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To: Commissioners and Interested Persons

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**Subject: City of Capitola LCP Amendment Number LCP-3-CAP-26-0015-1-Part A
(Cliff Drive Resiliency)**

SUMMARY OF STAFF RECOMMENDATION

The City of Capitola is a small coastal town on the Central Coast located at the northern end of the Monterey Bay. The City's coastal zone occupies approximately one square mile and spans 1.5 miles of coastline, and includes a mix of residential neighborhoods (such as the Jewel Box and Depot Hill), coastal recreation areas (including New Brighton State Beach and Capitola Main Beach), and visitor-serving shops, restaurants, and overnight accommodations, all centered around the Capitola Village. The coastal zone and shoreline areas are critical parts of the City's identity and social fabric, and the foundation 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 1981; the LCP's Implementation Plan (IP) underwent a fairly comprehensive update in 2021, but the LCP's Land Use Plan (LUP) has largely remained the same. In the time since the original LCP certification, the City's shoreline has faced increasing threats from climate change, sea level rise, and extreme storm events particularly along the Cliff Drive corridor. Cliff Drive represents one of the primary roads into Capitola Village. It is located along the immediate shoreline, plays an integral part in the City's visitor-serving economy, and supports a number of coastal public recreational access amenities, including overlooks, stairways, and transit for pedestrians, bicyclists, and motorists; however, the road is located atop 40-60-foot-tall bluffs and has faced erosion threats since as early as the 1960s.

Following a few notably severe winters whereby the Village flooded, the Capitola Wharf broke in two, and a portion of the parking area along Cliff Drive nearest to the Village crumbled, the City initiated adaptation planning along the Cliff Drive corridor (funded, in part, by the Commission's LCP Local Assistance Grant Program) to develop an LCP amendment to update the City's planning documents to help galvanize adaptation along this corridor and to develop an on-the-ground adaptation project for Cliff Drive, which

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will eventually be authorized via a coastal development permit (CDP). City and Commission staff recognized that in order to facilitate adaptation planning, both at Cliff Drive and elsewhere in the city in the future, the City's LCP must be updated to reflect the most up-to-date guidance in terms of sea level rise, climate change, and coastal hazards planning. The proposed LCP amendment thus seeks to provide those necessary updates, here in terms of removing obsolete language, updating outdated terms and descriptions, and generally aligning the LCP with current adaptation and sea level rise planning efforts to guide coastal adaptation planning in the city, particularly for the Cliff Drive corridor.

Specifically, the proposed amendment would update descriptions of existing conditions, amend policies to support multi-modal enhancements, public access, coastal planning for sea level rise, allowable shoreline structures, and drainage, and introduce new policies for future adaptation planning. The proposed amendment would also update certain definitions, including the definition of "coastal hazard", be more explicit on the required geologic and engineering evaluations for blufftop and shoreline development, and would add Coastal Act Section 30270 to the LCP's list of relevant Coastal Act policies to account for the effects of sea level rise in planning efforts. Overall, the LCP amendment serves as a preliminary coastal hazards and broader LUP planning update to provide context and direction for future adaption, particularly along the Cliff Drive corridor. Importantly, the amendment appropriately balances the need to protect coastal recreational resources while minimizing the common adverse effects to the City's beach, ocean and shoreline from both coastal erosion and hard armoring strategies. As proposed, the City's coastal resiliency amendment reflects the state of coastal adaptation in the City of Capitola as it stands today and provides a preliminary updated regulatory framework with some basic sea level rise and coastal hazards guidance to ensure the protection of coastal resources in the short term, while also providing a foundation for future adaptation planning work, with the expectation that more comprehensive and City-wide LCP adaptation planning work is forthcoming.

In addition to LCP-wide changes, the Cliff Drive-specific portion of the proposed amendment provides more specificity on what adaptive management should include for this important corridor, including evaluating the potential tradeoffs between needed multi-modal transportation improvements (e.g., bikeways, parking, vehicular travel lanes, pedestrian overlooks, etc.) and bluff setbacks, coastal armoring, sandy beach space, and public views. The policies also require the City to identify unavoidable impacts for any future project there, including as it relates to any required armoring, and require mitigation for them. It is important to note that the proposed amendment does not dictate a specific Cliff Drive project outcome at this time, rather it sets the evaluation criteria as the City moves forward with crafting project parameters (and an eventual CDP application) in the future.

In addition, while the Cliff Drive focus in the amendment is intentional, the City is also committed to future, more comprehensive, long-term sea level rise adaption planning for its other core areas, including to protect the rest of its public shorefront infrastructure and access, particularly in Capitola Village. Any Future LCP amendments will be subject to robust community outreach and dialogue. Until then, the proposed amendment herein

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is an important first step in laying a foundation for that future work and for addressing the Cliff Drive segment of Capitola's shoreline.

