 2,226 sq. ft. three-story, single-family residence with attached 795 sq. ft. ADU and 374 sq. ft. garage on a 7,070 sq. ft. parcel associated with a staff level Coastal Development Permit (CDP) and Variance. Staff will make a decision on the IS-MND, CDP, and Variance after August 11, 2022. The project is not appealable to the California Coastal Commission. Owner-Applicant: Rodrigo Lacasia-Barrios, File #PLN2021-00478, Location: San Carlos Avenue, El Granada, APN: 047-105-020"

Dear Glen and Camille,

Green Foothills objects to the CDRC Agenda listing of the proposed single-family residence, ADU and garage, specifically the following: "Staff will make a decision on the Initial Study-Negative Declaration, CDP, and Variance after August 11, 2022," and "The project is not appealable to the California Coastal Commission."

First, No Notice of the IS-MND was sent to Green Foothills, and I have not been able to find the referenced IS-ND on County Planning's website. Staff should be well aware of our concerns about this project, as we commented extensively on the parcel legalization and spoke at the ZHO public hearing. We should have been notified of the availability of the IS-MD. Please send me the Draft IS-ND and please extend or re-open the comment period.

Second, due to the presence of riparian vegetation/wetlands on the parcel, a staff-level decision for the CDP and Variance appears to be inappropriate. Could you please advise as to the basis for a staff level decision?

Finally, Green Foothills strongly disagrees with the statement that the CDP is not appealable to the Coastal Commission. The subject parcel supports a dense Arroyo Willow riparian woodland that covers approximately 25%-30% of the property, as depicted on the 11/17/2020 Boundary and Topographic Map by Turnrose Land Surveying which was part of the COC-B approval process. The Arroyo Willow riparian woodland is described by Tom Mahoney of Albion Environmental in his October 15, 2004 Report on the subject parcel as: "Riparian woodland, composed of the Arroyo Willow series (Sawyer and Keeler-Wolf 1995) occurs along the western half of the Project Area. The riparian area is structurally mature, and forms an intact canopy extending from the Project Area down to the unnamed drainage channel to the west...". Mr. Mahoney also describes the understory vegetation: "...including spreading rush (*Juncus patens*), a facultative wetland species 4 and slough sedge (*Carex obnupta*), an obligate wetland indicator species."

Development within 100 feet of a wetland is appealable to the California Coastal Commission, per County Zoning Regulations Section 6328.3(s)(2) which states (in relevant part): “Projects Appealable to the Coastal Commission...Projects located within 100 feet of any wetland”. The proposed project has the potential for significant adverse impacts to coastal resources, and the CDP must maximize protection of those resources, through adequate setbacks of development, and other measures to prevent changes to existing patterns of surface and subsurface drainage, and/or removal of environmentally sensitive habitat species, etc.

Please correct the project description on the CDRC August 11, 2022 Agenda accordingly.

If you disagree regarding the issue of appealability of the CDP, please follow the Dispute Resolution process as specified in Section 13569 of the Coastal Commission’s Regulations (California Code of Regulations (CCR), Title 14) and refer this matter to the California Coastal Commission’s Executive Director for a resolution of the disagreement.

Thank you for your attention to our comments.

CC: Erik Martinez, California Coastal Commission
Rich and Kathy Klein
Susana van Bezooijen

Klein Objection

February 9, 2025

Camille Leung, Project Planner
San Mateo County Planning
455 County Center, Second Floor
Redwood City, CA 95063

Re: PLN2021-00478: Coastside Design Review Permit, Coastal Development Permit (CDP), and Variance for construction of a new 1,670 sq. ft. three-story single-family residence with an attached 371 sq. ft. garage and a 791 sq. ft. Accessory Dwelling Unit (ADU) on a legal 7,070 sq. ft. parcel associated with a hearing-level CDP and Variance. The Variance is being sought to allow a reduced front yard setback of 3 feet where 20 feet is the minimum allowed due to the site's location within a portion of the Montecito Riparian Corridor and associated 30-foot riparian setback. APN 047-105-020. Address: 779 San Carlos Avenue, El Granada. The project is appealable to the California Coastal Commission.

Dear Camille,

As the owner of the adjacent property at 771 San Carlos Ave, I write to object to the above-referenced project for the following reason:

The proposed building would not respect the riparian zone boundaries and appears to come within 15 feet of the riparian zone boundary as evidenced by the "drip line" of the healthy arroyo willow canopy which is adjacent to, and in some cases extending into, the site. A minimum 30-foot buffer is required. Once the story poles went up in the fall, visual inspection made it obvious that the plans incorrectly place the riparian boundary.

