

**City of Monterey  
Environmental Checklist Form**

1. **Project title:** Garden Road Zone Amendment
2. **Lead agency name and address:** City of Monterey, 570 Pacific Street, Monterey, CA 93940
3. **Contact person and phone number:** Fernanda Roveri, AICP, Associate Planner, (831) 242-8788
4. **Project location:** 1900, 2000, 2100, 2150, 2200, 2300, 2340, 2354, 2400, 2460, 2500, 2560, 2600, and 2700 Garden Road; and, 30, 60, 67, 70, and 80 Garden Court, Monterey, CA 93940.
5. **Project sponsor's name and address:** City of Monterey, 570 Pacific Street, Monterey, CA 93940
6. **General Plan designation:** Industrial
7. **Zoning:** I-R-130-RA-ES (Industrial, Administration, and Research District-130,000 Square Feet of Minimum Lot Area-Religious Assembly-Emergency Shelter Overlay District)
8. **Description of project:**

**PROJECT LOCATION**

The project location encompasses multiple parcels with Garden Road or Garden Court addresses in Monterey. These include: 1900, 2000, 2100, 2150, 2200, 2300, 2340, 2354, 2400, 2460, 2500, 2560, 2600, and 2700 Garden Road; and, 30, 60, 67, 70, and 80 Garden Court.

**PROJECT BACKGROUND**

The project site currently contains multiple commercial, medical, and professional offices; personal improvement service facilities, such as fitness centers; religious institutions; and light manufacturing facilities.

**PROJECT DESCRIPTION**

The project site encompasses 54.4 acres (2,369,664 square feet) and 52 parcels, as shown in Project Location Map (Attachment 2). The project is a City of Monterey Zoning Ordinance and General Plan amendment to allow multifamily residential uses in certain properties located on the south side of Garden Road, which are currently zoned I-R-130-RA-ES. The zoning amendment would allow applicants to convert existing buildings within the project site into multifamily residential units at a conversion rate of one multifamily residential unit per 900 square feet of existing building area. The amendment would also allow new construction at a rate of one multifamily residential unit per 2,000 square feet of parcel area.

The current I-R district development regulations allow for a maximum 40% lot coverage for one-story structures and a maximum 30% lot coverage for structures of two or more stories. Based on the existing zoning regulations and zoning amendment criteria described above, it was determined that a total of 405 residential units would represent approximately 24% of the capacity for new development or conversion of existing building space into multifamily use. This zoning amendment would place a cap of 405 residential units on Garden Road, including conversion and new development. The density would be limited to 30 dwelling units per acre.

To ensure compatibility between residential and industrial uses, the project site (52 parcels) would be included in a newly created overlay zone allowing multifamily residential uses. The new overlay zoning designation would change the zoning of the 52 parcels from I-R-130-RA-ES to I-R-130-RA-ES-MF (Industrial, Administration, and Research District-130,000 Square Feet of Minimum Lot Area-Religious Assembly-Emergency Shelter-Multifamily Residential Overlay District).

The MF Overlay would require the following changes to Monterey City Code (MCC) Section 38-41 "Supplemental Regulations Applicable to I-R Districts" to ensure compatibility between uses:

2. Fences and Walls. The maximum height of a fence or wall shall be eight feet, except in a required front or corner side yard abutting a street where the maximum height shall be three feet.
  - a. Adjoining an R District ~~of~~ Existing Residential Use. A six-foot-high solid wall (three feet high within 15 feet of a street property line) shall adjoin the property line of an existing ~~ground-floor~~ residential use or an R district.

The MF Overlay will require the addition of Article 16C – Multifamily Residential Overlay District – to Monterey City Code Chapter 38 (Attachment 6). Article 16C will prescribe land use and development regulations to ensure harmony between land uses and the provision of necessary amenities to future residents. Such regulations will include:

- Limit conversion of existing buildings into residential units to a rate of one multifamily residential unit per 900 square feet of existing building floor area;
- Limit new construction to a rate of one multifamily residential unit per 2,000 square feet of parcel area;
- Limit the total number of residential units in the Multifamily Residential Overlay District on Garden Road to 405 units;
- Prohibit Mixed Use on any single parcel, or within a single building;
- Open space requirements;
- Automobile and bicycle parking requirements;
- Laundry and storage requirements; and,
- Lighting and noise standards.

Future multifamily residential development would therefore require the following City of Monterey Planning Department permits:

- Conditional Use Permit for any number of multifamily residential units, and,
- Preliminary and Final Architectural Review Permits.

Future projects would also require other City permits such as tree removal permits and storm water review, if necessary, and building permits.

Lastly, the zoning amendment would require a General Plan amendment to allow residential uses in the industrial land use area. The Land Use Element would require the following amendment:

Policy b.2. Follow the existing policy directions in the Highway 68 Plan and Old Capitol Site Memorandum of Understanding for residential development south of Highway 1. Workforce housing on the City owned Ryan Ranch ~~and~~, mixed use housing in the Ryan Ranch Business Park, **and multifamily housing on the south side of Garden Road** may be considered in order to provide housing in proximity to a major employment center.

**9. Surrounding land uses and setting:** Certain properties on the south side of Garden Road make up the project site. The project site is bounded by the Monterey Regional Airport on the north and State Highway 68 (Monterey Salinas Highway) on the south. Farther south is Low Density Residential land use and unincorporated land with single-family residences. Immediately west of the site is right-of-way land for Garden Road and Highway 68, but farther west is the Monterey Pines Golf Course, which has Parks and Open Space land use designation. Immediately east is also Monterey Regional Airport property, but farther east is more Industrial land use. Much of the project site is urbanized and paved. However, the south portion of the site contains oak woodland and coastal scrub.

**10. Other public agencies whose approval is required:** Monterey County Airport Land Use Commission

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

.....x.....Aesthetics

- .....x.....Agriculture Resources
- .....x.....Air Quality
- .....x.....Biological Resources
- .....x.....Cultural Resources
- .....x.....Geology/Soils
- .....x.....Greenhouse Gas Emissions
- .....x.....Hazards & Hazardous Materials
- .....x.....Hydrology/Water Quality
- .....x.....Land Use Planning
- .....x.....Mineral Resources
- .....x.....Noise
- .....x.....Population/Housing
- .....x.....Public Services
- .....x.....Recreation
- .....x.....Transportation/Traffic
- .....x.....Tribal Cultural Resources
- .....x.....Utilities/Service Systems
- .....x.....Mandatory Findings of Significance

**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.

.....X.....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 Environmental Impact Report (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.

**Public Review Period**

**Begins: March 18, 2019**

**Ends: April 18, 2019**

**Public Meeting**

**Date:** April 23, 2019

**Time:** 4:00 p.m.

**Location:** City of Monterey Council Chamber at Few Memorial Hall of Records

**Reviewing Body:** Planning Commission

Anyone interested in this matter is invited to comment on the document by written response or by personal appearance at the hearing.

**Signature:** 

**Date:** March 14, 2019

**Printed name:** Fernanda Roveri, AICP  
**Title:** Associate Planner  
**Address:** 570 Pacific Street, Monterey, CA 93940  
**Phone Number:** 831-242-8788

- Attachments:
1. Vicinity Map
  2. Project Location Map (EMC, 2018)
  3. Pavement Conditions Study (Milam, 2018)
  4. Storm and Sewer Study (Schaaf & Wheeler, 2018)
  5. Traffic Impact Analysis (Higgins, 2019)
  6. Proposed Multifamily "MF" Overlay

- c: City Council  
**POST** (Outside City Clerk's Office)  
 County Clerk, 240 Church Street, Salinas, CA 93901  
 State Clearing House (15 copies), OPR, PO Box 3044, Sacramento, CA 95812-3044
  
- e: Planning Commission  
 Planning Secretary  
 Association of Monterey Bay Area Governments, P. O. Box 809, Marina, CA 93933-0809  
 Brad Slama, 31 Seca Place, Salinas, CA 93908  
 CA Department of Fish and Wildlife, 20 Lower Ragsdale Drive, Suite 100, Monterey, CA 93940  
 CA Department of Fish and Wildlife Regional Office, 1234 E. Shaw Avenue, Fresno, CA 93710  
 California Regional Water Quality Control, 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906  
 California Native Plant Society, Mary Ann Matthews, 2 Via Milpitas, Carmel Valley, CA 93924-9630  
 Caltrans District 5, 50 Higuera Street, San Luis Obispo, CA 93401-5415  
 Caltrans Division of Aeronautics  
 LandWatch of Monterey County, P.O. Box 1876, Salinas, CA 93902  
 League of Women Voters, Executive Director, P.O. Box 1995, Monterey, CA 93942  
 Louise J. Miranda Ramirez, OCEN Tribal Chairwoman, P.O. Box 1301, Monterey, CA 93942  
 Molly Erickson, P.O. Box 2448, Monterey, CA 93942-2448  
 Monterey Bay Air Resources District, 24580 Silver Cloud Court, Monterey, CA 93940  
 Monterey Commercial Property Owners, Bob Massaro, P.O. Box 1953, Monterey, CA 93942  
 Monterey County Airport Land Use Commission, 1441 Schilling Place, Salinas, CA 93901  
 Monterey County Health Department, 1270 Natividad Road, Salinas, CA 93906  
 Monterey County LandWatch, P.O. Box 1876, Salinas, CA 93902  
 Monterey County Planning, 1441 Schilling Place, Salinas, CA 93901  
 Monterey District Superintendent, Department of Parks and Recreation, 2211 Garden Road, Monterey, CA 93940  
 Monterey One Water, 5 Harris Ct, Monterey, CA 93940  
 Monterey Peninsula Water Management District, P.O. Box 85, Monterey, CA 93942  
 Monterey Regional Airport District, Chris Morello, 200 Fred Kane Drive, Suite 200, Monterey, CA 93940  
 Native American Heritage Commission  
 Rachel Hawkins, EMC Planning Group, 301 Lighthouse Ave # C, Monterey, CA 93940  
 Sierra Club, Ventana Chapter, Rita Dalessio, Chair, 16 Via Las Encinas, Carmel Valley, CA 93924  
 Slama L Keith & Jannette Trs Et Al, 2600 Garden Road, Monterey, CA 93940  
 Transportation Agency for Monterey County, 55 Plaza Cir B, Salinas, CA 93901

Note: A copy of this document, as well as informational sources referenced herein, can be reviewed at the City of Monterey Planning Office (570 Pacific Street, Monterey) as well as the City's Website:

<https://www.monterey.org/Services/Community-Development/Planning>

SUBJECT AREA	Potentially Significant Impact	Less-than-significant with Mitigation	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>I. AESTHETICS</b> – Would the project:					
a) Have a substantial adverse effect on a scenic vista?			X		- City of Monterey Planning, Engineering, and Environmental Compliance Division, City of Monterey General Plan Map 2
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X		- City of Monterey Planning, Engineering, and Environmental Compliance Division
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X		- City of Monterey General Plan, Urban Design Element
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			X		- City of Monterey Planning, Engineering, and Environmental Compliance Division

**Existing Setting:**

The City of Monterey (City) consists of approximately 10 square miles of coastal lands and forested hills. Much of the City is urbanized; however, its coastline and wooded ridges are devoted primarily to open space and recreational uses. Located an hour away from San Jose and an hour and a half from San Francisco, Monterey is frequently a vacation destination for inland and city residents. The Monterey region is well known for its scenic visual character. The City's coastal areas provide expansive views of the Pacific Ocean (Monterey Bay). The adjacent beach and coastal bluff areas are visually intriguing and offer a variety of passive and active recreational opportunities. Fisherman's Wharf and Cannery Row provide a variety of shops, art and craft galleries, boutiques, and restaurants in an historic seaport setting.

As identified in the City's General Plan, all major roads leading to Monterey are scenic highways. Highway 1, south of the City, is a State designated scenic highway. State Highway 68 (Monterey Salinas Highway) from Highway 1 to the Salinas River is a State and County designated scenic highway. In addition, Highway 68 along the western boundary of the City is identified as a "Proposed Scenic Road" in the City's General Plan.

**Discussion:**

**a-d)** The City's General Plan identifies "special places" which are considered to have significant visual resources. Part of the project site is located adjacent to Highway 68, a designated scenic highway. This part contains oak woodland and some coastal scrub. The zoning amendment consists of a change in land use regulations and therefore would not directly result in tree or vegetation removal adjacent to Highway 68, or new sources of substantial light or glare. Projects which result from the zoning amendment would be evaluated and mitigated, if necessary, as they are proposed. Therefore, impacts to scenic vistas, scenic resources, visual character or quality, and day or nighttime views would be **less than significant**.