Accordingly, the proposed LUP changes can be found consistent with the Coastal Act, and the proposed IP changes can be found consistent with and adequate to carry out the LUP. Staff therefore recommends that the Commission certify all of the changes as submitted by the City. The motions and resolutions to certify the LUP and IP amendments as submitted are found on page 5 below.

Staff Note: LCP Amendment Action Deadline

This proposed LCP amendment was filed as complete on June 5, 2026. The proposed amendment affects the LCP's LUP and IP, and the 90-working-day action deadline is October 13, 2026. Thus, unless the Commission extends the action deadline (it may be extended by up to one year), the Commission has until October 13, 2026 to take a final action on this LCP amendment.

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

Alternate Time Extension Motion: *I move that the Commission extend the time limit to act on City of Capitola Local Coastal Program Amendment Number LCP-3-CAP-26-0015-1-Part A to October 13, 2027, and I recommend a yes vote.*

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EXHIBITS

- Exhibit 1: Vicinity Map
- Exhibit 2: Proposed LUP Amendment (shown in strikethrough and double underline)
- Exhibit 3: Proposed IP Amendment (shown in strikethrough and double underline)

1. MOTION AND RESOLUTION

Staff recommends that the Commission, after public hearing, **certify the proposed LCP amendment as submitted**. The Commission needs to make two motions in order to act on this recommendation.

A. Certify the LUP Amendment as submitted

Staff recommends a **YES** vote on the motion below. 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 a majority of the appointed Commissioners.

Motion to Certify: *I move that the Commission certify Land Use Plan Amendment LCP-3-CAP-26-0015-1-Part A as submitted by the City of Capitola, and I recommend a **yes** vote.*

Resolution to Certify: *The Commission hereby certifies Land Use Plan Amendment LCP-3-CAP-26-0015-1-Part A for the City of Capitola and adopts the findings set forth below on the grounds that the Amendment conforms with the policies of Chapter 3 of the Coastal Act. Certification of the 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 or mitigation measures which could substantially lessen any significant adverse impact which the Amendment may have on the environment.*

B. Certify the IP Amendment as submitted

Staff recommends a **NO** vote on the motion below. Failure of this motion will result in certification of the Implementation Plan amendment as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Motion to Certify: *I move that the Commission reject Implementation Plan Amendment LCP-3-CAP-26-0015-1-Part A as submitted by the City of Capitola, and I recommend a **no** vote.*

Resolution to Certify: *The Commission hereby certifies Implementation Plan Amendment LCP-3-CAP-26-0015-1-Part A as submitted by the City of Capitola and adopts the findings set forth below on the grounds that the Amendment conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan. Certification of the 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 which the Amendment may have on the environment.*

2. FINDINGS AND DECLARATIONS

A. Background

The City of Capitola is a coastal city seaward of Highway 1 in central Santa Cruz County, located downcoast of Pleasure Point and upcoast of the Seacliff/Aptos areas of unincorporated Santa Cruz County (see **Exhibit 1**). The City's coastal zone is roughly one square mile, making up approximately 60% of the City, and spans approximately 1.5 miles of shoreline. While relatively small, the City's coastline from west to east includes Cliff Drive, a mostly armored (via riprap at its base) transit corridor with coastal parking, overlooks, and a stairway leading to Hooper Beach; the Capitola Wharf and Capitola Beach, centered around Capitola Village and its visitor serving shops, restaurants, and overnight accommodations; the Depot Hill area, a primarily residential neighborhood atop large coastal bluffs; and finally, New Brighton State Beach, a popular coastal recreation area with sandy beaches and upland habitats popular for both day-use and overnight camping.

The City's Local Coastal Program (LCP) was originally certified in 1981 and underwent a comprehensive update of the majority of the LCP's Implementation Plan (IP) in 2021. The LCP's Land Use Plan (LUP) includes chapters on new or intensified development, public access, visual resources and special communities, recreation and visitor-serving facilities, natural systems, and natural hazards. The LUP component of the LCP has largely remained unchanged since it was originally certified in the 1980s.

Since the original LCP certification, the City's coastline has faced increasing vulnerability in the face of climate change, sea level rise, and extreme storm events and damage, most recently during the consecutive winters from 2022-2025.¹ City and Commission staff recognized that in order to plan for and adapt to these changing realities, the plans, policies, and regulations that govern the coastline, here the City's certified LCP, must be updated to stay relevant and effective. As a part of the first stage of the City's adaptation planning efforts, the City identified the Cliff Drive corridor as particularly vulnerable to sea level rise and erosion hazards and recognized that Cliff Drive and its surrounding public access amenities play an integral role in providing public recreational access to Capitola itself.

