

**Elaina Cano**  
**San Luis Obispo**  
**County Clerk-Recorder**  
Main Office: (805) 781-5080  
Atascadero: (805) 461-6041  
www.slovote.com

**Receipt: 25-30891**

<b>ProductName</b>	<b>Extended</b>
FISH FISH AND WILDLIFE FILING	\$81.00
# Pages	7
Document #	40-09302025-206
Document Info:	SAN LUIS OBISPO COUNTY
Filing Type	NOE
<hr/>	
<b>Total</b>	<b>\$81.00</b>
Tender (On Account)	\$81.00
Account#	CTY
Account Name	JE except TX & DSS
Balance	\$16,295.00
Comment	1002895306

PLEASE KEEP FOR REFERENCE

**9/30/25 1:35 PM atrujillo**  
**San Luis Obispo**



State of California - Department of Fish and Wildlife  
**2025 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/25) Previously DFG 753.5a

RECEIPT NUMBER:  
 40-09302025-206  
 STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY SAN LUIS OBISPO COUNTY	LEAD AGENCY EMAIL AKNIGHTON@CO.SLO.CA.US	DATE 09/30/2025
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COUNTY/STATE AGENCY OF FILING COUNTY OF SAN LUIS OBISPO	DOCUMENT NUMBER
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PROJECT TITLE  
 LOCKHART MUP/CDP; C-DRC2022-00058; ED2025-0154

PROJECT APPLICANT NAME KELLY LOCKHART	PROJECT APPLICANT EMAIL KELLYLOCKHART@ME.COM	PHONE NUMBER (307)730-9155
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PROJECT APPLICANT ADDRESS 2736 STUDIO DRIVE	CITY CAYUCOS	STATE CA	ZIP CODE 93430
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PROJECT APPLICANT (Check appropriate box)

Local Public Agency   
  School District   
  Other Special District   
  State Agency   
  Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$4,123.50	\$ _____
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,968.75	\$ _____
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,401.75	\$ _____

Exempt from fee

Notice of Exemption (attach)  
 CDFW No Effect Determination (attach)  
 Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$ _____
<input checked="" type="checkbox"/> County documentary handling fee		\$ _____ <b>\$81.00</b>
<input type="checkbox"/> Other		\$ _____

PAYMENT METHOD:

Cash   
  Credit   
  Check   
  Other

**TOTAL RECEIVED \$ \_\_\_\_\_ **\$81.00****

SIGNATURE <b>X</b>	AGENCY OF FILING PRINTED NAME AND TITLE Anthony Trujillo, Deputy County Clerk-Recorder
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Filed in County Clerk's Office  
 Elaina Cano  
 San Luis Obispo - County Clerk-Recorder  
**40-09302025-206**  
 09/30/2025  
 FISH  
 Pages: 7  
 Fee: \$ 81.00

By atrujillo, Deputy



Notice of Exemption/General Rule Exemption

Project Title and No.: Lockhart MUP/CDP; C-DRC2022-00058; ED2025-0154

Project Location :

2736 Studio Drive, Cayucos CA, 93430 (APN: 064-255-008)

Project Applicant/Phone No./Email:

Kelly Lockhart, 307-730-9155
kellylockhart@me.com

Applicant Address (Street, City, State, Zip):

2736 Studio Drive, Cayucos, CA 93430

Description of Nature, Purpose, and Beneficiaries of Project:

A request by Kelly Lockhart for a Minor Use Permit/Coastal Development Permit (C-DRC2022-00058) to rectify a code enforcement case (CODE2022-00079) for unpermitted development within the blufftop setback. The project consists of a restoration plan which includes a combination of modifying and full to partial removal of unpermitted allan block retaining walls, stairs, pavers and other elements within the blufftop setback, and installation of natural vegetation to screen remaining low-lying walls. The project is designed and proposed in compliance with the CZLUO and Estero Area Plan Standards. The project will result in the disturbance of approximately 850 square-feet of the 3,610 square-foot site. No modifications to the existing sea wall are proposed. The project is within the Residential Single-Family land use category and is located at 2736 Studio Drive in the community of Cayucos. The site is in the Small-Scale Design Neighborhood and the Estero Planning Area.

Baseline Conditions

The project site consists of an approximately 3,610-square-foot site within the Residential Single-Family land use category in Cayucos. The site is moderate to steeply sloping (16% average slope) and is partially within a Geologic Study Area (GSA). There is an existing single-family residence that fronts and takes access from Studio Dr. The single-family residence is served by Morro Rock Mutual Water Co. for water and the Cayucos Sanitary District for sewer. Surrounding land uses are single family residences and Morro Strand State Beach (recreation land use). No changes to the existing residence are proposed as a result of this project.

Name of Public Agency Approving Project: County of San Luis Obispo

Exempt Status/Findings: This project is covered by the "General Rule" or "Common Sense" exemption that the California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA. [Reference: State CEQA Guidelines sec. 15061(b)(3), General Rule Exemption].

