

Exhibit C
Negative Declaration

Amendments to Local Coastal Program
Housing Element
REF100044

Board of Supervisors
June 28, 2011

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY

PLANNING DEPARTMENT

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INITIAL STUDY/DRAFT NEGATIVE DECLARATION

I. BACKGROUND INFORMATION

Project Title: Zoning Ordinance Amendments/Housing Element Implementation

File No.: REF100052 (Inland areas); REF100044 (Coastal areas)

Project Location: County-wide

Name of Property Owner: N/A

Name of Applicant: County of Monterey

Assessor's Parcel Number(s): N/A

Acreage of Property: N/A

General Plan Designation: Various

Zoning District: Various

Lead Agency: County of Monterey

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Date Prepared: February 15, 2011

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II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project:

The County of Monterey recently approved its Housing Element update for 2009-2014. The Housing Element identified the need to develop new ordinances in the following areas:

- Density Bonuses and Incentives
- Second Dwelling Units
- Farm/Agricultural Worker Housing
- Residential Care Facilities
- Emergency Shelters
- Transitional and Supportive Housing
- Single Room Occupancy (SRO) Units
- Definition of "Family"
- Reasonable Accommodation

The Project consists of amending various sections of the Zoning Ordinances, Title 20 (Coastal) and Title 21 (Inland), related to the above bulleted ordinances in order to comply with Federal and State law. Each of the ordinances is housing related and each addresses different needs. The Project does not involve any physical improvements or development that could result in physical changes to the environment.

Ordinances. This initial study treats the group of ordinances as one project, but each of the ordinances are defined separately as follows:

A. *Density Bonuses and Incentives.*

The Density Bonuses and Incentives Ordinance is intended to encourage the voluntary creation of affordable housing within the County. It has two components: 1) a density bonus which would provide an increase in the number of allowable units established by the General Plan in exchange for providing a certain percentage of affordable housing units; and 2) when a developer qualifies for a Density Bonus they may qualify for 1, 2, or 3 additional incentives depending on the level of affordability and the percentage of affordable units. Incentives include reductions in site development standards, modifications of zoning requirements, design criteria modifications, approval of mixed use zonings, or other regulatory concessions that result in identifiable, financially sufficient, and actual cost reductions that aid in the financial feasibility of a project to create affordable housing. No new development is being contemplated in conjunction with the proposed Density Bonuses and Incentives Ordinance and it is difficult to predict the scope and location of future development in the County that might potentially occur as a result of this Ordinance. To the extent that new development is proposed at a future date, the County will be required to assess the development project's potential impacts at that time.

The ordinance will:

- 1) Add a new chapter to Title 20 (Coastal) and Title 21 (Inland) establishing a process and regulations for review of requests for Density Bonuses and Incentives associated with housing developments that create three (3) or more dwelling units and which provide for the creation of affordable units based on a percentage of the total number of market rate units in the development;
- 2) Add applicable definitions to Title 20 and Title 21;
- 3) Be applicable in all zoning districts, except in those districts that are combined with an Affordable Housing Overlay (AHO).

B. *Second Dwelling Units.*

Ordinances adopted pursuant to California Government Code Section 65852.2 are Statutorily exempt from environmental review pursuant to Section 15282 (h) of CEQA and is therefore not evaluated in this document. However, the County will be adding a new chapter to Title 20 and 21 addressing the provisions for Second Dwelling Units in Residentially Zoned Districts. Furthermore, the County will be amending Title 20 and 21 by abolishing the use of Senior Units and Caretakers Units. Caretakers Units in some non-residential zoning districts will continue to be allowed and a definition for these types of Caretakers Units will be added.

C. *Farm/Agricultural Worker Housing.*

The Farm/Agricultural Worker Housing Ordinance is for the purpose of facilitating the availability of affordable farmworker housing. The Ordinance would allow the establishment of a farm/agricultural employee housing facility for up to 12 single-family units or 36 beds in a group quarters as an allowed use, by right, in agricultural land use designations in Title 21. This use will be treated as any other agricultural use of the property. The farm/agricultural employee housing is not required to be located on the same property where the farm/agricultural employee is employed. For Title 20, the establishment of this use would be allowed, subject to a discretionary permit, in the Agricultural Zoning Districts. No new development is being contemplated in conjunction with the proposed *Farm/Agricultural Worker Housing* and it is difficult to predict the scope and location of future development in the County that might potentially occur as a result of this Ordinance. The County will be required to assess any future development project's potential impacts at that time. Below is a list of specific changes this Ordinance will make to Title 20 and 21.

The ordinance will:

- 1) Amend *Definitions* chapters of Title 20 and Title 21 by adding, deleting or modifying applicable definitions;
- 2) Amend Title 21 (Inland) to allow *Farm Employee Housing Facility* consisting of no more than 12 single-family units or 36 beds by right in the Farmlands, Rural Grazing and Permanent Grazing Zoning Districts; and allow *Farm Employee Housing Facility*

consisting of more than 12 single-family units or 36 beds in the Farmlands, Rural Grazing and Permanent Grazing Zoning Districts with a Use Permit.

