

MONTECITO PLANNING COMMISSION
Coastal Zone Staff Report for Promise Land LLC – As-Built Wall

Hearing Date: September 17, 2025
Staff Report Date: September 10, 2025
Case No.: 23CDH-00027
Environmental Document: CEQA
Exemption 15302

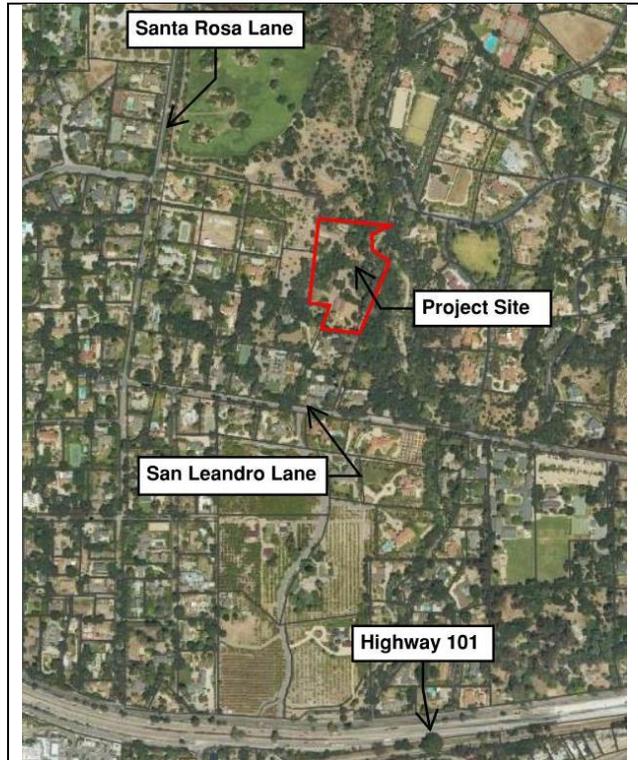
Deputy Director: Travis Seawards
Division: Planning and Development
Supervising Planner: Joe Dargel
Supervising Planner Phone #: 805-568-3573
Staff Contact: Kathleen Volpi
Staff Contact Phone #: 805-568-2033

OWNER / APPLICANT:

Robert Greene
1633 East Valley Road
Santa Barbara, CA, 93108

AGENT:

SEPPS Inc.
Kaitlyn Earnest
1625 State Street Suite 1
Santa Barbara, CA, 93101



This site is identified as Assessor's Parcel Number 007-280-012, located at 1690 San Leandro Lane in the Montecito Community Plan area, First Supervisorial District

1.0 REQUEST

Hearing on the request of Robert Greene to consider the following:

- Case No. 23CDH-00027 for the validation of an as-built grouted sandstone boulder wall pursuant to Section 35-169.2 of Article II of the Coastal Zoning Ordinance; and
- Determine the project is exempt from CEQA pursuant to CEQA Guidelines Section 15302 [Replacement or Reconstruction], included as Attachment C.

The application involves Assessor Parcel No. 007-280-012, located at 1690 San Leandro Lane, in the Montecito Community Plan area, First Supervisorial District.

2.0 RECOMMENDATION AND PROCEDURES

Your Commission's motion should include the following:

1. Make the required findings for approval of the project specified in Attachment A of this staff report, including CEQA findings.
2. Determine the project is exempt from CEQA pursuant to State CEQA Guidelines Section 15302 of CEQA, as set forth in the Notice of Exemption included as Attachment C.
3. Approve the project (23CDH-00027) subject to the conditions included as Attachment B.

Refer back to staff if the Montecito Planning Commission takes other than the recommended action for appropriate findings and conditions.

3.0 JURISDICTION

This project requires a Coastal Development Permit with Hearing (CDH) pursuant to Section 35-169.4 of the Article II Coastal Zoning Ordinance, which requires a Coastal Development Permit with Hearing for development that is appealable to the Coastal Commission within the 2-E-1 Zone District.

This project is being considered by the Montecito Planning Commission based on Article II, Section 35-169.4.2 which states the review authority for the CDH is the Zoning Administrator and Section 35-18, which states that within the Montecito Community Plan Area, references to the Zoning Administrator shall mean the Montecito Planning Commission.

