

CALIFORNIA COASTAL COMMISSION

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



Th9a

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To: Coastal Commissioners and Interested Persons

From: Stephanie Rexing, North Central Coast District Manager
Oceane Ringuette, North Central Coast District Supervisor
Julian Honey, North Central Coast Coastal Planner

Subject: **City of Pacifica Local Coastal Program Amendment Number LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)**

SUMMARY OF STAFF RECOMMENDATION

The City of Pacifica is proposing a complete update of its Local Coastal Program (LCP) Land Use Plan (LUP). The City's LUP was originally approved by the Commission in 1980, and the current LCP, including the Implementation Plan (IP), was certified with the City assuming coastal development permitting (CDP) authority in 1994. The City plans to update its IP following certification of the proposed LUP update. In the interim, the City intends for the updated LUP to provide the primary standard of review for proposed development, and if there were to be any conflicts between the updated LUP and the older IP (and these are to be expected until the IP, too, is updated), the updated LUP would prevail.

Pacifica is located about 10 miles south of San Francisco along the San Mateo County 'coastside', where the coastal zone boundary mostly tracks along Highway 1 and encompasses residential neighborhoods, visitor-serving and commercial areas, significant open space and habitat areas, and important and popular beaches and other public access attractions. In particular, the City is a very popular recreational destination for visitors from all over the Bay Area, due in part to its beaches, open spaces, and well-known surf breaks, but also due to its proximity to both the San Francisco area and to the Peninsula, San Mateo, the Santa Clara (or Silicon) Valley, and the East Bay. With the exception of its beaches and other shoreline-adjacent open space, the built environment of the City essentially extends up to the City's blufftop edges, and shoreline armoring is present along roughly one third of the City, including along almost all of the shoreline fronted by developed areas.

The City's proposed LUP update would replace the existing LUP entirely and contains updated provisions that incorporate best available science and reflect new information and approaches to coastal resource management that have been developed since the original certification over four decades ago. It also includes new provisions to address both coastal resource issues not covered in the existing LUP, and to reflect the emergence of new City priorities. To that end, the City completed a "Sea Level Rise

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

Vulnerability Assessment” and “Sea-Level Rise Adaptation Plan” in January and September 2018, respectively (funded by the Coastal Commission’s LCP grant program) to aid in developing updated LUP provisions. Concurrently, the City began the process of updating its LUP at the local level in 2017, and went through several revised draft LUPs, culminating in an initial submittal to the Commission in 2020. That submittal was eventually withdrawn, and the City submitted the current revised version in early 2025.

Overall, the proposed LUP represents a greatly overhauled and modernized planning document with forward-looking policies. For example, the proposed LUP addresses a litany of pressing coastal issues with a focus on new/updated provisions related to climate change and coastal hazards resiliency and adaptation; conservation and protection of coastal ecosystems, marine resources, water supplies, and agricultural resources; fire hazards and wildfire resiliency; and public recreational access opportunities and public views. The coastal hazards provisions include hazard risk disclosures, siting and designing development away from hazards, appropriate blufftop setbacks, requirements for armoring mitigation, an updated redevelopment definition, and a comprehensive shoreline monitoring and adaptation plan. The proposed LUP update also proposes implementing a phased adaptation approach, to be initiated and further developed over an initial 20-year planning horizon, that has been the subject of considerable local discussion and debate.

Broadly speaking, the goal of updating an LCP in the face of such hazards is to ensure that adaptation occurs in a way that protects coastal resources and ensures that existing and future development is both safe and sustainable. This process includes identifying how and where to apply different adaptation strategies while taking into account Coastal Act requirements, other relevant laws and policies, acceptable levels of risk, community and visitor input, and statewide priorities. By effectively planning ahead, coastal communities can reduce the risk of costly damage from coastal hazards, and can ensure that the community continues to thrive, including its beaches, habitats, natural landforms and other coastal resources, both now and into the future. In addressing these complexities the Coastal Commission has been collaborating with local government partners (including through the Commission’s Local Government Working Group) to identify strategies for overcoming the challenges posed by coastal hazards planning and adaptation (e.g., early and routine coordination, ‘phased’ LCP updates, adaptation flexibility reflective of local conditions, and both neighborhood and regional scale adaptation approaches), and has applied such strategies in its work with Pacifica to date.

Ultimately, the long-term goal of the proposed LUP update’s hazard provisions is to take a comprehensive approach to addressing changes to the shoreline from sea level rise and coastal processes, with an emphasis on monitoring and maintaining beaches and beach width and their related access, recreation, habitat, and other benefits. To achieve this long-term goal, Pacifica is proposing a phased planning approach that calls for two areas in the City to be allowed to rely on continued armoring (including replacement or augmented armoring) for an interim 20-year period while the City conducts additional detailed adaptation planning for the longer term. The City refers to these areas as “Special Shoreline Resiliency Areas” (or SSRAs), and this concept would only apply to

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

the City's Beach Boulevard and Rockaway Beach areas, which account for slightly over 10% of the City's shoreline. These two areas are unique in that both areas are already completely armored, primarily to protect directly inland vital public infrastructure (such as public roads, sidewalks, parking areas, accessways, water and sewer lines, electrical and gas lines, telecommunications, etc.), and this approach focuses on its continued protection as an interim solution to reflect its public importance, while also allowing the City the time to refine its shoreline planning efforts over the next 20 years to determine a more comprehensive vision and adaptation pathway for the City's shoreline.

At the same time, the City recognizes that armoring within the SSRA areas could result in continued loss of beaches and impacts to public recreational access and other coastal resources over the 20-year interim period, and the proposed LUP takes two different approaches to address this concern. The first is to include a program for coordinated public access enhancement designed to not only offset the impacts of any armoring projects, but to go beyond typical required mitigation to provide additional public benefits (e.g., enhancement of public recreational access facilities, removal of existing armoring, nature-based adaptation strategies, beach nourishment, and acquisition/conservation of properties subject to coastal hazards). The second is to limit the timeframe in which the LUP policies allowing reliance on armoring within the SSRAs are in effect, and to tie implementation of SSRA provisions to advances in the City's comprehensive adaptation planning. Specifically, the proposed SSRA provisions would only become effective upon meeting certain milestones (i.e., would 'sunrise'), and would end (i.e., would 'sunset') after 20 years, where the intention is that the City would complete and implement (through further LCP amendments) the required and more refined shoreline planning within the 20-year planning horizon. In other words, the SSRA provisions are purposefully limited in area, scope, duration, and applicability, and dependent upon enhanced public recreational access amenities as well as more refined adaptation planning, intended to result in better long-term coastal resource outcomes.

Despite these benefits, the proposed SSRA provisions are inconsistent with the Coastal Act's limits on shoreline armoring, which direct their denial. However, denial of these provisions would leave vital public infrastructure vulnerable to coastal hazards, with the potential for adverse beach, marine, and water quality impacts inconsistent with other Coastal Act provisions. Therefore, staff recommends approval through the Coastal Act's conflict resolution procedures, where allowing for vital public infrastructure to be protected via the proposed SSRA provisions would be, on balance, most protective of significant coastal resources. Moreover, approval allows for a complete LUP update, and a significant step forward for not only coastal resource protection overall, but also specifically for the City's shoreline planning and adaptation efforts.

In making this recommendation, staff notes that this proposal represents the first of what staff expects to be many LCP amendment applications that provide for clearly developed neighborhood-scale adaptation planning provisions, which in some cases will include focused areas where temporary armoring could be allowed even where the Coastal Act may direct otherwise, provided that the facts and context for such amendments demonstrate that such allowance is the most protective of significant coastal resources. On this point, staff notes that this approach allows local governments – and the Commission – to address the reality of existing and expected future coastal

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

hazards as well as to develop forward-looking sea level rise adaptation strategies to protect coastal resources over time in communities that are already substantially developed to the shoreline edge, and in many cases heavily armored. Importantly, this is a practical planning approach that fully considers the feasibility of adaptation strategies, particularly the degree to which certain communities might be able to relocate development and/or rely on nature-based solutions rather than armoring, especially in the short term and at a large scale.

In that context, it is becoming increasingly apparent that an inflexible approach that would prohibit most armoring regardless of the unique shoreline and community contexts is unlikely to result in good LCP planning outcomes. In the face of rising sea levels and increasing vulnerabilities, some extra allowances for shoreline armoring may need to be incorporated into some planning approaches, at least as a temporary 'bridge' towards longer term and more refined solutions that can ensure protection of beaches and other coastal resources now and into the future. Those outcomes are dependent not only on local governments and the Commission, but also on the State of California as a whole, coming together to develop creative solutions, as outcomes that prevent the disappearance of our beaches in these communities will take significant investment and political will.

For all of these reasons, and as more fully articulated in this report, staff recommends that the Commission approve the proposed LUP update as submitted. The single motion to implement the staff recommendation is found on page 6 below.

Staff Note: LCP Amendment Action Deadline

The proposed LCP amendment was filed as complete on March 24, 2025. The proposed amendment affects only the LUP portion of the LCP, and the 90-working-day action deadline is July 31, 2025. Thus, unless the Commission extends the action deadline (it may be extended by up to one year), it has until July 31, 2025, to take a final action on this LCP amendment.

Therefore, if the Commission fails to take a final action in this case (e.g., if the Commission instead chooses to postpone/continue LCP amendment consideration), then staff recommends that, as part of such non-final action, the Commission extend the deadline for final Commission action on the proposed amendment by one year. To do so, staff recommends a YES vote on the motion below. Passage of the motion will result in a new deadline for final Commission action on the proposed LCP amendment. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Time Extension Motion: *I move that the Commission extend the time limit to act on City of Pacifica Local Coastal Program Amendment Number LCP-2-PAC-23-0056-3 to July 31, 2026, and I recommend a yes vote.*

TABLE OF CONTENTS

1. MOTION AND RESOLUTION	6
2. FINDINGS AND DECLARATIONS	6
A. Background.....	6
B. Proposed LCP Amendment	8
C. Standard of Review	11
D. Land Use and Development.....	11
E. Public Services and Water Resources	18
F. Agriculture	20
G. Natural Resources.....	22
H. Coastal Hazards.....	29
I. Other Hazards	54
J. Public Recreational Access and Views	56
K. Tribal and Cultural Resources.....	62
L. Environmental Justice	63
M. Conflict Resolution.....	65
N. California Environmental Quality Act (CEQA).....	78
3. APPENDICES	79
A. Substantive File Documents.....	79
B. Staff Contact with Agencies and Groups	79

EXHIBITS

Exhibit 1 – City Location Map

Exhibit 2 – Proposed LUP Text

Exhibit 3 – Proposed LUP Maps and Figures

Exhibit 4 – Public Infrastructure Maps in SSRAs

Exhibit 5 – Building Built Dates in SSRAs

1. MOTION AND RESOLUTION

Staff recommends that the Commission, after public hearing, **approve** the LCP amendment as submitted. To implement this recommendation, staff recommends a **YES** vote on the following motion. Passage of this motion will result in certification of the LUP amendment as submitted and adoption of the following resolution and findings. The motion passes only by an affirmative vote of the majority of the appointed Commissioners present.

Motion: I move that the Commission **certify** Land Use Plan Amendment LCP-2-PAC-23-0056-3 as submitted by the City of Pacifica, pursuant to the staff recommendation, and I recommend a **yes** vote.

Resolution: The Commission hereby certifies Land Use Plan Amendment LCP-2-PAC-23-0056-3 as submitted by the City of Pacifica and adopts the findings set forth below on the grounds that the amendment conforms with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment complies with the California Environmental Quality Act because either (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or (2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Land Use Plan.

2. FINDINGS AND DECLARATIONS

A. Background

The City of Pacifica is located about 10 miles south of San Francisco along the San Mateo County 'coastside', with most of the City's coastal zone lying west of Highway 1.¹ The City's coastal zone encompasses residential neighborhoods, visitor-serving and commercial uses, national parklands, open space, and habitat areas. In addition, the City is a popular recreational destination for visitors from all over the Bay Area, due in part to its beaches, open spaces, and well-known surf breaks, but also due to its proximity to both the Bay Area, generally, including San Francisco proper and the Peninsula, San Mateo County, the Santa Clara (or Silicon) Valley, and the East Bay. See **Exhibit 1** for a location map.

The City's coastal zone is broken down in the proposed LUP into seven sub-areas, as listed here from north to south: Fairmont West, West Edgemar/Pacific Manor, West Sharp Park, Sharp Park Golf Course/West Fairway Park/Mori Point, Rockaway Beach/Quarry/Headlands, Pacifica State Beach, and Pedro Point/Shelter Cove. Much of the development in these areas within the coastal zone dates back originally to the 1950's, and currently the City estimates that they are made up of protected open space (48%); single-family and multi-family housing, including mobile homes (21%);

¹ The Sheldance Gardens (east of Highway One between the East Fairway Park and Vallemar neighborhoods) and a portion of the National Park Service's Pedro Point Headlands property are located in the City's coastal zone inland of Highway 1.

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

commercial shopping centers, mixed-use development, and hotels (4%); industrial uses (1%); public, community, and institutional buildings (4%); and undeveloped/vacant land, almost entirely inland and away from the immediate shoreline (22%). The character of the City's shoreline varies, with mostly undeveloped, high bluffs at the northern-most portion of the City in the Fairmont West neighborhood; development on or near the bluff edge along the high bluffs in the West Edgemar/Pacific Manor neighborhood; developed areas on and near the bluff edge along lower bluffs in the West Sharp Park neighborhood; a constructed berm fronting the golf course in the Sharp Park Golf Course/West Fairway Park/Mori Point subarea, with high bluff area to the south of this subarea approaching Mori Point; high bluffs at the Quarry site and the Headlands, sandwiching Rockaway Beach; a large sandy beach area at Pacifica State Beach; and high bluffs, with some residential development on the upcoast side, in the Pedro Point/Shelter Cove neighborhood.

Except for the beaches, parklands, and open spaces that abut the Pacific Ocean, the built environment of the City generally extends right up to the shoreline, with shoreline armoring covering over approximately 33%, or roughly two miles, of the City's roughly six miles of shoreline, including a combination of seawalls, riprap, piers, berms, and other applications (see Figure 5-2 on page 19 of **Exhibit 3**). When the open space areas are removed from the equation, a majority of the City's shoreline fronting developed areas is armored (about 66%), much of it emanating from a 1984 citywide CDP in response to the 1982-83 El Niño winter storms.²

The City's Local Coastal Program (LCP) Land Use Plan (LUP) was originally approved by the Commission in 1980. The LCP Implementation Plan (IP), and full certification, occurred in 1994, with the City assuming coastal development permitting (CDP) authority at that time. The LCP currently includes two areas of deferred LCP certification, where CDPs must still go through the Coastal Commission (at Shelldance Nursery and the Quarry Site). This LUP update proposes to certify these two areas so that they would transfer into the City's CDP jurisdiction.

Although the existing LCP has served the City well, it has also been confronted by challenges, including those related to a development pattern that has resulted in residential areas and infrastructure built right up to the shoreline in many parts of the City. Since initial LUP certification and subsequent construction of armoring along a large portion of the City's developed shoreline, many of the original goals of the LUP were carried out, development has slowed outside of the urban areas given limited remaining developable land combined with infrastructure constraints, and new priorities have emerged. In particular, the City context regarding the interconnection of land use,

² CDP 3-83-172 and subsequent amendments allowed for armoring structures throughout the City. Instead of each armoring structure receiving an individual CDP, they were covered by amendments to the original CDP, with terms and conditions that are site-specific. Armoring under this CDP includes a revetment between 538 Esplanade and 700 Palmetto Avenues; a revetment West of Shoreview; armoring fronting Viewpointe at Seaside Mobile Home Park (formerly Pacific Skies Estates) at 1300 Palmetto Avenue; a revetment at Beach Boulevard; and the Sharp Park Berm. In addition to CDP 3-83-172, there are a number of other armoring structures dispersed across the City's shoreline, some (but not all) of which were initially authorized (emergency or otherwise) but have passed their authorization limits, are out of their permitted configuration, or are otherwise unpermitted.

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

environmental preservation, housing, and climate adaptation and resiliency has changed. While the existing certified LUP acknowledges issues related to bluff erosion and contains core policies consistent with Coastal Act Sections 30235 and 30253, the LUP is over four decades old and does not explicitly reference current best practices, newer information, or current science on coastal hazards, all of which is expected to impact such development patterns. At the same time, State guidance and direction on a variety of coastal resource issues has evolved since the initial certification, and there is now a more robust understanding regarding coastal hazards and hazards response options, particularly as those responses relate to sea level rise and how to adapt to associated impacts. Thus, the City embarked on a proposed LUP update intended to address such issues, as well as new and emerging concerns.

B. Proposed LCP Amendment

The City's proposed LUP update³ is a complete overhaul that would replace the existing LUP and contains updated provisions that: (1) reflect new information and approaches to coastal resource issues since original certification; (2) add new provisions to address coastal resource issues not explicitly covered in the 1980 LUP; and (3) reflect the emergence of new City priorities. Importantly the update is designed with the intentions of better addressing sea level rise and its associated impacts, and to better protect coastal resources overall, including by adding more detailed and expanded provisions protecting habitat resources and public access opportunities, designating more precise land use designations, and adding a new environmental justice policy.

The proposed LUP update includes six chapters, each of which covers a different coastal resource issue area (with some inherent overlap, and with some issue areas overlapping more than others), as follows: (1) Introduction; (2) Land Use and Development; (3) Public Access and Recreation; (4) Environmental and Scenic Resources; (5) Natural Hazards; and (6) Coastal Resilience. The chapters are supplemented by two appendices: Appendices (a) Coastal Act Policies; and (b) Coastal Vulnerability Zone Maps. In addition, the proposed LUP update includes a glossary and updated maps throughout the document.⁴ See **Exhibit 2** for the proposed updated LUP text and **Exhibit 3** for the associated proposed updated maps and figures.

As proposed, the LUP update would maintain the core policy content from the existing certified LUP (e.g., a focus on concentrating development and protecting open space land uses, sensitive habitat areas, public access, and visual resources). On a broad level, the proposed LUP update is structured around creating a vibrant community

³ The City submitted the proposed LUP update to the Commission in December 2024, but subsequently submitted a corrected version addressing minor and non-substantive corrections on March 24, 2025, where the City was able to do this at a staff level because the City Council provided the City Manager and City Attorney authority to make such minor changes when it adopted the proposed update in October 2024 (see [City Council Resolution No. 95-2024](#)). It is the corrected March 2025 LUP that is before the Commission in this proceeding.

⁴ Concurrent to the LUP update effort, the Commission's mapping unit is updating the certified maps depicting relevant Pacifica LCP boundaries (including the coastal zone, City permitting jurisdiction, Commission permitting jurisdiction, and the appeals area) to a digital format. The mapping update is expected to be completed by the end of 2025.

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

through developing new community spaces and visitor-serving areas to enhance Pacifica as a visitor hub and coastal destination. This includes identifying development opportunities and expanding protection and enhancement of public access. In addition, the proposed LUP update contains numerous updated and new policies to address a variety of coastal resource issues not explicitly covered in the current LUP, as well as to reflect new understandings and improved planning techniques regarding various coastal resource concerns (including related to sea level rise, flood and hazard abatement, ESHA (environmentally sensitive habitat area) identification and protection, wetland and riparian corridor protection, tribal/archaeological protections, and environmental justice). Ultimately, the City intends to update its IP following certification of the proposed LUP update. In the interim, the City proposes that the provisions of the updated LUP would provide the primary standard of review for any proposed development, and if there are conflicts between the updated LUP and the older IP (conflicts are expected until the IP is updated), the provisions of the updated LUP would prevail.

The City completed a “Sea Level Rise Vulnerability Assessment” and “Sea-Level Rise Adaptation Plan” in January and September 2018, respectively (funded by the Coastal Commission’s grant program), to aid in developing updated LUP provisions. Concurrently, the City began the process of updating their LUP at the local level in 2017, and went through several revised drafts LUPs, with a significant local public input process, culminating in a full draft submittal to the Commission on June 12, 2020 (LCP Amendment No. LCP-2-PAC-20-0036-1).

What followed was a collaborative period of iterative discussions and redrafting between Commission and City staffs, and much progress was made, but ultimately it became clear that there were key disagreements between the two staffs on how to address coastal hazards. At that point, the City decided it would prefer to take the matter to the Commission for deliberations, but the City subsequently asked to postpone the hearing after reviewing the staff recommendation, which in staff’s view included necessary changes to address the difficult coastal hazards and adaptive planning questions facing this community, among other coastal resource concerns. Following the postponement, City and Commission staff again began regular meetings to work through identified issues in a way that was acceptable to the City from a local policy standpoint and which allowed for flexibility to reflect the City’s unique shoreline context while ensuring consistency with the Coastal Act. For the City, that meant including provisions that would allow for armoring in certain locations when such armoring might be inconsistent with some Coastal Act policies. The Commission may approve such policies in some cases if they are, on balance, more protective of coastal resources than existing conditions. This process of identifying and developing adaptation strategies that are specific to defined areas or assets with shared characteristics (e.g., a neighborhood, beach area, site, or asset), and developing LCP provisions to support and implement

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

that approach, is supported by the Coastal Commission and Local Government Working Group.^{5, 6}

The City then worked on an updated LUP that included these types of context-focused adaptation provisions, going through several iterations of both Planning Commission and City Council review. Critically, throughout this revised effort, the City provided a robust public engagement process, including through creating a dedicated ‘Plan Pacifica’ website to facilitate public participation, giving numerous City staff presentations, receiving public comments at Planning Commission and City Council hearings, soliciting written comments and correspondence, and holding hybrid (in person and online) community engagement sessions. At all times, Commission staff continued to collaborate with City staff, providing both conceptual and more precise suggestions. Ultimately, the City incorporated most all of the previously suggested changes from 2023,⁷ and developed an approach that, upon completion of additional planning as described below, is intended to allow limited areas and development in Pacifica to rely on armoring for an interim 20-year period while the City continues to carry out more refined adaptation planning. The City refers to such areas as “Special Shoreline Resiliency Areas” (or SSRAs), and this concept would only apply to the Beach Boulevard and Rockaway Beach areas, which account for about 12.5% of the City’s shoreline. These two areas are unique in that both areas are already completely armored, primarily to protect significant and vital public infrastructure (such as public roads, sidewalks, parking areas, accessways, water and sewer lines, electrical and gas lines, telecommunications, etc.). The approach can be thought of as an interim solution to allow public infrastructure, and development directly inland of public infrastructure, to be protected by armoring while the City conducts additional planning efforts to determine a future adaptation pathway for the City’s shoreline, all over a period of twenty years.

Additionally, the proposed LUP includes a program for coordinated public access enhancement designed to not only offset the impacts of any armoring projects, but to go beyond typical required mitigation to provide additional public benefits.⁸ The proposed LUP SSRA provisions would be conditional, and would only become effective, upon meeting certain milestones, and would ‘sunset’ after 20 years, where the intention is

⁵ This concept has been referred to in a variety of ways, including as coastal ‘exclusion zones’ and ‘neighborhood-scale adaptation’.

⁶ The Coastal Commission and Local Government Working Group is made up of representatives from the California State Association of Counties, the League of California Cities, and a Coastal Commission subcommittee. It was formed in 2019 and tasked with developing strategies to improve collaboration and communications between local governments and the Commission on sea level rise adaptation planning and LCP updates.

⁷ Including resolving Commission-staff identified Coastal Act inconsistencies related to ESHA, wetlands, natural resource protection, public access and views, lower-cost overnight accommodations, siting and design from hazards, and adequacy of public services.

⁸ Where the proposed LUP provisions indicate that some such additional mitigation opportunities may include enhancement of public recreational access facilities (e.g., pathways, overlooks, etc.), removal of existing armoring, nature-based adaptation strategies, beach nourishment, and acquisition/conservation of properties subject to coastal hazards.

