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To: Commissioners and Interested Persons

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Subject: **City of Santa Cruz LCP Amendment Number LCP-3-STC-25-0073-3-Part B (Beaches and Bluffs Hazards Adaptation)**

SUMMARY OF STAFF RECOMMENDATION

The City of Santa Cruz is the most populated city on the Central Coast, with approximately 63,000 residents. Located at the northern end of the Monterey Bay, it spans nearly 16 square miles, with roughly one-quarter of that area (or 4 square miles) occupying the coastal zone, which runs along some 6 miles of coastline, most of which is fronted by the world-renowned West Cliff Drive. Santa Cruz is the quintessential beach town, with its shoreline primarily fronted by public beaches and coastal access infrastructure that caters primarily to visitors and recreation users. The City's shoreline includes a mix of wide sandy beaches and smaller pocket beaches, iconic surf breaks, and more developed visitor-serving features and facilities, like the world-famous Santa Cruz Beach Boardwalk amusement park and the City's municipal wharf. This coastal zone and shoreline area is a critical part of the City's identity and social fabric, and the foundation in many ways of its visitor-serving economy. This area is thus critically important to the City, and the ways in which it adapts to and addresses the challenges of coastal hazards is of utmost importance to the City, its residents, and visitors.

The Commission first certified the City's Local Coastal Program (LCP) in the 1980s, and although there have been a significant number of amendments since that time, there has not been a significant LCP update since the 1990s, and arguably there has never been a significant coastal hazards update. The City intends to rectify that and is currently in the middle of a comprehensive LCP update; this proposed coastal hazards and adaptation amendment (funded, in part, by the Commission's LCP Local Assistance Grant Program) represents the first fruits of that labor. At its core, the proposed amendment would establish a baseline regulatory framework/review lens for today, while also creating a foundation for subsequent, more detailed, and area-specific adaptation planning and implementation work to follow.

Specifically, the proposed amendment would add a new "Beaches and Bluffs Hazards Adaptation" chapter to the LCP that would be tasked with protecting – and adapting –

the City's critical shoreline resources, including its public recreational areas and amenities, in the face of coastal hazards, especially as it relates to sea level rise and more frequent and intense storms that have become the norm in recent times. To implement these goals, the proposed amendment includes a suite of provisions to help implement the Coastal Act's key coastal resource protection provisions along the dynamic shoreline. The proposed new chapter includes explanatory text and 18 policies that, among other things, require the City to use the best available science in both planning and permitting decisions; codify the City's commitment to monitor for both physical and social sea level rise related impacts and changes (annual shoreline and bluff edge surveys but also impacts to recreational resources such as beach width and surfing); require new development to be sited to be safe from coastal hazards threats without shoreline armoring; require permittees for new development to record deed restrictions waiving any right to future armoring; detail the expectations and deliverables for the City's forthcoming "Shoreline Adaptation Management Plans" (SAMPs), which will develop additional specificity regarding future adaptation pathway visions, projects, and timelines/triggers for each of the City's core coastal areas; refine regulations governing shoreline armoring, including in terms of when armoring is allowable (e.g., for 'existing structures' built prior to the Coastal Act), design standards, mitigation requirements, emergency authorization procedures, and thresholds for monitoring, maintaining, and reevaluating said devices; and include an interim policy to help guide public projects along the West Cliff Drive corridor until the SAMP for West Cliff Drive is developed and approved.

In essence, the proposed LCP amendment package accomplishes two main things: it provides a base level of regulatory standards for new proposed development today to ensure that coastal hazards risks are minimized, while also laying the foundation for additional planning and adaptation efforts for discrete segments of the coast in the future via the SAMP requirements. This framework helps implement a phased adaptation approach by providing needed direction for proposed development at the current time, while also recognizing that the shoreline and the hazards facing it are dynamic and ever changing, and thus the responses may be different in the future. This is particularly important in Santa Cruz, where certain decisions regarding the future of its West Cliff Drive promenade, for example, are still subject to local debate and there is uncertainty about how that promenade will look and function in the future. That future planning is embodied in the SAMP process, where such SAMPs are intended to be added to the LCP as they are completed. Importantly, however, the amendment does not postpone all of the difficult decisions to the future; rather, it lays out a rigorous regulatory and analytical framework to ensure that near-term development is sited and designed appropriately, including via a required evaluation of alternatives. In other words, the proposed amendment lays the groundwork for implementing a phased approach by including a series of baseline provisions that can be applied immediately to shoreline development, while also detailing the scope, expectations, and deliverables of the forthcoming, more detailed adaptation work via the SAMPs. As proposed, the City's coastal hazards amendment provides a strong regulatory framework to foster coastal adaptation, and it thoughtfully balances regulatory policies for today with needed planning for tomorrow.

Over the last few years, Commission staff has worked very closely with City staff on this amendment, and appreciates the significant time, thoughtfulness, and productive dialogue to arrive at the proposed amendment package. The City's willingness to tackle difficult but critically important coastal management decisions to advance coastal resource management and adaptation in a way that is consistent with the Coastal Act should be commended. The proposed amendment package represents a solid foundation to codify the City's goals and commitments, where that foundation simultaneously provides a critical lens through which to review development and future adaptation plans. Staff thus recommend that the Commission determine that the proposed LUP amendment is in conformance with the Coastal Act, and that the Commission approve the proposed LCP amendment as submitted. The required motion and resolution to effectuate staff's recommendation is found on **page 5** of this report below.

Staff Note: LCP Amendment Action Deadline

This proposed LCP amendment was filed as complete on March 11, 2026. The proposed amendment affects the LCP's LUP, and the 90-working day deadline for the Commission to take action on it is July 17, 2026. Thus, unless the Commission extends the action deadline (it may be extended by up to one year), the Commission has until July 17, 2026 to take a final action on this LCP amendment. Therefore, if the Commission fails to take a final action in this case (i.e., 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.

Alternate Time Extension Motion: *I move that the Commission extend the time limit to act on City of Santa Cruz Local Coastal Program Amendment Number LCP-3-STC-25-0073-3-Part B to July 17, 2027, and I recommend a yes vote.*

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1. MOTION AND RESOLUTION

Staff recommends that the Commission, after public hearing, **approve** the LUP 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 to Approve: *I move that the Commission **certify** Land Use Plan Amendment LCP-3-STC-25-0073-3-Part B as submitted by the City of Santa Cruz, and I recommend a **yes** vote.*

Resolution to Approve: *The Commission hereby certifies Land Use Plan Amendment LCP-3-STC-25-0073-3-Part B as submitted by the City of Santa Cruz 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 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 Amendment 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 Amendment.*

2. FINDINGS AND DECLARATIONS

A. LCP Amendment Background

The City of Santa Cruz has approximately 63,000 residents, covers approximately 15.6 square miles and is located at the northern end of the Monterey Bay. The City is sandwiched by unincorporated areas of Santa Cruz County, namely the rural/agricultural North Coast and the more urbanized Coastal Live Oak area. The City's coastal zone is approximately 4 square miles and spans approximately 6 linear miles of shoreline. The City's shoreline is both diverse and unique; from north to south, it includes private agricultural land; UCSC's Coastal Science Campus¹ and the De Anza Mobile Home Park both with accompanying trails and beach access; Natural Bridges State Beach; the approximately 3.65-mile-long West Cliff Drive with various pocket beaches, a blufftop pedestrian promenade, two-lane road, coastal overlooks, and coastal accessways; the City-owned Cowell and Main Beaches backed by visitor-serving bluff/beach-front development including the Sea and Sand Inn, Dream Inn Hotel, and the Santa Cruz Beach Boardwalk; the City's Municipal Wharf with its mix of shops, restaurants, and open spaces extending a half-mile seaward between Cowell and Main Beaches; the San Lorenzo River mouth and San Lorenzo Point;² Seabright

¹ The roughly 100-acre Coastal Science Campus is governed by the Commission-certified Coastal Long Range Development Plan, originally approved by the Commission in 2009.

² San Lorenzo Point serves as one of the most prominent viewpoints in Santa Cruz, where visitors are afforded a sweeping vista that includes taking in views of the Monterey Bay National Marine Sanctuary, the San Lorenzo River, the Santa Cruz Beach Boardwalk, the Santa Cruz Wharf, Main Beach, Seabright

Beach, which is a wide sandy beach and part of the greater Twin Lakes State Beach; the Santa Cruz Harbor, which provides recreational and commercial boating slips and facilities; and finally Harbor Beach, a popular sandy beach adjacent to the Harbor's jetty (see **Exhibit 1** for location maps and **Exhibit 2** for photographs of the City's coastal areas, including photos showing recent storms and related storm damage).

The Commission approved the City of Santa Cruz's Local Coastal Program (LCP) Land Use Plan (LUP) on July 8, 1981, and then certified the full LCP on May 9, 1985 when it approved the LCP Implementation Plan (IP). The City then undertook a comprehensive LCP update, which the Commission approved in 1994. Importantly, neither the 1980s era original certification nor the 1990s era update included a comprehensive coastal hazards/adaptation chapter.³ While the City has undertaken targeted amendments over the years, particularly as it relates to infill development in its downtown area, it has not undertaken a comprehensive LCP update since 1994.

The City initiated a comprehensive LCP update effort in 2020, but subsequently decided to first prioritize updating its coastal hazards provisions, and thus to focus on those provisions first, while the rest of the update effort would follow. Among the reasons for doing so, most notably, the City's certified LUP lacked a comprehensive section governing beach, bluff, and shoreline resources reflective of modern coastal land use planning, and the City recognized both the significance of these areas and the vital role of an LCP to help guide adaptation and coastal hazards responses, particularly in light of climate change, sea level rise, and the extreme storm events and damage experienced across the City's shoreline over the consecutive winters from 2022-2025.⁴ The City also had numerous simultaneous and related coastal adaptation planning and

Beach, and the Walton Lighthouse, and for which ADA and parklet improvements were recently authorized by the Commission this past December (3-25-0780-W).