4.0 ISSUE SUMMARY

The subject property was impacted by the Montecito debris flows of January 2018. The as-built grouted sandstone boulder wall referenced in this report is one of two repairs made by the property owner to San Ysidro Creek as a result of the natural disaster. The repair work proposed to be validated with this permit includes the rebuild of a portion an existing grouted sandstone boulder wall within the San Ysidro Creek which was destroyed during the debris flows. The work was carried out between February and March 2018. During that time, major cleanup efforts coordinated by County Flood Control, and the U.S. Army Corps of Engineers (ACOE) were occurring concurrently within the creek, along with cleanup efforts by individual property owners throughout the affected region.

The owner obtained building permits for completed like for like repairs of an on-site structure damaged during the 2018 debris flow. During that time, they conducted repairs to the damaged grouted sandstone boulder wall within the San Ysidro Creek. In 2023, a violation was opened for the unpermitted repairs to the grouted sandstone boulder wall under Case No. 23ZEV-00044. This Coastal Development Permit with Hearing will validate the unpermitted repairs to the grouted sandstone boulder wall within the San Ysidro Creek.

5.0 PROJECT INFORMATION

5.1 Site Information

| Site Information | |
|--------------------------------|--|
| Comprehensive Plan Designation | SRR-0.5 Semi-Rural Residential 0.5 units/acre, 2-acre minimum, Montecito Community Plan |
| Ordinance, Zone | Article II, 2-E-1 Zone (Single-Family/Minimum Lot size 2-acre) |
| Site Size | 4.01-acres |
| Present Use & Development | Residential, single-family dwelling, carport and pool house, carriage house, guest house, and two horse stables |
| Surrounding Uses/Zone(s) | <i>North:</i> Residential 10-E-1 <i>South:</i> Residential 2-E-1 <i>East:</i> Residential 2-E-1 <i>West:</i> Residential 2-E-1 |
| Access | San Leandro Lane |
| Public Services | Water Supply: Montecito Water District Sewage: Montecito Sanitary District Fire: Montecito Fire Department Police: Santa Barbara County Police Department |

5.2 Background Information

The subject parcel is a legally created lot shown as Parcel A on Tract Map No. 12,235, created in July 1976. The property is developed with a single-family dwelling built around 1919, prior to current permitting requirements. A barn, originally permitted under Land Use Rider 23474 in 1963, was later validated as a guest house under Permit Nos. 86-SUP-44 & 86-CDP-275 in 1986. Other structures on the property, including a garage, carriage house, carport, and pool house, were also permitted under Permit Nos. 86-SUP-44 & 86-CDP-275 in 1986. County Flood Control previously performed maintenance work in San Ysidro Creek in this area under Permit Nos. 89-CDP-154 and 96-CDP-078 in 1989 and 1996, respectively.

The exact date of the original rock wall construction remains unknown, though historic aerial photographs from 1954 and 1972 found within the UCSB Map and Imagery Library show the wall directly adjacent to a bridge abutment. This abutment once served as a driveway to the former Dominguez Adobe (aka the Cox/Boeske Adobe) on the San Leandro Ranch, now known as the Ennisbrook subdivision. According to the Montecito Association History Committee the Dominguez Adobe was built in the 1830s and renovated or replicated in 1918.

5.3 Description

The project is a request for a Coastal Development Permit with Hearing to legalize an as-built approximately 110-foot-long grouted sandstone boulder wall within the San Ysidro Creek. The wall ranges in height from 2 to 12 feet tall and 7.5 to 15 feet wide. No grading or tree removal is proposed. The parcel will continue to be served by the Montecito Water District, the Montecito Sanitary District, and the Montecito Fire District. Access will continue to be provided off of San Leandro Lane. The property is a 4.01-acre parcel zoned 2-E-1 and shown as Assessor's Parcel Number 007-280-012, located at 1690 San Leandro Lane in the Montecito Community Plan Area, First Supervisorial District.

