
Santa Maria



City of Santa Maria Environmental Procedures and Guidelines





Environmental Procedures and Guidelines City of Santa Maria, California

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ENVIRONMENTAL PROCEDURES AND GUIDELINES CITY OF SANTA MARIA

SECTION 1 – PURPOSE

The purpose of these procedures is to provide officials of the City and private individuals with the environmental review requirements as set forth in Sections 21000, et seq. of the Public Resources Code (California Environmental Quality Act of 1970 (CEQA)), as amended, and consistent with the Guidelines for the Implementation of CEQA, adopted by the California Department of Resources and found in Division 6, Title 14 of the California Administrative Code. These procedures replace the environmental procedures adopted by the City Council on November 6, 2001. The purpose of updating the City's Environmental Procedures and Guidelines is to streamline the environmental review process consistent with State Law and to make the procedures reflect changes in State Law since 2001.

Section 1.1 - Application

These environmental procedures and guidelines apply to all projects, both public and private, requiring approval by the City of Santa Maria.

Section 1.2 - CEQA and CEQA Guidelines

CEQA and the CEQA Guidelines as adopted and amended by the State of California are hereby incorporated by reference into Santa Maria's Environmental Procedures. Specific sections of CEQA and the CEQA Guidelines may be restated in this document for emphasis and clarification. In the event of a conflict between this document and CEQA or the CEQA Guidelines, CEQA and the CEQA Guidelines shall control and operate in the City of Santa Maria.

SECTION 2 – DEFINITIONS AND RESPONSIBILITIES

Section 2.1 - Definitions

For the purpose of these environmental procedures, unless otherwise apparent from the context, certain words and phrases are defined as set forth below. The definitions set forth in CEQA and the CEQA Guidelines are hereby incorporated by reference as though fully set forth herein.

A. CEQA

“CEQA” shall mean the California Environmental Quality Act of 1970, California Public Resources Code Sections 21000 et seq., as amended.

B. CEQA Guidelines

“CEQA Guidelines” shall mean the Guidelines for the Implementation of CEQA, Sections 15000 et seq., Division 6 of Title 14 of the California Administrative Code, as amended, as adopted by the California Department of Resources.

C. Categorical Exemption

“Categorical Exemption” shall mean an exemption from CEQA for a class of projects based on a finding by the Secretary for Resources that the class of projects does not have a significant effect on the environment (See Sections 15300 et seq. of the CEQA Guidelines).

D. City

“City” shall mean the City of Santa Maria.

E. City Council

“City Council” shall mean the City Council of the City of Santa Maria.

F. Discretionary Project

“Discretionary Project” shall mean a project which requires the exercise of judgment or deliberation when the public agency or body decides to approve or disapprove a particular activity, as distinguished from situations where the public agency or body merely has to determine whether there has been conformity with applicable statutes, ordinances, regulations, or other fixed standards.

G. Environment

“Environment” shall mean the physical conditions which exist within the area which will be affected by a proposed project, including, but not limited to, land, air, water, minerals, flora, fauna, ambient noise, and objects of historical or aesthetic significance. The “environment” includes both natural and manmade conditions.

H. Environmental Impact Report (EIR)

“EIR” shall mean a detailed statement prepared under CEQA describing and analyzing the significant environmental impacts of a project and discussing ways to mitigate or avoid the impacts. The contents of an EIR are discussed in Article 9, commencing with Section 15120 of the CEQA Guidelines. The term “EIR” may either mean a draft or final EIR depending on the context.

1. “Draft EIR” means an EIR containing the information specified in Sections 15122 through 15131 of the CEQA Guidelines and Section 7 of these procedures.
2. “Final EIR” means an EIR containing the information contained in the Draft EIR, comments either verbatim or in summary received in the public review process, a list of persons commenting, and the responses of the Lead Agency to the comments received. The Final EIR is described in detail in Section 15132 of the CEQA Guidelines and Section 7 of these procedures.

I. Initial Study

“Initial Study” shall mean a preliminary analysis prepared by the Lead Agency to determine whether an EIR, Negative Declaration, or Mitigated Negative Declaration must be prepared or to identify the significant environmental impacts to be analyzed in an EIR. Use of the Initial Study is described in Article 4, commencing with Section 15060 of the CEQA Guidelines.

J. Lead Agency

“Lead Agency” shall mean the public agency which has the principal responsibility for carrying out or approving a project. The Lead Agency will decide whether an EIR or Negative Declaration will be required for the project and will cause the document to be prepared. Criteria for determining which agency will be the Lead Agency for a project are contained in Section 15051 of the CEQA Guidelines.

K. Ministerial

“Ministerial” shall mean a governmental decision involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project. The public official 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 cannot use personal, subjective judgment in deciding whether or how the project should be carried out. A building permit is ministerial if the ordinance requiring the permit limits the public official to determining whether the zoning allows the structure to be built in the requested location, the structure would meet the strength requirements of the Uniform Building Code, and the applicant has paid a fee.

L. Mitigated Negative Declaration (MND)

“Mitigated Negative Declaration” shall mean a negative declaration prepared for a project when the initial study has identified potentially significant impacts on the environment, but revisions in the project plans or proposals made by, or agreed by, the applicant before the proposed negative declaration and initial study are released for public review would avoid

the impacts or mitigate the impacts to a point where clearly no significant impact on the environment would occur, and (2) there is no substantial evidence in light of the whole record that the project as revised may have a significant impact on the environment. The revisions or mitigation measures shall be made or agreed to prior to public review of the proposed MND.

M. Negative Declaration (ND)

“Negative Declaration” shall mean a written statement by the Lead Agency briefly describing the reasons that a proposed project, not exempt from CEQA, will not have a significant impact on the environment and therefore does not require preparation of an EIR. The contents of a Negative Declaration are described in Section 15071 of the CEQA Guidelines.

N. Planning Commission

“Planning Commission” shall mean the Planning Commission of the City of Santa Maria.

O. Project

“Project” shall mean the whole of an action, which has the potential for resulting either in a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following:

1. An activity directly undertaken by any public agency including but not limited to public works construction and related activities, clearing and grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local general plans or elements thereof pursuant to Government Code Sections 65100-65700.
2. Activities undertaken by a person that are supported in whole or in part through public agency contacts, grants, subsidies, loan, or other forms of assistance from one or more public agencies.
3. Activities involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

P. Responsible Agency

“Responsible Agency” shall mean a public agency which proposes to carry out or approve a project, for which a Lead Agency is preparing or has prepared an EIR, MND, or ND. For the purposes of CEQA, the term “Responsible Agency” includes all public agencies other than the Lead Agency which have discretionary approval power over the project.

Q. Significant Impact

“Significant Impact” shall mean a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including, but not limited to, land, air, water, minerals, flora, fauna, ambient noise, and objects of historical or aesthetic significance. An economic or social change by itself shall not be considered a significant impact on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

R. Substantial Evidence

“Substantial Evidence” shall mean enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Whether a fair argument can be made that the project may have a significant impact on the environment is to be determined by examining the whole record before the lead agency. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.

