

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT
455 MARKET STREET, SUITE 300
SAN FRANCISCO, CA 94105
PHONE: (415) 904-5260
FAX: (415) 904-5400
WEB: WWW.COASTAL.CA.GOV



F7a

A-2-PAC-22-0029 (Pacifica Safe Parking Program – Bradford Way)

August 12, 2022

CORRESPONDENCE 2



Scenic Pacifica
Incorporated Nov. 22, 1957

CITY OF PACIFICA
Planning, Building, and Code Enforcement
540 Crespi Dr. • Pacifica, California 94044-3422
(650) 738-7341 • www.cityofpacifica.org

MAYOR
Mary Bier

MAYOR PRO TEM
Tygarjas Bigstyc

COUNCIL
Mike O'Neill
Sue Vaterlaus
Sue Beckmeyer

August 8, 2022

The Honorable Donne Brownsey, Chair
California Coastal Commission
455 Market Street, Suite 300
San Francisco, CA 94105
(415) 904-5202

Subj: Substantial Issue Determinations for Appeal Nos. A-2-PAC-22-0031 and A-2-PAC-22-0031, City of Pacifica Temporary Safe Parking Program on Bradford Way and San Pedro Avenue (August 2022 Meeting, Agenda Items F7a and F7b)

Dear Chair Brownsey:

The City of Pacifica (“City”) enacted an ordinance to authorize parking of certain oversized vehicles in the public right-of-way across Pacifica, including areas inside and outside the Coastal Zone, as part of the Temporary Safe Parking Program (“TSPP”).¹ The City has issued coastal development permits (“CDPs”) to authorize three TSPP parking locations in the Coastal Zone, comprised of five total spaces. Two of the TSPP parking locations have been appealed to the California Coastal Commission (“CCC”) and are the subjects of the two above-referenced substantial issue determinations. These parking locations each have two spaces. The third TSPP parking location in the Coastal Zone, comprised of one space, is the subject of a separate local appeal to the Pacifica City Council that is scheduled to be heard on August 8, 2022.

The above-referenced appeals are without merit and have not raised any substantial issues related to Coastal Act consistency. CCC staff has acknowledged as much in its analysis. The City’s actions to issue the CDPs for the TSPP were supported by substantial evidence. Moreover, the CDPs issued by the City would be consistent with Pacifica’s certified Local Coastal Program, and contained conditions of approval to protect coastal resources including measures to prevent illicit dumping of sewage and to ensure safe disposal of trash. Nevertheless, CCC staff has attempted to expand the CCC’s substantial issue determinations to consider matters that were not the subject of the City’s issuance of the CDPs to implement the TSPP. Specifically, CCC staff has claimed that the CCC should find a substantial issue with both City-issued CDPs to address its concerns with a separate action by the City to enact an ordinance on January 27, 2020, to regulate oversized vehicle parking (“OSV Ordinance”).²

The appeals should be denied for several reasons. First, alleged impacts of the City’s OSV Ordinance are the sole basis for CCC staff’s recommendation that the CCC find a substantial issue. However, the CCC lacks appellate jurisdiction to approve, modify, or deny the OSV Ordinance in connection with the appeals. Second, the appeals do not raise a substantial issue. Finally, even if the CCC has jurisdiction to consider the OSV

¹ City of Pacifica [Ordinance No. 873-C.S.](#), adopted on March 14, 2022.

² City of Pacifica [Ordinance No. 866-C.S.](#), adopted January 27, 2020.

Ordinance in the context of the above-referenced appeals (it does not) CCC staff's contention that the OSV Ordinance is "development" that requires a CDP is incorrect.

1. The CCC Lacks Jurisdiction To Consider the OSV Ordinance in Connection with the Appeals

The Coastal Commission's jurisdiction extends only to the review of the "development" on appeal. (*Schneider v. Cal. Coastal Comm'n* (2006) 140 Cal.App.4th 1339, 1345; 14 CCR § 13113.) Indeed, the CCC may only "approve, modify, or deny [the] proposed development" that is the subject of the appeal. (Pub. Res. Code § 30625(a).) Here, CCC staff determined that (1) "the City-approved project should not significantly alter or affect existing access"; and (2) "Appellant's habitat contentions do not raise a substantial Coastal Act or LCP issue." Nevertheless, CCC staff recommended that the CCC find a "substantial issue" over concern that the City's years-old OSV Ordinance may adversely impact the "unsheltered community."