³ Although the 1994 update included some basic provisions that mirror Coastal Act Sections 30235 and 30253, the update did not extend significantly past that. As a result, the LCP in certain respects lacks specificity and details regarding an adaptation vision and specific requirements that address the complexity and nuances associated with adapting a built urban environment in the face of sea level rise.

⁴ The Commission issued the City numerous emergency coastal development permits (ECDPs) over the course of the three consecutive winter seasons from 2022-2025. These include: 1) ECDP G-3-23-0072 (West Cliff Storm Repairs), which entailed placing 200 tons of riprap opposite 1016 West Cliff Drive, implementing circulation controls, constructing "infill walls" at four locations (comprised of a concrete retaining structure backfilled with drainage rock and surfaced with shotcrete to mimic the natural bluff face), restoring and resurfacing the public bike/pedestrian path and roadway, and installing blufftop safety fencing; 2) ECDP G-24-0036 (Bethany Curve Culvert Armoring) which entailed removing the damaged culvert in its entirety and replacing it with a new culvert and coastal/inland headwalls of similar proportions with two side-by-side openings for drainage of the creek, filling a sea cave at the site with grouted riprap, elevating the public bike/pedestrian path and roadway by one foot of elevation, and removing, reconfiguring, and grouting the immediately adjacent riprap; and 3) ECDP G-3-24-0065 (West Cliff Drive Sinkhole Fill and Secant Pile Wall) which entailed excavating loose materials in the sinkhole, constructing an underdrain system, backfilling the void with 450 cubic yards of cement, repaving the damaged parking area and bike/pedestrian path, placing approximately 160-250 tons of riprap at the toe of the sinkhole fill opposite 944 West Cliff Drive, and constructing a 25-foot-long pile supported wall accompanied by a 56-foot-long secant pile wall opposite 960 West Cliff Drive. Commission staff and City staff have been working closely on the follow-up CDP applications for the aforementioned emergency projects, which will likely be heard by the Commission later this year.

implementation efforts underway, many of which were happening outside the context of the LCP.

On this point, the City has developed several vulnerability assessments that apply both citywide and to subareas.⁵ Together, they describe how sea level rise will drive growing risks from erosion, flooding, and groundwater rise throughout the City, which will impact sensitive habitats, cultural resources, public access, surf breaks, and critical infrastructure. Along West Cliff Drive specifically, storm damage is expected to worsen with time and beach widths are expected to decline in the latter half of the century. The widths of Main and Cowell Beaches are expected to decline steadily, and increasing flooding risks will result from combined coastal and riverine flooding and groundwater rise. Seabright Beach and East Cliff Drive will face increased flooding, erosion, groundwater rise, and beach narrowing with projected future sea level rise.

To complement this work, the City has undertaken significant public outreach to involve the public in its planning efforts.⁶ The City has also begun significant adaptation planning efforts in response to identified vulnerabilities,⁷ including the development of adaptation triggers based on geophysical and social impacts, monitoring plans, feasibility studies, as well as area-specific adaptation plans, and several of these efforts are ongoing as of the date of this staff report.⁸

⁵ Examples of these vulnerability assessments include one incorporated into the [Climate Adaptation Plan Update](#) (2018), the [City of Santa Cruz Beach Vulnerability and Adaptation Strategy](#) (November 2019), and the [City of Santa Cruz Beaches Urban Climate Adaptation Policy Implication and Response Strategy Evaluation Technical Report](#) (June 2020). In addition, and specific to West Cliff Drive, the City also produced a West Cliff Drive Adaptation and Management Plan, which included an [Existing Conditions Inventory and Future Vulnerability Assessment](#) (November 2019) and an [Adaptation Alternatives Analysis](#) (April 2020).

⁶ For example, from 2023-2025, and partially in response to significant damage to West Cliff Drive, the Municipal Wharf, and other City infrastructure in the preceding years from storm events, the City undertook a “West Cliff 50-Year Vision” and a “West Cliff 5-Year Roadmap” to help shape a longer-term adaptation vision for the West Cliff corridor and to identify projects to implement in the immediate term. Components of the final products for both efforts are codified in the proposed amendment package.

⁷ Adaptation planning work was included in several of the reports listed in footnote 5, including the [West Cliff Drive Adaptation and Management Plan](#) (completed April 2021) and the City of Santa Cruz [Beaches Urban Climate Adaptation Policy Implication and Response Strategy](#) Evaluation (June 2020). The City has also developed geophysical and social adaptation triggers in additional planning documents.

⁸ The City is working on a “Coastal Change Monitoring Network Design/Deployment” effort that will allow the City to monitor shoreline change in real time to better inform triggers for various adaptation strategies, and this too is codified via the proposed amendment package. In addition, the City received a “Living Shoreline Nature-Based Adaptation Strategies, and Sand Feasibility” grant to better understand the feasibility of sand management and nature-based adaptation strategies and develop three priority nature-based adaptation projects to implement. The City subsequently received additional funding from the National Oceanic and Atmospheric Administration to advance the three priority projects through to design, permitting, and construction, reflecting the City’s emphasis on utilizing nature-based adaptation strategies (which came to be a preferred approach of the community after extensive community engagement on the issues) where feasible, which is also specified in the proposed amendment. The City is also actively working on the development of Shoreline Adaptation Management Plans (SAMPs), which will identify more specific adaptation alternatives for specific sub-regions of the City’s shoreline, and which are also codified by the proposed amendment, including establishing expectations for deliverables from the grant and clarifying that the SAMPs must ultimately be found consistent with the Coastal Act through LCP

As demonstrated by this significant body of work, coastal hazards and the responses to them are at the forefront of City consciousness. City staff and Commission staff have and continue to work together closely to understand the City's needs and the public's concerns, as well as best practices from other jurisdictions on coastal hazards and adaptation planning issues, ultimately culminating in the proposed amendment package, on which there was significant staff to staff collaboration. The proposed LUP amendment seeks to both provide for a directive set of provisions to guide new development out of harm's way and without shoreline armoring, and to help galvanize and guide critically needed near- and mid-term coastal adaptation planning. Indeed, the amendment's set of policies is meant to serve as the appropriate vehicle to integrate and harmonize the City's diverse and extensive adaptation planning and implementation efforts while simultaneously establishing criteria to guide their development and create a regulatory lens through which to review them. The proposed amendment can thus best be understood as providing a strong regulatory base today, while laying the foundation for more detailed and robust adaptation planning and implementation over time, much of which is already underway.

Finally, and notably, the proposed amendment was funded through the Commission's LCP Local Assistance Grant Program,⁹ as supplemented by other sources. Together the grants aimed to integrate sea level rise and adaptation policies into the LCP to supply the Santa Cruz community and decision makers with a regulatory framework to help achieve resilient coastal access, use, and management across its beaches, bluffs, and shoreline areas.

B. Proposed LCP Amendment

The proposed amendment would add a new "Beaches and Bluffs Hazards Adaptation" chapter to the LUP. The proposed amendment can best be understood as a 'phase 1' for the City's coastal hazards and adaptation planning efforts, with additional planning already funded and underway. The proposed new LUP chapter includes explanatory text as well as 18 policies that accomplish the dual goals of providing needed specificity and direction to regulate new development today, while also including policies that lay the groundwork for more in-depth and directive coastal hazards planning and implementation for discrete areas for tomorrow. The proposed amendment:

- Establishes the regulatory context and the City's adaptation goals, including ensuring the City's built environment is safe from and resilient to coastal hazards threats and its natural environment remains a healthy space for recreation and enjoyment;

amendments. The City will also be undertaking a "Coastal Infrastructure Funding & Financing" study and recently began a "Lighthouse Point Hazard Analysis" to better understand their options for funding adaptation, feasibility of various adaptation alternatives, and potential coastal hazard threats to Lighthouse Point specifically. This work builds upon the proposed amendment because financing adaptation is critical to ensuring that adaptation actually happens. In sum, the City has pursued a number of adaptation planning and implementation projects that are recently completed, underway, or planned, and the proposed amendment helps unify all this related work into a single regulatory document.

⁹ The Commission awarded the City a \$200,000 Round 5 grant in 2019, and a \$180,100 Round 7 grant in 2022, totaling \$380,100 from the Commission's Local Assistance Grant Program.

- Codifies the City’s commitments to use the best available science for both future LCP planning as well as any development review;
- Codifies the City’s commitment to implement a “Shoreline and Bluffs Change Monitoring” program to monitor sea level rise and related coastal hazards and how they affect recreational uses and ecologic function to help inform current and future management;
- Codifies the City’s commitment to complete “Shoreline Adaptation Management Plans” (SAMPs) for specific stretches of shoreline areas/neighborhoods to provide additional specificity and direction on these unique geographies/contexts;
- Codifies the City’s commitment to coordinate with neighboring jurisdictions and public partners on these future planning efforts;
- Includes specific policies to guide adaptation along West Cliff Drive both for today as well as requiring a SAMP for this stretch of coast to provide additional detail in the future;
- Includes a suite of policies governing development, including provisions for permissible shoreline armoring (and required mitigation), requirements for appropriate setbacks, and use of the best available science in required technical reports; and
- Includes a series of definitions (e.g., it defines an ‘existing structure’ as one built prior to the Coastal Act and not redeveloped since and defines other key chapter terms including ‘shoreline protective structure’, ‘nature-based adaptation strategy’, ‘coastal hazards’, etc.).

