

City of Roseville
CEQA Implementing Procedures
for
Preparation, Processing, and Review of Environmental
Documents

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Updated by City Council January 20, 2021 by Resolution No. 21-018

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January 2021

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I. {§100} General

A. {§101} Purpose

The purpose of these CEQA Implementing Procedures (the “Procedures”) is to comply with §21082 of the CEQA Statutes (“Statutes”) and §15022 of the CEQA Guidelines, by adopting Procedures for implementing the requirements of the California Environmental Quality Act (“CEQA”, Public Resources Code (PRC) §21000 et seq.), and the State CEQA Guidelines (the “Guidelines”, Title 14, Code of California Regulations, §15000 et seq.). These Procedures are consistent with, and are intended to supplement, the CEQA Statutes and Guidelines. The Procedures are intended to focus the general provisions of the Statutes and Guidelines to the activities of the City. If any portion of the Procedures conflicts with any provision of the Statutes or Guidelines, the provisions of the CEQA Statutes and Guidelines shall prevail.

B. {§102} Application

These Procedures establish the administrative procedures pursuant to which the City will prepare, process and review Exemptions, Initial Studies, Negative Declarations, Mitigated Negative Declarations, and Environmental Impact Reports (“EIRs”) and make related environmental determinations. Where a procedure is not specified, the procedure to be followed by the City shall be consistent with CEQA, the Guidelines, and these Procedures.

C. {§103} Definitions

Except as otherwise defined or provided in these Procedures, words used shall have the same meaning as provided in the Guidelines. Capitalized words are defined either in this section or in the Guidelines.

1. “Advisory Body” means the party, commission or committee responsible for reviewing a Project and making recommendations to an Approving Authority.
2. “Approving Authority” means the level of City government having approval authority for a Project, whether the level is staff, Design Committee, Planning Commission, or City Council.

3. "City" means the City of Roseville.
4. "City Council" means the City Council of the City of Roseville.
5. "CEQA" means the California Environmental Quality Act, Public Resources Code §21000 et seq., as amended.
6. "CEQA Guidelines" or "Guidelines" means those administrative regulations adopted by the Secretary for Resources of the State of California found in Title 14, California Code of Regulations §15000 et seq., as amended.
7. "CEQA Officer" means the Development Services Department (DSD) Director, the Planning Manager as authorized by the DSD Director for private projects, the Environmental Coordinator as authorized by the DSD Director for public projects; or their designee, responsible for preparing CEQA documents and for the implementation of these Procedures.
8. "City Project" or "Public Project" means a project that is proposed by the City of Roseville.
9. "County Clerk" means the County Clerk of Placer County.
10. "Days" refers to calendar days.
11. "Discretionary" means a project which requires the exercise of judgment or deliberation when the public agency or approving authority decides to approve or disapprove a particular activity, as distinguished from situations where the public agency or approving authority merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations.
12. "Lead Department" means that City Department which is carrying out a City Project. The Development Services Department is the Lead Department for the processing of Private Projects.

13. "Ministerial" means a governmental decision involving little or no personal judgment by the public official or City staff as to the wisdom or manner of carrying out the project. The public official or City staff merely applies the law to the facts as presented but uses no special discretion or judgment in reaching a decision. A ministerial decision involves only the use of fixed standards or objective measurements, and the public official or City staff cannot use personal, subjective judgment in deciding whether or how the project should be carried out.
14. "Private Project" means a project other than a City Project (i.e., a private sector development, an outside public utility/agency, related request or application).
15. "Project Planner" means the staff assigned to prepare and/or oversee development of CEQA documents, and comply with the CEQA procedures for private projects.
16. "Project Manager" means the City staff assigned to oversee the development of a City Project.
17. "Project Proponent" means a person who proposes a Project to, or requests approval of a project from, the City. The City itself is a Project Proponent for public projects.

D. {§104} Public V. Private Projects

Under the supervision of the CEQA Officer, CEQA documentation for Public Projects (City construction or programs) is conducted by the Lead Department, and CEQA documentation for Private Projects is conducted by the Development Services Department. The public and private processes diverge for some steps. For procedural steps that relate specifically to Public or Private Projects, a notation to that effect will follow the text.

E. {§105} Harmonizing with State Procedures

To the greatest extent possible, these Procedures shall be interpreted in a manner consistent with procedures and legislative intent adopted by the State concerning the preparation, processing and review of environmental documents.