The section of Cliff Drive identified by the City as vulnerable extends some 800 feet from the terminus of Opal Cliff Drive to the public access stairs leading from Cliff Drive to Hooper Beach. Cliff Drive serves as one of the primary entrances into Capitola Village for bicyclists, pedestrians, and vehicular users, and is an essential evacuation route for the City. The roadway is adjacent to steep bluffs (approximately 40-60 feet high), providing sweeping views of the Pacific Ocean and the Monterey Bay. Cliff Drive began facing erosion threats as early as the 1960s when placement of rock slope protection (i.e., riprap) was added to the base of the bluff.

¹ The Capitola Wharf experienced major damage during this winter storm period including the loss of a portion of a middle section of the wharf. The Commission previously issued CDP 3-20-0431 (Capitola Wharf Improvements) which allowed the City to both repair/rebuild the Wharf and improve its structural integrity.

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Subsequently, in the 1990s, additional erosion prompted the City to install a soil nail wall along a portion of the upper bluff.² No additional armoring has been installed at this location since then; however, the bluff has continued to erode around the edges of the soil nail wall and most recently downcoast of the retaining wall where there is a small parking lot and beach access stairway.³

To address the identified vulnerabilities at this location, the City sought funding to pursue a comprehensive resiliency program for the Cliff Drive corridor and was awarded funds from the Commission's LCP Local Assistance Grant Program⁴ as well as the Federal Highway Administration's Emergency Relief Program. The Cliff Drive Resiliency Project seeks to address bluff erosion, sea level rise, and stormwater damage impacts along the Cliff Drive corridor while also improving public access. The City's resiliency project currently encompasses two primary components: development of a preferred alternative project to accomplish the City's goals of bluff protection along Cliff Drive amidst rising sea levels and more frequent and intense storms, leading to a future coastal development permit (CDP) for the project,⁵ and, an LCP amendment to update the City's planning documents in order to provide a proper basis to review that CDP and fulfill the requirements of the LCP Grant Program. The proposed LCP amendment thus seeks to provide necessary baseline updates to both the LUP and IP to guide coastal adaptation planning more broadly in Capitola and address potential near-term projects along the Cliff Drive corridor.

B. Proposed LCP Amendment

The proposed amendment includes changes to both the LCP's Land Use Plan and Implementation Plan. As noted above, the primary purpose of the amendment is to provide the analytic framework behind a future adaptation and coastal access enhancement project along the Cliff Drive corridor. Secondly, the amendment seeks to provide some basic targeted updates to other LCP sections, including to remove obsolete language, update outdated terms and descriptions, and generally align the LCP with current adaptation and sea level rise planning efforts.

The proposed changes to the City's LUP affect two chapters (the 'Public Access' and 'Natural Hazards' chapters) and would primarily update descriptions of existing conditions throughout both chapters, amend policies to include support for multi-modal enhancements, public access, coastal planning for sea level rise, shoreline

² See City CDP 3-CAP-96-022 which authorized the approximately 180-foot-long upper bluff retaining wall.

³ An episodic erosion event sometime in the last few years resulted in the loss of some of the blufftop area, leading to temporary closure of the parking area.

⁴ The Commission awarded the City a \$450,000 Round 5 grant in 2023 from the Commission's Local Assistance Grant Program.

⁵ At this time, the City has identified a continuous bluff stabilization design along the entire length of Cliff Drive as the preferred alternative; however, due to funding limitations and overall costs, the City has opted for a phased development approach which would protect the most vulnerable sections of the bluff first and then expand into other sections.

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structures, and drainage, and introduce new policies for future climate adaptation planning. More specifically, the changes entail:

- Amending descriptions of existing and future access for Cliff Drive, Hooper Beach, and the Capitola Wharf to describe current physical conditions and planning efforts including the recently completed Wharf Resiliency and Public Access Improvement plan, and the forthcoming Wharf Master Plan, Rail Trail segment, and Cliff Drive resiliency and multi-modal enhancements
- Amending policies related to active transportation to add the term “multi-modal”
- Amending Policy II-4 to provide for maximized public access and transportation enhancements along Cliff Drive while avoiding adverse impacts to coastal resources
- Amending the descriptions of bluff and beach erosion in the City to reflect current conditions
- Adding Coastal Act Section 30270 to the listed relevant Coastal Act policies
- Adding the Regional Water Quality Control Board (RWQCB) and the Monterey Bay National Marine Sanctuary (MBNMS) to the list of agencies that may have permit jurisdiction in hazardous areas
- Amending Policy VII-1 to add language related to accounting for the effects of sea level rise in coastal resource planning and management
- Amending Policy VII-2 to require geologic/engineering evaluations to consider a range of coastal hazards over a 50-year planning horizon and to incorporate mitigation measures evaluated over a 50-year design life
- Adding an objective paragraph before Policy VII-7 to echo Coastal Act provisions related to protecting and enhancing recreational areas for public use and ensuring development is properly sited and designed to ensure protection from coastal hazards without armoring
- Amending Policy VII-9 regarding shoreline structures to utilize the least environmentally damaging feasible alternative
- Amending Policy VII-11 to require drainage along Cliff Drive to be directed inland, where feasible, and ensure that drainage does not contribute to erosion or visual impacts
- Adding Policy VII-12 to require resiliency and adaptation projects along Cliff Drive to use the best available science

