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CONSENT

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Bill No: SB 963  
Author: Laird (D)  
Amended: 3/9/26  
Vote: 21

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SENATE NATURAL RES. & WATER COMMITTEE: 7-0, 4/14/26  
AYES: Becker, Seyarto, Allen, Cabaldon, Cortese, Grove, Stern

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

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**SUBJECT:** California Coastal Act of 1976: coastal development permits:  
appeal: de novo review

**SOURCE:** Author

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**DIGEST:** This bill sets certain time limits for the California Coastal Commission (commission) to identify and review necessary data and hold a de novo and public hearing when a coastal development permit issued by a local jurisdiction is appealed to the commission and the commission determines a substantial issue exists, as provided.

**ANALYSIS:**

Existing law:

- 1) Establishes the commission in the California Natural Resources Agency in the California Coastal Act of 1976 (Coastal Act) (Public Resources Code (PRC) §§30000 *et seq.*, 30004).
- 2) Includes legislative findings and declarations that:
  - a) The coastal zone is a distinct and valuable natural resource of vital and enduring interest to all the people, the permanent protection of the state's natural and scenic resources is a paramount concern to present and future residents, and existing uses and future developments that are carefully

planned and developed consistent with the Coastal Act are essential to the economic and social well-of the people of the state (PRC §30001).

- b) The basic goals of the state for the coastal zone include to:
  - i) Protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources,
  - ii) Ensure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state, and
  - iii) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners, among other things (PRC §30001.5).
- 3) Provides for the planning and regulation of development within the coastal zone, as defined.
  - a) A person planning to perform or undertake any development in the coastal zone is required to obtain a coastal development permit (CDP) from the commission or local government enforcing a certified local coastal program (LCP) (PRC §30600).
    - i) Development means, among other things, the placement or erection of any solid material or structure on land or in water. Structure means building, road, pipe, flume, conduit, and electrical power transmission and distribution lines, among other things (PRC §30106).
    - ii) The coastal zone means the coastal land and waters of California, and includes the lands that extend inland generally 1,000 yards from the mean high tide line, as specified, with various exceptions including the San Francisco Bay (PRC §30103).
- 4) Requires a local government in the coastal zone to prepare an LCP. Requires the precise content of the LCP to be determined by the local government in full consultation with the commission and with full public participation. (PRC §30500). Provides for LCPs to be amended by the local government, but the amendment does not take effect until certified by the commission (PRC §30514).
- 5) Prohibits the commission from exercising its review authority over any new development within the area to which the certified LCP, or any portion thereof, applies (PRC §30519).

- 6) Authorizes an appeal to the commission of only the following developments approved by a local government with a certified LCP:
  - a) Development between the sea and the first public road paralleling the sea or within 300 feet of the beach or mean high tideline, as provided.
  - b) Development on certain tidelands, submerged lands, or public trust lands within 100 feet of any wetland, estuary or stream, or within 300 feet of the top of the seaward face of any coastal bluff.
  - c) Developments in sensitive coastal areas other than those described in a) and b), as provided.
  - d) Development approved by a coastal county that is not designated as a principal permitted use, as provided.
  - e) Development that is a major public works or a major energy facility (PRC §30603).
- 7) Requires that the standard of review used by the commission for the appeal of certain local CDPs is the applicable certified LCP or public access policies, as provided (PRC §30603).

This bill:

- 1) Provides that an appeal of a local jurisdiction's CDP is properly submitted if the appealing party or parties submit it a signed completed form to the commission's executive director (executive director) within the established regulatory timeline. Requires the commission to provide the form to the public, as specified.
- 2) Requires the appealing party or parties to provide in writing the specific grounds for the appeal. Requires the identification of specific features of the proposed development and how they do not conform to the standards in the certified LCP and Coastal Act public access policies, as specified.
- 3) Authorizes the executive director to reject an appeal that is not properly submitted, as specified.
- 4) In the event that a substantial issue exists with respect to the grounds on which an appeal has been filed and after the substantial issue hearing, requires the commission to provide for de novo review and a public hearing on the CDP application that are consistent with the following:

- a) Requires the executive director within 30 calendar days after the commission determines that a substantial issue exists to provide the permit applicant with a complete description of the information needed for the commission to complete a de novo review and hold a public hearing on the CDP application.
  - b) Requires the executive director to review an applicant submittal pursuant to (a) above and within 30 days notify the applicant that the submittal is complete or provide a complete description of any remaining information needed. Requires subsequently provided information to be processed in the same manner.
  - c) Requires the commission to hold a de novo public hearing and act on the CDP application within 180 calendar days once the executive director has received a complete submittal.
  - d) Authorizes the time limits in c) above to be extended once upon mutual written agreement for a period not to exceed 90 calendar days, as specified.
- 5) Authorizes the commission to conduct a de novo review and public hearing on the same day it determines a substantial issue exists if the executive director determines the commission has the information necessary to do so.

## **Background**

The commission is an independent, quasi-judicial state agency, and its mission statement states that it “is committed to protecting and enhancing California’s coast and ocean for present and future generations.” The commission does so “through careful planning and regulation of environmentally sustainable development, rigorous use of science, strong public participation, education, and effective intergovernmental coordination.”

Development activities in the coastal zone generally require CDP issued by the commission or by a local government with an LCP certified by the commission. Coastal Act policies are the standards the commission uses to determine the permissibility of proposed developments subject to its jurisdiction.

In certain limited circumstances, the decision of a local government to issue a CDP can be appealed to the commission. There are 10 working days after the commission has received notice of the local jurisdiction issued CDP for that CDP to be appealed. The commission then has 49 days to hold a public hearing on the appeal. If the commission, using the certified LCP or its public access policies to evaluate the CDP, determines there is a “substantial issue” with conformity to the certified LCP or public access policies on appeal, the commission will resume

authority over permitting and hold a “de novo” appeal hearing for the project. The commission may then approve or deny the project.

Beyond the time periods already cited, the appeals process to the commission is not currently subject to statutory requirements. Appeals are outside of the Permit Streamlining Act.

[NOTE: For additional information regarding this bill, please see the Senate Natural Resources and Water Committee’s analysis.]

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: No

**SUPPORT:** (Verified 4/27/26)

Azul  
Bay Area Council  
California Apartment Association  
California Coastal Protection Network  
Environmental Action Committee of West Marin  
Pacific Legal Foundation  
Save Our Shores  
Surfrider Foundation

**OPPOSITION:** (Verified 4/27/26)

None received

**ARGUMENTS IN SUPPORT:** According to the author, “Senate Bill 963 will provide more certainty to anyone navigating the Coastal Commission appeals process by establishing clear timelines and ensuring that appealed projects move through the process in a standardized and timely manner. If a local jurisdiction has a certified local coastal program, they are responsible for issuing a Coastal Development Permit (CDP) for a new development project in a coastal zone. In some cases, developers and other stakeholders may appeal the local agency’s decision on a CDP to the Coastal Commission. While the purpose of the appeals process is to ensure that projects in the most sensitive areas of the coast are in compliance with the local coastal program and the Coastal Act before they move forward, appeals can sometimes add delays in the permitting process, creating uncertainty for developers who are working to meet housing and infrastructure needs in coastal communities. Senate Bill 963 will reduce delays and uncertainty for developers while upholding our commitment to coastal protection and access.”

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4/28/26 16:33:33

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