

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
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Th 7d

**RECORD PACKET COPY**

Filed: 5/28/96
49th day: 7/16/96
180th day: 11/24/96
Staff: LO
Staff Report: 6/19/96
Hearing Date: 7/12/96

STAFF REPORT: APPEAL
SUBSTANTIAL ISSUE: OPEN AND CONTINUE

LOCAL GOVERNMENT: County of San Luis Obispo
LOCAL DECISION: Approved
APPEAL NUMBER: A-3-SLO-96-061
APPLICANT: MID-STATE BANK
APPELLANT: Commissioners Gary Giacomini and Sara Wan
PROJECT LOCATION: 1540 Little Morro Creek Road (parcel 1 of CO 76-334), approximately two miles east of the City of Morro Bay, San Luis Obispo County.
PROJECT DESCRIPTION: Conditional certificate of compliance creating a 23.29 acre parcel.
SUBSTANTIVE FILE DOCUMENTS: San Luis Obispo County permit file (C95-017).

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, a hearing on a coastal development permit appeal shall be set 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 received in the Commission office on May 28, 1996, and filed the same date. The 49th day for this item falls on July 16, 1996, prior to the August hearing. Therefore, pursuant to Section 13112 of the California Code of Regulations, the Commission should open and continue the substantial issue hearing at the July 12, 1996 meeting. Also in accordance with Section 13112 of the California Code of Regulations, staff notified the County of San Luis Obispo of the appeal on May 31, 1996 and requested that all relevant materials regarding the subject permit be forwarded to the Commission's Central Coast Area Office. These documents have not been received in time to prepare a staff report and recommendation for the July 12, 1996 hearing. The appeal will be scheduled for a full substantial issue hearing at the next available Commission hearing.