

Dear Councilmembers,

I am writing to you again to voice my concerns over the proposed changes to the Land Use designation in the Pedro Point Field from Visitor-Serving Commercial Uses to a new Residential Mixed Use Designation. I urge you to listen to your constituents—who have consistently advocated against this ill-advised and potentially dangerous Land Use Change. By authorizing this change, you will be committing the City of Pacifica towards an avoidable battle against its own Citizens, Science, the California Coastal Commission, and the rising tides of the Pacific Ocean, while not actually saving any existing homes and families. Proposing to change the basic framework of our City's long-term land use designation with the aim of "fixing" the affordable housing crisis with new development in a seasonal wetlands subject to frequent flooding and tsunami inundation is a sham designed to maximize profits in the short-run, while leaving the City and its Citizens to clean up the inevitable disaster.

Inexplicably putting the city at substantial financial and legal risk benefits only one person, the land owner, who purchased the property in 1997, well after the Coastal Act was passed and the 1980 Local Coastal Land Use Plan and General Plan were adopted.

Under the current approved 1980 Local Coastal Plan, permissible land uses are described as the following:

"The designated land use for this area is commercial with emphasis on coastal related and/or visitor-serving uses. By combining all of the parcels in the area between Danmann and San Pedro Avenue, Highway 1 and the railroad berm and developing them as an integrated project along a realigned San Pedro Avenue, this small, oceanside commercial center could be rejuvenated and expanded to become an attractive visitor destination, as well as provide for neighborhood retail needs" ... adding a cultural center for performing arts and an attractive motel could, if carefully designed, enhance the appearance of this area and provide visitor services near the shoreline. ...

Small scale, rustic design and ample landscaping throughout the commercial development would complement the existing attractive design elements in the Pedro Point area. Adequate public access through the development to the shoreline and a general orientation to coastal related/visitor-serving uses within the project would be appropriate in this location.¹

The Proposed Land Use Designation,² as excerpted below, represents a complete change which will compromise an entire community's quality of life, access to one of the Bay Area's best family-friendly beginner surfing beaches, and sustainable visitor-serving jobs.

LD-I-20 Undeveloped San Pedro Avenue Site. Establish a Coastal Residential Mixed Use zoning district to allow **small-scale visitor-oriented commercial uses as a stand-alone project without any residential development, or small-scale visitor-oriented commercial uses with residential development** at a density range of three to five units per gross acre. Housing may be clustered, and uses may be mixed

¹ Available at: <http://www.cityofpacific.org/civica/filebank/blobload.asp?BlobID=2293>
Pedro Point begins on page C-54, electronically page 63.

² On Electronic Packet Page 195: the actual page numbers of the PDF file are obscured, but I infer it to be page 1-29.

vertically or horizontally. Residential uses shall be constructed attached to commercial uses. Development must include public coastal access and must provide public open space.

A wetland survey conducted according to the requirements of Coastal Commission regulation 13577 (Title 14, California Code of Regulations) is required to delineate potential wetlands on the site, if any, as part of the development application and environmental review process. An assessment of potential geotechnical hazards must also be part of the development application and environmental review process, including assessment of the Ocean Shore railroad berm under hazard and vulnerability scenarios consistent with policies in Chapters 5 and 6.

The table below summarizes how the proposed Coastal Residential Mixed Use designation as applied in Pedro Point Field fails to meet the basic statutes of the Coastal Act.