- 3) Amend Title 20 to allow, subject to a Coastal Administrative Permit an *Employee Housing Facility consisting of no more than 12 single-family units or 36 beds* in the Coastal Agricultural Preserve and the Agricultural Conservation Zoning Districts; and allow, subject to a Coastal Development Permit *Farm Employee Housing Facility consisting of more than 12 single-family units or 36 beds* in the Coastal Agricultural Preserve and the Agricultural Conservation Zoning Districts.
- 4) Amend Title 21 and 20 to delete any reference of the existing allowed uses for farm employee and farm worker housing in the applicable zoning districts since the amendments will be consistent with item 3 above.
- 5) Amend Title 21 to modify Chapter 21.66.060 *Standards for Farm Employee and Farm Worker Housing* and modify Chapter 21.58 *Regulations for Parking*, where appropriate. Amend Title 20 to modify Chapter 20.66.060 *Standards for Farm Employee and Farm Worker Housing* and modify Chapter 20.58 *Regulations for Parking*, where appropriate.

D. *Residential Care Facilities.*

The Residential Care Facilities Ordinance is for the purpose of facilitating housing for people with disabilities, the elderly and children. The County will be amending Title 20 and 21 by defining *Residential Care Facilities* to be consistent with the different types of State-licensed residential care facilities. The County currently limits the use of these facilities to *aged persons or hospices*, which excludes persons with disabilities, children and other special population needs groups. Residential Care Facilities, serving 6 or less (excluding operators), will be allowed in those zoning districts where family dwellings are allowed with no conditional use permit, zoning variance, or other zoning clearance that is not required of a family dwelling of the same type in the same zone. Residential Care Facilities serving 7 or more residents will be allowed, subject to a discretionary permit in residential zoning districts. Those non-residential zoning districts in both Title 20 and 21 which also allow for residential dwellings, such as in the agricultural, commercial and/or industrial zoning designations, a Residential Care Facility, serving 6 or less residents, may also be allowed, subject to the same requirements of any other residential dwelling in the same zone. No new development is being contemplated in conjunction with the proposed Residential Care Facility Ordinance and it is difficult to predict the scope and location of future development in the County that might potentially occur as a result of this Ordinance. The County will be required to assess any future development project's potential impacts at that time. Below is a list of specific changes this Ordinance will make to Title 20 and 21.

The ordinance will:

- 1) Amend *Definitions* chapters of Title 20 and Title 21 by adding, deleting or modifying applicable definitions;

- 2) Amend Title 21 (Inland) to allow *Residential Care Facilities serving 6 or fewer (excluding operators)* by right in the High Density Residential, Medium Density Residential, Low Density Residential, Rural Density Residential and Resource Conservation Zoning Districts; and allow *Residential Care Facilities serving 7 or more residents* in above same zoning districts subject to a Use Permit.
- 3) Amend Title 20 (Coastal) to allow *Residential Care Facilities serving 6 or fewer (excluding operators)* with a Coastal Administrative Permit in the High Density Residential, Medium Density Residential, Low Density Residential, Rural Density Residential, and Watershed and Scenic Conservation Residential Zoning Districts; and allow *Residential Care Facilities serving 7 or more residents* in above same zoning districts subject to a Coastal Development Permit.
- 4) Amend Title 20 and 21 to delete the current use of “*Licensed residential care homes for aged persons or hospices...*” since this excludes other special needs groups.
- 5) Amend Title 20 and 21 to modify Chapters 20.58 and 21.58, respectively, *Regulations for Parking*, where appropriate.
- 6) Amend Title 20, Section 20.70.120. *Exemptions from Coastal Development Permit*, subsection *C.* to modify use of existing permitted residential dwelling for residential care facilities serving 6 or fewer residents.

E. *Emergency Shelters.*

The Emergency Shelters Ordinance would allow establishment of Emergency Shelters by in the Mixed Use (MU) and High Density Residential (HDR) Zoning Districts. State law defines Emergency Shelters as housing with minimal supportive services for homeless persons that is limited to occupancy of six months or fewer by a homeless person. The County was required to identify at least one zoning district where emergency shelters will be permitted by right. The County identified that properties zoned MU and HDR were appropriate for an Emergency Shelter use because these zones are generally located in the more urbanized areas of the unincorporated County, with access to public transportation and services. According to the 2009-2014 Monterey County Housing Element, 299 undeveloped parcels are designated High Density Residential, totaling 205 vacant acres. In addition, 44 undeveloped parcels are designated Mixed Use totaling 56.5 vacant acres. Therefore, adequate land capacity exists in these two zones to accommodate the homeless population in the unincorporated areas. No new development is being contemplated in conjunction with the proposed Emergency Shelters Ordinance. The County will be required to assess any future development project’s potential impacts at that time. Below is a list of specific changes this Ordinance will make to Title 20 and 21.

The ordinance will:

- 1) Amend the *Definitions* chapters of Title 20 (Coastal) and Title 21 (Inland) by adding applicable definitions (i.e. *Emergency Shelters* consistent with the State law definition);

- 2) Add a new chapter to Title 20 and Title 21 establishing a process and regulations for review of requests for Emergency Shelters including: maximum number of beds/person permitted to be served nightly; off-street parking; the size/location of exterior and interior onsite waiting and client intake areas; the provision of onsite management; the proximity of other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart; the length of stay; lighting; and security during hours that the emergency shelter is in operation;
- 3) Amend Title 20 and 21 to allow the use of Emergency Shelters in the HDR and MU Zoning Districts. In Title 21, Emergency Shelters in these zoning districts will be permitted uses. In Title 20, Emergency Shelters will be allowed subject to a discretionary permit in the HDR Zoning District. No MU Zoning District exists in the Coastal zone (Title 20).
- 4) Amend Title 20 and 21 to modify Chapters 20.58 and 21.58, respectively, *Regulations for Parking*, where appropriate.