SUBJECT AREA	Potentially Significant Impact	Less-than-significant with Mitigation	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>II. AGRICULTURE AND FOREST RESOURCES</b> – 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:					
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?				X	<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Conservation Element</li> <li>- City of Monterey General Plan Update Initial Study 2003</li> <li>- City of Monterey Zoning Ordinance</li> <li>- Monterey County Important Farmland 2014 (California Department of Conservation, 2016a)</li> </ul>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X	<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Conservation Element</li> <li>- City of Monterey General Plan Update Initial Study 2003</li> <li>- City of Monterey Zoning Ordinance</li> <li>- Monterey County Williamson Act FY 2015/2016 (California Department of Conservation, 2016b)</li> </ul>
c) Conflict with existing zoning for, or cause rezoning of forest land (as defined in Public Resources Code Section 12220g), timberland (as defined by Public Resources Code Section 4526) or timberland zoned Timberland Production (as defined by Government Code Section 51104g)?				X	<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Conservation Element</li> </ul>
d) Result in the loss of forest land or conversion of forest land to non-forest use?			X		<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Conservation Element</li> </ul>
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?			X		<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Conservation Element</li> <li>- City of Monterey General Plan Update Initial Study 2003</li> <li>- City of Monterey Zoning Ordinance</li> </ul>

**Existing Setting:**

While much of Monterey County is known for, and associated with, an abundance of agricultural operations, the City itself has no agricultural operations or potential for future agriculture resources or activities. The City does not have any forest lands zoned for Timberland Production. The City is primarily an urbanized environment.

**Discussion:**

- a-c)** The proposed project would not affect any identified agriculture resources, land identified for potential agricultural production, lands zoned for agricultural use, or lands under a Williamson Act contract or as protected by the federal Farmland Protection Policy Act. Agriculture operations are not an allowable use in the City's Zoning Code. Therefore, there would be **no impact** to farmland, agricultural land, forest land, or timberland.
- d-e)** The City also does not have any identified forest land use, nor land identified for potential timberland production or use. The zoning amendment consists of a change in land use regulations and would not directly result in the removal of existing oak woodland or coastal scrub in the project site. Projects which result from the zoning amendment would be evaluated and mitigated, if necessary, as they are proposed. Therefore, impacts to forest resources as a result of the proposed project would be **less than significant**.



SUBJECT AREA	Potentially Significant Impact	Less-than-significant with Mitigation	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>III. AIR QUALITY</b> – 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:					
a) Conflict with or obstruct implementation of the applicable air quality plan?				X	<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Conservation Element, Policy c.2</li> <li>- 2012-2015 Air Quality Management Plan (AQMP) for the Monterey Bay Air Resources District (MBARD; formerly MBUAPCD)</li> <li>- 2008 CEQA Air Quality Guidelines (MBARD)</li> </ul>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X			<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Conservation Element Goal c and Policies c.1–c.3</li> <li>- 2012-2015 AQMP for MBARD</li> <li>- 2008 CEQA Air Quality Guidelines (MBARD)</li> </ul>
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)?		X			<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Conservation Element Goal c and Policies c.1–c.3</li> <li>- 2012-1015 AQMP for MBARD</li> <li>- 2008 CEQA Air Quality Guidelines (MBARD)</li> </ul>
d) Expose sensitive receptors to substantial pollutant concentrations?			X		<ul style="list-style-type: none"> <li>- City of Monterey, General Plan</li> <li>- 2008 CEQA Air Quality Guidelines (MBARD)</li> </ul>
e) Create objectionable odors affecting a substantial number of people?			X		<ul style="list-style-type: none"> <li>- City of Monterey, General Plan</li> <li>- 2008 CEQA Air Quality Guidelines (MBARD)</li> </ul>

**Existing Setting:**

The proposed project site is located within the North Central Coast Air Basin (NCCAB), which is comprised of Santa Cruz, San Benito and Monterey counties. A semi-permanent high-pressure system in the eastern Pacific is the controlling factor in the climate of the air basin. In late spring and summer, the high-pressure system is dominant and causes persistent west and northwesterly winds over the entire California coast. The onshore air currents pass over cool ocean waters to bring fog and relatively cool air into the coastal valleys. Warmer air aloft creates elevated inversions that restrict dilution of pollutants vertically, and mountains forming the valleys restrict dilution horizontally.

In the fall, the surface winds become weak, and the marine layer grows shallow, dissipating altogether on some days. The airflow is occasionally reversed in a weak offshore movement, and the relatively stagnant conditions allow pollutants to accumulate over a period of days. It is during this season that the north or east winds develop that transport pollutants from either the San Francisco Bay Area or the Central Valley into the NCCAB. During winter and early spring, the Pacific high-pressure system migrates southward and has less influence on the air basin. Wind direction is more variable, but northwest winds still dominate. The general absence of deep, persistent inversions and occasional storm passages usually result in good air quality for the basin as a whole. The City of Monterey is bounded by pine-wooded hills to the south and by the crescent-shaped southerly end of the Monterey Bay to the north. Persistent sea breezes ventilate the area with respect to other metropolitan areas, and the City generally enjoys good air quality throughout the year.

The Federal Clean Air Act (FCAA) requires that the United States Environmental Protection Agency (EPA) establish National Ambient Air Quality Standards (NAAQS) for various pollutants. These pollutants are referred to as "criteria" pollutants because the EPA publishes criteria documents to justify the choice of standards. NAAQS defines the maximum amount of an air pollutant that can be present in ambient air. An AAQS is generally specified as a

concentration averaged over a specific time period, such as 1-hour, 8-hours, 24-hours, or 1-year. The different averaging times and concentrations are meant to protect against different exposure effects. AAQS established for the protection of human health are referred to as primary standards, while standards established for the prevention of environmental and property damage are called secondary standards. The FCAA allows States to adopt additional or more health-protective standards. The State of California has established air quality standards (CAAQS) for some pollutants not addressed by NAAQS. The California Air Resources Board (ARB) has established CAAQS for H<sub>2</sub>S, SO<sub>4</sub><sup>2-</sup>, VCM, and visibility reducing particles.

The ARB designates a status for regional air basins as being in attainment or nonattainment with CAAQS. The EPA provides the designation for National standards. State designated attainment statuses are reviewed annually while the National designated attainment statuses are reviewed when either the standards change, or when an area requests that they be re-designated due to changes in the area's air quality. Most designations are made by regional air basin, but in some cases designations are made at the county level.

Designations are made by pollutant according to the following categories:

**Attainment** – Air quality in the area meets the standard.

**Nonattainment** – Air quality in the area fails to the applicable standard.

**Unclassified** – Insufficient data to designate area, or designations have yet to be made.

**Attainment/Unclassified** - An EPA designation which, in terms of planning implications, is essentially the same as Attainment.

Nonattainment designations are of most concern because they indicate that unhealthy levels of the pollutant exist in the area, which typically triggers a need to develop a plan to achieve the applicable standard. Current State and National designations are shown below:

**Table 1. NORTH CENTRAL COAST AIR BASIN ATTAINMENT STATUS – JANUARY 2015**

(Nonattainment pollutants are highlighted in **Bold**)

Pollutant	State Standards <sup>1</sup>	National Standards
Ozone (O <sub>3</sub> )	<b>Nonattainment</b> <sup>2</sup>	Attainment/Unclassified <sup>3</sup>
Inhalable Particulates (PM <sub>10</sub> )	<b>Nonattainment</b>	Attainment
Fine Particulates (PM <sub>2.5</sub> )	Attainment	Attainment/Unclassified <sup>4</sup>
Carbon Monoxide (CO)	Monterey Co. – Attainment San Benito Co. – Unclassified Santa Cruz Co. – Unclassified	Attainment/Unclassified
Nitrogen Dioxide (NO <sub>2</sub> )	Attainment	Attainment/Unclassified <sup>5</sup>
Sulfur Dioxide (SO <sub>2</sub> )	Attainment	Attainment <sup>6</sup>
Lead	Attainment	Attainment/Unclassified <sup>7</sup>

Notes:

1) State designations based on 2010 to 2012 air monitoring data.

2) Effective July 26, 2007, the ARB designated the NCCAB a nonattainment area for the State ozone standard, which was revised in 2006 to include an 8-hour standard of 0.070 ppm.

3) On March 12, 2008, EPA adopted a new 8-hour ozone standard of 0.075 ppm. In April 2012, EPA designated the NCCAB attainment/unclassified based on 2009-2011 data.

4) This includes the 2006 24-hour standard of 35 µg/m<sup>3</sup> and the 2012 annual standard of 12 µg/m<sup>3</sup>.

5) In 2012, EPA designated the entire state as attainment/unclassified for the 2010 NO<sub>2</sub> standards.

6) In June 2011, the ARB recommended to EPA that the entire state be designated as attainment for the 2010 primary SO<sub>2</sub> standard. Final designations to be addressed in future EPA actions.

7) On October 15, 2008 EPA substantially strengthened the national ambient air quality standard for lead by lowering the level of the primary standard from 1.5 µg/m<sup>3</sup> to 0.15 µg/m<sup>3</sup>. Final designations were made by EPA in November 2011.

Source: MBARD, 2017

The Monterey Bay Air Resources District (MBARD; formerly Monterey Bay Unified Air Pollution Control District) is the regional agency tasked with managing air quality in the region. The MBARD, which the ARB oversees, has published CEQA Air Quality Guidelines that also are used in this assessment to evaluate air quality impacts of projects (MBARD, 2008). In an attempt to achieve NAAQS and CAAQS and maintain air quality, the MBARD has most recently completed the *2012-2015 Air Quality Management Plan (AQMP)* for achieving the O<sub>3</sub> CAAQS and

the 2007 Federal Maintenance Plan for Maintaining the National Ozone Standard in the Monterey Bay Region (MBARD, 2007).

The MBARD is in attainment or unclassified status for NAAQS and no national attainment plans apply to the region. The NCCAB is a nonattainment area for the CAAQS for both ozone and inhalable particulate matter (PM<sub>10</sub>). The MBARD adopted its first Attainment Plan for ozone in 1991. The AQMP for the Monterey Bay Area was the first plan prepared in response to the California Clean Air Act of 1988 that established specific planning requirements to meet the ozone standard. The California Clean Air Act requires that the AQMP be updated every three years. The most recent updates occurred in 2017 with the adoption of the 2012-2015 AQMP. The 2012-2015 AQMP addresses only attainment of the CAAQS ozone standards. Attainment of the CAAQS PM<sub>10</sub> standard is addressed in the MBARD's *Senate Bill 656 Implementation Plan*, which was adopted in December 2005. Maintenance of the NAAQS eight-hour standard for ozone is addressed in the MBARD's *Federal Maintenance Plan for the Monterey Bay Region*, which was adopted in March 2007. The MBARD does not have threshold for the ozone precursors nitrogen oxide and reactive organic gas for construction projects less than one year because this is accounted for in their emission inventories. The MBARD has established a daily emissions threshold for PM<sub>10</sub> for construction projects of 82 pounds per day (lbs/day).

**Discussion:**

a) A project would conflict with or obstruct implementation of the 2012-2015 AQMP if it is inconsistent with the growth assumptions in the AQMP, in terms of population, employment, or regional growth. These population forecasts are developed, in part, on data obtained from local jurisdictions and projected land uses and population projections identified in community plans. It is not anticipated that the zoning amendment will add more population growth than what is projected in the City's General Plan. More stringent and protective emissions standards for automobiles, power plants and other sources of ozone precursors have outpaced population growth with the net result being an improvement in air quality (2012-2015 AQMP). Population growth in the project site would have **no impact** on air quality as it would not conflict with or obstruct implementation of the AQMP and its stringent and protective emissions standards, key programs, and rules which have and will continue to reduce emissions while population increases.

b-c) Under the FCAA, the NCCAB is designated for attainment status as shown above in Table 1.

Construction projects which result from the zoning amendment would generate short-term and temporary air pollutant emissions during construction. Site grading and trenching, vegetation removal, and construction vehicle traffic would be the primary emissions sources at the project site. Vehicles and heavy equipment that may be required for construction activities include, but are not limited to, pickup trucks, cement trucks, generators, backhoes, excavators, water trucks, bulldozers, and cranes. These sources would not operate continuously, thereby causing intermittent emissions. Construction projects may also require worker commute trips.

Construction projects would have the potential to generate a small amount of fugitive particles and diesel exhaust that could result in an increase in criteria pollutants during construction activities and could also contribute to the existing nonattainment status of the NCCAB for ozone and inhalable particulates. As stated in the MBUAPCD 2008 CEQA Air Quality Guidelines (Section 5.3), emissions from construction activities represent temporary impacts that are typically short in duration, depending on the size, phasing, and project type. Air quality impacts can nevertheless be acute during construction periods, resulting in significant localized impacts to air quality. Emissions of concern related to construction activities are PM<sub>10</sub> and ozone.