The project consists of a restoration plan consisting of a combination of modification and full to partial removal of unpermitted allan block retaining walls, stairs, pavers and other elements within the blufftop setback, and installation of natural vegetation to screen remaining low-lying walls. The project is not located in an area which may have an impact on an environmental resource of hazardous or critical concern which is designated, precisely mapped and officially adopted by a federal, state or local agency. The only vegetation that will be impacted as a result of this project is the existing landscaping which provides no habitat value for

special status animal species. A portion of the northwest corner of the site (approximately 16% of the site, or 1,250 square feet) is within a mapped Geologic Study Area (GSA) due to its location on a coastal bluff. Geologic reports and letters were prepared to address stability of the bluff and the design of the allan block elements. The project is not within an archaeologically sensitive area and nearby archaeological surveys have resulted in no findings. The project is conditioned to cease construction in the event that archaeological resources are discovered during ground disturbing activities. Further, there are no unusual circumstances surrounding the project. The location of the proposed project is not within any hazardous waste site compiled pursuant to Gov. Code § 65962.5. The proposed project does not involve or does not cause a substantial adverse change in the significance of a historical resource.

**Reasons why project is exempt:**

The following is an overview of the relevant environmental issue areas that were considered in this determination.

**Aesthetic and Visual Resources:**

Although the project is not located within a mapped visually sensitive resource area, the County's CZLUO, LCP, Estero Area Plan and Coastal Policies provide standards and requirements to reduce the extent of improvements within the bluff face and bluff setback in an effort to maintain bluffs in a natural state with allowable elements limited to landscaping, minor earthworks, steps or similar design elements (not including decks or other solid structures) placed directly on natural grade. Therefore, manipulation of natural grade through use of engineered retaining walls with abrupt grade changes, use of impervious materials, erection of walls and stairs resulting in stark contrast from the natural bluff through use of colors/materials and wall face exposures, and use of non-native landscape material, such as artificial turf and non-native vegetation, would be in conflict with County code and policies. The unpermitted as-built allan block walls, stairs, patio, pavers and other elements/structures are currently visible from the public beach and are not in compliance with County code and policies. The project proposes a restoration plan to fully remove the allan block stairs and pavers between the walls and the project will reduce the overall heights and massing of other walls and stairs. The area where the stairs and pavers are currently located will be regraded and replaced with native plants to screen the lower-lying walls and will give the bluff a softened and more natural appearance. The proposed restoration plan strikes a balance between meeting the spirit and intent of the County's CZLUO, LCP, Estero Area Plan and Coastal Policies to rectify the unpermitted as-built development within the bluff setback, while not resulting in a compromise to the bluff stability or surrounding residential structure(s). The proposed restoration alternative is appropriate for this specific circumstance as low-lying walls are a necessary component of the restoration plan to avoid safety issues and compromise to the bluff stability as verified by the County's Geologist, Cotton, Shires and Associates (CSA). Therefore, the specific site circumstances and the proposed restoration plan alternative, authorizing minimal shoreline structures through use of a series of lower-lying walls (armoring), with the reestablishment of a more natural grade and removal of extensive impervious materials with use of natural vegetation and screening in its place brings the site into alignment with the broader neighboring bluff top properties, when viewing the shoreline at a larger wholistic scale, and balances safety while also reducing overall bluff development and massing/visual impacts when viewed from the public beach. Therefore, as the project is conditioned, impacts to aesthetic and visual resources will be less than significant.

**Air Quality**

No changes to the existing residence are proposed as a result of this project. The site is located within an urbanized area and falls below the APCD's numerical threshold for daily emissions. The project is located within 1,000 feet of sensitive receptors (residential single-family and multi-family homes). However, the project will not involve the use of heavy machinery, and therefore impacts to air quality will be less than significant.

### **Biological Resources**

The project is located on a disturbed developed lot in an urbanized and developed area of Cayucos. The vegetation on-site consists of ornamental landscaping and does not provide habitat for any sensitive species. Therefore, impacts to biological resources will be less than significant.

### **Cultural Resources / Tribal Cultural Resources**

The project is not in an archaeologically sensitive area and nearby archaeological surveys resulted in no findings. Per CZLUO Section 23.05.140, in the event that archaeological resources are discovered during construction, construction activities shall cease and the Environmental Coordinator shall be contacted. If the discovery consists of human remains, the County Coroner shall also be contacted. With the implementation of this standard measure, potential impacts to cultural resources are less than significant.

### **Geology and Soils**

A Bluff Retreat Analysis by Earth Systems dated July 21, 2022, and a Structural Observation Report by Ashley and Vance Engineering dated October 12, 2022 were prepared for the proposed project. These reports were peer reviewed by the County consulting geologist, Cotton, Shires and Associates (CSA), who stated concerns that the unpermitted as-built allan block elements could be a stability hazard. Earth Systems subsequently prepared a Subsurface Investigation Summary and Response Letter dated November 20, 2023, to address the concerns reported by CSA. CSA provided a supplemental review and recommended approval of the project from a geologic position. Therefore, as the project is conditioned, impacts to geology and soils are less than significant.

