

Bond Case Briefs

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Lynch v. California Coastal Commission

Supreme Court of California, California - July 6, 2017 - P.3d - 2017 WL 2871762 - 17 Cal. Daily Op. Serv. 6565

Seaside homeowners filed petition for writ of mandate to challenge conditions which California Coastal Commission attached to permit for bluff protection and seawall reconstruction which precluded homeowners from rebuilding lower stairway section and which limited the permit's duration to 20 years.

The Superior Court granted homeowners' motion for judgment and issued writ. Commission appealed, and the Court of Appeal reversed. The Supreme Court granted review, superseding the opinion of the Court of Appeal.

The Supreme Court of California held that seaside homeowners equitably forfeited any objections to seawall construction permit conditions by accepting benefits of permit and proceeding with construction of seawall after filing administrative mandate petition, even if challenged conditions did not affect the design or construction of the seawall.