Coastal Act Policy	Coastal Residential Mixed Use [CRMU]
<p>Section 30006: Public Participation “the public has a right to fully participate in decisions affecting coastal planning, conservation and development; that achievement of sound coastal conservation and development is dependent upon public understanding and support; and that the continuing planning and implementation of programs for coastal conservation and development should include the widest opportunity for public participation.”</p>	<p>FAIL: The Pedro Point Community has consistently opposed the introduction of mixed-Use land use designations in the Pedro Point Field; but it has not been heard. See more below.</p>
<p>Section 30212 New development projects – (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) [conflict] public safety, military security, protection of fragile coastal resources, (2) [redundant shore access] (3) [conflict] agriculture</p>	<p>CONSTRAINT OR FAIL: Mixed residential land use will constrain the three well-established and persistent foot trails that lead from San Pedro Avenue (the nearest public roadway to the shoreline) to a private beach with long-established open public access</p>
<p>Section 30221 Oceanfront land; protection for recreational use and Development <i>Oceanfront land suitable for recreational use shall be protected for recreational use and development</i> 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.</p>	<p>FAIL: Residential development precludes recreational use and development. Recreational opportunities in the neighborhood on alternate sites are precluded: steep hillslopes, saturated residential development. The Pedro Point Field is less than a one-minute walk away from Linda Mar Beach: “The most well-loved and well-used beach in Pacifica!”³ Note that a property owner’s failure to pursue allowable economic benefits from his property from food trucks,</p>
<p>Section 30222 Private lands; priority of development purposes The use of private lands suitable for <i>visitor-serving commercial recreational facilities</i> designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or</p>	<p>FAIL: Private residential development and general commercial development are allowed to have priority over and exclude visitor-serving commercial recreational development.</p>

³ The most well-loved and well-used beach in Pacifica!” From the City of Pacifica’s Website: [https://www.cityofpacifica.org/depts/rec_department/parksbeaches/beach_and_park_info_and_rules/linda_mar_\(pacifica_state_beach\)/default.asp](https://www.cityofpacifica.org/depts/rec_department/parksbeaches/beach_and_park_info_and_rules/linda_mar_(pacifica_state_beach)/default.asp)

<p>general commercial development, but not over agriculture or coastal-dependent industry.</p>	
<p>Section 30240 Environmentally sensitive habitat areas (ESHA); adjacent developments (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.</p>	<p>FAIL: Residential development density range would require fill and drainage of seasonal wetlands and degrade ESHA wetlands. See Testimony of Dr. Peter Baye, submitted to the Council on July 7, 2014 and posted at pedropoint.org/the-pedro-point-field</p>
<p>Section 30242. Lands suitable for agricultural use; conversion All other <i>lands suitable for agricultural use</i> shall not be converted to nonagricultural uses</p>	<p>CONFLICT: Residential—both horizontal and vertical--development would require placement of pad fill (flood protection; 100 yr floodplain) and drainage) precluding agriculture physically and by land use conflict</p>
<p>Section 30251 Scenic and visual qualities 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 <i>minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas...</i></p>	<p>CONFLICT: Residential development would infill the last open space in coastal lowlands from Linda Mar to Pedro Point. Vertical Development would greatly obstruct existing views and enjoyment of the ocean.</p>
<p>Section 30253 Minimization of adverse impacts 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. [...]</p>	<p>CONFLICT. Most of field lies approximately 15-17 feet in elevation above Mean Sea Level (MSL), only about 3-5 feet above the marsh and high tide beach at the mouth of San Pedro Creek. Residential development requires flood protection and drainage. Wave runoff to the field depends on the non-engineered privately owned berm which is not maintained by Pacifica. Residential development would require armored flood protection structures as sea level rises. Alluvial soils (historical wetland) of the field have the same relative liquefaction (earthquake shaking) potential as diked bay muds and marshes in San Francisco Bay, and are located in a Tsunami Evacuation Zone.</p>
<p>Section 30255 Priority of coastal-dependent developments <i>Coastal-dependent developments shall have priority over other developments on or near the shoreline.</i> Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within</p>	<p>FULL CONFLICT. Residential development is not coastal-dependent, and would infill the seasonal wetlands in the lowland floodplain of the field.</p>

