

RECORD PACKET COPY

STATE OF CALIFORNIA—THE RESOURCES AGENCY

PETE WILSON, Governor

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
725 FRONT STREET, STE. 300
SANTA CRUZ, CA 95060
(408) 427-4863
HEARING IMPAIRED: (415) 904-5200

Filed: 09/04/96
49th Day: 10/23/96
180th Day: 03/03/97
Staff: SG -SC
Staff Report: 09/18/96 1823P
Hearing Date: 10/8-11/96



STAFF REPORT: APPEAL

SUBSTANTIAL ISSUE

TH 156

LOCAL GOVERNMENT: City of Pismo Beach
DECISION: Approval with Conditions
APPEAL NO.: A-3-PSB-96-107
APPLICANT: Tokyo Masuiwaya California Corporation
PROJECT LOCATION: 2757 Shell Beach Road (at Cliffs Hotel), City of Pismo Beach, San Luis Obispo County, APN 010-041-044
PROJECT DESCRIPTION: Construction of a bluff protection device and modification to the existing private drainage system to minimize further bluff erosion.
APPELLANTS: Mark Kent; Surfrider Foundation
SUBSTANTIVE FILE DOCUMENTS: City of Pismo Beach Coastal Development Permit File No. 96-080; City of Pismo Beach Certified Local Coastal Program.

SUMMARY OF 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 reasons:

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. Two appeals of the above described decision were received in the Commission office, one on August 16, 1996 and the other on August 21, 1996. The 49th day falls prior to the Commission's October 8-11, 1996 hearing. However, the Final Local Action Notice was not received from the City until September 3, 1996. Staff requested on September 5, 1996 that the local government forward all relevant documents and materials regarding the subject permit. Not all the requested materials (including the minutes from the City's meetings and the public noticing information) have been received in time to prepare a staff report and recommendation for the October 8-11, 1996 hearing. Therefore, pursuant to Section 13112 of the Commission's Administrative Regulations, the Commission should open and continue the Substantial Issue hearing at the October 11, 1996 meeting. The appeal will be scheduled for a full substantial issue hearing at the next available Commission hearing.