

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
FRONT STREET, STE. 300
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HEARING IMPAIRED: (415) 904-5200

Filed: 11/05/96
49th Day: 12/24/96
180th Day: 05/04/97
Staff: S. Guiney
Staff Report: 11/20/96 1826P
Hearing Date: 12/10-13/96



STAFF REPORT: APPEAL

SUBSTANTIAL ISSUE

Th 9e

LOCAL GOVERNMENT: City of Pismo Beach

DECISION: Approval with Conditions

APPEAL NO.: A-3-PSB-96-115

APPLICANT: Paul and Vicki Pobar and Arthur and Bernice Bender

PROJECT LOCATION: 2679 and 2685 Spyglass Drive, City of Pismo Beach, San Luis Obispo County. APN's 010-042-003 and -004.

PROJECT DESCRIPTION: Construction of a bluff protection system and repair existing rip-rap.

APPELLANT: Surfrider Foundation, San Luis Obispo Chapter

SUBSTANTIVE FILE DOCUMENTS: City of Pismo Beach Coastal Development Permit 96-148; City of Pismo Beach Certified Local Coastal Plan.

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. An appeal of the above described decision was received in the Commission office on November 4, 1996. The 49th day falls prior to the January, 1997, Commission hearing. Therefore, pursuant to Section 13112 of the Commission's Administrative Regulations, the Commission should open and continue the Substantial Issue hearing at the December 10-13, 1996 meeting. Also in accordance with the above cited section of the Administrative Regulations, staff requested on November 5, 1996, that the local government forward all relevant documents and materials regarding the subject permit. These documents were received on November 13, 1996, but there was not enough time for a full analysis to prepare a staff report and recommendation for the December 10-13, 1996 hearing. The appeal will be scheduled for a full substantial issue hearing at the next available Commission hearing.