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- Adding Policy VII-13 to set the stage for future coastal adaptation planning in the Capitola Village⁶
- Removing obsolete policies and associated language (i.e., relics from the LCP's circa 1980s certification)

The proposed changes to the City's IP affect four chapters, namely Chapters 17.32 (Special Purposed Zoning Districts), 17.64 (Environmentally Sensitive Habitat Areas), 17.68 (Geological Hazards), and 17.76 (Parking and Loading). The changes to three of those chapters (Special Purposed Zoning Districts, ESHA, and Parking and Loading) are minor in nature; they clarify that coastal armoring is potentially allowed to support public paths and coastal accessways (as coastal-dependent uses and/or Section 30235 "existing structures"),⁷ that resource-dependent uses are allowed within ESHA, and change "Southern Pacific" to "Regional Transportation Commission". The fourth section (Geological Hazards) includes updates to the definition of bluff/seacliff and introduces a new definition for coastal hazards, and expands the purpose statement for the geological hazards overlay and removes references to outdated documents for geologic reports and the "economic life" of a project rather than the standard 50 years. The specific changes to the IP include:

- Amending the purpose section of IP Chapter 17.68 'Geologic Hazards' to describe the intent of the Geological Hazards district (e.g., to protect and enhance bluff, shoreline, offshore and sandy beach recreational areas, ensure allowable development is sited, designed and conditioned to minimize risks to life and property, etc.)
- Amending the requirements for geologic/engineering reports for development located on or adjacent to a beach, including to protect coastal dependent uses or public beaches in danger from erosion and to determine the least environmentally damaging feasible alternative
- Amending the required contents of geologic/engineering reports to evaluate a range of coastal hazards (e.g., erosion rates, wave climate, storm surge, sea level rise scenarios, etc.) over a 50-year planning horizon and incorporate mitigation measures to ensure the development is designed to last for a minimum of 50 years

⁶ Policy VII-13 states, "Capitola Village is critically important for the City, not only for its residents, but also its visitor-focused economy and its significant public recreational access offerings. Due to its low-lying nature, the Village and its fronting beach are threatened by storms, erosion, and sea level rise. Adaptation in light of such coastal hazards will prove critical in coming years. The City is pursuing funding to embark on coastal adaptation planning to address known vulnerabilities of the Village and Capitola Beach and explore mechanisms to better protect Village resources and enhance and adapt public and recreational access opportunities and amenities."

⁷ The California Coastal Trail extends along the seaward side of the Cliff Drive corridor and is appropriately called out as a coastal-dependent use because it requires a site adjacent to the sea to function for its intended public purpose.

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- Amending the definitions of “bluff” and “seacliff” and adding a definition for “coastal hazard” to reflect the most up to date accepted descriptions
- Adding a footnote clarifying coastal armoring is potentially allowed along Cliff Drive to support public paths and coastal accessways consistent with the requirements of Coastal Act Section 30235
- Adding resource-dependent uses as an exception to development allowed to encroach into ESHA (e.g., the waters of Soquel Creek or Lagoon) consistent with the requirements of Coastal Act Section 30240
- Replacing “Southern Pacific Railroad” with “Regional Transportation Commission” throughout⁸

See **Exhibit 2** for the proposed LUP amendment text and see **Exhibit 3** for the proposed IP amendment text.

C. Standard of Review

The proposed amendment includes changes to both the LCP’s LUP and IP. The standard of review for the LUP changes is that they must conform with the requirements of Chapter 3 of the Coastal Act, and the standard of review for the IP changes is that they must be consistent with and adequate to carry out the provisions of the certified LUP as amended.

