

Bond Case Briefs

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Kracke v. City of Santa Barbara

Court of Appeal, Second District, Division 6, California - May 4, 2021 - Cal.Rptr.3d - 2021 WL 1746301 - 21 Cal. Daily Op. Serv. 4342 - 2021 Daily Journal D.A.R. 4377

Manager of short-term vacation rentals filed petition for writ of mandate commanding city to allow short-term vacation rentals in its coastal zone as it had done before instituting new policy that banned such rentals in the coastal zone.

The Superior Court, Ventura County granted the petition. City appealed.

The Court of Appeal held that city's ban on short-term vacation rentals in the coastal zone constituted a "development" under the Coastal Act that required a coastal development permit (CDP) or an amendment to its certified local coastal program (LCP).

City's enforcement of a ban on short-term vacation rentals in its coastal zone constituted a "development" under the Coastal Act and, as such, city was required to obtain a coastal development permit (CDP) or an amendment to its certified local coastal program (LCP) prior to instituting the ban, where city had previously allowed such rentals in the coastal zone, and by changing that policy, it necessarily changed the intensity and use of and access to land and water in the coastal zone, which was inconsistent with the Coastal Act's goals of providing low-income families with access to visit the coast.