

Emergency Coastal Development Permits

In the event of an emergency, an application for an Emergency Coastal Development Permit (“emergency permit”) shall be made to the Planning Director. The Planning Director may issue an emergency permit in accordance with Public Resource Code Sections 30624 and the following:

- a. Applications in cases of emergencies shall be made to the Planning Director by letter or facsimile during business hours if time allows, by telephone or in person if time does not allow.
- b. The information to be included in the application shall include the following:
 - (1) The nature of the emergency;
 - (2) The cause of the emergency, insofar as this can be established;
 - (3) The location of the emergency;
 - (4) The remedial, protective, or preventative work required to deal with the emergency; and
 - (5) The circumstances during the emergency that appeared to justify the course(s) of action taken, including the probable consequences of failing to take action.
- c. The Planning Director shall verify the facts, including the existence and nature of the emergency, insofar as time allows.
- d. Prior to issuance of an emergency permit, when feasible, the Planning Director shall notify, and coordinate with, the district office of the California Coastal Commission as to the nature of the emergency and the scope of the work to be performed. This notification shall be in person or by telephone.
- e. The Planning Director shall provide public notice of the proposed emergency action required by Public Resources Code Section 30624, with the extent and type of notice determined on the basis of the nature of the emergency itself. The Planning Director may grant an emergency permit upon reasonable terms and conditions, including an expiration date and the necessity for a regular permit application later, if the Planning Director finds that:
 - (1) An emergency exists and requires action more quickly than permitted by the procedures for administrative permits, or for ordinary permits administered pursuant to the provisions of Public Resources Code, Section 30600.5 and the development can and will be completed within 30 days unless otherwise specified by the terms of the permit;
 - (2) Public comment on the proposed emergency action has been reviewed if time allows; and
 - (3) The work proposed would be consistent with the requirements of County’s certified LUP.

- (4) The Planning Director shall not issue an emergency permit for any work that falls within the provisions of Public Resources Code Sections 30519(b) since a coastal development permit application must be reviewed by the California Coastal Commission pursuant to the provisions of Public Resources Code Section 30600.5.

- f. The emergency permit shall be a written document that includes the following information:
 - (1) The date of issuance;
 - (2) An expiration date;
 - (3) The scope of the work to be performed;
 - (4) Terms and conditions of the permit;
 - (5) A provision stating that within 90 days of issuance of the emergency permit, a follow-up, regular coastal development permit application shall be submitted;
 - (6) A provision stating that any development or structures constructed pursuant to an emergency permit shall be considered temporary until authorized by a follow-up coastal development permit, and that the issuance of an emergency coastal development permit shall not constitute an entitlement to the erection of permanent structures;
 - (7) A provision stating that the development authorized in the emergency permit must be removed unless a complete application for a regular coastal development permit for the development is filed within 90 days of approval of the emergency permit and is approved. If a regular coastal development permit authorizing permanent retention of the development, or a portion of the development, is denied, then the development that was authorized in the emergency permit, or the denied portion of the development, must be removed.

- g. Reporting
 - (1) The Planning Director shall report in writing at each meeting of the County Board of Supervisors and to the California Coastal Commission, the emergency permits applied for or issued since the last report, with a description of the nature of the emergency and the work involved. Copies of this report shall be available at the meeting and shall be mailed at the time that application summaries and staff recommendations are normally distributed to all persons who have requested such notification in writing.
 - (2) All emergency permits issued after completion of the agenda for the meeting shall be briefly described by the Planning Director at the County Board of Supervisors meeting and the written report required by subparagraph (1) shall be distributed prior to the next succeeding meeting.
 - (3) The report of the Planning Director shall be informational only; the decision to issue the emergency permit is solely at the discretion of the Planning Director.