More specifically, the proposed amendment package includes a collection of coastal resource protection policies that align with and sometimes even directly cite language from Chapter 3 Coastal Act sections. Proposed Policy BB-1 articulates the City’s overall policy objectives and goals, and proposed policy BB-2 establishes that the subject chapter shall supersede other LCP provisions in the event there are any conflicts with them:

Policy BB-1. Overall Coastal Hazards Objective. Protect and enhance bluff, shoreline, offshore, and sandy beach recreational areas for public use and enjoyment while ensuring all development (including private structures and public infrastructure) is safe from coastal hazards to the maximum extent feasible, both now and in the future. Ensure that otherwise allowable development is sited, designed, and conditioned to minimize risks to life and property consistent with Coastal Act Section 30253, and, where development cannot entirely avoid coastal hazards, to appropriately minimize and mitigate for all adverse impacts to coastal resources, including to bluff, shoreline, offshore, and sandy beach recreational areas.

Policy BB-2. Beaches and Bluffs Chapter Policy Interpretation. *Conflicts, if any, between the policies of this chapter and other policies of the LCP shall be resolved in favor of the policies of this chapter.*

The City thus appreciates the significance of its shoreline resources and seeks to ensure that those resources are protected and available to be enjoyed by the public. Importantly, the overall objective of the chapter is framed in coastal resource protection terms, recognizing that these resources are critical to the City in a myriad of ways. While that sort of focus may seem obvious to some, it is a different sort of framing than the Commission typically sees in coastal hazards LCP updates, where the more typical framing leaves the coastal resource protection framework to different LCP sections, and where the coastal hazards section is more directed to hazard response alone. While a perhaps nuanced distinction, it is a critically important recognition that these shoreline resources are not just the context in which hazard response is implemented, rather they are themselves the most critical resources and values in need of protection at the dynamic shoreline interface. Put another way, their protection is of primary importance, and not some sort of secondary issue to be addressed separately, including solely as an outcome of hazard response.

To protect and enhance these important shoreline resources and their value, the City recognizes that new development must be sited away from coastal hazards to the maximum extent feasible, and where it cannot, that commensurate minimization and mitigation strategies are employed. New private development within an area potentially subject to hazards risks, including as mapped within the LCP-defined “Shoreline Hazard Evaluation Area”,¹⁰ triggers a site-specific coastal hazards analysis¹¹ and must “be designed and sited to be safe from erosion, bluff failure, wave run-up, flooding, and other long-term coastal hazards for its anticipated lifetime without relying on existing shoreline protection or new or enhanced shoreline protection of any kind, including seawalls, revetments, upper bluff retaining walls, deep caisson foundations, groins, offshore reefs, or other such artificial bluff erosion interventions” (see Policy BB-8 in Exhibit 8). Further, as a condition of project approval, permittees are required to record a “Shoreline Hazards Risk Disclosure and Assumption of Risk” deed restriction that, among other things, seeks to ensure that the property owner understands, assumes, and appropriately internalizes all risks when developing within the Shoreline Hazards Evaluation Area; waives any rights to future shoreline armoring; acknowledges that the

¹⁰ As part of this LCP amendment effort, the City undertook technical analyses to identify places potentially at risk to coastal hazards, including flooding and bluff erosion, and such areas are mapped as part of the Shoreline Hazards Evaluation Area. Such mapping is meant to serve as a tool for additional study and project evaluation, but absence of mapping does not mean absence of potential risk, so the LCP requires all development to undergo an initial hazards screening based on the best available science and information to then determine appropriate next steps.

¹¹ Among other things, the site-specific coastal hazards analysis requires shoreline hazard risks be evaluated over the anticipated life of the development (a minimum of 75 years for private residential development) using the best available science, including applying high sea level rise projections and a 100-year storm event, and requiring that blufftop development additionally demonstrate a factor of safety greater than or equal to 1.5 for static conditions and greater than or equal to 1.1 for seismic conditions (or an equivalent best available scientific analysis).

development may need to be removed and the site restored in response to future hazard conditions or inland migration of the public trust; and that they bear full responsibility for all costs associated with any removal/site restoration (see Policy BB-8(b) on page 10 of **Exhibit 3** for the complete requirements).

For new public development, including City projects along West Cliff Drive, the proposed amendment package also gives additional specificity (see Policies BB-7 and BB-9 in **Exhibit 3**). Until there is a City and Commission-approved SAMP for the West Cliff Drive corridor, Policy BB-7 specifies the requirements that new public infrastructure projects must meet, including prioritizing nature-based adaptation strategies where feasible; recognizing the importance of maintaining blufftop space seaward and landward of infrastructure in a natural state to maximize adaptation options over time; requiring native landscaping and drainage improvements; and explicitly requiring the City to evaluate the feasibility of relocating threatened infrastructure away from coastal hazards threats and to avoid the need for armoring, including specifically with respect to public infrastructure along Lighthouse Field.¹² Policy BB-7 states:

Policy BB-7. Public Projects along West Cliff. *In addition to other policies in this section that may be applicable in any particular case (e.g., related to development in the Shoreline Hazard Evaluation Area, shoreline armoring, etc.), the following provisions also apply to projects in the vicinity of West Cliff Drive in an interim manner until certification of a West Cliff Shoreline Adaptation Management Plan pursuant to Policy BB-6, which shall provide a more detailed set of policies.*

- a. *Avoid the use of shoreline armoring to the maximum extent feasible. Where unavoidable, minimize the scope, extent, and impacts associated with shoreline armoring to the maximum extent feasible. As part of any Coastal Development Permit (CDP) evaluation for proposed armoring (including modifications/expansions of any extant armoring, replacement armoring, and altogether new armoring), the City shall evaluate the feasibility of either relocating the structure that needs protection away from such hazards to avoid needed armoring (e.g., relocating portions of West Cliff Drive inland of or through portions of Lighthouse Field State Beach), or eliminating the structure, provided public recreational access will not be significantly adversely impacted. Limit any allowed/required armoring to areas where critical infrastructure (e.g., public roads, sidewalks, and public utilities) meets the requirements of Policy BB-12. Any allowed/required*

¹² Lighthouse Field refers to the portion of Lighthouse Field State Beach located inland of West Cliff Drive, where the field is a natural open space crisscrossed by public paths with associated amenities (e.g., picnic benches). State Parks and the City co-manage different portions of Lighthouse Field State Beach, which sits on the peninsula formed by Lighthouse Point itself (also known more formally as Point Santa Cruz), and overall is 39.5 acres, with the field occupying roughly 37 acres. Because the other areas inland of West Cliff Drive are fairly heavily developed, Lighthouse Field represents an adaptation opportunity area of sorts inasmuch as it provides space where infrastructure can potentially be moved inland in order to allow for natural shoreline processes to otherwise continue, including to facilitate beach creation and maintenance (e.g., at Its Beach just upcoast of Lighthouse Point).

armoring shall be sited and designed to avoid covering natural landforms and to mimic natural landforms to the maximum extent feasible.

- b. Mitigate all coastal resource impacts associated with allowed/required armoring, including pursuing a hybrid strategy that could include accommodating natural bluff/shoreline retreat through moving at risk infrastructure inland. Coordinate with partners like the California Coastal Commission, State Parks, and the community to consider adaptive strategies that could include realignment of infrastructure, including in terms of potential impacts to public recreational trails, parking facilities, and other infrastructure, as well as more broadly in terms of specific areas (e.g., Lighthouse Point, and Lighthouse Field and Natural Bridges State Beaches).*
- c. Where armoring is allowed/required, explore and prioritize nature-based/living shoreline solutions and consider engineered natural feature restoration management strategies consistent with other LCP policies. Natural feature restoration is defined as man-made features constructed and engineered to replicate previously present natural features that may have eroded or been lost over time to mimic natural conditions.*
- d. Maintain blufftop space seaward and landward of infrastructure (e.g., recreational trail, water/sewer lines, etc.) in a natural state to the maximum extent feasible to maximize options for adaptation over time. Apply appropriate drainage and native landscaping measures to help protect such areas against increased erosion.*
- e. Monitor armoring in terms of its ongoing impacts on coastal resources, including on public recreational resources, including surfing, and implement measures to offset such impacts (e.g., removal of rock on beaches that is displaced from revetments, incorporation of new access features (such as public benches, overlooks, and/or interpretive elements) into infrastructure/armoring structures, exploration of upgrades to vertical access, etc.).*
- f. Explore separated pedestrian and bicycle access when making decisions regarding public recreational access management along West Cliff. Explore future West Cliff Drive alignment options to allow for continued support of enhanced multimodal coastal access.*
- g. Support through access for recreational users and emergency responders through trail realignment inland, where feasible, which may involve permanent removal of parking and reconfiguration of roadway.*

Meanwhile, Policy BB-9 recognizes that minor/ancillary public access facilities (such as restrooms, public access signage, and beach access stairways) are allowable – and necessary – within the Shoreline Hazard Evaluation Areas and are allowed subject to lesser setbacks and authorization timeframes. In other words, Policy BB-9 recognizes

that these facilities benefit the public and enhance coastal access opportunities and sometimes necessarily must be located in areas nearest the shore.

The proposed LUP chapter also includes several policies committing the City to certain actions, including an emphasis on developing policies and implementing projects to more proactively adapt to sea level rise (see Policy BB-3 below). This policy captures the overarching community dialogue and desire to plan for and address climate related impacts of rising sea levels but also more frequent and intense storms, the latter of which have been particularly acute across the City's shoreline in recent years, ultimately culminating in tens of millions of dollars of damage to public infrastructure including West Cliff Drive (see pages 7-8 of **Exhibit 2**) and the Santa Cruz Municipal Wharf. The proposed LUP chapter also calls for updating the LCP every 10 years to keep abreast of the latest science and mapping (see Policy BB-4 below) and to implement a comprehensive City-wide monitoring program (see Policy BB-5 below) to monitor the effects of sea level rise on the City's physical shoreline and any associated socio-economic impacts to help inform the forthcoming SAMP development as part of the forthcoming 'phase 2' adaptation efforts. Proposed Policies BB-3, BB-4, and BB-5 state:

Policy BB-3. Sea Level Rise Response. Study and develop policies and actions to respond to climate change and adapt to sea level rise and undertake projects to comprehensively identify and coordinate coastline-specific adaptation strategies.