I suspect that the reason for the discrepancy is that the original biological survey was done relatively close to the time that the land had been illegally cleared. The surveyor had to estimate the likely footprint of the mature willows. That estimation is no longer necessary since in the intervening years the willow thicket has re-established itself.

This objection is relevant to the architectural review, since it halves the allowable width of the structure.

The following are Google Earth imagery and photographs to support my objection. Although not a professional botanist, I am a long-time resident with an undergraduate degree in botany and am capable of identifying arroyo willow in any season.

Richard Klein, 771 San Carlos Ave, El Granada

Google Earth Aerial Overview

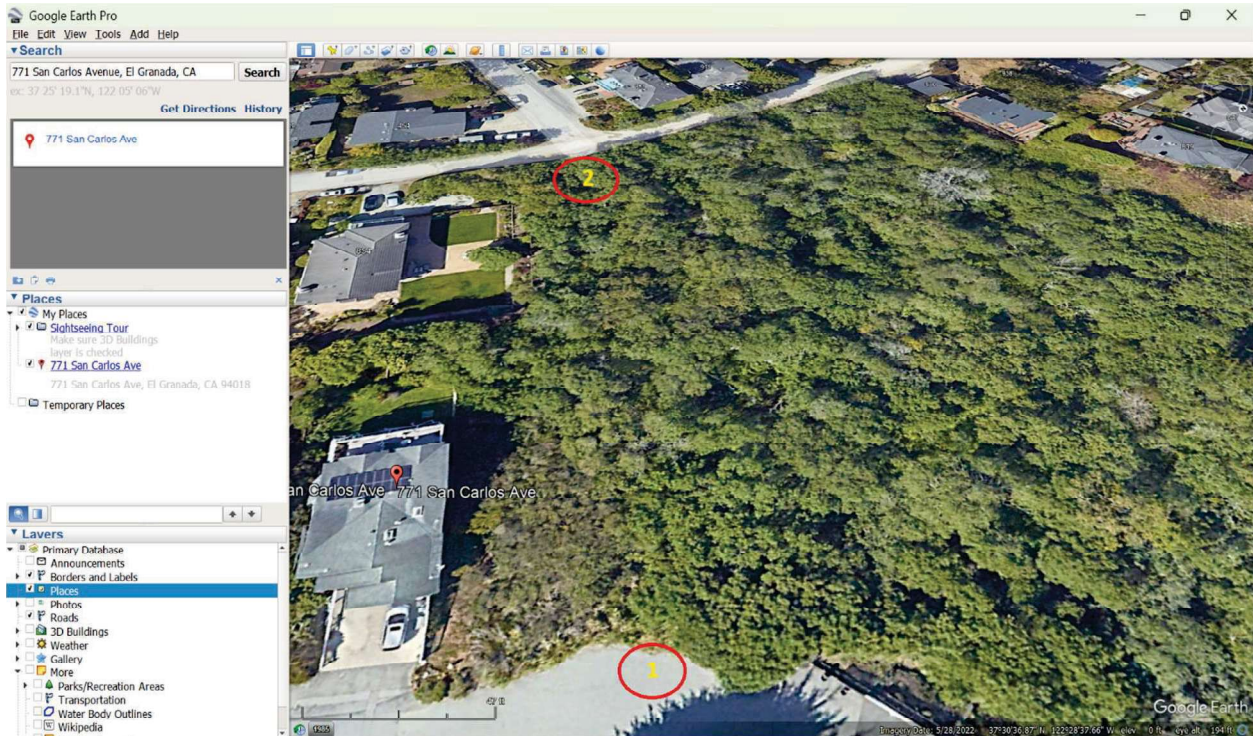


Exhibit A. This screenshot shows the parcel at 779 San Carlos with the healthy willow thicket covering the riparian area, below which several branches of San Agustin Creek (aka Montecito Creek) meander. The perspective is downhill from San Carlos Ave looking toward Balboa, where a row of sandbags and many ad hoc drains attest to the frequent winter flooding at the site. The numerals 1 and 2 indicate the approximate location of the photographs I took in the fall of 2024 and the winter of 2025. Our house (771) is on the left. Image captured Richard Klein February 9, 2025.

Photos from numeral 1 showing that willow dripline extends about three feet onto the lot near San Carlos Ave.



Exhibit B. My wife, Kathy Klein, stands at the property line (numeral 1 in the overview) with a measuring tape. Note the story poles to the left. The end of the measuring stick marks the dripline of the willow canopy, marked with red tape. It is clearly only about 15 feet from the willows to the proposed house. Photo Richard Klein September 28, 2024.



