

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
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27-4863

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Filed:	03/09/99
49th day:	04/27/99
180th day:	09/05/99
Staff:	SM
Staff Report:	03/24/99
Hearing Date:	04/14/99

**STAFF REPORT: APPEAL
OPEN AND CONTINUE**

LOCAL GOVERNMENT: SAN LUIS OBISPO COUNTY

LOCAL DECISION: Approved with conditions, 02/05/99

APPEAL NUMBER: A-3-SLO-99-019

APPLICANT: LA PLAYA SAN SIMEON HOMEOWNERS ASSOCIATION

APPELLANT: Commissioners Tuttle and Nava

PROJECT LOCATION: 9221, 9229, 9231 Balboa Avenue (west side of Balboa Avenue), San Simeon, San Luis Obispo County APN(s) 013-403-06, -012, -024.

PROJECT DESCRIPTION Construction of bluff protection structure to protect three condominium structures, and remove and replace stairway to beach.

SUBSTANTIVE FILE DOCUMENTS: San Luis Obispo County 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 April 14 meeting is March 25, 1999. 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 March 24, 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 received. The appeal of this County permit was filed on March 9, 1999; the 49th day therefore falls on April 17, 1999, after the Commission's April meeting (April 13 - 16) but before the Commission's May meeting (May 11 - 14). 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 May meeting, in Santa Rosa or the June meeting in Santa Barbara.