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# SENATE COMMITTEE ON LOCAL GOVERNMENT

Senator María Elena Durazo, Chair

2025 - 2026 Regular

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**Bill No:** AB 1740  
**Author:** Zbur  
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**Fiscal:** Yes  
**Consultant:** Favorini-Csorba

***COASTAL RESOURCES: LOCAL COASTAL PROGRAM: COASTAL DEVELOPMENT  
PERMITS: CITY OF SANTA MONICA***

*Requires the City of Santa Monica to submit a complete local coastal program to the Coastal Commission and streamlines active transportation measures in the Coastal Zone.*

## **Background**

***Local land use planning.*** The California Constitution allows cities and counties to “make and enforce within its limits, all local, police, sanitary and other ordinances and regulations not in conflict with general laws.” It is from this fundamental power (commonly called the police power) that cities and counties derive their authority to regulate behavior to preserve the health, safety, and welfare of the public—including land use authority.

State law provides additional powers and duties for cities and counties regarding land use. The Planning and Zoning Law requires every county and city to adopt a general plan that sets out planned uses for all of the area covered by the plan. A general plan must include specified mandatory “elements,” including a housing element that establishes the locations and densities of housing, among other requirements. Cities’ and counties’ major land use decisions—including zoning ordinances and other aspects of development permitting—must be consistent with their general plans.

Local governments use their police power to enact zoning ordinances that shape development, such as setting maximum heights and densities for housing units, minimum numbers of required parking spaces, setbacks to preserve privacy, lot coverage ratios to increase open space, and others. These ordinances can also include conditions on development to address aesthetics, community impacts, or other particular site-specific considerations.

***Coastal Act of 1972.*** The California Coastal Commission (Coastal Commission) was established by voter initiative in 1972 (Proposition 20). The Legislature later made the Coastal Commission permanent through the adoption of the California Coastal Act of 1976 (Coastal Act). The Coastal Commission plans for and regulates the use of land and water in the Coastal Zone. The Coastal Zone encompasses the land and water area along the entire California coast extending seaward to the state's outer limit of jurisdiction, including all offshore islands, and extending inland generally 1,000 yards from the mean high tide line of the sea. In areas with significant coastal resources, the Coastal Zone extends inland to the first major ridgeline paralleling the sea or five miles from the mean high tide line of the sea, whichever is less. However, the Coastal Zone excludes the San Francisco Bay and certain related bodies of water. In developed urban areas, the Coastal Zone generally extends inland by less than 1,000 yards.

The Coastal Commission is an independent, quasi-judicial state agency, and is composed of 12 voting members appointed by the Governor, the Senate Rules Committee, and the Speaker of the Assembly (four each). Six members are public members, and six are locally elected officials from specified coastal areas. There are also three ex officio, non-voting members of the Coastal Commission.

The Coastal Act gives the state a unique role in planning and regulating the use of land and water along the coast. Specifically, within the coastal zone—unlike most other areas of California—the state possesses the authority to regulate development, which is broadly defined to include the construction of structures, divisions of land, and activities that change the intensity of use of land or public access to coastal waters, among other projects.

***Permitting in the Coastal Zone.*** The basic goals of the Coastal Act are to balance development along the coast with protecting the environment and public access. The Coastal Act includes specific policies that address issues such as shoreline public access and recreation, habitat protection, landform alteration, industrial uses, water quality, transportation, development design, ports, and public works. The Coastal Act tasks the Coastal Commission with implementing these laws and protecting coastal resources. As such, entities seeking to undertake development activities within the coastal zone must first attain a coastal development permit (CDP) from the Coastal Commission.

The Coastal Commission can delegate some permitting authority to the 76 cities and counties along the coast if they develop plans—known as Local Coastal Programs (LCPs)—to guide development in the coastal zone. Each LCP includes a land use plan (LUP), which contains policies, and an implementation plan, which includes accompanying measures to implement the land use plan, like zoning ordinances, zoning district maps, and other implementing actions. The LCPs specify the appropriate location, type, and scale of new or changed uses of land and water, as well as measures to implement land use policies (such as zoning ordinances). The Coastal Commission reviews and approves (“certifies”) these plans to ensure they protect coastal resources in ways that are consistent with the goals and policies of the Coastal Act.

Local governments have incentives to complete certified LCPs, as they can then handle development decisions themselves, although stakeholders can appeal such decisions to the Coastal Commission. In contrast, any project undertaken in the coastal zone in communities without certified LCPs must obtain a permit from the Coastal Commission, in addition to approval from the local government.

