

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
710 E STREET • SUITE 200
EUREKA, CA 95501-1865
PHONE (707) 445-7833
FACSIMILE (707) 445-7877

MAILING ADDRESS:
P. O. BOX 4908
EUREKA, CA 95502-4908

**RECORD PACKET COPY**

F6b

Filed: November 13, 2000
49th Day: January 1, 2001
Staff: Robert Merrill
Staff Report: November 28, 2000
Hearing Date: December 15, 2000
Commission Action:

STAFF REPORT: APPEAL**SUBSTANTIAL ISSUE**

LOCAL GOVERNMENT: County of Mendocino

DECISION: Approval with Conditions

APPEAL NO.: **A-1-MEN-00-051**

APPLICANT: **Bonham Investment Company**

PROJECT LOCATION: On the west side of Highway One, at its intersection with Glennen Drive, approximately 2.5 miles north of Gualala, Mendocino County.

PROJECT DESCRIPTION: Boundary Line Adjustment to reconfigure three (3) parcels recognized by Certificate of Compliance #CC 29-98,

APPELLANTS: **Friends of Schooner Gulch**

**SUBSTANTIVE FILE:
DOCUMENTS** 1) Mendocino County CDB 19-2000; and
2) 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:

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 November 17, 2000. The 49th day falls on January 1, 2001. The only meeting within the 49-day period is December 12-15, 2000. In accordance with section 13112 of Title 14 of the California Code of Regulations, on November 21, 2000, 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. However, as of November 27, the deadline for staff reports to be finalized for mailing for the December hearing, staff had not received the requested documents and materials. In fact, as of the date of this report, the five working day period specified by Section 13112 for the County to provide relevant documents and materials had not yet expired. 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 Commission's Regulations, since the Commission did not timely receive the requested documents and materials, the Commission must open and continue