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

that the required shoreline adaptation planning could be completed in that time frame and implemented through another LCP amendment at that time.

The proposed LUP document overhauls and modernizes the LUP, but also balances the need for protection of public development in discreet concentrated areas, while devising forward-looking policies intended to steer reasoned and resilient development in the City. The City's current proposed hazards policies include hazard risk disclosures, siting and designing requirements for development in hazardous areas, bluff setbacks, requirements for mitigation for any impacts from armoring, an updated redevelopment definition, and a new shoreline monitoring and adaptation plan. Additionally, the proposed LUP incorporates draft policies to address all relevant coastal issues, with a focus on new/updated provisions related to climate change and coastal hazards resiliency/adaptation; conservation/protection of coastal ecosystems, water supplies, and agricultural resources; fire hazards and wildfire resiliency; and public recreational access opportunities and public views.

Again, see **Exhibit 2** for the proposed updated LUP text and **Exhibit 3** for the associated proposed updated maps and figures.

C. Standard of Review

The standard of review for proposed LUP amendments is consistency with Coastal Act Chapter 3.

D. Land Use and Development

Applicable Coastal Act Provisions

The following sections of the Coastal Act guide appropriate land use and development locations and intensities:

30221. *Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.*

30222. *The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.*

30240. *(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. (b) 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, and shall be compatible with the continuance of those habitat and recreation areas.*

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

30250. *(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels. (b) Where feasible, new hazardous industrial development shall be located away from existing developed areas. (c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.*

30251. *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

30252. *The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.*

30253. *New development shall do all of the following: (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development. (d) Minimize energy consumption and vehicle miles traveled. (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.*

***30255.** Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.*

Analysis

The Coastal Act establishes clear parameters and priorities for the location, intensity, type, and design of new development in the coastal zone as a means of protecting and enhancing, where feasible, coastal resources. At a broad scale, Section 30250(a) requires that most new development be concentrated in and around existing developed areas with adequate public services and infrastructure to accommodate it. Within that broader framework, the Coastal Act also provides specific development prescriptions for certain resource types. For example, the Coastal Act provides that new development should be sited where it will: not have an adverse impact on coastal resources, protect visual and scenic corridors, maintain public access to the coast, and minimize risks to life and property while ensuring structural integrity. In addition, policies require that oceanfront and private land, as applicable, be protected for visitor-serving commercial uses and public recreation; that coastal-dependent development take priority along or near to the shoreline; and be sited appropriately to avoid impacts to ESHA.

The proposed LUP update identifies land use constraints and opportunities throughout the City coastal zone, designates updated locations and densities for potential new development, and provides an overarching framework to assure that development will not have significant adverse effects, either individually or cumulatively, on coastal resources consistent with these Coastal Act objectives. The new land use designations create clearer distinctions between open space and established developed areas and promote new development in and directly adjacent to existing developed areas in an effort to create more commercially vibrant areas in the City. Additionally, there are proposed policies to encourage that density and/or intensity of land use in Coastal Vulnerability Zones does not increase (see Policy LD-G-8 on page 43 of **Exhibit 2** and Figure 2-3 on page 3 of **Exhibit 3**). Proposed provisions of the land use chapter also include prioritizing and protecting lower-cost, visitor-serving facilities, facilitating walkable and transit-oriented development, protecting open space and habitat, and concentrating development where it will not have significant impacts on coastal or other resources (see policies LD-I-6 through LD-I-11 on page 44 of **Exhibit 2**). These provisions focus the LCP on concentrating development in the appropriate areas, and steering development away from areas that cannot necessarily sustain use and development in the same ways consistent with applicable Chapter 3 provisions.

In addition, the City proposes new land use designation classifications, with a concentration on creating clearer distinctions. The proposed new residential classifications, which remain similar to the classifications in the 1980 LUP, include: Open Space/Agriculture/Residential (0.2 units per gross acre); Very Low Density Residential (0.2 to 2 units per gross acre); Low Density Residential (3 to 9 units per gross acre); Medium Density Residential (10 to 15 units per gross acre); and High Density Residential (up to 30 units per gross acre).

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

The proposed update also adds mixed-use classifications that are not part of the 1980 LUP, intending to facilitate areas where housing and active commercial uses may be integrated where appropriate. These include Coastal Residential Mixed-Use (up to 15 units per gross acre and 0.5 Floor Area Ratio (FAR) for nonresidential use); Mixed-Use Neighborhood (16 to 26 units per gross acre for sites less than 0.5 acre and up to 30 units per gross acre for sites of 0.5 acres or more, with total FAR to not exceed 1.0); and Mixed-Use Center (30 to 50 units per gross acre and 2.5 FAR for non-residential uses).

The proposed update would also modify the 1980 LUP's generic commercial use designation to designate five different commercial zones with a more distinctive differentiation of land uses, including: Retail Commercial (retail, restaurant, and service uses, typically in single- or two-story buildings within shopping centers or on sites in the Highway 1 corridor), Office/Commercial (offices as well as retail and service uses), Service Commercial (industrial and heavy commercial uses), Visitor-Serving Commercial (hotels or a visitor attraction, such as an interpretive center or conference center, restaurants, retail and services, commercial recreation, or other compatible uses), and Low-Intensity Visitor-Serving Commercial (campgrounds, rustic lodging, concession stands, warming huts, outdoor event sites, and similar uses).

Lastly, the City proposes that several public and community use designations be added to the LUP. Classifications similar to those which exist in the current LUP include Public and Semi Public (public or private schools, libraries, police and fire stations, and other civic and community uses), Utilities (water tanks, communications facilities including wireless communications facilities, and other utilities serving the City), and Park (public land either now developed for active recreation use or intended for future recreation development). Newly proposed classifications without corollaries in the existing LUP include Conservation (publicly- or privately-owned open areas not intended for development), Urban Reserve (private lands outside of City limits but within the Planning Area),⁹ and Beach and Commuter Parking (where the priority use is public parking to serve beach visitors and/or transit users).

As previously mentioned, the proposed LUP update splits the City into seven sub-areas, also referred to as neighborhoods, each of which would have their own set of provisions that correspond to their respective development pattern and character. The sub-areas (Fairmont West, West Edgemar-Pacific Manor, West Sharp Park, Sharp Park Golf Course/West Fairway Park/Mori Point, Rockaway Beach/Quarry/Headlands, Pacifica State Beach, and Pedro Point/Shelter Cove) are depicted on Figure 2-4 on page 4 of **Exhibit 3**. As the proposed LUP has policy requirements and designated land uses that vary for each sub-area, the Coastal Act consistency analysis is separated below based on such areas.

In northern Pacifica, the Fairmont West sub-area between Highway 1 and the Pacific Ocean, extending from Daly City along the bluffs that front the northern stretch of the

⁹ Where such provisions outside of City limits are not before the Commission in this LCP action inasmuch as the LCP only governs areas within the City's coastal zone. Should the City annex such properties, then an LCP amendment would be needed for these policies to go into effect. However, they could serve as guidance in the interim.

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

City, includes the Northern Coastal Bluffs, the “Bowl” site,¹⁰ and a low-density residential area (see Figure 2-5 on page 5 of **Exhibit 3**). The undeveloped land on the Northern Coastal Bluffs on the west side of Palmetto Avenue would now be designated as Open Space/Agriculture/Residential, a reduction of the current LUP low density residential development capacity from 9 units per acre to 1 unit per 5 acres, and is identified as a priority area for permanent open space conservation. Meanwhile, the update does not alter the density allowed for the currently vacant ‘Bowl’ site, which remains medium density residential (10 to 15 units per gross acre). Commission staff have provided feedback on proposed projects at this site conveying concerns that the ESHAs present onsite likely consist of a mosaic of wetlands and perched dunes, all of which would reduce the developable onsite area significantly and constrain development here to the point that the City’s allowable density could conflict with the natural resource protection requirements of the updated LUP and Coastal Act. However, regardless of the prescribed density, the policies in Chapter 4 regarding ESHA and wetland buffers, as further described in the Natural Resources section of this report, will be applied to the site and thus appropriately balance development with protections of sensitive habitat.

Just south of Fairmont West is the West Edgemar/Pacific Manor sub-area, which contains the highest density housing in Pacifica and is centered around the Pacific Manor Shopping Center from north of the Oceanaire Apartments (formerly Land’s End Apartments) to south of the San Francisco RV Park between Highway 1 and the ocean (again, see Figure 2-5 on page 5 of **Exhibit 3**). This area experiences acute coastal bluff erosion which in 2016 led to several residential apartment buildings being demolished at 310-330 Esplanade Avenue. The City has since taken ownership over the remnant blufftop land and indicates in the Land Use chapter (see Policy PR-I-11 on page 66 of **Exhibit 2**) that the blufftops in this area have the potential to become a park with improved coastal access, dependent on hazard conditions. The blufftop area along Esplanade has been designated through this update as predominantly Conservation (areas not intended for development), with a small section designated Open Space/Agriculture/Residential (west of the intersection of Esplanade and Bill Drake Way). Areas of the Esplanade blufftop with remaining existing housing development remain designated high density residential consistent with the existing LUP designation, which allows 16-21 units/acre.

West Sharp Park, to the south of West Edgemar/Pacific Manor from South of the San Francisco RV Park to just north of the Sharp Park Golf Course (again, see Figure 2-5 on page 5 of **Exhibit 3**), contains a variety of land uses, including single-and multi-family housing, retail commercial uses, civic buildings, and some of Pacifica coastal zone’s only industrial and service commercial uses. Additionally, this neighborhood features the Pacifica Pier, the Beach Boulevard Promenade, and the northern portion of Sharp Park Beach. The LUP update includes a policy to facilitate the transition of the industrial Northern Palmetto area to Low-Intensity Visitor-Serving Commercial uses over time, including to help account for the progressive coastal erosion on the blufftop in this area (see Policy LD-I-13 on page 44 of **Exhibit 2**) which could threaten the current

¹⁰ The ‘Bowl’ site is an approximately 4.2-acre undeveloped parcel located at the 4,000 block of Palmetto Avenue in the Fairmont West sub-area with a documented history of wetlands and ESHA.

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

somewhat dense development found from around 898 to 1300 Palmetto Avenue (including Viewpointe at Seaside). This policy would help to allow for better adaptive capacity for this area, including to help prevent hazardous industrial materials from eroding onto the beach if hazards were to threaten these uses. However, the southern portion of this sub-area is envisioned to grow into a higher-density, mixed-use corridor intended to support higher-intensity development, including on Francisco Boulevard with proposed Policy LD-I-16 (see page 45 of **Exhibit 2**) supporting such enhancements and an enhanced connection to the coast achieved with redevelopment of the 2212 Beach Boulevard property with proposed Policy LD-I-15 (see again, page 45 of **Exhibit 2**) supporting such enhancements. Further, proposed Policy LD-I-15 states the desire to enhance the Promenade as a local community and tourist destination in conjunction with redeveloping the City-owned 2212 Beach Boulevard property, which is fronted by the Beach Boulevard Promenade. This policy indicates that the preferred use for this area would be a hotel, but that other appropriate uses could include conventional commercial/residential mixed-use projects while also taking into consideration the existing coastal hazards at this site.

South of West Sharp Park, the Sharp Park Golf Course/West Fairway Park/Mori Point sub-area includes large swaths of open space, the Sharp Park Golf Course, Laguna Salada and its marsh (which provide habitat for the endangered San Francisco garter snake and the State Amphibian California red-legged frog), and the single-family residential neighborhood of West Fairway Park (see Figure 2-6 on page 6 of **Exhibit 3**). The proposed LUP maintains policy-specific direction for the Sharp Park Golf Course and Mori Point in the same manner as the current certified LUP designation of Open Space/Public Facility by designating this area as regional park land that prioritizes environmental restoration. The Park designation is applied to public land either presently developed for active recreation use or intended for future recreational development. Thus, as this designation does not change the use or intensity of the area, this designation is consistent with the previous LUP.

Moving further south, the Rockaway Beach/Quarry/Headlands sub-area (see Figure 2-6 on page 6 of **Exhibit 3**) includes the vacant Quarry site, which is currently a designated Area of Deferred Certification (or ADC), public trails, the Calera Creek Water Recycling Plant, and a small pedestrian and visitor-serving oriented area with shops, restaurants, lodging, and small beach known as Rockaway Beach. The chapter states that the Quarry site, which at one time served as a rock quarry, is Pacifica's most viable potential development site. However, as noted in the text, prior to pursuing development the site must be reclaimed pursuant to the State Mining and Reclamation Act and the Pacifica Municipal Code. Under the currently certified LUP, the Quarry site is designated as a special area which was intended to have a separate planning process to determine uses, where such planning could then be made part of the LCP. However, this never occurred and the current ADC status of the property, including any proposal for reclamation or proposed development would currently have to go through the Coastal Commission. The City now proposes, through this update, to incorporate the Quarry site into their certified LCP and permitting jurisdiction. The stated vision for this location includes a partial designation of Conservation (i.e., an area without development) for approximately half the site, or the portions on the hillside and western coastal cliffs, with the other half, the Flats and the Pad overlooking Rockaway Beach,

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

designated as Visitor-Serving Commercial (intended to foster and protect areas that attract and cater to visitors including hotels or a visitor attraction). Policy LD-I-17 (see page 45 of **Exhibit 2**) encourages the responsible development and environmental conservation of the Quarry site and lists potential commercial, and visitor-serving uses (supporting such potential uses as a resort hotel, boutique hotels, visitor attractions, and retail) while considering the appropriate coastal hazard and biological constraints.^{11,12} Policy LD-I-18 (see page 46 of **Exhibit 2**) prescribes that the City will create an enhanced visitor node at Rockaway Beach through the promotion of infill development and improving visitor-oriented uses with links to the Quarry site, which is immediately adjacent to Rockaway to the north. Policy LD-I-19 (see page 46 of **Exhibit 2**) further emphasizes the opportunity for public access and very low-intensity visitor-serving uses on Aramai Point (the place name for the Rockaway Headlands in recognition of the indigenous peoples that occupied the area prior to European settlement), including by maintaining the Coastal Trail which connects Rockaway and Pacifica State Beaches and allowing for low impact development which could be readily adapted to evolving coastal conditions, such as rustic lodging or hikers' huts.

The next sub-area to the south is Pacifica State Beach (bounded by Aramai Point and the Pedro Point Shopping Center), also commonly referred to as Linda Mar Beach, which is a prime recreational asset for the City and attracts over a million visitors annually due to its beginner-friendly surf break, sandy beach/dune areas, and its parking and visitor-serving amenities (see Figure 2-7 on page 7 of **Exhibit 3**). This area is mostly under State Parks ownership but is managed by the City under an operating agreement with State Parks. Consistent with the current certified LUP, this area is designated as a Park (which allows recreational use), with some limited commercial development that currently exists in this area (i.e., the Taco Bell Cantina), which is designated as Retail Commercial (retail, restaurant, and service uses).

Lastly, on Pacifica's southern boundary lies the Pedro Point/Shelter Cove sub-area (bounded by Pacifica State Beach and the Pedro Point promontory) which contains single-family houses, commercial development, and a shopping center. The proposed update mostly reinforces existing land use patterns of this sub-area. Overall, the policies and land use designations for this area are Coastal Act consistent as they maintain the same designations as the previously certified LUP. However, the update includes proposed Policy LD-I-20 (see page 46 of **Exhibit 2**) regarding improvements to the Pedro Point Shopping Center and adjacent parcels to accommodate new retail development and enhance appeal for both neighborhood residents and visitors. Also in this sub-area is an undeveloped site west of the shopping center (and bounded by

¹¹ Such hazard constraints include bluff erosion and slope stability, and such biological constraints include known wetlands and ESHA containing California red-legged frog habitat at this location, which would require a minimum 100-foot buffer.

¹² While the Quarry is in an area of deferred certification, the IP indicates the vision for the Quarry to be zoned as service commercial, a designation primarily for heavy industrial uses, in addition to allowing other commercial development such as motels, retail stores, and shops. This designation does not allow for residential development. Similarly, the proposed designation in this proposed LUP update of Visitor-Serving Commercial does not allow residential development. Were residential development proposed as part of a plan for the Quarry site City Ordinance No. 391 requires approval by a majority vote of the electorate to allow rezoning for residential uses to occur.

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

Halling Way, San Pedro Ave, Danmann Ave and Shoreside Drive) which the City indicates it wishes to establish as a Coastal Residential Mixed-Use designation (which would allow up to 15 units per gross acre and 0.5 FAR for nonresidential use) to allow a range of options for development onsite. While this new land use designation is not drastically different from its current commercial land use designation (which would allow a variety of potential commercial uses including visitor serving, commercial, retail, office, and light industrial), this undeveloped site is known to contain wetlands and ESHA supporting California red-legged frog habitat which could constrain the development potential of this site per the required protections and buffers for ESHA and wetlands found in Chapter 4 (Environmental and Scenic Resources), as described further in the Natural Resources section of this report. The City has received significant public comments expressing concerns with development at this site because of limited parking, traffic, and infrastructure capacity, as well as with adequate protections for the ecological coastal resources present. Accordingly, proposed Policy LD-I-21 (see page 46 of **Exhibit 2**) notes that any development must include public coastal access, provide public open space, consider all biological constraints present on the site (including completing a wetland survey to delineate potential wetlands on the site), and geotechnical hazards and vulnerability scenarios consistent with policies in the proposed Chapters 5 (Natural Hazards) and 6 (Coastal Resilience), as discussed below. Such measures should be sufficient to appropriately protect coastal resources at this site should development be proposed there.

In addition to the above-referenced provisions, the City has included several other policies for the land use and development chapter which ensure the goals of the Coastal Act are carried out in tandem with the City's land use actions in the coastal zone. These policies include proposed Policy LD-I-2 (see page 30 of **Exhibit 2**), which requires a CDP for all land divisions in the coastal zone and prohibits land divisions on properties within Coastal Vulnerability Zones as mapped by the City unless the resulting parcels are set aside for conservation, or unless the resulting parcels can be developed consistent with LCP policies. Further, in Policy LD-I-3 (see again page 30 of **Exhibit 2**) the City codified that all development that requires a CDP must refer to the policies of the LUP in advance of the prospective, corresponding IP update, including dictating that where the LUP policies conflict with existing IP policies, the more protective LUP supersedes IP policies until an IP update and certification can be completed.

For all of the above reasons, the proposed land use provisions laid out in the land use and development chapter of the proposed LUP update can be found consistent with the Coastal Act.

E. Public Services and Water Resources

Applicable Coastal Act Provisions

The following sections of the Coastal Act pertain to management and provision of public services, including water, sewer, and circulation infrastructure:

30212.5. Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

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 waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

30250(a). *New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.*

30254. *New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted, consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded, except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services, and basic industries vital to the economic health of the region, state, or nation, public reaction, commercial recreation and visitor-serving land uses shall not be precluded by other development.*

Analysis

The Coastal Act requires that public works facilities, such as water, sewer, and circulation systems, be appropriately distributed and designed to accommodate needs generated by development so as to mitigate impacts of overcrowding and overuse; that new development be located in or adjacent to areas with existing public services, or areas able to accommodate such services; and that all coastal waters are to be protected (through maintaining and, where feasible, restoring coastal waters' biological productivity and water quality), in part through ensuring that wastewater discharge and runoff is properly handled, and groundwater supplies are appropriately managed.

The existing LUP requires adequate public services, that future public facilities be expanded within the confines of the present site if the expansion is consistent with the policy to focus urban development in already developed areas of Pacifica, and that if the

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

maximum capacity of services is being approached, priority allocations will be given to coastal dependent land uses and essential public services.

Like the currently certified LUP, the proposed LUP update describes the City's existing public works facilities, and includes several provisions that encourage water conservation, ensure adequate capacity to handle wastewater needs, and require that all new development be connected to the sewer system, which will be monitored to ensure adequate capacity. The update also includes Policy LD-I-28 (see page 53 of **Exhibit 2**), which requires that new development be adequately served by existing and planned public works facilities. This policy also requires consideration of how coastal hazards may impact vital infrastructure, and steers new development and the expansion of public works facilities away from coastal vulnerability zones unless no feasible alternatives exist.¹³ Finally, this policy will require support be lent to studies that evaluate the condition of vital infrastructure and facilities, especially those which are identified as vulnerable to coastal or environmental hazards, and that such studies will include alternatives analysis to evaluate the potential for vital infrastructure facilities retrofit, improvement, and/or relocation adaptive efforts.

Additionally, Policy LD-I-38 (see page 55 of **Exhibit 2**) requires that development only be approved if it can be shown that it can be accommodated by adequate and sustainable public services (including in terms of water, sewer, and circulation) without any significant impacts to coastal resources. This policy goes further to ensure that public service development is limited to levels that are sufficient to accommodate LCP consistent development, and that such development would not be allowed if growth would be induced past a sustainable threshold.

For all of the above reasons, the proposed public services and water resources provisions laid out in the Land Use and Development chapter of the proposed LUP update can be found consistent with the Coastal Act.

F. Agriculture

Applicable Coastal Act Provisions

The following sections of the Coastal Act pertain to protection, and limits on conversion, of agricultural land:

30241. *The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following: (a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses. (b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a*

¹³ As discussed earlier, the proposed SSRAs also affect vital public infrastructure by authorizing its protection notwithstanding Coastal Act inconsistencies. Those issues are not addressed here, but rather are addressed in the Coastal Hazards section of this report.

logical and viable neighborhood and contribute to the establishment of a stable limit to urban development. (c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250. (d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands. (e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality. (f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of prime agricultural lands.

30241.5. *(a) If the viability of existing agricultural uses is an issue pursuant to subdivision (b) of Section 30241 as to any local coastal program or amendment to any certified local coastal program submitted for review and approval under this division, the determination of “viability” shall include, but not be limited to, consideration of an economic feasibility evaluation containing at least both of the following elements: (1) An analysis of the gross revenue from the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program. (2) An analysis of the operational expenses, excluding the cost of land, associated with the production of the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program. For purposes of this subdivision, “area” means a geographic area of sufficient size to provide an accurate evaluation of the economic feasibility of agricultural uses for those lands included in the local coastal program or in the proposed amendment to a certified local coastal program. (b) The economic feasibility evaluation required by subdivision (a) shall be submitted to the commission, by the local government, as part of its submittal of a local coastal program or an amendment to any local coastal program. If the local government determines that it does not have the staff with the necessary expertise to conduct the economic feasibility evaluation, the evaluation may be conducted under agreement with the local government by a consultant selected jointly by local government and the Executive Director of the commission.*

30242. *All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.*

30250(a). *New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually*

or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

Analysis

In terms of agriculture, the Coastal Act requires that the maximum amount of prime agricultural land be kept in agricultural use; that conflicts be minimized between urban and agricultural land uses; that the viability of existing agricultural uses be determined through economic analysis; and that land suitable for agricultural use not be converted to nonagricultural uses unless continued agriculture is not feasible or if such conversion would preserve prime agricultural land. Further, the Coastal Act requires that new development be concentrated in already-developed areas with adequate public services in order to limit urban sprawl and protect rural and agricultural lands.

The existing LUP does not expand on agricultural protections besides incorporating the above Coastal Act provisions by reference. The City of Pacifica has minimal agricultural uses in the coastal zone and no land in the City's coastal zone is classified as farmland by the California Department of Conservation's Farmland Mapping and Monitoring Program. While there are approximately nine acres of land with agriculturally related uses near the coastal zone in Pacifica (mainly horse boarding at Shamrock Ranch abutting Highway 1), such uses are located in unincorporated San Mateo County and not subject to the LCP at this time.¹⁴ Regardless, the LUP does have three policies to address agricultural uses (see policies ER-G-10, ER-I-40, and ER-I-40 on page 131 of **Exhibit 2**), including to promote the preservation of agricultural open space, to allow compatible agricultural uses where they exist, and to promote agriculturally compatible recreational uses such as horse boarding and trail riding. These provisions are sufficient to address any adjacency issues with respect to agricultural lands outside of the City.

