

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060

(415) 904-4863
HEARING IMPAIRED: (415) 904-5200

C.F.X.
12/16/98
W16d

**RECORD PACKET COPY**

Filed: 11/2/98
49th day: 1/20/99
180th day: 5/31/99
Staff: SM
Staff Report: 12/16/98
Hearing Date: 1/13/99

STAFF REPORT: APPEAL**OPEN AND CONTINUE**

LOCAL GOVERNMENT: SAN LUIS OBISPO COUNTY
LOCAL DECISION: Approved with conditions, 9/22/98
APPEAL NUMBER: A-3-SLO-98-108
APPLICANT: NOEL RODMAN & RON HOLLAND
APPELLANT: Jerry and Elsie Deitz; Commissioner Sara Wan; Commissioner Mike Reilly
PROJECT LOCATION: North side of Los Osos Valley Road, between Pecho Road & Monarch Lane, Los Osos, San Luis Obispo County
PROJECT DESCRIPTION: Grant a five year extension for subdivision and amend conditions including provision and timing of saltwater treatment facilities to serve 100-lot proposed subdivision and methods of demonstrating adequate potable water supply for lots.
FILE DOCUMENTS: Not received as of December 16, 1998.

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 reason:

In accordance with section 13112 of the Commission's Administrative Regulations, staff has requested that the local government forward all relevant documents and materials regarding the subject permit within five working days of receipt of that notice. The final day for completion of staff reports for the December meeting is December 17, 1998. Staff must receive the material necessary for a complete analysis at least one week prior to the final day for completion of staff reports; as of December 16, 1998, the material necessary for a complete analysis had not yet been received. Without the relevant material from the County it is not possible to analyze the issues and prepare a staff report with a recommendation for Commission action on this appeal.

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 was received. The appeal of this County permit was filed on November 2, 1998; the

49th day therefore falls on January 20, 1999, after the Commission's January meeting (January 12-15) but before the Commission's February meeting (February 2-5, 1999). Therefore, staff recommends that the Commission open and continue the public hearing. The appeal will be tentatively scheduled for a substantial issue hearing at the Commission's February meeting in Coronado or March meeting in Carmel.