

LCLUP Meeting #3 – Homeowner costs and restrictions are severe. City Council can stop this **NOW**.

West side of Highway 1 suffers blight and massive loss of value. East side homeowners pay to move infrastructure.

This document provides real-world examples for the [Case Studies](#) that Pacifica city staff will present at the [LCLUP Meeting #3](#) at Terra Nova High School Theater on March 2, 2024.

City Council adopted a solid plan that defends homeowners in February 2020. California Coastal Commission staff rewrote Pacifica’s 2020 Local Coastal Land Use Plan (LCLUP) with crippling restrictions on property owners in Pacifica’s coastal zones (any property west of Highway 1). Additionally, costs to all homeowners EAST of Highway 1 will skyrocket as infrastructure has to be moved. City Council has no plan to pay for the \$millions in costs.

This document lists the coastal restrictions that apply to most of the coastal zones. City staff wants City Council to accept these restrictions as part of “negotiations” with the Coastal Commission. Again, these staff suggestions will cost homeowners a fortune. Council can and must reject these “suggestions”.

Our city staff is proposing to create new **“Special Resiliency Areas” (SRAs)** in West Sharp Park and Rockaway Beach that will allow the kinds of development everyone on the coast currently enjoys. These areas are allowed to acknowledge that the sea wall and other revetments actually exist. As crazy as it sounds, the vast majority of residents and businesses in the rest of the coastal zone would have to plan as if shoreline protections **do not exist**, even though they do. Sounds crazy but that is what Coastal Commission wants: look at seawall at the pier, act like it is not there. That’s because they intend to remove it.

This has an enormous impact on our city, no matter where you live in it. Most of Pacifica’s critical infrastructure lies within the coastal zone. If you drink water or use the toilet, this affects you directly. The cost to everyone is astronomical. Where would this infrastructure be moved to? How much will it cost? This doesn’t even include the enormous number of lawsuits the city will face.

This document does not cover the restrictions that apply to the city’s SRAs. Read this document to understand what everyone else is expected to give up for this “compromise” with the Coastal Commission. **You will understand why this is not acceptable and why we are demanding that the City Council say “NO” to the Coastal Commission modifications and “NO” to the SRA compromise.** We cannot throw all residents in the city under the bus for this SRA idea.



[SavePacifica.org](https://www.savepacifica.org)

We are citizens who live and work in Pacifica. We are your neighbors.

Case Study #1: Basic Residential Maintenance (reroof, new windows, new siding, non-structural)

New requirements:

- Roof replacement must be like-for-like. Like-for-like means that the replacement is similar in materials and colors. Like-for-like does not include changes in design, structural characteristics, or function.
- If you convert from a tar and gravel roof to shingles, change the shape of the roof, add skylights, add solar, etc. it counts towards your cumulative changes total, which the city and Coastal Commission track.
- If the replacement requires structural maintenance, such as repairing or replacing roof trusses or framing (as it often does for a roof replacement) it also counts towards your cumulative changes total, which the city and Coastal Commission track.
- When your modifications to your home reach 50% or more over time, bad things happen. It triggers a “Substantial Structural Modification” (SSM), and your home is considered a new development. See Case Study #3 to understand what that entails.
- **The Coastal Commission should not be in the remodel control business. Everyone east of Highway 1 can re-roof by getting a simple city permit. West side, all buildings severely controlled and blight sets in.**

Case Study #2: Residential Addition (non-Substantial Structural Modification)

Examples: Adding an addition that is less than 50% of existing flooring area, most **interior** remodels (i.e., remodeling the kitchen or bathrooms), upgrading electrical or plumbing, most solar projects, replacing a furnace or adding a heat pump.

Note that any change that cumulatively exceeds 50% over time is considered an “Substantial Structural Modification” (SSM) and is covered in Case Study #3. For example, say you remodeled your kitchen and two bathrooms 10 years ago and that’s 40% of the square footage of your house. You decide to add solar panels, which cover 15% of your roof. That’s cumulatively 55% of the square footage, which triggers a Substantial Structural Modification (SSM). Now you’re in Case Study #3, not Case Study #2.

