

**CALIFORNIA COASTAL COMMISSION**

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Filed:	March 25, 1999
49 <sup>th</sup> Day:	May 13, 1999
Staff:	Bill Van Beckum
Staff Report:	March 31, 1999
Hearing Date:	April 16, 1999
Commission Action:	

**STAFF REPORT: APPEAL****SUBSTANTIAL ISSUE**

LOCAL GOVERNMENT:	City of Half Moon Bay
DECISION:	Approval with Conditions
APPEAL NO.:	<b>A-1-HMB-99-20</b>
APPLICANTS:	<b>COASTSIDE COUNTY WATER DISTRICT</b>
PROJECT LOCATION:	Along Highway One in the vicinity of Bev Cunha's Country Road and Wave Avenue, Half Moon Bay, San Mateo County.
PROJECT DESCRIPTION:	Replacement of 2,200 lineal feet of an existing 10-inch welded steel water line with a 16-inch ductile iron water line to be constructed on the east side of the Frontage Road from the south side of Sewer Plant Road to approximately 200 feet north of Wave Avenue.
APPELLANT:	<b>Carol Cupp</b>
SUBSTANTIVE FILE DOCUMENTS:	Half Moon Bay PDP-44-98; Half Moon Bay 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 March 25, 1999. The 49<sup>th</sup> day falls on May 13, 1999. The only meeting within the 49-day period is April 13-16, 1999. In accordance with the California Code of Regulations, on March 26, 1999, staff requested all relevant documents and materials regarding the subject permit from the City, to enable staff to analyze the appeal and prepare a recommendation as to whether a substantial issue exists. The City 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 April 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.