

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400



Th 8d

Filed: June 25, 1999
49th Day: August 13, 1999
Staff: Jo Ginsberg
Staff Report: July 1, 1999
Hearing Date: July 15, 1999
Commission Action:

STAFF REPORT: APPEAL**SUBSTANTIAL ISSUE**

LOCAL GOVERNMENT: County of Mendocino

DECISION: Approval with Conditions

APPEAL NO.: A-1-MEN-99-43

APPLICANTS: CHRISTIAN AND ANITA VAN PEER

PROJECT LOCATION: 32600 Highway 20, south of Fort Bragg,
Mendocino County; APN 018-260-56

PROJECT DESCRIPTION: Use Permit for Cottage Industry to utilize existing
4,000-square-foot metal building for metal
fabrication for boat building.

APPELLANT: Steven Gardner

SUBSTANTIVE FILE DOCUMENTS: Mendocino County CDU 30-98/V 1-99; Mendocino
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:

STAFF REPORT: APPEAL - SUBSTANTIAL ISSUE

A-1-MEN-99-43

CHRISTIAN AND ANITA VAN PEER

Page 2

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 June 25, 1999. The 49th day falls on August 13, 1999. The only meeting entirely within the 49-day period is July 13-16, 1999. In accordance with the California Code of Regulations, on June 25, 1999, 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 July 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.