reasonable proximity to the coastal-dependent uses they support.	
<p>Environmental Justice Equitable coastal access is encompassed in and protected by the public access policies in Chapter 3 of the Coastal Act. The Coastal Act’s mandates to provide maximum access and recreational opportunities for all, and to protect, encourage, and provide lower-cost visitor and recreational opportunities embody fundamental principles of environmental justice.</p>	<p>CONFLICT: “Pacifica is home to some of the San Francisco Bay area’s best surfing beaches. Linda Mar State Beach is one of the most popular beginner surfing spots in the San Francisco area”⁴ This is also the premier family-friendly break within a short distance from the San Francisco Bay Area. We also recommend that LD I-6 be amended to include: LD-I-6 Oceanfront Land for Recreational Use. Prioritize use of land adjacent to <i>or within the immediate vicinity of</i> Sharp Park and Pacifica State Beach for low-intensity recreational use. Allowable uses should include those with a low development impact and which are readily relocated to adapt to evolving coastal conditions, such as recreation outfitters, campgrounds, rustic lodging, hikers’ huts, or view restaurants.</p>

I implore you to reject the Planning Commission’s proposed Land Use Designation Change in favor of the Low-Intensity Visitor-Serving Commercial Designation, which more accurately reflects the land use designation and conditions.

LOW-INTENSITY VISITOR-SERVING COMMERCIAL

The Low-Intensity Visitor-Serving Commercial (LIVC) district allows uses that create **or maintain** public access to the coastal setting and are adaptable to changing environmental conditions: campgrounds, rustic lodging, concession stands, warming huts, outdoor event sites, and similar uses. Existing permitted businesses that do not conform to the description of LIVC may remain until voluntarily redeveloped by the property owner or abandonment of the use has occurred pursuant to the nonconforming use zoning provisions of the Pacifica Municipal Code (cessation of the use for 12 months, under current zoning provisions). In these areas, the designation indicates the long-term goal of transition to recreation-oriented land uses. Development may occur at up to 0.20 FAR, but must have an overall very low-intensity character on sites of more than one acre.

Section 30006: Public Participation

Section 30006 of the Coastal Act also states that “the public has a right to fully participate in decisions affecting coastal planning, conservation and development; that achievement of sound coastal conservation and development is dependent upon public understanding and support; and that the

⁴ Website of the Pacifica Chamber of Commerce and Visitor Center: <http://visitpacificacom/index.php?page=16>

continuing planning and implementation of programs for coastal conservation and development should include the widest opportunity for public participation.”

The residents of Pedro Point have consistently acted in good faith to work with the City and the Owner to propose a Land Use Designation which considers the unique coastal nature and reflects our concerns over residential development on this lowest-lying parcel in the neighborhood.

Below are letters from past Pedro Point Community Association presidents. Danny Estrella (2011) expresses the community’s strong support for a land use designation which retains uses of the field as-is. Bruce Ferry (2013) details the extensive steps the Community has taken to facilitate meaningful dialogue

Figure 1: Letter from Danny Estrella, PPCA President, 2011

**Pedro Point Community Association
P.O. Box 951
Pacifica, CA 94044**

August 9, 2011

Recommendation from the Pedro Point Community Association (PPCA) to the Pacifica City Council and The Pacifica Planning Commission concerning the General Plan Update (GPU) Land Use Alternatives and Key Policy Issues Report for the Pedro Point area:

The PPCA and residents of the Pedro Point community applaud the City Council's undertaking a comprehensive update of its General Plan for development and public improvements to our community. The PPCA is vested in the economy and well-being of the city of Pacifica.

However it has come to our attention that the GPU Land Use Alternatives and Key Policy Issues Report currently recommends the City Council consider re-zoning the undeveloped property west of the Pedro Point Shopping Center - referred to as "Calson Site" - to potentially support A) Commercial/Residential (Multi-family Med-High density) development B) Hotel/Commercial/Mixed-Use/Residential development, or C) Mixed-Use/Hotel development, all reportedly based on the community preferences.

