

CALIFORNIA COASTAL COMMISSION

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HEARING IMPAIRED: (415) 904-5200



T14d

Filed: 11/03/98
49th day: 12/22/98
180th day: 05/02/99
Staff: SG
Staff Report: 11/19/98
Hearing Date: 12/09/98
Commission Action:

STAFF REPORT: APPEAL**SUBSTANTIAL ISSUE: OPEN AND CONTINUE**

LOCAL GOVERNMENT: City of Pismo Beach
DECISION: Approval with conditions
APPEAL NO.: **A-3-PSB-98-097**
APPLICANT: **SHELTER COVE LODGE** APPLICANT'S AGENT: Ray Bunnell
APPELLANTS: Bruce McFarlan
PROJECT LOCATION: 2651 Price Street, Pismo Beach, San Luis Obispo County (APN: 005-025-08)
PROJECT DESCRIPTION: Construction of a concrete and riprap seawall and related improvements to prevent further erosion and collapse of bluff.
FILE DOCUMENTS: Pismo Beach Certified Local Coastal Program, Pismo Beach permit file 98-143.

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 November 2, 1998, and filed on November 3, 1998. The 49th day falls on December 22, 1998, after the Commission's December meeting and before the January 1999 meeting. The Commission staff has received an incomplete copy of the administrative record for this project, and is therefore unable to prepare a staff report and recommendation for the next available Commission meeting.

In accordance with Section 13112 of the California Code of Regulations, staff notified the City of the appeal and the need for submittal of the administrative record. The entire file has not been received to date and due to the lack of sufficient time between the filing of the appeal and the

deadline for the submittal of staff reports for the December hearing, a full analysis of the appealed project and a recommendation is not possible at this time.

Therefore, pursuant to Section 13112 of the California Code of Regulations, the Commission should open and continue the Substantial Issue hearing at its December meeting. As required by Section 13112, the Substantial Issue hearing will be reopened at the next available Commission meeting after all relevant materials are received from the City of Pismo Beach.