

CALIFORNIA COASTAL COMMISSION
NORTH COAST AREA
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Filed: January 14, 1998
49th Day: March 4, 1998
Staff: Robert Merrill-E
Staff Report: January 21, 1998
Hearing Date: February 5, 1998
Commission Action:

STAFF REPORT: APPEAL

SUBSTANTIAL ISSUE

LOCAL GOVERNMENT: County of Humboldt
DECISION: Approval with Conditions
APPEAL NO.: A-1-HUM-98-08
APPLICANT: RICHARD JONES
PROJECT LOCATION: 807 Upper Pacific Drive, Shelter Cove, Humboldt County, APN 109-362-24.
PROJECT DESCRIPTION: Development of a 1,352-square-foot manufactured home with three bedrooms and four on-site parking spots.
APPELLANT: Linda Yates
SUBSTANTIVE FILE DOCUMENTS: Humboldt County Local Coastal Program; Humboldt County Coastal Development Permit No. CDP-56-95.

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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APPLICANT: **RICHARD JONES**
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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 filed. The appeal on the above-described decision was filed on January 14, 1998. The 49th day falls on March 4, 1998. The only meeting within the 49 day period is February 3-6. In accordance with the California Code of Regulations, on January 20, 1998 staff 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. The County permit file information had not been received as of the day of the final mailing of staff reports to the Commission and interested parties on items on the Commission's February meeting agenda. Thus, the requested information was not received in time for the staff to review the information for completeness or prepare a recommendation on the substantial issue question. Consistent with Section 13112 of the California Code of Regulations, since the Commission did not timely receive the requested documents and materials, the Commission must open and continue the hearing open until all relevant materials are received from the local government.

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