D. Proposed LUP Amendment Consistency Evaluation

Applicable Coastal Act Provisions

The Coastal Act mandates the protection of public access and recreation along the coast, coastal habitats, and other coastal resources, prioritizes visitor-serving and coastal-dependent or coastal-related development, and requires that development consider and be responsive to sea level rise and minimize coastal hazards risks. More specifically, the Coastal Act emphasizes the protection of natural landforms and shoreline/beach access and related resources, while also requiring that risks be minimized in association with coastal hazards, including via ensuring stability and structural integrity for development over time without armoring and avoiding adverse impacts to natural processes and coastal resources. The Coastal Act also recognizes that shoreline-altering development, such as armoring, can cause significant adverse impacts to coastal resources such as sand supply and ecology, public access, coastal views, natural landforms, and shoreline processes, and thus requires approvable armoring to avoid or minimize coastal resource impacts, and to commensurately mitigate for allowed impacts that are unavoidable. Of the relevant Coastal Act sections, Coastal Act Section 30235 addresses the use of shoreline protective devices and Coastal Act Section 30253 addresses the need to ensure

⁸ The Santa Cruz County Regional Transportation Commission purchased the approximately 32-mile-long Santa Cruz Branch Line from Southern Pacific Railroad in 2012 to preserve it as a public mobility and transit corridor including for multi-modal bicycle and pedestrian use.

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long-term structural integrity, minimize future risk, and avoid landform altering measures in the future.

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. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.*

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...*

Coastal Act Sections 30210 through 30224 specifically protect public access and recreation, and Section 30240 protects EHSA in parks and recreational areas.

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, 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*

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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 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.*

Coastal Act Section 30251 protects views to and along the shoreline:

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 land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

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

minimizing alteration of natural streams.

More recently, the Coastal Act was also amended to explicitly require the Commission to take into account the effects of sea level rise (SLR) 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 SLR. Coastal Act Section 30270 addresses the need to evaluate and consider sea level rise in coastal resource planning:

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

Taken together, the Coastal Act's policies on SLR planning, coastal resource protection, and minimizing risks from coastal hazards – combined with the increasing scientific certainty that SLR is and will continue to increase coastal hazards along the shoreline – elevates the need for local governments to understand the projected sea level rise impacts within their jurisdictions and to implement sea level rise adaptation planning within LCPs. Without adequate assessment and adaptation planning, SLR could push local governments into situations where coastal resources are being lost, inconsistent with the resource protection policies of the Coastal Act, and into situations where development is exposed to significant hazards, inconsistent with the 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 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 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.

Overall, the proposed LUP amendment serves to provide a preliminary update to the underlying regulatory chapters that implement the above-described Coastal Act

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requirements. In fact, a few components of the update include best practices recommended by the Commission's Sea Level Rise Policy Guidance⁹ and the *Framework for a Phased Approach to Updating LCPs for Sea Level Rise*,¹⁰ including notably the use of best available science in permitting and future planning updates and requiring the use of the least environmentally damaging feasible alternative to protect endangered structures, beaches, and coastal-dependent uses. Perhaps the most noteworthy component of the proposed LCP amendment is the addition of Coastal Act Section 30270 to the LUP's list of relevant Coastal Act policies, and the addition of LUP Policy VII-12 which notes the importance of accounting for sea level rise in the City's coastal resource planning and adaptation strategies.

As previously mentioned, the proposed LUP amendment package updates much of the background and context language in the two affected chapters to reflect on-the-ground conditions. While the background language is a more generalized overview of the hazards affecting different areas of Capitola's coastal zone, it provides an important baseline for future adaptation planning and efforts, particularly along Cliff Drive. These updated conditions as well as other minor modifications to the City's governing policies provide needed context and direction for proposed development at this current time, while also recognizing that the shoreline and hazards facing it are dynamic and ever-changing, and thus the responses may be different in the future. Importantly, the amendment makes changes to ensure that development is sited and designed appropriately and that shoreline armoring is only permissible if it meets certain criteria (e.g., if non-structural solutions and any other less environmentally damaging feasible alternatives have proven infeasible, if the proposed project is in fact the least environmentally damaging feasible alternative, if coastal resource impacts are avoided as much as possible, etc.). Thus, and as explained in more detail below, these additions impart important analytical understandings for any future adaptation project on the Cliff Drive corridor, including one that evaluates options and alternatives to best provide for public coastal access and recreational opportunities to and along the shoreline, and mitigations for any remaining unavoidable coastal resource impacts. The amendment also requires bluff and hillside stability evaluations to consider a range of hazards over a 50-year planning horizon to ensure new development is designed to avoid coastal hazards risk for the minimum 50-year design life.

