

EXISTING REGULATIONS

6.7 NOTICE OF FINAL ACTION

Notice of final action on an application for a permit or variance shall be given as follows:
(Former Section CZ#A315-13(A-E))

6.7.1 Notice shall be provided within five (5) working days of the Planning Director's action on an Administrative Permit or Hearing Officer's action on any discretionary permit. (Former Section CZ#A315-13(A-E); Amended by Ord. [2214](#), 6/6/00)

6.7.2 Notice shall be provided by first class mail to:

6.7.2.1 The Applicant;

6.7.2.2 Any person who specifically requested, in writing, notice of such final action;

6.7.2.3 For development proposed within the Coastal Zone, the Coastal Commission.

6.7.3 The notice for an Administrative Permit shall include the following information:

6.7.3.1 Copy of the Administrative Permit.

6.7.3.2 Procedures for renewal, if applicable.

6.7.4 The notice on any discretionary permit shall include the following information:

6.7.4.1 Written findings;

6.7.4.2 Conditions of approval;

6.7.4.3 Procedures for appeal if applicable. (Ord. 2717, § 2, 6/27/2023; Ord. 2734, § 4, 3/5/2024)

10.2 EFFECTIVE DATE OF PERMIT OR VARIANCE

10.2.1 The Planning Director's action on administrative permits shall be effective immediately. Administrative permits shall not be appealable.

10.2.2 Except as specified below the Hearing Officer's decision on an application shall become effective after the ten (10) working day appeal period unless an appeal is filed in accordance with Section [312-13](#), Appeal Procedures. For development permits involving projects which are appealable to the Coastal Commission, the effective date shall coincide with the close of the Coastal Commission's ten (10) working day appeal period, unless either of the following occurs: (Former Section CZ#A315-19(B); Amended by Ord. [2214](#), 6/6/00)

10.2.2.1 An appeal is filed in accordance with Section [312-13.11](#);

10.2.2.2 The notice of final action does not meet the requirements of Section [312-6.7](#).

When either of the circumstances in subsection [10.2.2.1](#) or [10.2.2.2](#) occurs, the Coastal Commission shall, within five (5) calendar days of receiving notice of that circumstance, notify the Department and the applicant that the effective date of the Hearing Officer's action has been suspended.

11.3 EXTENSION OF A PERMIT OR VARIANCE

11.3.1 The period within which construction or use in reliance on a development permit or variance must begin may be extended by order of the Hearing Officer, at any time within sixty (60) working days prior to the expiration date, as originally established. An application for such an extension shall be made on the prescribed form and filed with the Department. Such application extends the expiration date until final action is taken by the Hearing Officer. The fee established by the Board of Supervisors for an extension shall be paid at the time of application. (Former Section CZ#A315-24(A); Amended by Ord. [2214](#), 6/6/00)

11.3.2 Any number of extensions may be granted, but each extension shall be for no more than a total of two (2) years. Extensions may be granted by the Hearing Officer if the following findings are made: (Former Section INL#317-37, 317-40.8; CZ#A315-24(B)(1-2); Ord. [946](#), Sec. 4, 10/2/73; Ord. [1726](#), Sec. 4, 3/4/86)

11.3.2.1 The development has not changed from that for which the permit or variance was granted; and

11.3.2.2 The findings made when the permit or variance was granted can still be made.

13.7 DECISION AND NOTICE

After the appeal hearing before the Board of Supervisors, the Board may sustain the action which is being appealed, grant or modify the application subject to specified conditions, or it may deny the application. The Board shall adopt findings, which specify the facts relied upon in deciding the appeal. The findings shall state the reasons for any conditions imposed by the Board. Notice of the decision of the Board of Supervisors, together with a copy of the findings adopted by the Hearing Officer shall be given in accordance with subsection [312-6.7](#), Notice of Final Action. (Former Section CZ#A315-26(G); Amended by Ord. [2214](#), 6/6/00)

13.12 APPEALS TO THE COASTAL COMMISSION

Notwithstanding any other provisions of the certified Local Coastal Program, an appeal of a decision to approve a Coastal Development Permit may be filed with the Coastal Commission by an applicant or any aggrieved person who has exhausted local appeals, or any two (2) members of the Coastal Commission. The appeal must comply with the requirements specified by 14 Cal. Code of Regulations Section [13111](#), and the appeal must be received by the Coastal Commission on or before the tenth (10th) working day after Coastal Commission receipt of the notice of final action on the Coastal Development Permit.

An action taken on a Coastal Development Permit may be appealed to the Coastal Commission for only the following types of developments:

- 13.12.1 Developments approved between the sea and the first public road paralleling the sea or within three hundred (300) feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance;
- 13.12.2 Developments approved not included within Paragraph (1) of this section that are located on tidelands, submerged lands, public trust lands, within

one hundred (100) feet of any wetland, estuary, stream, or within three hundred (300) feet of the top of the seaward face of any coastal bluff;

- 13.12.3 Any development approved that is not designated as the principal permitted use under the zoning ordinance or zoning district map approved pursuant to Chapter 6 (commencing with Section 30500) of the Coastal Act;
- 13.12.4 Any development which constitutes a major public works project or major energy facility;
- 13.12.5 Developments approved not included within paragraphs (1) or (2) that are located in a sensitive coastal resource area.

16.4 PROCEEDINGS FOR WAIVER OF PROCEDURES

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16.4.6 Notice of final action on an application for a De Minimus Waiver shall be given as follows: (Added by Ord. 2167, Sec. 37, 4/7/98)

16.4.6.1 Notice shall be provided within five (5) working days of the Director's action. (Ord. 2167, § 37, 4/7/1998; Ord. 2214, 6/6/2000)

16.4.6.2 Notice shall be provided by first class mail to:

16.4.6.2.1 The applicant;

16.4.6.2.2 Any person who specifically requested, in writing, notice of such final action; and

16.4.6.2.3 The Coastal Commission. (Ord. 2167, § 37, 4/7/1998)

16.4.6.3 The notice shall include the following information:

16.4.6.3.1 The action taken;

16.4.6.3.2 The effective date and expiration date;

16.4.6.3.3 Procedures for appeal if applicable. (Ord. 2167, § 37, 4/7/1998; Ord. 2367A, 7/25/2006)

50.7 PROCESSING OF PROPOSED AMENDMENTS

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50.7.2 Planning Commission Hearing.

- 50.7.2.1 After Administrative Review, the Planning Commission shall hold a duly noticed public hearing on the application for amendment. Notice shall be given pursuant to Sections [65090](#) through [65094](#) of the California Government Code. (Former Section INL#317-4, 317-5(a), 317-5(b); CZ#A316-6(B); Ord. [894](#), Sec. 1, 12/19/72; Ord. [1107](#), Sec. 1, 11/9/76; Amended by Ord. [1251](#), Sec. 1, 8/15/78)

91.2 WIRELESS TELECOMMUNICATIONS FACILITIES

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- 91.2.8.5 **Notice of Final Action.** Notice of final action on an application for design review, a special permit or a conditional use permit shall be given as follows:

91.2.8.5.1 Notice shall be provided within five (5) working days of the Planning Director's or Hearing Officer's action.

91.2.8.5.2 Notice shall be provided by first class mail to:

91.2.8.5.2.1 The applicant;

91.2.8.5.2.2 Any person who specifically requested, in writing, notice of such final action.

91.2.8.5.3 The notice shall include the following information:

91.2.8.5.3.1 Written findings;

91.2.8.5.3.2 Conditions of approval;

91.2.8.5.3.3 Procedures for appeal.