



June 9, 2025

The Honorable Monique Limón
 Chair, Senate Committee on Natural Resources and Water
 1021 O Street, Room 3220
 Sacramento, CA 95814

RE: Oppose Unless Amended: AB 462 (Lowenthal, Rivas)

Dear Chair Limón:

California faces a housing affordability crisis that worsens sprawl and pollution statewide, levying unjust socioeconomic impacts on California’s workers and families. As leaders of an array of California conservation and environmental justice-focused organizations, we are united in our conviction that our state must do more to increase the availability of affordable housing statewide to reduce these impacts, including in the Coastal Zone.

AB 462 (Lowenthal, Rivas) seeks to expedite the development of accessory dwelling units (ADUs) as a means of increasing lower-cost housing availability in the Coastal Zone.

We support this goal and believe that it can be achieved while also ensuring that ADU development does not reduce coastal access, impact sensitive resources, or impair coastal climate resilience. As such, we ask that the author amend AB 462 to direct the Coastal Commission to take action on an ADU application within 60 days of receipt of a completed application. This amendment would align the bill with the required timelines for ADU applications with the rest of the state, provide immediate housing benefits across the entire Coastal Zone, and protect our coastal resources.

There is strong evidence that ADU applications can be handled in 60 days, including:

- Local governments are processing more than 80% of all Coastal Zone ADU applications.
- Coastal Commission staff issues waivers if proposed project has no impact on coastal resources. Staff work with applicants on modifications to help projects be eligible for a waiver where possible.

- More than 90% of ADU applications that still come to the Commission are approved via waivers. In 2024, 60 of the 66 ADU/JADU applications received by the Commission were authorized via waivers.
- The average length of time for the Coastal Commission to issue a waiver after receiving a completed ADU application is 23 days.
- Numerous local governments have processed Local Coastal Plan amendments over the last decade to keep their plans up to date with evolving state law on ADUs (at the Commission's strong and repeated suggestion) and some have included streamlining processes including waiver provisions as well.

Appeals to the Coastal Commission are rare:

- From 2021 to 2024, local governments approved 912 Coastal Development Permits for new ADUs, of which 11 were appealed to the Commission -- that's fewer than 1%.
- All but one of these appeals were found to raise no substantial issue, meaning the appeals were dismissed and the local approval stood within 49 days.
- Only one ADU appeal has been denied in the last four years – and that is because the project *reduced* existing housing density on that parcel.

Our suggested approach lowers permitting costs:

- Local government fees vary but operate on full cost recovery. Since costs are less for a 60-day process, fees should be less.
- If local permit costs are a barrier, AB 462 could address that problem by limiting fees for ADU permits or requiring graduated fees based on property size (or another appropriate metric). There is precedent for this approach in other state permitting/fee structures.

In its current form, AB 462 would exempt ADUs from requirements under the Coastal Development Permit only in Coastal Zone counties once subject to an emergency declaration from the governor. This is an arbitrary limitation that would only provide an exemption *after* an emergency. **We support Californians having greater access to ADUs along the coast *now*, without waiting for a natural disaster to hit.**

We urge the committee to amend this bill to immediately expedite ADUs in coastal communities statewide while protecting coastal resources and access. We offer the following alternative language that would accomplish this:

Section 66329 of the Government Code is amended to read:

66329. Nothing in this article shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall **either approve or deny the application within 60 days of receiving a completed application**, and shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.

Our organizations believe all of California's coastal communities desperately need and deserve an increased affordable housing supply, and we are eager to support responsible reform to deliver that outcome. However, we also cannot support proposals that would unnecessarily undermine the world-leading policies that protect California's coastal environment for the enjoyment and benefit of all. As such, we must oppose AB 462 in its current form. But with this modest update to Section 2, AB 462 can meet the criteria of responsible reform while achieving the authors' goals on a larger scale.

We respectfully encourage your committee and the bill authors to collaborate on amendments to this effect, so that we can support this bill.

Thank you for your leadership of the Senate Natural Resources and Water Committee, and for your consideration of our perspective.

Sincerely,

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cc: The Honorable Josh Lowenthal, California State Assembly
The Honorable Robert Rivas, California State Assembly