S. Tiering

“Tiering” refers to the coverage of general matters in broader EIRs (such as on general plans or policy statements) with subsequent narrower EIRs or ultimately site-specific EIRs incorporating by reference the general discussions and concentrating solely on the issues specific to the EIR subsequently prepared. Tiering is appropriate when the sequence of EIRs is:

1. From a general plan, policy, or program EIR to a program, plan, or policy EIR of lesser scope to a site-specific EIR;
2. From an EIR on a specific action at an early stage to a subsequent EIR or a supplement to an EIR at a later stage. Tiering in such cases is appropriate when it helps the Lead Agency to focus on the issues which are ready for discussion and exclude from consideration issues already decided or not ready for discussion.

T. Trustee Agency

“Trustee Agency” means a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California. Trustee Agencies include:

1. The California Department of Fish and Wildlife with regard to the fish and wildlife of the state, to designated rare or endangered native plants, and to game refuges, ecological reserves, and other areas administered by the department;
2. The State Lands Commission with regards to state owned “sovereign” lands such as the beds of navigable waters and state school lands;
3. The State Department of Parks and Recreation with regard to units of the State Park System;
4. The University of California with regards to sites within the Natural Land and Water Reserves System.

Section 2.2 - Responsibilities

A. City Council

When the City Council is the decision making body on a project, the City Council has the authority for certifying Final EIRs and adopting negative or mitigated negative declarations

prior to approving a project, and for making the findings required by Sections 15091 and 15093 of the CEQA Guidelines.

In accordance with Section 10, the City Council also acts as the appeal board for Planning Commission decisions on environmental determinations, Final EIRs, and negative or mitigated negative declarations.

B. Planning Commission

When the Planning Commission is the decision making body on a project, the Planning Commission has the authority for certifying Final EIRs and adopting negative or mitigated negative declarations prior to approving a project, and for making the findings required by Sections 15091 and 15093 of the CEQA Guidelines.

When the Planning Commission is required to make a recommendation on a project to the City Council, the Planning Commission shall review and make a recommendation on Final EIRs or negative or mitigated negative declarations.

The Planning Commission also acts as the appeal board for environmental determinations made by the Director of Community Development and for decisions on environmental documents of which the Director of Community Development or Zoning Administrator is the decision maker.

C. Director of Community Development

The Director of Community Development, and that person's duly authorized representatives, makes all determinations on the level of environmental review for all projects, subject to appeal to the Planning Commission and City Council in accordance with Section 10. The Director of Community Development also directs the preparation of all environmental documents.

The Director of Community Development shall be the Zoning Administrator. When the Zoning Administrator is the decision making body on a project, the Zoning Administrator has the authority for approving environmental documents, and for making findings required by Sections 15091 and 15093 of the CEQA Guidelines. If a proposed discretionary project is found to have potentially significant environmental impacts, that project may not be processed by the Zoning Administrator (Santa Maria Municipal Code Section 12-35.308).

D. Community Development Department

The Community Development Department, under the direction of the Director of Community Development, is responsible for the coordination and implementation of the City's Environmental Procedures. The Community Development Department is responsible for the preparation and processing of all environmental documents. However, environmental documents for Public Works Department or Utilities sponsored projects may be prepared and processed by the respective departments under the direction of the Director of Community Development.

The Community Development Department prepares and processes all applicable environmental notices, including the filing of all Notices of Determination for projects

approved by the Director of Community Development, Zoning Administrator, and the Planning Commission.

E. Public Works Department

The Public Works Department, under the direction of the Director of Community Development, may prepare and process environmental documents for Public Works Department sponsored projects. The Director of Community Development will still make all environmental determinations. The Community Development Department will assist the Public Works Department as needed.

F. City Clerk

The City Clerk files all Notices of Determination for projects approved by the City Council.

SECTION 3 – GENERAL POLICIES

Section 3.1 - General Policies

That the City Council has declared that:

- A. Every citizen has a responsibility to contribute to the preservation and enhancement of the environment.
- B. It is the intent of the City Council that all departments of the City which regulate activities of private individuals, corporations, and public agencies, including the City itself, which are found to affect the quality of the environment, shall regulate such activities so that major considerations are given to preventing environmental damage.

Section 3.2 - General Purpose of CEQA

The City Council further finds that the basic purposes of CEQA are to:

- A. Inform governmental decision-makers and the public about the potential environmental impacts of proposed activities.
- B. Identify the ways that environmental damage can be avoided or significantly reduced.
- C. Prevent significant, avoidable damage to the environment by requiring changes in projects through use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- D. Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental impacts are involved.

Section 3.3 - Reducing Delay and Paperwork

That the City Council further finds that the City shall reduce delay and paperwork in implementing these procedures by:

- A. Integrating the CEQA process into the early planning stages of a project.
- B. Identifying projects which fit into categorical exemptions and are therefore exempt from CEQA processing.
- C. Using a negative declaration when a project not otherwise exempt will not have a significant impact on the environment.
- D. Using a mitigated negative declaration when a project not otherwise exempt will not have a significant impact on the environment with the incorporation of mitigation measures or revisions to the project.
- E. Using a previously prepared environmental document when it adequately addresses the proposed project and when allowed per the state CEQA Guidelines.

- F. Urging applicants, either before or after the filing of an application, to revise projects to eliminate potential significant environmental impacts, thereby enabling the project to qualify for a negative or mitigated negative declaration instead of an EIR.
- G. Eliminating repetitive discussions of the same issues by using EIRs on program, policies, or plans and tiering from reports of broad scope to those of narrower scope.
- H. Writing EIRs in plain language.
- I. Using incorporation by reference.

Section 3.4 - General Responsibilities

- A. It is the responsibility of the Director of Community Development, as authorized by the City Council, to ensure that all City Departments and employees comply with the provisions of CEQA and the CEQA Guidelines, and in accordance with the procedures contained herein. Whether the City prepares the environmental document itself or contracts for its preparation, the City is entirely responsible for the adequacy and objectivity of the document.
- B. The City will endeavor to carry out its responsibilities for preparing and reviewing environmental documents within a reasonable period of time so as not to cause undue delays in the processing of applications for permits or other entitlements. The time limits for lead agencies to complete and certify EIRs shall not exceed one (1) year from the day the application was deemed complete. The time limit to act on a negative or mitigated negative declaration shall not exceed 180 days from the day the application was deemed complete.

SECTION 4 – ENVIRONMENTAL DETERMINATIONS

Section 4.1 – Environmental Clearance Application

The proponent of every proposed project, both public and private, shall submit to the Director of Community Development a completed and signed Environmental Clearance Application and all associated materials. This form is available on the City of Santa Maria Community Development Department website at www.cityofsantamaria.org. The application shall contain a complete and detailed description of the proposed project. The Director of Community Development will use this form as the basis for the environmental determination. The environmental determination will be made no later than 30 days from the date on which an application for a project has been received and deemed complete by the City.

Section 4.2 – Preliminary Evaluation

The preliminary environmental evaluation consists of determining whether or not the proposal is a project, is a statutory exemption, is a categorical exemption, or was adequately reviewed in a previous environmental document. These steps are sequential and are described below.

Section 4.2.1 – No Project, Ministerial, Statutory Exemption

The Director of Community Development shall determine whether the proposal is a project (see Section 15378 of the CEQA Guidelines) or whether the project is ministerial or otherwise a statutory exemption as set forth in the CEQA Guidelines. If it is determined that the project is exempt, no further environmental review is required. Please refer to Section 5 of these procedures for a more detailed discussion of ministerial projects and other statutory exemptions and the procedures for filing a Notice of Exemption.