6.0 PROJECT ANALYSIS

6.1 Environmental Review

The project was evaluated for compliance with the California Environmental Quality Act (CEQA) and determined to be exempt from environmental review pursuant to CEQA Guidelines Section 15302 [Replacement or Reconstruction], which exempts replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. Given that the project involves the validation of an as-built grouted sandstone boulder wall that was reconstructed within the same footprint and profile of a prior creek wall, which was destroyed by the 2018 Montecito debris flow, the project is exempt from CEQA. For further details, please see Attachment C, Notice of Exemption.

6.2 Comprehensive Plan Consistency

| REQUIREMENT | DISCUSSION |
|---|--|
| ADEQUATE SERVICES | |
| <i>Coastal Plan Policy 2-4: Within designated urban areas, new development other than that for agricultural purposes shall be serviced by the appropriate public sewer and water district</i> | Consistent: The proposed project is consistent with the policies that require sufficient services exist for a project because the validation of an as-built grouted sandstone boulder wall does |

| | |
|--|---|
| <p><i>or an existing mutual water company, if such service is available.</i></p> <p>Coastal Plan Policy 2-6: <i>Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development. The applicant shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan . . .</i></p> | <p>not result in an increased demand for public services and resources. The parcel is currently served by the Montecito Water District and the Montecito Sewer District. Additionally, access to the parcel will remain via San Leandro Lane and the Montecito Fire Department and the Santa Barbara County Sheriff's Department will continue to provide emergency services.</p> |
| <p>AESTHETICS/VISUAL RESOURCES</p> | |
| <p>Coastal Plan Policy 4-4: <i>In areas designated as urban on the land use plan maps and in designated rural neighborhoods, new structures shall be in conformance with the scale and character of the existing community. Clustered development, varied circulation patterns, and diverse housing types shall be encouraged.</i></p> <p>MCP Policy VIS-M-1.1: <i>Development shall be subordinate to the natural open space characteristics of the mountains.</i></p> <p>MCP Policy VIS-M-1.3: <i>Development of property should minimize impacts to open space views as seen from public roads and viewpoints.</i></p> | <p>Consistent: The proposed project is consistent with policies that ensure conformance with the scale and character of an existing community and protect public views. A segment of an existing rock wall in San Ysidro Creek was destroyed during the 2018 Montecito debris flow, and the as-built grouted sandstone boulder wall was constructed to replace the damaged section. The as-built wall replicates the original in both design and materials and continues to be in conformance with the scale and character of the existing community. The location of the wall within a creek, sits flush with the surrounding existing grade. The creek is surrounded by trees and riparian growth and is not visible from any public roads or viewpoints. It remains subordinate to the natural open space characteristics of the surrounding mountains.</p> |
| <p>BIOLOGICAL RESOURCES</p> | |
| <p>Coastal Plan Policy 9-35: <i>Oak trees, because they are particularly sensitive to environmental</i></p> | <p>Consistent: The as-built wall is consistent with applicable biological resource policies, which</p> |

conditions, shall be protected. All land use activities, including cultivated agriculture and grazing, should be carried out in such a manner as to avoid damage to native oak trees. Regeneration of oak trees on grazing lands should be encouraged.

MCP Development Standard BIO-M-1.15.1: All existing specimen trees shall be protected from damage or removal by development to the maximum extent feasible.

Coastal Plan Policy 9-1: Prior to the issuance of a development permit, all projects on parcels shown on the land use plan and/or resource maps with a Habitat Area overlay designation or within 250 feet of such designation or projects affecting an environmentally sensitive habitat area shall be found to be in conformity with the applicable habitat protection policies of the land use plan. All development plans, grading plans, etc., shall show the precise location of the habitat(s) potentially affected by the proposed project. Projects which could adversely impact an environmentally sensitive habitat area may be subject to a site inspection by a qualified biologist to be selected jointly by the County and the applicant.

MCP Policy BIO-M-1.2: The following biological resources and habitats shall be identified as environmentally sensitive and shall be protected and preserved to the extent feasible through the Environmentally Sensitive Habitat (ESH) overlay: Riparian woodland corridors.