For all of the above reasons, the proposed agricultural provisions laid out in the Environmental and Scenic Resources chapter of the proposed LUP update can be found consistent with the Coastal Act.

G. Natural Resources

Applicable Coastal Act Provisions

The following sections of the Coastal Act pertain to preservation and enhancement of marine resources, coastal waters, wetlands, and environmentally sensitive habitat areas (ESHAs):

30107.5. *"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their*

¹⁴ Again, proposed policies related to these areas (see Policy LD-I-4 on page 31 of **Exhibit 2**) do not apply at this time due to these lands being outside the City limits and would need an LCP amendment to come into effect.

special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

30230. *Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

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 wastewater discharges and entertainment, 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.*

30232. *Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.*

30233. *(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following: (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities. (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps. (3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities. (4) Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines. (5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas. (6) Restoration purposes. (7) Nature study, aquaculture, or similar resource-dependent activities.*

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for these purposes to appropriate beaches or into suitable longshore current systems.

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.

(d) Erosion control and flood control facilities constructed on watercourses can impede the movement of sediment and nutrients that would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for these purposes are the method of placement, time of year of placement, and sensitivity of the placement area.

30236. *Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) 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 or (3) developments where the primary function is the improvement of fish and wildlife habitat.*

30240. *(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. (b) 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, and shall be compatible with the continuance of those habitat and recreation areas.*

Analysis

The Coastal Act provides protection for natural resources, including on- and offshore marine resources, wetlands, ESHA, and other coastal waters, streams, estuaries, and lakes. Coastal Act provisions emphasize the importance of protecting, maintaining, enhancing, and restoring coastal waters, wetlands, and ESHA and stress that development within or adjacent to such areas is only allowed for a very limited number of uses and under exacting criteria as specified in each applicable provision to protect these resources from degradation.

The existing LUP incorporates the Coastal Act provisions that provide protection for natural resources and ESHA and also includes provisions that require buffers (generally

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

100 feet) and protections for rare and endangered species and wetlands. The proposed LUP update incorporates Coastal Act Chapter 3 provisions by reference, expands ESHA protections as compared to the currently certified LUP, and provides more thorough natural resource protections than the currently certified LCP (including through: monitoring requirements, such as requiring a Restoration and Monitoring Proposal for projects that propose or are required to conduct habitat restoration or mitigation; stormwater requirements that require best management practices to reduce water quality impacts from construction and development, implementation of green infrastructure, on-site erosion control, reduction of impervious surfaces, and prevention of contaminated runoff; and monitoring requirements for pre-construction bat monitoring and nesting bird protections). Proposed provisions also provide that development be sited and designed to prevent impacts that would degrade adjacent habitat areas, and that alteration of landforms, removal of vegetation, impervious surfaces, noise, light, and glare shall be minimized as much as possible. The update also adds an Environmental and Scenic Resources chapter that is generally organized into the following categories: hydrology and water quality; biological resources; and forest, agricultural, soil resources, with some overlap between these.

The LUP notes that Pacifica's aquatic resources are unique and numerous, with the City's coastal zone spanning across eight distinct watersheds. In regard to riparian resource protections, the update describes the five creeks in Pacifica, which are, from north to south, Milagra Creek, Sanchez Creek (also known as Sharp Park Creek), Calera Creek, Rockaway Creek, and San Pedro Creek. Additionally, the update details that wetlands in Pacifica are generally found along riparian areas, at drainages, along the coast in upland areas and perched dunes, and in both fresh and brackish water marshes.¹⁵ Importantly, the proposed LUP makes specific mention of the criteria for wetland boundary determinations in Title 14 California Code of Regulations (CCR) Section 13577(b), which describes the requirements for wetland delineations under the Coastal Act, which include the specification of the one-parameter approach, meaning that wetlands in the coastal zone need to meet one parameter (hydrology, hydric soils, or hydrophytic species) to be considered a wetland.

In terms of protections for creeks, wetlands, and coastal waters, the proposed LUP update includes provisions that promote improving water quality and preserving wetlands. Policy ER-I-1 (see page 110 of **Exhibit 2**) directs creek protection and restoration and is a comprehensive policy that details procedures to maintain, protect, and restore Pacifica's creeks. This policy includes provisions to continue restoration along San Pedro Creek to improve fish passage, provides guidance on partnering with local organizations, enforcing restrictions on planting invasive species, and identifying and working with property owners on creek enhancements.

Crucially, this policy also details riparian buffer requirements including a 100-foot setback from the top of creek banks or from the outer edge of riparian vegetation, where it exists, whichever is further, for development proposed adjacent to creeks. The buffer

¹⁵ Within the planning area the USFWS 2020 National Wetlands Inventory has identified numerous wetland types, including estuarine and marine wetlands, freshwater emergent wetlands, and freshwater ponds (Cowardin et al., 1979).

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

provisions of Policy ER-I-1 also include specific language and examples for refining allowable circumstances when the 100-foot buffer may be reduced, including (1) to avoid a taking (for private development), or 2) providing required incidental public services (for public development, such as burying cables and pipes or inspection of piers, maintenance of existing intake and outfall lines, and emergency repairs), provided that the buffer is as close to 100 feet as possible, and no less than 50 feet in any case, with an exception only for low intensity public access and recreation maintenance and improvement services, such as trail maintenance activities which occur on public walking trails at Pacifica State Beach adjacent to San Pedro Creek; and provided that creek resource impacts are avoided as much as possible, and unavoidable impacts are commensurately mitigated, all as conclusively demonstrated by a qualified biologist to the satisfaction of the City. Per this proposed policy, biological reports must demonstrate that the adjusted buffer, in combination with incorporated siting, design, or other mitigation measures, will prevent impacts that significantly degrade the creek. Additionally, this policy identifies how temporary disruption (e.g., less than six months) in buffer areas for the construction, alteration, repair, and maintenance of existing or newly permitted facilities or structures may be allowed if there are no feasible alternatives, if the disruption area is repaired and restored to its pre-disruption state or better within one year, and if disruption impacts are otherwise commensurately mitigated. Further, the proposed policy limits buffer adjustment allowances to when the entire subject legal lot is within the buffer or where it is demonstrated that development outside the buffer would have a greater impact on the creek and establishes an absolute buffer reduction minimum of no less than 50-feet. This policy will ensure that critical habitat and ESHA surrounding creeks will be protected from development that would result in adverse impacts, and refines allowed reductions to very limited circumstances, ensuring resource protections for such habitats are upheld.

This section also details provisions for the improvement and protection of creeks, wetlands, and coastal waters by providing guidelines for improving impaired waterways; establishing a funding mechanism for creek maintenance from private property owners with parcels adjacent to creeks; preserving wetlands through the prohibition on new development in wetlands (except as allowed by the federal Clean Water Act and Coastal Act and requiring compensatory mitigation if impacts are unavoidable); limiting the diking, filling, and dredging of coastal waters, wetlands, and lakes, except for a narrow list of circumstances where such proposals would be allowed; minimizing disruption of wetlands; maintaining the functional capacity of wetlands; and allowing the movement of sediments from erosion and flood control where minimally impactful (see policies ER-I-2 through ER-I-8 on pages 111-112 of **Exhibit 2**).

Further, the proposed update outlines the City's stormwater management provisions to ensure the protection of coastal waters and marine resources through the following: continued participation in the Countywide water pollution prevention program; ensuring compliance with stormwater discharge permits; protecting water quality through required Best Management Practices (BMPs) for construction projects; designing and constructing new infrastructure elements that do not contribute to stream bank or hillside erosion or creek or wetland siltation; requiring green infrastructure elements for new development; requiring on-site erosion control for construction projects; reducing impervious surfaces on development sites; requiring on site stormwater management

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

for all projects; preventing contaminated runoff of oil, grease, and solvents by designing new parking lots and commercial development with BMPs; providing spill protection for crude oil, gas, petroleum products, and hazardous substances; and ensuring that discharges of treated wastewater from the City's Calera Creek Wastewater Recycling Plant comply with the sanitary sewer system permit (see policies ER-I-9 through ER-I-20 on pages 112-113 of **Exhibit 2**).

The proposed update also details various plant communities and wildlife habitats in the City, including grasslands, coastal bluff scrub, northern coastal scrub, eucalyptus, Monterey cypress, riparian mixed hardwood, wetlands and ponds, streams, beach/intertidal, and dunes. Proposed Policies ER-G-5 and ER-G-6 (see page 125 of **Exhibit 2**) highlight the importance of conserving and protecting wildlife, critical habitat, coastal environments, and special status communities, including through the prohibition of development in critical habitat, sand dunes, coastal bluffs, and special status communities (such as coastal bluff scrub). Policy ER-G-6 also prevents overuse in dune areas by appropriately directing pedestrian traffic via signage and dune fencing, prohibiting motor vehicles in dune areas except for emergency purposes, and prohibiting motor vehicles in non-dune beach areas except for emergency and essential maintenance purposes and where previously permitted.

In terms of ESHA protections, the glossary defines ESHA consistent with Coastal Act Section 30107.5.¹⁶ Figure 4-3 (see page 16 of **Exhibit 3**) identifies potential ESHA in the planning area, with the disclaimer that, while Figure 4-3 depicts known or potential ESHA, it is only a preliminary delineation of ESHA boundaries and does not include an exhaustive compilation of the habitat areas that meet the ESHA definition, and that site-specific biological evaluations and field observations are required to identify ESHAs and other special status resources at the time development is proposed. This includes all designated critical habitat for endangered or threatened species, special status communities, and areas designated as "other potential Environmentally Sensitive Habitat Areas." The proposed LUP update thus requires site-specific biological studies as part of proposed development review to determine the presence and extent of ESHA and its required buffer zones, and other information (e.g., site evaluation, other studies nearby, etc.) may dictate the need for such studies as well, even if the area is not mapped as potential ESHA on Figure 4-3.

The proposed update also details the methods, surveys, and documentation required to protect biological resources and verify the presence of ESHA, and that are triggered by any development in critical habitat, ESHA, or potential ESHA (see policies ER-I-21 through ER-I-23, page 125-126 of **Exhibit 2**), requiring that a wildlife or habitat survey be conducted if certain triggers are met. These factors include the presence of special status species or natural communities defined as rare by the California Department of Fish and Wildlife; where there is recorded or potential presence of plant or animal species designated as rare, threatened, or endangered under State or Federal law;

¹⁶ Coastal Act Section 30107.5 states that "Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments."

where there is recorded or potential presence of plant or animal species for which there is compelling evidence or rarity; where there is presence of coastal waterways; where integrity of the habitat and its connectivity to other natural areas exists, and where there is historical evidence of ESHA. Further, Policy ER-I-24 (see page 127 of **Exhibit 2**) details that no new development is allowed within ESHA or wetlands, with the exception of resource-dependent uses such as habitat management and restoration, scientific research and education activities, and low intensity public access and recreation which can be demonstrated to have no significant disruption of habitat.

Similar to Policy ER-I-1 referenced above, Policy ER-I-24 also lays out that the minimum buffer for ESHA or wetlands must be 100 feet, and includes guidelines on the narrow set of circumstances when a buffer reduction would be allowed. Policy ER-I-24 states that buffer areas will be established around all ESHA and wetlands, providing a minimum of 100 feet, and may be expanded as needed to account for feeding, breeding, nesting, and other habitat requirements. However, the 100-foot buffer may be reduced by the minimum distance necessary to avoid a taking (for private development), provided that any unavoidable impacts are commensurately mitigated. The 100-foot buffer may also be reduced by the minimum distance necessary, but no more than a reduction down to 50 feet, to provide required incidental public services (for public development), such as burying cables and pipes or inspection of piers, maintenance of existing intake and outfall lines, maintenance of trails and property adjacent to rights of way, and emergency repairs), provided that the buffer is as close to 100 feet as possible, and provided that ESHA or wetland resource impacts are avoided as much as possible, and unavoidable impacts commensurately mitigated, as conclusively demonstrated by a qualified biologist to the satisfaction of the City and applicable resource agencies, except that the 50-foot minimum shall not apply to low intensity public access and recreation maintenance and improvement services. The buffer reductions identified mirror those of Policy ER-I-1 and are necessary to protect ESHA resources as is required by the Coastal Act.

Additionally, should habitat restoration or mitigation be required as part of proposed development, Policy ER-I-27 (see page 128 of **Exhibit 2**) provides guidelines for monitoring the proposed mitigation, including through a clear statement of goals of the restoration or mitigation; sampling of a reference habitat; designation of a qualified biologist as the restoration or mitigation manager responsible for all phases of the project; specific grading, erosion, weeding, planting, or irrigation plans; and a final monitoring plan to determine if the work was successful.

Essential policies are also proposed to protect important species, including birds, bats, and amphibians. Policy ER-I-28 establishes protocols for construction during bird nesting season (February 1 through August 31) in addition to pre-construction breeding bird surveys and buffer requirements, which proposes establishing a minimum 250-foot buffer that can be expanded as needed to account for feeding, breeding, nesting, or other habitat requirements (see Policy ER-I-28 on page 128 of **Exhibit 2**). Similar policies and buffers are proposed for pre-construction bat surveys in Policy ER-I-29. Relatedly, Policy ER-I-30 (see again page 128 of **Exhibit 2**) discusses protections for

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

California red-legged frogs¹⁷ and San Francisco garter snakes,¹⁸ and requires qualified biologists to complete presence/absence surveys prior to construction in or adjacent to riparian areas, grasslands near ponds/wetlands, or other sensitive habitat. This policy also requires construction with the potential to impact California red-legged frogs and San Francisco garter snakes to be conducted during the dry season (May 1 through October 15). These policies act in tandem with other proposed ESHA buffer policies discussed in this section.

Additional provisions are laid out to protect sensitive and critical habitat, including through prohibiting the use of invasive plant species in landscaping; managing beaches and beach grooming in cooperation with the State of California, the Golden Gate National Recreation Area (GGNRA), and other local partners; maintaining and restoring biological productivity and quality of coastal waters, streams, wetlands, and lakes; implementing regulations and incentives to preserve habitat; protecting habitat through land acquisition or conservation easements; ensuring open space lands are managed to optimize habitat protection for special status species while providing for public access through coordination with GGNRA, State and County Parks, and the City of San Francisco (for the Sharp Park Golf Course, which is owned and operated by the City); and managing the development of new public coastal access points that considers the capacity, intensity, fragility, and proximity of habitat and intended uses (see policies ER-I-31 through ER-I-37 on pages 129-130 of **Exhibit 2**).

Additionally, the update refers to Figures 4-2 and 4-3 (see pages 15-16 of **Exhibit 3**), which map the various plant communities and sensitive habitat areas. It is worth noting that though the figures are a valuable resource, as mentioned above regarding the specific ESHA map, such mapping tools should only be used for informational purposes, and site-specific biological studies are required as part of development review to determine the presence and extent of plant communities and habitat on-the-ground at the time that development is proposed, in order to assure adequate protections for the resources actually present on site.

Taken together, the proposed provisions in the natural resources section of the LUP comprehensively prevent new development that would adversely affect biological resources, including special status species, sensitive habitats, ESHAs, marine resources, or wetlands; and when impacts are unavoidable, the proposed policies require mitigation for such impacts. For all of the above reasons, the proposed natural resource provisions laid out in the Environmental and Scenic Resources chapter of the proposed LUP update can be found consistent with the Coastal Act

H. Coastal Hazards

Applicable Coastal Act Provisions

The Coastal Act is, at its core, a law that requires coastal resource protection. In adopting the Act in 1976, the State Legislature included a series of goals and

¹⁷ Federally listed as threatened.

¹⁸ Federally listed as endangered, and State listed as endangered.

objectives. For example, Coastal Act Sections 30001 and 30001.5 state:

30001. *The Legislature hereby finds and declares: (a) That the California coastal zone is a distinct and valuable natural resource of vital and enduring interest to all the people and exists as a delicately balanced ecosystem. (b) That the permanent protection of the state's natural and scenic resources is a paramount concern to present and future residents of the state and nation. (c) That to promote the public safety, health, and welfare, and to protect public and private property, wildlife, marine fisheries, and other ocean resources, and the natural environment, it is necessary to protect the ecological balance of the coastal zone and prevent its deterioration and destruction. (d) That existing developed uses, and future developments that are carefully planned and developed consistent with the policies of this division, are essential to the economic and social well-being of the people of this state and especially to working persons employed within the coastal zone.*

30001.5. *The Legislature further finds and declares that the basic goals of the state for the coastal zone are to: (a) Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources. (b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state. (c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners. (d) Assure priority for coastal-dependent and coastal-related development over other development on the coast. (e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone. (f) Anticipate, assess, plan for, and, to the extent feasible, avoid, minimize, and mitigate the adverse environmental and economic effects of sea level rise within the coastal zone.*

In short, the law recognizes the coastal zone as a special place, where coastal resources are of “paramount concern”, and requires that it both be protected against degradation, and enhanced where feasible. To implement these objectives, Chapter 3 of the Coastal Act includes a series of specific provisions that clearly and emphatically require the protection of coastal resources, from public recreational access to coastal habitats to public views and natural landforms.¹⁹ Perhaps just as clearly, and as explained in detail subsequently, armoring or “shoreline protective devices” of all kinds (e.g., seawalls, revetments, retaining walls, bulkheads, etc.) generally have significant adverse impacts on the coastal resources protected by Chapter 3 of the Coastal Act, leading to unavoidable impacts on natural landforms, public recreational access, natural processes (which also can significantly impact habitats and public recreational access)

¹⁹ See, for example, more than 40 sections nested in Chapter 3, including sections related to public access, recreation, the marine environment, and land resources.

and public views.²⁰ These impacts are all inconsistent with the Coastal Act's resource protection requirements, and consequently, the Coastal Act generally directs that such protective devices be denied in order to meet these coastal resource protection requirements. In addition, Section 30253 provides that development must not create or contribute to erosion or destruction of the site, or substantially alter natural landforms, stating, in applicable part:

30253. New development shall do all of the following: (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. ... (emphasis added)

In past actions, the Commission has determined that protective devices cause precisely the type of impacts that Section 30253 desires to avoid.²¹

Section 30235, however, allows the Commission to approve protective devices under very limited circumstances:

30235. Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. ...

Under Section 30235, protective devices are allowed when required to serve coastal-dependent uses or to protect public beaches or existing structures in danger from erosion, and only when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. In other words, when there are qualifying uses, beaches, or structures,²² protective devices must be allowed only if they are required to

²⁰ See, for example, Commission findings in LCP amendments LCP-3-SCO-20-0066-2 (Santa Cruz County Hazards Update) and LCP-3-MRB-21-0047-1 (Morro Bay Land Use Plan Update), and in CDP applications A-3-SCO-07-095/3-07-019 3-07-019 (Pleasure Point Seawall), 3-09-025 (Pebble Beach Company Beach Club Seawall), 3-09-042 (O'Neill Seawall), 2-10-039 (Lands End Seawall), 3-14-0488 (Iceplant LLC Seawall), 3-16-0446 (Rockview Seawall), 2-17-0702 (Sharp Park Golf Course), 3-18-0720 (Candau Armoring), 3-20-0166 (Wavefarer Partners LLC Armoring), 3-22-0440 (Casanova Armoring), and CDP 2-21-0912 (San Francisco PUC Ocean Beach Armoring).

²¹ See footnote 20.

²² Two of the three qualifying uses are based on protecting important State shoreline priorities (coastal-dependent uses and public beaches). Importantly, armoring rarely protects beaches; rather, armoring typically leads to the incremental loss of beaches. In fact, when public beaches are in danger of erosion, such danger is typically exacerbated by armoring as opposed to protected by it because armoring typically not only occupies beach and shoreline space that would otherwise be available to public recreational uses, but it also inhibits the transmittal of beach-generating materials from bluffs, and typically leads to loss of beaches over time as an eroding shoreline bumps up against such armoring (also referred to as the 'coastal squeeze' or passive erosion). Thus, bracketing groins in certain

serve/protect them, meaning when there are no other less environmentally damaging feasible alternatives that can perform that same function.²³ When framed in this way, Section 30235's limited requirement to approve shoreline protective devices is probably best understood as an exception with respect to the Coastal Act's coastal resource protection provisions, or put another way, an 'override' of the other Coastal Act sections found in Chapter 3 that would require the Commission to otherwise deny the armoring.

Importantly, the Section 30235 override as applicable to non-coastal dependent uses only applies to "existing structures." The issue of what constitutes an "existing structure" for Section 30235 purposes has been debated for many years, but the issue was recently resolved by a court of appeal in the *Casa Mira* case.²⁴ There, the court held that "the phrase 'existing structures' in Section 30235 refers to structures that existed prior to January 1, 1977, the Coastal Act's effective date."²⁵ Thus, the Section 30235 requirement to allow for armoring despite its coastal resource impacts or its inconsistencies with other Coastal Act resource protective provisions only applies to coastal-dependent uses, or pre-Coastal Act development (development lawfully existing prior to January 1, 1977 that has not been redeveloped since), essentially allowing pre-Coastal Act structures the benefit of armoring as an exception to the otherwise applicable Coastal Act requirements.²⁶ As the court noted, this interpretation of existing structure in Section 30235 is necessary "to comport with the Coastal Act's predominant goal of 'preservation of the fragile coastal ecology from overzealous encroachment.'"²⁷

In short, the Coastal Act reflects a broad legislative intent to allow armoring under certain very limited circumstances, generally only for coastal-dependent uses or structures that existed when the Coastal Act was adopted and when such structures are in danger from erosion and impacts are avoided or mitigated (Section 30235), but new development constructed after adoption of the Act generally is not entitled to armoring due to its coastal resource impacts (Section 30253 et al). Furthermore, Section 30270 requires that sea level rise be addressed in coastal resource management efforts, specifically stating:

circumstances, armoring is typically not a viable/fruitful response to protect a public beach in danger from erosion. Finally, past these two important State shoreline priorities, the only other development allowed armoring by Section 30235 are existing structures, including private structures (e.g., residences).

²³ The Commission does note that in very rare and unique circumstances, it may be possible that a project includes protective devices and the overall project may still be consistent with the Coastal Act, in which case the Commission may not need to invoke Section 30235 as an "override."

²⁴ See *Casa Mira Homeowners Assn. v. California Coastal Com.*, 107 Cal.App.5th 370 (2024), as modified on denial of rehearing (December 30, 2024), and where State Supreme Court review was denied (March 12, 2025).

²⁵ *Casa Mira* at 388.

²⁶ In addition, pre-Coastal Act structures can lose their 'existing' status under Section 30235 if they are modified in such a way that they are no longer the same structure, but rather a replacement structure (often referred to by the Commission as a 'redeveloped' structure, or in Pacifica's LUP as a Substantial Structural Modification).

²⁷ *Casa Mira* at 385.

30270. *The commission shall take into account the effects of sea level rise in coastal resources planning and management policies and activities in order to identify, assess, and, to the extent feasible, avoid and mitigate the adverse effects of sea level rise.*

These provisions also recognize the inevitability of ever-increasing impacts from armoring in an era of sea level rise, and underscore the importance of limiting the circumstances under which armoring can be approved.