Section 4.2.2 – Categorical Exemption

If the proposal is determined to be a discretionary project and is not a statutory exemption, the project will be reviewed to determine if the project qualifies for a categorical exemption as contained in Section 5 of these procedures and the CEQA Guidelines. If the project could qualify for a categorical exemption, that recommendation will be made to the decision-makers or decision making body. The decision making body will make the final determination that the project is categorically exempt. Procedures for filing a Notice of Exemption are contained in Section 5 of these procedures.

Section 4.2.3 – Previous Environmental Document

If the proposal is a discretionary project that does not qualify for a statutory or categorical exemption, the project may have been adequately reviewed in a previous EIR, Negative Declaration, or Mitigated Negative Declaration, provided that none of the conditions described in CEQA Guidelines Section 15162 have occurred. If this determination is made based on review of the previous environmental document, and taking into account current site and cumulative conditions, no further environmental review is required, and any mitigation measures from the previous environmental document shall be incorporated into the proposed project.

Section 4.3 – Initial Study

If a proposed project is required to undergo further environmental review pursuant to Section 4.2 of these procedures, the Community Development Department will prepare an Initial Study to determine whether a negative declaration, mitigated negative declaration, or an EIR is required for the proposed project. The Director of Community Development may request additional environmental information from the project proponent in order to make the environmental determination. Failure to completely provide the additional information may delay processing of the project, and the application will not be deemed complete until the information is provided. The standard Initial Study/Environmental Checklist Form is provided in Appendix G of the CEQA Guidelines.

When it is determined that an Initial Study is required for a project, the City 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 a Negative Declaration, Mitigated Negative Declaration, or an EIR should be prepared. During or immediately after preparation of an Initial Study for a private project, the city 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.

Section 4.3.1 – Significance Determination

If the Initial Study determines, based on substantial evidence in light of the whole record, that a project may have one or more significant impacts on the environment, then an EIR ordinarily must be prepared. However, if revisions or mitigation measures can be applied to the project that would clearly reduce all significant impacts to a level of insignificance, and these are agreed to by the applicant, then a Mitigated Negative Declaration can be prepared. Please refer to Section 6 of these procedures for the Mitigated Negative Declaration process, and Section 7 of these procedures for the EIR process.

The criteria for determining a significant impact on the environment are contained in Appendix G (Environmental Checklist Form), and Section 15064 of the CEQA Guidelines. In addition, the City generally uses the following thresholds of significance in determining if impacts to traffic, noise, and air quality are considered significant:

A. Traffic

Vehicle Miles Traveled (VMT)

CEQA Guidelines Section 15064.3, Determining the Significance of Transportation Impacts, contains recommendations and mandatory criteria for analyzing a project's transportation impacts. VMT is the required measure for determining a project's transportation impacts, and refers to the amount and distance of automobile travel attributable to a project.

The following discretionary development projects are not subject to VMT analysis:

1. A discretionary retail development project that is 50,000 square feet or less. Does not apply to regional shopping centers that predominately serve customers that live outside of the City limits.

2. Affordable housing projects where a minimum of 20 percent of the units are deed restricted for low or very low income residents.
3. Small discretionary development projects that would generate or attract fewer than 110 daily trips (per CEQA). Examples include a project with 11 or fewer single family residential units, 20 or fewer multi-family units, or an office of 6,800 square feet or less.
4. Residential and non-residential land uses located in the green Transportation Analysis Zone (TAZ) areas of the Countywide Average Home-Based VMT per Capita and per Employee Maps (Appendix A and B) are expected to generate VMT at 85 percent or less of the baseline average rate and are presumed to have less than significant VMT impacts.
5. Infrastructure projects listed in Appendix C¹.

Discretionary development projects that do not meet any of the above screening criteria will require VMT Analysis. The City of Santa Maria can require a VMT analysis for discretionary development projects that trigger one or more of the above screening criteria if there are concerns regarding the VMT generating impacts of a given development.

Thresholds of Significance:

Consistent with CEQA Guidelines Section 15064.7, Thresholds of Significance, the City of Santa Maria has adopted the *countywide baseline average* (Appendix A for Residential Uses and Appendix B for Employment Generating Uses) and thresholds set at 85% of these countywide baseline averages for determining whether a project's VMT will be significant. The thresholds will be periodically updated as necessary during normal updates of the model baseline (approximately every five years).

Projects that comply with the applicable threshold will normally have a less than significant effect on the environment. Projects that exceed or otherwise do not comply with the applicable threshold may have a significant effect on the environment and, as a result, may require project modifications or mitigation measures to avoid or reduce those effects to less than significant levels. The following thresholds reflect this general guidance as well as the specific guidance set forth in CEQA Guidelines Section 15064.3 regarding estimating VMT, and developing thresholds of significance for VMT and transportation impacts.

Employment generating projects (commercial, industrial, manufacturing, etc.) are required to generate less than 9.41 VMT per employee (one-way trip). New residential projects (single family, multi-family, mobile home) are required to generate less than 6.17 VMT per person (one-way trip). Projects that exceed these thresholds may have a significant effect on the environment and will require project revisions and/or mitigation measures may be implemented to reduce the impact to less than significant. Mitigation strategies would be specific to the particular project and could include alternative transportation opportunities, pedestrian and/or transit network improvements, and traffic calming measures.

¹ The City of Santa Maria can require a VMT analysis if there are concerns regarding the VMT generating impacts of a given infrastructure project.

For mixed use projects, the CEQA Guidelines recommend either analyzing each component of the proposed project separately or focusing on the predominant land use.

Pursuant to guidance set forth in CEQA Guidelines Section 15064.3, for retail development projects, redevelopment projects, medical² development projects, and infrastructure projects that require a VMT analysis the City has adopted “net change” in VMT as the applicable threshold for determining a significant impact (i.e., if the with-project VMT is greater than the without-project VMT).

Projects are also required to be analyzed to determine if the additional traffic generated by the project will result in a delay in intersection operations or excessive queuing into adjacent upstream intersections. If an intersection or roadway segment deteriorates to a Level of Service “E” or worse as a result of the project, the project will need to improve the operational deficiency to maintain roadway operations at a Level of Service “D” or better. This is required on a case by case basis as determined by the City and the operational implications of projects shall be reviewed through the submittal of a Local Traffic Study specific to the individual project. Guidelines for the development of a Local Traffic Study are provided by the City. Remedial actions to correct the operational deficiencies identified in a Local Traffic Study shall be addressed through the City’s project entitlement process as conditions of approval and not as CEQA impacts.

B. Noise

A project would result in a significant noise impact if it: 1) generates substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards contained in the Noise Element of the General Plan or Chapter 5 of Title 5 of the City’s Municipal Code (Noise Ordinance), or 2) generates excessive groundborne vibration or groundbourne noise levels which cannot be reduced to meet these standards through mitigation measures.

