

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT
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Filed: March 16, 2001
49th Day: May 4, 2001
Staff: SLB - SF
Staff Report: March 23, 2001
Hearing Date: April 12, 2001

STAFF REPORT – APPEAL SUBSTANTIAL ISSUE

APPEAL NO.: A- 2- SMC- 01- 008

APPLICANTS: Michael & Joanne Mahon

LOCAL GOVERNMENT: San Mateo County

ACTION: Approval with Conditions.

PROJECT LOCATION: 855 & 871 San Ramon Avenue, Moss Beach, San Mateo County.
APN 037-259-170

PROJECT DESCRIPTION: Construction of a 27-foot-high, 2-story 2,629-square-foot, 4-bedroom, 2.5-bath single-family residence, a detached 440-square-foot garage, and domestic well.

APPELLANTS: Jan Didur; Jeff Tate

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 March 16, 2001. The 49th day falls on May 4, 2001. The only meeting within the 49-day period is, April 10-18, 2001.

In accordance with the California Code of Regulations, on March 16, 2001, 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 April 2001 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.