Exhibit C. Closeup of the willow canopy behind Kathy with the red tape on a willow branch. Photo Richard Klein February 8, 2025.

Photos from Numeral 2 showing sandbags, wetland vegetation, multiple drains, and the main creek channel



Exhibit D. Sandbags on Balboa, ready for winter rainfall. Our tiny dog Charlie for perspective. Willow trees and horsetail in the vegetation on the right. Photo Richard Klein February 8, 2025.

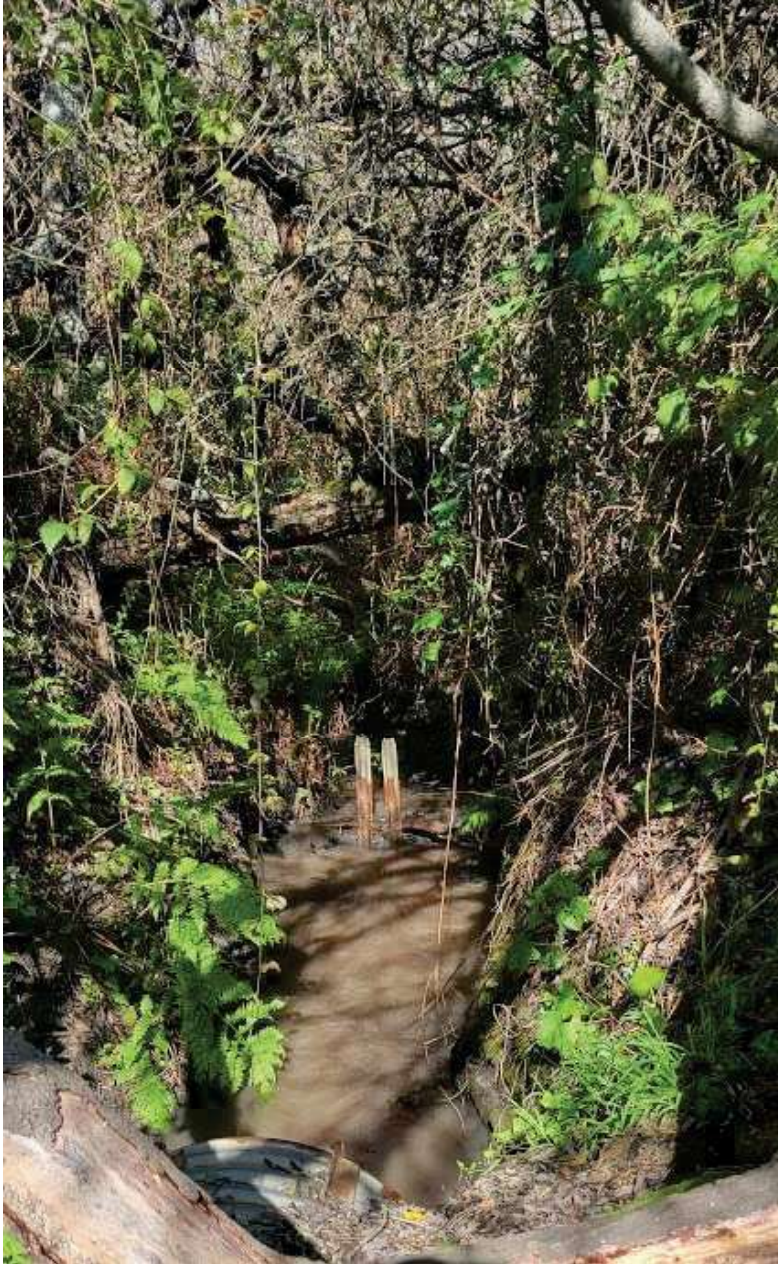


Exhibit E. San Agustin creek just before diversion into underground culvert at Balboa. Willow trees, ferns, and lush vegetation. The creek empties into the harbor next to Barbara's Fish Trap. Photo Richard Klein February 8, 2025.

Photo from developer's application showing "Left View" of story poles with willow thicket in background



Exhibit F. Photo taken from application shows the story poles in the foreground and the nearby willow thicket behind. The willows in background right are at approximately the location of numeral 1. Photo unknown photographer and date between September and January.

Photos of the lot and the adjacent willows from our family room.



Exhibit G. View from our family room with story poles in foreground and willow branches almost touching rear of structure. Photo Richard Klein September 28,2024.

Klein Objection



Exhibit H. First photo looks toward numeral 1 on the street. Second photo looks straight out from our window to the willows, with a small amount of uncleared French Broom in the foreground. The willows are just starting to show their new leaves and catkins. Photos Richard Klein February 9, 2025.