

DIVISION III
PRELIMINARY REVIEW OF PROJECTS AND INITIAL STUDIES

Section 301 - Preapplication Consultation

- a. For a potential project involving the issuance of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies, the City shall, upon the request of a potential applicant and prior to the filing of a formal application, provide for consultation with the potential applicant to consider the range of actions, potential alternatives, mitigation measures, and any potential significant effects on the environment of the potential project.
- b. The City may include in the consultation one or more responsible agencies, trustee agencies, and other public agencies who in the opinion of the City may have an interest in the proposed project. The City may consult the Office of Permit Assistance in the Trade and Commerce Agency for help in identifying interested agencies.

Section 302 - Time Limits

- a. No application for a permit shall be received for filing and accepted as complete unless accompanied by the fee required by Resolution No's. 91-52 and 93-179 and such data and other information as is required by the Planning Director in order to prepare the Initial Study. If in the opinion of the Planning Director an adequate Initial Study cannot be prepared based on the data submitted, the Project Sponsor shall be notified in writing of that fact. Any such notification shall expressly state what additional information must be submitted before the Initial Study can be undertaken. A determination by the Planning Director that additional information is needed shall be made within 30 calendar days of the date on which an application requesting the issuance of a permit is received.
- b. Within 30 days after accepting an application for a permit as complete, the Planning Director shall make an initial determination as to whether the project is exempt or will need an EIR, a MND or a ND.
- c. A form for the applicant's project description is Appendix G.

Section 303 - Initial Study

The Initial Study shall be prepared in writing by the Planning Department. The Initial Study shall reflect the specificity of the proposed project and shall contain at least the following information:

- a. A description of the project including its location;
- b. An identification of the environmental setting;
- c. An identification of the environmental effects by use of a checklist, matrix, or other method;
- d. A discussion of ways to mitigate the significant effects identified, if any;
- e. A list of all agencies that were consulted prior to completing the Initial Study;
- f. An examination of whether the project is compatible with existing zoning and plans;
- g. The names of all persons who prepared or participated in the preparation of the Initial Study.
- h. A single Initial Study may be used to evaluate more than one project if such projects are essentially the same in the terms of environmental impact.
- i. An Initial Study prepared in connection with an earlier project may be used to evaluate the environmental effects of a later project if the circumstances of the projects are essentially the same.

Section 304 - Consultation

As soon as the City has determined that an Initial Study will be required for the project, the Lead Agency shall consult informally with all responsible agencies and all Trustee Agencies responsible for resources affected by the project to obtain the recommendations of those agencies as to whether an EIR or a ND should be prepared. During or immediately after preparation of an Initial Study for a private project, the Lead Agency may consult with the applicant to determine if the

applicant is willing to modify the project to reduce or avoid the significant effects identified in the Initial Study.

DIVISION IV
APPROVAL OF PROJECTS THAT WILL HAVE NO SIGNIFICANT EFFECT
ON THE ENVIRONMENT

Section 401 - Procedure

- a. If the Planning Director finds that on the basis of the Initial Study the project will not have a significant effect on the environment, a ND shall be completed.
- b. If the Initial Study identifies potentially significant effect(s), but revisions to the project which would avoid or mitigate the effect(s) where clearly no significant effects would occur, a MND may be prepared.
- c. Before completing a ND or MND, the Planning Director shall consult with all responsible agencies. After completing the draft ND or MND, the Planning Director shall also consult with and seek to obtain comments from each Responsible Agency and other public agencies having jurisdiction by law. All comments received shall be forwarded to the decision making body of the City as attachments to the completed MND or ND.

Section 402 - Contents of ND

A ND shall include:

- a. A brief description of the project, including a commonly used name for the project, if any;
- b. The location of the project and the name of the project proponent;
- c. A finding that the project will not have a significant effect on the environment;
- d. An attached copy of the Initial Study documenting reasons to support the finding.