

CALIFORNIA COASTAL COMMISSION
 NORTH COAST AREA
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Filed: October 11, 1996
 49th Day: November 29, 1996
 Staff: James Muth
 Staff Report: November 1, 1996
 Hearing Date: November 12, 1996
 Commission Action:

STAFF REPORT: APPEAL

LOCAL GOVERNMENT: Humboldt County

DECISION: Approval with Conditions

APPEAL NO.: **A-1-HUM-96-70**

APPLICANTS: **STEVE MOSER and
 BRIAN & CINDI HUNT**

PROJECT LOCATION: North side of Murray Road near the Mad River in
 McKinleyville, Humboldt County, APN 511-11-14.

PROJECT DESCRIPTION: **63-lot subdivision of 26.5-acre property**

APPELLANTS: Patricia Hassen/Concerned Citizens, Barbara
 Kelly/Humboldt Coastal Coalition, and Lucille
 Vinyard/Redwood Chapter of the Sierra Club.

SUBSTANTIVE FILE DOCUMENTS: Humboldt County Local Coastal Program; Humboldt
 County Coastal Development Permit No. CDP-39-94,
 Conditional Use Permit No. CUP-22-94, Major
 Subdivision No. FMS-11-94, & Rezone No. ZR-18-94.

SUMMARY OF STAFF RECOMMENDATION:

The staff recommends that the Commission OPEN AND CONTINUE the public hearing to determine whether substantial issue exists with respect to the grounds on which the appeal has been filed for the following reasons:

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Pursuant to Section 30621 of the Coastal Act, an appeal hearing must be set within 49 days from the date an appeal of a locally-issued coastal development permit is received. The appeal on the above-described decision was filed on October 11, 1996. In accordance with the California Code of Regulations, staff has requested all relevant documents and materials regarding the subject permit from the County, to enable staff to analyze the appeal and prepare a recommendation as to whether a substantial issue exists. This information was not received within the limited time available for the staff to prepare a recommendation on the substantial issue question. Pursuant to Section 13112 of the California Code of Regulations, if the Commission fails to receive the documents and materials, the Commission must open the hearing and continue the hearing open until all relevant materials are received from the local government.

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