



CITY OF MENIFEE

SUBJECT: Update to City of Meniffee Environmental Review Guidelines

MEETING DATE: February 17, 2021

TO: Mayor and City Council

PREPARED BY: Ryan Fowler, Senior Planner

REVIEWED BY: Cheryl Kitzerow, Community Development Director

APPROVED BY: Armando G. Villa, City Manager

RECOMMENDED ACTION

1. Adopt a Resolution updating the City of Meniffee Environmental Review Guidelines.

DISCUSSION

Adoption of the Current City-adopted CEQA Guidelines

The California Environmental Quality Act (CEQA) is a statute that requires all state and local public agencies to identify the significant environmental impacts of their action and to avoid or mitigate those impacts, if possible. Each public agency is required by law to adopt guidelines that set forth objectives, criteria and procedures for the evaluation of projects and the preparation of environmental reports to determine if the requirements of CEQA are met. These guidelines must be consistent with the State CEQA Guidelines.

Upon incorporation, the City adopted CEQA Guidelines as part of the incorporation process. Then, on May 7, 2013, the Meniffee City Council adopted its own local review guidelines for implementation of CEQA. These guidelines were subsequently (and administratively) revised on April 23, 2019.

The City's adopted Environmental Review Guidelines are modeled after the State CEQA Guidelines to ensure that the City's process for evaluation of projects and the preparation of environmental reports is consistent with State requirements.

Background of the Currently Proposed Update

At the Mayor's Roundtable on July 2, 2020, members of the development community provided comments on the City of Meniffee Environmental Review Guidelines, expressing concern that requiring the Applicant to utilize City-selected and contracted CEQA consultants and technical

study experts/preparers would delay the entitlement process and impose additional cost. Members of the development community stated they wished to retain the consultants themselves, because in many cases these consultants are needed for the upfront technical due diligence work required prior to formal submittal. However, staff expressed its desire to ensure that the City retain adequate control of the environmental review process, since ultimately the environmental document is a City document.

At the Economic Development Ad-hoc Committee meeting on August 5, 2020, the City of Menifee Environmental Review Guidelines were discussed against the backdrop of the July 2, 2020 Mayor's Roundtable meeting. The following three refinements to the current Environmental Review Guidelines were discussed at the Committee meeting:

- For technical studies, the City should encourage technical studies be prepared by City consultants as part of the CEQA process, but if studies are prepared by the applicant, the consultant must be on the City or County approved list of consultants and the City (via consultants) will peer review. Alternatively, the City on-call CEQA consultants could prepare the technical studies as needed, in which case peer review would not be required.
- For Initial Studies/Mitigated Negative Declarations, no applicant-prepared IS/MNDs should be accepted.
- For Environmental Impact Reports, no applicant-prepared EIRs should be accepted.

A separate Development Stakeholder Group meeting was then held on August 20, 2020 to clarify the proposed process changes to the Environmental Review Guidelines. A revised draft was provided to the Development Stakeholder Group on January 15, 2021. Invitations for additional comments were solicited and staff received additional feedback specifically regarding the timeframe/frequency of updating the City's on-call consultant list and the 15% administrative fee associated with consultant contracts. As a result, the document was revised to show the on-call list to be updated every 2 years (rather than 4 years), and to reference City of Menifee Finance Department contract management procedures, which will be reviewed further. Additionally, a section on conformance with the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) was incorporated in the Guidelines to provide this information to the development community as part of the CEQA process. The proposed update to the City of Menifee Environmental Review Guidelines (Update) is a result of the feedback received via the Economic Development Ad-Hoc Committee meeting and from the Development Community.

Environmental Information

Staff recommends the City Council find that it can be seen with certainty that there is no possibility that the adoption and implementation of this Update to the City of Menifee Environmental Review Guidelines may have a significant effect on the environment. This Update does not authorize construction. This Update is a procedural change to the implementation of the CEQA Guidelines. This Update is, therefore, exempt from the environmental review requirements of the California Environmental Quality Act pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations.

STRATEGIC PLAN OBJECTIVE

Regular City Business

FISCAL IMPACT

There is no fiscal impact associated with the recommended action.

ATTACHMENTS

1. Resolution - Update to City of Menifee Environmental Review Guidelines
2. Exhibit A - Clean Version of the City of Menifee Environmental Review Guidelines & Guidelines for Implementing the California Environmental Quality Act (CEQA)
3. Redlined (Updated) Version of the City of Menifee Environmental Review Guidelines & Guidelines for Implementing the California Environmental Quality Act (CEQA)