However, CCC staff's opinion that the TSPP and OSV Ordinance are "inextricably linked" is erroneous. The OSV Ordinance was lawfully adopted in January 2020 and is being enforced within the Coastal Zone to regulate OSV parking.³ Relevant facts pertaining to the OSV Ordinance include the following:

- The OSV ordinance's parking standards are safety-based and driven primarily by street width. Given the City's age, there are many narrow streets which results in various safety challenges for multi-modes of transportation based on those street widths. For instance, OSV obstruction of traffic safety sight lines within 100 feet of an uncontrolled intersection, and obstruction of bike lanes/bus routes forcing those street users to veer outside their normal paths of travel. Unregulated parking of OSVs jeopardizes public health and safety of both OSV and non-OSV visitors to the Coastal Zone due to the increased potential for collisions.
- The OSV ordinance has no time of day restrictions other than those generally applicable to parking of all vehicles, such as a 72-hour parking limit. Coastal visitors operating all types of vehicles that may lawfully operate on roads in California would continue to enjoy parking access in the Coastal Zone within Pacifica for up to 72 hours in any given parking space.
- The City has prepared a map of allowable OSV parking locations.⁴ The map demonstrates there are ample parking locations in northern, central, and southern Pacifica. Even with the 100-foot intersection standard, the long blocks in the mapped areas facilitate OSV parking and would not result in an effective prohibition as may be the case in other jurisdictions.

The TSPP, in contrast, was enacted by ordinance in 2022. Unlike the OSV Ordinance – which prohibits oversized vehicle parking on certain streets – the TSPP Ordinance allows program participants (i.e., members of the unsheltered community) to park in designated spaces for up to 29 days while pursuing long-term housing opportunities. Thus, the primary impact of a substantial issue determination on the appeals is that opportunities for lawful habitation as part of the TSPP would be delayed for at least four individuals/families until the appeals are resolved.

³ The City agreed to not enforce the OSV ordinance citywide upon issuance of a preliminary injunction by the San Mateo County Superior Court based on the stipulation of the parties in the case of *Geary et al. v. City of Pacifica*, Case No. 3:21-cv-01780. The City resumed OSV ordinance enforcement citywide upon the launch of the TSPP program in July 2022. The TSPP requires twice-monthly sewage servicing of program participants' OSVs by a mobile dumping station. The staff report states "bimonthly" servicing which could be incorrectly interpreted to mean every two months.

⁴ Interactive OSV Ordinance [parking location map](#).

The Planning Commission did not consider a CDP for the OSV Ordinance (which, as explained below, is not a “development”). It considered “developments” comprised of two designated oversized parking spaces on Bradford Way (Appeal No. A-2-PAC-22-0029) and two designated oversized vehicle parking spaces east of San Pedro Avenue (Appeal No. A-2-PAC-22-0031). Accordingly, the Commission lacks jurisdiction in this appeal to “approve, modify, or deny” the OSV Ordinance. (See Pub. Res. Code § 30625(a).)

2. The Appeals Do Not Raise a Substantial Issue

Regardless, the appeals do not present a substantial issue. When determining whether an appeal raises a substantial issue, the Commission may consider the following factors: (1) the degree of factual and legal support for the local government’s decision; (2) the extent and scope of the development as approved or denied by the local government; (3) the significance of the coastal resources affected by the decision; (4) the precedential value of the local government’s decision for future interpretations of its local coastal program; and (5) whether the appeal raises only local issues as opposed to those of regional or statewide importance. (14 CCR § 13115(c)(1)-(5).) The “developments” on appeal do not raise a substantial issue under any of these factors.

First, the CCC staff report admits that the “developments on appeal” – i.e., the reservation of two oversized vehicle parking spaces on Bradford Way and east of San Pedro Avenue – “should not significantly alter or affect existing access” and do not raise “substantial Coastal Act or LCP issue[s]” with respect to habitat impacts. Concern over the OSV Ordinance’s impact on the “unsheltered community’s” ability to park oversized vehicles in the coastal zone is the sole basis for CCC staff’s recommendation that this factor weighs in favor of finding a substantial issue. However, the pending appeals challenge the City’s effort to reserve four public parking spaces in the Coastal Zone for the “unsheltered community.” The OSV Ordinance, which is not the subject of the appeals, is the law that restricts oversized vehicle parking in the City. As explained herein, the CCC lacks jurisdiction to review the OSV Ordinance in this appeal.