F. {§106} Amendments

These Procedures may be amended from time to time by Council resolution to conform to amendments to CEQA and the Guidelines or for any other reason.

G. {§107} Titles

Title and section headings in these Procedures are for the purpose of reference, and shall not be deemed to govern, limit, or modify in any manner the scope, meaning, or intent of these Procedures.

H. {§108} Severability

In the event any section or portion of these Procedures is declared unlawful or unconstitutional, the Council declares that it would have adopted the remainder of these Procedures, and to that end, these Procedures are severable.

II. {§200} Environmental Review in General

A. {§201} Authority

The DSD Director, Planning Manager, or designee, shall act as CEQA Officer for the following Projects:

- private development applications;
- amendments to the Zoning Map or the text of the Zoning Ordinance;
- applications pursuant to the Zoning Ordinance, subdivision ordinance, flood damage prevention ordinance, or sign ordinance;
- adoption of or amendments to the General Plan or any specific plan; and
- Projects for which the City is a Responsible Agency.

The DSD Director, Environmental Coordinator, or designee, shall act as CEQA Officer for all City Projects (i.e., public works, utilities, power infrastructure, parks, buildings, etc.), programs or other administrative actions subject to CEQA.

For any Project where it is uncertain from these Procedures who should act as CEQA Officer, the DSD Director may designate the CEQA Officer.

The CEQA Officer shall determine the level of CEQA documentation (i.e. Exemption, Initial Study, or EIR) to be prepared for a project.

B. {§202} Environmental Assessments in General

It is the intent of these Procedures that the final environmental review shall occur by whichever level of City government has final approval authority for a particular Project. Thus, if a Project is approved by the City Council, adoption of a Negative or Mitigated Negative Declaration or certification of an EIR will be by the City Council. If final approval is by the Planning Commission, Design Committee, or other designated body, such adoption or certification will be by that body.

In some instances approval of a CEQA document may occur with approval of only a portion of a project, and remaining components of the project may be approved subsequently (i.e., Planning Commission and then City Council); in which case a Notice of Determination shall be filed following final approval of each component of the project.

III. {§300} Environmental Review Procedures: Exempt Projects

A. {§301} Notice of Exemption

The CEQA Officer may prepare a Notice of Exemption for any Project exempt from CEQA. Preparation of an Initial Study is not required. The Notice of Exemption shall specify the statutory or categorical exemption involved, or identify why the project is covered by the “Common Sense” rule identified in §15061(b)(3) of the Guidelines. If the Approving Authority approves the Project, then the CEQA Officer may cause the Notice of Exemption to be filed with the County Clerk, to be posted by the County Clerk on the list of notices in accordance with §15062 of the Guidelines. Decisions made by an Approving Authority other than the City Council are subject to appeal, which is addressed further in §2000 of these procedures.

B. {§302} General Rule

In accordance with CEQA Guidelines §15060 and 15061, the following projects are considered exempt from CEQA under the general rule that the activity will not have a significant effect on the environment:

- Revision of the Buildings and Grounds Project Manual
- Revision of the Streets and Bridges Project Manual
- Adoption of the Uniform Fire Code
- Revision of the City's CEQA Procedures
- Adoption of the Uniform Building, Plumbing, Electrical, and Mechanical Codes
- Adoption of City Codes for Building, Fire, and Electric, which supplement the Uniform Codes
- Revisions to the Stormwater Quality BMP Guidance Manual and Stormwater Design Standards for Development
- Revisions to the Design/Construction Standards
- Revisions to the Urban Stormwater Quality Management and Discharge Control Ordinance

C. *{§303} Statutory Exemptions*

The State Legislature has exempted various types of projects from CEQA. The list of statutorily exempt projects is subject to change as CEQA is amended by the legislature. Some commonly cited statutory exemptions from the PRC (§21080 et seq.) are listed below:

- City grant for transitional housing to local non-profit group (§15267)
- Meeting Operating Expenses, Purchasing Supplies and Obtaining Funds To Maintain Service Within Existing Service Areas (§15273(a))
- Utility service rate increase (including electric, water, wastewater, recycled water, and solid waste collection rates) (§15273(a))Revision of Backflow and Cross-Connection Prevention Fee and Inspection Ordinance (§15273(a)(4))
- Revision of Development Application Processing Fees (§15273(a)(1))
- Revision of an Urban Water Management Plan (§15282(v))
- Residential Projects Pursuant to a Specific Plan (§15182)
- Restriping of streets to relieve congestion (§15282(j))
- Installation of underground electrical conduit in an urbanized area. Exclusion applies to pipeline of less than one mile (§15282(k))