The amendment thus proactively seeks to minimize some of the common adverse effects to the City's beach/ocean/shoreline from coastal erosion/hazards and further preserves coastal recreational resources for the general public, which in turn is consistent with the Coastal Act's public access and recreation, natural resources, protection, and sea level rise minimization requirements. In terms of specific planning for the Cliff Drive corridor, Policy II-4 directs the City to "maximize Cliff Drive's public access and multi-modal transportation utility" while also "minimizing and mitigating for any unavoidable adverse coastal resource impacts". In addition, Policy VII-11

⁹ The Commission's Sea Level Rise Policy Guidance was originally adopted in 2015 and most recently updated in 2024.

¹⁰ The "Framework for a Phased Approach to Updating LCPs for Sea Level Rise" was adopted by the Commission in 2021 in conjunction with the Commission's Local Government Working Group: <https://documents.coastal.ca.gov/reports/2021/12/W7d/W7d-12-2021-exhibits.pdf>.

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encourages directing any necessary drainage for adaptation projects along Cliff Drive into inland drainage systems and to ensure that drainage does not contribute to coastal bluff or shoreline erosion. Finally, Policy VII-12 ensures that planning along Cliff Drive utilizes the best available science to “mitigate impacts from sea level rise and climate change related phenomena” while simultaneously enhancing public recreational access and protecting/enhancing environmentally sensitive habitat and paleontological resources. In sum, these policies provide more specificity on what adaptive management should include for this important corridor, including evaluating the potential tradeoffs between needed multi-modal transportation improvements (e.g., bikeways, parking, vehicular travel lanes, pedestrian overlooks, etc.) and bluff setbacks, coastal armoring, sandy beach space, and public views. The policies also require the City to identify any remaining unavoidable project impacts, including from any necessary armoring, and to mitigate them. It is important to note that the proposed amendment does not dictate a specific project outcome, rather it sets the evaluation criteria as the City moves forward with crafting project parameters (and an eventual CDP application) in the future. Accordingly, these policies can be found consistent with the Coastal Act’s coastal resource protection criteria and serve as a tool for the City’s ongoing adaptation work along Cliff Drive.

In summary, as proposed, the City’s resiliency package reflects the first phase of coastal hazards adaptation planning, focusing most specifically first on the discrete segment of the City along Cliff Drive. The policies proposed herein further flesh out the analytical framework and performance standards future projects here must meet, all with a goal of maximizing public access and protecting coastal resources. When viewed in this light, the proposed amendment can be found consistent with the Coastal Act. It should also be noted that the City is committed to future phases for more comprehensive, City-wide, and long-term sea level rise adaptation planning to protect the rest of its public shorefront infrastructure and access, including Capitola Village. That future amendment, and the specific prescriptions emanating from it, will be subject to additional robust community outreach and dialogue. In the meantime, and as explained in more detail in the IP analysis that follows, this amendment provides multiple important changes to reflect more modern coastal land use planning. As such, the proposed amendment is an important first step in addressing all of Capitola’s shoreline, and can thus be found consistent with the Coastal Act.

E. Proposed IP Amendment Consistency Evaluation

As articulated above, IP amendments must be consistent with and adequate to carry out the certified LUP. For the purposes of this IP amendment consistency evaluation, and because the LUP changes can be approved as submitted, as discussed above, the proposed IP changes are evaluated in relation to the LUP as it is proposed to be amended.

Applicable Land Use Plan Provisions

The City’s LUP contains policies and implementation strategies related to maximizing public access and recreation; protecting environmentally sensitive habitat; and planning for and protecting against natural coastal hazards. These policies include:

Public Access and Recreation

LUP Policy II-1: *It shall be the policy of the City of Capitola to provide safe and adequate pedestrian access to and along the shoreline as designated in the Shoreline Access Plan (see Maps II-1,2, and 3).*

LUP Policy II-4: *The City shall evaluate ways to maximize Cliff Drive's public access and multimodal transportation utility, and shall pursue funding and projects to transform Cliff Drive into a complete street to provide safe access for pedestrians, bicyclists, and motorists. Development along Cliff Drive shall be designed to enhance and maximize public access and multimodal transportation opportunities while simultaneously minimizing and mitigating for any unavoidable adverse coastal resource impacts to the maximum extent feasible. Any critical infrastructure/public works development along Cliff Drive shall incorporate user amenities such as benches, waste, and recycling facilities, and vehicular and bicycle parking for those visiting the coastline.*

Implementation: *a) Develop a multi-modal improvement plan for Cliff Drive and seek funds for development. b) Develop a beautification and access improvement plan for the Cliff Drive Wharf area.*

Environmentally Sensitive Habitat Areas

LUP Policy VI-1: *It shall be the policy of the City of Capitola to take measures within its purview to preserve and improve the quality of the waters of Monterey Bay, to support Marine Habitats, public recreation, and commercial pursuits consistent with sound resource management principles.*