Policy BB-4. Best Available Science. Use of these policies or any update or amendment to these policies shall use the best available, professionally accepted science and scientific guidance (e.g., the most recent iterations of the State Sea Level Rise Guidance (Ocean Protection Council) and Coastal Commission Sea Level Rise Policy Guidance), about projected sea level rise and other climate-change related coastal and environmental changes when addressing coastal erosion, bluff failure, flooding, and other coastal hazards. Update coastal hazards maps as may be required, but at least every 10 years, based on the best available science.

Policy BB-5. Shoreline and Bluffs Change Monitoring. Implement a coastal change monitoring program for: sea-level rise, beach width, bluff erosion, flooding, storm damage, large wave events, traffic patterns, recreational uses (including loss of access temporarily or permanently), and other potential measures or triggers for guiding implementation of sea-level rise and climate change adaptation policies. A monitoring program should include monitoring after significant storms as well as shoreline and bluff edge observation surveys yearly (at a minimum). The program should also document annual maintenance costs, include adaptation action thresholds in coordination with Policy BB-6, and should engage the stakeholder community. Other aspects of a comprehensive monitoring program (such as changes to surfing and other shoreline recreational resources) could be further explored or refined in stages as funding is available, or in concert with other organizations or agencies. Ongoing monitoring results would inform future coastal adaptation planning and should be reported periodically to the City Council. Any monitoring program should be frequently

reviewed to determine the ongoing appropriateness of the adaptation pathway triggers and thresholds and resulting desired actions.

The proposed amendment also includes a “Shoreline Protective Devices” policy (see Policy BB-12 on pages 11-13 of **Exhibit 3**) that establishes when such armoring can be authorized, as well as design standards, mitigation and monitoring requirements, procedures for emergency authorization, a threshold for when they are required to be reevaluated, and removal triggers. More specifically, in terms of permissibility, Policy BB-12 aligns with Coastal Act Sections 30235 and 30253 and the limitation that shoreline protective devices are only required to be approved when necessary to serve coastal-dependent uses or to protect existing structures¹³ or public beaches in danger of erosion, when designed to be the least environmentally damaging feasible alternative, and when designed to eliminate or mitigate any adverse coastal resource impacts. Policy BB-12 includes details regarding how to analyze the least environmentally damaging feasible alternative, as well as specific design standards and mitigation expectations and methodologies:

Policy BB-12 (b). Least Damaging Alternative. *The shoreline protective device is the least environmentally damaging feasible alternative. Hard armoring (such as seawalls, etc.) shall only be allowed if nature-based adaptation strategies (such as relocation; nature-based adaptation strategies like dune/reef enhancement projects, beach nourishment, vegetative planting, drainage control and landscape improvements; and hybrid strategies, etc.) cannot meet the above least environmentally damaging feasible alternative criteria, and if limited to avoid coastal resource impacts to the maximum extent feasible. Consideration of new shoreline protection shall require review of any already-existing protective devices to assess the need for their removal or minimization, or for restoration of those sites, to be required as a condition of approval of any new shoreline protective device.*

Policy BB-12 (c). Design Standards. *All shoreline protective devices shall be sited and designed to both avoid coastal resource impacts and enhance coastal resources to the maximum extent feasible, including by reducing the footprint of the structure, designing for sea level rise conditions expected over the life of the protected development while recognizing the potential for phased adaptation*

¹³ The proposed LUP defines an “existing structure” as “a structure in existence prior to the effective date of the Coastal Act (i.e., development legally authorized and built prior to January 1, 1977) and that has not been redeveloped since” and defines “redevelopment” as “(1) Interior and/or exterior remodeling and renovations or demolition or partial demolition, or other alterations that change 50% or more of any one major structural component (including exterior walls, floor and roof structures, and foundations) of the structure in question; or (2) additions and alterations to the structure that lead to more than a 50% increase in floor area of the development. Changes to floor area and individual major structural components are measured cumulatively over time from January 1, 1977. A structure that is redeveloped shall no longer be considered an existing structure for purposes of other LCP policies.” As such, these critical LCP definitions directly align with the Commission’s long-held position as to the applicability of Section 30235 provisions, including as upheld by the recent published *Casa Mira* court of appeal decision from 2024 (*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)).

approaches, enhancing visually blighted conditions, increasing beach width, and restoring/enhancing habitat value, and integrating new access features/opportunities.

Policy BB-12 (d). Mitigation. *All shoreline protective devices shall be accompanied by proportional mitigation for all unavoidable coastal resource impacts, including with respect to impacts on shoreline sand supply, sandy beaches, public recreational access, including surfing and other water-based recreation, landscaping, public views, natural landforms, and water quality for the anticipated life of the development. Proportional “in lieu” fees may be used as a tool for impact mitigation if in-kind options (e.g., developing new public access facilities commensurate to offset the access impacts identified) are infeasible, and if such fees are deposited into an interest-bearing account managed by the City and used for coastal adaptation projects and programs, including public coastal recreational access improvements.*

These provisions, among other things, establish a clear priority for nature-based adaptation strategies over “harder” adaptation/shoreline protective devices; explicitly require that existing shoreline protection be evaluated when considering any new shoreline protection to identify opportunities to enhance the site via removing, restoring, or minimizing armoring; recognize that shoreline protection need not be fixed in perpetuity, but may be phased and fluid to adapt to changing conditions and sea-level rise; and ensure that any unavoidable coastal resource impacts are commensurately mitigated.

The policy also tackles some of the more complex scenarios that arise with armoring structures. Notably, projects that propose to modify the armoring and/or the structure being protected trigger a reassessment of the need for the device, including whether the armoring structure meets the Section 30235 tests, and the potential for removal based on changed conditions and circumstances/impacts to coastal resources. If proposed development is currently protected by armoring, then it can only be approved if the armoring is otherwise allowable and is modified to reduce its coastal resource impacts (e.g., restacking or removing riprap/rock revetments to open up additional beach space, contouring seawalls to improve public views, etc.) to the maximum extent feasible. In cases where there is an existing authorized armoring structure but no eligible structure/scenario (i.e., a coastal-dependent use or existing structure/beach in danger of erosion), repair and maintenance is allowable provided it is limited to the least amount necessary to maintain the functionality of the device. Importantly, however, “repair and maintenance” activities cannot expand or extend the useful life of an armoring structure protecting ineligible structures/scenarios:

Policy BB-12 (f). Armoring Reevaluation. *For shoreline protective devices that are proposed to be reconstructed, expanded, and/or replaced (where, at a minimum, 50% or more replacement constitutes replacement of the entire structure), and in addition to the other requirements of this policy, the CDP application shall include a reassessment of the need for the device, the need for any repair or maintenance of the device, and the potential for removal based on changed conditions and circumstances, including whether the shoreline*

protective device meets the criteria of this policy. The CDP application shall at a minimum include an evaluation of the age and condition of the principal structure being protected (or evaluation of the coastal-dependent use being served or public beach being protected, if applicable); changed geologic site conditions including but not limited to changes relative to erosion and sea level rise; and impacts to coastal resources.

Policy BB-12 (g). Repair and Maintenance. *The shoreline protective device shall be repaired and maintained as necessary to ensure that it continues to exist in its approved and/or required state (including CDP requirements pertaining thereto), particularly in relation to ensuring the continued utility and function of the design standard requirements above. Repair and maintenance of a shoreline protective device that is not protecting an existing structure (or any structure that is ineligible for armoring under this Chapter) shall be limited to the minimum amount of maintenance needed to maintain the functionality of the device, but in no case shall include its expansion or extend its useful life.*

Policy BB-12 (h). Armoring Duration. *The shoreline protective device shall only be authorized until the time when the existing principal structure that is protected by such a device: (1) is no longer present; (2) no longer requires armoring; or (3) is redeveloped, or in the case of approved/required public recreational access areas and features, those areas and features remain in good condition and available for public use. Permittees shall be required to submit a CDP application to remove the shoreline protective device within six months of a determination by the City or the Coastal Commission's Executive Director that the shoreline protective device is no longer authorized to protect the structure it was designed to protect because the structure is no longer present or no longer requires armoring. In the case of coastal redevelopment, removal of the authorized shoreline protective device and restoration of the affected area shall be required as part of construction of the redeveloped structure.*

Policy BB-12 (j). Proposed Development Protected by Existing Armoring. *If proposed development is currently protected by armoring, then it shall only be approved if allowable pursuant to subsections a and i above and the armoring is modified to reduce its coastal resource impacts (e.g., restacking removing riprap/rock revetments so as to open up additional beach space, contouring seawalls to improve public views, etc.) to the maximum extent feasible.¹⁴*

In terms of the duration of otherwise allowable armoring, Policy BB-12 (h) above identifies that armoring is to be removed if the structure being protected is no longer

¹⁴ Policy BB-12(j) contains a minor typo; it references "a" and "i" above when it intended to reference "a" and "h" above – i.e., the two subsections in Policy BB-12 that speak to when shoreline armoring is allowable. Subsection "i" covers emergency permit authorizations, meanwhile both "a" and "h" both describe when armoring is allowable in accordance with Coastal Act Section 30235. Commission staff understands that the City intends to correct this as a scrivener's error, which would be consistent with this certification and would not need to return to the Commission for its review and approval.

there, no longer needs armoring, or is redeveloped. Policy BB-10 provides some additional specificity on these requirements, stating:

Policy BB-10. Efficacy of Shoreline Protection. *Require an applicant for development, including redevelopment of an existing structure, to assess the continued efficacy of any onsite shoreline protective devices to protect the development or structure, including evaluation of future conditions such as projected sea level rise. This includes evaluation of the condition of the devices, and whether devices can be removed or modified to allow affected areas to be returned to more natural conditions and/or to minimize the armoring's footprint and coastal resource impacts. If such assessment does show shoreline protective devices can be removed or modified, and affected areas returned to more natural conditions, include such actions in the conditions of approval for authorized development. Where necessary, require a removal and restoration plan, including financial bonding, for large projects to address potential shoreline protection or project failure at some future date.*

As part of an application for any development/redevelopment of any land-based development, Policy BB-10 thus requires existing shoreline protective devices be evaluated to ascertain whether and to what extent the existing shoreline protection may be adversely impacting coastal resources and the ability for the existing shoreline protection to withstand rising sea levels and large storm events into the future. It further provides pathways to minimize any such existing adverse impacts, up to and including armoring removal, and lays the foundation to use financial bonding as a potential mechanism to address armoring removal, if necessary, in the future.