Second, the extent and scope of the “development” approved by the Planning Commission does not raise a substantial issue. As the CCC staff report admits, the Bradford Way “development is limited to two 30-foot by 10-foot designated parking spaces with a 10-foot no parking buffer at each end.”⁵ It “encompass[es] an 800 square-foot area on an already paved street where vehicle parking is currently occurring.” Similarly, the San Pedro “development is limited to two 30-foot by 10-foot designated parking spaces” occupying “in total . . . a 600 square-foot area on an already partially paved area where general public parking currently occurring.” The impact of these “developments” on coastal access is *de minimis* by any standard.

Third, as the CCC staff report admits, the developments on appeal will not have a significant impact on coastal resources. Indeed, the CCC staff reports admit that the proposed projects are located on paved streets/parking areas that already allow for public parking, and the nearest coastal access points and habitat areas are sufficiently far enough away that the City-approved developments are unlikely to affect those resources. Again, the OSV Ordinance is the sole basis for CCC staff report’s recommendation that this factor weighs in favor of finding a substantial issue. As explained above, the Commission lacks jurisdiction to review the OSV Ordinance in this appeal.

⁵ The Bradford Way parking location would allocate approximately 70 feet of public right-of-way to the TSPP, not 80 feet as indicated in the staff report. The spaces total 60 linear feet with a condition of approval requiring a buffer area on either side of the spaces of at least 5 linear feet.

Fourth, the City's approval of "developments" that reserve four existing parking spaces for oversized vehicle parking has no precedential value for its future interpretations of its Local Coastal Program. Despite its contrary conclusion, the CCC staff report offers no analysis or explanation for how the City's approval of the developments has any precedential value whatsoever. The bare assertion of precedential value does not make it so.

Finally, the City's approval of the "developments" on appeal does not raise issues of regional or statewide significance. Again, the OSV Ordinance is the sole basis for CCC staff's recommendation that this factor weighs in favor of finding a substantial issue. As explained above, the Commission lacks jurisdiction to review the OSV Ordinance in this appeal.

In this case, none of the factors weigh in favor of a determination that the appeals of the "developments" subject to the City-issued CDPs present a substantial issue. Accordingly, it would be an abuse of discretion for the CCC to find a substantial issue.

3. The Coastal Act Does Not Require the City to Obtain a CDP for the OSV Ordinance

Finally, both CCC staff reports repeatedly allege that the City violated the Coastal Act by adopting the OSV Ordinance without obtaining a CDP. However, CCC staff failed to disclose that the City has disputed their assertion that the OSV Ordinance is a "development" that requires a CDP since 2019, and the Commission has taken no enforcement action against the City since the OSV Ordinance was adopted in 2020.

In December 2019, the City received correspondence regarding CCC staff's position that the then-proposed OSV Ordinance was a "development" requiring a CDP because it would result in a "change in the density or intensity of use of land." (Pub. Res. Code § 30106.)

The City disagreed. In an email dated January 23, 2020, the City explained that the OSV Ordinance is a traffic ordinance that merely prohibits oversized vehicles from parking at locations that present a public safety hazard. Specifically, the OSV Ordinance prohibits oversized vehicles from parking (1) on public streets with a road width of less than forty (40) feet of width; (2) within one hundred (100) feet of any uncontrolled intersection; (3) at locations that encroach on an identified bicycle lane with defined boundaries; (4) on any public streets that restrict the travel lane to less than 10 feet wide; and (5) at locations that encroach on a public bus route. Land previously used for parking will continue to be available for parking. Because the OSV Ordinance does not "change the density or intensity of [the] use of land" it does not require a CDP.

CCC staff responded by reiterating their position that "implementation of the [OSV] ordinance will include changes to the intensity of use of land and access to water under the definition of development in both the Coastal Act and the City's certified LCP." Specifically, CCC staff argued that implementation of the OSV Ordinance would adversely impact access to the coast because "14 of the 21 access points outlined in the Access Component of the City's certified LUP overlap with roads specified in the" Ordinance.

In response, the City carefully reviewed the access points set forth in the Access Component of the City's certified local coastal land use plan ("LCLUP") and other areas of the City's certified LCLUP relating to parking. The City then compared those access points to the OSV Ordinance and determined that (1) 18 of the 21 access points identified in the City's LCLUP provide direct access to the coast; and (2) oversized vehicle parking remains available on the street or in a public parking lot at all 18 of those access points.

