ENVIRONMENTAL LAW - CALIFORNIA

Coalition of Pacificans for an Updated Plan v. City Council of City of Pacifica

Court of Appeal, First District, California - December 30, 2025 - Cal.Rptr.3d - 2025 WL 3764279

Land-use planning group moved for award of attorneys' fees after obtaining ruling that city and project applicants should have prepared environmental impact report (EIR) for eight housing units on 1.2 acres.

The Superior Court granted motion. City and applicants appealed.

The Court of Appeal held that:

- Trial court could consider potential environmental impacts;
- Trial court improperly used statewide benchmark to measure impact of individual housing project;
- Using categorical approach that designates entire county or city as being urban or not urban is inappropriate when evaluating Housing Accountability Act (HAA) policy of filling existing urban areas to maximum extent practicable;
- Trial court was not required to deem site suitable based on city's general plan and zoning designations;
- Assessment of reasonableness factor of HAA was not abuse of discretion; and
- Compliance with land use designations and zoning classifications does not dictate that approval of housing project must be deemed reasonable.

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