Analysis

Impacts from Sea Level Rise

Sea level rise (SLR) will have dramatic impacts on California's coast in the coming decades and is already impacting the coast today. In the past century, the average global temperature has increased by about 1.1° Celsius (or 1.8° Fahrenheit), and global sea levels have increased by about 8 inches (or 20 centimeters). In addition, SLR has been accelerating in recent decades, with the global rate of SLR approximately tripling since 1971.²⁸ These rising seas have and will continue to increase the risks of flooding, inundation, coastal erosion, saltwater intrusion, and changing groundwater dynamics. In turn, these coastal hazards have the potential to threaten many of the resources that are integral to the California coast, including coastal development, coastal access and recreation, habitats (e.g., wetlands, coastal bluffs, dunes, rocky intertidal areas, and beaches), coastal agricultural lands, water quality and supply, cultural resources, community character, and scenic quality.²⁹

In addition, accompanying this rise in sea level will be an increase in wave heights and wave energy. Along much of the California coast, bottom depths control nearshore wave heights, with bigger waves occurring in deeper water. Because the energy of a wave increases with the square of a wave's height, a small increase in wave height can cause a significant increase in wave energy and wave damage. Combined with the physical increase in water elevation, a small rise in sea level can expose previously protected backshore development to increased wave action, and those areas that are already exposed to wave action will be exposed more frequently, with higher wave forces. For this reason, structures that protect against current storm conditions may not provide adequate protection in the future.³⁰

²⁸ See [IPCC, 2023](#).

²⁹ For example, on the California coast, sea level rise will result in the landward migration of the intersection of the ocean with the shore, which will cause increased flooding, erosion, and storm impacts in coastal areas. On a relatively flat beach, with a slope of 40:1, a simple geometric model of the coast indicates that every centimeter of sea level rise will result in a 40-centimeter landward movement of the ocean/beach interface.

³⁰ Further, 2019 research indicates that climate change has also increased the force of waves hitting the shore. Waves are generated by wind, and the study found that as air temperatures have warmed, waves worldwide became 0.4% more powerful every year between 1948 and 2008. In other words, waves are 24% stronger than they were in the middle of the 20th century (see Reguero, B.G., Losada, I.J. & Méndez, F.J. "A recent increase in global wave power as a consequence of oceanic warming", *Nat Commun* 10, 205 (2019) <https://www.nature.com/articles/s41467-018-08066-0>).

Thus, rising sea levels currently, and will continue to, exacerbate hazards along Pacifica's shoreline (including inundation, storm flooding, and erosion), and shoreline development will likely experience increasingly hazardous conditions over time. Changing conditions could also alter the anticipated impacts of the development upon coastal resources. In addition, as our understanding of sea level rise continues to evolve, sea level rise projections will continue to evolve as well (as evidenced by the recent updates to best available science). While it is uncertain exactly how much sea levels will rise and when, it is clear that sea levels will continue to rise, and it is critical to continue to assess hazards associated with sea level rise when planning for future development. Importantly, maintaining a precautionary approach that considers high or even extreme sea level rise rates and plans for future adaptation will help promote resiliency in coastal California communities. This is particularly important for Pacifica given the nature of coastal hazards there.

Further, the various possible adaptation responses to these increasing coastal hazards each carry their own potential costs and benefits to these different coastal resources and values. As a primary example, beaches, wetlands, and other habitats backed by fixed or permanent development, such as shoreline protective devices, will not be able to naturally migrate inland as sea level rises, and will become permanently inundated over time, which in turn presents serious concerns for future public access, recreational opportunities, environmental justice, habitat protection, and scenic and visual qualities of the coast. However, such shoreline protective devices may be a necessary strategy for protecting coastal dependent infrastructure or uses (e.g., ports and harbors) and in some cases to protect access to the shoreline. Thus, the increasing threats of SLR only heighten long-standing coastal hazard challenges along the California coast, including how to balance the protection of coastal development and coastal resources when emphasizing one is typically at the expense of the other.

Coastal Act Requirements

As detailed above, the Coastal Act mandates the protection of public access and recreation along the coast, coastal habitats, and other coastal resources, as well as prioritizing visitor-serving and coastal-dependent or coastal-related development while simultaneously requiring that coastal hazards risks be minimized. Accordingly, the Coastal Act places a strong emphasis on protecting natural landforms and shoreline/beach access and related resources, while also requiring that risks be minimized in association with coastal hazards, including via ensuring stability and structural integrity for development over time without armoring, and avoiding adverse impacts to natural processes and coastal resources. The Coastal Act also recognizes that shoreline-altering development, such as shoreline protection, can cause significant adverse impacts to coastal resources such as sand supply and ecology, public access, coastal views, natural landforms, and shoreline processes, and thus requires approvable shoreline protection to avoid or minimize coastal resource impacts, and to commensurately mitigate for allowed impacts that are unavoidable. More recently, the Coastal Act was also amended to add Section 30270, which explicitly requires the Commission to consider the effects of SLR in coastal resource planning and

management policies and activities to identify, assess, and, to the extent feasible, avoid and mitigate the adverse effects of SLR.³¹

Coastal Act Sections 30235 and 30253 acknowledge that seawalls, revetments, cliff retaining walls, groins, and other such structural or “hard” methods designed to forestall erosion also alter natural landforms and natural shoreline processes. Accordingly, under Section 30235, shoreline armoring may be approved to serve coastal-dependent uses, or to protect “existing” (pre-1977 and not new or redeveloped) structures or public beaches in danger of erosion (subject to the requirement that adverse impacts to local shoreline sand supply are mitigated or eliminated, and per other Coastal Act sections that other coastal resource impacts are also addressed). In other words, new or redeveloped non-coastal-dependent developments cannot rely on shoreline protection in their proposed siting and design and instead must be located safe from coastal hazard threats without reliance on such devices. In other words, new or redeveloped non-coastal-dependent developments cannot rely on shoreline protection in their proposed siting and design and instead must be located safe from coastal hazard threats without reliance on such devices. This is true even as to new development that may not include a corresponding proposal for new shoreline protection but that relies on armoring already existing nearby because Section 30253(b) states that new development shall not in any way require the construction of armoring, and so it is immaterial whether that armoring was previously constructed, or even may be constructed in the future, such development is not in any way allowed to rely on such construction. Furthermore, the same concept applies to development that might in the future even deepen its reliance on such armoring (via the need for its repair, enhancement, replacement, etc.) during the armoring’s lifespan.³²

In short, the Coastal Act requires new development to minimize risks to life and property while ensuring stability and structural integrity without contributing significantly to erosion, geologic instability, or destruction of the site or surrounding area. It also provides that new development or redevelopment that would rely on shoreline protection is essentially prohibited, and that adverse impacts of shoreline protection to coastal resources such as sand supply be avoided, lessened, and mitigated (where impacts are unavoidable). Thus, while the Coastal Act recognizes that shoreline-altering development in response to coastal hazards, such as shoreline armoring, may be required in certain very narrowly defined situations, it also reflects that such shoreline armoring can cause significant adverse impacts to coastal resources due to its effects on natural landforms and processes (which impact, among other resources, public access and recreation), the introduction of manmade structures into the public view, landform alteration, and changes to shoreline habitats and ecology. Given these impacts, the Coastal Act allowance for shoreline protection is probably best understood as an exception, variance, and nonconformity with respect to the Coastal Act’s resource protection provisions, or put another way an ‘override’ of such provisions in limited

³¹ See also [Senate Bill 272](#), which requires local governments located within the coastal zone to develop a sea level rise plan as part of their local coastal program by January 1, 2034.

³² Which is particularly true in a City such as Pacifica, where much of the shoreline is already armored.

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

circumstances. This is the lens in which proposed LUP coastal hazards and shoreline armoring provisions must be reviewed and evaluated.

LUP Consistency

To conform with the above Coastal Act provisions, an updated LUP must, at a minimum, include the following: policies that require new development to be safe from coastal hazards risk, including as exacerbated in the future due to climate change and sea level rise; policies that specify which uses are potentially allowed shoreline armoring, namely coastal-dependent development and other “existing” development built prior to the Coastal Act’s effective date (i.e., January 1, 1977) and not redeveloped since; and, for such development allowed shoreline protection, specify the requirements and mitigation measures needed to ensure resultant coastal resource impacts are mitigated, including impacts on sand supply, public access and recreation, public views, beach ecology, and other coastal resources.

Taken together, the Coastal Act’s provisions for SLR planning, coastal resource protection, and minimizing risks from coastal hazards – combined with the increasing scientific certainty that SLR is and will continue to increase coastal hazards along the shoreline – elevates the need for local governments to understand the projected sea level rise impacts within their jurisdictions and to implement robust and sustainable coastal hazards provisions in their LCPs. To this end, the proposed LUP update represents a substantial step forward and shows the significant progress that has been made in Pacifica.

The City completed a SLR vulnerability assessment and draft adaptation plan in 2018, which was based on the best available science at that time. Projecting out to 2050, the plan assumed 2 feet of sea level rise under the medium-high risk scenario and 2.7 feet under the extreme risk scenario, and by 2100, projected 6 feet under the medium-high risk scenario and 10 feet under the extreme risk scenario.³³ Using that best available science at the time, the assessment and plan found that Pacifica is likely to experience long-term shoreline erosion, storm-event coastal erosion of bluffs and beaches, coastal flooding associated with major wave events, rising groundwater levels in Linda Mar, and flooding from Laguna Salada and San Pedro Creek. As noted previously, the City’s development pattern varies from the northern to the southern end, with a combination of high bluffs, lower bluff areas, and sandy beach areas fronting lower-lying areas. In general, development is built right up to the shoreline, including primarily residential but also commercial uses, and the City estimates that approximately one-third (or two miles) of its shoreline is currently armored (although it appears from satellite imagery that the shoreline is likely armored slightly more than this estimate). Given this pattern, there is a significant amount of development at risk of coastal bluff erosion, coastal flooding, wave run-up, and sea level rise impacts over the 2040 planning horizon, which is the focus of this LUP update, as well as beyond 2040.

³³ Specifically, the sea level rise scenarios that were used for the adaptation plan are based on CalNRA and OPC 2018 numbers, which were based on “Rising Seas in California: An Update on Sea-Level Rise Science” by Griggs et al (2017). Best available science on SLR has since been updated (OPC 2024), however, the SLR scenarios used in Pacifica’s 2018 work are still generally applicable, and if anything, are slightly *higher* than current best available science for the identified time periods.

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

A variety of coastal hazard planning and management provisions can be integrated into an LCP update to set the stage for proactively addressing coastal hazards, including anticipated sea level rise impacts. Broadly speaking, the goal of updating an LCP to prepare for SLR is to ensure that adaptation occurs in a way that protects both coastal resources and public safety and allows for safe development and sustainable economic growth. This process includes identifying how and where to apply different adaptation strategies based on Coastal Act requirements, other relevant laws and policies, acceptable levels of risk, and community as well as statewide priorities. By planning ahead, coastal areas can reduce the risk of costly damage from coastal hazards, can ensure that coastal economies continue to thrive, and can protect coastal habitats, public access and recreation, and other coastal resources for current and future generations. However, this is a complex and challenging process, and the Coastal Commission has recently been working with local government partners (including through the Commission's Local Government Working Group) to identify strategies for overcoming these challenges. Among these has been increasing early coordination in developing LCP updates; committing to phased LCP updates, which could include an initial set of SLR provisions followed by additional, more frequent LCP updates; recognizing the need for flexible approaches that are reflective of local conditions; and considering opportunities for both neighborhood-scale and regional adaptation approaches.

The proposed LUP update includes a number of important hazards provisions that apply throughout the City's coastal zone. As proposed, the LUP includes provisions that directly incorporate Coastal Act Sections 30235 and 30253 and require planning and development reviews to use best available science regarding projected sea level rise and other climate-change related issues when addressing coastal hazards for development within the City's planning area. Further, all development sited in hazardous areas would be required to disclose hazard risk, be appropriately sited and designed to assure safety from hazards, be appropriately set back from bluffs, and mitigate for any impacts from armoring. In addition, the proposed LUP includes a redevelopment definition that reflects the Coastal Act and its implementing regulations, and calls for the development of a comprehensive shoreline monitoring and adaptation plan.

In addition, the City is proposing a framework that would allow for limited areas and development in Pacifica to rely on armoring in certain circumstances despite such armoring not being consistent with all Coastal Act provisions. This allowance would only become effective upon meeting certain milestones for additional planning to ensure protection of coastal resources, and would 'sunset' after 20 years, beyond which the intention is for a future LCP amendment to incorporate additional and updated LCP provisions and adaptation approaches based on continued shoreline planning that would be completed in that timeframe.

Specifically, the City would allow for the use of/reliance on armoring in "Special Shoreline Resiliency Areas" (or SSRAs), and has identified two areas – Beach Boulevard and Rockaway Beach – as SSRAs. These areas account for about 12.5% of the City shoreline and are unique in that both are already completely armored, with that armoring fronting vital public infrastructure (such as public roads, sidewalks, parking

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

areas, accessways, water and sewer lines, electrical and gas lines, telecommunications, etc.). To complement the SSRA provisions, the City will develop and implement a holistic program for coordinated public access enhancement designed to not only offset the impacts of continued armoring, but to go beyond that threshold to provide additional public benefits.³⁴ As further explained below, the SSRA armoring allowance provisions would only become (and remain) in effect if certain milestones related to the development and implementation of this access program and future adaptation planning are met. For areas outside of the SSRAs, armoring would only be allowed if it meets the criteria of Coastal Act Section 30235. Taken together, this approach can be thought of as an interim solution within the SSRAs to allow vital public infrastructure, and development directly inland of the infrastructure, to continue to be protected by armoring while committing to implementing meaningful projects to protect and improve public access, all while the City conducts additional planning to develop a more comprehensive and long-term vision and adaptation pathway for the City's shoreline.

Although other past LCPs and planning documents have included provisions that are specific to certain subareas or development types to address a variety of coastal resource planning goals, the proposed SSRA provisions represent a shift from how many of the SLR LCP updates have been developed and certified to date. Over the past approximately 10 years, SLR LCP updates have typically included basic SLR provisions (such as requirements to use best available science), provisions that directly incorporate Coastal Act language, and, in some cases, provisions that encourage or limit certain adaptation approaches, but have rarely directly identified adaptation approaches that can or should be taken in specific subareas or to address certain assets and vulnerabilities. In contrast, the proposed LUP takes an initial step towards identifying a specific approach for an initial short-term planning horizon for the SSRAs that reflects the unique characteristics of those areas while recognizing the need to not only continue planning for the SSRAs but also for other subareas of Pacifica's coastline. This type of phased and neighborhood-scale planning is both consistent with SB 272 requirements for development of sea level rise plans and reflective of recent and ongoing coordination with the Commission's Local Government Working Group.

Altogether, the updated LUP provisions can generally be grouped into four categories (1) provisions that require additional long-term planning and continuous study of coastal hazards issues affecting the City overall; (2) provisions that require new development to be safe from coastal hazards risk; (3) provisions that specify which types of development and uses are and are not allowed shoreline armoring, and the coastal resource protection requirements that must be addressed as part of the project design/proposal for such allowable armoring to mitigate impacts; (4) provisions that specify the requirements and exceptions provided by the SSRAs, and the requirements that must be addressed to mitigate impacts from armoring.

³⁴ For example, the proposed LUP provisions indicate that some such additional mitigation opportunities may include enhancement of public recreational access facilities (e.g., pathways, overlooks), removal of existing armoring, nature-based adaptation strategies, beach nourishment, and acquisition/conservation of properties subject to coastal hazards.

Long-Term Adaptive Planning for Coastal Hazards

The proposed LUP update recognizes the potential threats from coastal hazards and acknowledges that the risk of climate change and sea level rise hazards is expected to increase with the compounding effects of climate change over time. As such, the proposed LUP update indicates that resilience planning, mitigation, and adaptation measures are needed to reduce the anticipated impacts of these coastal hazards. Thus, the LUP includes policies CR-I-1, and CR-I-3 through CR-I-18 (see pages 178-184 on **Exhibit 2**) that identify vulnerable areas in the City informed by vulnerability assessments, require updates to these Coastal Vulnerability Zone maps as dictated by best available science, and require site-specific hazard mapping and assessment in some circumstances. These policies also require bi-annual monitoring of shoreline and bluff edges in the City to guide necessary updates to the adaptation plan; assessment of the implementation of the LCP's coastal resiliency provisions every five years; guidance to develop a shoreline adaptation program (as described in greater detail below); pursuit of grant funding for adaptation and to implement the City's transfer of development rights ordinance; direction to preserve or relocate hazard prone infrastructure; direction to research a program to record high-water marks; direction to review and amend the flood damage ordinance; direction to coordinate the Local Hazard Mitigation Program and participate in regional sediment management approaches; evaluation of a beach nourishment program to maintain beach width; evaluation of additional flood protection measures for high risk areas; and coordination with Caltrans to evaluate potential protection options for Highway 1.

Within this set of adaptive planning goals, the LUP requires the City to establish a Shoreline Adaptation Program (CR-I-5) within 10 years of certification of the LUP update. The overarching goal of the program is to take a long-term, comprehensive approach to addressing changes to the shoreline from coastal processes, with an emphasis on monitoring and maintaining beaches and beach width and their related access, recreation, habitat, and other benefits. This program is intended to accomplish several objectives. First, the Program calls for describing existing and future conditions by identifying baseline conditions throughout the City's coastal zone; analyzing how conditions are expected to change as sea levels rise; describing how the presence or absence of development and shoreline armoring has impacted and is projected to impact conditions over time; focusing on how such development would or would not allow for natural migration of beaches over time and impact public use and availability of the sandy beach/shoreline; and identifying areas where beaches would likely be able to persist if able to migrate inland as sea levels rise, versus those areas where the geology/conditions are such that the continued presence of beaches in such areas is unlikely.

Second, the Program is required to describe the overall vision for Pacifica's coastline over the short-, medium-, and long-term horizons taking into consideration any opportunities or constraints related to identified vulnerabilities; providing requirements for adapting existing and future development, including public and private structures, community infrastructure, coastal accessways, and other shoreline area development to meet specific goals; considering adaptive strategies such as sediment management, beach nourishment, green infrastructure, shoreline protection structures, elevation of, structural modifications to, and/or removal of development as part of a Transfer of

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

Development Rights Program (Policy CR-I-7) or other voluntary process for property owners; identifying the timeline over which different options may be applied, including how different strategies would be phased over time; explicitly defining triggers for when different adaptation options would need to be implemented; and describing the policy options (e.g., land use and zoning requirements, development approval conditions, deed restrictions, and design guidelines), specific projects, and funding mechanisms necessary to ensure adaptation actions are carried out.

Third, the Program would evaluate the adaptation options for the SSRAs, which are described in detail below, by considering the existing and future shoreline conditions and the City's goals and actions; evaluating phased adaptation; considering the extent to which shoreline armoring will remain the preferred adaptation approach or whether alternatives may better achieve City goals and result in preferred coastal resource outcomes; and finally, analyzing the ability of the shoreline armoring to withstand coastal hazard conditions over time as sea levels rise. The analysis of the armoring's ability to withstand conditions over time would include the feasibility and costs of anticipated maintenance of such armoring, any anticipated augmentations or replacements that may be necessary over time as sea levels rise, any threshold hazard conditions beyond which such armoring may not be able to function, and the associated adaptation measures that would be necessitated for the development that relies on such armoring.

Fourth, the Program is required to identify all sandy beach areas that provide for recreational opportunities, including but not limited to Sharp Park south of the Pacifica pier, southern Rockaway Beach, and Pacifica State Beach, and to develop strategies to ensure preservation of these areas. For areas where public beach access has already been or is likely to be limited and eventually lost due to the presence of development that prevents natural beach formation/migration, the Program is required to focus on strategies that will result in the removal of such development to allow for natural beach migration processes. The Program for these sandy beach areas is also required to analyze the minimum sandy beach widths necessary to allow public use and enjoyment; to assess adaptation strategies and appropriate triggers; to monitor beach widths to ensure a specified minimum beach width; to identify a suite of actions and programs to be implemented to maintain sandy beach utility; to include provisions to offset unavoidable loss of sandy beach; and to identify alternative options to allow for other types of shoreline access in areas with limited capacity to allow sandy beaches to persist.

Finally, the Program is required to identify funding opportunities for short-, medium-, and long-term adaptation options, including through in-lieu fees (including those generated from mitigation for shoreline protection devices), grants, state/federal funds, and GHADs/CSAs.

These adaptation provisions can be found consistent with the Coastal Act, as they minimize risk per Coastal Act Section 30253 and help carry out the mandate of Coastal Act Section 30270 to plan for sea level rise. These policies are also consistent with and help to implement SB 272. In summary, SB 272 requires local governments to develop SLR plans that include a vulnerability assessment that uses best available science,

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

identification of adaptation approaches and specific projects, and a timeline for updates for these studies and relevant LCP policies. These LCP provisions commit the City to completing these planning steps, ensuring that relevant documents are updated as appropriate, and incorporating future updates into the LCP through amendments.

Siting and Design in Hazardous Areas

Next, with respect to siting development in a way that minimizes and assures safety from hazard risk, the proposed LUP includes policies CR-I-2 and CR-I-19 through CR-I-29 (see pages 178, 188-192 on **Exhibit 2**) specifying that development in Coastal Vulnerability Zones must be sited and designed to avoid, and where unavoidable, to minimize, coastal hazards and impacts to coastal resources, and to mitigate for any unavoidable such impacts; requiring hazards analyses for proposed development in Coastal Vulnerability Zones; requiring that new development be sited and designed (including set back) to be safe from erosion, bluff failure, wave run-up, flooding, and other coastal hazards for the life of the structure without the need for shoreline armoring (except as altered for SSRAs, as further explained below); requiring property owners proposing development in Coastal Vulnerability Zones or Tsunami Inundation Zones to record an acknowledgement of hazards on site, that some development does not qualify as an existing structure entitled to shoreline armoring, to sign a waiver of rights to future shoreline armoring, to record a deed restriction assuming liability for hazards, and requiring removal and restoration plans where necessary; requiring mean high tide line surveys for low-lying development near coastal waters to determine public trust lands; prohibiting development on bluff faces except for allowed shoreline armoring, landscaping, public recreational facilities, and certain types of infrastructure; adding sea level rise buffer areas to habitat buffers to allow for migration of wetlands and other coastal habitats; and prohibiting subdivision of property in hazardous areas.

As proposed, the LUP policies regarding the siting of new development generally mirror the language of Coastal Act Section 30253, including in that they assure adequate analysis, assessment, and siting requirements to minimize risk from such hazards without reliance on shoreline armoring. For example, Policy CR-I-20 states: “development in Coastal Vulnerability Zones shall be sited, designed, and setback from the blufftop and/or shoreline to be safe from erosion, bluff failure, wave run-up, flooding and other coastal hazards for the anticipated life of the development or in accordance with CR-I-19, without shoreline protection, considering projected sea level rise and other climate change effects to be determined from best available science and current guidance at the time of approval of the proposed development.” However, as noted above, development in SSRAs may rely on shoreline armoring to help demonstrate that its setbacks meet the requirements of Policies CR-I-19 and CR-I-20, as is further explained below. Additionally, hazard risk will be appropriately disclosed and included as a deed restriction on properties, which includes a waiver of rights to future armoring. The provisions such as the ones cited above also require appropriate analysis of impacts from sea level rise and require projects in certain locations to identify, assess, and, to the extent feasible, avoid and mitigate the adverse effects of sea level rise, consistent with Coastal Act Section 30270. Therefore, these siting and design provisions can be found consistent with the Coastal Act, including the provisions of Section 30253. They are also consistent with SB 272 requirements to utilize best available science on sea level rise.