Natural Hazards

LUP Policy VII-1: *It shall be the policy of the City of Capitola to adequately plan for natural hazards in new development, reduce risks to life and property, and revise all plans and Zoning Ordinances to be in conformance with all the policies of the Coastal Act relating to hazards and shoreline structures. The City shall further take into account the effects of sea level rise in coastal resources planning and management policies and activities in order to identify, assess, and, to the extent feasible, avoid and mitigate the adverse effects of sea level rise.*

LUP Policy VII-2: *All geologic/engineering reports required by the City pursuant to the policies of this component shall be prepared by a qualified geologist/engineer according to the guidelines for practice issued by the California Geological Survey and shall be based on the best available, professionally accepted science and scientific guidance. Bluff and hillside stability evaluations shall consider a range of coastal hazards – including erosion rates, wave climate, storm surge, and sea-level rise – over a 50-year planning horizon. Proposed development shall incorporate mitigation measures designed to perform for a minimum of 50 years post-occupancy. Site-specific analysis must be prepared and sealed by a California-licensed Geotechnical Engineer (GE) or Certified Engineering Geologist (CEG) and accepted by the City of Capitola.*

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LUP Policy VII-7: *Bluff and cliff top development shall be approved only if design and setback provisions are adequate to assure stability and structural integrity for at least 50 years and if the development (including storm runoff, foot traffic, grading, and irrigation) will neither create nor contribute significantly to erosion problems or geologic instability of the site or surrounding area. This policy shall be carried out by requiring geologic reports as per Policy VII-8.*

LUP Policy VII-8: *A geologic/engineering report shall be submitted for any bluff top or cliff development proposed within 200 feet of the cliff edge.*

The City may designate a lesser area of demonstration in specific areas of known geologic stability (as determined by adequate geologic evaluation and historic evidence). The City may designate a greater area of demonstration or exclude development entirely in areas of known high instability.

The technical report shall be prepared by a geologist or professional with expertise in shoreline processes. The report shall consider and analyze any information required by Policy VII-2.

LUP Policy VII-9 (in part): *Shoreline structure, including but not limited to seawalls, revetments, groins, and breakwaters, shall be permitted only to serve coastal dependent uses, to protect existing structures (other than accessory structures), or to protect public beaches in danger of erosion; shall only be permitted if nonstructural solutions (such as beach nourishment and relocating structures) and any other less environmentally damaging alternatives (such as nature-based adaptation measures) have proved to be infeasible; shall only be permitted if all coastal resource impacts are avoided as much as possible, and where all unavoidable impacts are commensurately mitigated. Such structures shall be designed to eliminate or mitigate adverse impacts on local shoreline sand supply, public access, visual resources, marine habitats, paleontological resources, and other coastal resources...*

LUP Policy VII-10: *The City should continue to participate with the State Department of Boating and waterways in studying the bluff erosion problem and possible solutions. The City should participate in any proposed shoreline project only if the project is in conformance with other LCP policies.*

LUP Policy VII-12: *Notwithstanding other LCP provisions, resiliency and adaptation projects may be approved along Cliff Drive provided they use the best available science to address and mitigate impacts from sea level rise and climate change related phenomena, enhance public recreational access, and protect/enhance ESHA/paleontological resources.*

LUP Policy VII-13: *Capitola Village is critically important for the City, not only for its residents, but also its visitor-focused economy and its significant public recreational access offerings. Due to its low-lying nature, the Village and its fronting beach are threatened by storms, erosion, and sea level rise. Adaptation in light of such coastal hazards will prove critical in coming years. The City is pursuing funding to embark on coastal adaptation planning to address known*

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vulnerabilities of the Village and Capitola Beach and explore mechanisms to better protect Village resources and enhance and adapt public and recreational access opportunities and amenities.

Consistency Analysis

As discussed above, the proposed IP amendment primarily makes changes to the Geologic Hazards District chapter, while also making minor accompanying changes to IP chapters related to ESHA, transportation, and permitted land uses for public paths and coastal accessways. These changes reflect the modifications described above in the LUP consistency analysis and provide the same benefits with respect to removing outdated language, updating terms and descriptions, and improving policy language and guidance related to adaptation planning for sea level rise, climate change, and coastal hazards. Accordingly, the proposed IP amendment is consistent with the LUP provisions described directly above, which in turn are consistent with the relevant Coastal Act provisions.