C. Air Quality

If the threshold standards of the County of Santa Barbara Air Pollution Control District (APCD) for Reactive Organic Compounds (ROC) or Nitrogen Oxides (NOX) (ozone precursors) are exceeded and cannot be mitigated to a level of insignificance, the impact is considered significant. A proposed project would have a significant air quality effect on the environment if operation of the project would:

1. Emit (from all project sources, both stationary and mobile) more than 240 pounds per day (lbs/day) for ROC and NOX or more than 80 lbs/day for PM10 (there is no daily operational threshold for CO, as it is an attainment pollutant);
2. Emit more than 25 lbs/day of NOX or ROC from motor vehicle trips only;

² Most freestanding clinics, medical practices, and nursing homes could be assumed less than significant with respect to VMT impacts. Larger or regional-serving facilities such as hospitals would likely require an environmental document that considers employee (medical offices) and net VMT (patient/patron uses) separately.

3. Exceed the APCD health risk public notification thresholds adopted by the APCD Board (10 excess cancer cases in a million for cancer risk and a Hazard Index of more than 1.0 for non-cancer risk); and/or
4. Be inconsistent with the latest adopted federal and state air quality plans.

SECTION 5 – PROJECTS EXEMPT FROM ENVIRONMENTAL REVIEW

Projects that are ministerial,³ categorically exempt,⁴ or are a statutory exemption⁵ do not require the preparation of an EIR or a negative or mitigated negative declaration. A Notice of Exemption may be filed (see Appendix E of the CEQA Guidelines) with the County Recorder when the exemption status has been determined.

Section 5.1 - Ministerial Projects

The following is a partial list of typical ministerial projects in the City of Santa Maria. However, when a project involves an approval that contains elements of both a ministerial action and discretionary action, the project will be deemed to be discretionary and will be subject to the requirements of CEQA and the CEQA Guidelines.

- A. The issuance of building permits and business licenses.
- B. Approval of final or parcel maps.
- C. Approval of individual utility services connections and disconnections.
- D. Interior alterations and electrical, mechanical, and plumbing repair or alterations of existing buildings.
- E. Signs (except billboards).
- F. Additions to existing residential, commercial, or industrial buildings, provided the addition does not exceed 50 percent of the floor area of the existing building and no use permit or other type of review or approval by the City Council, Planning Commission, or Director of Community Development is required.
- G. Certain residential uses, as follows:
 - 1. A single family dwelling, provided the dwelling comprises the entire project and the dwelling will be built or installed on a legal building site in the R-A, R-1, RSL-1, or R-2 zoning district.
 - 2. A duplex dwelling, provided the dwelling comprises the entire project and the dwelling will be built or installed on a legal building site in the R-2 zoning district.
 - 3. Accessory buildings incidental to the above residential uses, providing no use permit or other type of review or approval by the City Council, Planning Commission, or Director of Community Development is required.
 - 4. Accessory Dwelling Units and Junior Accessory Dwelling Units
 - 5. Multi-family housing projects in compliance with Government Code Section 65913.4.
- H. Home occupations.
- I. Plumbing and electrical permits.

³ Section 15268 of the CEQA Guidelines.

⁴ Section 15300 et seq. of the CEQA Guidelines.

⁵ Section 15260 et seq. of the CEQA Guidelines.

- J. Mechanical permits where the equipment is to be located completely within an existing building.
- K. Private swimming pools.
- L. Retaining walls not exceeding 3 feet in height.
- M. Fences, walks, patios, porches, awnings, and similar structures.
- N. Maintenance of City streets and City utilities and maintenance of existing public utility structures and facilities.
- O. Demolitions, providing a bond is posted to assure completion of the work and clearance of the site within a specified period of time.
- P. Encroachment permits.
- Q. Permits for projects for which a use permit has been issued.

Section 5.2 - Categorical Exemptions

Section 15300 et seq. of the CEQA Guidelines describes a list of projects, as determined by the State Secretary of Resources that do not have a significant impact on the environment. These projects are declared to be categorically exempt from CEQA and do not require the preparation of an environmental document. However, certain exceptions⁶ apply to these categorical exemptions as noted in Section 5.2.1 of these procedures.

Section 5.2.1 – Exceptions

A categorical exemption shall not be applicable if any of the following conditions apply to a project. If the project is determined not to be categorically exempt, the project will be subject to the requirements of CEQA and the CEQA Guidelines.

A. Location

Categorically exempt classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to be exempt in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

B. Cumulative Impact

All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time, is significant.

⁶ Section 15300.2 of the CEQA Guidelines.

C. Significant Impact

A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant impact on the environment due to unusual circumstances.

D. Scenic Highways

A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, or within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

E. Hazardous Waste Sites

A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

F. Historical Resources

A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

Section 5.3 - Statutory Exemptions

In addition to ministerial and categorically exempt projects, certain other projects are statutory exemptions as listed in Sections 15260 et seq. of the CEQA Guidelines.

Section 5.4 - Notice of Exemption (NOE)

When the City determines that a project is exempt from the requirements of CEQA, it may file a Notice of Exemption in accordance with Section 15062 of the CEQA Guidelines. The filing of a NOE starts a 35 day statute of limitations on legal challenges to the agency's decision that the project is exempt from CEQA. If a NOE is not filed, a 180 day statute of limitations will apply.

SECTION 6 – NEGATIVE/MITIGATED NEGATIVE DECLARATION PROCESS

Section 6.1 – Negative Declaration

A Negative Declaration shall be prepared if the Initial Study shows that the proposed project will not have a significant impact on the environment. The Community Development Department will prepare the Negative Declaration for adoption by the decision-maker. Contents and processing of a Negative Declaration are described in Sections 6.3 and 6.4 of these procedures.

Section 6.2 – Mitigated Negative Declaration

A Mitigated Negative Declaration shall be prepared if the Initial Study shows that:

- The proposed project may have possible adverse significant impacts on the environment, but through revisions to the project or imposition of mitigation measures, such impacts are mitigated or avoided so that clearly no significant impacts remain, and
- There is no substantial evidence in the entire record that significant impacts would result from the revised project.

The project applicant shall agree to these revisions or mitigation measures before the Mitigated Negative Declaration can be released for public review. This agreement is accomplished by the project applicant signing the environmental clearance application. The Director of Community Development will prepare the Mitigated Negative Declaration for adoption by the decision-maker. The decision-maker shall make all mitigation measures conditions of project approval. Contents and processing of a Mitigated Negative Declaration are described in Sections 6.3 and 6.4 of these procedures.

Section 6.3 – Contents of Negative/Mitigated Negative Declaration

The negative/mitigated negative declaration must contain all items noted in Section 15071 of the CEQA Guidelines.

Section 6.4 – Processing of Negative/Mitigated Negative Declaration

Section 6.4.1 – Public Notice and Review

A notice of intent to adopt a Negative/Mitigated Negative Declaration shall be provided in accordance with Section 15072 of the CEQA Guidelines. The City has adopted the following minimum noticing standards in accordance with Section 15072 of the CEQA Guidelines:

- Publication at least one time in a newspaper of general circulation;
- Mailing of the notice to responsible agencies, the City library, and the Clerk of the Board of Santa Barbara County; and
- Mailing of the notice to organizations and individuals who have requested notice in writing.