F. *Transitional and Supportive Housing.*

Transitional Housing units or facilities provide a residence for homeless individuals or families for an extended period of time, usually six months or longer, which also offers other social services and counseling to assist residents in achieving self-sufficiency. Supportive Housing provides housing to persons with low incomes having one or more disabilities that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. The Transitional and Supportive Housing Ordinance will allow for transitional and/or supportive housing that function as group housing facilities permitted according to the provisions for *Residential Care Facilities* (see above). For example, transitional and supportive housing functioning as a group home for 6 or fewer residents (excluding operators) will be allowed in those zoning districts where family dwellings are allowed with no conditional use permit, zoning variance, or other zoning clearance that is not required of a family dwelling of the same type in the same zone. Transitional and supportive housing functioning as a group home for 7 or more residents will be allowed, subject to a discretionary permit in residential zoning districts. For those transitional and supportive housing facilities that function as regular housing, such uses will be permitted consistent with other traditional forms of housing. No new development is being contemplated in conjunction with the proposed Transitional and Supportive Housing Ordinance and it is difficult to predict the scope and location of future development in the County that might potentially occur as a result of this Ordinance. The County will be required to assess any future development project's potential impacts at that time. Below is a list of specific changes this Ordinance will make to Title 20 and 21.

The ordinance will:

- 1) Amend *Definitions* chapters of Title 20 and Title 21 by adding applicable definitions, including the following:

- *Supportive Housing* is housing with no limit on length of stay, that is occupied by the **target population**, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.
 - *Target population* means persons with low incomes having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated youth, families, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.
 - *Transitional housing* means buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.
- 2) Amend Title 21 (Inland) to allow *Transitional or Supportive Housing serving 6 or fewer (excluding operators) residents* as a permitted use in the High Density Residential, Medium Density Residential, Low Density Residential, Rural Density Residential and Resource Conservation Zoning Districts; and allow *Transitional or Supportive Housing serving 7 or more residents* in above same zoning districts, subject to a Use Permit.
 - 3) Amend Title 20 (Coastal) to allow *Transitional or Supportive Housing serving 6 or fewer (excluding operators) residents* with a Coastal Administrative Permit in the High Density Residential, Medium Density Residential, Low Density Residential, Rural Density Residential, and Watershed and Scenic Conservation Residential Zoning Districts; and allow *Transitional or Supportive Housing serving 7 or more residents* in above same zoning districts, subject to a Coastal Development Permit.
 - 4) Amend Title 20 and 21 to modify Chapters 20.58 and 21.58, respectively, *Regulations for Parking*, where appropriate.
 - 5) Amend Title 20, Section 20.70.120. *Exemptions from Coastal Development Permit*, subsection C. to add use of existing permitted structures for *Transitional or Supportive Housing* serving 6 or fewer residents.

G. *Single Room Occupancy (SRO) Units.*

The Single Room Occupancy (SRO) Units Ordinance allows this type of housing to operate in the County's Mixed Use (MU) and Commercial Zoning Districts, subject to a discretionary permit. Single Room Occupancy Units or SROs are one-room units intended for occupancy by a single individual. An SRO unit usually is small, between 200 to 350 square feet, and although not required to have a kitchen or bathroom, many SROs today have one or the other. These units provide a valuable source of affordable housing and can serve as an entry point into the housing market for formerly homeless people. The County identified that properties zoned MU and Commercial include properties that are generally located in the more urbanized areas of the unincorporated County, with access to public transportation and services either in the unincorporated areas or in nearby incorporated jurisdictions, which are amenities that individuals residing in SRO's benefit from. No new development is being contemplated in conjunction with the proposed Single Room Occupancy (SRO) Units Ordinance. The County will be required to assess any future development project's potential impacts at that time. Below is a list of specific changes this Ordinance will make to Title 20 and 21.

The ordinance will:

- 1) Amend the *Definitions* chapters of Title 20 (Coastal) and Title 21 (Inland) by adding applicable definitions (i.e. Single Room Occupancy Units);
- 2) Add a new chapter to Title 20 and Title 21 establishing a process and regulations for review of requests for Single Room Occupancy Units;
- 3) Amend Title 20 to allow the use of Single Room Occupancy Units in the following commercial districts subject to a Coastal Development Permit: Coastal General Commercial, Moss Landing Commercial, Institutional Commercial, and Visitor Serving Commercial Zoning Districts;
- 4) Amend Title 21 to allow the use of Single Room Occupancy Units in Mixed Use and in the following commercial zoning districts subject, to a Use Permit: Light Commercial, Heavy Commercial, and Visitor Serving/Professional Office Zoning Districts;
- 5) Amend Title 20 and 21 to modify Chapters 20.58 and 21.58, respectively, *Regulations for Parking*, where appropriate.