The City reiterates its preferences for and commitments to utilizing nature-based shoreline protection where feasible via Policy BB-11, which states:

Policy BB-11. Nature-based Shoreline Protection. *Non-structural nature-based adaptation strategies (e.g., relocation, drainage control, and landscaping, etc.) shall be prioritized over and used in tandem with any hybrid nature-based shoreline protection (e.g., projects that introduce structural elements, sediment/hydrological manipulation, etc.). Nature-based shoreline protection shall be prioritized over non-nature-based shoreline protection (e.g., seawalls) to the maximum extent feasible. Any hard armoring features used in combination with nature-based adaptation strategies or similar hybrid approaches shall be consistent with Policy BB-11 below. Nature-based shoreline protection will be prioritized even if a SAMP for that area has not been adopted yet. It is assumed that the process for adoption of a SAMP will hone nature-based solution decision-making.¹⁵*

¹⁵ Policy BB-11 contains a minor typo; it references "BB-11 below" but should read "BB-12 below". It is clear, however, that it intends to direct the reader to the next policy i.e., "BB-12 Shoreline Protective Devices." Commission staff understands that the City intends to correct this as a scrivener's error, which would be consistent with this certification and would not need to return to the Commission for its review and approval.

As previously noted, the City has numerous related adaptation planning efforts underway, each of which has entailed extensive community outreach. The community's adaptation preferences and goals are invariably complex and diverse; nevertheless, a desire and preference for nature-based adaptation strategies over "harder" adaptation strategies emerged from these community vetting exercises as a common theme. Accordingly, Policy BB-11 seeks to codify that overarching community preference.

With respect to longer-term, future studies, Policy BB-6 details the next crucial adaptation planning phase, namely the development of SAMPs for sub-areas across the City's shoreline, which are to be completed within 5 years' time.¹⁶ As noted above, the proposed amendment package can best be understood as 'phase 1' of the City's adaptation planning with the SAMPs constituting 'phase 2. Per Policy BB-6, each SAMP will need to be consistent with and implement the proposed LUP policies, including with respect to the protection of coastal resources and the permissibility of shoreline protective devices, and ultimately consistent with the Coastal Act when they are made part of the LUP (per Policy BB-6). The SAMPs will identify specific projects with accompanying timelines, phasing, monitoring, department leads, and financing details to help facilitate more efficient implementation. Policy BB-6 also gives special attention to the potential loss of sandy beaches by requiring each SAMP to closely monitor beach widths, identify the minimum beach width necessary to maintain public recreational access and habitat use for each sandy beach, and identify the triggers/thresholds and strategies that will be employed to help maintain the ideal minimum sandy beach widths. The entire policy can be found on pages 5-8 of **Exhibit 3** with key subsections included below:

Policy BB-6 (a). *Consistency with LUP Objectives and Policies. SAMPs shall be consistent with and implement LUP objectives and policies, including protecting and enhancing natural shoreline resources and public shoreline, offshore, and sandy beach recreational areas for public use and enjoyment; minimize shoreline hazard risks to life, property, and public infrastructure; and assure the stability of new developments while avoiding the substantial alteration of natural bluff and cliff landforms.*

Policy BB-6 (b). *Adaptation Pathway Vision. Each SAMP shall include a vision for the shoreline area to guide the development and implementation of near-, mid-, and long-term adaptation strategies as described below. The City shall consider the individual and potential cumulative consequences of each SAMP vision to assure compatibility with each other and consistency with the LUP, including addressing the balance between public access and recreation, resource protection, hazard reduction, and other management objectives for the entire City shoreline through such mechanisms as minimum city-wide requirements and/or mitigation strategies.*

¹⁶ Each SAMP will develop community-supported adaptation visions and specific adaptation projects along the City's shoreline to accelerate investment in ultimately implementing coastal resilience visions and projects (i.e., to turn the vision into on-the-ground implementation and action). Each SAMP would undertake extensive community engagement to validate visions and prioritize projects with an emphasis on capturing the voices and visions of disadvantaged communities and ensuring that public recreational resources (coastal trail, minimum beach widths, etc.) remain accessible and available to everyone. The SAMP deliverables will ultimately be reviewed against the Coastal Act and codified into the LCP, including to help jumpstart implementation.

Policy BB-6 (f). Sandy Beach Adaptation Strategies. SAMPs shall address the potential loss of sandy beaches, including:

1. Evaluation of minimum beach width(s) necessary to maintain preferred public recreational access and habitat use, considering daily tidal range, seasonal erosion, and short term, storm driven erosion.
2. Strategies for maintaining minimum beach widths, including sand replenishment and retention and removal of development/armoring to allow for natural beach migration processes (i.e., managed retreat).
3. Monitoring of beach width, availability of recreational access, beach use, and habitat values throughout the year and over time relative to LUP and SAMP objectives.

Policy BB-6 (g). Cliff and Bluff Erosion. SAMPs shall consider bluff stabilization strategies and locations for potential managed retreat, and criteria for near term maintenance of riprap and other shoreline protection, consistent with protection of paleontological resources, bird nesting areas, marine resources and habitat protection, maintenance of coastal access (e.g., multi-use trail), and mechanisms to enhance public recreational access (e.g., riprap removal, consolidation, reconfiguration, or other modifications to minimize beach encroachment) and visual resources (e.g., visual screening using camouflaging, vegetation, etc.). Strategies shall minimize and mitigate adverse impacts on coastal resources and beach sand supply from protection devices such as sea walls and revetments.

Policy BB-6 (h). Blufftop and Alternative Access/Mitigation. SAMPs shall identify potential alternative public shoreline access and mitigation for any loss of sandy beach and other recreational access. Such options may include, but are not limited to, vertical access to rocky shorelines or directly to the water (such as surf access), lateral access (e.g., trails or pathways) along blufftops or as part of shared vertical seawalls, viewing platforms, and parks. SAMPs will consider preferred locations for such features and potential tools for promoting construction of such features (e.g., public projects, design requirements for any shoreline armoring, conditions on private development, acquisition of easements, or removal of structures). Planning efforts should also consider how such features should be adapted and modified over time as sea levels rise to ensure access is maintained over time.

Lastly, the proposed amendment package includes a suite of policies addressing other specific issues and concerns, including regarding constitutional takings claims (where full LUP consistency may be partially relaxed to avoid an unconstitutional taking of private property, see Policy BB-18) and the City's beach outfalls and potential future sand replenishment activities, both of which err towards protecting and enhancing sensitive coastal resources (including specifically visual resources, water quality, and biological/marine resources; see Policy BB-15 "Beach Outfalls" and Policy BB-13 "Materials for Beach Replenishment" on pages 14 and 13, respectively, in **Exhibit 3**). In addition, the proposed amendment includes a series of policies that speak to ongoing coordination with other agencies and stakeholders (such as State Parks, Santa Cruz County, and the Santa Cruz Port District; see Policies BB-16 and BB-17 on page 14 of **Exhibit 3**) to ensure that the City's diverse and varied climate change adaptation work

continues to be integrated, harmonized, and updated as appropriate to reflect regional adaptation planning and implementation initiatives.

Finally, and as alluded to previously, the LUP includes several new definitions to clarify terminology used throughout the chapter, including key definitions for shoreline protective devices, existing structure, development/redevelopment, coastal hazards, nature-based adaptation strategies, and natural feature restoration, as follows:

‘Shoreline Protective Devices’ is interchangeable with ‘armoring’, ‘shoreline armoring’, and ‘coastal armoring’ and includes “structures along the ocean-land interface that are used to protect development from coastal hazards including but not limited to seawalls, riprap/rock revetments, gunite/shotcrete, sheet piles, breakwaters, groins, bluff retention devices, retaining walls, pier/caisson foundations and/or wall systems”;

‘Existing Structure’ is “a structure in existence prior to the effective date of the Coastal Act (i.e., development legally authorized and built prior to January 1, 1977) and that has not been redeveloped since”;

‘Redevelopment’ where “redevelopment of a structure consists of: (1) Interior and/or exterior remodeling and renovations or demolition or partial demolition, or other alterations that change 50% or more of any one major structural component (including exterior walls, floor and roof structures, and foundations) of the structure in question; or (2) additions and alterations to the structure that lead to more than a 50% increase in floor area of the development. Changes to floor area and individual major structural components are measured cumulatively over time from January 1, 1977. A structure that is redeveloped shall no longer be considered an existing structure for purposes of other LCP policies;”

‘Coastal Hazards’ “include but are not limited to episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, runup and overtopping, storms, tsunami, coastal flooding, landslides, bluff and geologic instability, seismic events, liquefaction, their interaction, and all as may be impacted by sea level rise”;

‘Nature-Based Adaptation Strategy’ constitutes a “coastal adaptation and/or erosion control method that [is] comprised natural elements, [and] which contributes to the persistence and enhancement of coastal processes and ecological benefits while also offering protection services to inshore areas”;

‘Nature-Based Adaptation Strateg[ies]’ include both “soft solutions”, which avoid fixing the shoreline with hard structures and instead rely on the use of dynamic systems to attenuate coastal hazards, such as dune or wetland restoration, or sand replenishment and “hybrid armoring”, which fixes the shoreline, such as with a buried revetment or other shoreline protective device and includes a nature-based feature to provide ecological and other benefits”;

***‘Natural Feature Restoration’** constitutes “human made features constructed and engineered to replicate natural features and mimic natural conditions, including formerly present features that may have eroded or been lost over time”.*

In short, the City has spent considerable time and effort, in conjunction with Commission staff through both grant monies and policy discussions, to craft the proposed LCP amendment, which will serve as the LUP’s comprehensive coastal hazards/adaptation chapter. The proposed amendment package will help harmonize and integrate the City’s many ongoing and related coastal adaptation planning and implementation efforts and serve as the regulatory lens through which to evaluate future plans and projects, including notably the more refined Shoreline Adaptation Management Plans.