Shoreline Armoring and Mitigation

The proposed LUP update also includes provisions that address both existing and future shoreline armoring, including specifying the types of development for which such armoring may be considered. These include policies CR-I-30 through CR-I-37 (see pages 193-195 of **Exhibit 2**) that require redeveloped structures (or those that meet the definition for what the City refers to as Substantial Structural Modification or “SSM”, as described more below) to be consistent with LCP requirements, including with respect to allowable armoring; to encourage soft shoreline protection over hard armoring; to allow legally permitted shoreline armoring to undergo repair and maintenance as long as that work does not expand or modify the structure and the impacts to coastal resources are minimized and/or mitigated; to generally prohibit new shoreline armoring throughout the City, except in SSRAs, unless it is consistent with Section 30235 to protect coastal dependent uses, existing structures, or public beaches in danger from coastal hazards, when there is no less environmentally damaging feasible alternative and when designed to avoid, and where unavoidable, minimize and mitigate adverse impacts on local shoreline sand supply and other coastal resources; to limit the authorization for shoreline armoring until the time that the shoreline armoring is no longer present, no longer required, and/or the protected structure is redeveloped per the SSM definition; to require new or reconstructed shoreline armoring to mitigate impacts, including via public access improvements and/or in-lieu fees; to monitor new shoreline armoring; and to allow emergency armoring only temporarily, with the condition it must be followed up by a regular CDP application or be removed and be consistent with all other LCP requirements.

Additionally, the proposed provisions are further refined by added definitions of key terms. As described earlier, the question of when a structure has been replaced, repaired, maintained, or improved to the point that the structure has been ‘redeveloped’, and thus must be evaluated as a ‘new’ replacement development that must be consistent with all applicable policies, is a critical aspect of coastal hazard planning. Among other things, the SSM definition is relevant to determining whether a structure maintains its status as an “existing structure” for purposes of allowance for armoring. Structures that pre-date the Coastal Act (i.e., were legally in existence prior to January 1, 1977 and have not undergone SSM) may be allowed to obtain armoring under Policy CR-I-32; however, structures constructed after the Coastal Act took effect (or that undergo SSM after that date) are not allowed shoreline protection under the LUP, except in SSRA areas.

Here, the City does not propose an explicit definition for ‘existing structure’ as it is understood in relation to armoring provisions in the LUP update for a variety of reasons, including because the issue was controversial locally and threatened to impede further progress on LUP certification. However, the Commission continues to interpret the term as structures that were in existence on January 1, 1977, the effective date of the Coastal Act, and the recent ruling in *Casa Mira* at the California Court of appeals upholds this interpretation.³⁵ As such, while the term existing structure is not explicitly

³⁵ In *Casa Mira* the Court of Appeal agreed with the Coastal Commission that condominiums and a sewer line built in Half Moon Bay in 1984 were not entitled to shoreline armoring under Coastal Act Section

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

defined in the City's LUP in relation to its armoring provisions, the interpretation of the term absent an explicit definition continues to be structures legally in existence prior to January 1, 1977 and not redeveloped since.

The LUP does, however, include a definition to determine the point that a structure has been 'redeveloped', and thus must be evaluated as a 'new' development and thus must be consistent with all applicable LCP provisions. The City refers to this concept as a Substantial Structural Modification, or SSM, which can be found in the Glossary (see page 233 of **Exhibit 2**). The definition builds appropriately upon the Commission's implementing regulations and describes what types of projects are not repair and maintenance, but rather replacement structures requiring a CDP, including applying the same 50% threshold (see 14 Cal. Code Regs Section 13252).³⁶ However, this policy does provide more detail than the regulations and some other LCPs in that it lists certain types of development that are not considered as part of the calculation to determine the 50% threshold. These listed exceptions are all nonstructural and reflect specific situations that City officials and Pacifica residents were concerned about (such as nonstructural roofing, exterior weatherproofing, siding, etc.). While these nonstructural elements would not typically be included in the 50% calculation even when not explicitly called out, listing them in the LUP provides the City with the desired reassurance that certain types of nonstructural development would, indeed, not be included in the calculation.

Additionally, Policy CR-I-25 implements this SSM definition by requiring that when a structure meets the SSM threshold, the proposed development must correct any nonconformities and be consistent with the LCP and Coastal Act. The policy adds that nonconformities related to non-coastal resource issues may be maintained at the discretion of the decision-making body so long as they do not lead to significant impacts to coastal resources, in order to meet what the City considers to be a "significant number" of current legal nonconformities in the City's coastal zone. Examples of common nonconformities which do not have impacts on coastal resources could include front, side, and rear setbacks; substandard lot sizes and widths; nonconforming uses (i.e. offices/non-visitor serving uses in the coastal zone without an LUP determination); and parking requirements. While this structure is a bit awkward, and it would be more effective to address such nonconformities by modifying the zoning code to accommodate them (e.g., lessening setback requirements) if they really have no resource impact, the City prefers to be able to have discretion to retain these conformity requirements and work around current nonconformities which do not impact coastal

30235. 107 Cal.App.5th 370. The Court held that the phrase "existing structures" in the provision that specifies circumstances in which seawalls or other armoring infrastructure are permitted referred to structures that existed prior to the Coastal Act's effective date of January 1, 1977. The court said "[t]his interpretation effectuates the Coastal Act's goal to "[a]nticipate, assess, plan for, and, to the extent feasible, avoid, minimize, and mitigate the adverse environmental and economic effects of sea level rise within the coastal zone."

³⁶ Further, this definition substantially tracks the Commission's certification actions regarding the definition of redevelopment in other approved LCPs statewide, including in Manhattan Beach (LCP-5-MNB-22-0028-1, certified August 9, 2023), Morro Bay (LCP-3-MRB-21-0047-1, certified August 12, 2021), Half Moon Bay (LCP-2-HMB-20-0081-2, certified April 15, 2021), and Long Beach (LCP-5-LOB-19-0008-1, certified September 8, 2021).

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

resources. This approach still reflects the structure of the Coastal Act, which is that redeveloped or “new” structures (in this case ones which meet the SSM threshold) would need to come into conformance with the requirements of the LCP and Coastal Act. As such, under this proposed LUP update, a house that has been redeveloped would need to comply with setbacks from hazards and siting and design requirements, would not be allowed future armoring, and would have to comply with other LCP policies, but could then retain nonconformities such as insufficient side yard setbacks and lot size, provided doing so does not impact coastal resources. Additionally, if there is a disagreement about interpretation of this policy, Commission staff will have an opportunity to comment on proposals per the post certification monitoring coordination process to assist in any policy interpretation. Overall, this ensures that coastal resources will be protected, consistent with Chapter 3 Coastal Act policies, even if the City allows some nonconformities to continue.

As previously discussed, all of the above-referenced provisions illustrate significant progress for the City of Pacifica in terms of preparing for coastal hazards. As indicated above, the Coastal Act limits allowances for new shoreline armoring that has significant coastal resource impacts to those that are necessary to protect existing structures (i.e., structures built before the Coastal Act’s operative date of January 1, 1977, and that have not been redeveloped since), coastal-dependent development, and public beaches subject to erosion. The proposed LUP update Policies CR-I-1 through CR-I-37 mirror those requirements for areas outside the SSRAs, including that shoreline armoring is allowed only to serve a coastal-dependent use or to protect an existing structure in imminent danger from erosion, and only when found to be the least environmentally damaging feasible alternative and when all unavoidable coastal resource impacts are appropriately and proportionally mitigated. Policies in the proposed LUP update also require the use of ‘soft’ and non-armoring shoreline protection where it is feasible, and require monitoring and mitigation of the impacts of shoreline armoring over time. When shoreline armoring is no longer used, falls into disrepair, or is illegally constructed, the LUP requires that such structures be removed, all consistent with the requirements of the Coastal Act on these points.

Special Shoreline Resiliency Areas

However, as previously discussed, Pacifica has also proposed that two areas in the City be allowed to have new structures rely on armoring (including replacement or enhanced armoring) while the City conducts additional detailed adaptation planning. These areas are referred to as “Special Shoreline Resiliency Areas” (or SSRAs) and consist of parts of the West Sharp Park neighborhood along Beach Boulevard and the developed areas of Rockaway Beach (see Figures 6-3 and 6-4 in **Exhibit 3** on pages 24-25). These two areas currently include extensive shoreline armoring that fronts significant and vital public infrastructure (such as public roads, sidewalks, parking areas, accessways, water and sewer lines, electric and gas lines, telecommunications, etc.), the majority of which is City-owned and maintained. The intended purpose of these proposed SSRA provisions is to allow ongoing reliance on shoreline armoring to continue providing public services and public recreational access for all. Specifically, Policy CR-I-40 states, in relevant part:

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

In the Special Shoreline Resilience Areas mapped in Figures 6-3 and 6-4, repair and maintenance, enhancement, realignment, and redevelopment/replacement of a shoreline protection structure that is existing at the time of the permit application, including minor extensions in order to fill gaps or otherwise ensure the overall shoreline protection structure is effective may be approved when required to protect public infrastructure (e.g., public roads, sidewalks, parking areas, accessways, water and sewer infrastructure) on the immediate oceanfront of the Special Shoreline Resilience Areas.

For the Beach Boulevard SSRA in West Sharp Park (see **Exhibit 3** on page 25), various public infrastructure is located underneath the road, public accessways, and existing City-owned and maintained revetment. This includes multiple stormwater outfalls, a wastewater pump station, and gas, water, electrical, communications and sewer lines (see **Exhibit 4**).³⁷ Most of the infrastructure is located close to the bluff, revetment, and mean-high-tide line. Historically, Beach Boulevard was fronted by approximately 20-30 feet bluffs;³⁸ however, it is now fully armored and the bulk of the currently present revetment/seawall was originally permitted in 1984,³⁹ and has been modified since multiple times.⁴⁰ This armoring has experienced multiple failures over the years, and localized flooding and property damage from wave overtopping has been an ongoing problem in the areas behind it. Several ECDPs have been issued over the last several years to fix gaps in the seawall,⁴¹ and the armoring is soon to be past its expected structural life.⁴² The City is currently pursuing a replacement armoring project fronting Beach Boulevard.⁴³

³⁷ Existing utilities include 12" - 72" stormwater inlets, pipes, and ocean outfalls, 6" gravity sewer mains, 20" sewer force mains, 6" drinking water mains, and 2" gas distribution mains (see Table 5-1, [GHD's Multi-Hazard Risk Assessment Report](#)).

³⁸ See Section 3.4.5, Coastal Bluff Slope Failure, of [GHD's Multi-Hazard Risk Assessment Report](#).

³⁹ Via Coastal Commission CDP Amendment Number 3-83-172-A3, approved September 14, 1984, that allowed the "Phase III" aspects of a City of Pacifica Shoreline Protection Assessment District and armored more than 2,500 linear feet of shoreline in this stretch.

⁴⁰ Including as authorized through CDP 2-02-012 and CDP Waiver 2-07-044-W.

⁴¹ See, for example, ECDPs 1-98-014-G, 2-01-002-G, G-2-16-0022, and G-2-20-003.

⁴² The condition assessment prepared by GHD as part of the City's [Existing Conditions Report](#) notes that the northern section of the Beach Boulevard seawall has widespread corrosion within the precast wall panels, which is expected to cause extensive spalling and to considerably weaken the wall over time. As such, the City estimates that this armoring section has a remaining life of 5 years absent modifications. Meanwhile, the City notes that the steel sheet pile wall at the middle section of the seawall has experienced 100% loss, leading to no protection for the abutment fill, and estimates a remaining life of 5 years absent modifications. Lastly, the City indicates that the southern section of the seawall is faring best, apparently due to the presence of more beach and sand fronting the wall, and estimates that it has a remaining life of 10 years absent modifications. The two revetments in Rockaway Beach do not benefit from such a report, however, given the amount of time they have been in place without significant maintenance, both revetments are likely reaching the end of their protective lifetimes.

⁴³ The City is currently working on an Environmental Impact Report (EIR), and Commission and City staffs have met and discussed preliminary designs and issues related to this project. The City currently anticipates certifying a Final EIR and submitting a CDP application to the Commission in 2025.

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

Although Beach Boulevard has been present at this location since before 1977, and the original approval used the Section 30235 override to allow armoring in 1984, the road has also had work done to it since, and it is not completely clear, without further investigation, whether it continues to be an “existing structure” for armoring purposes or whether it has been modified to the degree that it is considered to have been redeveloped/replaced. The same can be said for the utilities present over and under the road corridor as well (including stormwater, water, and wastewater lines, as seen in **Exhibit 4**). Thus, it is unclear whether the new proposed armoring fronting Beach Boulevard will qualify for the Section 30235 override (or equivalent LCP provision),⁴⁴ but the proposed SSRA provisions would allow such armoring, at least within the City’s permitting jurisdiction, even if the Section 30235 override were inapplicable.

In addition, the proposed SSRAs are structured to not only allow for such armoring to protect the above-mentioned vital public infrastructure, but also to protect both private and public development just inland of it (see LUP Policy CR-I-39 on page 195 in **Exhibit 2**). At Beach Boulevard, development directly behind the road includes single-family and multi-family homes, and the City-owned Council Chambers and former corporation yard/dump site (at 2212 Beach Boulevard). All told, there are 32 structures located behind the shoreline armoring on Beach Boulevard, and records show that at least 13 were built post-Coastal Act (see **Exhibit 5**). As for the other 19 structures, it is not clear the degree to which they have been redeveloped since the effective date of the Coastal Act, and thus whether they constitute pre-Coastal Act structures for armoring purposes. Thus, at the very least some of these structures (i.e., at least 40% of them) would be allowed to benefit from armoring under the proposed SSRA provisions when that is not allowed by the Coastal Act (and it may be that most of them would fall into this category, although additional research would be necessary to make this determination).

For the Rockaway Beach SSRA (see **Exhibit 3** on page 24), there are two stretches of currently present riprap revetments: the northern stretch, which ends at Rockaway Beach Avenue (northern revetment), and the southern stretch from Rockaway Beach Avenue to the southern end of the Sea Breeze Motel (also referred to as the Gust Revetment). The City owns the northern revetment and some form of it appears to have been originally built in 1962, but it has been substantially modified over the years, including activities in 1996,⁴⁵ 1998,⁴⁶ and 2008.⁴⁷ The hotel behind the northern revetment (currently the Pacifica Lighthouse Hotel and Moonraker Restaurant) appears

⁴⁴ In addition to the existing structure override, the other Section 30235 override provision allows for armoring to protect coastal-dependent uses that are in danger of erosion. In some past unique cases, due mostly to geographic constraints as well as the importance of public access, the Commission has considered public coastal accessways along the immediate shoreline to be coastal-dependent uses, although the Commission has not yet drawn a conclusion on the coastal-dependent use argument as it relates to potential armoring along Beach Boulevard.

⁴⁵ Approximately 20% of the 1,100-foot-long revetment was restacked, including through the importation of approximately 300 tons of 3-to-5-ton rock (see CDP 1-96-024).

⁴⁶ Approximately 10% of the revetment was restacked via importation of 400 tons of 2-to-8-ton rock (see ECDP 1-98-019-G).

⁴⁷ See CDP 2-08-004.

to have been built in 1960 (see **Exhibit 5**), though it appears to have been redeveloped since.⁴⁸

As to the southern revetment (fronting Nick's Rockaway and Sea Breeze Motel), this stretch was privately installed by the owners of Nick's and Sea Breeze. Some form of this revetment appears to have been originally built sometime between 1952 and 1956, and there has been additional work applied to it since then, including when almost half of it was replaced in 1997,⁴⁹ and when the Commission authorized further revetment modifications in 2014.⁵⁰ Nick's Rockaway and Sea Breeze Motel were both originally built in the 1950s (see **Exhibit 5**), and it is unclear to what extent redevelopment since 1977 may have altered their "existing structure" status.

Public infrastructure in Rockaway Beach, behind the northern revetment, includes water, wastewater, and stormwater conveyances under Rockaway Beach Avenue and San Marlo Way; a sewer line that runs parallel to the northern revetment from the terminus of Rockaway Avenue halfway to the terminus of San Marlo Way; public roads; a wastewater pump station in the northern Rockaway Beach parking lot; a coastal trail; and a coastal access parking lot (at 501 San Marlo Way) (see **Exhibit 4**). Although some version of Rockaway Beach Avenue is seen in California Coastal Records Project images from 1972, like Beach Boulevard, it is unclear to what extent it has been redeveloped/replaced since then. As to other infrastructure, its provenance, including related to its potential redevelopment/replacement since 1977, is equally unclear. In addition, there is not currently any public infrastructure directly inland of the southern revetment.

Thus, the proposed SSRA provisions applicable to Rockaway Beach would also allow armoring to protect at least some structures that likely do not qualify for the Section 30235 override. However, it does not appear that the SSRA provisions would apply to the southern revetment area at the current time because it does not appear that there is public infrastructure directly inland of the southern revetment; rather a private parking lot exists along the immediate oceanfront in this area. To qualify for the SSRA's armoring allowances, the parking lot would have to become public infrastructure (e.g., becoming a public coastal access path, parking lot, or other public facility).

⁴⁸ California Coastal Records Project imagery shows the hotel was originally built in 1960 but was expanded sometime between 1972 and 1987. The permitting history for such expansion is not clear at this time.

⁴⁹ Roughly 500 linear feet of the 1,100-foot-long revetment was restacked with rocks that had been dislodged and rolled onto the beach (see CDP 1-97-048). This 1997 permit acknowledged that the southern revetment would only be a temporary solution, and that without a long-term plan, the parking lot, restaurant, and public access would continue to be at risk and in danger of being permanently lost during a major storm event. Additionally, the 1997 permit notes that the City encouraged the applicants to develop a long-term solution for the repair of the seawall. However, it appears that such long-term planning never occurred.

⁵⁰ Allowing for after-the-fact authorization for the placement of approximately 200 tons of riprap to fill a void and sinkhole which were undermining the parking lot, restacking the revetment, and importing an additional 700 tons of riprap to bolster the western face and southwestern corner of the revetment (see CDP 2-10-009).

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

The development pattern in these two proposed SSRA areas pose a unique analytical challenge when it comes to armoring and what it protects. For example, although armoring is currently present in both areas, it is compromised at Beach Boulevard, and potentially at Rockaway Beach as well. However, it is not clear that a proposal for replacement/redeveloped armoring could meet the criteria to apply a Section 30235 override in either case, which would argue for its denial under the Coastal Act. However, if it were to be denied, it is not clear what would happen next, as significant public infrastructure would potentially become even more vulnerable to coastal hazards and eventually exposed and compromised or destroyed. This would not only lead to the potential for significant adverse coastal resource impacts from debris and other materials (e.g., raw sewage) entering the marine environment, but it could also all but eliminate important coastal public accessways, and the same fate would eventually befall the next row of inland development. Absent a plan and location to relocate such development, including vital public infrastructure and accessways, and funding to do so, none of which appear to be reasonably/feasibly available at the current time, the end result of such scenario would be a significant loss of public – and eventually private – resources. This would result in a phenomenon that some have called “unmanaged retreat”.

Similarly, absent the proposed SSRA provisions, if a home on Beach Boulevard proposed to redevelop over 50%, it would trigger a SSM and be considered redevelopment/new development that would be subject to all applicable LCP provisions. The home would then be required to be set back adequately and otherwise designed to be structurally stable without considering any armoring present, which might not be feasible and would likely make such development LCP-inconsistent for at least hazards reasons. It may be possible to design new structures such that they would not need to rely on the fronting armoring, but because the City is responsible for the armoring, private applicants could not remove or alter it even if they wanted to, as it is not on their property and its removal would threaten vital public infrastructure. While it may be possible to redesign armoring structures to only protect public infrastructure, it is unclear if a patchwork of armoring along this stretch would actually result in improved outcomes for beach access or other resources. In fact, it is possible that a patchwork of armoring would not lead to new open beach space and would instead interrupt continuous lateral access that is currently protected by shared armoring, thus resulting in reduced access opportunities.

The City’s proposed framework for SSRAs can be found in Policies CR-I-38 through CR-I-44 (in **Exhibit 2** on pages 195-198). These provisions would ‘sunrise’ based on meeting specified milestones associated with the development and implementation of a Coastal Access Resilience Program, as described below. The SSRA provisions require public infrastructure (e.g., public roads, sidewalks, parking areas, accessways, water and sewer infrastructure) on the immediate oceanfront of the SSRAs (mapped in Figures 6-3 and 6-4, again see **Exhibit 3** on pages 24-25), to be consistent with all LCP provisions except that, to establish the safety and stability of the proposed development, such development can rely on shoreline armoring that is existing at the time of the application and/or that is proposed in the same permit application as the infrastructure itself, without meeting other required LCP tests for shoreline armoring eligibility (i.e., it need not be considered an existing structure or coastal-dependent use). Additionally,

proposed development directly inland of the public infrastructure may also rely on the shoreline armoring that exists at the time of the permit application to demonstrate that it satisfies LCP coastal hazard policies (e.g., setbacks). Such development must still meet the other requirements of CR-I-2, which states that development in proposed Coastal Vulnerability Zones (which are larger than, but encompass, the proposed SSRAs) may only be approved if the development, as measured over its full anticipated life, is sited, designed, and conditioned to avoid, and where unavoidable, minimize risks from hazards to the maximum extent feasible; minimize and mitigate impacts; avoid creating a nuisance; and avoid encroaching onto public lands. Additionally, all such development behind the SSRAs must comply with the hazard risk disclosure policy requirements, including, in part, waiving their future rights to armoring if the development meets SSM thresholds, and acknowledging that the development's long-term safety may be based in part on shoreline armoring seaward of the structure which may or may not be effective, and/or maintained, and/or be present for the life of the structure.

Further, the SSRA provisions allow the repair and maintenance, enhancement, realignment, and redevelopment/replacement of shoreline armoring that is existing at the time of the permit application (including minor repairs in order to fill gaps or otherwise ensure the overall shoreline protection structure is effective) when required to protect public infrastructure (e.g., public roads, sidewalks, parking areas, accessways, water and sewer infrastructure) on the immediate oceanfront of the SSRAs. Such shoreline armoring must comply with all relevant LCP provisions except that it may be approved regardless of whether such shoreline armoring is required to protect a coastal dependent use, a public beach in danger of erosion, or a structure that qualifies as an "existing structure" within the meaning of Section 30235. Any such shoreline armoring per the proposed policy approach is required to incorporate public access elements into its design, be the least environmentally damaging feasible alternative design, and improve coastal resource conditions relative to conditions that exist at the time of permit approval. Examples of improved conditions could include restoring intertidal habitat, enhancing public access, having a smaller footprint than a shoreline protection structure that already lawfully exists, and enhancing scenic and visual qualities of the area.

Lastly, per the proposed update, any proposal for a new or redeveloped shoreline armoring device in the SSRAs would still need CDP authorization. Barring unforeseen circumstances, it is nearly certain that such armoring would be located within the Coastal Commission's retained CDP jurisdiction, including because armoring in these locations was subject to past Commission permitting and/or the likelihood that the armoring would be located seaward of the mean high tide line and/or in public trust areas. As a result, the proposed SSRA provisions would not be binding on the Commission in those cases, at least with respect to evaluating armoring proposals, although the Commission would clearly be informed by the SSRA provisions. That said, proposals for development other than armoring (i.e., anything inland of the armoring, including the public infrastructure, but also public and private development just inland of that), would still be able to rely on armoring in the ways described above outside of the Commission's retained CDP jurisdiction. In any case, all such CDPs would be subject to the same requirements that armoring outside an SSRA would be subject to, such as mitigation requirements, authorization periods, alternatives analyses, and more. In addition, the Commission will retain the authority to approve, condition, or deny potential

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

future armoring proposals subject to the SSRA provisions based on application of the Coastal Act alone, with the SSRA and related LCP provisions providing only non-binding guidance.