Tribal Notification and Consultation Process

Assembly Bill (AB) 52 was adopted on September 25, 2014 and requires local agencies to allow for Native American Tribes as designated through the Native American Heritage Commission an opportunity to be a part of the environmental review process. The intent is that the tribe would be able to review and consult on the application while the project description is being prepared and the project proposed. The regulations from the assembly bill require the following:

- Within 14 days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, the Lead Agency must provide formal notification to the designated contact or tribal representative of traditionally and culturally affiliated California Native American tribes that have provided a written request to the Lead Agency to receive notification.
- The notice shall include a brief description of the proposed project, the project's location, the Lead Agency contact information, and notification that the tribe has 30 days to request formal consultation on the project.
- The lead agency shall begin the consultation process within 30 days of receiving a California Native American tribe's request for consultation, and prior to the release of a Negative/Mitigated Negative Declaration, or EIR.
- Consultation is concluded when either: 1) the parties agree to measures to mitigate or avoid a significant impact, if a significant impact exists to a tribal cultural resource, or 2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. The consultation process must be completed before a CEQA document can be certified.

Senate Bill (SB) 18 was adopted on September 29, 2004 and requires local governments to contact, refer plans to, and consult with tribes that are on the Native American Heritage Commission contact list prior to making a decision to adopt or amend a General Plan or Specific Plan, or to designate open space that includes Native American Cultural Places. The regulations from the senate bill require the following:

- The notice shall include a description of the proposed project, maps detailing the location of the project site, the deadline for the tribe(s) to respond, City contact information, and contact information for the project proponent/applicant, if applicable.
- Tribes have 90 days from the date they receive notification to request consultation.
- Consultation is concluded when either: 1) the parties agree to measures to mitigate or avoid a significant impact, if a significant impact exists to a tribal cultural resource, or 2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. The consultation process must be completed before a CEQA document can be certified.

The Negative/Mitigated Negative Declaration is sent to the following entities:

- The City library;
- Responsible agencies; and

- Organizations and individuals requesting the document.

Environmental documents are filed and posted online through the Office of Planning and Research (OPR) CEQA Database. The public review period for Negative/Mitigated Negative Declarations is a minimum of 30 days if the document is sent to the State Clearinghouse; otherwise, the public review period shall be at least 20 days.

Section 6.4.2 – Adoption of Negative/Mitigated Negative Declarations

Before approving a project, the decision-making body shall consider the draft negative/mitigated negative declaration and any comments received during the public review period. If the decision-making body finds, based on the negative/mitigated negative declaration and any comments received, that there is no substantial evidence that the project may have a significant impact on the environment, the decision-making body may authorize the filing of negative/mitigated negative declaration. In the case of a mitigated negative declaration, the decision-making body must also incorporate all mitigation measures into the project as conditions of approval.

Section 6.4.3 – Notice of Determination

After the decision making body approves a project for which a negative/mitigated negative declaration has been adopted, the Lead Agency shall file a notice of determination with the County Recorder within five days of project approval. The notice of determination shall also be filed with the State Office of Planning and Research if the negative/mitigated negative declaration was submitted to the State Clearinghouse for review.

In accordance with Section 711.4 of the Fish and Game Code, if a project impacts plants or animals, a fee payable to the State Department of Fish and Game shall accompany the notice of determination. The fee is the responsibility of the project proponent.

SECTION 7 – ENVIRONMENTAL IMPACT REPORT (EIR) PROCESS

Section 7.1 – EIR Required

An EIR shall be prepared if the initial study shows that the proposed project may, or will, have a significant impact on the environment. The Director of Community Development will prepare, or contract with a consultant to prepare, the EIR for certification by the decision-maker. Contents and processing of EIRs are contained in Sections 7.4 and 7.5 of these procedures and shall comply with the City's Purchasing Guidelines.

Section 7.2 – Types of EIRs

The various types of EIRs are described in Sections 15160 et. seq. of the CEQA Guidelines. The most common EIRs used by the City are:

- Project/focused EIR (Section 15161 of CEQA Guidelines);
- Subsequent EIR (Section 15162 of CEQA Guidelines);
- Supplement to an EIR (Section 15163 of CEQA Guidelines);
- Addendum to an EIR (Section 15164 of CEQA Guidelines); and
- Program EIR (Section 15168 of CEQA Guidelines).

Section 7.3 – General Requirements

- A. EIRs shall contain the information referenced in Section 7.4 of these procedures.
- B. EIRs shall be written in language sufficiently simple that issues can be understood by an average member of the lay public.
- C. The information contained in an EIR shall include a summary of technical data, maps, diagrams, and similar information sufficient to permit full assessment of the environmental impacts by responsible agencies and the general public. Placement of highly technical and specialized analysis and data in the body of an EIR should be avoided through inclusion of these data in technical appendices. Appendices to an EIR may be prepared in volumes separate from the basic EIR, but shall be available for public review and shall be submitted to all responsible agencies that assist in public review.
- D. The EIR will be prepared using a systematic interdisciplinary approach. The interdisciplinary analysis shall be conducted by competent individuals, but no single discipline shall be required to prepare an EIR. Preparation of EIRs is dependent on information from many sources. The EIR shall reference all documents used in the preparation and the location where these documents may be viewed.
- E. The EIR shall discuss environmental impacts in proportion to their severity and probability of occurrence. Impacts dismissed in the initial study as clearly insignificant and unlikely to occur need not be discussed further in the EIR unless the City subsequently receives relevant information inconsistent with the finding in the initial study. A copy of the initial study should be included as an appendix to the EIR.

- F. An EIR shall contain a statement briefly indicating the reasons for determining that impacts that could possibly be considered significant were found to be insignificant and are not discussed in detail in the EIR.
- G. Preparing an EIR involves some degree of forecasting. While forecasting the unforeseeable is not possible, every effort will be made to find and disclose all reasonable information. If, after thorough investigation, the City finds that a particular impact is too speculative for evaluation, the City will note this conclusion and terminate the discussion of the impact in the EIR.
- H. An EIR may incorporate by reference any or all portions of another document which are a matter of public record or are generally available to the public. Where all or part of another document is incorporated by reference, the incorporated language shall be considered to be set forth in full as part of the EIR. The location where the referenced document may be viewed shall be cited in the EIR.

Section 7.4 – Contents of an EIR

The EIR must contain all items noted in Sections 15120 et seq. of the CEQA Guidelines.

Section 7.5 – Processing an EIR

The following are the steps necessary for preparing and processing an EIR within the City of Santa Maria. A complete discussion of the EIR process is contained in Sections 15080 et. seq. of the CEQA Guidelines.

Section 7.5.1 – Notice of Preparation (NOP)

A NOP is prepared and sent by certified mail to all responsible agencies, the Clerk of the Board of Santa Barbara County, and interested agencies for their review and comment. The agencies have 30 days to respond. The purpose of the NOP is to notify the responsible and interested agencies about the project, solicit their comments on the scope and content of the EIR, and to foster interagency coordination and cooperation.

Section 7.5.2 – Scoping

The scope of an EIR is determined using one or more of the following sources: initial studies, previous environmental documents, responses to the NOP, consultation with other agencies, and/or public scoping meetings.