Some construction projects would require site preparation or grading activities. Per the MBARD 2008 CEQA Guidelines, Table 5-3, a construction site with significant earthmoving (e.g., grading, excavation) is required to be below the 82 lbs/day threshold of significance for PM<sub>10</sub>. Projects requiring 82 or more lbs/day of earthmoving must implement **Mitigation Measure 1**, which would make air quality impacts **less than significant**.

Inhalable Particulates (PM<sub>10</sub>)

Construction activities (e.g., excavation, grading, on-site vehicles) which directly generate 82 lbs/day or more of PM<sub>10</sub> would have a significant impact on local air quality when they are located nearby and upwind of sensitive receptors. If ambient air quality in the project area already exceeds the CAAQS, a project would contribute substantially to this violation if it would emit 82 lbs/day or more.

#### Ozone

Construction activities using typical construction equipment such as dump trucks, backhoes, and cement trucks that temporarily emit precursors of ozone [i.e., volatile organic compounds (VOC) or oxides of nitrogen (NO<sub>x</sub>)] are accommodated in the emissions inventories of State- and federally-required air plans and will have a less-than-significant impact on the attainment and maintenance of ozone AAQS.

The MBARD has a 137 lbs/day threshold of significance for NO<sub>x</sub>. Construction projects requiring 137 or more lbs/day of earthmoving must implement **Mitigation Measure 1**, which would make air quality impacts **less than significant**.

Construction projects resulting from the zoning amendment would not result in a change in operational criteria pollutant emissions because they would not introduce any new permanent sources of emissions.

**Mitigation Measure 1:** Construction project personnel shall water disturbed areas of future construction project sites twice a day during construction and limit speeds to 15 mph on haul roads. This would reduce PM<sub>10</sub> emissions to not exceed 82 lbs/day and NO<sub>x</sub> emissions to not exceed 137 lbs/day.

- d–e)** Generally, residences, schools, parks and playgrounds are considered to be “sensitive receptors” in relation to air quality issues. Sensitive receptors adjacent to construction project sites could include churches and office buildings. As stated in b-c above, construction activities may generate odors or pollutant concentrations that are objectionable to some persons. However, these odors would be short-term and temporary, and would not cause a violation of any CO, PM<sub>10</sub>, or toxic air contaminant standards. Therefore, this would be a **less than significant** impact.

SUBJECT AREA	Potentially Significant Impact	Less-than-significant with Mitigation	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>IV. BIOLOGICAL RESOURCES – Would the project:</b>					
a) Has 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?		X			<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Conservation Element Goal d, Policies d.1–d.6 and Programs d.1.1–d.6.6</li> <li>- City of Monterey, Monterey City Code (M.C.C.), Chapter 37, Preservation of Trees and Shrubs</li> </ul>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X			<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Conservation Element Policy b.4 and Program d.6.3</li> </ul>
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?		X			<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Conservation Element Policy b.4 and Program d.6.3</li> </ul>
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?		X			<ul style="list-style-type: none"> <li>- City of Monterey, General Plan</li> </ul>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X		<ul style="list-style-type: none"> <li>- City of Monterey, Monterey City Code (M.C.C.), Chapter 37, Preservation of Trees and Shrubs</li> </ul>
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?				X	<ul style="list-style-type: none"> <li>- City of Monterey Planning, Engineering, and Environmental Compliance Division</li> </ul>

**Existing Setting:**

Monterey County consists of more than 3,324 square miles of land (over two million acres) with a variety of habitats from rocky Pacific shores to open grasslands to high mountains at elevations exceeding 5,000 feet. The Monterey Bay area, located in northern Monterey County, is home to a diverse population of animal, bird, and plant species. The waters of Monterey Bay and the adjacent Pacific Ocean off the central California coast have been designated and protected as the Monterey Bay National Marine Sanctuary since 1992. The climate of the site is typical of the California central coast with mild year-round and morning coastal fog, generally cleared by afternoon breezes. Monterey typically experiences cool summer months, with temperatures averaging in the high 50s to low 60s, and warm "Indian Summer" weather in the fall. The average yearly rainfall is approximately 18 inches and is concentrated in the winter and early spring months.

**Regulations**

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) establishes special protection for migratory birds by regulating hunting or trade in migratory birds. The MBTA prohibits anyone to take, possess, buy, sell, purchase, or barter any migratory birds list in 50 CFR 10, including feathers or other part, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). The definition of “take” includes any disturbance that causes nest abandonment and/or loss of reproductive effort (e.g., killing or abandonment of eggs or young).

#### Monterey Tree Protection Ordinance

Monterey’s image is that of a small-scale residential community beside the bay, framed by a forested hill backdrop and drawing its charm from a rich historical background, certain commercial enterprises, and natural scenic beauty. Trees within the City significantly contribute to this image. The Preservation of Trees and Shrubs Ordinance is intended to assure preservation of trees and replacement of trees when removal is unavoidable. The Ordinance also establishes a Landmark Tree Program.

#### General Plan Conservation Element

The City’s Conservation Element contains a variety of goals, policies and programs. Its elements protect the character and composition of existing native vegetative communities, as well as provide policy to conserve, manage, and restore habitats for endangered species, and protect biological diversity represented by special-status plant and wildlife species in the City of Monterey.

#### Special-Status Species and Sensitive Habitats

The proposed project site was evaluated for the presence or potential presence of special-status plant and wildlife species. Special-status species are those plants and animals that have been formally listed or proposed for listing as endangered or threatened, or are candidates for such listing under the Federal Endangered Species Act (ESA) or the California Endangered Species Act (CESA). Listed species are afforded legal protection under the ESA and CESA. Species that meet the definition of Rare or Endangered under the California Environmental Quality Act (CEQA) Section 15380 are also considered special-status species. Species that meet this definition are typically provided management consideration through the CEQA process, although they are not legally protected under the ESA or CESA include: DFW species of special concern and fully protected species; species listed on the DFW’s California Natural Diversity Database (CNDDDB) with no formal status designation but thought by experts to be rare or in serious decline; plants listed as rare under the California Native Plant Protection Act (CNPPA) or on the California Native Plant Society (CNPS) California Rare Plant Ranks (CRPR) 1A and 1B; raptors and other migratory birds protected under the federal Migratory Bird Treaty Act (MBTA) of 1918 and California Fish and Game Code; and marine mammals protected under the Marine Mammal Protection Act of 1972 (MMPA).

The proposed project site was also surveyed for sensitive habitats. Sensitive habitats include riparian corridors, wetlands and other waters of the U.S., habitats for legally protected species, areas of high biological diversity, areas supporting rare or special-status wildlife habitat, and unusual or regionally restricted habitat types. Habitat types considered sensitive include those listed on the CNDDDB’s working list of high priority and rare natural communities (i.e., those habitats that are Rare or Endangered within the borders of California) (DFW, 2010), those that are occupied by species listed under ESA or are critical habitat in accordance with ESA, and those that are defined as Environmentally Sensitive Habitat Areas (ESHA) under the Coastal Act or “essential fish habitat” under the Magnuson-Stevens Fishery Conservation and Management Act or protected under the Marine Life Protection Act. Specific habitats may also be identified as sensitive in City or County General Plans or ordinances. Sensitive habitats are regulated under federal regulations (such as the Clean Water Act, the Rivers and Harbors Act, and Executive Order 11990 – Protection of Wetlands), state regulations (such as CEQA and the DFW Streambed Alteration Program), or local ordinances or policies (such as City or County tree ordinances, Habitat Management Plan areas, and General Plan elements).

#### **Discussion:**

**a-d** Construction projects resulting from the zoning amendment may affect biological resources. Projects which require soil or vegetation disturbance would require mitigation. Impacts to biological resources would be **less than significant** with implementation of **Mitigation Measure 2**.

**Mitigation Measure 2:** A qualified biologist shall prepare a biological assessment of the project area for construction projects which require soil or vegetation disturbance. All measures discussed in the biological assessment shall be implemented, making impacts to the biological resources discussed in sections a-d above less than significant.

**e** Construction projects may affect tree resources. MCC Chapter 37 "Preservation of Trees and Shrubs" contains procedures to assure preservation of trees and replacement of trees when removal is unavoidable. Project applicants would be required to apply for a City tree permit if trees are proposed to be affected. Therefore, impacts to tree resources would be **less than significant**.

**f** The City does not have an adopted Habitat Conservation Plan or Natural Community Conservation Plan that addresses the project site. Therefore, **no impact** would result.

SUBJECT AREA	Potentially Significant Impact	Less-than-significant with Mitigation	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>V. CULTURAL RESOURCES</b> – Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Intent is to address impact to onsite historic resources and adjacent historic resources.)			X		<ul style="list-style-type: none"> <li>- City of Monterey, Monterey City Code (M.C.C.), Chapter 38, Zoning Code, Article 15 H Historic Overlay District</li> <li>- City of Monterey, Historic Preservation Program</li> <li>- City of Monterey, Historic Master Plan</li> <li>- City of Monterey, Historic Ordinance</li> </ul>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?		X			- Archaeological Sensitivity Map, Figure 8, Draft EIR, City of Monterey General Plan Update, July 2004
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X			- Archaeological Sensitivity Map, Figure 8, Draft EIR, City of Monterey General Plan Update, July 2004
d) Disturb any human remains, including those interred outside of formal cemeteries?		X			- City of Monterey, General Plan

**Existing Setting:**

According to the City’s General Plan, the City is one of the most historic cities in the United States, and preservation of historic resources has long been a concern of Monterey citizens. Over the past three centuries, the City has served, at various times, as a Spanish mission, a center of government, a major commercial port, and a cultural center. The dramatic ocean scenery, abundant wildlife, pine forests, and historic communities continue to attract explorers, dignitaries, seafarers, artists, writers, and vacationers. Today, Monterey thrives as a cultural center and tourist destination. The City currently has a population of almost 30,000 people and is host to more than two million visitors annually.

**Discussion:**

- a) There are no known historic resources located at the project site. Construction projects resulting from the zoning amendment would be evaluated at the time that they are proposed. In the future, if any structures or landscapes are found to be historic, any project affecting them would be evaluated for consistency with the Secretary of the Interior’s Standards for the Treatment of Historic Properties. Therefore, impacts would be **less than significant**.
- b-d) Construction projects could include ground disturbing activities in areas with high archaeological sensitivity, as mapped in the City of Monterey General Plan Draft EIR. Unidentified (e.g., buried) cultural resources may be found during any construction. This would be a potentially significant impact that can be reduced to a **less-than-significant** level with implementation of the **mitigation measures** identified below.

**Mitigation 3:** If archaeological materials or features are discovered at any time during construction, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist (defined as one who is certified by the Society of Professional Archaeologists). If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented to ensure that no substantial adverse change, including alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.

**Mitigation 4:**

If human remains are discovered at any time during construction, work shall be halted within 50 meters (150 feet) of the find.



- The contractor shall call the Monterey County Coroner and await the Coroner's clearance. If the coroner determines the remains are Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours.
- NAHC shall notify the most likely descendent.
- The Native American descendent, with permission of the land owner or representative, may inspect the site of the discovery and recommend the means for treating or disposing with appropriate dignity the human remains and any associated grave goods.
- The Native American descent shall complete their inspection and make their recommendation within 24 hours of their notification by the Native American Heritage Commission. The recommendation may include the removal and analysis of human remains and associate items; preservation of the Native American human remains and associated items in place; relinquishment of Native American human remains and associated items to the descendants for treatment; other culturally appropriate treatment. If the NAHC is unable to identify a descendent or the descendent identified fails to make a recommendation within 24 hours, the landowner shall reinter the human remains and items associated with the Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance.
- If the landowner and Native American descendent reach agreement on the appropriate procedure, the landowner shall follow this procedure.
- If the landowner and Native American descent cannot reach agreement, the parties shall consult with the Native American Heritage Commission. The landowner shall consider and if agreeable follow the identified procedure.
- If the landowner and Native American descendant cannot reach agreement after consultation, the Native American human remains shall be reinterred on the property with appropriate dignity.

SUBJECT AREA	Potentially Significant Impact	Less-than-significant with Mitigation	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>VI. GEOLOGY AND SOILS – Would the project:</b>					
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? Refer to Division of Mines and Geology Special Publication 42.			X		- City of Monterey, General Plan Safety Element Goal a, Policies a.1–a.7 - City of Monterey, General Plan, Map 11-Showing Seismic Hazards
ii) Strong seismic ground shaking?			X		- City of Monterey, General Plan Safety Element Goal a, Policies a.1–a.7
iii) Seismic-related ground failure, including liquefaction?			X		- City of Monterey, General Plan Safety Element Goal a, Policies a.1–a.7
iv) Landslides?			X		- City of Monterey, General Plan Safety Element Goal a, Policies a.1–a.7 - City of Monterey, General Plan Safety Element Policies b.1–b.6 - City of Monterey, General Plan, General Plan Map 12-Showing Steep Slopes
b) Result in substantial soil erosion or the loss of topsoil?			X		- City of Monterey, General Plan Safety Element Goal a, Policies a.1–a.7 - City of Monterey, General Plan
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?			X		- City of Monterey, General Plan Safety Element Goal a, Policies a.1–a.7 - City of Monterey, General Plan, General Plan Map 12-Showing Steep Slopes
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?			X		- City of Monterey, General Plan
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?			X		- City of Monterey, General Plan

**Existing Setting:**

The City is underlain by a major geologic feature, the Salinian Block, which in turn is underlain by granitic basement rock. The Salinian Block is bounded on the northeast by the San Andreas Fault and on the southwest by the Palo Colorado-San Gregorio Fault. The block is approximately 50 miles wide and 300 miles long. The types of soils and geologic formations that underlie the City are varied, ranging from unconsolidated dune sands along the Monterey Bay to exposed granite and sandstone.