Please see **Exhibit 3** for the full text of the proposed LCP amendment, including proposed policies, glossary, and Shoreline Hazard Evaluation Area Maps.

C. Evaluation of Proposed LCP Amendment

1. Standard of Review

The proposed amendment would make changes only to the LCP’s LUP, and the standard of review for proposed LUP changes is conformance with the requirements of Chapter 3 of the Coastal Act.

3. Applicable Coastal Act Provisions

Coastal Act Goals and Objectives

The Coastal Act is a law rooted in protecting coastal resources. In adopting the Coastal Act in 1976, the State Legislature included a series of goals and objectives. For example, Coastal Act Sections 30001 and 30001.5 state:

Section 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.*

Section 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 (including public recreational access, sensitive habitats, natural landforms, public views, marine resources), as summarized below.¹⁷

Public Recreational Access

Protecting and providing for maximum public recreational access is one of the main cornerstones of the Coastal Act, where the most explicit provisions are found in Sections 30210 through 30224, with other sections also speaking to similar goals and requirements (such as Section 30240 protecting parks and recreational areas). The Coastal Act states:

Section 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.*

Section 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.*

Section 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. ...*

Section 30213. *Lower cost visitor and recreational facilities shall be protected,*

¹⁷ See, for example, more than 40 sections found in Chapter 3, including sections related to public access, recreation, the marine environment, and land resources.

encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. ...

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

Section 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.*

Section 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.*

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

Section 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.*

These overlapping Coastal Act provisions protect public recreational access to and along the beach/shoreline and to offshore waters, particularly free and low-cost access. Specifically, Section 30210 requires the Commission to provide the general public maximum access and recreational opportunities, while respecting the rights of private property owners. Section 30211 prohibits development from interfering with the public's right of access to the sea, including as it relates to the use of dry sand and rocky coastal areas. In approving new development, Section 30212(a) requires new development to provide access from the nearest public roadway to the shoreline and along the coast, save certain limited exceptions, such as when there is existing adequate access nearby. Section 30213 protects lower cost forms of access, such as the free access available at the City's shoreline. Section 30220 protects coastal areas suited for ocean-oriented activities, such as offshore surfing and water recreational areas, for such purposes. Sections 30221 and 30223 protect oceanfront and upland areas for public recreational uses, and Section 30222 prioritizes visitor-serving amenities providing for public recreational use. Section 30240(b) protects parks and recreation areas, like the City's beach/shoreline, from degradation, and requires any allowed development to be compatible with the continuation of those areas.

Finally, Coastal Act Section 30210's direction to maximize public access and recreation opportunities represents a different threshold than to simply provide or protect such access, and is fundamentally different from other similar provisions in this respect. In other words, it is not enough to simply provide public recreational access to and along

the coast, and not enough to simply protect such access, but rather that such access must also be maximized. This terminology distinguishes the Coastal Act in certain respects, and provides fundamental direction to maximize public recreational access opportunities with respect to projects and LCP amendments along the California coast that raise such issues, like this one.

In addition, with sea levels rising and coastal erosion occurring, the mean high tide line will generally move landward over time depending on the beach/shoreline profile, seasonal tidal activity, and continued sea level rise. Given that that line often defines the demarcation point between public and private property (with the public's property lying on the seaward side, and generally held in public trust by the California State Lands Commission),¹⁸ it is also important to consider what is best understood as an ambulatory public trust area, including where shoreline structures can halt the inland migration of the mean high tide line, and thus potentially halt the inland migration of public trust areas, at least physically.¹⁹ Accordingly, it is also important that the Commission assess the effect of proposed projects and amendments on public trust resources.

Marine and Land Resources

The Coastal Act protects the marine resources and habitats along the land/ocean interface and offshore. Coastal Act Sections 30230 and 30231 provide:

Section 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.*

Section 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 water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and*

¹⁸ The State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable waterways upon its admission to the United States in 1850. The State holds and manages these lands for the benefit of all people of the State for statewide purposes consistent with the common law Public Trust Doctrine ("public trust"). In coastal areas, the landward location and extent of the State's sovereign fee ownership of these public trust lands are generally defined by reference to the ordinary high-water mark (Civil Code Section 670), as measured by the mean high tide line (*Borax Consol. v. City of Los Angeles* (1935) 296 U.S. 10), and these boundaries generally remain ambulatory as natural processes dictate.

¹⁹ The artificial fixing of a shoreline (e.g., through coastal armoring) does not permanently fix the legal property boundary (see *United States v. Milner*, 583 F.3d 1174 (9th Cir. 2009)).

minimizing alteration of natural streams.

In addition, Section 30233 only allows for fill of coastal waters in certain limited circumstances, and only when such projects are the least environmentally damaging feasible projects, and where all unavoidable impacts are mitigated. Section 30233 states in applicable part:

Section 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. ...*

Section 30230 and 30231 require that marine resources “be maintained, enhanced, and where feasible, restored.” Further, uses of the marine environment must 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. Section 30233 additionally strictly limits the circumstances when coastal waters can be filled.

For sensitive land-based resources such as dunes and habitats that support rare/endorsed species, Section 30240 protects environmentally sensitive habitat areas, or ESHA, from any significant disruption of their habitat values, and also strictly limits the types of uses allowable within such habitats to only those that are dependent on the resource. In addition, Section 30240 limits development adjacent to ESHA to that which does not significantly degrade the resource and is compatible with its continuance. Section 30240 states:

Section 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.*

Public Views and Community Character

The Coastal Act provides that the scenic and visual qualities of coastal areas are resources of public importance that must be protected, and that new development is required to protect public views and designed to be visually compatible with the surrounding area. In highly scenic areas, such as the immediate shoreline, proposed development is also required to be subordinate to the character of its setting. Section 30251 states:

***Section 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 landforms, 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.*

The City's shoreline areas are not only important public recreational access spaces and places, but also part of significant and important public views, where the Coastal Act requires that development not only protect such views, but for it to be subordinate to viewshed character. These kinds of issues are perhaps most obvious in terms of shoreline armoring and larger structural development (e.g., houses, hotels, etc.), but they also extend to the ways in which public infrastructure projects integrate within these viewsheds as well (e.g., road, path, stairway, public amenity, landscaping, etc. projects), both of which are prevalent in the City's shoreline areas.

Coastal Hazards and Shoreline Armoring

Shoreline armoring of all kinds (e.g., seawalls, revetments, retaining walls, bulkheads, etc.) generally has significant adverse impacts on the coastal resources protected by the above-described provisions of Chapter 3 of the Coastal Act, leading to unavoidable impacts on natural landforms, public recreational access, natural processes (which also significantly impacts public recreational access) and public views.²⁰ These impacts are all inconsistent with the Coastal Act's resource protection requirements, and consequently, the Coastal Act generally sets up a policy framework that would lead to denial of most armoring. This is also more explicitly stated in Coastal Act Section 30253, which does not allow destruction of the site or the surrounding area, and does

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 CDPs 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), 3-16-0345 (Honjo Armoring), 3-16-0446 (Rockview Seawall), 2-17-0702 (Sharp Park Golf Course), 3-18-0720 (Candau Armoring), 3-20-0166 (Wavefarer Partners LLC Armoring), 2-21-0912 (San Francisco PUC Ocean Beach Armoring), 3-22-0440 (Casanova Armoring), and 3-22-1027 (Hofmann Seawall).

not allow protective devices (i.e., armoring) that would substantially alter natural landforms, stating, in applicable part:

Section 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 other words, the Coastal Act generally prohibits armoring except under very limited circumstances (covered below), and this general prohibition is explicitly stated in Section 30253, which makes it clear that all development, including armoring, is not to be approved if it will cause erosion or destruction of the site, or substantially alter natural landforms along bluffs or cliffs, which past cases have shown will occur most of the time with armoring.²¹ Section 30253 also requires new development to minimize risk to life and property in areas with high geologic and/or flood hazards (among others), which is certainly relevant to shoreline areas. In addition, Section 30270 specifically discusses sea level rise as one of those risks:

Section 30270. *The Commission shall take into account the effects of sea level rise in coastal resource 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.*

Section 30235, however, allows the Commission to approve armoring to abate shoreline risks, but only under very limited circumstances:

Section 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, armoring shall be permitted 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 and to mitigate all other coastal resource impacts. In other words, when there are qualifying uses, beaches, or structures, armoring must be allowed only if it is required to serve/protect them, meaning when there are no other less environmentally damaging feasible alternatives that can perform that same function.²² When framed in this way, Section 30235's limited requirement to approve shoreline armoring is probably best understood as an exception to the Coastal Act's coastal

²¹ For example, see cases cited in prior footnote.

²² In very rare circumstances, a project may include shoreline armoring and the overall project may still be consistent with the Coastal Act, and the Commission may not need to invoke Section 30235.