MCP Policy BIO-M-1.3: Environmentally Sensitive Habitat (ESH) areas within the Montecito Planning Area shall be protected, and where appropriate, enhanced.

protect native and specimen trees as well as Environmentally Sensitive Habitat (ESH). The as-built grouted sandstone boulder wall is located entirely within the riparian ESH overlay. Watershed Environmental, Inc. conducted a site inspection and prepared a Biological Report, dated August 2023, for the project. The Department of Fish and Wildlife (CDFW), has reviewed the project and provided a letter of clearance, dated September 4, 2024. (Attachment D).

The 2018 Montecito debris flow caused extensive damage to the riparian ESH areas and numerous mature trees in the Montecito area, including those along San Ysidro Creek. The Biological Report, dated August 2023, identified 27 protected native trees within the as-built grouted sandstone boulder wall study area, 21 of which are coast live oak trees. Watershed Environmental, Inc. confirmed that no oak trees were removed or significantly disturbed during the reconstruction of the wall in February and March 2018.

The analysis further concluded that the applicant's work to repair and restore a damaged portion of the existing wall resulted in less-than-significant impacts to the ESH area. The applicant took precautions with the repair work to protect remaining ESH and avoid additional impacts within San Ysidro Creek. Construction activities included the use of an excavator and hand labor crews using 5-gallon buckets of cement to grout the sandstone boulders in place in lieu of heavy machinery. The placement of the excavator and staging of material was outside of the creek in an area previously disturbed by the 2018 debris flows and subsequent cleanup efforts. The repairs were conducted concurrently with efforts by Public Works Flood Control and Army Corps of

| | |
|---|---|
| <p><i>MCP Development Standard BIO-M-1.3.1:</i> All applicants proposing new development within 100 feet of an Environmentally Sensitive Habitat (ESH) shall be required to include setbacks or undeveloped buffer zones from these habitats as part of the proposed development except where setbacks or buffer zones would preclude reasonable development of the parcel. [...] If the project would result in potential disturbance to the habitat, a restoration plan shall be required. When restoration is not feasible onsite, offsite restoration may be considered.</p> <p><i>MCP Policy BIO-M-1.6:</i> Riparian vegetation shall be protected as part of a stream or creek buffer. Where riparian vegetation has previously been removed, (except for channel cleaning necessary for free-flowing conditions as determined by the County Flood Control District) the buffer shall allow the reestablishment of riparian vegetation to its prior extent to the greatest degree possible. Restoration of degraded riparian areas to their former state shall be encouraged.</p> | <p>Engineers (ACOE), who were actively operating heavy equipment in the creek bed to clear debris deposited by the natural disaster.</p> |
| <p>CULTURAL RESOURCES</p> | |
| <p><i>Coastal Plan Policy 10-2:</i> When developments are proposed for parcels where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible.</p> <p><i>Coastal Plan Policy 10-3:</i> When sufficient planning flexibility does not permit avoiding construction on archaeological or other types of cultural sites, adequate mitigation shall be required. Mitigation shall be designed in accord with guidelines of the State Office of Historic Preservation and the State of California Native American Heritage Commission.</p> | <p>Consistent: The proposed project is consistent with the policies that protect archaeological and cultural resources because the land was previously disturbed during the 2018 Montecito debris flow and the scope of work is limited to reconstruction of the destroyed wall. There are no known archeological or historical resources within the project site and the proposed project, which includes the validation of an as-built sandstone rock wall within the San Ysidro Creek, did not include any ground disturbance or grading.</p> |

Coastal Plan Policy 10-5: *Native Americans shall be consulted when development proposals are submitted which impact significant archaeological or cultural sites.*

MCP Policy CR-M-2.1: *Significant cultural, archaeological, and historic resources in the Montecito area shall be protected and preserved to the extent feasible.*

HILLSIDE AND WATERSHED PROTECTION

Coastal Plan Policy 3-13: *Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.*

Coastal Plan Policy 3-14: *All development shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited for development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.*

