

## CALIFORNIA COASTAL COMMISSION

## NORTH COAST AREA

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RSM



Filed: December 8, 1998  
49<sup>th</sup> Day: January 26, 1999  
Staff: D. Rance  
Staff Report: December 18, 1998  
Hearing Date: January 14, 1999  
Commission Action:

STAFF REPORT: APPEALSUBSTANTIAL ISSUE

LOCAL GOVERNMENT: County of Humboldt

DECISION: Approval with Conditions

APPEAL NO.: A-1-HUM-98-101

APPLICANTS: EUGENE AND BETTY SENESTRARO

AGENT: Mary Jane Ashton, Omsberg & Co.

PROJECT LOCATION: 510 Valley View Avenue, Eureka area, Humboldt County; APN 301-191-60

PROJECT DESCRIPTION: A coastal development permit for a lot line adjustment between six parcels. (Parcel numbers involved: 301-191-60; 301-201-10/13; 301-221-05/06; 301-221-01; 301-161-01; and 302-161-02.) Parcel A will result in +/- 0.3 acres. Parcel B will result in +/- 0.7 acres. Parcel C will result in +/- 1.9 acres. Parcel D will result in +/- 3.0 acres. Parcel E will result in 28.75 acres and Parcel F will result in +/- 17 acres.

APPELLANTS: Rick Pelren

SUBSTANTIVE FILE DOCUMENTS: Humboldt County CDP-08-97; LLA-05-95  
Humboldt County Local Coastal Program.

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:

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 December 8, 1998. The 49<sup>th</sup> day falls on January 26, 1999. The only meeting within the 49-day period is January 12-15 1999. In accordance with the California Code of Regulations, on December 9, 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 mailing of staff reports to the Commission and interested parties on items on the Commission's January 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 12112 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.