Substantial Issue Determinations for Appeal Nos. A-2-PAC-22-0031 and A-2-PAC-22-0031, City of Pacifica
Temporary Safe Parking Program on Bradford Way and San Pedro Avenue (August 2022 Meeting, Agenda Items F7a
and F7b)

August 8, 2022

Page 5 of 5

The OSV Ordinance does not eliminate, increase the cost of, or otherwise make unavailable a single public parking space in the Coastal Zone. Moreover, while it restricts oversized vehicle parking in certain locations for safety reasons, the City ensured that parking for oversized vehicles remains available on a public street or in a public parking lot at all access points that provide direct access to the coast.⁶ Thus, the OSV Ordinance will not result in increased or decreased automobile or pedestrian traffic in the Coastal Zone. (Compare with *Surfrider Foundation v. Martins Beach 1, LLC* (2017) 14 Cal.App.5th 238, 252 [erection of gate obstructing public access was “development” under Public Resources Code section 30106 because it decreased intensity of use of water].) Because the OSV Ordinance will not change the intensity of the use of land or water in the Coastal Zone, it is not a “development” that requires a CDP.

CCC staff’s suggestion that the Commission should consider whether the OSV Ordinance requires a CDP in the context of these appeals is improper and would deny the City due process. The OSV Ordinance was not the subject of the CDP proceedings addressed in the appeals. Therefore, it would be inappropriate to utilize the substantial issue and subsequent appeals processes as a preemptive component of Coastal Act enforcement.

Thank you for considering the City’s comments in this matter. Please contact me should you have any questions: kwoodhouse@pacificagov or (650) 738-7409.

Sincerely,



Kevin Woodhouse
City Manager

⁶ Interactive OSV Ordinance [parking location map](#)



August 5, 2022

Via Email Only

Re: Appeals A-2-PAC-22-0029 and A-2-PAC-22-0031

To the California Coastal Commission:

The undersigned are counsel for Plaintiffs in the litigation entitled *Geary, et al. v. City of Pacifica*, Case No. 21-cv-1780 in the United States District Court for the Northern District of California (the “Lawsuit”). We write with respect to the captioned appeals now pending before the Commission (the “Appeals”).

Background of *Geary* Lawsuit & Settlement

On March 15, 2021, Plaintiffs filed a Lawsuit which challenged Pacifica’s Oversized Vehicle Ordinance, specifically the December 9, 2019 version of Pacifica Ordinance No. 855-C.S., (the “Ordinance” or “OVO”). Plaintiffs challenged the OVO on a number of grounds, alleging that the Ordinance and the City’s enforcement thereof adversely and unlawfully targeted and impacted vehicularly housed persons in Pacifica including people with disabilities and other historically marginalized groups. On November 29, 2021, the Plaintiffs and the City entered into a negotiated Settlement Agreement of the Lawsuit (the “Settlement”). This Settlement Agreement is publicly filed. *Geary, et al. v. City of Pacifica*, Case No. 21-cv-1780 (Dkt. No. 59-1). The terms of the Settlement included the entry of a stipulated injunction by the Court and required the City to undertake a number of affirmative steps benefitting vehicularly housed persons, including the establishment of a thirteen-space Temporary Safe Parking Program (“TSPP”). Under the terms of the Settlement, Pacifica can set the locations of the parking spaces in the TSPP. As set, four of the thirteen parking spaces established under the TSPP (two on Bradford Way, and two on San Pedro Way) are the subjects of the Appeals.

Settlement Confers Significant Benefit on Vehicularly Housed Pacificans

As compared to enforcement of the Ordinance before the Lawsuit was filed, the Settlement confers a significant benefit on vehicularly housed Pacificans. It is our position, therefore, that, given the existence of the Ordinance, the Settlement is in line with the environmental justice principles that the Commission is required to pursue. The Settlement significantly mitigates the Ordinance’s impact on unhoused Pacifica residents, including by requiring the City to give clear guidance as to where “oversized vehicles” can park, to provide dumping and trash services, and to create the TSPP. Plaintiffs believe that temporary safe parking programs, such as the broadly defined TSPP required by the Settlement, confer significant benefits to vehicularly housed individuals and are therefore in line with the commission’s Environmental Justice Principles. For this reason, should the Commission determine that the Ordinance does not present a

Substantial Issue, the TSPP should not be curtailed by denying the permits for the four TSPP spaces currently named in Appeals A-2-PAC-22-0029 and A-2-PAC-22-0031.

We express no view as to the Ordinance, the Participant Bill of Rights/Onsite Code of Conduct, or any other items addressed in the Commission's report with respect to the Commission's mandate or principles, or any other matters discussed in the Staff Reports issued in connection with the Appeals.