Also note that this 50% threshold applies to the house, not the owner. If you make improvements of 45% of your house and sell it, the new owner can only improve 5% before triggering an SSM. You will need to disclose this to the buyer, so watch your housing value drop.

New Coastal Vulnerability Zone requirements:

- Expensive coastal engineering, geomorphology, and other relevant technical reports demonstrating the project avoids coastal hazards through its lifetime without the need for

shoreline protections. These are required before the Coastal Development Permit (CDP) application is submitted – it does not mean the CDP will be approved. **Cost for reports? Tens of thousands of dollars.**

- Design must be safe from coastal hazards for at least 100 years without the need for shoreline protections, even if they exist.
- Forced to record a deed restriction to hold the city harmless for all damage, **waive all rights to future shoreline protections**, assume all responsibility for future damage, **remove the development if the city or Coastal Commission says so.**

Case Study #3: Residential Addition (Substantial Structural Modification)/New

Examples: Replacement due to natural disaster (fire, earthquake, fallen tree, etc.), adding a second floor, adding an Accessory Dwelling Unit (ADU), any development that exceeds the 50% cumulative threshold that the city and the Coastal Commission keep track of.

New Coastal Vulnerability Zone requirements:

- Must record deed restriction to hold the city harmless for all damage, **waive all rights to future shoreline protections**, assume all responsibility for future damage, **remove the development if the city or Coastal Commission says so.**
- Expensive coastal engineering, geomorphology, and other relevant technical reports demonstrating the project avoids coastal hazards through its lifetime without the need for shoreline protections. These are required before the Coastal Development Permit (CDP) application is submitted – it does not mean the CDP will be approved. **Costs, again tens of thousands of dollars.**
- If technical reports say that existing portions of a home (for example, a sunroom) are not designed to be safe from coastal hazards for at least 100 years without shoreline protections (even if they exist), the nonconformities must be "corrected" or removed.
- **Must design for at least 100 years as if existing shoreline protections do not exist, regardless of whether they exist or not.**
- Requires a Coastal Development Permit before applying for city building permit. This increases the costs and allows the Coastal Commission to require design modifications (usually a reduction in project scope or denial of the project entirely).
- The entire development is reclassified as new construction and **will need to correct any existing legal nonconformities**. Nonconformities means it doesn't meet the requirement of brand-new construction. It may mean removing or replacing existing parts of your preexisting home.
- Any use of the structure that is inconsistent with the LCP must cease. You cannot use or live in your home while it violates LCP policies.
- The development would not be allowed to subdivide existing parcels unless the new parcels are intended for conservation of land.

New non-Coastal Vulnerability Zone requirements:

- If your home is in a tsunami evacuation area (according to city maps, ~90% of the developed coastal zone), all the above applies to you, too. Even outside the coastal zones in Linda Mar up to Peralta Road.
- The development would not be allowed to subdivide existing parcels if it contains or abuts an ESHA (according to city maps, potentially ~90% of the developed coastal zone)

Case Study #4: Development on a Parcel with No Sensitive Environmental Resources

- **Includes all tsunami evacuation areas**, which encompass almost the entire coastal zones. Tsunamis have nothing to do with climate change or sea level rise.
- Same examples and Coastal Vulnerability Zone/Non-Coastal Vulnerability Zone requirements as Case Studies #2 and #3

Case Study #5: Development on a Parcel with or adjacent to Sensitive Environmental Resources (habitat, animal species, creeks, etc)

Examples: Sensitive Environmental Resources = Environmentally Sensitive Habitat Areas (ESHA); Homes next to an ESHA, such as creeks, wetlands, Mori Point, add a drainage ditch, culvert, etc.

