

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
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HEARING IMPAIRED: (415) 904-5200

Filed: 12/05/95
49th Day: 01/23/96
180th Day: 06/02/96
Staff: SG-SC
Staff Report: 12/19/95 1728P
Hearing Date: 01/09 - 12/96
(tentative)
Commission Action:



STAFF REPORT: APPEAL

SUBSTANTIAL ISSUE

LOCAL GOVERNMENT: City of Pismo Beach

DECISION: Approved with Conditions, 10/17/95

APPEAL NO.: A-3-PSB-95-79

APPLICANT: STEVE ANDREWS/BELLSTONE - JAMES S. LEE

PROJECT LOCATION: Southeasterly side of Beachcomber Drive, between Shell Beach Road and the Pacific Ocean, City of Pismo Beach, San Luis Obispo County, APNs: 010-152-019 and -020.

PROJECT DESCRIPTION: Coastal Development Permit, Conditional Use Permit, Architectural Review Permit, and Landscape Permit for a subdivision consisting of 23 residential lots and 2 open space lots with passive recreation improvements in bluff top setback area.

APPELLANTS: (1) Lanier and Dee Harper and (2) Anatol J. Jordan

SUBSTANTIVE FILE DOCUMENTS: Pismo Beach Local Coastal Program, South Palisades Specific Plan, Mitigated Negative Declaration for Project 92-153

STAFF RECOMMENDATION:

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 reason:

In accordance with the section 13112 of the Commission's Administrative Regulations, on December 5, 1995, staff requested that the local government forward all relevant documents and materials regarding the subject permit. Upon review of the information from the City, staff determined that additional information was needed and on December 18, 1995, requested the additional information from the City. Until that additional information is received, it is not possible to prepare a staff

SUMMARY OF STAFF RECOMMENDATION (A-3-PSB-95-79): (Continued)

report that adequately analyses the issues for the Commission.

Pursuant to Section 30621 of the Coastal Act, an appeal must be heard within 49 days from the date an appeal of a Coastal Development Permit issued pursuant to a certified Local Coastal Program is received. An appeal of the above described decision was received in the Commission office and filed effective on December 5, 1995; the 49th day falls after the Commission's January, 1996, meeting. However, due to the reason described above, staff recommends that the Commission open and continue the public hearing. The appeal will then be tentatively scheduled for a full substantial issue hearing at the Commission's meeting of February 6 - 9, 1996, in San Diego.