Respectfully submitted,

Grayce Zelphin

Thomas Zito

Stacey Hawver

Co-Counsel for Plaintiffs

SAN FRANCISCO
PUBLIC GOLF ALLIANCE



1370 Masonic Ave., San Francisco, CA 94117 • 415-290-5718 • info@sfpublicgolf.org

August 5, 2022
By e-mail

California Coastal Commission
c/o North Central Coast District Office
455 Market St., Suite 228
San Francisco, CA. 94105

Re: Coastal Commission Meeting, Friday, Aug. 12, 2022, 9 a.m.
Agenda Item Friday 7a - Appeal No. A-2-PAC-22-0029
City of Pacifica Safe Parking Program, Oversized Vehicle Parking
Request Removal of Bradford Way between Sharp Park Rd. and Fairway Drive
From Pacifica's Allowable Oversized Vehicle Parking List and Map
Substantial Issue Determination

Public Comment of San Francisco Public Golf Alliance:

- 1) We Support the appeal filed by Jeff Gullett and others in Appeal No. A-2-PAC-22-0029.
- 2) We agree with Commission Staff that Mr. Gullett's appeal Raises Substantial Issues, which should be the subject of a separate hearing.
- 3) These substantial issues include endangerment of protected coastal biological resources, including the protected California red-legged frog and endangered San Francisco garter snake and the Endangered Species Habitat Area in the Laguna Salada lagoon and wetlands

Dear Coastal Commission,

- I. **The site maps of (i) Sharp Park Golf Course and (ii) the proposed Bradford Way Oversized Vehicle parking spots, taken together with (iii) the City of Pacifica's storm drain map of the area and (iv) photographs a damaged and leaking oversized vehicle parked next to a storm drain in that same area, show the risk of contamination to biological resources in the Laguna Salada wetlands and ESHA, where the storm drain lines terminate.**

The historic Sharp Park Golf Course – a low-cost coastal public recreational resource – lies to the west of the Coast Highway in the Sharp Park neighborhood of Pacifica, at the bottom of a basin surrounded by coastal hills, roads, and residential neighborhoods, all as shown in the map that is Exhibit 1 to the Coastal Commission's Staff Report, copied below.

**LOCATION MAP – PACIFICA SAFE PARKING PROGRAM – BRADFORD WAY
CITY OF PACIFICA, SAN MATEO COUNTY**



A-2-PAC-22-0029
Exhibit 1
Page 1 of 1

The golf course serves as the area’s ultimate stormwater drain, and receives stormwaters running off from the streets and piped onto the golf course by pipes extending from the City of Pacifica’s storm sewer system, as shown in the City of Pacifica’s storm drain map for the area, which is copied below. Note that storm sewers (as depicted by blue lines) shown in this map in the vicinity of the “Project Site” as labeled in the above “Location Map” (Exhibit 1 to the Commission Staff’s July 29, 2022 Report) run from drains along the southwest shoulder of Bradford Avenue adjacent to the golf course, then through the course (underneath the fairways) to the edges of the “Wetlands” depicted in Exhibit 1.



Detail, showing Pacifica stormwater infrastructure (in blue), from Appendix A-4, Pacifica LCP Update, Existing Conditions Map, Sharp Park, West Fairway Park, and Mori Point¹

Wastewater and other pollutants and detritus dumped, spilled or strewn, inadvertently or otherwise, into the street and gutter will be carried through the storm drains to Laguna Salada, endangering the wetland and its inhabitants, including the threatened California red-legged frog and endangered San Francisco garter snake.

The threat of such spills and detritus from residential oversized vehicles is well-documented, both generally and very specifically at the City of Pacifica’s proposed Oversized Vehicle Parking spots on Bradford Way. At a June 28, 2021 Pacifica City Council hearing on oversized vehicle parking, the City Council heard testimony from Pacifica residents Shelby Jacquez, Charlotte Mecozzi, Irika Walters, and Cynthia Pagan of human and pet waste and strewn garbage from recreational vehicles parked in Pacifica neighborhoods.² The problem of stealth gray- and black water dumping from recreational vehicles is commonly known and openly discussed in the social media.³

And see the photographs, below, taken in February 2022, the originals of which are attached as Figures 7 (93/105) and 9 (95/105) to the June 22, 2022 appeal of appellant Jeff Guillet (which appeal is Exhibit 5 in the Exhibits to the Commission Staff’s July 29, 2022 Report.) Taken together, these photos show an oversized vehicle, parked on Bradford Way next to the golf course, with a leaking tank, parked adjacent to one of the Bradford Way storm sewer drains.

¹ ESA: Pacifica LCP Update, Appendix A-4, Existing Conditions Map, Sharp Park, West Fairway Park, and Mori Point: https://drive.google.com/open?id=13iMuo-kz_DKaI2ZWbz7jvksRS-WbrTI8.