Section 7.5.3 – Use of Consultants

EIRs which are prepared by a consultant under contract to the City⁷ Shall comply with the City's Purchasing Guidelines. A Request for Proposal (RFP) process is typically used to select an EIR consultant. The proposals from the prospective consultants can be reviewed by the project applicant for consideration however the selection of the consultant to complete the work must be performed by the Community Development Director as to ensure the work is being conducted by a neutral 3rd party and managed by the Community Development Department.

⁷ Consultant EIRs, as well as City prepared EIRs, are funded by the project proponent.

Section 7.5.4 – Draft EIR

The Draft EIR is prepared by City staff or a consultant on behalf of the City.

Section 7.5.5 – Public Review of Draft EIR

- A. A notice of completion (NOC) form is prepared and included with distribution of the draft EIR and filed with the State Clearinghouse with the draft EIR.
- B. The availability of a draft EIR for public review is given in the following ways:
- The NOC is published in a newspaper of general circulation;
 - The NOC is sent by certified mail to the Clerk of the Board of Santa Barbara County and to all parties requesting notice;
 - The NOC and draft EIR are delivered to the City library;
 - The NOC and draft EIR are sent via certified mail to all agencies that were sent the NOP; and
 - Fifteen copies of the NOC and draft EIR are sent via certified mail to the State Clearinghouse.
- C. The public review period for a draft EIR is 45 days unless a shorter period of not less than 30 days is approved by the State Clearinghouse.
- D. A public hearing on the draft EIR during the public review process is not required by CEQA and is not typically held by the City. The City may, for large and/or controversial projects, hold a public hearing during the public review process to solicit additional public comments.

Section 7.5.6 – Final EIR

Comments received on the draft EIR are incorporated into a final EIR. The final EIR includes the text of the draft EIR and any revisions, all comment letters received on the draft EIR, the City's responses to all comments received, and a list of all persons and agencies commenting on the draft EIR.

Section 7.5.7 – Notice of Public Hearing

Notice of public hearing on the proposed project and the final EIR shall be published in accordance with the noticing requirements of the Santa Maria Municipal Code.

Section 7.5.8 – Certification of Final EIR

- A. Prior to approving a project, the decision-making body must certify that the final EIR was prepared in compliance with CEQA, and that the Final EIR was presented to the decision-making body, which reviewed and considered the final EIR prior to approving a project. The decision-making body that certifies the final EIR may either be the Planning Commission or City Council, depending on the type of project. In some cases, the Planning Commission may recommend certification to the City Council.

- B. Findings (Reference: Section 15091 of the CEQA Guidelines). The City shall not approve or carry out a project for which an EIR was prepared which has one or more significant impacts unless the City makes one or more of the following findings:
- Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental impacts as identified in the final EIR;
 - Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the City. Such changes have been adopted by such other agency or can and should be adopted by such other agency; and/or
 - Specific economic, social, or other considerations make the mitigation measures or project alternatives in the final EIR infeasible. If this finding is made, a statement of overriding considerations must be adopted (see below).
- C. Statement of Overriding Considerations (SOOC) (Reference: Section 15093 of the CEQA Guidelines). If the City approves a project with unavoidable significant environmental impacts, it must prepare a written SOOC. The SOOC must set forth substantial evidence of the specific economic, social, or other benefits supporting the City's decision. If the economic, social, or other benefits outweigh the unavoidable environmental effects, those unavoidable effects may be considered acceptable.
- D. If the Planning Commission or City Council cannot find that the final EIR was prepared in accordance with CEQA and the CEQA Guidelines, the final EIR shall be referred back to the Director of Community Development or Planning Commission, respectively, for a rewrite of the final EIR to bring it into conformance with CEQA and the CEQA Guidelines.
- E. Once the final EIR is certified, the City may act on the proposed project.
- F. A mitigation monitoring program, rmat, shall be adopted along with the CEQA Findings and SOOC. The City's mitigation monitoring procedures are contained in Section 8 of these procedures.

Section 7.5.9 – Notice of Determination (NOD)

After certification of the final EIR and approval of the project, the City files a NOD. The NOD must be filed within five (5) working days after approval of the project. (Reference: Section 15094(a) of the CEQA Guidelines)

Section 7.6 – Standards for Adequacy

An EIR shall be prepared with a sufficient degree of analysis to provide the decision-makers with information that enables them to make a decision which takes into account the environmental consequences of a project. The evaluation of the environmental impacts of a project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure. (Reference: Section 15151 of the CEQA Guidelines)

SECTION 8 – MITIGATION MONITORING PROGRAM

Pursuant to Section 21081.6 of CEQA, all jurisdictions must have a method for monitoring compliance and implementation of adopted mitigation measures. The City's mitigation monitoring program was established on February 21, 1989.

Section 8.1 – Monitoring Procedures

Section 8.1.1 – Development of Checklist

After a non-exempt discretionary project is approved with mitigation measures identified through a Mitigated Negative Declaration or EIR, these mitigation measures shall be incorporated into a monitoring checklist. Each mitigation measure will be identified separately on this checklist, with various spaces for monitoring the progress of each measure as it is implemented. The checklist is the basis for the monitoring program.

Section 8.1.2 – Monitoring Program

In most cases, mitigation measures can be monitored through the City's existing plancheck process. Therefore, when an approved project with mitigation measures is submitted for plancheck, each planchecker will have a copy of the monitoring checklist. As each planchecker reviews the plans, the plans will be checked for compliance with each mitigation measure.

The mitigation measures are broken down into two types: project specific and cumulative. The project specific impacts are further broken down into project design and ongoing mitigation measures. Each category and sub-category requires different monitoring techniques.

A. Project Design Mitigation Measure (Project Specific)

A project design mitigation measure is one that is to be incorporated into the project design to mitigate an impact, such as a retardation basin or construction of an acoustical barrier. These mitigation measures will normally be shown on the building and/or grading plans. The plans will be reviewed for each specific mitigation measure, and as each mitigation measure is shown, the appropriate planchecker will sign the checklist in the "shown on plans" space. If a mitigation measure is not shown, the plans are sent back for corrections. Plans will not be approved until each mitigation measure has been incorporated into the project design. After the plans are approved, and before the final inspection of the project, the project proponent shall submit proof that each mitigation measure shown on the plans has been installed or completed. Verification of compliance will then be noted on the monitoring form and signed off. This completes the process for project design mitigation measures.

B. Ongoing Mitigation Measure (Project Specific)

An ongoing mitigation measure is one that is associated with the project over a period of time, such as dust control or landscape maintenance. Monitoring this type of mitigation measure is similar to that of project design measures, as noted above, except that the status of each mitigation measure will be noted at various times until no longer required. An example would be maintaining dust control until a project is completed. The project proponent may be required to submit periodic reports on the status of these types of mitigation measures.

C. Cumulative Mitigation Measure

Cumulative mitigation measures, such as road improvements when future projects are developed, will be monitored in the same manner as project specific mitigation measures noted above, except that cumulative mitigation measures will be noted as cumulative on the checklist, and will usually be monitored over a longer period of time.

Section 8.1.3 – Outside Consultants

An outside consultant may be hired in the few cases where a mitigation measure cannot be verified through the plancheck process, or if the monitoring requires specialized expertise. The City will hire the consultant and may collect a deposit from the project proponent.