- The adoption of an ordinance regarding accessory dwelling or second units in a single-family or multifamily zone district to implement the provisions of §65852.1 and §65852.2 of the Government Code (§21080.17)

D. {§304} Ministerial Exemptions

The following Projects are identified as ministerial in nature and are declared statutorily exempt pursuant to §15268 of the Guidelines:

- Issuance of building permits (including contractor’s trailer, sales trailer, model home complexes, and second residential units)
- Issuance of business licenses
- Issuance of Adult-Oriented Business permits
- Issuance of Massage Business permits
- Issuance of a Entertainment permits
- Issuance of Special Event permits
- Issuance of Dog and Cat licenses
- Approval of final subdivision maps or parcel maps
- Approval of individual utility service connections and disconnections
- Grading (non-discretionary as defined by RMC Sec.16.20.030)
- Home occupations (in compliance with RMC Ch.19.42)
- Yard Sales (within the limitations specified by RMC Sec.19.22.020)
- Issuance of recycling collection center permits (in compliance with RMC Sec.19.56.020)
- Issuance of standard sign permits (in compliance with RMC Sec.17.08.130)
- Planned sign permit programs (in compliance with RMC Sec.17.08.210 et seq.)
- Approval of requests for reasonable accommodation to zoning ordinance

E. {§305} Categorical Exemptions

Pursuant to §15061(c) of the Guidelines, the City has established a list of projects for which categorical exemptions are applied. The following projects are often processed by the City of Roseville and have been found, under normal circumstances, not to have a significant effect on the environment. Unless the exceptions identified in §15300.2 of the Guidelines apply (location, cumulative impact, and significant effects), the following projects have been determined to qualify for the CEQA exemption class outlined below. Others may be identified as determined by the CEQA Officer.

Class 1. Existing Facilities (Guidelines §15301)

- Minor tenant improvements
- Additions and accessory structures for existing residences
- Repair or maintenance of utility lines
- Repair, maintenance or minor alteration of existing park and recreation facilities, including bike trails

Class 2. Replacement or Reconstruction (Guidelines §15302)

- Pedestrian bridge maintenance or replacement
- Pump station maintenance, decommissioning or replacement
- Electric transmission line maintenance or replacement

Class 3. New Construction or Conversion of Small Structures (Guidelines §15303)

- Permits for second units in conformance with all zoning requirements
- Minor Design Review Permits as defined by RMC Ch.19.74
- Administrative Permits for minor structures including but not limited to: (small accessory structures, commercial buildings (as defined in §15303(c) of the Guidelines)
- Additions to existing cell towers

Class 4. Minor Alterations to Land (Guidelines §15304)

- Roadway median landscaping
- Administrative tree permit
- Annual weed abatement (does not include grading in the protected zone of native oak trees RMC Ch.19.66)
- Concerts in City parks when permitted by the Director of Parks and Recreation (also Guidelines §15311 and 15323)
- Temporary Pumpkin Sales/Christmas tree lots
- Temporary Fireworks Sales (also §15311)
- Temporary outdoor displays (also §15311)
- Minor Grading plans (as defined by the City of Roseville Municipal Code)
- Downtown Farmer's Market

Class 5. Minor Alterations in Land Use Limitations (Guidelines §15305)

- Tentative parcel map extensions

- Minor tentative parcel map modifications
- Administrative variance of zoning requirements
- Public utility and roadway easement abandonment
- Encroachment permits when discretionary approval has been granted, or in conjunction with already approved discretionary permits
- Merger and resubdivision of land not resulting in the creation of any new parcel for the purpose of development
- Tentative subdivision map extensions
- Minor tentative subdivision map modifications
- Design Review Permit and Major Project Permit extensions
- Minor and administrative Design Review Permit modifications as defined by the Subdivision Ordinance
- Lot line adjustments
- Voluntary mergers
- Commercial or industrial parcel map of more than four lots consistent with the Subdivision Ordinance
- Lease of agricultural land, with the condition that there would be no land use changes
- Administrative Permits (as defined in RMC Sec.19.78.060)
- Zoning Clearance/Development Clearance forms