H. *Definition of Family.*

The County's definition of "family" will be amended in Title 20 and 21 in order to comply with fair housing laws. State law requires that the County's definition of family does not restrict housing access to people with disabilities or special needs populations. Congregate living arrangements among non-related persons with disabilities are often necessary to enable people with disabilities to secure the supports they need to live in the community. The definition of family will emphasize the functioning of the members as a cohesive household, whether the persons are related or unrelated. The County will revise

the definition of *family* with one of the following or very similar to the following definitions:

- *One or more persons, related or unrelated, living together as a single housekeeping unit in a dwelling unit.*
- *Any group of individuals living together in a dwelling unit as the functional equivalent of a family where the residents may share living expenses, chores, eat meals together and are a close group with social, economic and psychological commitments to each other. A family includes, for example, the residents of residential care facilities and group homes for people with disabilities. A family does not include larger institutional group living situations such as dormitories, fraternities, sororities, monasteries or nunneries.*
- *One or more persons, related or unrelated, living together as a single integrated household (a household that functions as a united group) in a dwelling unit.*

I. Reasonable Accommodation.

The Reasonable Accommodation Ordinance will add applicable definitions and a new chapter to Title 20 and Title 21 to establish procedures for individuals with disabilities to request Reasonable Accommodations from planning and land use regulations. Reasonable Accommodations will be defined to mean providing individuals with disabilities, flexibility in the application of planning and land use regulations or policies, including the modifications or waiver of certain requirements, when it is necessary to eliminate barriers to housing opportunities. The Ordinance will apply to all housing-types.

B. Surrounding Land Uses and Environmental Setting:

The proposed Zoning Ordinance amendments will be applicable County-wide including the Inland and Coastal areas of the unincorporated areas of Monterey County. Monterey County is over 3,300 square miles in size and is bordered to the west by the Pacific Ocean, to the North by Santa Cruz County, to the South by San Luis Obispo County, and to the east by San Benito County, Fresno County, and Kings County.

There are 12 incorporated cities within the County of Monterey where the Zoning Amendments would not be applicable. Monterey County contains a large variety of built and natural settings including rich farmland, mountain ranges, the Los Padres National Forest, a scenic coastline, and residential, commercial, and industrial developments.

C. Other public agencies whose approval is required:

Prior to the proposed Ordinance amendments to Title 20 taking effect, certification by the California Coastal Commission pursuant to the Coastal Act is required.

III. PROJECT CONSISTENCY WITH OTHER APPLICABLE LOCAL AND STATE PLANS AND MANDATED LAWS

Use the list below to indicate plans applicable to the project and verify their consistency or non-consistency with project implementation.

General Plan/Area Plan	<input checked="" type="checkbox"/>	Air Quality Mgmt. Plan	<input type="checkbox"/>
Specific Plan	<input type="checkbox"/>	Airport Land Use Plans	<input type="checkbox"/>
Water Quality Control Plan	<input type="checkbox"/>	Local Coastal Program-LUP	<input checked="" type="checkbox"/>

General Plan/Area Plan The proposed Ordinance amendments are being developed pursuant to the requirements of the Housing Element. The 2009-2014 Housing Element was adopted to be consistent with both the 1982 and the recently adopted 2010 General Plan. The 2010 General Plan is applicable in the inland areas, while the 1982 General Plan is applicable in the coastal zone. In addition, the zoning amendments have been developed consistent with State and Federal Laws. In some cases, the governing legislation expressly prohibits applying General Plan Policies that would conflict with the provisions of the law. Monterey County has recently adopted a new General Plan (2010) and implementation work will occur between 2011 to 2013. The new General Plan recognizes various legislative requirements and has provided policies and flexibility to comply with current laws and the Housing Element requirements without direct conflict. The proposed Ordinance amendments have been drafted in compliance with the goals and policies of the 2010 and the 1982 General Plans. **CONSISTENT**

Local Coastal Program – LUP The Local Coastal Program (LCP) includes Monterey County Zoning Ordinance Title 20 which is proposed to be amended as part of this project. The LCP was adopted pursuant to the California Coastal Act of 1973. With the exception of some involvement of Federal Law, the governing legislation stems from State Laws. Generally, the resource protection policies of the Coastal Act take precedent where conflicts with other State Law exist. In fact, other State Laws acknowledge this and include statements that “Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act.” For this reason, the Ordinance amendments to Title 20 (Coastal) are different than the proposed amendments to Title 21 (Inland). In the Coastal Zone the proposed amendments reflect this hierarchy and amendments are structured to be consistent with the existing Local Coastal Program for Monterey County. All amendments to Title 20 will require certification by the Coastal Commission who evaluates all LCP amendments pursuant to the Coastal Act. **CONSISTENT**

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

The environmental factors checked below would be potentially affected by this project, as discussed within the checklist on the following pages.

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input checked="" type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input checked="" type="checkbox"/> Population/Housing | <input checked="" type="checkbox"/> Public Services | <input checked="" type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Transportation/Traffic | <input checked="" type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

Some proposed applications that are not exempt from CEQA review may have little or no potential for adverse environmental impact related to most of the topics in the Environmental Checklist; and/or potential impacts may involve only a few limited subject areas. These types of projects are generally minor in scope, located in a non-sensitive environment, and are easily identifiable and without public controversy. For the environmental issue areas where there is no potential for significant environmental impact (and not checked above), the following finding can be made using the project description, environmental setting, or other information as supporting evidence.