Section 8.1.4 – Other Agencies

It is the responsibility of other agencies to monitor mitigation measures requested by these other agencies. The City shall notify these agencies of the mitigation monitoring required by the agencies. These agencies must then submit a proposed program to the City that outlines their proposed mitigation monitoring program. These agencies shall inform the City in writing when each of their mitigation measures has been completed.

Section 8.1.5 – Completed Monitoring Checklists

Completed mitigation monitoring checklists are retained in the project case file, and are available for public review upon proper request pursuant to Chapter 2 of Title 2 of the City's Municipal Code.

Section 8.2 – Monitoring Fees

Section 8.2.1 – Processing Fees

The City may charge and collect from the project proponent a fee in the amount of the actual costs to the City for monitoring all mitigation measures of a project. A deposit may be required to be applied towards this fee. Any unused portion of the deposit will be refunded. Said fee is set by resolution of the City Council and is updated periodically.

Section 8.2.2 – Consultant Fees

The cost associated with the use of an outside consultant shall be paid for by the project proponent. A deposit may be required by the City to be applied towards the consultant services. Any unused portion of the deposit will be refunded.

SECTION 9 – DELAY OF PERMITS AND INSPECTION OF DOCUMENTS

Section 9.1 – Delay of Permits

The issuance of any City permit or other City entitlement shall be withheld during the pendency of a related administrative appeal or during the time period within which a related administrative appeal may be perfected. However, when consistent with the Santa Maria Municipal Code, a City permit or other City entitlement may be issued during the pendency of a related administrative appeal or during a related appeal period upon a showing of good cause by the project proponent to which the permit or entitlement applies and the provision of a suitable covenant, undertaking, or both, acceptable to the City Attorney.

Section 9.2 – Inspection of Documents

The Director of Community Development shall make all environmental documents and supporting material available for public inspection following a request pursuant to State law and applicable provisions of the Santa Maria Municipal Code.

SECTION 10 – APPEALS

Section 10.1 – Appeals Permitted

Any person aggrieved, including any City official, the general public, and the proponent of a project, may appeal the following.

- A. The environmental determination of the Director of Community Development.
- B. The approval or certification of an environmental document by the Director of Community Development.
- C. The approval or certification of an environmental document by the Planning Commission.
- D. The environmental determination of the Planning Commission as heard on appeal from the environmental determination of the Director of Community Development.

Section 10.2 – Appeals to the Planning Commission

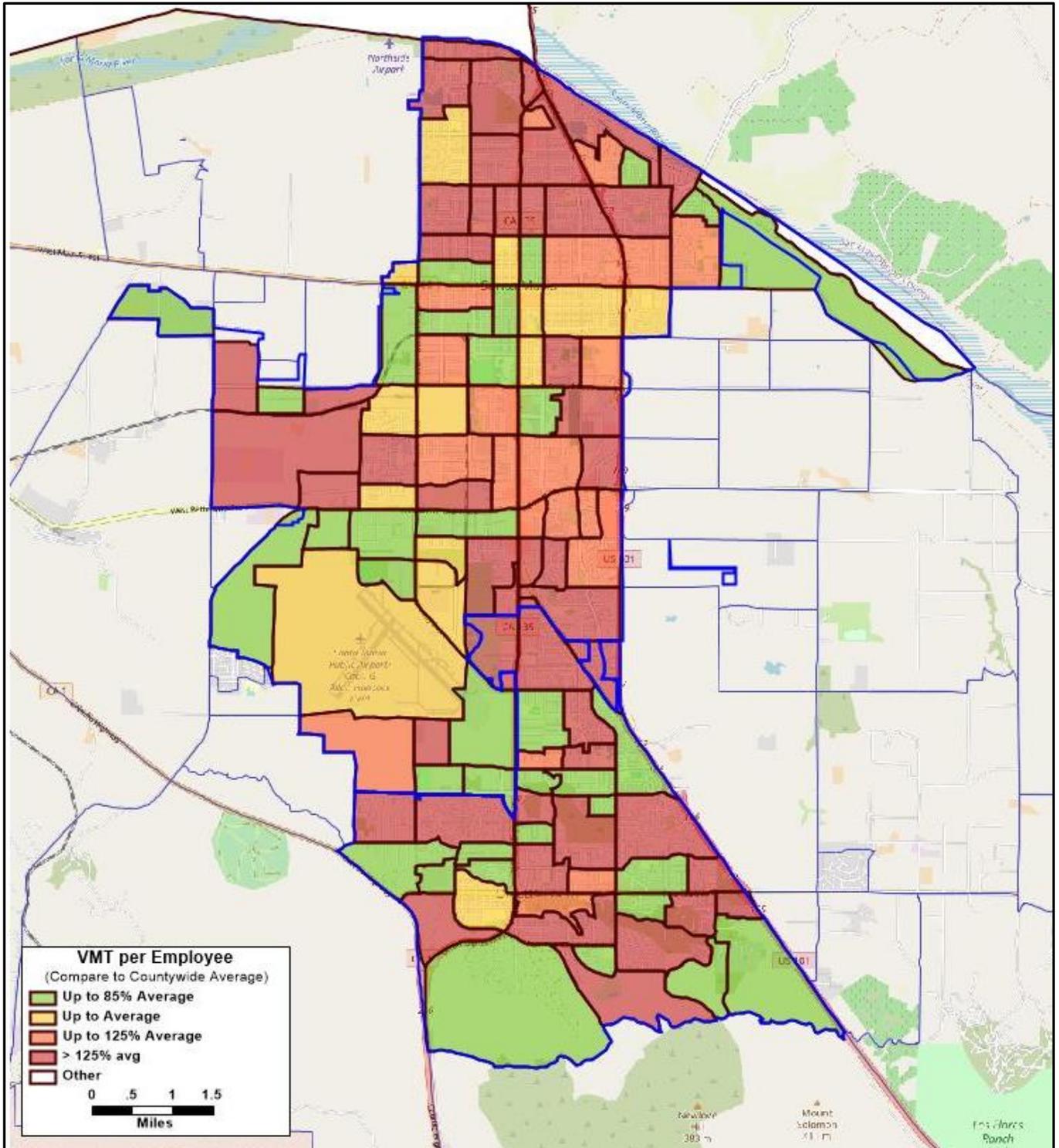
Environmental determinations of the Director of Community Development and approval or certification of an environmental document by the Director of Community Development may be appealed to the Planning Commission. The appeal shall be submitted within fourteen (14) calendar days of official notification in writing to the project applicant of the environmental determination or the approval or certification of the document. The appeal shall be in written form to the Director of Community Development and shall be accompanied by the current appeal fee. The appeal letter shall state the grounds for appeal and the action the appellant would like the Planning Commission to take. The appeal shall be heard by the Planning Commission within forty-five (45) calendar days after receipt of the written appeal by the Director of Community Development unless a longer time period is agreed to by the applicant. The Planning Commission shall render its decision within thirty (30) calendar days thereafter.

Section 10.3 – Appeals to the City Council

Environmental determinations and approval or certification of an environmental document by the Planning Commission may be appealed to the City Council. The appeal shall be submitted within fourteen (14) calendar days from the date of Planning Commission action. The appeal shall be in written form to the City Clerk and shall be accompanied by the current appeal fee. The appeal letter shall state the grounds for appeal and the action the appellant would like the City Council to take. The appeal shall be heard by the City Council within forty-five (45) calendar days after receipt of the written appeal by the City Clerk. The City Council shall render its decision within thirty (30) calendar days thereafter.