Class 6. Information Collection (Guidelines §15306)

- Hydraulic data collection
- Water quality data collection
- Fish and wildlife field surveys
- Soil testing, geotechnical borings
- Hazardous materials testing
- Monitoring well installation and testing (for water data collection)

Class 8. Actions Taken by Regulatory Agencies for Protection of the Environment (Guidelines §15308)

- Adoption of wastewater or water pollutant standards (not including construction or facility modifications)
- Amendments to the Refuse Hauling Ordinance (RMC Ch.9.17)
- Land use designation and zoning for conversion of land to open space
- Open Space/Wetland monitoring, maintenance, and creation activities

- Adoption of policies or standards advancing sustainability via energy-efficiency and resource conservation
- Adoption of Operation and Management Plans for Open Space Preserve Areas

Class 9. Inspections (§15309)

- Wetland Preserve Area Monitoring

Class 11. Accessory Structures (Guidelines §15311)

- All on-site signs not requiring a sign exception
- Guard house for gated residential community or commercial facilities
- Temporary facilities within City parks, when permitted by the Director of Parks and Recreation
- Administrative permits for exceptions to requirements, as defined by RMC Sec.19.22.030
- Public bus stop shelters and benches

Class 23. Normal Operations for Public Gatherings (Guidelines §15323)

- Fireworks displays (when permitted by RMC Sec.16.16.140 [Fire Code])
- Sports events “tourism”, fairs, festivals, and other special events (including fun runs, holiday parades, Downtown Tuesday Night and similar events) at City Parks, on City streets or other facilities designed to accommodate such events, when permitted by the City

Class 32. In-Fill Development Projects (Guidelines §15332)

- Residential and commercial in-fill projects that comply with the City’s General Plan and any applicable Specific Plan requirements

F. {§306} Review Required

No project subject to CEQA shall be approved or carried out by an Approving Authority without first having submitted the CEQA document to the CEQA Officer or designee for environmental review pursuant to these Procedures.

IV. {§400} Environmental Review Procedures: Negative Declarations or Mitigated Negative Declarations

A. *{§401} Initial Study*

The CEQA Officer shall prepare, or cause to be prepared, an Initial Study for non-exempt Projects and provide a written determination of whether a Negative Declaration, Mitigated Negative Declaration, or an EIR shall be prepared. Where an EIR is clearly required, preparation of an Initial Study may be prepared at the discretion of the CEQA Officer. In the event that a project is recommended for denial, an Initial Study is not required to be prepared unless directed by the Advisory Body or Approving Authority. Where scoping meetings are not required by CEQA PRC §21083.9, a scoping meeting may be held at the discretion of the CEQA Officer, and the Initial Study may be prepared with the use of “scoping” and “consultation”, as provided in §15082 and §15083 of the Guidelines, and PRC §21083.9.

B. *{§402} Proposed Negative Declaration or Mitigated Negative Declaration*

If the CEQA Officer finds on the basis of the Initial Study that the Project will not have a significant and unavoidable negative effect on the environment, then a Negative Declaration or Mitigated Negative Declaration shall be prepared.

C. *{§403} Subsequent Negative Declaration or Mitigated Negative Declaration*

If a previously adopted Negative Declaration or Mitigated Negative Declaration is revised to include an expanded project description or other substantial new information pursuant to §15162 of the CEQA Guidelines, a subsequent Negative Declaration or Mitigated Negative Declaration shall be prepared.

D. *{§404} Addendum to Negative Declaration or Mitigated Negative Declaration*

An Addendum to a previously adopted Negative Declaration or Mitigated Negative Declaration may be prepared if only minor technical changes or additions are necessary, or if none of the conditions calling for the preparation of a subsequent Negative Declaration or Mitigated Negative Declaration have occurred (§15164). The Addendum need not be circulated for public review but shall be considered by the approving authority along with the previously adopted Negative Declaration or Mitigated Negative Declaration prior to making a decision to modify a project.