While the PPCA does support many of the findings stated in the (GPU), we wish to make it known that we strongly oppose all three of the re-zoning alternatives currently proposed. We also wish to clarify what the residents of Pedro Point desire for their neighborhood, and our actual preferences for any re-zoning alternatives, which we encourage the City Council to seriously consider:

- (1) The Pacifica General Plan Land Use Alternatives and Key Policy Issues determined that "Pacifica falls short by nearly half" of its existing General Plan standard of 2.5 acres Neighborhood Park per 1000 residents (nearly 45 acres deficient within ¼ mile of residential development). Therefore the PPCA urges City planners to fully consider land uses and land use designations at the Calson site that maximize opportunities for Neighborhood Parks to at least minimally meet the General Plan standard of no less than 2.5 acres.
- (2) In order to comply with the existing General Plan standard for Neighborhood Parks, PPCA would also support the City's consideration to fully change the land use designation of the Calson Site to Open Space.
- (3) PPCA also conditionally supports the application of the "Commercial-Recreational" land use designation of the Calson site (consistent with its existing commercial zoning) to the extent that it would ensure protection of existing open space for the neighborhood.
- (4) PPCA strongly opposes any re-zoning of the Calson site as Residential, Hotel or Mixed-Use/multi-family residential.
- (5) PPCA urges City planners to reject from further review any alternatives for development of Pedro Point that violate the existing character of its neighborhood and fail to comply with neighborhood park standards. This includes any potential re-zoning of the Pedro Point Shopping Center to mixed use and/or hotel. The shopping center should remain as is, or potentially re-zoned as Commercial-Recreational where feasible. Any other Residential or Mixed-Commercial-type designation in the Shopping Center area would be out of character with the neighborhood, introduce a transient population and high traffic negatively impacting the community, and cause an undue burden on the neighborhood.

Figure 3 Letter of Bruce Ferry, 2013 PPCA President, documenting extensive Community Feedback which prioritizes Visitor-serving Commercial Uses over Residential, consistent with the Coastal Act.

PEDRO POINT COMMUNITY ASSOCIATION
1227 DANMANN AVENUE, PACIFICA, CA 94044

February 1, 2013

Pacifica City Council
170 Santa Maria Avenue
Pacifica, CA 94044

Calson Field Recommendation

Over the past year the Pedro Point neighborhood, through the Pedro Point Community Association (PPCA), has had several discussions with the owners of the Calson Field culminating in a special neighborhood meeting held on November 4, 2012. Based on the public input from the residents and land owners of the Pedro Point community the board members of the PPCA voted to make this recommendation to you, the Pacifica City Council:

The PPCA voted for a motion to support that the 5 acre lot known as the "Calson Field" remain in its current zoning of Commercial-Recreational. The proposed Commercial Recreation designation in the current Draft General Plan is intended for land use that would remain in a primarily undeveloped state but would allow for limited commercial establishments supporting recreational uses in keeping with the enjoyment of the beach and community character.

The PPCA also voted against a motion that the property be re-zoned as Residential.

The PPCA requested community input regarding the use of the Calson Field on four separate occasions:

April 19, 2012 at its public quarterly board meeting
July 19, 2012 at its public quarterly board meeting
October 18, 2012 at its public quarterly board meeting
November 4, 2012 at a special meeting to discuss community preferences for the Calson Field land use.

These meetings were well publicized in the PPCA's quarterly newsletter that is mailed to all residents and property owners of Pedro Point, including the businesses in the Pedro Point Shopping Center. The November 4, 2012 meeting was conducted under direction from the city council to assure there was no question of full inclusion of the owners of the Calson Field and full input of the Pedro Point neighborhood to recommend what the best use of the property would be to the community and the City of Pacifica.

At the special meeting on November 4, George White, head of the City planning department, explained the current zoning of the field, gave a brief overview of the General Plan Update (GPU) process and specific project approval process for any project development, and then answered numerous questions about the process, zoning, and potential uses for the field. We are very thankful to George for attending the meeting and giving all who attended a greater insight into the GPU process. The PPCA also contracted a facilitator, Tim Dunkin, who has

been previously contracted by the City of Pacifica to assure an open dialogue for all concerned parties.

