

Date of Hearing: June 8, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES

Isaac G. Bryan, Chair

SB 963 (Laird) – As Amended March 9, 2026

**SENATE VOTE:** 36-0

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

**SUMMARY:** Requires an appeal of an action by a local government on a coastal development permit (CDP) application to be considered properly submitted if the appealing party or parties submit to the executive director of the California Coastal Commission (Commission) a completed, signed copy of the appeal form provided by the Commission within the applicable timeline, as provided. Requires the Commission to provide for de novo review and a public hearing on the CDP if the Commission determines that a substantial issue exists with respect to the grounds on which the appeal has been filed.

**EXISTING LAW:**

- 1) Requires any person wishing to perform or undertake any development in the coastal zone, in addition to obtaining any other permit required by law from any local government or from any state, regional, or local agency, to obtain a CDP. (Public Resources Code (PRC) 30600)
- 2) Requires each local government lying, in whole or in part, within the coastal zone to prepare a local coastal plan (LCP) for that portion of the coastal zone within its jurisdiction. (PRC 30500)
- 3) Authorizes, prior to certification of its LCP, any action taken by a local government on a CDP application to be appealed by the executive director of the Commission, any person, including the applicant, or any two members of the Commission to the Commission. Requires the action to become final at the close of business on the 20th working day from the date of receipt of the requisite notice required, unless an appeal is submitted within that time. Regardless of whether an appeal is submitted, the local government's action shall become final if an appeal fee is imposed and is not deposited with the Commission within the time prescribed. (PRC 30602)
- 4) Authorizes, after certification of its LCP, an action taken by a local government on a CDP application to be appealed to the Commission for only the following types of developments:
  - a) Developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance;
  - b) Developments approved by the local government not included within (a) that are located on tidelands, submerged lands, 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 approved by the local government not included within paragraph (a) or (b) that are located in a sensitive coastal resource area;
- d) Any development approved by a coastal county that is not designated as the principal permitted use under the zoning ordinance or approved zoning district map; or,
- e) Any development which constitutes a major public works project or a major energy facility. (PRC 30603)

**THIS BILL:**

- 1) Requires an appeal of an action by a local government on a CDP application pursuant to PRC 30602 and 30603 to be considered properly submitted if the appealing party or parties submit to the executive director a completed, signed copy of the appeal form provided by the Commission within the applicable timeline established in Commission regulations.
- 2) Requires the Commission to provide hard copies and digital copies of the appeal form upon request, and requires the form to also be available on the Commission's internet website.
- 3) Requires the appealing party or parties to provide in writing the specific grounds for the appeal. In describing the grounds for the appeal, the appealing party or parties are required to identify the specific features of the proposed development and how they do not conform to the standards set forth in the certified LCP and the public access policies set forth in the Coastal Act
- 4) Authorizes the executive director to reject an appeal that is submitted in a form that is not consistent with the specified requirements.
- 5) Requires, if the Commission determines that a substantial issue exists with respect to the grounds on which the appeal has been filed, after the substantial issue hearing the Commission to provide for de novo review and a public hearing on the CDP application that are consistent with the relevant deadlines and procedures.
- 6) Requires, within 30 calendar days after the Commission determines that a substantial issue exists, the executive director to provide the permit applicant with a complete description of the information that is needed for the Commission to complete a de novo review and hold a public hearing on the CDP application.
- 7) Requires, when the applicant submits the requisite information, the executive director to review the submitted information and, within 30 calendar days, either notify the applicant in writing that the submittal is complete or, if necessary, provide a complete description of any remaining information needed.
- 8) Requires, once the executive director has received a complete submittal, the Commission to hold a de novo public hearing and act on the CDP application within 180 calendar days. Authorizes that time limit to be extended.
- 9) Provides that nothing in this bill prohibits the Commission from conducting a de novo review and public hearing on the same day that it determines that a substantial issue exists, if the executive director determines that the Commission has the information necessary to do so.

**FISCAL EFFECT:** The Senate Appropriations Committee determined this bill has negligible state costs pursuant to Senate Rule 28.8.

