



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING

PLN-1123
3/22/2018

Notice of Exemption/"General Rule" or "Common Sense" Exemption

Project Title and No.: Enerle Minor Use Permit / Coastal Development Permit C-DRC2023-00026 ED23-133

Project Location (Specific address [use APN or description when no situs available]:
363 Mitchell Dr., Los Osos, CA, 93402
APN: 074-082-018

Project Applicant/Phone No./Email:
Shelene Enerle // (805)228-2222 //
morrobaydream@gmail.com

Applicant Address (Street, City, State, Zip):
363 Mitchell Dr., Los Osos, CA, 93402

Description of Nature, Purpose, and Beneficiaries of Project:

A request by Shelene Enerle for a Minor Use Permit / Coastal Development Permit (C-DRC2023-00026) to allow for a 1,995 square-foot addition and 72 square-foot permeable deck extension to an existing 1,362 square-foot single family residence and 85 square-foot deck. The project will result in the disturbance of approximately 2,500 square feet on an 21,473 square-foot parcel. This project is located in the Residential Single Family land use category at 363 Mitchell Drive within the community of Los Osos. The site is in the Estero Planning Area.

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 CEQA applies only to projects which have the potential for causing a significant effect on the environment (14 CCR 15061(b)(3)). 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" or "Common Sense" Exemption].

Reasons why project is exempt: The project consists of an addition to an existing single-family residence within the Residential Single-Family land use category. The project has a relatively small area of disturbance of approximately 2,500 square-feet. The proposed addition is located in an area that avoids disturbance to sensitive habitats and only proposes the removal of non-native ruderal and cultivated landscape plant species. There is one oak tree onsite that is not proposed for removal. Protection measures described in the Biological Resource Analysis (BRA) for the oak tree are included as conditions of approval and will be installed prior to ground disturbing activities (SWCA, 2023). There is no aestivation habitat onsite to support the presence and survival of Morro Shoulderband Snail, therefore, the species will not be impacted (SWCA, 2023). Site surveys did not reveal the presence of any sensitive animal species. The biologist's surveys determined that Northern California Legless Lizard (*Aniella pulchra*) and nesting bird species have the potential to occur under the ruderal or landscaped vegetation. The BRA recommends the implementation of Avoidance and Minimization measures, which includes pre-construction site surveys, to ensure there are no impacts to animal species that could potentially occur onsite.

The project site is located within the Morro Bay Wetland Sensitive Resource Area. The proposed addition adequately setback 113 feet from the upland extent of any wetland vegetation, which meets the Estero

Area Plan standards requiring development to be setback at least 50 feet from wetlands. The project will not result in the removal of any wetland vegetation.

A Phase I Archaeological Survey was prepared for the project site, and resulted in no positive findings (SWCA, 2023). In the unlikely event resources are uncovered during grading activities, implementation of County Code Section 23.05.140 (Archaeological Resources) would be required, which states:

A. Construction activities shall cease, and the Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

B. In the event archeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner shall be notified in addition to the Department so proper disposition may be accomplished.

Existing grading and drainage regulations will adequately address surface water quality impacts during construction and permanent use of the residence. The project is conditioned to supply a drainage plan, and an erosion and sedimentation control plan for Public Works to review at time of building permits. The project will conform to the applicable General Plan and Estero Area Plan standards, and no measures beyond those required by County Code are necessary to address the environmental impacts associated with the proposed project. The project site is located within the Estero Planning Area and is subject to the applicable standards outlined in the Estero Area Plan (EAP). This project, as proposed, meets all applicable EAP standards for development.

Additional Information: Additional information pertaining to this notice of “general rule” or “common sense” exemption may be obtained by reviewing 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

Project Title and No.: Enerle MUP/CDP; C-DRC2023-00026 ED23-133

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, Planner

Telephone: 805-781-4142

If filed by applicant:

1. Attach certified document of exemption finding
2. Has a notice of exemption been filed by the public agency approving the project? Yes ☐ No ☐

Signature: Andy Knighton Date: 8/20/24

Name: Andy Knighton (aknighton@co.slo.ca.us) Title: Planner

On August 20, 2024 the project was Approved by:

- ☒ Board of Supervisors ☐ Subdivision Review Board ☐ Other _____
☐ Planning Commission ☐ Planning Dept Hearing Officer