There were several zoning recommendations and ideas presented both by the owners of the Calson Field as well as residents of the Pedro Point community at these various meetings. To follow is a summary of those ideas, listed in order of community support/preference:

Commercial Recreational with an emphasis on recreational businesses serving the soon to become coastal trail and Golden Gate National Recreation Area (GGNRA) of the Pedro Point Headlands and Linda Mar beach. The type of businesses associated with the commercial recreational zoning that were discussed were:

- Bike/Skate rental
- Educational/Agri-Tourism Farm Stand
- Surf Museum
- Native Plant Nursery
- Beer/Wine Garden
- Zen Garden/Meditation Center
- Party-Play place/Pony Rides
- Outdoor Event Space

Open Space/protected wetland

Part low density residential housing with part open space park

As president of the PPCA, I feel that we have made great efforts to reach out to the Pedro Point Community to seek their input and ideas, and have fostered an open and honest discussion with the Calson family, including electing Ron Calson to our current Board. The special meeting on November 4 was attended by many neighbors, some long-time residents, some brand new to our community.

The resulting recommendation to support land use consistent with the current Commercial Recreational zoning was voiced by the vast majority of residents attending that meeting, as well as other PPCA meetings held over the past year. The board believes that we have the best interest of our neighborhood for what is compatible, within the character of Pedro Point, and that the commercial recreational designation is the best economic option for the city of Pacifica on this property.

On behalf of the Board of the Pedro Point Community Association,

Bruce F. Ferry, CPA
President

Lastly Joanne Gold, current president of PPCA who as well as hundreds of other neighbors, have filed comments at every critical juncture, reiterating the neighborhood's strong preference for visitor-serving uses of the Field, consistent with the current conditions, zoning, and law. This evidence, supported by expert testimony we have hired, continues to fall on deaf ears, bias, and even hostility, as evidenced in this letter from our current Councilmember.

From: "Vaterlaus, Sue" <vaterlauss@ci.pacifica.ca.us>
Date: February 24, 2020 at 9:57:58 AM PST
To: Joanne Gold <joannegold@yahoo.com>
Subject: RE: Appeal of Planning Commission Decision - 2/24/20 City Council
Agenda Item

Yes we are charged to represent all Pacificans, not just the residents of Pedro Point who continually use items that are not always accurate to describe the Calson Property. Have you ever heard the term taking?

The Calsons want more and you want nothing. These numbers were brought out at a study session with planning and council and it seems like a good compromise to me at this time although again i will wait to see what comes to light at the meeting . It will depend on new information.

As per new information, the California Coastal Commission has reminded us that regardless of the current Council's bias, the law still applies: Visitor serving uses are prioritized, and as such should guide any future development on the site.

KoppmanNorton, Julia@Coastal <julia.koppmannorton@coastal.ca.gov>

Sep 27, 2019, 11:04 AM

to me, Joanne, Stephanie@Coastal, Jeannine@Coastal, Samuel

Regarding the letter – yes, we are aware that it was sent out in 1996 by James Muth, who is no longer with the Coastal Commission. Instead of using this letter as direction, we would instead look to the certified LCP for guidance. Per the LCP, the property is in the Coastal-Combining Zone (CZ), **in which visitor-serving uses are prioritized, and as such that should guide any future development on the site.** Please feel free to let me know if you have further questions.
Thanks!

Furthermore, an internal memo from the former coordinator of the General Plan Update to the City's Planning Director, the City has known that the Pedro Point Fields is a wetlands which needs to be properly mapped.

