

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE

725 FRONT STREET, SUITE 300

SANTA CRUZ, CA 95060

(831) 427-4863

HEARING IMPAIRED: (415) 904-5200

CFL 5/20/98



M 16f

Filed: 05/05/98
 49th day: 06/23/98
 180th day: 11/01/98
 Staff: SG
 Staff Report: 05/19/98
 Hearing Date: 06/09 - 06/12/98

**STAFF REPORT: APPEAL
 OPEN AND CONTINUE**

LOCAL GOVERNMENT: City of Pismo Beach
 LOCAL DECISION: Approved with conditions, 02/24/98
 APPEAL NUMBER: **A-3-PSB-98-049**
 APPLICANT: **CLIFFS HOTEL**
 APPELLANT: Commissioners Areias and Nava, and Bruce McFarlan and Philip Teresi
 PROJECT LOCATION: 2757 Shell Beach Road, City of Pismo Beach, San Luis Obispo County, APN: 010-041-044
 PROJECT DESCRIPTION: Placement of rock rip-rap at base of bluff for bluff protection.
 SUBSTANTIVE FILE DOCUMENTS: Pismo Beach certified Local Coastal Program, Administrative record and file for appeal A-3-PSB-96-100, and file for Coastal Development Permit 4-83-490

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 section 13112 of the Commission's Administrative Regulations, staff has requested that the local government forward all relevant documents and materials regarding the subject permit within five working days of receipt of that notice. The final day for completion of staff reports for the June meeting is May 21, 1998. Staff must receive the material necessary for a complete analysis at least one week prior to the final day for completion of staff reports; as of May 19, 1998, the material necessary for a complete analysis had not yet been received. Without the relevant material from the City it is not possible to analyze the issues and prepare a staff report with a recommendation for Commission action on this appeal.

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 was received. The appeal of this City permit was filed on May 5 1998; the 49th day therefore falls on June 23, 1998, after the Commission's June meeting (June 8 - 11) and before the Commission's July meeting (July 7 - 10). Therefore, staff recommends that the Commission open and continue the public hearing. The appeal will then be tentatively scheduled for a substantial issue hearing at the Commission's meeting of July 7 - 10, 1998, in San Francisco.