

ASSEMBLY BILL

No. 2171

Introduced by Assembly Member Jones

February 18, 2016

An act to add Section 30625.5 to the Public Resources Code, relating to coastal resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 2171, as introduced, Jones. Coastal resources: development review: appeals.

Existing law, the California Coastal Act of 1976, requires any person wishing to perform or undertake any development in the coastal zone, as defined, 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 coastal development permit. The act further provides for the certification of local coastal programs by the California Coastal Commission. The act prohibits the commission, except with respect to appeals to the commission, from exercising its coastal development permit review authority, as specified, over any new development within the area to which the certified local coastal program, or any portion thereof, applies. The act specifies that any appealable action on a coastal development permit or claim of exemption for any development by a local government or port governing body may be appealed to the commission by an applicant, any aggrieved person, or any 2 members of the commission, except as provided.

This bill would, notwithstanding those provisions, and to the extent permitted under federal law, authorize an applicant for a coastal development permit, or any aggrieved person, as defined, to file an appeal of any appealable action on a coastal development permit or

claim for exemption for any development proposed to be located in an area subject to a certified local coastal program directly to a superior court of competent jurisdiction, in lieu of filing an appeal with the commission.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 30625.5 is added to the Public Resources
- 2 Code, to read:
- 3 30625.5. (a) Notwithstanding any other law, and to the extent
- 4 permitted under federal law, an applicant, or any aggrieved person,
- 5 as defined in Section 30801, may file an appeal of any appealable
- 6 action on a coastal development permit or claim for exemption for
- 7 any development proposed to be located in an area covered under
- 8 a certified local coastal program directly to a superior court of
- 9 competent jurisdiction, in lieu of filing an appeal with the
- 10 commission pursuant to Section 30625.
- 11 (b) Section 30802 shall not apply to an appeal filed pursuant to
- 12 this section.