INTERNAL MEMO

TO: George White
FROM: Elizabeth R Claycomb
DATE: Friday, April 19, 2013

RE: FOR YOUR CONSIDERATION: Wetlands Delineations / documentation for the GPUP (General Plan Update Project) Information for your consideration that may impact Land Use for specific parcels in the vicinity of Pacifica State Beach, Pedro Point Area, Pacifica, CA

Through public works, the City has documented the information that Leslie brought to your attention for the "Calson" site and that was a point of interest when we initiated discussions on the need for a wetlands map / the accuracy of such information available through NWI. In our environmental documents for both the Flood Control Project and the Beach Master Plan Project and possibly also detailed within several grants / monitoring and reporting documents for watershed / wetlands restoration that was carried out as the last phase of the beach master plan project.

I wrote many of the grants when working in PW and have these records to review if you determine that should be necessary. Prior to Van becoming the DPW; the previous DPW; Scott Holmes was focused on connecting the coastal trail to the "devils slide trail" which at that time was in the very early pre-planning / discussion stage, and he intended to do so by use of the headlands as you know; (he was almost successful at getting NCCWD to run their waterline that fed the tunnel project (in part) up the headlands trail (hence the rough grading) and to the tunnel project / any facility that was to be constructed for visitors following the end of the tunnel project.

During this time, he had initiated work with wetlands restoration planning that was intended to alleviate the flows off Grand Ave and that was tied into the Beach Master Plan Project. I am not certain you have heard yet of how problematic the water flow can / have become in the past that come down Grand Ave. We had an EPM (Emergency Protective Measure) FEMA project in January / February 2006 at Grand Ave; which upgraded / drainage along the upper portions of Grand and modified the capacity / the grade of the sides of the street at the steeper portions so the water was directed into the gutter / slight swale engineered on the east side of the street (the water used to run down the road and into many homes because they are set below the grade of the road)The face of the headlands was at one time a natural drainage area/ creek. This emergency FEMA work actually made the velocity of the flows much better, **which is a point that you may need to address or may be able to leverage when discussions about natural wetlands occur related to lands adjacent to the Calson property as well as the Calson site alone.**

Scott Holmes had acknowledged many times that the strip of land once owned by Rick Lee, and then sold to Sean Rhodes was a natural water catchment and wetlands. **Also acknowledged by the former DPW was a portion of the Calson site had acted (historically) as a natural flood plain / depression that the old Rick Lee property drained into and that Grand Ave. / the headlands; specifically the north facing and western portion of the Pedro Point Headlands drained into through a natural watercourse that is now Grand Ave.**

Because he had been quite vocal about this; and had initiated the planning for restoration work in this area by documenting the concept of a trail segment and restored wetlands which is included in summary in the ISMND for the Beach Master Plan, **its quite possible that the City may need to**

reassess any position that may have been considered at the present time with respect to Wetlands, Land Use and the General Plan Update.

Adding a trail segment that was to run adjacent to the Calson site / and possibly through it (with an easement obtained / land purchased after completing the appropriate parcel related modifications and which was to be negotiated (potentially) with the property owner was initiated to some extent by suggesting ideas such as offering the owner improvements' that included wetlands enhancement and a trail segment with lighting and potential drainage improvements(there was talk about drawing foot traffic to this area and the problems that may occur as a result) . This segment was intended to start at the spot where the most southern access to PSB exists now at the very north west corner of the Pedro Point Shopping Center; which is also where the restored wetlands that was constructed with grant funds obtained while I was working in PW is, and this happens to be in front of the Barrish house (wetlands replaced in 2004). Part of this work included a negotiation with Jerry Barrish, and this include the provision of a concrete post hole fence that was placed around the Barrish house, to provide protection of his property which he felt would be detrimentally impacted as a result of the increased foot traffic in this area because of the trail segment construction.

This reconstructed wetlands; is connected to both the depressions to the south and the creek mouth to the north, via a 24 inch (maybe 36) corrugated metal pipe and flap gate; which opens when flows exceed a certain level at the creek mouth and was to also be controlled in some manner from the east side. I am not sure if this happened.