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 was recently resolved by a Court of Appeal in the *Casa Mira* case.²³ 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.”²⁴ 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 structures (structures lawfully existing prior to January 1, 1977 that have not been redeveloped since), essentially allowing pre-Coastal Act structures the benefit of armoring as an exception to the otherwise applicable Coastal Act requirements.²⁵ As the court noted, this interpretation of existing structure in Section 30235 is necessary “to comport the Coastal Act’s predominant goal of ‘preservation of the fragile coastal ecology from overzealous encroachment.’”²⁶

In short, the Coastal Act reflects a broad legislative intent to allow armoring under only certain very limited circumstances, generally only for coastal-dependent uses, public beaches, or structures that existed in that form when the Coastal Act was adopted and when such structures are in danger from erosion and impacts are avoided or mitigated (Section 30235). New development constructed after adoption of the Act, however, generally is not entitled to armoring due to its coastal resource impacts (including explicitly by Section 30253, but also due to the coastal resource protection provisions of other Coastal Act sections).

4. Coastal Act Consistency Analysis

As noted above, the Coastal Act includes a suite of protections for coastal resources, both natural ones like sensitive habitats and beaches, and social ones like recreational opportunities. Accordingly, the Coastal Act generally requires new development to be set back a sufficient distance from the shoreline so as to avoid impacting these resources, to minimize the risk (both to life and the development itself, as well as to the natural environment) from coastal hazards threats, and to ensure that shoreline protective devices such as seawalls are not needed now or in the future. The Coastal Act provides for these limitations because shoreline armoring can have a variety of

²³ See *Casa Mira Homeowners Assn. v. California Coastal Com.* (2024) 107 Cal.App.5th 370, as modified on denial of rehearing (December 30, 2024), and where State Supreme Court review was denied (March 12, 2025).

²⁴ *Casa Mira* at 388.

²⁵ 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).

²⁶ *Casa Mira* at 385 (quoting *Save Oxnard Shores v. California Coastal Com.* (1986) 179 Cal.App.3d 140, 152).

negative impacts on coastal resources, including adverse effects on sand supply, public access, coastal views, natural landforms, and overall shoreline beach dynamics on and off site, ultimately resulting in the loss of beaches, all contrary to the protect and enhance model set forth in the Coastal Act. However, the Coastal Act provides for necessary armoring allowances in limited circumstances, where Section 30235 thus serves an override over other Coastal Act provisions that allow armoring to be considered if it is required to protect coastal-dependent uses or public beaches and/or existing structures in danger of erosion, but only allow approval if it also meets all other Section 30235 tests (i.e., that armoring is the least environmentally damaging feasible alternative to protect the endangered use/structure/beach; and that all impacts have been avoided, or where unavoidable, commensurately mitigated), as well as meeting other Coastal Act requirements as applicable.

At a broad level, the proposed LCP amendment is a strong regulatory document that implements the above-described Coastal Act requirements. In fact, it includes many of the best practices recommended by the Commission's Sea Level Rise Policy Guidance²⁷ and the *Framework for a Phased Approach to Updating LCPs for Sea Level Rise*.²⁸ Notably, the proposed amendment includes a series of definitions for particular Coastal Act terms as recommended by the Guidance document, including for what constitutes an 'existing structure' that is potentially allowed armoring (as well as defining when a structure has been redeveloped (i.e., 'redevelopment') to the point of it no longer qualifying as existing, all of which serves to implement Coastal Act Section 30235's limitations for when armoring can be approved; requires the best available science be used in permitting and future planning updates; requires new development to be set back a sufficient distance from the shoreline to avoid armoring, with explicit allowances for minor/incidental (but needed) public access facilities to be located within such shoreline areas; and sets the stage for a phased adaptation approach.

As previously mentioned, the proposed LCP amendment package essentially accomplishes two main things: it provides a base level of regulatory standards for new proposed development today to ensure that coastal hazards risks are minimized, while also laying the foundation for additional planning and adaptation efforts for discrete segments of the coast in the future via the SAMP requirements. This framework helps implement a phased adaptation approach by providing needed direction for proposed development at the current time, while also recognizing that the shoreline and the hazards facing it are dynamic and ever changing, and thus the responses may be different in the future. This is particularly important in Santa Cruz where certain decisions regarding the future of its West Cliff Drive promenade, for example, are still subject to local debate about how it will look and function in the future. That future planning is embodied in the SAMP process. But, and importantly, the amendment does not postpone all decisions to the future, and still lays out a regulatory and analytical framework to ensure that development is sited and designed appropriately, and that

²⁷ The Commission's Sea Level Rise Policy Guidance was originally adopted in 2015 and most recently updated in 2024.

²⁸ The "Framework for a Phased Approach to Updating LCPs for Sea Level Rise" was adopted by the Commission in 2021 in conjunction with the Local Government Working Group: <https://documents.coastal.ca.gov/reports/2021/12/W7d/W7d-12-2021-exhibits.pdf>.

armoring is only permissible in certain situations (e.g., as it relates to West Cliff Drive specifically, only after an analysis is undertaken to establish the feasibility of relocating certain elements inland, and the resource benefits/burdens associated with proposed armoring or relocation²⁹). In short, the proposed amendment lays the groundwork for implementing a phased approach by including a series of baseline policies that can be applied immediately to shoreline development, while also detailing the scope, expectations, and deliverables of the forthcoming more detailed adaptation work via the SAMPs. In fact, the proposed amendment and the supporting technical work supporting it align with the requirements of SB 272, and the additional work the City is committed to and currently working on in terms of SAMP development is anticipated to ensure full compliance. Thus, at this broad level, the proposed amendment thoughtfully balances needed regulatory specificity and direction with additional future planning.

More specifically, the amendment requires new development to be set back a sufficient distance from the shore to avoid coastal hazards risks and requires technical studies to ensure that this requirement is effectively carried out. The amendment further prohibits the construction of shoreline armoring to protect any new non-coastal dependent development/redevelopment,³⁰ and therefore requires other means to address future coastal hazards threats. This requirement is implemented via a deed restriction whereby the private property owner waives their right to shoreline armoring, including on behalf of any future successors and assigns. Relatedly, the proposed amendment also requires the imposition of notice and disclosure requirements for any development/redevelopment to alert future property owners to the inherent coastal hazard risks. The notice and disclosure requirements specify that the permittee and/or any future owners – and not the public – are required to internalize all risks and costs,

²⁹ For example, whether any proposed armoring is covering up a sandy beach and would have recreational impacts, whether what is needing protection (e.g., pathway, parking spaces, etc.) can be provided elsewhere, whether there is space to relocate a travel lane inland and away from the threat, and how certain things could be accomplished today or over time (and the corresponding triggers to effectuate certain requirements over time). Asking and answering all of these analytical questions for new development in this stretch of coast is specified in Policy BB-6.

³⁰ The proposed amendment limits armoring to the situations when required per Coastal Act Section 30235 (i.e., when required to protect coastal dependent uses or existing structures and public beaches in danger of erosion). This is necessary because, to date, armoring structures across the City's diverse shoreline have been found to impact natural landforms, public access and recreation, sand supply, ESHA, etc., and thus it is reasonably foreseeable that any future armoring would result in similar adverse coastal resource impacts. Accordingly, the only armoring that should be permitted is armoring that is required to be approved under Section 30235. In terms of the impacts of armoring in the City, the Commission has previously found that a seawall located on the bluff adjacent to the very popular Seabright Beach, would, among other things, encroach onto beach space and result in the retention of beach quality sand as well as the "diminution of aesthetics and ambiance" (see CDP 3-09-029 (Rusconi Seawall)). Similarly, the Commission found that the Honjo Armoring, a grouted riprap structure fronting 1307 West Cliff Drive, would result in rather significant adverse coastal resource impacts, particularly related to the retention of beach quality sand, encroachment onto the public beach, loss of beach over time due to coastal squeeze, and would "generally intrude and negatively impact the aesthetics, ambiance, serenity, and safety of the recreational experience" to Getchell's Beach and shoreline users (see CDP 3-16-0345 (Honjo Armoring)). These two examples along West Cliff and Seabright Beach are representative samples of the City's shoreline because West Cliff Drive comprises well over half of the City's shoreline with the remaining portions fronted by general wider sandy beaches similar to Seabright Beach.

including being responsible for cleanup and hazards abatement. The City also uses the subject amendment to codify its commitments to ongoing study and monitoring (by way of the “Shoreline and Bluff Change Monitoring” program), as well as future LCP updates as the best available science and on-the-ground conditions change.

The amendment thus proactively seeks to minimize some of the common adverse effects of coastal erosion/hazards with the goal of keeping the City’s beaches and coastal recreational resources open and available to the general public as a recreational public commons and important natural resource, which in turn is consistent with the Coastal Act’s public access and recreation, natural resource protection, and sea level rise minimization requirements.

Perhaps the amendment’s most notable policy prescription is for the West Cliff Drive corridor. As noted earlier, the roughly three-and-a-half-mile segment between Main/Cowell Beach downcoast and Natural Bridges State Beach upcoast is the City’s iconic West Cliff Drive. With the exception of a single residence, the Santa Cruz Lighthouse, and two hotels near Cowell Beach, there are no buildings between the road and the sea; sidewalks, trails, and a two-way street thus offer motorists, pedestrians, and bicyclists sweeping and unobstructed views across the Monterey Bay. The corridor is also home to several pocket beaches set amongst the bluff backdrop. The erosion of these bluffs has led to a series of armoring over the years, including most recently in the winter storms spanning 2022-2025, to the point that today about half of the corridor is fronted by some type of armoring, mostly rock revetments.³¹ What to do with this corridor, namely how to manage it for recreational, transportation, and ecological utility, is a longstanding question that has been the subject of considerable local debate. The LUP amendment does not seek to ask and answer every question regarding the corridor’s needs—it instead offers an analytical framework for evaluation. Again, as noted previously, the proposed amendment includes a policy specific to the West Cliff corridor, namely proposed Policy BB-7 “Public Projects along West Cliff” that lists out the requirements for new proposed development today, while SAMP provisions are meant to address future planning efforts, including building upon and potentially implementing certain provisions from the recent City-led visioning and planning exercises.³²

In many ways, Policy BB-7 aligns with other policies throughout the chapter as well as the Coastal Act sections from which it emanates. Notably, it directs the City to “avoid the use of shoreline armoring to the maximum extent feasible” and where armoring proves to be unavoidable, the City shall “minimize the scope, extent, and impacts...to the greatest extent feasible”. It further directs the City to evaluate the feasibility of relocating infrastructure that needs protection away from such hazards to avoid armoring (or removing the infrastructure) before considering armoring, especially as it relates to the

³¹ See “West Cliff Drive Adaptation and Management Plan” (April 2021): <https://www.santacruzca.gov/files/assets/city/v/1/cmo/documents/climate/final-west-cliff-drive-adaptation-management-plan-adopted-april-27-2021.pdf>.