- Check here if this finding is not applicable

FINDING: For the above referenced topics that are not checked off, there is no potential for significant environmental impact to occur from either construction, operation or maintenance of the proposed project and no further discussion in the Environmental Checklist is necessary.

EVIDENCE:

2. Agricultural and Forest Resources. The project consists of amending various sections of the Monterey County Zoning Ordinances (Title 20 and 21), such as definitions, uses permitted in various zoning districts and establishment of procedures relative to the following in order to

comply with Federal and State laws: Density Bonuses and Incentives, Second Dwelling Units, Farm/Agricultural Worker Housing, Residential Care Facilities, Emergency Shelters, Transitional and Supportive Housing, Single Room Occupancy (SRO) Units, Definition of "Family", and Reasonable Accommodation (for people with disabilities). Although the County of Monterey contains a large variety of natural settings including, rich farmland and forest resources (i.e. Los Padres National Forest), no specific development or construction is proposed for any of the above Ordinance Amendments.

The Farm/Agricultural Worker Housing Ordinance proposes to amend Zoning Ordinances by removing discretionary permit requirements for Farm/Agricultural Worker Housing in agriculturally designated zoning districts (see description in Section II). The governing law mandates that these types of housing are agricultural uses and that they should not be restricted differently from the agricultural use of the site. It is envisioned that structures developed pursuant to the updated provisions would not be placed in areas where a significant amount of row-crops or grazing land would be impacted. Provisions are proposed within the ordinance to address this. In Title 20 (Coastal), new construction (development) for Farm/Agricultural Worker Housing proposed in the coastal zone's agriculturally designated zoning districts, would be analyzed as "development" and be subject to the same limitations as an "agricultural activity" of the same type in the same zone. The proposed Zoning Amendments (the project) would have *no impact* on conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance and the project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. The project would not conflict with existing zoning for, or cause rezoning of forest land or timberland. The project would not result in the loss of forest land to non-forest land or result in a conversion of farmland to non-agricultural use.

3. Air Quality. The project consists of amending various sections of the Monterey County Zoning Ordinances (Title 20 and 21) in order to comply with Federal and State laws and comply with the adopted Monterey County Housing Element. No construction of any type is proposed with the project. As a result, the project will not conflict or obstruct implementation of the air quality plan, violate any air quality standard or contribute substantially to an existing or projected air quality violation. The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable ambient quality standards. The project will not result in construction related air quality impacts, expose sensitive receptors to substantial pollutant concentrations or create objectionable odors affecting a substantial number of people.

4. Biological Resources. The project consists of amending various sections of the Monterey County Zoning Ordinances (Title 20 and 21) in order to comply with Federal and State laws and comply with the adopted Monterey County Housing Element. No construction of any type is proposed with the project. As a result, the project will not have a substantial adverse effect, either directly or through habitat modification on any species, have a substantial adverse effect on any riparian habitat or other natural community, have a substantial adverse effect on federally protected wetlands, or interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. The project will not conflict with any

any other local policies or ordinances protecting biological resources.

5. Cultural Resources. The project consists of amending various sections of the Monterey County Zoning Ordinances (Title 20 and 21) in order to comply with Federal and State laws and comply with the adopted Monterey County Housing Element. Because no construction of any type is proposed with the project, the project will not cause a substantial adverse change in the significance of a historical resource, or a change in the significance of an archaeological resource or directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. Any future development pursuant to the project (Zoning Amendments) would have to be evaluated independently in order to ascertain that the future development would not impact cultural resources.

6. Geology and Soils. The project consists of amending various sections of the Monterey County Zoning Ordinances (Title 20 and 21) in order to comply with Federal and State laws and comply with the adopted Monterey County Housing Element. No construction of any type is proposed with the project. As a result, the project will not expose people or structures to potential substantial adverse effects involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, landslides, result in substantial soil erosion or loss of topsoil, be located on a geologic unit or unstable soil, be located on expansive soil, or have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. Any future development pursuant to the project (Zoning Amendments) would have to be evaluated independently against geological and soil criteria.

7. Greenhouse Gas Emissions. The project consists of amending various sections of the Monterey County Zoning Ordinances (Title 20 and 21) in order to comply with Federal and State laws and comply with the adopted Monterey County Housing Element. No construction of any type is proposed with the project. As a result, the project will not generate greenhouse gas emissions or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

8. Hazards and Hazardous Materials. The project consists of amending various sections of the Monterey County Zoning Ordinances (Title 20 and 21) in order to comply with Federal and State laws and comply with the adopted Monterey County Housing Element. No construction of any type is proposed with the project. As a result, the project will not create a significant hazard to the public or the environment through routine transport, use or disposal of hazardous materials; through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school or be located on a site which is included on a list of hazardous materials sites. The project is not located within an airport land use plan, or located on a private airstrip. The project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan or expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

9. Hydrology and Water Quality. The project consists of amending various sections of the Monterey County Zoning Ordinances (Title 20 and 21), such as definitions, uses permitted in various zoning districts and establishment of procedures relative to the following topics in order to comply with Federal and State laws: Density Bonuses and Incentives, Second Dwelling Units, Farm/Agricultural Worker Housing, Residential Care Facilities, Emergency Shelters, Transitional and Supportive Housing, Single Room Occupancy (SRO) Units, Definition of "Family" and Reasonable Accommodation. No specific development or construction is proposed for any of the above Ordinance Amendments. As a result, the project will not result in any impacts to hydrology or water quality such as violation of any water quality standards or waste discharge requirements, substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted), substantially alter the existing drainage pattern of the site or area, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or create or provide additional sources of polluted runoff, substantially degrade water quality, place housing within a 100-year flood hazard area, expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam or inundation by seiche, tsunami, or mudflow.

