

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

175 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
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RECORD PACKET COPY



Wed 20b

Filed: March 14, 2001
 49th Day: May 2, 2001
 180th Day: September 10, 2001
 Staff: GDC-SD
 Staff Report: March 22, 2001
 Hearing Date: April 10-13, 2001

STAFF REPORT: APPEAL

LOCAL GOVERNMENT: City of Encinitas

DECISION: Approved with Conditions

APPEAL NO.: A-6-ENC-01-047

APPLICANT: Conway & Associates

PROJECT LOCATION: 1410 Neptune Avenue, Encinitas, San Diego County.
 APN 254-210-06

PROJECT DESCRIPTION: Subdivision of an approximately 0.48 acre blufftop lot into two 0.24 acre lots.

APPELLANTS: Commissioners Sara Wan and Patricia McCoy

SUBSTANTIVE FILE DOCUMENTS: Certified City of Encinitas Local Coastal Program; Notice of Final Action for 00-103 TMP/CDP/EIA dated February 27, 2001; City of Encinitas Resolution No. PC 2001-04; Appeal Applications filed March 14, 2001.

SUMMARY OF STAFF RECOMMENDATION:

The staff recommends 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, an appeal must be heard within 49 days from the date an appeal of the locally-issued coastal development permit is received. The appeal on the above-described decision was received in the Commission office on March 14, 2001. In accordance with the California Code of Regulations, staff mailed a request for all relevant documents and materials regarding the subject permit from the City on March 15, 2001. As of the date of this writing, this information has not been received. The 49th day, May 2, 2001, from the initial filing would be after the April 10-13, 2001 meeting, but before the May 8-11, 2001 meeting. Pursuant to Section 13112 of the California Code of Regulations, if the Commission fails to receive the documents and materials, the Commission must open and continue the hearing until receipt of the local government's file.