³² The “50 Year Visioning” and “5-Year Roadmap”, etc.

portion of West Cliff Drive corridor fronting Lighthouse Field.³³ At the same time, Policy BB-7 also recognizes that armoring may sometimes be necessary to protect critical infrastructure along West Cliff Drive, and it requires an analysis and understanding of the coastal resource tradeoffs in doing so. Policy BB-7 also directs any required armoring to be sited and designed to minimize impacts to natural landforms, to be designed to mimic such natural landforms in terms of shape, color, and texture to the maximum extent feasible, to avoid coastal resource impacts, and to mitigate for unavoidable coastal resource impacts. Policy BB-7 further aligns with both Policies BB-11 and BB-12 in terms of prioritizing nature-based adaptation strategies over harder armoring, with Policy BB-15 in terms of enhancing outfalls and landscaping, and both Policies BB-5 and BB-12 in terms of monitoring.

In terms of language unique to Policy BB-7, it recognizes the need to maintain blufftop space seaward and landward of infrastructure in as natural state as possible to give the City maximum flexibility to implement adaptation. It also includes more specificity on what monitoring and adaptive management should look like; it speaks to monitoring impacts on coastal resources more broadly, but also specifically on recreation including surfing, and requires the City to implement strategies to offset any documented impacts. Policy BB-7 also offers options for offsetting mitigation by way of removing errant riprap, constructing new access features and/or amenities such as benches, overlooks, etc., or upgrading vertical accessways. Finally, Policy BB-7 recognizes the importance of preserving through access for recreational users and emergency responders, and that preserving said access may come at the expense of removing parking or reconfiguring the roadway. Accordingly, Policy BB-7 can also be found consistent with the Coastal Act's coastal resource protection criteria, and it serves as a unifying tool for the City's recent adaptation work applicable to the West Cliff Drive corridor, the significant storm damage and emergency response projects, and the soon-to-come SAMPs.

In summary, as proposed, the City's coastal hazards amendment package provides a strong regulatory framework to ensure the safety, resilience, and protection of its natural and built shoreline environment, and can be found Coastal Act consistent.

The Commission also acknowledges its responsibility to protect public trust resources, uses, and needs, including public access, ocean-related recreation, and shoreline ecology. The Coastal Act is an exercise of the Legislature's public trust authority and responsibility and, as such, aligns with and implements aspects of the public trust doctrine. Since LCPs must be consistent with the Coastal Act, they align with public trust doctrine principles in the same manner as the Coastal Act.

³³ Again, Lighthouse Field refers to the portion of Lighthouse Field State Beach located inland of West Cliff Drive, where the field is a natural open space crisscrossed by public paths with associated amenities (e.g., picnic benches). State Parks and the City co-manage different portions of Lighthouse Field State Park, which sits on the peninsula formed by Lighthouse Point itself (also known more formally as Point Santa Cruz), and overall is approximately 39.5 acres, with the field occupying roughly 37 acres. Because the other areas inland of West Cliff Drive are fairly heavily developed, Lighthouse Field represents an adaptation opportunity area of sorts inasmuch as it provides space where infrastructure can potentially be moved inland in order to allow for natural shoreline processes to otherwise continue, including to facilitate beach creation and maintenance (e.g., at Its Beach just upcoast of Lighthouse Point).

As described in the Coastal Commission's Public Trust Guiding Principles and Action Plan, adopted in 2023, "hard shoreline armoring often adversely impacts public trust resources, uses, and needs and is often inconsistent with the Coastal Act."³⁴ Here, the City's update to its LCP includes many policies that will help protect public trust resources, uses, and needs. For example, it imposes Risk Disclosure and Assumption of Risk deed restrictions that require permittees to acknowledge that the development may need to be removed and the site restored in response to future hazard conditions or inland migration of the mean high tide line (i.e., the public trust boundary). It also limits the situations in which armoring is permitted to those where other types of public trust resources require protection (beaches or coastal dependent uses in danger of erosion) or where the Legislature has explicitly required that armoring be considered to protect pre-Coastal Act structures. Adequate and proportional mitigation will also be required for any impacts to public trust resources or uses, such as to public access.

Any allowable armoring along West Cliff Drive will also serve to protect important public access roads, paths, overlooks, surf access points, and other coastal recreation features. That does not mean that armoring will always be appropriate or will be consistent with public trust principles in these locations, especially if there are alternatives that are less damaging. However, the City's LCP incorporates policies requiring ongoing planning for its shoreline—and the West Cliff corridor in particular—to address sea level rise, promote adaptation, promote coastal public access improvements, and more. Protecting public trust resources in the era of sea level rise will take time, extensive planning, and some tradeoffs. Agencies with public trust duties are permitted to balance competing concerns, within the limits of their authority, and may prefer one trust use over another. Here, the need to do long-term and comprehensive sea level rise adaption planning, to protect public shorefront infrastructure and access in the near-term, and to plan for and execute improved public access along the City's shorefront, appropriately protect coastal resources and is consistent with public trust doctrine principles as well as Coastal Act Section 30270 and its requirement to consider and help plan for sea level rise.

D. 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 found the proposed amendment to be exempt from environmental review (citing CEQA Section 15265 and Public Resources Code Section 21080.9).

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

³⁴ See "[Public Trust Guiding Principles and Action Plan](#)" (May 2023).

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. As discussed in detail in the findings above, which are incorporated here in full by reference, the proposed LCP amendment will allow armoring consistent with the allowances established via Coastal Act Section 30235, and armoring can have a variety of potentially significant adverse coastal resource impacts, including to public access, marine resources, visual resources, and habitat. Importantly, however, the proposed amendment only allows armoring when it is the least environmentally damaging feasible alternative and any impacts are minimized and commensurately mitigated. Accordingly, the proposed LCP amendment is not without its impacts; however, the amendment is required to provide the same armoring allowances set forth in the Coastal Act and is structured in such a way to minimize and offset any impacts to the greatest extent feasible.

Thus, there are no additional, feasible mitigation measures or alternatives available that would substantially lessen any significant adverse effect that the LCP amendment may have on the environment. Disallowing all armoring is infeasible because the Coastal Act requires approval of armoring in the situations allowed by the LCP (i.e., when the Coastal Act Section 30235 factors are met). Likewise, the LCP amendment will require that applicants for armoring projects assess whether armoring is truly necessary and look at feasible alternatives—such as moving the at-risk development or using nature-based solutions—at the time when armoring is proposed. If it is unnecessary, or a less environmentally damaging alternative is feasible, then the armoring may not be approved at that time. The LCP amendment also sets up a process for the City to develop SAMPs, which will provide more nuanced and locally appropriate adaptation strategies for specific areas of the City's coast, and which may include alternatives that avoid armoring. However, this type of planning takes time, and it is infeasible from a practical and timing perspective to require this larger scale planning prior to certifying this LCP amendment. It would not be practical or environmentally beneficial to postpone certification of this amendment given the many benefits that it contains for community safety and coastal resources.

For all of the reasons above, it is unnecessary for the Commission to suggest modifications (including through alternatives and/or mitigation measures), and there are no additional, feasible mitigation measures or alternatives available that would substantially lessen any significant adverse effect that the LCP amendment may have on the environment. Despite the possibility that the amendment may have significant adverse effects related to construction of armoring, certification is appropriate both because the amendment is consistent with the Coastal Act Chapter 3 policies and because the amendment contains many policies—as detailed throughout the findings above—that will help the City adapt to sea level rise, protect public access, protect coastal recreation and habitats, and modernize the LCP's approach to coastal hazards in. This is exactly the type of planning work called for by the Coastal Act (especially Section 30270), SB 272, the Local Government Working Group, and other state policies. Accordingly, the LCP amendment is consistent with CEQA, including with the obligations in 14 California Code of Regulations Section 13540(f).

3. APPENDICES

A. Substantive File Documents

- LCP Amendment File for LCP-3-STC-25-0073-3-Part B
- City of Santa Cruz, *Climate Adaptation Plan Update* (2018)
- City of Santa Cruz, *City of Santa Cruz Beach Vulnerability and Adaptation Strategy* (2019)
- City of Santa Cruz, *West Cliff Drive Existing Conditions Inventory and Future Vulnerability Assessment* (2019)
- City of Santa Cruz, *West Cliff Drive Adaptation Alternatives Analysis* (2020)
- City of Santa Cruz, *West Cliff Drive Adaptation and Management Plan* (2020)
- City of Santa Cruz, *City of Santa Cruz Beaches Urban Climate Adaptation Policy Implication and Response Strategy Evaluation* (2020)
- City of Santa Cruz, *City of Santa Cruz Beaches Urban Climate Adaptation Policy Implication and Response Strategy Evaluation Technical Report* (2020)
- *Casa Mira Homeowners Assn. v. California Coastal Com.*, 107 Cal.App.5th 370 (2024)
- *United States v. Milner*, 583 F.3d 1174, 9th Cir. (2009)
- California Coastal Commission, *Sea Level Rise Policy Guidance* (2015/2024)
- California Coastal Commission, *Framework for a Phased Approach to Updating LCPs for Sea Level Rise* (2021)

B. Staff Contact with Agencies and Groups

- City of Santa Cruz
- Save the Waves Coalition
- Surfrider Foundation