

DAL 12/25/95

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
725 FRONT STREET, STE. 300
SANTA CRUZ, CA 95060
(408) 427-4863
HEARING IMPAIRED: (415) 904-5200

Filed: 12/27/95
49th Day: 2/14/96
180th Day: 6/24/96
Staff: RHyman-SC
Staff Report: 1/25/96 1735P
Hearing Date: 2/9/96
Commission Action:



F6C

STAFF REPORT: APPEAL

SUBSTANTIAL ISSUE

LOCAL GOVERNMENT: Santa Cruz County

DECISION: Approval with conditions

APPEAL NO.: A-3-SCO-95-85

APPLICANT: JOHN & JULIA KING AGENT: KATY KING

PROJECT LOCATION: West side of Margarita Rd., 400 ft. from Cresta Way,
La Selva Beach, Santa Cruz County

PROJECT DESCRIPTION: Repair, replace and reconstruct an existing culvert
and outlet

APPELLANT: James Fairbanks

SUBSTANTIVE FILE DOCUMENTS: Santa Cruz County LCP, Santa Cruz County permits
95-0280, Emergency 4901, 89-0806

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission open and continue the public hearing to determine whether a substantial issue exists with respect to the grounds on which the appeal has been filed for the following reasons:

Pursuant to Section 30621 of the Coastal Act, an appeal must be heard within 49 days from the date an appeal of a Coastal Development Permit issued pursuant to a certified Local Coastal Program is received. An appeal of the above described decision was received in the Commission office and filed on December 27, 1995. In accordance with Section 13112 of the California Code of Regulations, staff requested on December 27, 1995 that the local government forward all relevant documents and materials regarding the subject permit. Although the documents were received, it was just discovered that the current plans were not included. County staff will be forwarding these plans once they are located. Since the subject development is already long complete pursuant to an emergency permit, there is no urgency to hear this matter. Therefore, pursuant to Section 13112 of the Commission's Administrative Regulations, the Commission should open and continue the Substantial Issue hearing at the February 9, 1996 meeting. After receipt and evaluation of the subject plans, the appeal will be scheduled for a full substantial issue hearing at a subsequent Commission meeting.