² Public Comment at Pacifica City Council meeting, Agenda Item # 8, June 28, 2021, at pages 7, 11, 14, and 17: <https://www.cityofpacific.org/civicaX/filebank/blobload.aspx?BlobID=18632>

³ See: “Stealth Greywater Dumping, Do You, or Don’t You?” <https://liveworkdream.com/2011/06/03/stealth-greywater-dumping-do-you-or-dont-you/>



Figure 7 - On February 19, 2022, an oversee vehicle parked on Bradford Way in the same proposed space was hit by another vehicle, illustrating how unsafe this area is to park.



Figure 9 - The storm drain on Bradford Way where the oversized vehicle was parked. The badge on the curb above the storm drain reads, "No Dumping. Drains to Ocean"

The Commission Staff's July 29, 2022 Report, at page 3, too lightly dismisses these concerns as follows: "Other coastal resource impact contentions regarding habitat and species are not significant issues due to the City-approved program occurring in already developed areas, well away from such resources, as well as the good neighbor requirements that would assure such impacts are avoided, which are built into the program." But this is not well taken. First, the Bradford Ave site, adjacent to the golf course, is not in an "already developed area" (unless the golf course is considered "development), and the Staff Report does not account for the fact that the nearby storm drains on Bradford Avenue pipe the stormwater – together with anything spilled or discarded to the street and gutter -- directly to the vicinity of the Laguna Salada wetlands. (See the foregoing maps and photos.)

II. Pacifica's Local Coastal Plan and Public Resources Code Section 30240 prohibit development – including provisional or temporary housing such as OSV housing for vehicle-dwellers – that carries a risk of adversely impacting Sharp Park's Laguna Salada wetlands and its threatened and endangered species.

The Conclusions section of Pacifica's existing (1980) Local Coastal Land Use Plan,⁴ under the section heading "Rare and Endangered Species," identifies "The Sharp Park Lagoon and Marsh [as] a known habitat of the rare and endangered San Francisco garter snake," (page C-99), and provides that "The habitat shall be **protected** and enhanced . . ." (page C-101). In a provision captioned "Development Near Wetlands and Creeks," the Local Coastal Land Use Plan provides that "**development . . . applies not only to structures but also to other uses**, such as accesses, parks, recreation, etc." (page C-101), and that "**Wetlands . . . and water quality shall be protected** and enhanced by regulations . . .and other appropriate measures." (Page C-102) (emphases added)

The Oversized Vehicle Parking spots at Bradford Way constitute a form of official sanctioning of housing for vehicle-dwellers, including their pets. This is development of housing (albeit temporary and mobile) on a city street that is precluded under the above-cited sections of the existing Pacifica Local Coastal Land Use Plan.

The California Public Resources Code at Section 30240,⁵ provides at 30240(a) that "Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values . . .," and provides further at 30240(b) that "Development in areas **adjacent to environmentally sensitive habitat areas and parks and recreation areas** shall be sited and designed to **prevent impacts** which would significantly degrade those areas . . ." (emphasis added)

⁴ City of Pacifica Local Coastal Land Use Plan (1980)
<https://www.cityofpacific.org/civicax/filebank/blobdload.aspx?BlobID=7043>

⁵ California Public Resources Code Section 30240:
https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=20.&title=&part=&chapter=3.&article=5.

III. CONCLUSION: For reasons of environmental health of the Laguna Salada wetland and its creatures, and as required by the Pacifica Local Coastal Land Use Plan, Bradford Way adjacent to the golf course is inappropriate for Oversized Vehicle Parking. A substantial issue is raised on these points – in addition to other points raised in the Appeal, that should be the subject of additional hearing by the Commission.

Respectfully,

San Francisco Public Golf Alliance

Richard Harris

Richard Harris, President

cc:

Pacifica City Council

Pacifica Planning Commission

Pacifica Public Works Department

Pacifica Police Department

Pacifica Planning Department,

Christian Murdock, Acting Director

Bonny O'Connor, Senior Planner

Jeff Guillet, Appellant

Pacifica City Manager Kevin Woodhouse

Phil Ginsburg, General Manager, San Francisco Recreation and Park Department

Spencer Potter, San Francisco Recreation and Park Department

Leslie Davis, Helen Duffy, Lisa Villasenor, Sharp Park Business Women's Golf Club

Bob Downing, Sharp Park Golf Club

Bo Links, Esq.

