

Bond Case Briefs

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Shear Development Co., LLC v. California Coastal Commission

Supreme Court of California - April 23, 2026 - P.3d - 2026 WL 1102317

Developer filed petition for writ of administrative mandate, challenging California Coastal Commission's denial of developer's application for coastal development permit to build single family homes after county had granted permit.

The Superior Court denied petition. The Second District Court of Appeal affirmed. Review was granted.

The Supreme Court held that:

- Developer's claim that Commission lacked jurisdiction to review county's grant of its application was a legal issue subject to independent judgment standard of review;
- Whether a local coastal program designates land as an environmentally sensitive habitat area is a question of law subject to review under the independent judgment standard; disapproving *Charles A. Pratt Construction Co., Inc. v. California Coast Com.*, 162 Cal.App.4th 1068, 76 Cal.Rptr.3d 466;
- Neither county nor Commission had comparative interpretive advantage over the other with regard to their interpretations of county's local coastal program (LCP);
- Proposed development was not within a sensitive coastal resource area (SCRA) under LCP; and
- Commission did not have jurisdiction to review county's grant of developer's application under provision of Coastal Act that gave Commission jurisdiction over "[a]ny development approved by a coastal county that is not designated as the principal permitted use."