California is one of the most active seismic regions in the United States. The City lies adjacent to the boundary zone between the North American and Pacific tectonic plates. The faults associated with this zone are predominantly northwest-trending strike-slip faults that have a right-lateral slip. The General Plan identifies three faults that traverse the City, including the Chupines Fault, the Navy Fault, and the Berwick Fault. Information available on the activity of these faults is generally not conclusive, but each is assumed to be potentially active.

Active faults in the proposed project vicinity include: the San Andreas-1906 Segment, located approximately 24 miles northeast of the proposed project site; the Palo Colorado-Sur, located approximately 8 miles southwest of the proposed project site; the Rinconada, located approximately 7 miles northeast of the proposed project site; and the Monterey Bay-Tularcitos, located approximately 4 mile from the proposed project site.

Topography and slope within the City is quite variable. Lands along the margin on Monterey Bay tend to be relatively flat, but sloped towards the bay. Much of the upland portion of the City is incised by a series of intermittent stream channels that have cut into surface soil and subsurface geologic formations, leaving a series of mesas that trend towards the bay. Much of the City is built on these mesas and on the more level margins of the bay. The northern terminus of the Santa Lucia Mountains is the major regional landform that forms the backdrop to the City. Due to slope and access constraints, development within this area tends to be less dense. Steep slopes within the City tend to be located along stream channels and within the hillside areas.

Numerous soil types are located within the City. Each soil type has unique characteristics and potential development limitations and erosion characteristics. Generally, the erosion potential of soils and their expansion properties (soil expansion and contraction can result in damage to building foundations, roads, etc.) are of the greatest interest from a development impact perspective.

Coastal areas along Monterey Bay, especially dune deposits, are highly susceptible to coastal erosion from waves and tidal events. Erosion potential varies along the length of the coast. Variability in erosion rates is caused by several factors, including sea level, wave patterns influenced by the form of the ocean floor, storm patterns, and the structure and character of dunes in localized areas. Historic average coastal bluff retreat rates have been highest in the former Fort Ord area, averaging up to eight feet per year. Average erosion rates decrease down coast to about three to five feet per year in Sand City. Further south, within the City, average erosion rates are believed to be about one to two feet per year (PWA, 2008). Coastal erosion would be a significant factor for any development proposed along the margin of Monterey Bay.

#### **Discussion:**

- a.i)** The City of Monterey is not located in an Alquist-Priolo Earthquake Fault Zone as mapped by the State Geologist. The nearest known active or potentially active fault is the Monterey Bay-Tularcitos, located approximately 1 mile from the site. Earthquakes on any of the local faults or on other faults located in the vicinity or region could produce significant seismic shaking at the proposed project. However, as identified in the City General Plan EIR there are no known active faults, faults on which movement has occurred within the last 11,000 years, within the City and no Alquist-Priolo Special Studies Zones. Therefore, there is minimal potential for surface rupture and impacts are **less than significant**.
- a.ii-a.iii)** The zoning amendment would result in residential construction projects. As described above, resulting construction projects may be subject to strong ground shaking in the event of a major earthquake. The City General Plan EIR identifies seismic shaking as the most significant hazard across the City. Hazards from liquefaction, differential settlement, and slope failure are anticipated to be much less widespread as the surface and subsurface conditions that give rise to liquefaction during seismic shaking event is geographically limited. Seismic impacts will be minimized by adhering to City requirements and policies within the City's General Plan. Resulting projects would be designed to comply with all International Building Code requirements. Therefore, potential impacts associated with the exposure of people or structures to potential adverse effects of seismic ground shaking is **less than significant**.
- a.iv, b, c, d)** Resulting projects would be assessed for geological and soils-related hazards, if applicable. The City requires that all pre and post storm water flows are equal (no increase). To ensure no increased offsite flows and soil stability, the City's Building Division requires a Soils Report prior to any construction, if

applicable to the project, to ensure the project meets all Uniform Building Code soil stability requirements. In addition, adherence to MCC Chapter 31.5 "Storm Water Management" would help to prevent any construction erosion as well as water quality degradation. Resulting projects would not increase risk to life or property to potential adverse effects involving landslides, lateral spreading, liquefaction or collapse, or expansive soils. Therefore, this impact would be **less than significant**.

- e) Resulting projects would be assessed, if applicable, for soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems. Adherence to the assessment's recommendations would make any impacts **less than significant**.

SUBJECT AREA	Potentially Significant Impact	Less-than-significant with Mitigation	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>VII. GREENHOUSE GAS EMISSIONS – Would the project:</b>					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X		<ul style="list-style-type: none"> <li>- Project Description; California Air Resources Board; MBARD</li> <li>- Garden Road Rezoning Traffic Impact Analysis (Higgins, 2019)</li> </ul>
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X	<ul style="list-style-type: none"> <li>- Project Description; California Air Resources Board</li> <li>- City of Monterey Climate Action Plan (City of Monterey, 2016)</li> </ul>

**Existing Setting:**

Greenhouse gases (GHGs) are emitted by both natural processes and human activities. Of these gases, carbon dioxide (CO<sub>2</sub>) and methane (CH<sub>4</sub>) are emitted in the greatest quantities from human activities. Emissions of CO<sub>2</sub> are largely by-products of fossil fuel combustion, whereas CH<sub>4</sub> results from off-gassing associated with agricultural practices and landfills. Scientific modeling predicts that continued GHG emissions at or above current rates would induce more extreme climate changes during the 21<sup>st</sup> century than were observed during the 20<sup>th</sup> century. Different types of GHGs have varying global warming potentials. The global warming potential of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere. Because GHGs absorb different amounts of heat, a common reference gas (CO<sub>2</sub>) is used to relate the amount of heat absorbed to the amount of the gas emissions, referred to as “carbon dioxide equivalent” (CO<sub>2</sub>e), and is the amount of a GHG emitted multiplied by its global warming potential.

According to the ARB, some of the potential impacts in California of global warming may include loss of snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years (ARB, October 2007). While these potential impacts identify the possible effects of climate change at a global and potentially statewide level, in general, scientific modeling tools are currently unable to precisely predict what impacts would occur locally.

Greenhouse Gas Emissions and Links to Global Climate Change

With regard to climate change impacts, the MBARD has not identified a significance threshold for GHG emissions or a methodology for analyzing air quality impacts related to GHG emissions. The State has identified 1990 emission levels as a goal through adoption of California Assembly Bill (AB 32). To meet this goal, California would need to generate lower levels of GHG emissions than current levels. However, no standards have yet been adopted quantifying 1990 emission targets. For this analysis, the proposed project and the associated potential development’s contribution to global climate change would be considered significant if it would be inconsistent with AB 32’s goal of reducing 2020 greenhouse gas emissions to 1990 levels from sources associated with projected growth (i.e., motor vehicles, direct energy use, waste-related activities) or expose persons to significant risks associated with the effects of global climate change.

The greenhouse effect is a natural process by which some of the radiant heat from the sun is captured in the lower atmosphere of the earth, thus maintaining the temperature and making the earth habitable. The gases that help capture the heat are called greenhouse gases. Some GHGs occur naturally in the atmosphere, while others result from human activities. Naturally occurring GHGs include water vapor, carbon dioxide, methane, nitrous oxide, and ozone. Certain human activities, however, add to the levels of most of these naturally occurring gases as describe below:

- Carbon dioxide (CO<sub>2</sub>) is released to the atmosphere when solid waste, fossil fuels (oil, natural gas, and coal), and wood and wood products are burned.
- Methane (CH<sub>4</sub>) is emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from the decomposition of organic waste in solid waste landfills and from the raising of livestock.
- Nitrous oxide (N<sub>2</sub>O) is emitted during agricultural and industrial activities, as well as during combustion of solid waste and fossil fuels.
- High global warming potential (GWP) gases that are not naturally occurring, including hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>), are generated in a variety of industrial processes.

Each GHG differs in its ability to absorb heat in the atmosphere. High GWP gases such as HFCs, PFCs, and SF<sub>6</sub> are the most heat-absorbent. Methane traps over 21 times more heat per molecule than CO<sub>2</sub>, and N<sub>2</sub>O absorbs 310 times more heat per molecule than CO<sub>2</sub>. Often, estimates of GHG emissions are presented in CO<sub>2</sub>e, which weighs each gas by its GWP. Table 2 shows the GWP for different GHGs for a 100-year time horizon.

**Table 2. Global Warming Potential for Greenhouse Gases**

<b>Greenhouse Gas</b>	<b>Global Warming Potential</b>
Carbon Dioxide (CO <sub>2</sub> )	1
Methane (CH <sub>4</sub> )	21
Nitrous Dioxide (N <sub>2</sub> O)	310
Hydrofluorocarbons (HFCs), Perfluorocarbons (PFCs)	90- 11,700
Sulfur Hexafluoride (SF <sub>6</sub> )	23,900

Source: Bay Area Air Quality Management District, 2010

Projects which are not consistent with the AQMP have not been accommodated in the AQMP and will have a significant cumulative impact on regional air quality unless emissions are totally offset. A project that is inconsistent with the AQMP has not been accommodated in the emissions budget and will have a significant cumulative impact on attainment of the state's ozone AAQS unless project emissions are totally offset.

Since global climate change is certainly a cumulative impact, this analysis considers that the proposed project would have a significant impact if it would:

- Result in substantial net increases in greenhouse gases and CO<sub>2</sub>e emissions. In the absence of generally accepted thresholds of significance for projects, a substantial increase, for purposes of this analysis, occurs when a project exceeds thresholds of significance for criteria pollutants. This approach is consistent with guidance from the California Air Pollution Control Officers' Association (CAPCOA), which notes that implementing CEQA without an explicit threshold prior to formal guidance from the State of California's Office of Planning and Research is appropriate. In fact, this approach is consistent with CAPCOA's belief that by defining substantial emissions of GHGs to performance standards (e.g., criteria pollutant emission thresholds), lead agencies would amass information and experience with specific project categories that would support establishing explicit thresholds in the future.
- Expose persons to significant risk associated with the effects of global climate change.
- Conflict with or obstruct implementation of the goals or strategies of Executive Order S-3-05.
- Be inconsistent with the ARB's 44 Early Action Measures for AB 32 compliance.
- Be subject to the CARB mandatory reporting requirements (generally required for projects producing more than 25,000 annual metric tons of CO<sub>2</sub>e).
- Be inconsistent with the recommended global warming mitigation measures from the Attorney General, CAPCOA, Office of Planning and Research, or other appropriate sources.

**Discussion:**

- a) The zoning amendment itself would not generate GHG emissions, but resulting residential construction projects and vehicle trips would. Current allowed uses in the Garden Road overlay area include commercial, industrial, and public and semi-public. The project's traffic impact analysis report (Higgins, 2019) estimated and compared the number of vehicle trips generated by two scenarios: Office Buildout with

Existing Zoning scenario (buildout of the Garden Road overlay area under existing zoning regulations) and Office & Residential Buildout with Proposed Zoning scenario (buildout of the Garden Road overlay area under the proposed zoning amendment). The Office Buildout with Existing Zoning scenario would generate the largest number of vehicle trips (23,090), whereas the Office & Residential Buildout with Proposed Zoning scenario would generate 2,535 less trips, or 20,555 trips. The Office Buildout with Existing Zoning scenario represents the worst-case number of vehicle trips. Office, rather than industrial, trip generation rates were chosen to represent the worst-case scenario because, in general, office uses generate more trips than industrial uses. In addition, there are more office uses on Garden Road than any other use type.

Therefore, the Office & Residential Buildout with Proposed Zoning scenario would generate substantially less vehicle trips than buildout of current allowed uses. Although new multifamily residential uses would generate vehicle trips and GHG emissions, these would be less than new current allowed uses would generate. Therefore, the impact would be **less than significant**.

- b) AB 32, signed in September 2006, requires the State's global warming emissions to be reduced to 1990 levels by 2020. After completing a comprehensive review and update process, the ARB approved a 1990 statewide GHG level and 2020 limit of 427 MMT CO<sub>2e</sub> (ARB, 2007).