I have the grant files in my possession and can pull them now along with the ISMND to see if the NWI data (attached) is referenced anywhere in these files. I WILL WAIT FOR YOUR DIRECTION.

I want to provide you with accurate information about what previous Councils have accepted / authorized and what previously had been determined through environmental efforts for earlier projects. You need see how much detail we went into regarding that particular property, so that you can make an informed decision regarding possible changes to Land Use at this particular site. Given the level of concern Mr. Calson has for his property; I am interested in your being in the best position to discuss and address this ongoing issue.

I know that Scott Holmes had many interactions with Mr. Calson and the owners prior to him. After it was decided that the trail segment intended to connect the beach trail with the headlands trail would not run through Rick Lees property Scott Holmes turned his attention, as I recall to the property owner of the Calson site in order to negotiate this trail segment which possibly included improvements that would benefit the property owner and that supported the determination made about that property / adjacent properties).

The City May Err in its finding that approval of the Post-Consultation Draft LCLUP is exempt from the California Environmental Quality Act (CEQA).

The Planning Staff has asked you as Councilmembers to sign a Resolution *certifying that the LCLUP is intended to be carried out in a manner fully in conformity with the Coastal Act, and finding that approval of the LCLUP is exempt from the California Environmental Quality Act (CEQA).*⁵ Given the mountains of

⁵ Resolution of the City Council. Agenda Packet at Page 60

evidence: Brown Act Violations, sustained citizen opposition, geotechnical and biological hazards, and Sea Level Rise: Can you sign this in good faith?

The California Environmental Quality Act (CEQA) generally **requires** state and local government agencies to inform decision makers and the public about the potential environmental impacts of proposed projects, and to reduce those environmental impacts to the extent feasible.⁶ By law, an action “which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment⁷” is subject to CEQA; yet, city staff is asking you to attest otherwise.

The baseline environmental setting of the Field is currently a seasonal wetland, which has three well-established and persistent foot trails that lead from San Pedro Avenue (the nearest public roadway to the shoreline) to a private beach with long-established open public access. If the Land Use Designation change as requested by the owner is granted, then these discretionary actions by the city must trigger a CEQA review, which should not be waived. Below is a copy of the flyer distributed by the Land Owners at Fog Fest and outside the September 20, 2019 City Council Meeting. It is more than reasonably foreseeable—it is obvious--that the discretionary Land Use Changes before you today will result in a physical change in the environment.

⁶ From the Homepage of the California Office of Planning and Research which governs General Plans. <http://opr.ca.gov/ceqa/>

⁷ California Code of Regulations Chapter 3: Guidelines for Implementation of the California Environmental Quality Act., 201814 CCR § 15378

Figure 4: Proposed Developments as distributed Land Owners at Fog Fest and outside the Sept. 20, 2019 City Council Meeting



Examples of properties from a developer we are in communication with

To continue the conversation and raise awareness about this opportunity to provide Affordable Bay Area Housing, please attend the **Pacifica City Council Meeting:**

When: Monday, Sept. 30, 2019 at 6pm

Address: 2212 Beach Boulevard, Pacifica, CA 94044

We encourage you to share your support of this project with the Pacifica City Council Representatives by using the website below: https://www.cityofpacificca.org/government/city_council/default.asp