MCP Policy GEO-M-1.2: *Grading from future ministerial and discretionary projects in Montecito shall be minimized to the extent feasible in order to prevent unsightly scars in the natural topography due to grading, and to minimize the potential for earth slippage, erosion, and other safety risks.*

Consistent: The project, which involves the validation of an as-built grouted sandstone boulder wall, did not require any grading or ground disturbance and is therefore consistent with these applicable policies that require the minimization of grading. The wall repairs were carried out using a stationary excavator to place sandstone boulders along San Ysidro Creek, replacing sections of the original wall that were destroyed during the 2018 debris flow. The boulders were then grouted in place manually by hand crews. The wall was designed to fit the site topography, soils, geology, hydrology, and any other existing conditions. It did not create unsightly scars in the natural topography due to grading, and minimized the potential for earth slippage, erosion, and other safety risks for the future.

WATER RESOURCES/FLOODING

Coastal Act Policy 30231. *The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging wastewater reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

Coastal Plan Policy 3-18: *Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as a result of development. Water runoff shall be retained on-site whenever possible to facilitate groundwater recharge.*

Coastal Plan Policy 3-19: *Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.*

MCP Policy FD-M-2.1: *Development shall be designed to minimize the threat of on-site and downstream flood potential and to allow recharge of the groundwater basin to the maximum extent feasible.*

Consistent: The project, which involves the validation of an as-built grouted sandstone boulder rock wall within San Ysidro Creek that was built to replace a portion of an existing wall within the creek that was destroyed during the Montecito debris flow is consistent with all applicable policies that protect the quality of streams and groundwater, prevent erosion, and minimize the threat of on-site and downstream flood potential. As detailed in the Biological Report, dated August 2023, the wall repairs were conducted between February and March 2018, during a period when extensive cleanup efforts were underway by the County Flood Control, the ACOE, and individual property owners throughout the areas impacted by the 2018 Montecito debris flows including San Ysidro Creek.

These natural disasters caused severe degradation of water quality within Montecito’s creek systems. The creeks were heavily obstructed by mud and debris, impeding the natural flow of water. The repair of the rock wall was carried out to avoid further disturbance to the project site. Equipment was staged entirely behind the wall, and the boulders were grouted into place manually by hand crews.

To ensure compliance with flood control regulations and to minimize the threat of on-site and downstream flood potential, the applicant submitted a No-Rise Certificate, engineering plans demonstrating no alteration to the water-carrying capacity of San Ysidro Creek in the subject area, and 100-year Flood Base Flood Elevation (BFE) calculations to Public Works Flood Control. These materials were reviewed and cleared by County Flood Control.

| | |
|--|---|
| <p><i>MCP Policy FD-M-2.2: New development shall be located in a manner that minimizes the need for flood control measures.</i></p> | <p>Furthermore, the applicant is required to obtain all permits from outside agencies, including a Section 404 permit from the ACOE and a 401 permit from RWQCB. Finally, the as-built grouted sandstone boulder wall was reconstructed in a like-for-like manner, minimizing the need for additional flood control measures.</p> |
|--|---|

6.3 Zoning: Article II

6.3.1 Compliance with Article II, Coastal Zoning Ordinance

Section 35-71.1 Purpose and Intent [of the E-1 Single-Family Residential Zone District]:

The purpose of this district is to reserve appropriately located areas for family living at a reasonable range of population densities consistent with sound standards of public health, welfare, and safety. It is the intent of this district to protect the residential characteristics of an area and to promote a suitable environment for family life.

Consistent. The project is consistent with the purpose and intent of the E-1 Zone District, as it does not adversely affect population densities and supports the public’s health, safety, and welfare. The as-built grouted sandstone boulder wall is part of the reconstruction and repair efforts along San Ysidro Creek following the 2018 Montecito debris flow. It is located on a property developed with a residential single-family dwelling and residential accessory structures. The wall is accessory to the residential use of the parcel. It is a like-for-like replacement designed to maintain the creek’s original flow direction and capacity, consistent with pre-disaster conditions.

Section 35-71.7 Setbacks for Buildings and Structures:

Front: 50 feet from the centerline and 20 feet from the right-of-way line of any street except that when the property fronts on a private roadway easement serving or having the potential to serve five or more lots the setback shall be 20 feet from the easement line.