11. Mineral Resources. The project consists of amending various sections of the Monterey County Zoning Ordinances (Title 20 and 21) in order to comply with Federal and State laws and comply with the adopted Monterey County Housing Element. No construction of any type is proposed with the project. As a result, the project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state or in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

12. Noise. The project consists of amending various sections of the Monterey County Zoning Ordinances (Title 20 and 21) in order to comply with Federal and State laws and comply with the adopted Monterey County Housing Element. No construction of any type is proposed with the project. As a result, the project will not result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, generation of excessive groundborne vibration or noise levels, have a substantial permanent increase in ambient noise levels, have a substantial temporary or periodic increase in ambient noise levels. The project is not located within an airport land use plan, within two miles of a public airport or within the vicinity of a private airstrip.

B. DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Nadia Amador and Craig Spencer,
Associate Planners

February 15, 2011

V. EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista? (Source: IX. 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: IX. 1, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings? (Source: IX. 1,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: IX. 1, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Aesthetics 1(a)-(d) – Less than Significant Impact.

In the case of Farm Worker Housing and Reasonable Accommodations, the proposed Zoning Amendments would remove current permit requirements that allow for administrative or discretionary review by the Planning Department of projects in the inland area. Planning review of projects includes review of location, design, setting, and lighting consistent with applicable General Plan policies. There would continue to be discretionary review in the coastal zone to ensure compliance with the Local Coastal Program.

The 2010 General Plan identified that farmland in Monterey County is a visual resource. Allowing additional units on agriculturally designated properties could foreseeably result in the construction of structures and driveways on agricultural properties where no structures currently exist. It is envisioned that structures developed pursuant to the updated provisions would be placed near existing roads and at the periphery of productive farmland. Locating the potential farmworker housing in such a manner would minimize the impact to the visual resource of productive farmland and thus would be considered part of the agricultural landscape and would have a *less than significant impact* on agricultural views. No mitigation measures are necessary.

2. AGRICULTURAL AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: IX. 1, 2, 3, 4, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: IX. 1, 2, 3, 4, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (Source: IX. 1, 2, 3, 4, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use? (Source: IX. 1, 2, 3, 4, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (Source: IX. 1, 2, 3, 4, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section II. (*Description of Project and Environmental Setting*) and Section IV. (*Environmental Factors Potentially Affected and Determination*)

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: IX. 1,3,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: IX. 1,3,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: IX. 1,3,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in significant construction-related air quality impacts? (Source: IX. 1,3,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: IX. 1,3,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people? (Source: IX. 1,3,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section II. (*Description of Project and Environmental Setting*) and Section IV. (*Environmental Factors Potentially Affected and Determination*)

4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: IX. 1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: IX. 1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source IX. 1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: IX. 1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: IX. 1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: IX. 1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section II. (*Description of Project and Environmental Setting*) and Section IV. (*Environmental Factors Potentially Affected and Determination*)

5. CULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Disturb any human remains, including those interred outside of formal cemeteries? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section II. (*Description of Project and Environmental Setting*) and Section IV. (*Environmental Factors Potentially Affected and Determination*)

6. GEOLOGY AND SOILS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: IX.1,3) Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii)	Strong seismic ground shaking? (Source: IX.1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii)	Seismic-related ground failure, including liquefaction? (Source: IX.1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv)	Landslides? (Source: IX.1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

6. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil? (Source: IX.1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: IX.1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source: IX.1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: IX.1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section II. (*Description of Project and Environmental Setting*) and Section IV. (*Environmental Factors Potentially Affected and Determination*)

7. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: IX.1,3,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Source: IX.1,3,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section II. (*Description of Project and Environmental Setting*) and Section IV. (*Environmental Factors Potentially Affected and Determination*)

8. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source: IX.1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section II. (*Description of Project and Environmental Setting*) and Section IV. (*Environmental Factors Potentially Affected and Determination*)

9. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

9. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
j) Inundation by seiche, tsunami, or mudflow? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section II. (*Description of Project and Environmental Setting*) and Section IV. (*Environmental Factors Potentially Affected and Determination*)

10. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Land Use and Planning 10 (a) – No Impact.

The project consists of amending various sections of the Monterey County Zoning Ordinances (Title 20 and 21), such as definitions, uses permitted in various zoning districts and establishment of procedures relative to the following in order to comply with Federal and State laws: Density Bonuses and Incentives, Second Dwelling Units, Farm/Agricultural Worker Housing, Residential Care Facilities, Emergency Shelters, Transitional and Supportive Housing, Single Room Occupancy (SRO) Units, Definition of “Family” and Reasonable Accommodation. The project does not propose any development or other types of physical changes. Therefore, the project would not physically divide an established community.

Land Use and Planning 10 (b) and (c) – Less than Significant Impact.