Senate Bill (SB) 97, signed in August 2007, acknowledges that global climate change (GCC) requires analysis under CEQA. In March 2010, the California Resources Agency adopted amendments to the State CEQA Guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted amendments give lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHG and GCC impacts.

SB 375, signed in August 2008, requires the inclusion of sustainable communities strategies (SCS) in regional transportation plans (RTPs) for the purpose of reducing GHG emissions. The bill requires the ARB to set regional targets for the purpose of reducing GHG from passenger vehicles for 2020 and 2035.

The City's Climate Action Plan (CAP) includes GHG emissions reduction strategies for both the community (emissions within the City borders) and government operations (emission resulting from the activities associated with managing the City). The CAP establishes emissions reduction targets for year 2020 totaling approximately 49,113 metric tons of CO<sub>2e</sub>. The CAP emissions reduction targets exceed the goals set by AB32.

None of these statewide regulations include requirements that apply to the proposed project and no local or regional plans to reduce GHG emissions are currently in place. In addition, none of the reduction strategies in the CAP pertains to construction-generated GHG emissions. Therefore, the project does not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHG. **No impacts** would occur as a result of the proposed project.

SUBJECT AREA	Potentially Significant Impact	Less-than-significant with Mitigation	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>VIII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:</b>					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X	- City of Monterey, General Plan Safety Element Goal G
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?			X		- City of Monterey, General Plan
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X	- City of Monterey, General Plan
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?		X			- California Department of Toxic Substances, EnviroStor Database - City of Monterey Fire Department
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?				X	- City of Monterey, General Plan - Monterey Peninsula Airport Comprehensive Land Use Plan, 1987 - Draft Airport Land Use Compatibility Plan, 2017
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?				X	- City of Monterey, General Plan
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X	- City of Monterey, General Plan Safety Element Goal h and Policies h.1–h.6 - City of Monterey Police and Fire Departments
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 when residences are intermixed with wildlands?				X	- Monterey City Code (M.C.C.), Chapter 13, Fire Protection - General Plan Map 14, Showing Fire Hazard Severity Zones

**Existing Setting:**

The setting information provided below is based on information provided in the City's General Plan and General Plan EIR.

Hazardous Materials

In terms of hazardous materials usage, many types of hazardous wastes are used throughout the City in residential, commercial, and industrial applications. The Monterey County Environmental Health Division is responsible for



managing the use, storage, and disposal of hazardous materials in amounts over a specific threshold (the threshold varies among uses and types of materials). The Environmental Health Division keeps an inventory of hazardous materials users and is responsible for working with users to develop plans that ensure the materials are safely used, stored, transported, and disposed.

### Fire

Fire hazards can generally be divided into two main types: (1) fires within urban areas that primarily involve specific sites and structures; and (2) fires within undeveloped or minimally developed areas, commonly called wildland fires. Most of the land within the present city limits is developed with urban uses. The City of Monterey Fire Department responds to both structure and wildland fires within the planning area. The City of Monterey Fire Department maintains three stations and operates several fire prevention programs. In the event that the City does not have the capacity to safely handle a structural or wildland fire, it can request additional firefighting resources through the Monterey County Mutual Aid Plan. The Monterey County Mutual Aid Plan enables any jurisdiction that participates in the plan to receive support from fire protection services of other jurisdictions that participate in implementing the plan. Response times to nearly all areas of the City are within the Department's recommended range of five to seven minutes.

The Monterey City Code (M.C.C.) Chapter 13, Fire Protection, adopted the 2007 California Fire Code pursuant to Monterey City Ordinance No. 3398 (effective January 1, 2008). Amendments to this chapter of the code, as well as amendments to the City's General Plan Map 14, Showing Fire Hazard Severity Zones, were adopted by the City Council on June 2, 2009, to be in compliance with legislation (Government Code Section 51175). This legislation calls for the California Department of Forestry and Fire Protection (CAL FIRE) Director to evaluate fire hazard severity in Local Responsibility Areas and make a recommendation to the local jurisdiction when the Very High Fire Hazard Severity Zone (VHFHSZ) exists. Based on the findings of the CAL FIRE Director, there are both High and Very High Fire Hazard Severity Zone within the City of Monterey City limits (See Map 14 at the City's website: <http://www.monterey.org/Portals/0/Policies-Procedures/Planning/GeneralPlan/14-Fire-Zone-Map.pdf>).

### Airport Safety

Monterey Peninsula Airport operations have the potential to create safety issues related to safe operation of approaching and departing aircraft. The Monterey Regional Airport Master Plan (2015) shows "runway protection zones" at each end of the main airport runway. Within these areas, land use controls are exercised to minimize potential safety conflicts with activities that take place within the zones. Such controls and guidelines include the prohibition or limitation of uses that involve large assemblages of people, limitations on building heights and heights of other potential obstructions, and prohibition of new structures. Existing land uses that are within the western approach safety zone include much of the U.S. Navy Golf Course, the Monterey County Fairgrounds, and a small section of residential development. Uses within the eastern protection zone include commercial and residential development at the Highway 218/Highway 68 intersection. Smaller additional safety areas extend beyond the primary protection zone wherein specific development standards apply in order to minimize conflicts with airport operations.

### Emergency Preparedness/Emergency Response

The City of Monterey Fire Department and City of Monterey Police Department coordinate emergency response within the City. The City operates its Emergency Operations Center (EOC) as the center of emergency response coordination and actions. During an emergency, all response activities are managed by the EOC, including information, equipment, volunteers, and other resources. Plans for responses to emergency situations are formulated by fire and police officials, and actions to implement those plans are communicated to emergency response teams that operate out of the EOC and throughout the City. The City also operates the Citizens Emergency Response Training (CERT) program. The main goal of the CERT program is to help Monterey residents to be self-sufficient in a major disaster by developing multifunctional teams that are cross-trained in basic skills. The City's emergency response efforts are coordinated under the broader umbrella of the State of California Office of Emergency Services. The County of Monterey also has an emergency response office, but the City is not a participating jurisdiction in the County's response program. The County Environmental Health Division Hazardous Materials Branch and the City of Seaside Hazardous Materials Team would likely be the first agencies to provide support to the City in the event that the City does not have the capacity or capability to fully address a hazard. Both agencies are fully trained and equipped to respond to a variety of hazardous materials related incidents.

**Discussion:**

- a) The proposed project does not involve the routine transport, use, or disposal of hazardous materials. Additionally, the proposed project would comply with all pollution and environmental control rules, regulations, ordinances, and statutes that apply to the proposed project. As such, there would be **no impact**.
- b) The zoning amendment would result in residential construction projects. Hazardous materials may be temporarily stored and used on site during construction, including petroleum products, solvents, and cleaners, primarily used for operation and maintenance of construction equipment. These materials would be stored properly within the staging area, in accordance with BMPs and applicable regulations, and the staging area would be secured from public access and identified per City requirements. Runoff controls would be implemented to prevent water quality impacts. Any waste products resulting from construction operations would be stored, handled, and recycled or disposed of in accordance with federal, state, and local laws. Therefore, this would be a **less-than-significant impact**.
- c) There are no schools within one-quarter mile of the proposed project site and the proposed project does not propose emitting or handling acutely hazardous materials. Adherence to federal, state, and local regulations would reduce potential hazardous materials impacts. Therefore, **no impacts** related to these topics are anticipated.
- d) A review of the State Water Resources Control Board's GeoTracker website indicated that a Closed, Leaking Underground Storage Tank Cleanup Site exists in the vicinity of the proposed project site. Although this cleanup site is closed, future residential project developers shall reference the exact cleanup site location and evaluate if there is potential for vapors that would need to be mitigated prior to allowing residential uses in the proposed project site. Therefore, this impact would be **less than significant with implementation of Mitigation Measure 5**.  
**Mitigation Measure 5:** Future residential project developers shall reference the exact cleanup site location and evaluate if there is potential for vapors that would need to be mitigated prior to allowing residential uses in the proposed project site.
- e) The project site is located within the 2019 Monterey Regional Airport Land Use Compatibility Plan (ALUCP) area. The ALUCP imposes a 406.6' horizontal surface elevation restriction on the project site. Resulting residential projects would not penetrate this elevation standard due to the maximum structure height limit of 35 feet from grade currently imposed by the City's Zoning Ordinance. The 2019 ALUCP also enforces airport safety zones as mandated by the 2011 California Airport Land Use Planning Handbook. The proposed project will not conflict with any airport safety zones, and will not compromise the safety of people who would reside in the project location. In addition, this proposed zoning amendment legislation will be reviewed by the Airport Land Use Commission to confirm consistency with the 2019 ALUCP. Therefore, there would be **no impacts** associated with airport safety hazards.
- f) The project is not in the vicinity of a private air strip. **No impacts** would result.
- g) The proposed project site is adjacent to Highway 68, an evacuation route, as identified in the City's General Plan. In addition, Garden Road is an identified access route to Highway 68. The proposed project would not result in any conditions that are not already assumed in the emergency response or emergency evacuation plans. Therefore, **no impacts** would result.
- h) The proposed project does not have the potential to expose people or structures to wildland fires. Therefore, **no impacts** related to these topics are anticipated.

SUBJECT AREA	Potentially Significant Impact	Less-than-significant with Mitigation	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>IX. HYDROLOGY AND WATER QUALITY – Would the project:</b>					
a) Violate any water quality standards or waste discharge requirements?			X		<ul style="list-style-type: none"> <li>- Monterey City Code (M.C.C.) Chapter 31.5, Storm Water Management</li> <li>- City of Monterey, General Plan Public Facilities Element Policy 1.2, Urban Design Element Policy d.1, Conservation Element Water Quality policies b.1-b.4</li> <li>- City of Monterey Plans &amp; Public Works Department</li> <li>- Central Coast Regional Water Quality Control Board</li> <li>- Monterey Regional Storm Water Management Program (MRSWMP)</li> </ul>
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)?			X		<ul style="list-style-type: none"> <li>- City of Monterey Plans &amp; Public Works Department</li> <li>- City of Monterey, General Plan Conservation Element</li> </ul>
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?			X		<ul style="list-style-type: none"> <li>- Monterey City Code (M.C.C.) Chapter 31.5, Storm Water Management</li> <li>- General Plan Public Facilities Element Policy 1.2</li> <li>- City of Monterey Plans &amp; Public Works Department</li> </ul>
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?			X		<ul style="list-style-type: none"> <li>- Monterey City Code (M.C.C.) Chapter 31.5, Storm Water Management</li> <li>- General Plan Public Facilities Element Policy 1.2, Safety Element Flood Hazards Program c.1-c.4, Public Facilities Storm Drain Policy 1.1</li> <li>- City of Monterey Plans &amp; Public Works Department</li> </ul>
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?			X		<ul style="list-style-type: none"> <li>- General Plan Public Facilities Element Policy 1.2</li> <li>- City of Monterey Plans &amp; Public Works Department</li> <li>- Monterey Regional Storm Water Management Program (MRSWMP)</li> </ul>
f) Otherwise substantially degrade water quality?			X		<ul style="list-style-type: none"> <li>- Monterey City Code (M.C.C.) Chapter 31.5, Storm Water Management</li> <li>- General Plan Public Facilities Element Policy 1.2</li> </ul>

SUBJECT AREA	Potentially Significant Impact	Less-than-significant with Mitigation	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
					<ul style="list-style-type: none"> <li>- City of Monterey Plans &amp; Public Works Department</li> <li>- Central Coast Regional Water Quality Control Board</li> <li>- Monterey Regional Storm Water Management Program (MRSWMP)</li> </ul>
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?				X	<ul style="list-style-type: none"> <li>- General Plan Map 13-Showing Flood Zones</li> <li>- General Plan Safety Element Program c.1.a</li> <li>- Monterey City Code (M.C.C.) Chapter 9, Building Regulations, Article 7, Flood Damage Prevention</li> <li>- FEMA Flood Insurance Rate Maps for County of Monterey, City of Monterey, April 2, 2009</li> </ul>
h) Place within a 100-year flood hazard area structure, which would impede or redirect flood flows?				X	<ul style="list-style-type: none"> <li>- General Plan Map 13-Showing Flood Zones</li> <li>- General Plan Safety Element Program c.1.a</li> <li>- Monterey City Code (M.C.C.) Chapter 9, Building Regulations, Article 7, Flood Damage Prevention</li> <li>- FEMA Flood Insurance Rate Maps for County of Monterey, City of Monterey, April 2, 2009</li> </ul>
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?				X	<ul style="list-style-type: none"> <li>- General Plan Safety Element Policy c.1</li> <li>- City of Monterey Plans &amp; Public Works Department</li> <li>- FEMA Flood Insurance Rate Maps for County of Monterey, City of Monterey, April 2, 2009</li> </ul>
j) Cause inundation by seiche, tsunami, or mudflow?				X	<ul style="list-style-type: none"> <li>- General Plan Safety Element Policy c.1</li> </ul>

**Existing Setting:**

The setting information provided below is based on information provided in the City's General Plan, General Plan EIR, and the Monterey Regional Storm Water Management Program.