E. {§405} Noticing, Public Review and Public Hearings

After completing a Negative Declaration or Mitigated Negative Declaration, the CEQA Officer shall give public notice of intent to adopt a Negative or Mitigated Negative Declaration pursuant to §15072 of the Guidelines by at least one of the following methods: (1) publication once in a newspaper of general circulation; or (2) posting on the Project site; or (3) mailing of notice to owners of property within three hundred (300) feet of the project site, as such owners are shown on the last equalized assessment roll. Notice shall also be mailed to all organizations and individuals who have previously requested such notice for the proposed project. Cost recovery for providing such notice will be acquired pursuant to the adopted fee schedule. At the discretion of the CEQA Officer, a public hearing may be conducted prior to or in conjunction with adoption. A public hearing shall be noticed in accordance with Government Code §54950-54963, the Ralph M. Brown Act. The CEQA Officer may provide copies of the IS/ND or IS/MND to the City libraries to facilitate review by the public. In addition, the City may utilize its website to make environmental documents and information available to the public.

At a public hearing, the Advisory Body shall accept and consider public comments on the Initial Study/Negative Declaration or Initial Study/Mitigated Negative Declaration, prior to forwarding comments to the Approving Authority. The Advisory Body shall base its recommendations on results of the Initial Study analysis and comments received to date.

F. {§406} Adoption of Negative Declaration or Mitigated Negative Declaration

Prior to adopting the Negative Declaration or Mitigated Negative Declaration, the Approving Authority shall consider the recommendation of any applicable Advisory Body, and the information within the Negative or Mitigated Negative Declaration, together with any public comments received during the public review process. The Approving Authority shall adopt the Negative or Mitigated Negative Declaration, if it finds on the basis of the initial study, previous environmental documents, project specific studies, comments received and any City generated responses thereto, that there is no substantial evidence that the Project will have a significant effect on the environment. If it finds that the project may have a significant effect on the environment, the Approving Authority shall re-circulate a revised Initial Study, deny the Project, or direct that an EIR

shall be prepared. Adoption of the Mitigated/Negative Declaration does not guarantee approval of the project.

(1) If the Approving Authority is other than the City Council, the decision to adopt or disapprove a Negative Declaration or Mitigated Negative Declaration, or to prepare an EIR may be appealed to the City Council in accordance with §2000 of these Procedures.

G. *{§407} Notice of Determination*

After adoption of a Negative or Mitigated Negative Declaration and approval of a Project, the CEQA Officer shall prepare, or cause to be prepared, a Notice of Determination (“NOD”). The CEQA Officer shall cause the NOD to be filed with the County Clerk and posted on the list of notices in accordance with §15075 of the Guidelines. Typically, the CEQA Officer will designate the City Clerk to post the NOD for a City project; and the NOD for a private project is posted by a designee of the Development Services Director or Planning Manager, or City Clerk, depending on what body has Approval Authority per the Roseville Municipal Code.

V. {§500} Environmental Review Procedures: Environmental Impact Report

A. *{§501} Determination of Type of EIR*

Pursuant to Article 11, beginning with §15160 of the Guidelines, an Environmental Impact Report (EIR) must meet the content requirements in Article 9 beginning with §15120 of the Guidelines (addressed in §504 of these Procedures). The type of EIR shall be determined by the CEQA Officer and can be selected from the following, or can be a combination or variation thereof:

- Project EIR
- Subsequent EIR
- Supplement to an EIR
- Addendum to an EIR
- Staged EIR
- Program EIR
- Master Environmental Assessment
- Master EIR

- Focused EIR
- Joint Environmental Documents (if project must meet requirements of CEQA and NEPA)
- Other types included periodically in the State CEQA Guidelines (§15000 et seq. of the Guidelines) or Statute (PRC §21000 et seq.).

B. {§502} Notice of Preparation (CEQA Guidelines §15082)

After determining that an EIR is required for a Project, and if the Project involves a Responsible Agency, Trustee Agency, or Federal Agency involved in approving or funding the Project, the CEQA Officer shall prepare a Notice of Preparation (“NOP”). The CEQA Officer shall send a copy of the NOP to the State Clearinghouse, and may send the NOP to each responsible agency¹, federal agency involved in approving or funding the project, or trustee agencies responsible for natural resources affected by the project. The NOP shall be sent to anyone that has submitted a written request to receive such notice for a particular project.