***Modifications to LUPs and implementation plans.*** When a local government proposes an amendment to an LUP or an implementation plan, it must submit the amendment to the Coastal Commission for approval. The Coastal Commission must hold a public hearing on it and then can certify the LUP or implementation plan as drafted, or suggest modifications to the local government that would result in certification. The Coastal Act allows the director of the Coastal Commission to certify a “*de minimis*” LCP amendment through a streamlined process if the proposed amendment would have no impact on coastal resources and certain criteria are met. The director can also waive the requirement for a CDP for a project that is *de minimis*.

Because the Planning and Zoning Law requires land use changes to be adopted in a public hearing after the provision of sufficient notice, any modified LUP or implementation plan must be approved by the legislative body of the city or county (the city council or board of supervisors), following all of the procedures in the Planning and Zoning Law.

***Active transportation in the coastal zone.*** Increasing the use of multimodal travel—bicycling, walking, and other modes of transportation—is an important part of meeting California’s goals for greenhouse gas emissions and vehicle miles traveled reductions. SB 689 (Blakespear, 2024) sought to accelerate the development of bicycle lanes, pedestrian walkways, and other active transportation methods in the coastal zone by clarifying the requirements for the conversion of existing traffic lanes to active transportation uses. SB 689 provides for streamlined approvals of CDPs for these conversions if certain conditions were met, including that public access to the coast was, on balance, enhanced. Previously, while not all bicycle lane projects in the coastal zone required a CDP or LCP amendment, some local governments had experienced delays where an outdated LCP had hindered rapid conversion. Specifically, SB 689:

- Prohibits the Coastal Commission from requiring a traffic study when a local government applies for a CDP or LCP amendment that seeks to convert an existing motorized vehicle travel lane into a dedicated bicycle lane, dedicated transit lane, or a pedestrian walkway; and
- Requires the Coastal Commission to process an LCP amendment as a *de minimis* amendment if the director of the commission determines that, on balance, the project will provide additional public access benefits without significantly reducing existing public access opportunities.

***City of Santa Monica.*** The City of Santa Monica has a certified LUP, but it does not have a certified implementation plan, which means it does not have a certified LCP. Thus, the Coastal Commission retains authority for issuing CDPs in Santa Monica.

On May 26, 2026, the Santa Monica City Council approved a Memorandum of Understanding (MOU) between the City and the Coastal Commission that establishes a collaborative framework between the City and Coastal Commission staff to facilitate timely completion and certification of a comprehensive LCP including both a LUP and implementation plan. The MOU identifies multiple elements where the City and the Coastal Commission will seek to prioritize the development of LCP policies and processes to “streamline permitting, provide for programmatic management, and facilitate sustainable and economically vibrant development within existing urbanized areas of the City’s coastal zone.” These elements include:

- Commercial tenant improvement projects and changes of use/adaptive reuse;
- Temporary events;
- Outdoor dining;
- Multimodal transportation facilities/roadway improvements;
- Residential projects;
- The City’s Home-sharing and Vacation Rental Ordinance;
- Tools for City management of on-street and off-street parking resources, including pricing, establishing, altering, eliminating, or otherwise managing regulations and requirements; and
- Tools for preferential parking zones.

Both the City and commission committed to starting the LCP development process in July 2026 with a goal of LCP certification by the end of 2027, while also acknowledging that the complexity of the LCP development may take additional time.

The author wants to encourage the City and the Coastal Commission to develop and certify an LCP, and make it easier to complete infrastructure to support multimodal travel.

### **Proposed Law**

Assembly Bill 1740 requires the City of Santa Monica to submit a complete LCP to the Coastal Commission and streamlines active transportation measures in the Coastal Zone.

***Santa Monica LCP.*** AB 1740 requires the City of Santa Monica, by January 1, 2029, to submit to the Coastal Commission a complete LCP for the City's portion of the coastal zone. The Coastal Commission must act on the LCP within six months of receipt of a submitted complete proposal, unless the city requests an extension.

If the City submits a complete LCP, the Coastal Commission must, within 45 days of receipt, provide the City, in writing, a list of identified issues that require further refinement through suggested modifications. Following the City's receipt of the list of issues, the Coastal Commission and the City must try to reach agreement on any suggested modifications within six months of receipt of the submitted complete proposal. If the Coastal Commission fails to act on the LCP within six months of receipt, the Coastal Commission must:

- Upon appropriation by the Legislature for these purposes, reimburse the City for reasonable costs associated with the time spent coordinating on the suggested modifications; and
- Provide quarterly, written updates to the Legislature describing the reasons for the delay, a summary of the remaining steps necessary to place the LCP on the commission's meeting agenda, and an estimated timeline for approval and certification of the City's LCP.

AB 1740 also provides that if the City submits the LCP before January 1, 2028, the City receives priority for projects consistent with the City's certified LCP from the state's Active Transportation Program.