Requirements:

- **These rules apply to all homes in tsunami evacuation areas**, which encompass almost all coastal zones. **This has nothing to do with climate change or sea level rise.**
- California requires that three criteria are met for an area to be declared as an Environmentally Sensitive Habitat Area (ESHA), however the Coastal Commission says they only need to meet one. This means that a vast amount of coastal land will now be declared ESHA.
- A property owner will need to evaluate the presence of sensitive environmental resources on the site or within 300' of the property.
- Requires expensive technical reports and a biological assessment. **Again, costs tens of thousands of dollars.**

New Coastal Vulnerability Zone requirements:

- Biological reports must be created to identify ways to avoid and/or mitigate impacts of development.
- The development would not be allowed to subdivide existing parcels unless the new parcels are intended for conservation of land.

New requirements for All Coastal Zones:

- Prohibits development on coastal dunes. **This would prohibit closing the Clarendon gap and is designed to short-circuit the Beach Boulevard Infrastructure Resiliency Project (sea wall replacement).**
- Requires a Coastal Development Permit before applying for city building permit. This increases the costs and allows the Coastal Commission to require design modifications (usually a reduction in project scope or denial of the project entirely).
- There are 100' buffer zones around Environmentally Sensitive Habitat Areas (ESHA) where development is prohibited except in a very small set of circumstances.
- **Development within 50' of ESHA is prohibited, without exception.** If you live next to one of these areas, you may not be able to make any improvements or repairs to your house. **For some homeowners the 50-foot cut-off runs through the middle of their living room.**

Case Study #6: New/Replacement Shoreline Protection Structures (including seawalls)

Examples: Sharp Park seawall, Sharp Park Golf Course berm, revetments around RV park on Palmetto, revetments around Rockaway beach, etc.

New requirements for all coastal zones:

- Shoreline protections shall be avoided.
- Existing shoreline protections are allowed if they are the least environmentally-damaging alternative. Impacts to beach, public access and recreation, and other coastal resources must be fully mitigated consistent with policies CR-I-5 and CR-I-59.
- Encourage soft shoreline protections, such as dune and sand restoration.
- New development on bluffs shall comply with all LCP setback policies.
- **Existing shoreline protection structures may be repaired and maintained by no more than 50%.**
- New shoreline protections are only allowed until the structure they protect is an Substantial Structural Modification (SSM), **then they must be removed.**

Case study #7: New/Replacement of City Infrastructure or Service (pump station, bike lanes, etc)

Examples: Sewer lines, water treatment, water distribution, electrical distribution, roads and streets, pump stations, and other critical infrastructure.

New Coastal Zone Restrictions:

- Require infrastructure to be setback beyond the 100/150-year hazard line indicated on the Coastal Vulnerability Zone maps. In some cases, this means it must be located on the east side of Highway 1.

- New and upgraded infrastructure will be limited to only support LCP development. Does not account for infrastructure used by the entire city (i.e., sewer). **This Restricts the capacity and location of critical infrastructure in a way that could severely hamper the City's ability to serve the needs of the entire Pacifica community.**
- Adoption of the LCLUP requires expensive new studies to identify and evaluate the condition of critical infrastructure. Studies shall include alternatives analyses for potential retrofit, improvements, relocation, or other considerations. **Everyone in Pacifica will have to pay for these.**

Case Study #8: Residential Rebuild After Substantial Damage (noncoastal hazards, such as fire, earthquake, etc)

Example: House is destroyed or damaged due to fire, earthquake, tree falls, car runs into it, etc.

New Coastal Zone restrictions:

- Triggers a Substantial Structural Modification (SSM), where your home is reclassified as a new development. All restrictions in Case Study #3 will then apply. **Effectively makes repair so expensive you quit.**
- Replacement or repair may be required to be smaller to reduce the risk of hazards. Potentially, replacement may not be allowed or will be much smaller.

Case Study #9: Residential Rebuild After Substantial Damage (repetitive coastal hazard damage, including tsunami)

Example: House is destroyed or damaged due to repetitive coastal damage or by a tsunami.

New Coastal Zone restrictions:

- Triggers a Substantial Structural Modification (SSM), where your home is reclassified as a new development. All restrictions in Case Study #3 will then apply.
- Replacement or repair may be required to be smaller to reduce the risk of hazards. Potentially, replacement may not be allowed or will be much smaller.

LCLUP Meeting #3 at Terra Nova High School Theater on March 2, 2024.