Side: On each side of the lot, 10 percent of the width of the lot except:

- a. For lots that have a minimum lot area requirement of two acres or less, in no case shall the required side setback be less than five feet nor more than 10 feet.
- b. For lots that have a minimum lot area requirement of three acres or more, in no case shall the required side setback be less than 10 feet nor more than 20 feet.

Rear: 25 feet or 15 feet if the rear yard abuts a permanently dedicated open space or a street to which access has been denied as part of an approved subdivision or other approved development permit.

Section 35-126 Interior Lot Setbacks:

The setback regulations of the applicable zone district shall not apply to an interior lot but any structure located upon such lot shall have a setback of at least 10 feet from all property lines and the total setback area shall equal the total area of all setbacks required in the applicable zone district.

Consistent. A portion of the as-built grouted sandstone boulder wall is located within the required 10-foot interior setback; however, it is exempt from setback regulations under Article II, Section 35-123. This section exempts fences, walls, and gates that do not exceed eight feet in height and are located within interior lot setback areas, provided they are more than 20 feet from any street right-of-way. The as-built grouted sandstone boulder wall is located within San Ysidro Creek and does not rise above existing grade and therefore is consistent with exempt wall structures.

Section 35-97.18 Development Standards for Native Plant Community Habitats.

Examples of such native plant communities are: coastal sage scrub, chaparral, coastal bluff, closed cone pine forest, California native oak woodland (also individual oak trees), endangered and rare plant species as designated by the California Native Plant Society, and other plants of special interest such as endemics.

- 1. Oak trees, because they are particularly sensitive to environmental conditions, shall be protected. All land use activities, including cultivated agriculture and grazing, should be carried out in such a manner as to avoid damage to native oak trees. Regeneration of oak trees on grazing lands should be encouraged.*
- 2. When sites are graded or developed, areas with significant amounts of native vegetation shall be preserved. All development shall be sited, designed, and constructed to minimize impacts of grading, paving, construction of roads or structures, runoff, and erosion on native vegetation. In particular, grading and paving shall not adversely affect root zone aeration and stability of native trees.*

Consistent. The as-built grouted sandstone boulder wall meets all applicable development standards in Article II Section 35-97.8 through Section 35-97.19. As previously discussed in Section 6.2, the Comprehensive Plan Consistency, the subject parcel is located entirely within the riparian ESH overlay. The 2018 Montecito debris flow caused extensive damage to ESH and numerous trees in the Montecito area, including ESH along San Ysidro Creek. Watershed Environmental, Inc. conducted a site inspection and prepared a Biological Report, dated August

2023, which identified 27 protected native trees within the as-built grouted sandstone boulder wall study area, 21 of which are coast live oak trees. Watershed Environmental, Inc. confirmed that no oak trees were removed or significantly disturbed during the reconstruction of the wall in February and March 2018. Additionally, according to the Biological Report, dated August 2023, the California Natural Diversity Data Base (CNDDB) revealed that there are 5 sensitive plant species with occurrence records within three miles of the project study area. These included late-flowered mariposa lily, Nuttall's scrub oak, Santa Barbara Honeysuckle, Sonoran maiden fern, and white veined monardella. During Watershed Environmental, Inc.'s site inspection and surveys in 2023, no special status plant species were found. Almost all herbaceous and shrub vegetation within the project study area was destroyed following the debris flow and Watershed Environmental, Inc. found no evidence that any sensitive plant species were impacted when the destroyed section of the existing wall was rebuilt. The analysis concluded that the construction of the as-built grouted sandstone boulder wall resulted in less-than-significant impacts to the ESH area. Hand grouting of the replaced sandstone boulders ensured that the root zone aeration and stability of native trees was not adversely affected. Additionally, no grading is proposed as part of the project.

Section 35-97.19 Development Standards for Stream Habitats.