C. {§503} Preparing the Draft EIR

The CEQA Officer may require a Project Proponent to submit information and data necessary to evaluate potential environmental effects of the project. The CEQA Officer may either cause the EIR to be prepared by City staff, or contract for its preparation. The Project Proponent shall reimburse the City for work associated with preparation of the EIR (e.g., consistent with PRC §21089 and CEQA Guidelines §15045) and in accordance with the City’s adopted fee schedule. Where scoping meetings are not required by CEQA PRC §21083.9, a scoping meeting may be held at the discretion of the CEQA Officer, and the Draft EIR (DEIR) may be prepared with the use of “scoping” and “consultation”, as provided in §15082 and 15083 of the Guidelines and PRC §21083.9.

D. {§504} Draft EIR Contents

¹ It is the role of the State Clearinghouse to distribute the NOP to responsible and trustee agencies, however the CEQA Officer may also elect to distribute the NOP to trustee and responsible agencies for the purpose of expediting review of the NOP by those agencies.

The DEIR shall contain the information required by the Guidelines in sufficient detail, as determined by the CEQA Officer, to permit adequate evaluation and review of the environmental impact of the proposed Project.

E. {§505} Notice of Completion

As soon as the DEIR is completed, and made available for public review, the CEQA Officer shall cause a Notice of Completion to be filed with the State Clearinghouse.

F. {§506} Consultation, Noticing, Public Review and Public Hearings

The CEQA Officer shall provide public notice of the completion of a DEIR at approximately the same time it sends a Notice of Completion to the Office of Planning and Research. If at the discretion of the CEQA Officer, a public hearing will be conducted, the notice shall include the date, time, and location of the hearing. Public notice shall be given by at least one of the following methods: (1) publication once in a newspaper of general circulation; or (2) posting on the Project site; or (3) mailing of notice to owners of property within three hundred (300) feet of the project site, as such owners are shown on the last equalized assessment roll. Notice shall also be mailed to all organizations and individuals who have previously requested such notice for the proposed project. Cost recovery for providing such notice may be required pursuant to PRC §21089.

The CEQA Officer will make the DEIR available to the public via the City's website, and will provide copies to the City Clerk, the Permit Center, and to City libraries to facilitate review by the public.

At a public hearing, the Advisory Body shall accept and consider public comments on the DEIR, prior to forwarding comments or recommendations on the DEIR, including comments of the Advisory Body, to the Approving Authority. Oral comments received during the 45-day review period of the DEIR, including at meetings of the Advisory Body, shall be included in the Final EIR (FEIR), along with other timely DEIR comments. City Committees and Commissions acting in the capacity of an Advisory Body do not consider Final EIRs, Findings of Fact or Statements of Overriding Consideration.

G. §507 Evaluation of Comments by CEQA Officer and Preparation of FEIR

Following the period established by the CEQA Officer for receipt of comments on the particular DEIR, the CEQA Officer shall review all DEIR comments and preliminary responses to determine if the DEIR or any portion thereof will require recirculation, or direct that a FEIR be prepared (§15088-15089).

H. §508 Transmittal of FEIR

The CEQA Officer shall transmit the proposed FEIR, with recommendations on certification, to the Approving Authority. If an Advisory Body is the Approving Authority for a project, it shall consider certification of the FEIR before taking action on the project.

I. §509 Certification of FEIR; Findings

The Approving Authority shall make findings in accordance with §15091 of the Guidelines and shall certify the FEIR prior to taking action on the Project. If the Approving Authority is a hearing body other than the City Council, the decision to certify or not to certify the FEIR may be appealed to the City Council in accordance with §2000 of these procedures. Certification of the FEIR does not guarantee approval of the project, which may be approved or denied by the Approving Authority.

J. §510 Time Extensions

For Private Projects, the FEIR shall be completed and certified within one year after the date that the application was accepted as complete. As permitted in §15108 of the CEQA Guidelines, these Procedures allow for an extension of the one-year time limit for a period of not more than 90 days, upon consent of the CEQA Officer and the applicant.

K. §511 Notice of Determination

After certification of a FEIR and action on a project, the CEQA Officer shall prepare, or cause to be prepared, a Notice of Determination (NOD). The CEQA Officer shall cause the NOD to be filed with the County Clerk within five (5) business days of certification of a FEIR and action on a project, and posted on the list of notices in accordance with §15094 of the Guidelines. Typically, the CEQA Officer will designate the City Clerk to

post the NOD for a City Project; and the NOD for a private project is posted by a designee of the Development Services Director or Project Planner, or City Clerk, depending on what body is the Approval Authority.

