

**CALIFORNIA COASTAL COMMISSION**

NORTH COAST DISTRICT OFFICE

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Filed:	January 12, 2000
49 <sup>th</sup> Day:	March 1, 2000
Staff:	Eric Oppenheimer
Staff Report:	January 28, 2000
Hearing Date:	February 16, 2000
Commission Action:	

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

<b>LOCAL GOVERNMENT:</b>	County of Mendocino
<b>DECISION:</b>	Approval with Conditions
<b>APPEAL NO.:</b>	<b>A-1-MEN-00-02</b>
<b>APPLICANT:</b>	<b>SALLY OTTOSON</b>
<b>PROJECT LOCATION:</b>	Just north of Kibesillah Creek, 9 miles north of Fort Bragg on the west side of Highway One at mile post marker 75.58 (Mendocino County).
<b>PROJECT DESCRIPTION:</b>	Expansion of an existing winery operation to include an expanded storage area, office, and wine tasting facility. Construction of (1) a 28-foot-tall, two-story barn with a 2,640-square-foot footprint, and (2) a 2,271-square-foot addition to an existing building.
<b>APPELLANT:</b>	<b>MARY WALSH</b>
<b>SUBSTANTIVE FILE DOCUMENTS:</b>	Mendocino County CDU File No. 16-99; Mendocino County Local Coastal Program.

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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 January 12, 2000. The 49<sup>th</sup> day falls on February 29, 2000. The only meeting entirely within the 49-day period is February 15-18, 2000. In accordance with the California Code of Regulations, on January 19, 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. 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 February meeting agenda, January 28, 2000. It was not possible for the County to prepare for Commission staff a copy of the local record for the project before the mailing of staff reports for the February meeting, given the brief period of time available after the filing of the appeal. 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. Additionally, the permit applicant has requested that the item be considered at a future hearing because she is not able to attend the February Commission meeting due to a scheduling conflict (see Exhibit 1).

# PACIFIC STAR WINERY

*Handcrafted Red Wines from the Mendocino Coast*

25 January, 2000

Mr. Eric Oppenheimer  
California Coastal Commission  
North Coast District Office  
710 E Street  
Eureka, CA 95501

Re: Commission Appeal No. A-1-MEN-00-002

Dear Mr. Oppenheimer:

We have received the Commission Notification of Appeal dated January 19, 2000 regarding the hearing date for an appeal filed by Mary Walsh against the coastal development permit for our property, 33000 N. Highway 1, Fort Bragg. (APN(s) 015-370-11).

The hearing date, tentatively set for February 15-18, 2000 in San Diego conflicts with our bottling schedule. We would like to request a future hearing date, as we are unable to reschedule bottling.

Kindly advise us of future possible dates and locations for the hearing. Please feel free to call me if you would like to discuss this matter. Thank you very much for your time.

Sincerely,



Sally Ottoson

33000 NORTH HIGHWAY 1; FT. BRAGG, CA 95437  
707-964-1155 (TEL) 707-964-1105 (FAX)

EXHIBIT NO.	1
APPLICATION NO.	A-1-MEN-00-02
OTTOSON	
CORRESPONDENCE	