Ringuette, Oceane@Coastal

From: Abby Dale <abbydale@icloud.com>
Sent: Thursday, August 4, 2022 4:35 PM
To: NorthCentralCoast@Coastal
Subject: Public Comment on August 2022 Agenda Item Friday 7a - Appeal No. A-2-PAC-22-0029 (City of Pacifica Safe Parking Program, Pacifica)

To Whom it May Concern

I live in Fairway Park West, one of the neighborhoods in Pacifica that has been designated to have some of the spots in the Safe Parking Program. This entire program is flawed in my opinion. If the city has decided to have this as the solution for the required number of places it has to have for people in need, there needs to be more resources than just parking spaces scattered throughout certain neighborhoods. If there is not a place to properly dispose of the waste from these vehicles made available, then we will just continue to see the illegal dumping on our streets, and into the drains that lead directly to the ocean. We have numerous RV Parks in town, why wouldn't the city invest in something like that for these designated spaces? It just seems that would make more sense than having spaces here and there, not really regulating how long these vehicles are parked, and having no control of dumping/garbage. Basically putting that burden onto whoever happens to live near these spaces. When you provide a place for people to behave responsibly, they appreciate it and so does the community. We all pay a lot of money to live here, and it just seems crazy to me that this is the best solution the city council can come up with. Thank you for your time and consideration.

Sincerely

Abby Dale

Sent from my iPad

Sent from my iPhone

Ringuette, Oceane@Coastal

From: Maureen Garcia <ms.mo.garcia@gmail.com>
Sent: Monday, August 1, 2022 8:30 PM
To: NorthCentralCoast@Coastal
Cc: Maureen Garcia
Subject: Comment on Appeal No. A-2-PAC-22-0029 (Pacifica Safe Parking Program)

Dear Commissioners,

I am a Pacifica resident and live in the neighborhood described in Mr. Guillet's appeal. I urge you to NOT grant this appeal, but to let the Safe Parking Program proceed as designed. Mr. Guillet enlisted a neighbor to try to get us to sign his petition and used incorrect if not deceptive language, exaggeration, and fear-mongering tactics to attempt to persuade us to support his position. Whatever arguments he is employing with you, I can guarantee that his real motivation is NIMBY-ism; that is, he does not want this program affecting his property's value and even more, does not want a visual reminder of the unhoused community among us.

As Adam Smith writes here (<https://thecolumn.substack.com/p/people-feel-unsafe-because-visible>), communities FEEL more unsafe when poverty is visible, even when the data points to the opposite; hardly ever does our society respond appropriately with real housing solutions to address the overwhelming inequality of wealth and inability for many families to survive in the Bay Area right now. While the Safe Parking Program certainly does not create permanent housing solutions, (and I am actually concerned that the permitting of some vehicles will lead to the criminalization of unpermitted RVs that park throughout the city, basically making it illegal to be poor) it is an idea supported by the Pacifica Resource Center, the organization that supports and interacts with the unhoused community every day. This is a PILOT program, and will be re-evaluated in the near future; it should be given a chance to proceed as envisioned by the PRC.

Respectfully,

Maureen Garcia
___ Seaside Dr,
Pacifica, CA 94044

Ringuette, Oceane@Coastal

From: carolyn jaramillo <cderby37@gmail.com>
Sent: Friday, August 5, 2022 9:04 AM
To: NorthCentralCoast@Coastal
Subject: Public comments August 2022

North Central Coast
Public Comment for August 2022
Items 7a & 7b Pacifica's Safe Parking Program

Honorable Commissioners:

I am writing to request you support the sites in question for Pacifica's Safe Parking Program. This program is so needed by the unhoused people who are living in motorhomes because they cannot afford the high rents in Pacifica. They have connections here in Pacifica and want to stay here for many reasons. This program is being operated by the Pacifica Resource Center and is just getting started after many delays. It is a good program designed to assist people obtain more permanent housing.

I am a member of Pacifica Housing 4 All, a nonprofit grassroots organization that has been advocating for our unhoused population for six years. We have worked with the Resource Center to set up this program, and we have every confidence in Anita Rees, Executive Director, and her staff. They have a proven track record and are respected by the Community for their competence and compassion. I have walked and driven by motorhomes that are in this program and can see that they are being good citizens taking care of the area. I understand that some people in our city object to the "looks" of motorhomes, and I know some people have spoken disrespectfully against the people living in them out of fear.

I feel the Safe Parking Program can be successful and alleviate these fears if it is given a chance. Again, I urge you to support these sites for the program.

Thank you for your work and for your consideration.