1. *The minimum buffer strip for streams in rural areas, as defined by the Coastal Land Use Plan, shall be presumptively 100 feet, and for streams in urban areas, 50 feet. These minimum buffers may be adjusted upward or downward on a case-by-case basis. The buffer shall be established based on an investigation of the following factors and after consultation with the California Department of Fish and Game and California Regional Water Quality Control Board in order to protect the biological productivity and water quality of streams:*
 - a. *Soil type and stability of stream corridors.*
 - b. *How surface water filters into the ground.*
 - c. *Slope of land on either side of the stream.*
 - d. *Location of the 100-year flood plain boundary.*

Riparian vegetation shall be protected and shall be included in the buffer. Where riparian vegetation has previously been removed, except for channelization, the buffer shall allow for the re-establishment of riparian vegetation to its prior extent to the greatest degree possible.

2. *No structures shall be located within the stream corridor except: public trails, dams for necessary water supply projects; flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development; and other development where the primary function is for the improvement of fish and wildlife habitat. Culverts, fences, pipelines, and bridges (when support structures are located outside the critical*

habitat) may be permitted when no alternative route/location is feasible. All development shall incorporate the best mitigation measures feasible.

3. *Dams or other structures that would prevent upstream migration of anadromous fish shall not be allowed in streams targeted by the California Department of Fish and Game unless other measures are used to allow fish to bypass obstacles. These streams include: San Antonio Creek (Los Alamos area), Santa Ynez River, Jalama Creek, Santa Anita Creek, Gaviota Creek, and Tecolote Creek.*
4. *All development, including dredging, filling, and grading within stream corridors shall be limited to activities necessary for the construction of uses specified in paragraph 2 of this Section, above. When such activities require removal of riparian plant species, re-vegetation with local native plants shall be required except where undesirable for flood control purposes. Minor clearing of vegetation for hiking, biking, and equestrian trails shall be permitted.*
5. *All permitted construction and grading within stream corridors shall be carried out in such a manner as to minimize impacts from increased runoff, sedimentation, biochemical degradation, or thermal pollution.*
6. *Other than projects that are currently approved and/or funded, no further concrete channelization or other major alterations of streams in the Coastal Zone shall be permitted unless consistent with the provisions of Public Resources Code Section 30236 of the Coastal Act.*

Consistent. The proposed project is consistent with applicable stream habitat policies. During the 2018 debris flow, the ESH surrounding San Ysidro Creek sustained extensive damage, resulting in the effective loss of sensitive habitat in the area. The creek was heavily obstructed by mud and debris, which impeded its natural hydrology. In response, the County Flood Control and ACOE conducted significant cleanup operations within the creek bed to remove debris and restore water flow.

The project has been reviewed and authorized by CDFW, as documented in the letter dated September 4, 2024, and the applicant is required to obtain a Section 404 permit from the ACOE and a 401 permit from RWQCB. The reconstruction of the existing rock wall is necessary to ensure public safety and to protect existing development. The project did not involve dredging, filling, or grading within stream corridors, nor did it impede the upstream migration of anadromous fish. Precautions were taken to protect remaining ESH and avoid additional impacts within San Ysidro Creek. Construction activities used an excavator and hand labor crews using 5-gallon buckets of cement to grout the sandstone boulders in place in lieu of heavy machinery. Additionally, the placement of the excavator and staging of material was in an area previously disturbed by the 2018 debris flow, subsequent cleanup efforts, and outside of the creek. Furthermore, County Flood Control reviewed the project to ensure safe and effective water conveyance through the

channel, which will not result in increased runoff, sedimentation, biochemical degradation, or thermal pollution. The project is designed and reviewed to ensure full compliance with environmental regulations and to avoid adverse impacts to the stream habitat.

APPEALS PROCEDURE

The action of the Planning Commission may be appealed to the Board of Supervisors within ten calendar days of said action. For developments that are appealable to the Coastal Commission under Section 35-182.6, no appeal fee will be charged.

The action of the Board of Supervisors may be appealed to the Coastal Commission within ten working days of receipt by the Coastal Commission of the County's notice of final action.

ATTACHMENTS

- A. Findings
- B. Conditions of Approval for Case No. 23CDH-00027
- C. CEQA Notice of Exemption
- D. CDFW Letter
- E. Project Plans