

Bond Case Briefs

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Citizens for South Bay Coastal Access v. City of San Diego

Court of Appeal, Fourth District, Division 1, California - February 18, 2020 - Cal.Rptr.3d - 2020 WL 772602 - 20 Cal. Daily Op. Serv. 1307

Interest group brought action to challenge city's issuance of conditional use permit allowing it to convert a motel that it recently purchased into a transitional housing facility for homeless misdemeanor offenders, alleging that city was required to obtain a coastal development permit for the project.

The Superior Court issued peremptory writ of mandate requiring coastal development permit, and city appealed.

The Court of Appeal held that city's certified local coastal plan, rather than California Coastal Act regulation, governed city's coastal development.

Existing-structure exemption in regulation promulgated under California Coastal Act of 1976 did not apply to city's plan to convert motel into a transitional housing facility for homeless misdemeanor offenders in light of California Coastal Commission's certification of city's local coastal plan, as plan, rather than regulation, governed city's coastal development.