

CALIFORNIA COASTAL COMMISSION

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APPEAL STAFF REPORT
OPEN & CONTINUE

Filed: 5/25/2000
49th day: 7/13/2000
Staff: D. Carl
Staff report: 5/30/2000
Hearing date: 6/15/2000

Appeal number.....A-3-SCO-00-076, Pleasure Point Road Improvements
Applicants.....Santa Cruz County Department of Public Works
Appellants.....Commissioners Sara Wan and Dave Potter; Charles Paulden
Local government.....Santa Cruz County
Local decision.....Approved with conditions (March 17, 2000)
Project location.....Within the public right-of-ways of 30th, 32nd, and 33rd Avenues, Hawes, Calla, and East Cliff Drives in the Pleasure Point region of the unincorporated Live Oak area of Santa Cruz County.
Project description.....Construct road, drainage, sidewalk and streetscape improvements on 30th, 32nd, and 33rd Avenues, and Hawes, Calla, and East Cliff Drives.
File documents.....Santa Cruz County Certified Local Coastal Program (LCP); Santa Cruz County Coastal Development Permit Application File 99-0842; ReCAP project for the Monterey/Santa Cruz region.
Staff recommendation...**Open and Continue Substantial Issue Hearing**

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 reasons:

Pursuant to Section 30621 of the Coastal Act, a Coastal Development Permit appeal must be set for hearing no later than 49 days after the date on which the appeal is filed with the Commission. An appeal of the above-described decision was filed in the Commission's Central Coast District Office on May 25, 2000; the 49th day falls on July 13, 2000. July 13th is the Thursday of the Commission's July meeting scheduled for July 11-14, 2000 in San Rafael. If this item were to eventually be scheduled for the Friday of the July meeting, such a hearing would be past the 49th day.

Pursuant to Section 13112 of the California Code of Regulations, on May 26, 2000 staff notified Santa Cruz County of the appeal and requested all relevant materials regarding the subject decision be forwarded to the Commission's Central Coast District Office. As of the date of this staff report, these materials have not yet been received. As such, Commission staff is unable to prepare a staff report with a full analysis and recommendation for the Commission's June meeting. As seen above, it is possible that if a hearing could be scheduled for the Commission's July 2000 meeting (provided the administrative record has been received in a timely manner), such a hearing might be past the 49th day.

Therefore, pursuant to Section 13112 of the California Code of Regulations, the Commission should open the substantial issue hearing at its June 2000 meeting and continue the hearing until the next available Commission meeting when a full staff report analysis of the project will be possible.