***Active transportation streamlining.*** AB 1740 revises and expands SB 689's streamlining for active transportation projects in the Coastal Zone. Specifically, AB 1740 requires a LCP amendment or a project that converts an all or part of an existing motor vehicle right of way into a right-of-way for bicycles, transit, or pedestrians to be processed *de minimis* if the director finds that the project will, on balance, provide commensurate or enhanced access to the coast, even if it significantly reduces *existing* public coastal access opportunities. It also prohibits the Coastal Commission from precluding projects that remove public parking from the *de minimis* process.

AB 1740 also requires, until December 31, 2032, the director of the Coastal Commission to:

- Maintain and make available for public review, in a single location and on its website, records of all applications submitted pursuant to the above process, report to the Legislature annually on applications received and their disposition, as specified; and
- Retain and make available the records for no fewer than 10 years.

The bill provides that nothing in the reporting requirements shall be construed to delay or otherwise affect the timeline for processing an individual application for a *de minimis* conversion of a road to a bicycle, transit, or pedestrian right-of-way.

### Comments

1. Purpose of the bill. According to the author, “AB 1740 provides the City of Santa Monica, in coordination with the California Coastal Commission, clear timelines, accountability measures, and reporting requirements designed to ensure the LCP for Santa Monica is completed and implemented. In addition to part of the bill specific to the Santa Monica LCP, the revised bill also establishes a statewide, streamlined process for approving bike, pedestrian, and transit improvements that enhance public access to and within the coastal zone. The bill also requires the Coastal Commission to collect and report data on approvals, denials, and pending applications for the new expedited process. That transparency will give the public and the Legislature the information needed to evaluate whether good bike, transit, and pedestrian projects are being approved under the streamlined authority.”

“AB 1740 started an important conversation about how we protect California’s coastline while ensuring our coastal communities can thrive. I’m proud that what began as a proposal to address permitting challenges evolved into a collaborative agreement that preserves California’s gold-standard coastal protections while creating a clear path for Santa Monica to regain local permitting authority, and for communities in the coastal zone to be able to add bike, pedestrian, and transit infrastructure. That means a more predictable process for the kinds of projects that make places like the Third Street Promenade vibrant – from outdoor dining and mobility improvements to public spaces and local business investments.”

“This agreement reflects the countless conversations by the many stakeholders who came to the table in good faith, and demonstrates that ambitious legislation can create the momentum needed to solve problems that go unresolved for years.”

2. Something for nothing? The City of Santa Monica and the Coastal Commission entered into an MOU earlier this year indicating their intent to work collaboratively to develop and certify an LCP for Santa Monica by the end of December 2027. AB 1740 imposes a deadline of one year later—January 1, 2029—for the City to submit an LCP to the Coastal Commission. However, the bill provides an incentive for early submission: if the City submits the LCP in accordance with the timeline that it agreed to under the MOU, the bill gives the City priority for Active Transportation Program funding. This program is oversubscribed, so not all requests are funded. Other local governments may lose out in the event that the City completes its LCP as it already has agreed to in the MOU. The Committee may wish to consider whether the City should receive this priority for funding over other local governments.

3. Timing is everything. AB 1740 requires the Coastal Commission to report on the use of the *de minimis* process for bicycle, transit, and pedestrian improvements, and to retain records pertaining to the use of these provisions for 10 years. However, the bill repeals the report and the retention requirement after five years, even though the retention requirement is intended to extend for 10 years. The Committee may wish to consider amending AB 1740 to ensure that the retention requirement extends beyond the five year sunset for the reporting requirement.

4. Special legislation. Section 16 of Article IV of the California Constitution prohibits special legislation when a general law can apply. AB 1740 contains findings and declarations

explaining the need for legislation that applies only to the City of Santa Monica because of the need to accelerate housing to meet the City’s housing needs and to reduce greenhouse gas emissions from transportation in the City.

5. Mandate. The California Constitution requires the state to reimburse local governments for the costs of new or expanded state mandated local programs. Because AB 1740 imposes new duties on the City of Santa Monica, Legislative Counsel says it imposes a new state mandate. The measure states that if the Commission on State Mandates determines that the bill imposes a reimbursable mandate, then reimbursement must be made pursuant to existing statutory provisions.

6. Incoming! The Senate Rules Committee has ordered a double referral of AB 1740: first to the Committee on Natural Resources and Water, which approved AB 1740 at its June 23<sup>rd</sup> hearing by a vote of 7 to 0, and second to the Committee on Local Government.

**Assembly Actions**

Assembly Natural Resources Committee:	10-0
Assembly Housing and Community Development Committee:	12-0
Assembly Appropriations Committee:	10-0
Assembly Floor:	66-0

**Support and Opposition** (6/26/26)

Support: Environment California  
Housing Action Coalition

Opposition: Coachella Valley Association of Governments (CVAG)  
Riverside County Transportation Commission (RCTC)

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