

## FINDINGS

### General Plan/Charter Findings

The proposed Code amendment (Exhibit A) is consistent and not in conflict with the General Plan or City Charter. The proposed Code amendment focuses solely on technical and procedural modifications related to compliance with recent adoption of state laws and changes to the Time to Act relating to appeals of projects subject to the Site Plan Review Ordinance. The proposed ordinance does not affect land use and no development project is proposed at this time. As such, the proposed Code amendment is an administratively focused action that is consistent and not in conflict with the General Plan and City Charter.

As such, Charter Section 558 does not apply to the Code amendment because the proposed ordinance does not concern:

- 1.) The creation or change of any zones or districts for the purpose of regulating the use of land;
- 2.) Zoning or other land use regulations concerning permissible uses, height, density, bulk, location or use of buildings or structures, size of yards, open space, setbacks, building line requirements, and other similar requirements, including specific plan ordinances;
- 3.) Private street regulations;
- 4.) Public projects; and
- 5.) The acquisition of, change of area or alignment to, abandonment of, or vacation of any public right of way, park, playground, airport, public building site or other public way, ground or open space, but not including easements for sewers, storm drains or slopes, nor the temporary transfer of jurisdiction over any portion of a street to another local agency.

Charter Section 556 also does not apply because it only pertains to items listed in Charter Section 558, which, in this instance, does not include the proposed Code amendment and proposed ordinance (Exhibit A).

### CEQA Findings

Pursuant to Section 15061(b)(3) and/or Section 15378(b)(5) of the California Public Resource Code, the Department of City Planning has determined that the proposed Code amendment (Exhibit A) is exempt from the California Environmental Quality Act (CEQA). The proposed Code amendment modifies administrative procedures, changes appropriations of "Lead Agency" and amends Time to Act for the processing of Site Plan Review appeals and has no effect on the physical environment.

Per Section 15061(b)(3), the proposed Code amendment is not a project under CEQA, because “the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.”

The proposed Code amendment is also not a project under CEQA per Section 15378(b)(5), because “organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment” are not considered a Project. The proposed Code Amendment does not change Site Plan Review thresholds. All projects that are currently required to apply for a Site Plan Review will continue to be subject to Site Plan Review procedures. Additionally the proposed Code Amendment will continue to ensure that projects meet all procedural requirements of CEQA, and that impacts are analyzed and environmental mitigations are imposed where necessary and appropriate.

Additionally the City’s CEQA Guidelines, Article II, Section 2, Class (m) also exempts the proposed Code Amendment as it does not result in impacts on the physical environment.