

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

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**Fr 8c**

Filed: August 23, 1999
49th Day: October 11, 1999
180th Day: February 19, 2000
Staff: GDC-SD
Staff Report: August 26, 1999
Hearing Date: September 14-17, 1999

STAFF REPORT: APPEAL

LOCAL GOVERNMENT: City of Encinitas

DECISION: Approved With Conditions

APPEAL NO.: A-6-ENC-99-115

APPLICANT: Jack Lampl

PROJECT LOCATION: 676-678 Neptune Ave., Encinitas, San Diego County. APN 256-051-07

PROJECT DESCRIPTION: Construction of an approximately 338 sq. ft. addition to an existing 4,426 sq. ft. duplex structure and after-the-fact approval for construction of mid- and upper-bluff retaining walls on face of coastal bluff. Also proposed is repairs and improvements to the existing bluff retaining walls.

APPELLANTS: Commissioners Sara Wan and Paula Daniels

SUBSTANTIVE FILE DOCUMENTS: Certified City of Encinitas Local Coastal Program;
Appeal Application dated August 23, 1999.

SUMMARY OF STAFF RECOMMENDATION:

The staff recommends 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 reasons:

Pursuant to Section 30621 of the Coastal Act, an appeal must be heard within 49 days from the date an appeal of the locally-issued coastal development permit is received. The appeal on the above-described decision was received in the Commission office on August 23, 1999. In accordance with the California Code of Regulations, staff requested all relevant documents and materials regarding the subject permit from the City on August 24, 1999. As of the date of this writing, this information has not been received. The 49th day (October 11, 1999) from the initial filing would be after the September 14-17, 1999 meeting, but before the October 12-15, 1999 meeting. Pursuant to Section 13112 of the California Code of Regulations, if the Commission fails to receive the documents and materials, the Commission must open and continue the hearing until receipt of the local government's file.