Drainage Patterns

The City owns and maintains a storm drainage system that collects and transports stormwater to the Monterey Bay. The system includes over 10 miles of pipelines and drainage channels. Stormwater runoff is collected through catch basins and stormwater inlets that direct runoff into the pipelines and channels. A series of stormwater outfalls are located along the margin of the Bay through which stormwater is discharged.

Flooding

Areas of the City of Monterey are located in 100-year and 500-year flood zones and are subject to significant storm wave inundation that causes erosion of coastal bluffs and potential damage to property. Per the Flood Zones of the General Plan and FEMA Flood Insurance Rate Maps Community-Panel Number 06053C0329G the proposed project site is located outside both the 100-year and 500-year floodplains. The proposed project site is not subject to flood hazard from tsunamis, or seismic sea waves, which are generated by submarine earthquakes, volcanic eruptions, and landslides. California, in particular, has numerous potentially active submarine faults offshore and therefore is at risk for a tsunami. The proposed project is not subject to coastal flooding, wave action, storm surge and seismic effects, and related issues.

### Water Quality and Storm Water Regulation

The City maintains approximately 10 miles of storm drainage infrastructure – drainage channels, storm drains, pipelines, culverts, pump stations, and outfalls - within the City of Monterey. The existing drainage system collects non-point surface water runoff and conveys it through channels, pipelines, and culverts that, in most instances, eventually terminate at the Monterey Bay.

Monterey's storm water collection system is not tied into the sanitary sewer collection system. Therefore, storm water flows are, for the most part, not treated prior discharge. Storm water flows are discharged to local waterways including the Monterey Bay at multiple drainage outfalls located throughout Monterey's coastal area.

Monterey's discharge of storm water to local surface waters is regulated by the federal Clean Water Act, National Pollutant Discharge Elimination System (NPDES) Permit Program, and the California Porter-Cologne Act, and permitted through the Central Coast Regional Water Quality Control Board. The City storm water permit and ordinance require local regulation of water pollution and prevention through the mandated implementation of best management practices (BMPs) to protect the water quality of local waterways.

Storm water design requirements for public and private development projects, such as LID, are mandated by the State and Central Coast Regional Water Quality Control Board (RWQCB) through the City's Phase II municipal storm water permit coverage. Through Monterey Municipal Code Chapter 31.5 Article 2 Urban Storm Water Quality Management and Discharge Control, the City implements storm water regulations in compliance with State Water Resources Control Board (SWRCB) Water Quality Order No. 2013-0001-DWQ National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000004 Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems ("NPDES General Permit"). This includes the implementation and enforcement of the Central Coast Regional Water Quality Control Board Resolution No. R3-2013-0032 Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region to reduce pollutants in storm water discharges from land development to the maximum extent practicable and to protect water quality. Along with many other components, improvements to the planning area must address storm water drainage and management, including permit mandates that require LID, such as water quality treatment, retention, and/or peak flow management (hydromodification). Specific required steps will be taken when the specific project is funded and therefore ready to be designed. These steps including determining the subject site's watershed management zone, amount of impervious surface proposed across development site, and whether water quality management measures are required as a part of the design of the project. Site specific engineering analyses will be necessary and required to for drainage design purposes.

To address regional urban runoff issues and develop innovative approaches to storm water management, the City collaborates with other local permittees in the Monterey Regional Storm Water Management Program (MRSWMP). The MRSWMP is a regional storm water management, implementation, and education program that assists the City and region with permit compliance. By Ordinance and permit implementation, the City regulates applicable new and redevelopment projects for storm water control; construction activities for erosion, sediment, and discharge control; identifies and enforces illicit connections and illicit discharges; and implements good housekeeping practices for municipal operations to protect local water quality.

### Water Supply

It is the goal of the City of Monterey and the General Plan to obtain a long-term, sustainable water supply, including evaluation of water supply options outside the present Monterey Peninsula Water Management District (MPWMD) framework. Water is supplied to most of the Monterey Peninsula by the California American Water Company (Cal Am) through wells in Carmel Valley, dams on the Carmel River, and a well on the Seaside Aquifer. The City is wholly within the MPWMD, which is responsible for developing long-term water supply for the Monterey Peninsula cities in the district.

The Monterey Peninsula is subject to a Cease and Desist Order (CDO) imposed by the State Water Resources Control Board (SWRCB) on California American Water (the water purveyor) in 2009. Both the CDO and the action by the California Public Utilities Commission (Decision 11-03-048 rendered March 24, 2011) implemented a water moratorium on customers of California American Water. All projects are subject to both orders for Change or Intensification of Use and the addition of New Connections.

According to the General Plan, the City had reached the limits of its allocation and still has very little water available to meet the City's goals. The MPWMD has not provided a stable, long-term source of water, and many of the alternatives proposed by the district would provide only enough water for short-term needs. The City has a limited amount of water available for new residential or commercial development. To mitigate this problem, the City has incorporated programs to address water capacity, including giving preference in the City's water allocation process to projects meeting fair-share housing goals and to affordable housing projects.

**Discussion:**

- a) The zoning amendment would result in residential construction projects. Residential project applicants will be required to adhere to City Code Chapter 31.5 "Storm Water Management." Applicants shall submit erosion and sediment control plans, storm water control plans, and any other documentation, if applicable, which will be subject to City of Monterey Public Works Department review and approval prior to issuance of a grading or building permit. Therefore, impacts to water quality standards or waste discharge requirements would be **less than significant**.
- b) Residential project applicants may propose to provide water from wells. This water supply would require approval from the Monterey County Department of Health and Monterey Peninsula Water Management District. A building permit would not be issued until approval of these agencies is obtained. Therefore, the impact is considered **less than significant**.
- c-f) Resulting residential projects would not create or contribute runoff which would exceed the existing or planned stormwater drainage system nor provide substantial additional sources of polluted runoff; would not substantially alter the existing drainage pattern of the site or area in a manner which would increase flooding on- or off-site; and would not substantially degrade water quality. Resulting projects would be required to obtain City of Monterey Public Works Department approval and comply with any regulatory agency requirements. Therefore, the impact is considered **less than significant**.
- g) Resulting residential projects would not result in placing housing or structures within a 100-year flood hazard area. Therefore, **no impacts** would result.
- h) Resulting residential projects would not place a structure within a 100-year flood hazard area which would impede or redirect flood flows. Therefore, **no impacts** would result.
- i) Resulting residential projects would not expose people or structures to a significant risk of loss, injury, or death involving flooding as a result of the failure of a levee or dam. Therefore, **no impacts** would result.
- j) The project site is not located in an area prone to inundation by seiche, tsunami, or mudflow. Therefore, **no impacts** would result.

SUBJECT AREA	Potentially Significant Impact	Less-than-significant with Mitigation	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>X. LAND USE AND PLANNING – Would the project:</b>					
a) Physically divide an established community?				X	– City of Monterey, General Plan
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?		X			– City of Monterey, General Plan and Area Plans – City of Monterey Local Coastal Program – City of Monterey, Monterey City Code (M.C.C.) Chapter 38, Zoning Ordinance – Monterey Regional Airport Land Use Compatibility Plan (ALUCP), 2019 – Monterey Regional Airport Master Plan Environmental Impact Report (EIR), 2018
c) Conflict with any applicable habitat conservation or natural community conservation plan?				X	– City of Monterey, General Plan

**Existing Setting:**

The City of Monterey is a small-scale community that is largely residential and visitor serving in nature. The majority of land in the City already contains some development. Primary land uses include residential development at low to moderate density and visitor-serving, professional office, and retail commercial uses. A number of small, vacant parcels do exist within the City. Most are designated for single-family residential development. Approximately 138 acres of land located east of the Ryan Ranch industrial park that were part of the former Fort Ord were annexed to the City just prior to the 2005 General Plan Update, and this area represents the most significant vacant land resource in the City.

**Discussion:**

- a, c) The zoning amendment would allow residential uses in the project site. This would not divide an established community. No habitat conservation plan or natural community conservation plan has been adopted within the vicinity of the proposed project site. **No impact** would occur as a result of the proposed project.
- b) The City's General Plan anticipates construction of 1,302 new dwelling units in commercial and industrial districts between 2005 and 2025. More specifically, Land Use Element Goal b directs future population growth into commercial/mixed use neighborhoods to increase the stock of affordable housing for Monterey's workforce. Due to water availability constraints, construction of new dwelling units in the last 14 years has not kept up with the anticipated pace of the General Plan projections. Land Use Element Policy b.2 considers housing construction, including mixed use, in the Ryan Ranch industrial district to provide housing in proximity to a major employment center. Garden Road and Ryan Ranch are two of the few industrial districts in the City. Included with this proposal is an amendment to Land Use Element Policy b.2 to add the south side of the Garden Road industrial district as an anticipated location for housing. The proposed zoning amendment caps the number of housing units allowed in the overlay district on Garden Road to 405 dwelling units. Future application of the overlay district to other areas may also include a housing unit cap, which would be reflected in the zoning ordinance text.

Housing Element Goal h. encourages housing that specifically meets the needs of the Monterey workforce. Housing Element Program h.1.3 suggests that zoning flexibility can spur development of infill housing. The Garden Road industrial district is a ripe candidate for workforce and infill housing as indicated with this developer-proposed zoning amendment. Services are already available on or near Garden Road, such as

downtown Monterey shopping; recreational opportunities; three bus routes that connect to downtown Monterey, Del Rey Oaks, Salinas, and Ryan Ranch; and bicycle and pedestrian routes into downtown and North Fremont mixed use neighborhoods. Mitigation Measure 6 will require this General Plan amendment, which would make the proposed zoning amendment consistent with any applicable land use plan, policy, or regulation. Resulting residential projects will also require a conditional use permit to comply with the underlying I-R District land use, development, and supplemental regulations in addition to proposed zoning amendment ordinance provisions for open space, parking, laundry, storage, lighting, and noise. These regulations would avoid environmental effects due to incompatibilities between industrial and residential uses.

The project site is located in proximity to the Monterey Regional Airport. The 2019 ALUCP imposes a 406.6' horizontal surface elevation restriction on the project site. Resulting residential projects would not penetrate this elevation standard due to the maximum structure height limit of 35 feet from grade currently imposed by the City's Zoning Ordinance. The proposed project is consistent with the 2019 ALUCP in that it would not intersect with any airport safety zones. The 2018 Monterey Regional Airport Master Plan EIR contains 2015-2035 airport noise exposure contours. The project site would be located outside of the 65 dB 20-year noise exposure contours illustrated in this master plan; therefore, the proposed project is consistent in this regard as well. In addition, this proposed zoning amendment legislation will be reviewed by the Airport Land Use Commission to confirm consistency with the 2019 ALUCP.

Therefore, impacts related to these topics would be **less than significant**.

**Mitigation Measure 6:** Individual residential projects shall require a conditional use permit and shall comply with the underlying I-R District land use, development, and supplemental regulations in addition to proposed zoning amendment ordinance provisions for open space, parking, laundry and storage, lighting, and noise.



SUBJECT AREA	Potentially Significant Impact	Less-than-significant with Mitigation	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>XI. MINERAL RESOURCES – Would the project:</b>					
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?				X	<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Conservation Element</li> <li>- City of Monterey, General Plan Initial Study, Page 11</li> </ul>
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?				X	<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Conservation Element</li> <li>- City of Monterey, General Plan Initial Study, Page 11</li> </ul>

**Existing Setting:**

While there are, at present, small-scale mineral extraction operations around the City of Monterey, limited to commercial sand removal operations in the Sand City/Marina area, there are no mineral resources within the City's limits.

**Discussion:**

**a–b)** No mineral resources exist within the proposed project site and **no impacts** are anticipated.

SUBJECT AREA	Potentially Significant Impact	Less-than-significant with Mitigation	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>XII. NOISE – Would the project result in:</b>					
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?			X		- City of Monterey, General Plan Noise Element goals, policies, and programs
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?			X		- City of Monterey, General Plan Noise Element goals, policies, and programs
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X	- City of Monterey, General Plan Noise Element goals, policies, and programs
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X		- City of Monterey, General Plan Noise Element goals, policies, and programs
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?			X		- City of Monterey, General Plan Noise Element Policies b.1–b-5 - City of Monterey, General Plan Map 17-Showing Airport Noise Contours - Monterey Regional Airport Land Use Compatibility Plan (ALUCP), 2019 - Monterey Regional Airport Master Plan Environmental Impact Report (EIR), 2018
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?				X	- City of Monterey, General Plan

**Existing Setting:**

The City of Monterey General Plan identified the major noise sources affecting the community as motor vehicles (autos, trucks, buses, motorcycles) and aircraft. Motor vehicles and aircraft continued to be the primary noise sources. Some events at the fairgrounds have also generated noise complaints. No stationary source, such as an industrial plant, is known to create noise at an unacceptable level.