VI. {§600} Time Limits

A. Time limits for EIRs, negative declarations, and report preparation contracts shall be the maximum allowable as identified in PRC §21151.5. Pursuant to PRC §21151.5(a)(4), the CEQA Officer may allow a reasonable extension of the aforementioned time limits with the consent of the project applicant, provided that the CEQA Officer determines that compelling circumstances justify such extension.

VII. {§700} Format

A. *{§701} Forms, Notices and Format Guidelines*

For consistency, the CEQA Officer may maintain applicable CEQA forms, notices and environmental document format guidelines. A variation from approved forms, notices and environmental document format guidelines may be used on a case-by-case basis at the discretion of the CEQA Officer.

VIII. {§800} Development Standards and Ordinances

A. *{§801} Development Standards and Ordinances as Mitigation for Significant Effects*

Where applicable, in accordance with CEQA Guidelines §15183(f) compliance with appropriate City standards and ordinances can serve as mitigation to reduce significant effects. In such instances, the relevant standard or ordinance does not need to be listed as a mitigation measure in the environmental document so long as a discussion of the ability of the standard or ordinance to mitigate the effect is provided in the document's environmental analysis. The CEQA Officer shall maintain a list of those standards and ordinances that have been adopted by the City Council with a finding that the standards or ordinances will substantially mitigate a particular environmental effect when applied to future projects.

IX. {§900} Mitigation Monitoring

A. General

The mitigation monitoring process is intended to: (1) ensure that required mitigation measures are implemented; and (2) document compliance before, during and after project construction.

B. Applicability

The mitigation monitoring program is established to comply with §15097 of the Guidelines when findings have been made pursuant to §15091 (where an EIR was approved with significant effects and changes to the project have been required to avoid or lessen the significant environmental effects identified in the EIR), or when a mitigated negative declaration was adopted in conjunction with approving a project.

Mitigation monitoring shall be required for all nonexempt discretionary projects for which mitigation measures have been identified through a mitigated negative declaration, or environmental impact report.

C. Procedures for Mitigation Monitoring and Reporting Program

The City shall ensure that project mitigation measures are implemented via the adopted mitigation monitoring and reporting program (MMRP) that the City has adopted concurrently with the mitigated negative declaration or EIR applicable to the project, and any other the measures the City has imposed to mitigate or avoid significant environmental effects.

After a nonexempt discretionary project is approved with conditions of approval that include mitigation measures identified through a mitigated negative declaration, or EIR, these mitigation measures shall be incorporated into the MMRP.

X. {§1000} Environmental Record

A. {§1001} Disposition of Final Environmental Documents and Related Files

When the Approving Authority is the City Council, a copy of the certified FEIR, adopted Negative Declaration or Mitigated Negative Declaration, or Notice of Exemption shall be

filed with the City Clerk as a public record. All other aspects of the environmental record shall be kept in the project file that shall be maintained by the Lead Department. When the Approving Authority is other than the City Council a copy of the certified FEIR or adopted Negative or Mitigated Negative Declaration and all other aspects of the environmental record shall be filed with the Lead Department as a public record.

XI. {§2000} Fees

A. {§2001} Fees for EIRs, Initial Studies, Notices of Exemption, Mitigation Monitoring Plans and Special Requests for Public Noticing

It is the intent of the Council that a Project Proponent bears the cost of processing EIR's, and a portion of the cost for Negative Declaration or Mitigated Negative Declarations, and exemptions in accordance with the City's adopted fee schedule. The fees for CEQA processing are as stated in the City's "[fee schedule](#)" adopted in 1996 (Resolution No. 96-239), and as amended thereafter.

Fees for processing special requests for public noticing are as stated in the City's "[fee schedule](#)," adopted in 1996 (Resolution No. 96-239), and as amended thereafter.

B. {§2002} California Department of Fish and Wildlife Fee for Document Review

Any applicable California Department of Fish and Wildlife Fee, or similar fee, shall be paid by the project proponent or lead department, concurrent with the posting of the Notice of Determination.

XII. {§3000} Appeals

A. {§3001} Appeals

In any case where these Procedures provide for an appeal, any aggrieved person may appeal by filing a written appeal with the City Clerk, and paying the applicable fee within ten (10) calendar days of the date of the decision. The City Clerk shall calendar the matter to be heard by the City Council. The City Council shall hold a public hearing, which may, in the Council's discretion, be consolidated with or prior to any other hearings regarding the Project before the Council.