

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT
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Filed: May 8, 2000
49th Day: June 26, 2000
Staff: CLK – SF
Staff Report: May 25, 2000
Hearing Date: June 16, 2000

**STAFF REPORT – APPEAL
SUBSTANTIAL ISSUE**

APPEAL NO.: A-2-00-16

APPLICANTS: Allan B. Cohen
Ronald Aloise

AGENTS: Scot Stegman
Richard Jimerson

LOCAL GOVERNMENT: Sonoma County

ACTION: Approval with Conditions.

PROJECT LOCATION: 1695 Bay Flat Road, Bodega Bay, Sonoma County.
APN 100-060-09

PROJECT DESCRIPTION: Construction of a 2,600-square-foot, 3-bedroom, 4-bath single-family residence, and a detached 650-square-foot garage/guest house.

APPELLANTS: Linda Kepner
Californians Organized to Acquire Access to State
Tidelands

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 May 8, 2000. The 49th day falls on June 26, 2000. The only meeting within the 49-day period is June 13-16, 2000. In accordance with the California Code of Regulations, on May 8, 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 regulations provide that a local government has five working days from receipt of such a request from the Commission to provide the relevant documents and materials. 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 June 2000 meeting agenda. Therefore, 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 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.