Most of the proposed changes are fairly straightforward and build on the modifications to the LUP. For example, the proposed changes update the definition of “bluff or seacliff” to clearly define which areas of the City meet this definition and would be subject to policies related to blufftop development. Similarly, the proposed amendment adds a new definition for “coastal hazard” which is referenced several times in the LUP (see LUP Policies VII-1, VII-2, and VII-13) and is the defining phenomenon associated with the Geological Hazards District. The proposed changes clarify when shoreline protection structures are permitted, including to protect coastal-dependent uses, existing structures, or public beaches in danger from erosion, and must utilize the least environmentally damaging feasible alternative (including utilizing nature-based adaptation strategies when possible) while mitigating for all unavoidable coastal resource impacts (in line with LUP Policy VII-2 and VII-9). Lastly, the proposed amendment updates the required contents of geologic/engineering reports including considering a range of coastal hazards and sea level rise scenarios over a 50-year planning horizon and mitigating for unavoidable coastal resource impacts for at least 50 years post-occupancy. Overall, the proposed changes lay out clear guidance to ensure the safety, resilience, and protection of its natural and built shoreline environment.

The proposed amendments would also clarify that coastal armoring is an allowed use along Cliff Drive to protect public paths and coastal accessways in danger from erosion (as coastal-dependent uses and/or Section 30235 “existing structures”), in line with LUP Policy II-4 and VII-12. The proposed amendments specifically direct the City to maximize public access and recreation benefits for pedestrians, bicyclists, and motorists along Cliff Drive and may permit coastal armoring to support such efforts. However, the proposed amendments also require any development project to minimize and avoid adverse impacts to coastal resources to the maximum extent feasible, and require that the impacts from sea level rise and climate change be appropriately minimized and mitigated. Thus, the proposed amendment recognizes that armoring may be necessary to protect and enhance coastal access along Cliff Drive, but ensures that any adverse coastal resource impacts associated with hard armoring strategies are commensurately mitigated.

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Finally, the proposed amendments are also consistent with and adequate to carry out the LUP's ESHA protection provisions, primarily LUP Policy VI-1 that directs the City to preserve and improve water quality within the Monterey Bay by supporting marine habitats, public recreational access, and commercial pursuits in accordance with resource conservation principles. The LCP currently prohibits development within environmentally sensitive habitat areas, including the waters of Soquel Creek or Lagoon with the exception of restoration and resource protection and enhancement activities. The proposed amendment would add "resource-dependent uses" as allowed development within ESHA, which aligns with the allowed uses as specified in Coastal Act Section 30240 and the provisions in the LCP. Thus, the proposed IP amendment further specifies the type of development permissible within ESHA and improves upon the resource protection policies already contained in the LCP.

In sum, the proposed amendment constitutes a preliminary effort to update outdated policies and guidelines related to addressing bluff erosion, sea level rise, and adaptation planning, while preserving and enhancing coastal access and public recreational needs, and simultaneously serves as a clean-up to align with regulatory requirements and update obsolete language. In particular, the amendment 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 (e.g., public access). Thus, the proposed changes appropriately implement the LUP. Accordingly, the Commission thus finds that the proposed amendment is consistent with and adequate to carry out the provisions of the LUP.

F. California Environmental Quality Act (CEQA)

Section 21080.9 of the California Public Resources Code—within the California Environmental Quality Act (CEQA)—exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its activities and approvals necessary for the preparation and adoption of LCPs and LCP amendments. Instead, the CEQA responsibilities are assigned to the Coastal Commission; however, the Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under CEQA Section 21080.5, the Commission is relieved of the responsibility to prepare an EIR for each LCP or LCP amendment action.

Nevertheless, the Commission is required, in approving an LCP or LCP amendment submittal, to find that the approval of the proposed LCP, as amended, does conform with CEQA provisions, including the requirement in CEQA Section 21080.5(d)(2)(A) that the amended LCP will not be approved or adopted as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment (see California Code of Regulations Title 14 Sections 13540(f) and 13555(b)).

The City of Capitola's LCP amendment consists of an LUP and IP amendment. The City of Capitola found that, under CEQA Guideline Section 15061(b)(3), the proposed LCP

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amendment is not subject to CEQA because it is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The City determined that the amendment would not have a significant effect on the environment. This report has discussed the relevant coastal resource issues with the proposal, and has addressed all comments received. All above findings are incorporated herein in their entirety by reference.

Therefore, the Commission finds that there are no other feasible alternatives or mitigation measures under the meaning of CEQA which would further reduce the potential for significant adverse environmental impacts, and the proposed IP amendment conforms with CEQA.

3. APPENDICES

A. Appendix A – Substantive File Documents

- File for LCP-3-CAP-26-0015-1-Part A (Cliff Drive Resiliency)

B. Appendix B – Staff Contact with Agencies and Groups

- City of Capitola
- Surfrider Foundation
- Regional Transportation Commission
- Save the Waves Coalition
- Santa Cruz County Parks Department