**Discussion:**

- a, b, d) Resulting residential construction projects could result in a temporary increase in ambient noise levels. This impact is less than significant because the City limits construction between the hours of 7 am to 7 pm Monday – Friday, 8 am to 6 pm Saturday, and 10 am to 5 pm Sunday. No long-term noise would occur from residential construction. Similarly, construction equipment would not create substantial ground vibration or noise because it would be limited to operating during City construction hours. Therefore, this would be a **less-than-significant impact**.
- c) No substantial permanent increase in ambient noise levels is anticipated from resulting projects. **No impacts** are anticipated.

- e) The project site is located in proximity to the Monterey Regional Airport but outside the 65 dB 20-year noise exposure contours shown on the 2018 Airport Master Plan EIR. California law also states that new multifamily residential structures must achieve an interior noise level of no more than 45 dB. The proposed zoning amendment ordinance would require that all future residential units will carry a deed restriction notifying owners, and requiring owners to notify occupants, that the property is near an airport, which generates noise. Therefore, no mitigation measures are necessary, as adherence to State law and City code would shield new residential units from excessive noise. **Impacts would be less than significant.**
  
- f) The project site is not located within the vicinity of a private airstrip. **No impacts** are anticipated.

SUBJECT AREA	Potentially Significant Impact	Less-than-significant with Mitigation	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>XIII. POPULATION AND HOUSING – Would the project:</b>					
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)?			X		- City of Monterey, General Plan
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X	- City of Monterey, General Plan
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X	- City of Monterey, General Plan

**Existing Setting:**

The 2014 - 2023 Regional Housing Needs Allocation Plan prepared by the Association of Monterey Bay Area Governments (AMBAG) identified a future housing need in Monterey of 650 new dwelling units for the period of 2014 - 2023. The City's General Plan is required to show adequate sites for the 650 units to be in compliance with state law requirements.

**Discussion:**

a) The City's General Plan anticipates construction of 1,302 new dwelling units in commercial and industrial districts between 2005 and 2025. More specifically, Land Use Element Goal b directs future population growth into commercial/mixed use neighborhoods to increase the stock of affordable housing for Monterey's workforce. Due to water availability constraints, construction of new dwelling units in the last 14 years has not kept up with the anticipated pace of the General Plan projections. Land Use Element Policy b.2 considers housing construction, including mixed use, in the Ryan Ranch industrial district to provide housing in proximity to a major employment center. Garden Road and Ryan Ranch are two of the few industrial districts in the City. Included with this proposal is an amendment to Land Use Element Policy b.2 to add the south side of the Garden Road industrial district as an anticipated location for housing. The proposed zoning amendment caps the number of housing units allowed in the overlay district on Garden Road to 405 dwelling units. Future application of the overlay district to other areas may also include a housing unit cap, which would be reflected in the zoning ordinance text.

Housing Element Goal h. encourages housing that specifically meets the needs of the Monterey workforce. Housing Element Program h.1.3 suggests that zoning flexibility can spur development of infill housing. The Garden Road industrial district is a ripe candidate for workforce and infill housing as indicated with this developer-proposed zoning amendment. Services are already available on or near Garden Road, such as downtown Monterey shopping; recreational opportunities; three bus routes that connect to downtown Monterey, Del Rey Oaks, Salinas, and Ryan Ranch; and bicycle and pedestrian routes into downtown and North Fremont mixed use neighborhoods. The impact would be **less than significant** because the General Plan accounts for this potential population growth.

b-c) The proposed zoning amendment would not displace housing or people because the project site does not contain housing. As such, there would be **no impact**.

SUBJECT AREA	Potentially Significant Impact	Less-than-significant with Mitigation	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>XIV. PUBLIC SERVICES</b> – Would the project result in 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?		X			<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Public Facilities Element Goal c, Policies c.1–c.5</li> <li>- City of Monterey Fire Department</li> </ul>
b) Police protection?		X			<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Public Facilities Element Goal b, Policies b.1–b.3</li> <li>- City of Monterey Police Department</li> </ul>
c) Schools?			X		<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Public Facilities Element Goal d, Policies d.1–d.6</li> <li>- Monterey Peninsula Unified School District</li> </ul>
d) Parks?			X		<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Public Facilities Element Goal j, Policies j.1–j.6</li> <li>- City of Monterey Recreation &amp; Community Services Department</li> <li>- City of Monterey Maintenance Division-Parks &amp; Beaches</li> <li>- City of Monterey Parks and Recreation Master Plan, 2016</li> <li>- City of Monterey Zoning Ordinance</li> <li>- U.S. Census Bureau 2018 Population Estimates</li> </ul>
e) Other public facilities?			X		<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Public Facilities Element Goals a, e, f–i, k–p ; Policies f.1–f.7, i.1–i.3, k.1–p.2 ; Programs m.1.1–m.2.1</li> <li>- City of Monterey Public Works Department</li> <li>- City of Monterey Maintenance Division-Streets &amp; Utilities</li> <li>- City of Monterey Recreation and Community Services Department</li> </ul>

**Existing Setting:**

The major public facilities in the City of Monterey are police and fire, park and recreation facilities, schools, military, cultural, conference center, health care, civic center, cemeteries, harbor, sewage treatment, storm drain system, water supply, and reduction and recycling of waste.

**Discussion:**

**a-b)** The City's General Plan requires built-in fire protection for new and existing structures to minimize the need for additional fire facilities. The City encourages Crime Prevention through Environmental Design (CPTED) principles to be incorporated in the design of buildings and structures to maximize safety and crime prevention. The City's Police and Fire departments did not express concern with this potential increase of residential uses in the Garden Road corridor. Thus, existing services are adequate to address the increase in demand, and service standards will be maintained. Impacts to fire and police protection services would be **less than significant** with implementation of **Mitigation Measure 7**.

**Mitigation Measure 7:** Construction of or conversion to residential units shall incorporate built-in fire protection to the Fire Chief's satisfaction and Crime Prevention through Environmental Design principles outlined in the City's specific plans.

**c & e)** The City collects school, parks and recreation, and sewer fees from developers whose projects require a building permit. These fees serve to improve and maintain Monterey Peninsula Unified School District

schools, City parks and recreation facilities, and the City's sanitary sewer system. Impacts to sewer facilities are discussed and mitigated in Section XVIII. School fees would continue to improve and maintain school facilities for City residents, regardless of where they are located.

- d) The City of Monterey has a current service level of 7 acres of parks per 1,000 residents. In addition, the City provides a park, trail, or open space within a quarter mile of most residents. Currently, no parks exist within a quarter mile of the proposed MF overlay zone on Garden Road. If the City makes a conservative assumption that every future resident in the MF overlay zone will be new to Monterey, then the City needs to provide park or open space area within this zone to maintain the 7 acres per 1,000 residents service level.

The City's current Zoning Ordinance contains open space requirements for multifamily residential development in the multifamily dwelling zoning districts. The basic requirement is that each dwelling unit shall have 350 square feet of usable open space on site. The proposed zoning amendment ordinance increases this basic requirement to 600 square feet per dwelling unit to meet the 7 acres per 1,000 residents service level. Following is the calculation that arrived at this number:

If the City assumes that the average household size of the future 405 units is 2.22 persons (U.S. Census 2018 estimates), then the number of residents in the proposed MF overlay zone would be approximately 899 people. To meet the abovementioned service level, 6.293 acres, or 274,123 square feet, are needed for 899 people. The Parks and Recreation Master Plan identified a City-owned parcel within the proposed MF overlay zone as a future opportunity site for a small park (Garden Court Park). This parcel is 29,690 square feet in size. Assuming that this becomes park land in the future would reduce the amount of usable open space that residential developers in the MF overlay zone would need to provide on site ( $274,123 - 29,690 = 244,433$  square feet). The resulting basic requirement of usable open space per dwelling unit in the MF overlay zone would be 600 square feet ( $244,433 / 405 = 600$ ).

Providing both the Garden Court Park and 600 square feet of usable open space per dwelling unit on site would meet the current service level. To ensure that the Garden Court Park will be built, the Garden Road MF overlay zone will become part of the City's Neighborhood Improvement Program (NIP). This will empower future residents to apply for NIP funds to develop the park (Mitigation Measure 8). In conclusion, the 600 square feet of usable open space per dwelling unit on site requirement and Mitigation Measure 8 will maintain acceptable parks and recreation service levels. Therefore, impacts would be **less than significant**.

**Mitigation Measure 8:** Prior to issuance of the first residential building permit in the MF overlay zone, this zone shall become part of the City's Neighborhood Improvement Program (NIP). This will empower future residents to apply for NIP funds to develop the Garden Court Park to maintain acceptable parks and recreation service levels.

SUBJECT AREA	Potentially Significant Impact	Less-than-significant with Mitigation	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>XV. RECREATION</b>					
a) Would the project 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?			X		<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Public Facilities Element Goal j, Policies j.1-j.6</li> <li>- Monterey City Code (M.C.C.) Chapter 38, Zoning Ordinance, Article 9, Open Space District</li> <li>- Monterey City Code (M.C.C.) Chapter 33, Subdivision, Article 3, §33-29(c) Park and Recreation dedication and fees</li> <li>- City of Monterey Parks and Recreation Master Plan, 2016</li> </ul>
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?			X		<ul style="list-style-type: none"> <li>- City of Monterey Recreation and Community Services Department</li> <li>- City of Monterey Parks and Recreation Master Plan, 2016</li> </ul>

**Existing Setting:**

The City of Monterey Recreation and Community Services Department manages a wide range of park and recreation facilities. The Open Space Element provides background information and goals and policies regarding the City's open space and park resources implemented by the Parks and Recreation Master Plan. Significant recreation facilities include the Monterey Sports Center, community centers, neighborhood park facilities, and beach parks. Neighborhood parks also include various athletic fields, tennis courts, and other park facilities.

**Discussion:**

**a-b)** Resulting residential construction from the proposed zoning amendment may increase demand for recreation facilities. However, the City collects parks and recreation fees for construction projects involving five or more dwelling units, which pay for maintenance and enhancement of parks and recreation facilities. In addition, the proposed zoning amendment ordinance would require at least 600 square feet of usable and active recreational open space per dwelling unit for multifamily residential construction. Furthermore, the Parks and Recreation Master Plan identified a City-owned parcel within the proposed MF overlay zone as a future opportunity site for a small park (Garden Court Park). To ensure that the Garden Court Park will be built, the Garden Road MF overlay zone will become part of the City's Neighborhood Improvement Program (NIP). This will empower future residents to apply for NIP funds to develop the park (Mitigation Measure 8). Therefore, impacts would be **less than significant**.

SUBJECT AREA	Potentially Significant Impact	Less-than-significant with Mitigation	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>XVI. TRANSPORTATION/TRAFFIC – Would the project:</b>					
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?			X		<ul style="list-style-type: none"> <li>- City of Monterey Plans &amp; Public Works Department, Traffic Engineering Division</li> <li>- Garden Road Rezoning Traffic Impact Analysis (Higgins, 2019)</li> </ul>
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 county congestion management agency for designated roads or highways?			X		<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Circulation Element Program j.1.1</li> <li>- City of Monterey Plans &amp; Public Works Department, Traffic Engineering Division</li> <li>- Garden Road Rezoning Traffic Impact Analysis (Higgins, 2019)</li> </ul>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				X	<ul style="list-style-type: none"> <li>- Monterey Peninsula Airport District</li> </ul>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X	<ul style="list-style-type: none"> <li>- City of Monterey, General Plan, Circulation Element</li> <li>- City of Monterey Plans &amp; Public Works Department, Traffic Engineering Division</li> <li>- Monterey City Code (M.C.C.) Chapter 20, Motor Vehicles and Traffic, Chapter 33, Subdivisions, Article 3, several sections related to circulation</li> </ul>
e) Result in inadequate emergency access?				X	<ul style="list-style-type: none"> <li>- City of Monterey, General Plan, Circulation Element</li> <li>- City of Monterey Fire and Police Departments</li> </ul>
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X	<ul style="list-style-type: none"> <li>- City of Monterey, General Plan, Circulation Element</li> </ul>

**Existing Setting:**

The setting information provided below is based on information provided in the City's General Plan and General Plan EIR.

Roadway Classification

The City has a roadway classification system, which includes freeways, major arterials, minor arterials, collectors, and local streets.