The project involves updating Monterey County Zoning Ordinances (Title 20 and 21) pursuant to the adopted 2009-2014 Housing Element. The Housing Element identified that the Monterey County Zoning Ordinances needed to be updated consistent with changes in State Law and to

reduce or remove government constraints in the following areas: *Density Bonuses and Incentives; Second Dwelling Units; Farm/Agricultural Worker Housing; Residential Care Facilities; Emergency Shelters; Transitional and Supportive Housing; Single Room Occupancy (SRO) Units; Definition of "Family"; and Reasonable Accommodation.*

Each topic has different requirements and legislation which govern the development of Land Use policies associated with them. A description of the required changes and County's proposed zoning changes to both Title 20 and 21 is described in *Section II. Description of Project and Environmental Setting.* The approach the County has taken in amending Title 20 and 21, described in Section II, would have a *less than significant impact* on any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project, including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance, adopted for the purpose of avoiding or mitigating an environmental effect and any applicable habitat conservation plan or natural community conservation plan.

11. MINERAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: IX. 1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section II. (*Description of Project and Environmental Setting*) and Section IV. (*Environmental Factors Potentially Affected and Determination*)

12. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: IX.1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Source: IX. 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: IX. 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: IX. 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: IX. 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source: IX. 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section II. (*Description of Project and Environmental Setting*) and Section IV. (*Environmental Factors Potentially Affected and Determination*)

13. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Population and Housing 13 (a) – Less than Significant Impact.

The project consists of amending various sections of the Monterey County Zoning Ordinances (Title 20 and 21), such as definitions, uses permitted in various zoning districts and establishment of procedures relative to the following, in order to comply with Federal and State laws: Density Bonuses and Incentives, Second Dwelling Units, Farm/Agricultural Worker Housing, Residential Care Facilities, Emergency Shelters, Transitional and Supportive Housing, Single Room Occupancy (SRO) Units, Definition of “Family” and Reasonable Accommodation.

The proposed modifications may eventually lead to additional housing opportunities and possibly the creation of employment opportunities to serve residents living in the housing facilities (i.e. Residential Care Facilities, Emergency Shelters, Single Room Occupancy Units). However, with the exception of the Farm/Agriculture Worker Housing which is allowed in the agricultural zoning districts, all other zoning amendments are targeted in the County’s community centers and primarily in areas where residential uses are allowed, subject to same requirements as other residential uses. In addition, secondary units will be replacing caretakers and senior citizen units, limiting the construction of “accessory habitable units” to two units on any residentially zoned parcel in Monterey County. Therefore, the project will result in a less than significant impact on substantial population growth in an area, either directly or indirectly.

Population and Housing 13 (b) and (c) – No Impact.

The project consists of amending various sections of the Monterey County Zoning Ordinances (Title 20 and 21) in order to comply with Federal and State laws and comply with the adopted Monterey County Housing Element. No development, construction, or demolition is proposed including any displacement of existing housing or displacement of people needing replacement housing elsewhere. Therefore, no impact to housing and/or people is anticipated.

14. PUBLIC SERVICES

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks? (Source: 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Public Services 14 (a) thru (e) – Less than Significant Impact.

The project consists of amending various sections of the Monterey County Zoning Ordinances (Title 20 and 21), such as definitions, uses permitted in various zoning districts and establishment of procedures relative to the following, in order to comply with Federal and State laws: Density Bonuses and Incentives, Second Dwelling Units, Farm/Agricultural Worker Housing, Residential Care Facilities, Emergency Shelters, Transitional and Supportive Housing, Single Room Occupancy (SRO) Units, Definition of “Family” and Reasonable Accommodation.

The proposed modifications may eventually lead to necessitating additional public services such as fire and police protection, schools and parks and other community based governmental services. However, the zoning amendments are targeted in the County’s community centers and primarily in areas where residential uses exist where these public facilities are already in place with acceptable service ratios. If new construction or expansion of residential dwellings is a result of the applicable zoning amendments, school district impact fees are due to the particular school district where the development is taking place. The school impact fees are the method in which school districts collect monies for anticipation of student growth from the new (or expanded) dwelling. Therefore, the project will result in a less than significant impact on public services.

15. RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Recreation 15 (a) and (b) – Less than Significant Impact.

The project consists of amending various sections of the Monterey County Zoning Ordinances (Title 20 and 21), such as definitions, uses permitted in various zoning districts and establishment of procedures relative to the following, in order to comply with Federal and State laws: Density Bonuses and Incentives, Second Dwelling Units, Farm/Agricultural Worker Housing, Residential Care Facilities, Emergency Shelters, Transitional and Supportive Housing, Single Room Occupancy (SRO) Units, Definition of “Family” and Reasonable Accommodation. These amendments could have the indirect effect of allowing new housing units within existing developed areas and some undeveloped agricultural areas (i.e. Farm/Agricultural Worker Housing). There will not be any significant increase in the use of existing and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated. The project does not include facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Therefore, the project will have *a less than significant impact* on recreation.

16. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Transportation/Traffic 16 (a) and (b) – Less than Significant Impact.

