

CALIFORNIA COASTAL COMMISSION

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Filed: October 31, 2002
49th Day: December 19, 2002
Staff: Jim Baskin
Staff Report: November 22, 2002
Hearing Date: December 13, 2002
Commission Action:

STAFF REPORT: APPEAL

SUBSTANTIAL ISSUE

LOCAL GOVERNMENT: County of Del Norte

DECISION: Approval with Conditions

APPEAL NO.: A-1-DNC-02-152

APPLICANT: **The Redland Company**

PROJECT LOCATION: 145 Redland Lane, Smith River, Del Norte County,
APN 102-080-47.

PROJECT DESCRIPTION: 1) Zoning Amendment to add a Density (-D) Combining Zone onto a 9.4-acre parcel currently zoned Rural Residential (R-R); and 2) approval of a tentative parcel map for the subdivision of a 9.4-acre parcel into four lots ranging in size from .58 acre to one acre with a 6.5-acre remainder parcel.

APPELLANTS: Commissioners **Sara Wan & John Woolley**

SUBSTANTIVE FILE: 1) Del Norte County Zoning Amendment R0203C;
DOCUMENTS 2) Del Norte Tentative Parcel Map Approval MS0211C;
and 3) Del Norte County Local Coastal Program

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 October 31, 2002. The 49th day falls on December 19, 2002. The only meeting within the 49-day period is December 10-13, 2002. In accordance with the California Code of Regulations, on November 1, 2002, staff requested all relevant documents and materials regarding the subject permit from the City, to enable staff to analyze the appeal and prepare a recommendation as to whether a substantial issue exists. However, the requested documents and materials were not received by Commission staff before the mailing of staff reports for the December meeting. Thus, 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 13112 of the California Code of Regulations, since the Commission did not timely receive the requested documents and materials, the Commission must open and continue the hearing until all relevant materials are received from the local government.