As part of the City's proactive efforts to maximize public access to the shore, as well as to address expected impacts from SSRA armoring allowances, the LUP requires the City to undertake planning and implementation of a Coastal Access and Resilience Program (CR-I-44) and the previously discussed Shoreline Adaptation Program (CR-I-5). The Coastal Access Resilience Program is meant to ensure continued and increased access to the coast and will include methods to maximize public access to and along the coast despite sea level rise, address the coastal resource impacts associated with shoreline armoring along the City's shoreline generally, and address impacts associated with the perpetuation of shoreline armoring within the SSRAs. Some opportunities the program will explore will include enhancement of public recreational access facilities (e.g., pathways, overlooks), removal of existing armoring, nature-based adaptation, beach nourishment, and acquisition/conservation of properties subject to coastal hazards. The development of the program is also required to include a robust public process to identify potential projects with full community input. The priority for the program's access benefits and mitigation per the proposed provisions will be efforts/projects designed to maintain and enhance sandy beaches and public access to and along the City's shoreline in a manner that is most protective of coastal resources and public access utility, including, at a minimum: (1) a prioritized list of public access projects within the City's coastal zone that can help maximize access to the coast and serve as required mitigation, (2) a timeline with benchmarks for implementation of identified projects, including measures by which progress and success can be measured over time, as well as necessary monitoring and tracking, and (3) identification and development of a funding mechanism (or mechanisms) sufficient to cover all identified projects. Policy CR-I-44 requires the City to develop the program and submit an amendment to incorporate the program into the City's LCP within 3 years from the date of the LUP Update certification. Within 5 years from the date of Coastal Commission approval of the initial Coastal Access and Resilience Program (and every subsequent 5 years), the City is required to submit a complete CDP application(s) to the Coastal Commission, or where applicable the City itself, to implement projects identified in the Program. The Program is required to be monitored, evaluated, updated, and resubmitted as an amendment to the LCP at least every 10 years thereafter.

Additionally, the Shoreline Adaptation Program (CR-I-5), as was further described above, is required to be consistent with and help to support and implement the Coastal Access and Resilience Program per Policy CR-I-44. The adaptation program has several requirements, which in summary would describe the existing and future conditions of the coast, describe the overall vision for the coastline, and identify adaptation options designed to ensure balanced protection of sandy beaches, public access, and other coastal resources. Importantly, the Adaptation Program highlights specific requirements for planning in the SSRAs, including evaluating phased adaptation approaches for these areas that reflect identified hazards projections and the City's overall vision; considering the extent to which shoreline armoring can remain the preferred adaptation approach or whether alternatives may better achieve City goals and result in preferred coastal resource outcomes; analyzing the ability of the shoreline

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

armoring to withstand coastal hazard conditions over time as sea levels rise, the feasibility and costs of anticipated maintenance of said armoring, any anticipated augmentations or replacements that may be necessary over time as sea levels rise, and any threshold hazard conditions beyond which shoreline armoring may not be able to function and the associated adaptation measures that would be necessitated for the development that relies on the shoreline armoring at such times.

Critically, the SSRA provisions set up a framework that includes both a sunrise provision and suspension/sunset provisions to provide backstops in case the planning required for a Coastal Access Resilience Program (Policy CR-I-44) and the Shoreline Adaptation Program (Policy CR-I-5) does not happen as the provisions require. Specifically, SSRA provisions will only come into force and in effect at such time as the Coastal Commission's Executive Director determines that: (1) the initial Coastal Access and Resilience Program is developed and submitted for Commission review (per Policy CR-I-44), and (2) the development of the Shoreline Adaptation Program (per Policy CR-I-5) has been initiated, including, at a minimum, that the City has developed a public engagement plan, workplan, timeline, and identified funding for completion of the technical studies and planning work, wherein the sunrise provision would initiate the implementation of the SSRA program.

Additionally, these provisions as proposed will be suspended if the Coastal Commission's Executive Director determines that the City has not met the requirements of Policies CR-I-44 and CR-I-5. This means the provisions will be suspended if: 1) the Coastal Access and Resilience Program is not certified by the Commission within 15 months of acceptance of the LCP amendment for filing as identified in Policy CR-I-41; or 2) any of the CDP applications that are required every 5 years to implement projects are not submitted in complete form; or 3) any of the projects required in the Coastal Access and Resilience Program are not developed/implemented; or 4) the City has not completed the technical studies to accomplish part (a) of the Shoreline Adaptation Program (Policy CR-I-5) within 6 years of effective certification of this LUP update; or 5) the City has not prepared a Draft Shoreline Adaptation Program within 8 years of effective certification of this LUP update; or 6) the Coastal Commission has not certified a Final Shoreline Adaptation Program within 10 years of effective certification of this LUP update.

Lastly, the SSRA policies will expire or "sunset" on January 1, 2045, unless the Commission has certified an LCP amendment which extends that deadline. After January 1, 2045 (or such later date as specified in an LCP amendment), development approved based on Policies CR-I-38 and CR-I-39 that relied on shoreline armoring to demonstrate safety, stability, and adequate setbacks (including in relation to the requirements of Policies CR-I-19 and CR-I-20) shall become legal nonconforming. Therefore, moving forward, a SSM to such development would, in accordance with Policy CR-I-25, be required to be consistent with all LCP provisions, including but not limited to Policies CR-I-2, CR-I-19, and CR-I-20 related to setbacks and safety without relying on shoreline armoring to establish safety, and Policy CR-I-32 regarding approvable shoreline armoring.

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

The SSRA policies set up an interim approach to allow public infrastructure and development directly behind public infrastructure to rely on existing and enhanced armoring in two specific areas (which are already fully armored) while the City conducts additional adaptation planning efforts to determine the future vision and adaptation pathways for the City's shoreline in these discreet areas. Specifically, the City will be afforded a period of 20 years to conduct additional planning, while allowing development and public infrastructure in the immediate shoreline areas of the SSRA an interim allowance to rely on existing armoring. As highlighted above, for this program to start and continue, the City must submit the initial Coastal Resilience Program, submit CDP applications every 5 years to implement projects, complete technical studies, and prepare a Shoreline Adaptation Program. If carried out as the proposed update requires, these efforts will have benefits to coastal resources in the SSRAs and throughout the City. However, if the Commission's Executive Director finds that the City does not undertake these important planning efforts and/or doesn't make sufficient progress, the provisions will be suspended. All of these provisions provide the Commission with significant backstops and oversight to ensure that the City is undertaking good-faith efforts to plan for adaptation, that continued or enhanced armoring will only occur as part of an overall LUP planning process that will provide public access benefits above and beyond existing conditions and what would be required to simply mitigate the impacts of individual armoring proposals, and to mitigate direct impacts from the continued reliance on armoring along Beach Boulevard and in Rockaway Beach.

The benefits from the SSRAs include protecting public infrastructure that provides essential public services to the City (e.g., public roads, water, sewer, wastewater, public access) that if impacted by hazards could fail and have negative water quality and marine resource impacts; preserving public accessways behind the shoreline armoring in the SSRAs, such as the path along Beach Boulevard and the path along Rockaway Beach, and/or creating new public accessways within approved armoring as well; and preserving public parking areas similarly situated, such as the Sharp Park Beach parking lot and Rockaway Beach parking lots. Additionally, the increased planning efforts required through the Coastal Access and Resilience Program and Shoreline Adaptation Program will have tangible, planned outcomes that will assist the City with future planning and adaptation, including determining how to best adapt public infrastructure to impacts of sea level rise. Thus, while there are other LCP planning approaches to providing coastal resource benefits that differ from the approach articulated here, such as incorporating policies that can be used in evaluating CDP applications that themselves lead to better coastal resource outcomes (e.g., requiring armoring removal with new/redevelopment, requiring a phasing out of shoreline level development, etc.), given the unique circumstances in Pacifica, including existing development patterns and challenges and opportunities related to coastal resource protection and enhancement, especially related to future sea level rise, the proposed SSRA and related provisions make sense, and are expected to provide tangible coastal resource benefits.

Lastly, compliance with, and implementation of, the rest of the proposed LUP provisions in the hazards chapter and throughout the LUP, including those proposed to offset the impacts of the SSRAs, would provide major benefits currently not realized in the current

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

LUP. The current LUP is from 1980, is out of date, and doesn't explicitly analyze or plan for sea level rise. Some of the benefits from an updated LUP include hazard risk disclosures; siting and designing development appropriately from hazards; appropriate bluff setbacks; requirements for mitigation for any impacts from armoring; a redevelopment definition; and a comprehensive shoreline monitoring and adaptation plan.

This approach would nevertheless allow structures not eligible for shoreline protection under Coastal Act Section 30235 to rely on such protection, which, by extension, means that such proposals would also allow for coastal resource impacts inconsistent with a myriad of Coastal Act coastal protection provisions (such as leading to diminishing sand supply and harming coastal resources such as shoreline ecology, public access, coastal views, natural landforms, and shoreline processes, as was discussed further above) even though that would not ordinarily be allowed without the Section 30235 override. Further, this approach is inconsistent with Coastal Act 30253, which requires that new development not in any way require the construction of protective devices that would substantially alter natural landforms along the bluffs and cliffs. As such, the proposed SSRA provisions, including proposed Policies CR-38, CR-I-39, and CR-I-40, are inconsistent with the Coastal Act, including Sections 30253 and, by extension, other coastal resource policies implicated by the coastal resource degradation that would accrue due to the shoreline armoring allowance (e.g., Sections 30210, 30240, 30351, etc.). Typically, this would require denial or modification of this aspect of an LUP update. However, given the significant public infrastructure and public resources protected by the armoring in the proposed Rockaway and Beach Boulevard SSRAs, and given that the City has not yet determined feasible options to protect the infrastructure absent the armoring,⁵¹ denial of such provisions could lead to adverse beach, marine, and water quality impacts inconsistent with other Coastal Act provisions. Therefore, it is appropriate to approve the subject provisions through the Coastal Act's conflict resolution procedures (see Conflict Resolution findings below) because approval of the package of LUP provisions is, on balance, most protective of significant coastal resources.

In sum, the proposed SSRAs would provide an interim 20-year period where public infrastructure, and the development immediately behind it, in the subject SSRAs can rely on armoring so long as longer-term planning efforts are started and progress according to a certain schedule. Impacts from this reliance would be mitigated by the City undertaking significant adaptive planning efforts and implementing future projects for public benefit. These efforts will also provide City-wide benefits that go above and beyond what would be required simply as part of a mitigation package for an individual armoring proposal. Additionally, the SSRA provisions would not go into effect until certain criteria for the planning programs are met, and if the Executive Director finds that such planning efforts are not occurring per the proposed benchmarks in the policies, the program will be suspended. The provisions provide a 20-year period to conduct planning and will expire in 2045, unless the Commission decides to approve an amendment to extend them, providing surety that the plan will in fact be temporary.

⁵¹ Alternatives to the SSRAs are further explored and explained within the Conflict Resolution section, where such analysis and is also incorporated and applied here by reference.

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

Further, any development that is allowed to rely on armoring in these areas will have to meet the requirements of the hazard risk disclosure policy, and will be conditioned to require the applicant to acknowledge that the development's long-term safety may be based in part on shoreline protection structures located seaward of the development which may or may not be effective, and/or be maintained, and/or be present in the future. Lastly, any proposal regarding redeveloping or replacing the armoring in the SSRAs will be subject to a CDP and approval from the Coastal Commission. With all that said, the SSRA provisions are inconsistent with the Coastal Act and would normally require modification or denial, as further explained in the Conflict Resolution section.

Coastal Hazards Conclusion

In conclusion, the proposed LUP update includes commendable hazards provisions, including robust long-term planning and adaptation requirements; siting and design policies to minimize, avoid, and mitigate impacts from hazards; hazard risk disclosures; appropriate bluff setbacks; requirements for mitigation for any impacts from armoring; a redevelopment definition; and a comprehensive shoreline monitoring and adaptation plan. The proposed update's SSRA provisions, however, would allow development that may not normally be afforded shoreline armoring to be allowed to rely on it for safety for an interim period, while long-term planning for these areas can occur. Although the City is committing to undertaking significant planning efforts and implementing projects to provide for protection and enhancement of public access, including through improvement of public recreational access facilities and opportunities (e.g., pathways, overlooks, removal of existing armoring, nature-based adaptation, beach nourishment, and acquisition/conservation of properties subject to coastal hazards), such access improvements do not by themselves provide justification for the impacts in the first place that wouldn't be allowed by the Coastal Act. In any case, not all armoring in the SSRAs would qualify for the "override" available when Coastal Act Section 30235 tests are met, and because such armoring is inconsistent with Section 30253 (and other coastal resource protection policies), the proposed LUP update cannot be found consistent with all Coastal Act Chapter 3 policies, which directs its denial. However, given that the public infrastructure in the immediate shoreline of the SSRAs is at risk of being compromised, denial could lead to threats to this vital infrastructure, including damage to and/or destruction of wastewater, stormwater, and other pipelines. This approach would be inconsistent with Coastal Act Sections 30230 and 30231 that affirmatively require that marine resources and water quality be protected (because such infrastructure would be likely to fail in the short-term and lead to debris and pollution on the beach and in the ocean). In other words, denial of the LUP would also be inconsistent with the Coastal Act. Therefore, it is appropriate to approve the LUP through the Coastal Act's conflict resolution procedures (see Conflict Resolution findings below).

I. Other Hazards

Applicable Coastal Act Provisions

The Coastal Act addresses siting new development and public access so as to minimize risks to life and property, to not create unstable site conditions, and to not create or contribute significantly to erosion. In particular:

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

30250(a). *New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.*

30253. *New development shall do all of the following: (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development. (d) Minimize energy consumption and vehicle miles traveled. (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.*

Analysis

The proposed LUP includes a Natural Hazards chapter, which seeks to ensure the safety of the community in the face of a variety of natural hazards, including earthquakes, fires, flooding, and landslides (see pages 141-165 of **Exhibit 2**). Also included are coastal hazards, discussed in the section above. For other types of hazards, the chapter establishes goals and provisions to mitigate the potential impacts from both natural and man-made hazards that pose a threat to public health, safety, and coastal resources.

The City of Pacifica is situated in the Coast Range geomorphic province and is composed of marine sedimentary deposits and volcanic rocks that form northwest trending mountain ridges and valleys (which make up Pacifica's coastal bluffs) which run subparallel to the San Andreas Fault. The San Andreas Fault is the principal strike-slip boundary between the Pacific plate to the west and the North American plate to the east and runs between Pacifica and San Mateo. Additionally, there are neighboring fault lines which do not run directly through the City but could have effects felt in Pacifica, including the Hayward Fault to the south and the Calaveras Fault in the East Bay. Accordingly, development in the City must address the threat of seismic and geologic hazards, including fault ruptures/earthquakes, liquefaction, slope failures/landslides, and tsunamis in addition to more routine hazards such as winter storms, coastal erosion, and soil erosion.

Proposed LUP Figure 5-2 identifies areas of slope failure threat, including on steep slopes in Mori Point, Aramai Point, and San Pedro Mountain, and small portions of areas in or near development in the Pedro Point and Fairmont neighborhoods (see

page 19 of **Exhibit 3**). Notably, Devil's Slide, located in the southern end of the planning area has a long history of slope failures and rockslides that occasionally closed Highway 1 and led to the rerouting of the Highway through a newly constructed tunnel. The natural hazards chapter further discusses the risks of subsidence, soil erosion, and bluff erosion in the coastal zone, and Figure 5-2 also identifies segments of the coastline that have experienced significant coastal erosion.

The City-proposed update contains numerous provisions that require new development to minimize risks posed by geologic, seismic, and other such hazards which include, among others: updating the hillside preservation district; siting and designing new development to minimize risks from seismic events; prohibiting development in hazardous areas that experience landslides, that have a high or very high liquefaction risk, or that are on slopes steeper than 35%; requiring real estate disclosures to declare known and/or suspected seismic or geologic hazards on properties in areas of high or very high risk of liquefaction, subsidence, or landslide; identifying and cataloging structures that may need seismic rehabilitation; prohibiting development which would require mitigation measures for potential geotechnical hazards; requiring geotechnical studies for proposed development on slopes in excess of 15%, areas with evidence of landslides or landslide potential, areas with evidence of ground shaking or earth movement, areas within 300 feet of a bluff edge in a coastal vulnerability zone, or areas within sand dune areas; and pursuing funding mechanisms to investigate areas where groundwater flows to bluffs could be exacerbating erosion (see Policies NH-I-1 through NH-I-17 on pages 151-154 of **Exhibit 2**).

Pacifica is also subject to flood risk, including the potential for broad flood inundation in parts of the Sharp Park Golf Course and Rockaway Beach, more narrowly confined flood hazards along the creeks, and coastal flooding along low-lying areas of the coast, including Sharp Park Golf Course/Laguna Salada and Pacifica State Beach. Proposed LUP Figure 5-3 illustrates the mapped flood zones and tsunami inundation zones in the planning area (see page 20 of **Exhibit 3**). To address flood concerns, the LUP includes several proposed policies designed to minimize risk, including: managing floodplains through zoning and development requirements; periodically reviewing FEMA flood maps; informing households and businesses in flood-prone areas about opportunities to purchase federal flood insurance; regularly maintaining flood control structures; requiring development to provide an assessment of its effects on the City's storm drainage system; siting important public facilities outside of the tsunami evacuation zone and 100-year flood plain; and identifying the opportunity to retire, move, or replace existing infrastructure that is at risk of damage from hazards (see Policies NH-I-20 through NH-I-30 on pages 157-159 of **Exhibit 2**).

For all of the above reasons, the proposed other hazard provisions laid out in the Natural Hazards chapter of the proposed LUP update can be found consistent with the Coastal Act.

J. Public Recreational Access and Views

Applicable Coastal Act Provisions

The Coastal Act also addresses the protection of coastal resources such as public access, cultural resources, scenic and visual resources, and environmental justice

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

considerations. Coastal Act Sections 30210 through 30224 specifically protect public access and recreation, and Section 30240 protects parks and recreational areas. In particular:

30210. *In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

30211. *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

30212. *(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. ...*

30212.5. *Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.*

30213. *Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. ...*

30214. *(a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following: (1) Topographic and geologic site characteristics. (2) The capacity of the site to sustain use and at what level of intensity. (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses. (4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.*

(b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

(c) In carrying out the public access policies of this article, the commission and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.

30220. *Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

30221. *Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.*

30222. *The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.*

30223. *Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

30224. *Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.*

30240(b). *Development in areas adjacent to ... parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those ... areas.*

30252. *The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.*

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

30253(e). *Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.*

In addition, the Coastal Act provides that the scenic and visual qualities of coastal areas are resources of public importance that must be protected, and new development is required to protect public views and be visually compatible with the surrounding area. In addition, where feasible public views are to be restored and enhanced in areas where the view may have been degraded over time. Finally, new development in highly scenic areas is required to be subordinate to the character of that setting. Coastal Act Section 30251 states:

30251. *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

Analysis

The Coastal Act requires that public access and public recreational opportunities to and along the coast must be maximized, that development enhances and/or protects public access and recreation opportunities, and that access and recreational opportunities be provided where appropriate. Public parking and other facilities should be distributed along the coast, and lower-cost, visitor-serving facilities are to be protected, encouraged, and provided. The Coastal Act further provides that development shall provide appropriate mitigation if it may adversely impact archeological resources, and that the scenic and visual qualities of coastal areas shall be protected as matters of great public importance. Importantly, the Coastal Act's Section 30210 direction to maximize access represents a different threshold than to simply provide or protect such access and is fundamentally different from other like provisions in this respect: it is not enough to simply provide access to and along the coast, and not enough to simply protect access; rather such access must also be maximized. This terminology distinguishes the Coastal Act in certain respects and provides fundamental direction with respect to LCP public recreational access planning.

Public Access and Recreation

Proposed LUP provisions require that public access to the coast be maintained, enhanced, and sustainably managed, including with respect to the threat of coastal hazards; ensures protection of cultural resources; and enhances the protection of public views more broadly. Specifically, the proposed LUP documents existing public open space and community facilities and infrastructure, provides policies for protecting and providing coastal access, and describes improvements that are proposed to be undertaken during the future planning period to enhance recreational use and opportunities of Pacifica's coastline. There are a variety of open space and access

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

opportunities throughout the City, including about 450 acres of regional parks, as well as beaches, in the coastal zone. These include beach access points at Sharp Park Beach, Rockaway Beach, and Pacifica State Beach and shore access points at areas with limited beach area near the northern part of town. There are 27 total coastal access points throughout Pacifica, as detailed in Table 3-1 of the LUP (see also Figure 3-1 on page 8 of **Exhibit 3**). Additionally, there are four regional parks, including Mori Point, the Northern Coastal Bluffs, and the Pedro Point Headlands all of which are managed by the National Parks Service (as part of the Golden Gate National Recreation Area (GGNRA)), and Sharp Park Golf Course that is managed by the City and County of San Francisco.

The LUP update includes overarching provisions that are intended to provide maximum coastal access opportunities for all, to ensure proper management of public accessways and areas, and to provide for proper distribution of public facilities (such as parking and/or facilities). In addition, the proposed LUP recognizes that public facilities will be threatened by coastal hazards and provides support for relocating such facilities – including underlying easements – in response to hazards, such as erosion or frequent flooding. In regard to the relationship between development and access, the LUP prohibits interference with the public's right to access the coast, requires that new development provide public access, and prohibits private gates and roads that impede access. Further, the proposed LUP update ensures that proper maintenance of public coastal access points will be completed by both public and private entities, and prohibits restricting public parking that would adversely affect public access to beaches, trails, or other coastal recreational lands. Additionally, the update limits structural development on the beach to only allow development necessary for public access or safety, such as lifeguard towers or wheelchair accessways which can be easily removed or relocated, and when designed to minimize adverse impacts on public access, recreation, and coastal resources. Proposed policies also institute clearer guidelines for temporary events, including potential CDP exemptions, consistent with the Commission's past approach on this subject,⁵² and ensures that free and lower-cost user and parking fees are maintained, in addition to reducing beach curfews to the maximum extent possible to maximize public access opportunities.

The LUP's proposed Public Access and Recreation chapter also dives deeper into policies specific to each designated coastal access point, centering around potential improvements, such as promoting trail improvements at the Northern Coastal Bluffs, developing a public park or viewing area and trail at the City owned blufftop along Esplanade Avenue, improving access at the San Francisco RV Park, creating access at Aramai Point, conducting prescriptive rights studies in Shelter Cove and the Oceanshore railroad berm, constructing a new section of the Coastal Trail along the former Oceanshore railroad berm in Pedro Point, extending trails on the Pedro Point headlands, creating new trails at the Quarry, pursuing any other viable new coastal access points when possible, prohibiting the abandonment of public roadways or rights-

⁵² See memo titled "Regulation of Temporary Events in the Coastal Zone" dated January 23, 1998: https://www.coastal.ca.gov/la/docs/temp_events_guidelines.pdf.

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

of-way where coastal access can be maintained or improved, and maintaining existing access at Beach Boulevard, the Pier, and Rockaway Beach.

The proposed LUP also identifies area for improvements to regional parks, beaches, and trails. This includes connecting the Pedro Point headlands with the Coastal Trail, developing new parks as possible, creating new segments of the Coastal Trail through the Quarry, extending the Coastal Trail between Pacifica and Devil's Slide to the south, making sidewalk improvements along the Coastal Trail segments on Palmetto and Esplanade Avenues, and several other improvements to existing trails. The City also proposes policies to improve the accessibility to public access areas by improving signage and developing a trail and parks guide, and policies to improve the pedestrian and bicycle network in Pacifica.

Further, the proposed Update includes provisions that protect and, where feasible, provide lower-cost, visitor and recreational facilities and overnight accommodations. As the cost of land in California's coastal zone is extremely high, hotel accommodations are often higher priced to be profitable, and lower-cost accommodations are becoming increasingly rare, despite the Coastal Act's prioritization of such accommodations for maximizing public access. In addition, parking fees for access to coastal visitor serving accommodations can be a substantial public access barrier, particularly for lower-income communities and environmental justice communities. It is the Commission's responsibility to ensure all people can access and recreate at California's iconic coast in order to carry out the directives regarding the provision of low-cost visitor serving amenities.