Peace,
Carolyn Jaramillo
524 Manor Drive, Pacifica

Sent from my iPad

Ringuette, Oceane@Coastal

From: Delia McGrath <deliaforpeace39@gmail.com>
Sent: Friday, August 5, 2022 11:20 AM
To: NorthCentralCoast@Coastal
Cc: Delia McGrath
Subject: Public Comment on August 2022 Agenda Item Friday 7a - Appeal No. A-2-PAC-22-0029 (City of Pacifica Safe Parking Program, Pacifica)

Dear members of California Coastal Commission,

My name is Delia McGrath, a Pacifica resident/homeowner since 1978. I am an advocate in our community, committed to supporting the health, safety and well-being of our beautiful city, to ensuring its environmental integrity and to responding to the needs of all of our residents including those whose housing security depends on having safe parking places for their motor homes. Today I am writing to ask your full support of the Safe Parking Program designated spaces, when you consider the appeal at your August 12 meeting — agenda items 7a and 7b.

Pacifica's Safe Parking Program is being implemented by Pacifica Resource Center, our local nonprofit community service center, an organization in whom I have the greatest confidence. Those sites, challenged in these appeals, were specifically chosen because they do not compromise our health and safety, nor do they have a negative environmental impact, as is suggested in several comments posted. The City staff chose these sites after a thorough assessment of city streets. These sites are completely suitable for the purposes of the Safe Parking Program. The sites allow residents to park safely while working with Pacifica Resource Center with the goal of finding a path to permanent housing. I ask you to reject the appeal and vote to sustain these designated spaces as part of our excellent Safe Parking Program in Pacifica.

I wish to acknowledge the Commission's previous decision to continue coastal access to motor homes in Santa Cruz and show consistency in your actions to continue coastal access to motor homes in Pacifica. Thank you for your kind consideration!

Sincerely,

Delia McGrath
Pacifica resident/homeowner since 1978

Ringuette, Oceane@Coastal

From: David Rokosky <jorokosky@gmail.com>
Sent: Friday, August 5, 2022 10:58 AM
To: NorthCentralCoast@Coastal
Subject: Public Comment on August 2022 Agenda Item Friday 7a - Appeal No. A-2-PAC-22-0029 (City of Pacifica Safe Parking Program, Pacifica)

Dear Coastal Commission,

I am writing to request that the Coastal Commission vote to support the two oversized vehicle spots designated for the City of Pacifica Safe Parking Program. As a resident of the Coastside I am acutely aware of the lack of available housing and the urgent need for both short-term and long-term solutions to the housing crisis. The Pacifica Safe Parking Program is a short-term program to provide immediate and safe housing for some individuals while additionally providing them with a pathway to permanent housing. There are no identified environmental impacts from these two sites, and there remains public access to the Coastal Trail and other amenities.

Sincerely,
Joanne Rokosky

Sent from [Mail](#) for Windows

Ringuette, Oceane@Coastal

From: Julian Sierra <julian@youthunited.net>
Sent: Thursday, August 4, 2022 11:33 PM
To: NorthCentralCoast@Coastal
Subject: Public Comment on August 2022 Agenda Item Friday 7a - Appeal No. A-2-PAC-22-0029 (City of Pacifica Safe Parking Program, Pacifica)

Hello,

My name is Julian, I work for Youth United For Community Action (YUCA) and on behalf of our organization we are in support of the Commission approving the opening of said sites for the safe parking spaces program and continued work on the bay area housing issues.

Regards,
Julian Sierra

Ringuette, Oceane@Coastal

From: Julie Starobin <juliestarobin@gmail.com>
Sent: Thursday, August 4, 2022 1:38 PM
To: NorthCentralCoast@Coastal
Subject: Public Comment on August 2022 Agenda Item, Friday, 7a and 7b. Appeal #A-2, Pac-22-0029 and 0031

To Coastal Commission members:

I have lived in Pacifica for 11 years and am a homeowner. I have been a supporter of a Safe Parking Program for Pacifica for many years and only wish it could cover more people. Because it has become prohibitively expensive to live in Pacifica, many long-time residents have been priced out and end up living in vehicles just to stay close to family and friends. I have participated in many attempts to convince the City Council to set up a Safe Parking area as has been done in other cities. Unfortunately nothing has moved the City Council except the lawsuit which resulted in 13 spaces being allowed.

The Pacifica Resource Center is an excellent and experienced organization fully capable of administering the Safe Parking program with the goal of helping find permanent housing for unhoused people and supporting those who have no other choices.

The 13 spots for this program were chosen carefully. They should not be disallowed because a few people don't like having motor homes in their neighborhood. The Commission has supported access for motorhomes on the coast in other areas. Please deny the appeal and support the sites that were chosen.

Thank you,

Julie Starobin, Pacific Manor