beckmeyers@ci.pacificca.ca.us
bierm@ci.pacificca.ca.us

vaterlauss@ci.pacificca.ca.us
o'neillm@ci.pacificca.ca.us

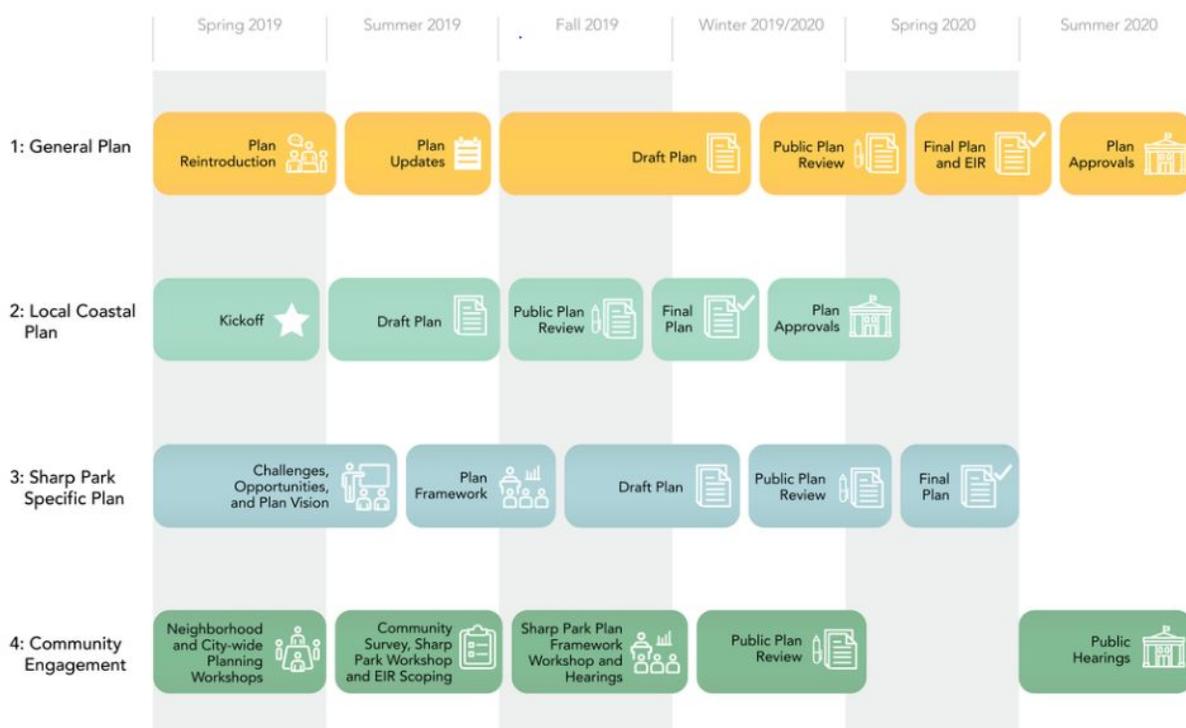
martind@ci.pacificca.ca.us

LD-1-20 Undeveloped San Pedro Avenue Site. Establish a Coastal Residential Mixed Use zoning district to allow residential development at a density range of three to five up to 15 units per gross acre, and/or small-scale visitor-oriented commercial uses. Housing may be clustered, and uses may be mixed. Development must include public coastal access and must provide public open space. A survey is required to delineate potential wetlands on the site, if any, as part of the development application and environmental review process. *The land directly west of the Pedro Point Shopping Center was identified as a commercial recreation site in the previous General Plan, and has been zoned for general commercial uses. Residential use has been sought for the site, and the potential for wetlands on the site has been identified. The Planning Commission supported "limited housing, parks, no hotel," but City Council did not make a conclusion about the site.*

The Project Timeline as presented on the Plan Pacific page excerpted below, boldly attempts to remove jurisdiction for environmental review away from the Coastal Commission, the agency best equipped to understand environmental impacts on the coast. This further speaks to the City's efforts to remove science, reason, and financial sustainability and responsibility from its long-term planning decisions in favor of short-term profits.



Project Timeline



For the many reasons documented above, the City has continued to bias its decisions towards the desire of one landowner to modify a known wetlands to maximize short-term financial gains for one person at profound expense and risk to the City, the Environment, its Residents, and all who wish to enjoy and recreate at or near California's Coast.

Sincerely Yours,

Cherie Chan and Bruce Ferry
 San Pedro Avenue
 Cherieandbruce@gmail.com