Therefore, proposed Policy LD-I-6 (see page 44 of **Exhibit 2**) protects, encourages, and where feasible, provides lower-cost visitor and recreational facilities in the coastal zone. This includes major free recreational attractions such as the Pacifica Pier, Pacifica State Beach, the public golf course at Sharp Park, the San Francisco RV Park, California Coastal Trail and other trails, lower-cost overnight accommodations, and numerous accessible beaches at no cost. Additionally, PR-I-9 (see page 66 of **Exhibit 2**) ensures that public beaches and parks in the coastal zone are free to access or maintain lower-cost user and parking fees, and minimizes parking lot and beach curfews in order to maximize public access and recreation opportunities.

Finally, the chapter identifies priorities for permanent conservation of regional park land and expands upon public access through city parks and playfields. Proposed policies include developing and enhancing city parks; enhancing outdoor recreation facilities; creating or enhancing community gathering places such as plazas; and preserving open space that protects natural resources and visual amenities. There is also an emphasis on creating future public spaces through redevelopment of publicly owned sites, and exploring opportunities to develop 'pocket parks' on public land (such as street stubs or rights-of-way that are not needed to serve future development) that are within easy walking distance to residences.

For all of the above reasons, the proposed other access provisions laid out in the Public Access and Recreation chapter of the proposed LUP update can be found consistent with the Coastal Act.

Visual and Scenic Resources

The City of Pacifica has many scenic areas that the LUP update seeks to preserve and enhance, consistent with Coastal Act requirements for the protection of these coastal resources. Three main promontories dominate the coastal zone in Pacifica and represent the remaining, natural and undeveloped coastal character of the City: the Pedro Point Headlands, Aramai Point, and Mori Point. Blufftop or promontory access with views over the coastline exist at Mori Point and on the Northern Coastal Bluffs. Direct views to the ocean are provided at Esplanade Avenue; along Beach Boulevard; at Sharp Park (including from its 'linear park' atop the berm there); at Rockaway Beach; from the Ocean Shore Railroad berm; and the top of Kent Road in the Pedro Point neighborhood. The City also has many scenic views, particularly along Highway 1 and Sharp Park Road, and has several hillsides and prominent ridgelines which add to the scenic resource values of the City.

To preserve these visual resources, the update includes proposed provisions that ensure that scenic and visual amenities and views from scenic routes are preserved and enhanced, consistent with Coastal Act requirements. Policies in the proposed update include, among others: designing dedicated public accessways to provide views; guidelines for minimizing visual impacts from hillside development; protection of ridgelines from residential and commercial development; requiring new utility lines to be undergrounded; protecting the City's scenic and visual amenities by protecting landforms, vegetation, special communities, and coastal view corridors; ensuring coastal view corridors from Highway 1 and Sharp Park Road are preserved and enhanced; and creating and enhancing viewsheds along primary travel routes on the coast (see Policies PR-I-4, ER-I-44 and ER-I-45, ER-I-53, and ER-G-15 through ER-G-17 see pages 64 and 137-138 of **Exhibit 2**). Development that occurs on a hillside will be required to comply with requirements to submit siting and grading plans, as previously required by the 1980 LUP. Additionally, proposed LUP update policies prohibit development on steep slopes and on visible promontory landforms, and require development to minimize impacts, to be clustered and contoured consistent with existing landforms, and to be subordinate to natural landforms otherwise. Other relevant provisions include guidelines to improve aesthetic values associated with roadway projects, and provisions designed to enhance public views from public areas, to use screening/mottling vegetation to reduce perceived massing of development in public viewsheds, to avoid blocking public views (including with vegetation), and to overall enhance public views throughout the City.

For all of the above reasons, the proposed visual and scenic resource provisions can also be found consistent with the Coastal Act.

K. Tribal and Cultural Resources

Applicable Coastal Act Provisions

The Coastal Act also addresses protection for cultural resources as follows:

30244. *Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.*

Analysis

Pacifica has a rich history with regional and statewide significance as it was home to several Tribal villages, such as Pruristac in San Pedro Valley and Timiigtac in Calera Valley, as well as the site of the discovery of the San Francisco Bay⁵³. Five archeological resource sites have been identified and recorded in Pacifica, all classified as habitation sites, in addition to the Sanchez Adobe Historical Site along San Pedro Creek, which features physical evidence of several periods in California history. As part of the LUP update process the Native American Heritage Commission conducted a search of the sacred lands file and failed to indicate the presence of additional Native American cultural resources in the planning area, and the City sent letters of inquiry to six Tribes which may have had historic ties to the Planning area, but no responses were received.

The proposed update includes several provisions intended to protect designated historic and cultural sites. These include ensuring that development analyzes and avoids impacts to historic, cultural, archeological, or paleontological resources and requires mitigation where unavoidable. The proposed policies also require that projects conduct pre-construction tribal consultation, a records review, and surveys and monitoring, and that projects also include implementation of appropriate measures, such as avoidance, preservation in place, and excavation, as conditions of approval. Additionally, proposed policies require that the City work with local tribes to protect recorded and unrecorded cultural and sacred sites, and to educate the community and developers about the connections between tribal history and environmental features that characterize the land.

For all of the above reasons, the proposed Tribal and cultural resource provisions can be found consistent with the Coastal Act.

L. Environmental Justice

Applicable Coastal Act Provisions

The Coastal Act explicitly identifies the need for equity and environmental justice and allows the Commission to consider coastal resource issues and impacts through that lens, including in LCP/appeal cases if the LCP itself is silent on such issues. The Coastal Act states:

30013. *The Legislature further finds and declares that in order to advance the principles of environmental justice and equality, subdivision (a) of Section 11135 of the Government Code and subdivision (e) of Section 65040.12 of the Government Code apply to the commission and all public agencies implementing the provisions of this division. As required by Section 11135 of the Government Code, no person in the State of California, on the basis of race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, genetic information, or disability, shall be unlawfully denied full and equal access to the benefits of, or be unlawfully subjected to discrimination, under any program or activity that is conducted, operated, or administered pursuant to this division, is*

⁵³ In 1769 an expedition led by Gaspar de Portola discovered the San Francisco Bay from a point on Pacifica's Sweeney Ridge.

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

funded directly by the state for purposes of this division, or receives any financial assistance from the state pursuant to this division.

30107.3. (a) “Environmental justice” means the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. (b) “Environmental justice” includes, but is not limited to, all of the following: (1) The availability of a healthy environment for all people. (2) The deterrence, reduction, and elimination of pollution burdens for populations and communities experiencing the adverse effects of that pollution, so that the effects of the pollution are not disproportionately borne by those populations and communities. (3) Governmental entities engaging and providing technical assistance to populations and communities most impacted by pollution to promote their meaningful participation in all phases of the environmental and land use decision making process. (4) At a minimum, the meaningful consideration of recommendations from populations and communities most impacted by pollution into environmental and land use decisions.

30604(h). When acting on a coastal development permit, the issuing agency, or the commission on appeal, may consider environmental justice, or the equitable distribution of environmental benefits throughout the state.

To implement its Coastal Act environmental justice authority, the Commission adopted an Environmental Justice Policy (“EJ Policy”) to guide and inform its decisions and procedures in a manner that is consistent with the provisions in, and furthers the goals of, Chapter 3 of the Coastal Act and certified LCPs. The EJ Policy further articulates environmental justice concepts, including stating:

The term “environmental justice” is currently understood to include both substantive and procedural rights, meaning that in addition to the equitable distribution of environmental benefits, underserved communities also deserve equitable access to the process where significant environmental and land use decisions are made.

Thus, the Commission’s EJ Policy underscores the importance of both substance (i.e., evaluating whether projects do or do not disproportionately distribute environmental benefits and burdens) and process (i.e., ensuring that those potentially affected by proposed development have an equitable opportunity to participate in a transparent public process).

Analysis

The Coastal Act requires that environmental justice be considered in terms of all coastal resource issue areas, requires that coastal development not unduly burden any particular segment of the population with adverse coastal resource impacts, especially those communities that historically have been overburdened by such impacts, and reflects a focus on explicitly requiring fair treatment of all people in the application of the Coastal Act and LCP. The proposed update includes an environmental justice section in

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

accordance with the Commission's Environmental Justice policies and guidance.⁵⁴ The City of Pacifica noted in its LUP update submittal that it recognizes the importance and benefit of inclusive and equitable practices and procedures that reduce impacts on disadvantaged communities. To that end, the update includes three main policies to address environmental justice. The first is to implement processes and procedures that promote environmental justice in support of the Coastal Commission's Environmental Justice policy. Second, the update requires that the City expand notification efforts to underrepresented communities outside of Pacifica for projects in the coastal zone. Finally, the update includes a policy to remove barriers to public participation by implementing new efforts to provide a welcoming, understandable, and respectful atmosphere for meetings, where such meetings must be structured to be considerate of timing, location, and accessibility of potential participants so as to best also accommodate underrepresented communities. Environmental justice issues and considerations otherwise appear throughout the update, including in policies ensuring public beaches and parks in the coastal zone are free to access, maintaining low- and no-cost amenities (including public access parking), limiting beach curfews, and creating a safe and attractive environment that is accessible for all, including persons with disabilities, seniors, and younger residents and visitors.

For all of the above reasons, the environmental justice provisions can be found consistent with the Coastal Act.

M. Conflict Resolution

Applicable Coastal Act Provisions

In actions such as this where one Coastal Act Chapter 3 provision requires denial, but denial would frustrate a mandate of another Coastal Act Chapter 3 provision, the Commission is tasked with resolving such differences "in a manner which on balance is the most protective of significant coastal resources" (often referred to as conflict resolution), as detailed in the Coastal Act as follows:

30007.5. The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner which on balance is the most protective of significant coastal resources. In this context, the Legislature declares that broader policies which, for example, serve to concentrate development in close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar resource policies.

30200(b). Where the commission or any local government in implementing the provisions of this division identifies a conflict between the policies of this chapter, Section 30007.5 shall be utilized to resolve the conflict and the resolution of such conflicts shall be supported by appropriate findings setting forth the basis for the resolution of identified policy conflicts.

⁵⁴ See https://documents.coastal.ca.gov/assets/env-justice/CCC_EJ_Policy_FINAL.pdf.

In order to invoke conflict resolution, the Commission must find that although approval of a proposal would be inconsistent with a Chapter 3 policy, denial of such a proposal based on that inconsistency would result in coastal zone effects that are inconsistent with some other Chapter 3 policy. In most cases, denial of a proposal will not lead to any coastal resource effects at all because it will simply maintain the status quo. However, in some cases such denial can result in coastal resource effects that are inconsistent with a Chapter 3 policy because some Chapter 3 policies, rather than prohibiting a certain type of development, affirmatively mandate the protection and enhancement of coastal resources.⁵⁵ If there is ongoing degradation of one of these resources, and a proposal would cause the cessation of that degradation, then denial would result in coastal resource effects (in the form of the continuation of the degradation) inconsistent with the applicable policy. Thus, the only way that a true conflict can exist is if: (1) the proposal will stop some ongoing coastal resource degradation, and (2) there is a Chapter 3 provision requiring that the resource being degraded be protected and/or enhanced. Only then is the denial option rendered problematic because of its failure to fulfill the Commission's protective mandate, and only then can the Commission invoke the Coastal Act's conflict resolution provisions.

With respect to the second of those two requirements, there are relatively few Chapter 3 provisions that include such an affirmative mandate to enhance a coastal resource. Moreover, because the Commission's role is generally a reactive one, responding to development and planning document proposals rather than requiring that coastal resources be protected outside of such proposals, even provisions that are phrased as affirmative mandates to protect resources more often function as prohibitions.⁵⁶ Denial of a project or planning provision cannot result in a coastal resource effect that is inconsistent with a prohibition on a certain type of development. As a result, there are relatively few Coastal Act policies that can serve as a basis for a conflict.

Similarly, denial of a proposal or planning provision is not inconsistent with Chapter 3 and thus does not present a conflict simply because it would be less inconsistent, or even slightly more consistent, with a Chapter 3 policy than some alternative would be, even if approval of the proposal or policy would be the only way in which the Commission could prevent the more inconsistent alternative from occurring. For denial of a proposal to be inconsistent with a Chapter 3 policy, the proposal must produce

⁵⁵ See, for example, Sections 30210 ("maximum access...and recreational opportunities shall be provided"), 30220 ("Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses"), 30230 ("Marine resources shall be maintained [and] enhanced"), and 30231 ("quality of coastal waters...appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained").

⁵⁶ For example, Section 30240's requirement that environmentally sensitive habitat areas "shall be protected against any significant disruption of habitat values" generally functions as a prohibition against allowing such disruptive development, and its statement that "only uses dependent on those resources shall be allowed within those areas" is a prohibition against allowing non-resource-dependent uses within these areas. Similarly, Section 30251's requirement to protect "scenic and visual qualities of coastal areas" generally functions as a prohibition against allowing development that would degrade those qualities. Section 30253 begins by stating that new development shall minimize risks to life and property in certain areas, but that usually requires the Commission to condition projects to ensure that they are not unsafe.

tangible, necessary enhancements in resource values over existing conditions, not over the conditions that would be created by a hypothetical alternative. In addition, the proposal must be fully consistent with the Chapter 3 policy requiring resource enhancement, not simply less inconsistent with that than the hypothetical alternative proposal would be. If the Commission were to interpret the conflict resolution provisions otherwise, then any proposal or policy, no matter how inconsistent with Chapter 3, that offered even the smallest, incremental improvement over a hypothetical alternative proposal would necessarily result in a conflict that would justify a balancing approach. The Commission concludes that the Coastal Act's conflict resolution provisions were not intended to apply based on an analysis of different potential levels of compliance with individual provisions or to balance a proposal against a hypothetical alternative.

In addition, if a proposal is inconsistent with at least one Chapter 3 policy, and the essence of that proposal does not result in the cessation of ongoing degradation of a resource the Commission is charged with enhancing, the proposal's proponent cannot "create a conflict" by adding on an essentially independent component that remedies ongoing resource degradation or enhances some resource. The benefits of a project must be inherent in the essential nature of the project. If the rule were to be otherwise, such proponents could regularly "create conflicts" and then demand balancing of harms and benefits simply by offering unrelated "carrots" in association with otherwise unapprovable proposals. The balancing provisions of the Coastal Act could not have been intended to foster such an artificial and manipulatable process, such as an invitation to enter into a bartering game in which proponents offer amenities in exchange for approval of their proposals.

Finally, a project or planning provision does not present a conflict among Chapter 3 policies if there is at least one feasible alternative that would accomplish the essential purpose of the proposal without violating any Chapter 3 policies. Thus, an alternatives analysis is a condition precedent to invocation of conflict resolution. If there are alternatives available that are consistent with all relevant Chapter 3 policies while also achieving the required mandated outcomes, then the proposal does not create a true conflict among Chapter 3 policies.

In sum, in order to invoke conflict resolution, the Commission must conclude all of the following with respect to the proposal before it: (1) approval of the proposal would be inconsistent with at least one of the policies listed in Chapter 3; (2) denial of the proposal would result in coastal resource effects that are inconsistent with at least one other Chapter 3 provision by allowing continuing degradation of a resource the Commission is charged with protecting and/or enhancing; (3) the proposal results in tangible, necessary resource enhancement for that resource over the current state, rather than an improvement over some hypothetical alternative proposal; (4) the proposal is fully consistent with the resource enhancement mandate that requires the sort of benefits that the proposal provides; (5) the benefits of the proposal are a function of the very essence of the proposal, rather than an ancillary component appended to the proposal's description in order to "create a conflict" and/or create a perception of increased resource enhancement; (6) the benefits of the project are not independently

required by some other body of law; and (7) there are no feasible alternatives that would achieve the objectives of the proposal without violating any Chapter 3 provisions.⁵⁷

Analysis

The Commission finds that the proposal meets all seven of the above-stated tests and thus presents a true conflict between Chapter 3 policies. As such, the Coastal Act's conflict resolution provisions can be applied to this case, as discussed below.

Conflict Resolution Applicability

As noted previously in these findings, the proposed Special Shoreline Resiliency Area (SSRA) provisions allow for armoring that is not consistent with Section 30253, because they would allow development to rely on armoring when it is not required to be allowed via the Coastal Act Section 30235 override. These policies are also inconsistent with other Coastal Act coastal resource protection sections due to the degradation that would accrue from allowing the replacement and/or augmentation of armoring or the allowance for development in areas that are not able to accommodate it without having significant adverse effects on coastal resources (e.g., Sections 30210, 30240, 30250, 30251, etc.). Thus, the proposed SSRA provisions meet the first test for using conflict resolution.

The proposal meets the second test because the Commission's denial of the SSRA provisions due to such inconsistencies would result in nonconformity with other Coastal Act policies, namely Sections 30230 and 30231. Specifically, Coastal Act Sections 30230 and 30231 affirmatively require the Commission to maintain and restore marine resources and the biological productivity and quality of coastal waters where feasible. If armoring along the SSRA areas were not to be allowed unless it met strict Section 30235 "existing structure" override criteria (i.e., that it only be allowed to protect pre-1977 structures and/or coastal dependent uses), then it is not clear that such armoring could be allowed at all.⁵⁸ Without accommodating the replacement and/or augmentation

⁵⁷ As an example, the Commission applied conflict resolution to a 1999 proposal involving the placement of fill in a farmed wetland area in order to construct a barn atop the fill and to install water pollution control facilities on a dairy farm in Humboldt County (CDP 1-98-103, O'Neil). In that case, one of the main objectives of the project was to create a more protective refuge for cows during the rainy season. However, another primary objective was to improve water quality by enabling the better manure management. In short, the use of the site was degrading water quality, and the barn enabled consolidation and containment of manure, thus providing the first of the four necessary components of an effective waste management system. Although the project was inconsistent with Section 30233, which limits allowable fill of wetlands to seven enumerated purposes, none of which were present, the project also allowed for ongoing resource degradation to be curbed. In that way, the project was fully consistent with Section 30231's mandate to protect coastal water quality, and offered tangible water quality enhancement over existing conditions, not just some hypothetical alternative. Thus, denial would have resulted in impacts that would have been inconsistent with Section 30231's mandate for improved water quality. Moreover, it was the very essence of the project, not an ancillary amenity offered as a trade-off, that was both inconsistent with certain Chapter 3 provisions and yet also provided benefits. Finally, there were no alternatives identified that were both feasible (including in terms of being Coastal Act consistent and achieving the mandate of water quality protection/enhancement) and less environmentally damaging.

⁵⁸ The original approval for the Beach Boulevard armoring was approved using the Section 30235 override's existing structure argument, and the latest improvements to the northern and southern revetments in Rockaway Beach were approved as repair and maintenance to an existing structure.

of the armoring in these two locations, as is proposed by the City, there would be significant risk of coastal erosion leading to compromise of public infrastructure, including underground utilities, present in such areas (as seen in **Exhibit 4** and discussed above). This risk is highlighted by the fact that there have been multiple emergency permits issued over the years to address armoring failures of various sorts in order to preserve and protect the promenade, street, and utility main lines.

Specifically, without armoring, erosion would likely undermine the stability and functionality of such shoreline infrastructure, posing a risk of debris and sewage discharging to the beach and Pacific Ocean, resulting in adverse impacts to marine resources and water quality. Put another way, in the absence of the proposed SSRA provisions (and as the current situation exists), the shoreline presence of such infrastructure poses a significant marine resource and water quality threat, where this threat is ongoing (including as evidenced by the age and state of the armoring fronting the infrastructure in the SSRAs, the lack of authorized maintenance that has occurred to the structures, and the frequent need for emergency and “band-aid” fixes over time). In a manner that might seem counterintuitive, the Coastal Act’s structure and posture related to being generally anti-armoring can actually serve to thwart the mandate to protect the water quality and marine resources in areas seaward of these aged armoring structures when the Section 30235 override criteria are not met.

In the alternative, and speaking to/meeting the third conflict resolution test, that the proposed SSRA provisions would result in a tangible benefit for the coastal resource protection mandate at hand (here marine resources and water quality), such proposed provisions would allow for projects that would protect this infrastructure, which would be a tangible marine resource and water quality improvement over the current state, including as public infrastructure continues to degrade and expose the potential for such catastrophic outcomes.⁵⁹ In addition, the proposed SSRA armoring allowance would not be forever, but rather the proposal has been tailored to apply only for an interim period of time (i.e., 20 years), which is intended to allow time for required shoreline planning

Therefore, it is possible, as discussed earlier, that such armoring along at least some of the Beach Boulevard and Rockaway Beach SSRA areas might be able to meet the Section 30235 criteria to the extent that some structures and uses to be protected qualify as an existing structure and/or coastal-dependent coastal public accessway. However, the proposed SSRA provisions run deeper than that, as they extend armoring allowances to development located directly inland of such public infrastructure regardless of its status as pre- or post-Coastal Act structures and/or coastal dependent uses. In addition, as noted previously, it is unclear, without further investigation, whether all the structures and armoring in the SSRAs qualify as “existing structures” for armoring purposes or whether it has been modified to the degree that it is considered to have been redeveloped/replaced. Thus, even an argument that the Section 30235 override applied to such public infrastructure wouldn’t allow for the full, proposed SSRA provisions.

⁵⁹ The [City of Pacifica Collection System Master Plan Update](#), Appendix F, (titled *Pacifica Collection System Assets Vulnerable to Sea Level Rise* on page 160) identifies that Rockaway Beach and Sharp Park are two vulnerable areas for the sewer system. Further, the pump stations within the SSRA areas are at risk from coastal erosion and wave run-up and, throughout the city, approximately 7 percent of the City’s 97 miles of gravity pipelines and 30 to 35 percent of its 4 miles of force mains are exposed to coastal erosion and flooding. The City has also identified the need to develop a condition assessment and rehabilitation/replacement program in their [Storm Drainage System Master Plan](#), dated December 2022, but as far as the Commission is aware this effort has not yet occurred.

refinements, which may include removal of such armoring and relocation of public infrastructure. Further, during that 20-year time, enhanced access requirements (i.e., over and above what would already be required for typical armoring impact mitigation) would also apply to SSRA-area armoring, which would provide additional benefits. To help ensure that the additional planning that would be made more possible by the SSRA provisions actually occurs, the SSRA provisions only become effective if the City meets certain required steps.⁶⁰ Thus, these provisions help to ensure that required planning and associated benefits are achieved before any armoring is allowed under the SSRA provisions.

In this case, the SSRA provisions would maintain the biological productivity and quality of marine resources and coastal waters by allowing for threatened infrastructure to be protected by the SSRA provisions on an interim basis while the City develops a more detailed shoreline adaptation program that evaluates and implements more informed, and more coastal-resource protective, ways to protect public infrastructure.⁶¹ In this way, the proposed SSRA provisions can be thought of as a first phase in an adaptation plan that includes a temporary 20-year reliance on armoring while the City develops even more detailed planning and longer-term adaptation pathways for both these discreet SSRAs and other areas within the City.

The fourth and fifth tests require that the proposed SSRA provisions must be fully consistent with the resource enhancement mandate that requires the sort of benefits that the proposal provides (here in terms of marine resource and water quality protection), and that the benefits of the proposal are a function of the proposal itself and not an ancillary component appended to the proposal description in order to create a conflict. Here, it is clear that the SSRA provisions would allow for armoring that would protect marine resources and water quality by preventing erosion that damages infrastructure and which could lead to spills, marine debris, and other harm to the marine environment. Thus, the proposal is fully consistent with the mandate to protect marine resources from those risks.⁶² These marine resource and water quality

⁶⁰ SSRA policies will only be of force and in effect if, as determined by the Coastal Commission's Executive Director: 1) the initial Coastal Access and Resilience Program is developed and submitted for Commission review (per CR-I-44), and 2) the development of the Shoreline Adaptation Program (per CR-I-5) has been initiated, including, at a minimum, that the City has developed a public engagement plan, workplan, timeline, and identified funding for completion of the technical studies and planning work.