### **Hazards and Hazardous Materials**

As stated in the air quality resources section, heavy machinery and equipment will not be required during construction of the proposed project. Oils, gasoline, lubricants, fuels, and other potentially hazardous substances will not be present on site. Therefore, impacts to hazards and hazardous materials is less than significant.

### **Hydrology and Water Quality and Wastewater**

The project is required to implement standard stormwater best management practices during construction and implement a stormwater control plan for ongoing operations and stormwater management, which will minimize potential stormwater impacts.

The project shall also provide a grading, drainage and erosion control plan to the satisfaction of the Public Works Department to demonstrate that the development will not result in an increase of erosion or runoff at time of application for building permits.

No changes to the existing residence are proposed as a result of this project. The existing residence is served by Morro Rock Mutual Water Co. and sewer services are provided by the Cayucos Sanitary District.

Based on the implementation of stormwater best management practices and a stormwater control plan, and a grading, drainage, and erosion control plan, the project will have less than significant impacts to hydrology, water quality, and wastewater.

### **Other CEQA Issue Areas**

In addition, based on the project description, baseline conditions, and analysis of the project's potential environmental impacts, the project will have less than significant or no impacts relating to the following:

Agricultural Resources  
Energy  
Greenhouse Gas Emissions  
Land Use and Planning  
Mineral Resources  
Population and Housing  
Public Services  
Recreation  
Transportation and Traffic  
Utilities and Service Systems  
Wildfire  
Cumulative

### **Conclusions**

As conditioned, the project will conform to the applicable General Plan and Area Plan standards, and no mitigation measures beyond those required by County Code are necessary to address the environmental impacts associated with the proposed project. Therefore, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect and the project is exempt from CEQA.

This determination is based on the following documents and technical studies:

- Public Works Comments, July 2, 2025
- Bluff Retreat Analysis by Earth Systems, July 21, 2022
- Structural Observation Report by Ashley and Vance Engineering, October 12, 2022
- Subsurface Investigation Summary and Response Letter by Earth Systems, November 20, 2023
- Response to Potential Grading Required by Removing the Existing Wall Letter by Earth Systems, February 13, 2024
- Geologic Peer Review by Cotton, Shire and Associates, February 7, 2023 and March 25, 2024
- Applicant's Response to County C-DRC2022-00058 Information Hold Letter, November 27, 2023

**Additional Information:** Additional information pertaining to this notice of general rule exemption may be obtained by reviewing the second page of this document and by contacting the Environmental Coordinator, 976 Osos St., Rm 200, San Luis Obispo, CA 93408 (805) 781-5600.

## Notice of General Rule Exemption

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**Project Title and No.: Lockhart MUP/CDP; C-DRC2022-00058; ED2025-0154**

Pursuant to section 15061 of the State California Environmental Quality Act (CEQA) Guidelines, the preliminary review of a project includes a determination as to whether a project is exempt from CEQA. This checklist represents a summary of this project's review for exemption.

	<u>YES</u>	<u>NO</u>
1. Does this project fall within any exempt class as listed in sections 15301 through 15329 of the State CEQA Guidelines?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Is there a reasonable possibility that the project could have a significant effect on the environment due to unusual circumstances?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Is the project inconsistent with any Federal, State, or local law or administrative requirement relating to the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Will the project involve substantial public controversy regarding environmental issues?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Does the project have the potential to achieve short-term environmental goals to the disadvantage of achieving long-term environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Does the project have adverse impacts which are individually insignificant, but cumulatively significant? Cumulatively significant means that the incremental effects of an individual project are substantially adverse when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

On the basis of this initial evaluation, I find that the proposed project does not have the potential to cause a significant effect on the environment and is therefore exempt from CEQA.

**Lead Agency Contact Person** Andy Knighton ([aknighton@co.slo.ca.us](mailto:aknighton@co.slo.ca.us)) **Telephone** 805-781-4142

<p><b>If filed by applicant:</b></p> <p>1. Attach certified document of exemption finding</p> <p>2. Has a notice of exemption been filed by the public agency approving the project? Yes <input type="checkbox"/> No <input type="checkbox"/></p>
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Signature: *Andy Knighton* Date: 7/10/2025

Name: Andy Knighton Title: Planner II

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On September 5<sup>th</sup>, 2025 the project was approved by:

- |   |   |                                |
|---|---|--------------------------------|
| <input type="checkbox"/> Board of Supervisors | <input type="checkbox"/> Subdivision Review Board                 | <input type="checkbox"/> Other |
| <input type="checkbox"/> Planning Commission  | <input checked="" type="checkbox"/> Planning Dept Hearing Officer |                                |