

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE

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C.F.L.  
8/25/99

# W 5c

Filed:	08/25/99
49th day:	10/13/99
180th day:	2/21/00
Staff:	RH
Staff Report:	08/26/99
Hearing Date:	09/15/99

## STAFF REPORT: APPEAL OPEN AND CONTINUE

LOCAL GOVERNMENT: MONTEREY COUNTY

LOCAL DECISION: Approved with conditions, 12/10/96

APPEAL NUMBER: A-3-MCO-99-057

APPLICANTS: WHISLER FAMILY TRUST

APPELLANTS: Commissioners Sara Wan and Mike Reilly

PROJECT LOCATION: 55 Riley Road, on former Pt. Lobos Ranch in the unincorporated Carmel area of Monterey County.

PROJECT DESCRIPTION: Land division of 24.5 parcel into 11 parcels; variance for reduction in side yard setbacks for existing structures; install water well (AP95059)

SUBSTANTIVE FILE DOCUMENTS: Monterey County certified Local Coastal Program

### 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 September 15 meeting is August 26, 1999. 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 August 26, 1999, 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 filed. The appeal of this County permit was filed on August 25, 1999; the 49th day therefore falls on October 13, 1999, after the Commission's September 15 meeting, but before the Commission's October meeting (October 12-15). 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 October meeting in Oceanside.