⁶¹ The Commission has also allowed for armoring when faced with similar marine resource and water quality degradation issues absent armoring in other cases more generally (see, for example, CDPs 2-23-0862 (Vista Grande Infrastructural Improvements) and 2-21-0912 (San Francisco Public Utility Commission Ocean Beach Armoring), both approved by the Commission in late 2024. This approach is also not dissimilar from ones that the Commission has applied in other cases that allowed for shoreline protection on a temporary basis that might not otherwise be allowable in order to allow the time for additional planning intended to achieve better longer-term coastal resource outcomes (see, for example, CDP 3-19-0020, San Simeon Wastewater Treatment Plant; CDP 1-20-0711, Arcata Wastewater Treatment Facility; CDP 3-16-0233, South San Luis Obispo County Sanitation District Wastewater Treatment Plant; and CDP 4-19-0339, Carpinteria Wastewater Treatment Plant embankment wall).

⁶² While allowing armoring could lead to other types of coastal resource impacts, the fourth test is not explicitly concerned with that issue. Rather, the fourth test is only concerned with whether the project is fully consistent with the policies requiring approval (i.e., in this case, Sections 30230 and 30231). Put

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

protection benefits are absolutely a direct function of the proposed SSRA provisions. Namely, the whole purpose of the SSRA provisions is to protect vital public infrastructure in a comprehensive manner in these two highly developed areas of the City. While the policies also allow inland public and private development to rely on such armoring for its safety, that does not take away from the fact that the specific purpose of and need for the policies relates to public infrastructure. Put another way, this benefit of the SSRAs is not an ancillary component appended to the City's proposal in order to "create a conflict"; rather, such benefit is a function of the very essence of the proposal.⁶³ Thus, the proposal meets the fourth and fifth conflict resolution tests.

As to the sixth conflict resolution test, this test requires that the benefits of the proposed SSRAs in terms of Chapter 3 mandates – again here the marine resource and water quality protection benefits – are not independently required by some other body of law. If the benefits would be provided regardless of the Commission's action on the proposed LUP amendment, then the City cannot seek approval of an otherwise un-approvable proposal on the basis that the plan would produce those benefits. In other words, the City does not get credit for such benefits if it is already compelled to provide them by other laws.

Here, there is no other body of law that specifically requires the City to proactively protect its sewer, road, and other oceanfront infrastructure to ensure that it does not periodically fail and lead to marine resource and water quality impacts. Although state law generally requires that cities and the state maintain and repair their public roadways,⁶⁴ these authorities speak only to the duty to maintain and repair, not to the duty to prevent harm to surrounding resources. Some other laws, such as the Clean Water Act, also generally require protection against discharges of pollutants to waterways, but do not independently require proactive work to ensure that stretches of infrastructure do not crumble onto the beach or into the ocean. This is not a situation where the City is trying to get credit for implementing benefits that would occur even without this LUP update. On the contrary, it is the Coastal Act that requires LCP planning, including for the protection of marine resources. Without this LUP amendment and its SSRA provisions to address coastal adaptation and provide neighborhood level benefits in the form of protection against degradation of marine resources and water quality, the City would not be compelled by other law to provide these benefits, thus meeting the sixth test.

another way, questions about other sorts of impacts/challenges, such as those attributable to armoring otherwise, aren't explicitly relevant to this test. The whole purpose of conflict resolution, however, is to arrive at the outcome that is most protective of significant coastal resources, and it is that overall question that the Commission must analyze when/if the proposal meets the tests to invoke conflict resolution.

⁶³ Although the City is proposing other types of non-marine resource and non-water quality benefits as part of the LUP amendment (namely, the refined additional planning and the enhanced public recreational access mitigation framework), such other benefits are evaluated in the overall conflict resolution analysis, and not here in test five.

⁶⁴ See, for example, California Streets and Highways Code Sections 91 and 1921, and *Clay v. City of Los Angeles*, (1971, 21 Cal.App.3d 577).

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

The final test for conflict resolution is that there are no feasible⁶⁵ alternatives that would achieve the specific Coastal Act-required objectives of the proposed SSRAs (the marine resource and water quality protection) without violating any Chapter 3 policies. In the LUP amendment context, alternatives considered are that the Commission could (1) suggest modifications to remove the SSRA and related provisions but approve the other proposed LUP update provisions; (2) suggest modifications to modify the SSRA and related provisions in a Coastal Act consistent manner, and approve the other proposed LUP update provisions; or (3) deny the LUP, in which case the existing certified LUP would continue to govern in the City's coastal zone.

For the last option, a Commission denial would mean that the LUP would not be updated at all, and that the certified LUP would continue to govern. That LUP, like the Coastal Act, only allows armoring to protect existing structures and/or coastal dependent uses in danger from erosion, subject to certain criteria. Given the nature of the built environment at shoreline's edge in the SSRA areas, it is not clear whether the structures/uses present there would qualify for the applicable Coastal Act/LCP 'override' that could allow armoring to protect endangered infrastructure, including sewer lines. If it didn't so qualify, then such armoring override would be inapplicable, and Coastal Act/LCP resource protection provisions would almost certainly direct denial for such armoring. While it is true that the existing armoring that is present today would still be present and offering protection even without any proposed new/replacement/modified armoring, it is also true that that that armoring is decaying and is likely inadequate to protect against the type of public infrastructure damages that the SSRAs are intended to protect against, particularly over the twenty-year proposed term of the SSRAs.⁶⁶ If coastal hazards ultimately led to crumbling roads and exposure of sewer lines, then it would also result in adverse impacts to the beach and coastal waters seaward. Put another way, this alternative would mean that the specific Coastal Act marine resource and water quality protection mandate-required objectives of the proposed SSRAs would not be achieved, and thus it is not a feasible Coastal Act consistent alternative for meeting such objectives.

In terms of the first alternative, while the Commission has the authority to suggest modifications to remove the SSRA provisions, it (1) does not accomplish the affirmative mandates outlined above and (2) does not have the authority to compel the City to

⁶⁵ Per Coastal Act Section 30108, "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

⁶⁶ The condition assessment prepared by GHD as part of the City's [Existing Conditions Report](#) notes that the northern section of the Beach Boulevard seawall has widespread corrosion within the precast wall panels, which is expected to cause extensive spalling and to considerably weaken the wall over time. As such, the City estimates that this armoring section has a remaining life of 5 years absent modifications. Meanwhile, the City notes that the steel sheet pile wall at the middle section of the seawall has experienced 100% loss, leading to no protection for the abutment fill, and estimates a remaining life of 5 years absent modifications. Lastly, the City indicates that the southern section of the seawall is faring best, apparently due to the presence of more beach and sand fronting the wall, and estimates that it has a remaining life of 10 years absent modifications. The two revetments in Rockaway Beach do not benefit from such a report, however, given the amount of time they have been in place without significant maintenance, both revetments are likely reaching the end of their protective lifetimes.

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

accept those modifications. Rather, if the Commission were to deny the LUP and modify it to remove SSRA provisions, it would be up to the City as to whether to accept the changes or not. Either way, the proposed SSRA provisions would not be applicable, and those same public infrastructure areas would be in the same predicament as they would be with a straight denial because (a) if the City accepted the modifications, then the proposed LUP absent the proposed SSRA provisions continues to maintain the same Coastal Act override approach to coastal armoring, or (b) if the City did not accept the modifications, then the existing certified LUP would continue to govern. Both cases would lead to the same outcomes discussed above in terms of straight denial. For the same reasons as applicable to that outcome, this is not a feasible Coastal Act consistent alternative either.

For the second alternative, the Commission could, in theory, suggest modifications to change the SSRA provisions to make them Coastal Act consistent, and approve the other proposed update provisions. However, it is not clear how the Commission could modify the SSRA provisions to still provide protection against crumbling infrastructure while also being fully Coastal Act consistent. For example, the Commission could choose to only apply SSRA provisions to public infrastructure and not allow development inland of that to also rely on the armoring. The Commission could also retain the Beach Boulevard SSRA and remove the Rockaway Beach SSRA, given the amount of public infrastructure threatened is more prominent at Beach Boulevard. However, the first option would not change the amount of armoring that could be approved, and thus the impacts it would have; and it would also still violate Section 30253 because infrastructure development projects could still be approved that rely on the construction of armoring that has negative impacts on natural landforms on the coast. The second option, in turn, would not provide protection to all of the infrastructure at risk, so would not bring the LUP proposal into full conformity with the affirmative Coastal Act mandates outlined above.

In addition, for any areas where the SSRA provisions did not apply, the current LCP provisions, which mirror the Coastal Act's armoring override provisions, would be unchanged and would be expected to lead to the same outcomes as the straight denial option. As described above, it is also not clear that the City would accept any proposed modifications. The City has been working on this LUP update for almost 10 years, withdrew a prior submittal (in 2023) in order to reconsider its approach, and has been in active discussions with many interested parties (including Commission staff), some with quite diametrically opposed viewpoints, for a many years. The SSRA provisions have been a controversial component of those discussions at the local level, where this proposed LUP amendment and those provisions were even a prominent issue in recent City Council elections in 2024. All of that is to say that there is a very real possibility that the City simply would not accept suggested modifications, especially to the SSRA provisions, which would mean that the LUP – including all of its beneficial and updated provisions unrelated to SSRAs – would not be amended and updated. The Commission has considered modified policies that address the affirmative marine resource and water quality mandates in a way that was completely Coastal Act consistent (e.g., requiring

nature-based solutions to protect public infrastructure from erosion, requiring public buy out and removal of some at-risk development, etc.), avoiding the immediate need for armoring, bringing the proposal into consistency with Section 30253 (and related coastal resource protective provisions), and avoiding some coastal resource impacts. However, those policies are not feasible at this time. They might become feasible at a later time with further study or once risks become great enough that armoring becomes too expensive or ineffective. But the time, cost, and uncertainties of being able to craft and obtain local approval of strategies such as these makes such other alternatives incapable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and other factors.

In other words, there are no feasible alternatives that would achieve the specific Coastal Act mandate-required objectives of the proposed SSRAs without violating any Chapter 3 policies. As a result, the proposed SSRA provisions meet all seven conflict resolution tests, which allows the Commission to apply the Coastal Act's conflict resolution provisions. Namely, and based on the above, the Commission finds that the proposed project presents a conflict between Coastal Act Sections 30253 (and related coastal resource protection provisions) on one hand, and Sections 30230 and 30231 on the other, which must be resolved through application of Section 30007.5.

Conflict Resolution Analysis

With the conflict among Coastal Act policies established, the Commission must resolve the conflict in a manner which on balance is the most protective of significant coastal resources. In evaluating this question, the Commission can re-weigh some or all of the criteria applicable to the seven applicability tests discussed above, or can more broadly consider the ways in which the conflict presented affects significant coastal resources, or can apply some synthesis of the two. The only explicit Coastal Act direction on this point is in Section 30007.5, which states that "broader policies which, for example, serve to concentrate development in close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar resource policies." Put another way, broader overall considerations may be more critical than more single-resource focused considerations in evaluating the question.

Here, disallowing the proposed SSRA provisions, or even modifying them in an attempt to make them Coastal Act consistent, would potentially allow the rest of the LUP to achieve Coastal Act consistency, because those policies, in and of themselves, could be consistent with Chapter 3 Coastal Act policies. However, it would not accomplish the Coastal Act-mandated resource benefits described above. In those scenarios the City would only be expected to continue the current status quo, which involves the continued existence of existing, but older, armoring that has continuing coastal resource impacts. It would also create more uncertainty regarding whether the Beach Boulevard and Rockaway Beach areas may obtain additional armoring in the future. While some have suggested that this would mean that armoring proposals would not meet Coastal Act override tests and would thus need to be denied, that is not clear from information currently available to the Commission. It is possible that a close analysis would conclude that some of the shoreline infrastructure is "existing" and some is not, thereby

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

allowing armoring under Coastal Act Section 30235 (or its current LUP equivalent) in some locations but not others. It would not provide coastal resource benefits to allow a patchwork of armoring in these developed neighborhoods. Rather, such an outcome would represent the worst of both worlds; there would be insufficient armoring to protect existing, vital public infrastructure, yet enough armoring to have impacts on beaches and other coastal resources.

Additionally, some have also drawn the conclusion that if the SSRA policies are denied, then endangered infrastructure would be removed to allow for the shoreline to erode naturally, and to allow for beaches to form and reform at inland locations. However, that is also highly uncertain, if not improbable, in the near term. As described above, it is possible that some armoring might be required to be allowed under the current LCP. In addition, it seems unlikely that infrastructure removal/relocation could be feasible in the short term (e.g., the 20-year term of the proposed SSRA provisions), due to planning, timing, costs, and other factors. For example, Beach Boulevard provides the only means of accessing a number of homes on the shoreline, and allowing that road, and its underlying infrastructure, to erode and become impassable is not feasible at this time due to the very significant planning and expense needed to address property ownership and access issues. In addition, the armoring now present still serves a protective function and thus, absent some form of catastrophic loss, there is currently no clear path to requiring its removal that would not require significant redevelopment of structures inland of it that rely on it and are associated with it. Thus, it is unlikely that denial of the SSRA provisions would lead to near-term (i.e., over the 20-year life of the SSRA provisions) resource benefits.

In contrast, the marine resource and water quality ramifications of a lack of protection seem relatively obvious, again at least in the short term. As described above, it is not clear that these benefits could be obtained if the LUP amendment was denied, as the current LUP may not allow the same level of protection for vital infrastructure, and certainly does not provide the same requirements for City-wide adaptation planning and coastal access benefits.

On that note, the framework set up by the City in the proposed LUP represents a first phase meant to help the City begin to adapt to sea level rise, reducing risk of damage associated with increasing hazards and ensuring protection of coastal resources in the near term, while also committing to continued detailed adaptation planning to ensure that the City can remain resilient even as conditions change over time. Sea level rise adaptation planning is a complex endeavor that will require this type of continued analysis and identification of strategies to help communities address existing hazards while also developing longer-term options. The nature of sea level rise hazards, existing patterns of development, and different coastal resource needs is such that this type of planning needs to be done carefully and proactively to ensure balanced approaches. This type of planning is also consistent with Coastal Act Section 30270, which requires the Commission to take into account the effects of sea level rise in coastal resource planning and management activities. It is also consistent with Senate Bill (SB) 272, which requires local governments to complete vulnerability assessments, identify adaptation strategies, and incorporate this information into LCPs. Critically, SB 272 also envisions the need for continued analysis and future updates, requiring in particular that

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

sea level rise plans identify a timeline to update planning efforts. While the proposed LUP includes policies that result in Coastal Act conflicts, as described here, as a whole it represents a critical step forward for sea level rise adaptation planning. Failure to approve the proposed LUP would thus not only result in the coastal resource impacts described above but would also prevent the City from moving forward with its initial sea level rise adaptation planning efforts.

In addition, compliance with, and implementation of, the primary updated LUP provisions is expected to provide benefits not realized in the current LUP. This is because the current LCP is from 1980, and it does not explicitly analyze or plan for sea level rise, nor does it explicitly provide analytic frameworks that match current best practices as it relates to coastal hazards and coastal hazards response more generally. Some of the benefits from an updated LUP include requiring the use of best available science, hazard risk disclosures, a consistent redevelopment definition, and a comprehensive shoreline monitoring and adaptation plan. Additionally, the proposed LUP addresses all relevant coastal issues, with a focus on new/updated provisions related to climate change; conservation/protection of coastal ecosystems, water supplies, and agricultural resources; fire hazards and wildfire resiliency; and public recreational access opportunities and public views. All of which would be a significant improvement from the current LUP.

In addition, as described elsewhere, the proposed SSRA provisions are more of a 'bridge' to advance continued planning than a final determination that armoring is appropriate for all times along Beach Boulevard and at Rockaway Beach. In fact, not only do the SSRA provisions only become effective if specific criteria are implemented (criteria that are specifically designed to ensure implementation of public access improvements), but they sunset in twenty years, ensuring that the City must complete additional adaptation planning and implementation. Such planning efforts required from this update go above and beyond typical requirements associated with armoring projects, and would be expected to provide resource benefits in terms of coordinated and specific access enhancements at a neighborhood scale. Additionally, the increased planning efforts required through the Coastal Access and Resilience Program and Shoreline Adaptation Program should have tangible outcomes that will assist the City with future planning and adaptation, including determining how to best adapt public infrastructure in relation to the impacts of coastal hazards, including sea level rise.

With respect to the Shoreline Adaptation Program specifically, that program would be required to evaluate and implement ways to protect public infrastructure in the manner that best protects coastal resources. This type of planning and implementation has long vexed the City and the Commission, as planning for future adaptation, especially in areas like the SSRA areas where vital public infrastructure is built right up to the shoreline edge, is an extremely difficult task, and one that requires that difficult questions are asked and answered. Therefore, including the explicit requirement for this planning, mitigation, and required implementation in the updated LUP is expected to lead to implementation of more coastal resource protective solutions in the long run.

In sum, the SSRAs give a temporary, 20-year period where public infrastructure, and the development right behind it, along Beach Boulevard and in Rockaway Beach, can

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

rely on armoring while longer-term planning efforts occur. Impacts from this reliance will be mitigated by the City undertaking significant planning efforts and implementing projects that will have benefits to coastal resources throughout the City. These efforts also go beyond what could be required by project-by-project mitigation for future armoring projects in the absence of this LUP amendment, including that they are explicitly required to address access on a broader scale and in more depth. Additionally, the SSRA provisions would not go into effect until certain criteria for the planning programs are met, and if the Executive Director finds that such planning efforts are not occurring as required, the provisions would be suspended. Further, any development that is allowed to rely on armoring in these SSRA areas will have to meet the requirements of the hazard risk disclosure policy, and will be conditioned to require the applicant to acknowledge that the development's long-term safety may be based in part on shoreline protection structures located seaward of the development which may or may not be effective and/or be maintained and/or be present in the future. This helps ensure that the armoring is not relied on permanently and that other options for adaptation remain open. Lastly, any proposal regarding redeveloping or replacing the armoring in the SSRAs will be subject to a CDP and approval from the Coastal Commission, giving the Commission oversight of any future armoring projects.

This proposal represents the first of what staff expects to be many LCP amendment applications that provide for clearly developed neighborhood-scale adaptation planning provisions, which in some cases will include focused areas where temporary armoring could be allowed even where the Coastal Act may direct otherwise, provided that the facts and context for such amendments demonstrate that such allowance is the most protective of significant coastal resources. On this point, staff notes that this approach allows local governments – and the Commission – to address the reality of existing and expected future coastal hazards as well as to develop forward-looking sea level rise adaptation strategies to protect coastal resources over time in communities that are already substantially developed to the shoreline edge, and in many cases heavily armored. Importantly, this is a practical planning approach that fully considers the feasibility of adaptation strategies, particularly the degree to which certain communities might be able to relocate development and/or rely on nature-based solutions rather than armoring, especially in the short term and at a large scale.

In that context, it is becoming increasingly apparent that an inflexible approach that would prohibit most armoring regardless of the unique shoreline and community contexts is unlikely to result in good LCP planning outcomes. In the face of rising sea levels and increasing vulnerabilities, some extra allowances for shoreline armoring may need to be incorporated into some planning approaches, at least as a temporary 'bridge' towards longer term and more refined solutions that can ensure protection of beaches and other coastal resources now and into the future. Those outcomes are dependent not only on local governments and the Commission, but also on the State of California as a whole, coming together to develop creative solutions, as outcomes that prevent the disappearance of our beaches in these communities will take significant investment and political will.

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

Allowing reliance on armoring in order to protect shorefront development will almost certainly not always be, on balance, the most protective of significant coastal resources. That determination will need to be made on a case-by-case basis and will be very fact specific. Here, however, it is most protective for the reasons described in these findings. These reasons include that the armoring will be designed to protect vital public infrastructure, such as coastal access roads that provide access to the municipal pier, the coastal trail, and other important public amenities and utilities. The Coastal Act prioritizes these types of access amenities, and as described above, there are not currently other feasible ways of protecting them. Second, there is already existing armoring, much or all of which is lawfully existing, in these locations that is currently having impacts and for which there is no clear requirement for it to be removed. Thus, allowing continued, enhanced, or improved armoring will not cause immediate resource impacts compared with the status quo. On the contrary, it will be more protective because it will help prevent unmanaged erosion and resulting debris that could enter the marine environment. Third, the allowance for armoring is limited to two, specific, highly-developed locations in Pacifica, and it will allow more certainty for development in those locations. This, in turn, could help maintain Pacifica's character, visitor access, and visitor-serving uses in these neighborhoods by allowing the City and businesses to avoid uncertainty about how the neighborhoods will be impacted by sea level rise and erosion. Finally, the allowance for armoring, and for structures to rely on that armoring, is proposed as part of a comprehensive LUP update that provides many benefits that cannot be obtained through case-by-case review of proposals for armoring, which is what would occur if the proposal were denied. Such a comprehensive update, which includes numerous, important provisions that will help minimize risks from coastal hazards, is consistent with broad Coastal Act policies, such as Section 30270, which require sea level rise planning and LCP updates, and in this case is more protective than narrower policies regarding reliance on armoring.

For all of the above reasons, the Commission finds that approval of the proposed LUP update, including the proposed SSRA provisions, is, on balance, the most protective of significant coastal resources. Thus, and for all of the reasons articulated in these findings, the Commission approves the City of Pacifica's proposed LUP update as submitted.

N. California Environmental Quality Act (CEQA)

CEQA Section 21080.5(d)(2)(A) prohibits a proposed LCP or LCP amendment from being approved if there are feasible alternatives and/or feasible mitigation measures available that would substantially lessen any significant adverse effect that the LCP or LCP amendment may have on the environment. Although local governments are not required to satisfy CEQA in terms of local preparation and adoption of LCPs and LCP amendments, many local governments use the CEQA process to develop information about proposed LCPs and LCP amendments, including to help facilitate Coastal Act review. In this case, the City exempted the proposed amendment from environmental review (citing CEQA Section 21080.9 of the California Public Resources Code which exempts local government from the requirement of preparing an environmental impact

LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)

report (EIR) in connection with its activities and approvals necessary for the preparation and adoption of LCPs and LCP amendments).

The Coastal Commission is not exempt from satisfying CEQA requirements with respect to LCPs and LCP amendments, but the Commission's LCP/LCP amendment review, approval, and certification process has been certified by the Secretary of the Natural Resources Agency as being the functional equivalent of the environmental review required by CEQA (CCR Section 15251(f)). Accordingly, in fulfilling that review, this report has discussed the relevant coastal resource issues with the proposal, and has concluded that approval of the proposed LCP amendment is not expected to result in any significant environmental effects, including as those terms are understood in CEQA.

Accordingly, it is unnecessary for the Commission to suggest modifications (including through alternatives and/or mitigation measures) as there are no significant adverse environmental effects that approval of the proposed amendment would necessitate. Thus, the proposed LCP amendment will not result in any significant adverse environmental effects for which feasible mitigation measures have not been employed, consistent with CEQA Section 21080.5(d)(2)(A).

3. APPENDICES

A. Substantive File Documents⁶⁷

- City of Pacifica Sea-Level Rise Adaptation Plan (dated July 2018)
- City of Pacifica Sea Level Rise Vulnerability Assessment (dated June 2018)
- LCP-2-PAC-20-0036-1 (Previous City of Pacifica Proposed LUP Update)

B. Staff Contact with Agencies and Groups

- City of Pacifica
- Surfrider Foundation
- Pedro Point Community Association (PPCA)
- Pacifica Land Trust
- San Francisco Public Golf Alliance
- Pacifica Climate Committee
- North Coast County Water District

⁶⁷ These documents are available for review from the Commission's North Central Coast District office.