**COMMENTS:**

- 1) **Coastal Act jurisdiction.** The Commission administers the Coastal Act and regulates proposed development along the coast and in nearby areas in the coastal zone. Generally, any development activity in the coastal zone requires a CDP from the Commission or local government with a certified LCP. In the jurisdictions with certified LCPs, local governments issue CDPs with detailed planning and design standards. About 88% of the coastal zone is governed by a certified LCP. There are 14 jurisdictions (out of 15 counties and 61 cities) without LCPs – also known as “uncertified” jurisdictions – where the Commission is still the permitting authority for CDPs. Additionally, permitting decisions made by a local government with an approved LCP can be appealed directly to the Commission under specified circumstances. In reviewing the permit, the Commission generally must defer to those standards outlined in the LCP. Jurisdictions with LCPs are empowered to control what to permit and how to permit coastal development.
- 2) **CDP appeals.** The Coastal Act appeal process is intended to ensure that statewide interests in coastal resources are protected and appropriately balanced with competing local interests. The Coastal Act allows an action taken by a local government on a CDP application to be appealed to the Commission, on the grounds the action is inconsistent with the LCP or public access laws, on certain types of development, including those in designated areas between the sea and the first public road; developments located on tidelands, submerged lands, 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; developments located in a sensitive coastal resource area; and, major public works project or a major energy facility.

According to the *California Coastal Commission Key Metrics Report 2025<sup>i</sup>*, some, but not all, CDPs approved by local governments are appealable to the Commission and only a small fraction of appealable projects actually gets appealed.

For projects found to raise no substantial issue, the appeal is rejected, and the local approval stands. For those appeals that raise a substantial issue, the Commission considers the project in its entirety. In this “de novo” phase of the review, the agency can either approve or deny the project with additional conditions necessary for compliance.

Any applicant or person who participates in the local permitting process for a project may file an appeal. The Commission’s regulations (Title 14 California Code of Regulations 13114) require an applicant to first exhaust all local appeals within the jurisdiction where the permit was issued before the Commission can consider a de novo appeal without being bound by the prior local decision.

The Commission’s consideration of appeals is a two-step process. The first step is determining whether the appeal raises a substantial issue that the Commission, in the exercise of its discretion, finds to be significant enough to warrant the Commission taking jurisdiction over the CDP application. The Commission is required to begin its hearing on an appeal, addressing at least the substantial issue question, within 49-working days of the filing of the appeal, unless the applicant has waived that requirement, in which case there is no deadline.

The average time for appeals that do not raise a substantial issue is two to three months. For appeals that raise a substantial issue, it takes approximately six to eight months on average to reach a final decision. According to the Commission, it does its best to process appeals as quickly as possible, generally in the order they are received. Informational needs, complexity of issues, extent of public interest, applicant responsiveness, and staff workload all affect the timing of the appeal process.

Of the 1,290 locally issued CDPs in 2025, ~3.5% were appealed to the Commission. Of those 44 appeals, 29 were dismissed for raising no substantial issue, and the remaining 15 were approved with conditions.

Table 5. Locally issued CDPs by appeals status in 2025

Total	Not appealable	Appealable	Appealed
1290	767	523	44

- 3) **This bill.** According to the author, there is currently no statutory timeline for how quickly the Commission must hold a de novo hearing on an appeal following its finding that the appeal raises a substantial issue. For applicants, this lack of certainty increases costs and complicates project financing.

To create clear guidelines for appeal submissions, SB 963 requires an appeal of an action by a local government on a CDP application to be considered properly submitted if the appealing party or parties submit to the executive director a completed, signed copy of the appeal form provided by the Commission within the applicable timeline. The bill further requires, for purposes of an appeal of an action on a CDP application by a local government or a port governing body, the Commission to provide for de novo review and a public hearing on the CDP if the Commission determines that a substantial issue exists with respect to the grounds on which the appeal has been filed.

- 4) **Author’s statement:**

SB 963 will provide more certainty to anyone navigating the 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 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 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. SB 963 will reduce delays and uncertainty for developers while upholding our commitment to coastal protection and access.

- 5) **Related legislation.** SB 1092 (Blakespear), Chapter, Statutes of 2023, requires, on or before December 31, 2025, the Commission to provide a report to the Legislature that provides the specified information regarding appeals of local government CDP actions to the Commission that were filed pursuant to PRC 30602 or 30603 between January 1, 2021, and December 31, 2024.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Azul  
Bay Area Council  
California Apartment Association  
California Business Properties Association  
California Coastal Commission  
California Coastal Protection Network  
Environmental Action Committee of West Marin  
Housing California  
Los Angeles County  
Midpen Housing Corporation  
Naiop Social  
Pacific Legal Foundation  
Save Our Shores  
Surfrider Foundation

### **Opposition**

None on file

**Analysis Prepared by:** Paige Brokaw / NAT. RES. /

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<sup>i</sup> [Key-Metrics-Report-2025-A.pdf](#)