

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
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**W17e**

Filed:	09/20/99
49th day:	11/8/99
180th day:	3/18/00
Staff:	SG
Staff Report:	10/13/99
Hearing Date:	11/3/99

**STAFF REPORT: APPEAL
OPEN AND CONTINUE**

LOCAL GOVERNMENT: San Luis Obispo County

LOCAL DECISION: Approved with conditions, 7/22/99

APPEAL NUMBER: **A-3-SLO-99-068**

APPLICANTS: **BONITA HOMES**

APPELLANTS: Commissioner Sara Wan, Commissioner Christine Desser

PROJECT LOCATION: 444 Pier Street, Oceano (San Luis Obispo County) APN 013-061-031 and 003.

PROJECT DESCRIPTION: Modification of coastal permit conditions to increase the maximum number of days per year that owners may occupy condominium hotel rooms from 84 to 127 and removal of two week limit on owner occupancy between Memorial Day and Labor Day.

SUBSTANTIVE FILE DOCUMENTS: Coastal Development Permit D940151; San Luis Obispo certified Local Coastal Program

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 November meeting is October 14, 1999. As of October 13, 1999, the material necessary for a complete analysis had not yet been received. Without the relevant material from the County 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 filed. The appeal of this County permit was filed on September 20, 1999; the 49th day therefore falls on November 8, 1999, after the Commission's November 3 meeting, but before the Commission's December meeting (December 7-10). Therefore, staff recommends that the Commission open and continue the public hearing. The appeal will be tentatively scheduled for a substantial issue hearing at the Commission's December meeting in San Francisco.