While the proposed zoning amendments do not contemplate any specific development project that would generate traffic impacts at any particular location within the County, the zoning amendments would allow emergency shelters in Mixed Use (MU) or High Density Residential (HDR) Zoning Designations by right in Title 21 (Inland areas); Single Room Occupancy Units in the Mixed-Use and Commercial Zoning Designations (subject to discretionary permits); Second Dwelling Units in Residential Zoning Districts (by right in the Title 21 and with a discretionary permit in Title 20, both subject to Health and Safety standards); Residential Care Facilities and Transitional and Supportive Housing in all zoning districts in Title 21 where residential dwellings are allowed subject to the same requirements of residential dwellings in the same zone (note: 6 or

(note: 6 or fewer residents allowed by right in Title 21). Residential Care Facilities and Transitional and Supportive Housing in all residential zoning districts in Title 20, subject to those same requirements of a residential dwelling unit in that zone; Farm/Agricultural Worker Housing allowed in all agricultural zoning districts (see descriptions in Section II). The establishment of such uses within each of these zoning districts could increase the number of vehicle trips on roadways and intersections serving the districts. However, the location and size of any such particular use would be minor in scope. The County expects that any, Secondary Housing Unit, Residential Care Facility (serving 6 or less residents), Supportive and Transitional Housing Facility (serving 6 or less residents) and Farm/Agricultural Worker Housing would be largely ancillary uses to existing uses and would be fairly insignificant. Emergency shelters would be allowed in the MU and HDR zoning districts and Single Room Occupancy Units would be allowed in MU and Commercial zoning districts. These zoning districts are primarily located in Community Areas where public services already exist, such as mass transit, streets, highways and freeways, pedestrian and bicycle paths. The County has not identified any potentially significant direct or indirect traffic impacts that could result from the proposed amendments. Therefore, the project would result in a *less than significant* impact to transportation and traffic.

Transportation/Traffic 16 (c) thru (f) – Less than Significant Impact.

The project consisting of amendments to various sections of the zoning ordinances will not result in any change in air traffic patterns, substantially increase hazards due to design feature or incompatible uses. Uses allowed would be those pursuant to its zoning designation. The project would not result in inadequate emergency access and would not conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities.

17. UTILITIES AND SERVICE SYSTEMS	Less Than Significant			
Would the project:	Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

17. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Utilities and Service Systems 17 (a) thru (g) – Less than Significant Impact.

The project, consisting of various zoning amendments to the County's zoning codes in order to comply with State and Federal law, does not propose development that would directly affect utilities and service systems. However, the amendments would indirectly lead to future development in the specific zoning districts that may affect utilities and service systems. Future projects would be evaluated at the time of application submittal. For those projects that will not require a discretionary permit and if construction is needed, those projects would be evaluated during the building/grading permit process and be subject to health and safety regulations of the particular area, including water, wastewater, storm water drainage and solid waste disposal. At this early stage, the County has not identified any potentially significant direct or indirect utility and service system impacts that could result from the proposed amendments. Therefore, the project would result in a *less than significant* impact to utility and service system impacts.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? (Source:) ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: IX. 1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors* (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

Discussion/Conclusion/Mitigation:

Mandatory Findings of Significance VII. (a) thru (c) – Less than Significant Impact.

The project consists of amending various sections of the Zoning Ordinances in order to comply with State and Federal law. As explained throughout the document, any environmental impacts associated with these amendments would be an indirect effect, since the amendments would lead to future development in the specific zoning districts. Since no development is anticipated at this time, the specific effects to the quality of the environment, any cumulative impact or any adverse effects on human beings would be speculative at this time. The analysis of these factors would be done at the time of submittal of a project. However, at this early stage of the analysis, given the amendments are primarily in areas where growth is concentrated (i.e. Community Areas) or areas

areas of existing residential nature with infrastructure for such uses, the County has not identified any potentially significant environmental impact. Furthermore, none of the proposed zoning amendments would have a direct impact on the environment, since the changes are only administrative regulations rather than actual development. As a result, the project will have a *less than significant impact* in degrading the quality of the environment. The project will not be cumulatively considerable nor have an environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

The State Legislature, through the enactment of Senate Bill (SB) 1535, revoked the authority of lead agencies to determine that a project subject to CEQA review had a “de minimis” (minimal) effect on fish and wildlife resources under the jurisdiction of the Department of Fish and Game. Projects that were determined to have a “de minimis” effect were exempt from payment of the filing fees.

SB 1535 has eliminated the provision for a determination of “de minimis” effect by the lead agency; consequently, all land development projects that are subject to environmental review are now subject to the filing fees, unless the Department of Fish and Game determines that the project will have no effect on fish and wildlife resources.

To be considered for determination of “no effect” on fish and wildlife resources, development applicants must submit a form requesting such determination to the Department of Fish and Game. Forms may be obtained by contacting the Department by telephone at (916) 631-0606 or through the Department’s website at www.dfg.ca.gov.

Conclusion: The project will not be required to pay the fee.

Evidence: Based on the record as a whole as embodied in the Planning Department files pertaining to REF100052 and PLN100044 and the attached Initial Study / Proposed Negative Declaration.

IX. REFERENCES

1. 2010 Monterey County General Plan
2. 2009-2014 Housing Element, County of Monterey
3. 2009-2014 Housing Element Initial Study and Negative Declaration (Adopted BOS Resolution No. 10-150)
4. Technical Background Report for 2009-2014 Monterey County Housing Element, January 2009

5. Monterey County Zoning Ordinance, Title 20 (Coastal)
6. Monterey County Zoning Ordinance, Title 21 (Inland)
7. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised June 2004.