

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
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Filed: 03/25/99
49th day: 05/13/99
180th day: 09/21/99
Staff: SG
Staff Report: 04/21/99
Hearing Date: 05/11-14/99
Commission Action:

STAFF REPORT: APPEAL
SUBSTANTIAL ISSUE: OPEN AND CONTINUE

LOCAL GOVERNMENT: City of Pismo Beach
DECISION: The Planning Commission approved the demolition of an existing single family dwelling and the construction of a new single family dwelling on a bluff top parcel, with conditions, on February 9, 1999.
APPEAL NO.: A-3-PSB-99-026
APPLICANT: **ANTONE & KATHERINE ZANINOVICH**
APPELLANTS: Commissioners Wan and Nava
PROJECT LOCATION: 307 Indio Drive, Pismo Beach, San Luis Obispo County (APN 010-192-08)
PROJECT DESCRIPTION: Demolition of an existing single family dwelling located on a blufftop parcel approximately 7 feet from the bluff edge and construction of a new single family dwelling located 29 feet from the bluff edge.
SUBSTANTIVE FILE DOCUMENTS: .. City of Pismo Beach Permit 98-120, City of Pismo Beach certified Local Coastal Program

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 filed on March 25, 1999. The 49th day after the date of filing of the appeal falls on May 13, 1999, during the Commission's May meeting. According to the applicant's representative, there is additional, revised geologic information that he will forward to Commission staff,

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which may affect the staff analysis. As of the date of this report, which is the deadline for completion of staff reports for the May meeting, the additional geologic information had not yet been received. Consequently, staff has not been able to fully analyze the City approval and prepare a staff report for the May meeting with a recommendation on the question of substantial issue.

Therefore, pursuant to Section 13112 of the California Code of Regulations, staff recommends that the Commission, at the May meeting, open and continue the Substantial Issue hearing. As required by Section 13112, the Substantial Issue hearing will be reopened at the next available Commission meeting after the additional geologic information is received.