

CALIFORNIA COASTAL COMMISSION

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APPEAL STAFF REPORT
OPEN & CONTINUE

Filed: 4/3/2001
49th day: 5/22/2001
Staff: D. Carl
Staff report: 4/17/2001
Hearing date: 5/7/2001
Hearing item number: 6c

Appeal number A-3-SCO-01-034, Rogers Subdivision and SFDs
Applicants Peter and James Rogers
Appellant Charles Paulden
Local government Santa Cruz County
Local decision Approved with conditions (March 14, 2001)
Project location Inland side of East Cliff Drive (between East Cliff Drive and Moran Way adjacent to Moran Lake) in the unincorporated Live Oak area of Santa Cruz County (APN 028-302-02).
Project description Divide one roughly 1/2 acre parcel into two parcels, demolish existing SFD, widen Moran Way, and construct two SFDs.
File documents Santa Cruz County Certified Local Coastal Program (LCP); Santa Cruz County Coastal Development Permit Application File 98-0603; California Coastal Commission Appeal Files A-3-SCO-00-076 (Pleasure Point Street Improvements) and A-3-SCO-01-009 (Powers Blufftop Improvements); 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 April 3, 2001; the 49th day falls on May 22, 2001. May 22nd falls between the Commission's May and June meetings.

Pursuant to Section 13112 of the California Code of Regulations, on April 10, 2001 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 May meeting. The June meeting would 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 May 2001 meeting and continue the hearing until the next available Commission meeting when a full staff report analysis of the project will be possible.