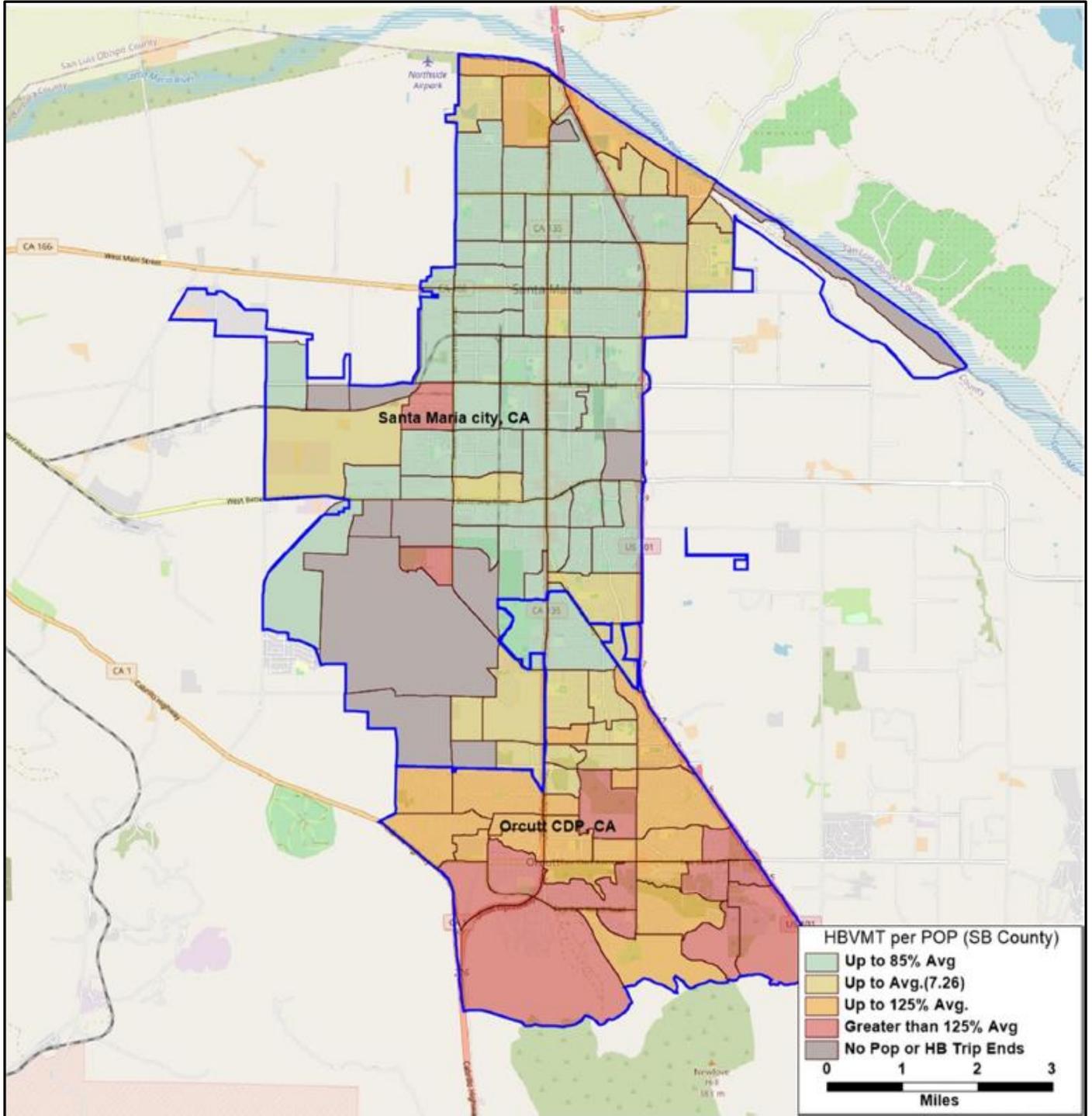
Appendix A

Countywide Average: Home-Based Work VMT per Employee (Non-Residential Land Uses)



Appendix B

Countywide Average: Home-Based VMT per Population (Residential Land Uses)



Appendix C

GOVERNOR'S OFFICE OF PLANNING AND RESEARCH (OPR) TECHNICAL ADVISORY

Infrastructure Projects (net VMT) – A proposed project that results in a net increase in total area VMT may indicate a significant transportation impact.

INFRASTRUCTURE PROJECTS

Pursuant to OPR's guidance, the following infrastructure projects that **would not likely lead to a substantial or measurable increase in vehicle travel**, and therefore generally should not require an induced travel analysis, include:

- Rehabilitation, maintenance, replacement, safety, and repair projects including ITS field elements such as cameras, message signs, detection, or signals; tunnels; transit systems; and assets that serve bicycle and pedestrian facilities and that do not add additional motor vehicle capacity
- Roadside safety devices or hardware installation such as median barriers and guardrails
- Roadway shoulder enhancements to provide "refuge area," dedicated space for use only by transit vehicles, to provide bicycle access, or to otherwise improve safety, but which will not be used as automobile vehicle travel lanes
- Addition of an auxiliary lane of less than one mile in length
- Intersection channelization (installation, removal, or reconfiguration of traffic lanes that are not for through traffic, such as turn pockets, turn lanes, or emergency breakdown lanes)
- Addition of roadway capacity on local or collector streets provided the project also substantially improves conditions for pedestrians, cyclists, and, if applicable, transit
- Conversion of existing general purpose lanes (including ramps) to managed lanes or transit lanes, or changing lane management in a manner that would not substantially increase vehicle travel
- Addition of a new lane that is permanently restricted to use only by transit vehicles
- Reduction in number of through lanes
- Grade separation to separate vehicles from rail, transit, pedestrians or bicycles, or to replace a lane in order to separate preferential vehicles (e.g., HOV, HOT, or trucks) from general vehicles

- Installation, removal, or reconfiguration of traffic control devices, including Transit Signal Priority (TSP) features
- Installation of traffic metering systems, detection systems, cameras, changeable message signs and other electronics designed to optimize vehicle, bicycle, or pedestrian flow
- Timing of signals to optimize vehicle, bicycle, or pedestrian flow
- Installation of roundabouts or traffic circles
- Installation or reconfiguration of traffic calming devices
- Adoption of or increase in tolls
- Addition of tolled lanes, where tolls are sufficient to mitigate VMT increase
- Initiation of new transit service
- Conversion of streets from one-way to two-way operation with no net increase in number of traffic lanes
- Removal or relocation of off-street or on-street parking spaces
- Adoption or modification of on-street parking or loading restrictions (including meters, time limits, accessible spaces, and preferential/reserved parking permit programs)
- Addition of traffic wayfinding signage
- Addition of new or enhanced bike or pedestrian facilities on existing streets/highways or within existing public rights-of-way
- Addition of Class I bike paths, trails, multi-use paths, or other off-road facilities
- Installation of publicly available alternative fuel/charging infrastructure
- Addition of passing lanes, truck climbing lanes, or truck brake-check lanes in rural areas