### Level of Service Standards and Study Road Segment/Intersection Operations

The Level of Service (LOS) is a standard used to describe the operating conditions on a roadway segment or at an intersection. LOS A represents free-flow, uncongested traffic conditions, while LOS F represents highly congested traffic conditions with unacceptable delay to vehicles at the intersections and on the road segments. The intermediate levels of service represent incremental levels of congestion and delay between these two extremes. Factors that may affect traffic flow conditions on roadway segments include intersection channelization design, type of traffic control devices, bicycle and pedestrian volumes, driveway activities, and on-street parking activities. Furthermore, urban street levels of service are based on through-vehicle travel speed for the segment or for the entire street under consideration. Travel speed is the basic service measure for urban streets.

### Transit Service

Monterey-Salinas Transit (MST) is the principal transit service for the City and the surrounding communities. MST is a joint powers agency with a board of directors that includes a representative from the City. Thirteen MST routes currently serve the citizens of the community. Simoneau Plaza located in downtown Monterey is the transfer center for all routes serving the City. Senior and disabled citizens can use the MST fixed-route and Direct Area Response Transit (DART). MST also operates the RIDES program for disabled citizens. These routes operate on weekdays and Saturdays from approximately 7:00 AM to 11:00 PM and from approximately 7:30 AM to 5:30 PM on Sundays and holidays.

### Existing Bikeway and Pedestrian Facilities

The City maintains an extensive network of Class 1, 2, and 3 bicycle paths and pedestrian sidewalks. The most notable bicycle and pedestrian path is the City's Recreational Trail that is located along the coastal side of the City. The Recreational Trail is a dual use facility that offers people destination opportunities, such as the restaurants or retail stores along Cannery Row or Fisherman's Wharf, or one of many parks for relaxing or wildlife viewing and sightseeing. The City maintains sidewalks on almost all City roadways, and some roadways have bicycle lanes.

### Parking

Parking conditions throughout the City vary greatly. Some areas, mostly in the residential neighborhoods, have on-site and street parking, while much of the retail areas, such as Cannery Row, and have street parking and public garages available and a minimal amount of on-site parking. The City's goal is to fully utilize the valuable commercial land opportunities throughout the City by implementing a variety of parking programs. Some programs include shared parking, which provides users with different peak parking requirements to share the same parking facilities. Also, the City provides bicycle and pedestrian infrastructure throughout the City as an incentive to walk or ride a bike rather than drive. The available incentives help to reduce the demands on parking throughout the City.

### **Discussion:**

**a-b)** The project's traffic impact analysis report (Higgins, 2019) estimated and compared the number of vehicle trips generated by two scenarios: Office Buildout with Existing Zoning scenario (buildout of the Garden Road overlay area under existing zoning regulations) and Office & Residential Buildout with Proposed Zoning scenario (buildout of the Garden Road overlay area under the proposed zoning amendment). The Office Buildout with Existing Zoning scenario would generate the largest number of vehicle trips (23,090), whereas the Office & Residential Buildout with Proposed Zoning scenario would generate 2,535 less trips, or 20,555 trips. The Summary of Traffic Study Results table below shows how these trips were calculated.

The traffic impact analysis report also analyzed potential impacts to street intersections in proximity to the project site: Olmsted Rd/Highway 68, Olmsted Rd/Garden Rd, and Garden Rd/Fairgrounds Rd. In general, intersection traffic congestion is worst during the morning and afternoon rush hours (AM and PM peak hours). The report used current intersection and turning-movement traffic counts and traffic simulation software to estimate vehicle volumes at each intersection under each scenario. These volumes were then translated into intersection delay in seconds per vehicle and given an LOS rating. Below is the table summarizing the results.

### Summary of Traffic Study Results

	Scenarios	
	Office Buildout with Existing Zoning	Office & Residential Buildout with Proposed Zoning
Existing Office Sq. Ft.	784,080	784,080
New Office Sq. Ft.	1,586,600	1,586,600
Converted Office Sq. Ft. (to residential)	0	- 200,7000
New Residential Sq. Ft.	0	- 364,000
Total Office Sq. Ft.	2,370,680	1,805,980
Total Office Trips (per 1,000 sq. ft.)*	23,090	17,590
New Residential Units	0	405
Total Residential Units	0	405
Total Residential Trips (per unit)*	0	2,965
<b>Total Trips</b>	<b>23,090</b>	<b>20,555</b>
	<b>Delay in Seconds per Vehicle / LOS (Worst Condition in Bold)</b>	
Olmsted Rd/Highway 68		
Cumulative AM	<b>224.0 / F</b>	199.0 / F
Cumulative PM	<b>1027.2 / F</b>	709.4 / F
Olmsted Rd/Garden Rd		
Cumulative AM	<b>F / F</b>	F / F
Cumulative PM	<b>F / F</b>	F / F
Garden Rd/Fairgrounds Rd		
Cumulative AM	<b>363.9 / F</b>	228.7 / F
Cumulative PM	<b>142.7 / F</b>	88.6 / F

\* Trip generation rates were taken from the Institute of Traffic Engineers Trip Generation Manual. General office building daily trip rate is 9.74 trips per 1,000 sq. ft. Multifamily housing (low-rise) daily trip rate is 7.32 trips per unit. Source: Higgins, 2019

As shown, the Office Buildout with Existing Zoning scenario would have the worst cumulative intersection delay at all studied intersections. The City's General Plan defines a project's traffic impact as significant if the project is expected to reduce a roadway segment to an unacceptable level or further degrade an already unacceptable LOS under cumulative traffic conditions during typical (i.e., non-summer) weekday traffic conditions. The Proposed Zoning scenario would improve intersection delay under cumulative traffic conditions. Therefore, the proposed zoning would have a less-than-significant impact to the transportation system in terms of traffic delay.

The Transportation Agency of Monterey County (TAMC) prepared a Nexus Study for a Regional Development Impact Fee that includes intersection improvements along Highway 68. The Regional Development Impact Fee funds will be used to mitigate cumulative growth impacts throughout the County. TAMC, Caltrans, and the City of Monterey are planning to construct a two-lane roundabout at Olmsted Rd/Highway 68 by 2024 with such funds. This intersection will then operate at an acceptable LOS through General Plan buildout regardless of the land use scenario implemented along Garden Road. TAMC assesses the Regional Development Impact Fee based on daily trips a project would generate. This fee is already collected, as set forth in MCC Section 16-2, by the City's Permits and Inspections Office prior to issuance of building permits. The proposed project would not conflict with any transportation performance plans, ordinances, or policies or applicable congestion management program, as cumulative traffic impacts at Olmsted Rd/Highway 68 are already being mitigated through collection of this fee.

Lastly, vehicle trips resulting from the zoning amendment would not degrade Garden Road pavement conditions because the project would not significantly change the traffic index (pavement loading) on Garden Road. The Proposed Zoning scenario, as compared to the Existing Zoning scenario, would reduce traffic volumes during the critical AM and PM peak periods, and therefore reduce delays at critical study intersections (Higgins, 2019). Garden Road is part of the City's pavement management program and is

rated by this program as adequate in its current condition. The project would not increase the traffic loading on Garden Road; a Traffic Index of 8 is calculated for existing, future, and future plus proposed conditions (Milam, 2018).

Therefore, the project would not conflict with any transportation program or standard, and its impacts to the circulation system and related components would be **less than significant**.

- c-e)** The proposed project would not result in the construction of any new roadways and, therefore, would not increase hazards due to design features. Additionally, the project would not result in a change in air traffic patterns or interfere with emergency access response routes. **No impact** would occur as a result of the proposed project.
- f)** The project would not conflict with adopted policies or programs supporting alternative transportation. **No impact** would occur as a result of the proposed project.

SUBJECT AREA	Potentially Significant Impact	Less-than-significant with Mitigation	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>XVII. TRIBAL CULTURAL RESOURCES – Would the project:</b>					
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: <ul style="list-style-type: none"> <li>i) Listed or eligible for listing on the California Register of Historical Resources, or in a local register of historical resources as defined by PRC section 5020.1(k), or</li> </ul>			X		– Archaeological Sensitivity Map, Figure 8, Draft EIR, City of Monterey General Plan Update, July 2004
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X		– Archaeological Sensitivity Map, Figure 8, Draft EIR, City of Monterey General Plan Update, July 2004
<p><b>Existing Setting:</b></p> <p>The City is located within the ethnographic territory, indigenous homeland and language family of the Ohlone/Costanoan-Esselen Nation (OCEN).</p> <p><b>Discussion:</b></p> <p><b>a.i-ii)</b> In compliance with Assembly Bill 52 (AB 52) the City of Monterey informed Ms. Louise J. Miranda Ramirez, Chairwoman of the OCEN, of the project via letter dated August 7, 2018. The Native American Heritage Commission designated Ms. Ramirez as the most likely descendant of the OCEN Tribe. The OCEN responded on August 16, 2018, to request a consultation. Consultation was initiated and concluded on August 23, 2018. Based on comments received through the consultation, impacts to tribal cultural resources as a result of the proposed project would be <b>less than significant</b>.</p>					

SUBJECT AREA	Potentially Significant Impact	Less-than-significant with Mitigation	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>XVIII. UTILITIES AND SERVICE SYSTEMS – Would the project:</b>					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?		X			<ul style="list-style-type: none"> <li>- City of Monterey Plans and Public Works Department</li> <li>- City of Monterey, General Plan</li> <li>- Monterey One Water</li> <li>- Storm and Sewer Study for the Garden Road Zoning Amendment (Schaaf &amp; Wheeler, 2018)</li> </ul>
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?		X			<ul style="list-style-type: none"> <li>- City of Monterey Plans and Public Works Department</li> <li>- City of Monterey, General Plan</li> <li>- Water Management District</li> <li>- California American Water Company</li> <li>- Monterey One Water</li> <li>- Storm and Sewer Study for the Garden Road Zoning Amendment (Schaaf &amp; Wheeler, 2018)</li> </ul>
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?		X			<ul style="list-style-type: none"> <li>- City of Monterey Plans and Public Works Department</li> <li>- Monterey City Code (M.C.C.) Chapter 31.5, Storm Water Management</li> <li>- City of Monterey, General Plan Public Facilities Element subsection I. Storm Drain</li> <li>- Storm and Sewer Study for the Garden Road Zoning Amendment (Schaaf &amp; Wheeler, 2018)</li> </ul>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X		<ul style="list-style-type: none"> <li>- Monterey Peninsula Water Management District</li> </ul>
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?		X			<ul style="list-style-type: none"> <li>- City of Monterey Plans and Public Works Department</li> <li>- Monterey One Water</li> <li>- City of Monterey, General Plan Public Facilities Element subsection k. Sewer</li> <li>- Storm and Sewer Study for the Garden Road Zoning Amendment (Schaaf &amp; Wheeler, 2018)</li> </ul>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X		<ul style="list-style-type: none"> <li>- City of Monterey Solid Waste &amp; Recycling Division</li> <li>- Monterey Regional Waste Management District</li> <li>- City of Monterey, General Plan Public Facilities Element subsection n. Reduction and Recycling of Waste</li> </ul>
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X		<ul style="list-style-type: none"> <li>- Monterey Regional Waste Management District</li> <li>- City of Monterey, General Plan Public Facilities Element subsection n. Reduction and Recycling of Waste</li> </ul>

## **Existing Setting:**

The setting information provided below is based on information provided in the City's General Plan and General Plan EIR.

### Wastewater

The City maintains the sanitary sewer collection system within its jurisdictional boundaries. The existing sanitary sewer collection system conveys sewage from sewer point sources within the City, such as homes, businesses, and public facilities, to a regional wastewater treatment plant for treatment and disposal. The sanitary sewer collection system operated by the City consists of approximately 102 miles of sewer pipeline maintained by City personnel and seven sewer lift stations.

Monterey's sewage is conveyed through pipelines to the Monterey One Water sewer treatment plant in the City of Marina for treatment and disposal. Per Monterey One Water, sixty percent (60%) of incoming wastewater is highly treated through its water recycling facility and distributed for irrigation uses on farmlands in northern Monterey County. Monterey One Water performs secondary treatment of the remaining wastewater, which is then discharged through an ocean outfall two miles into Monterey Bay.

Local sewer collection pipelines of various capacities exist underground within the City and eventually flow to larger sewer mains that feed into the Monterey One Water interceptor pipeline. The interceptor pipeline receives sewer flows from both Pacific Grove and Monterey and carries those flows to the wastewater treatment plant. Monterey's existing sewer collection system is an aged one, and requires on-going maintenance and rehabilitation. The City is completing a multiyear program to repair and replace sanitary sewer collection system structures. The existing capacity of the system is adequate to convey the sewer loads generated.

### Water Supply - Potable Water

The Planning Area is served by the California-American Water Company (Cal-Am). It is the goal of the City of Monterey and the General Plan to obtain a long-term, sustainable water supply, including evaluation of water supply options outside the present Monterey Peninsula Water Management District (MPWMD) framework. Water is supplied to most of the Monterey Peninsula by the California American Water Company (Cal Am) through wells in Carmel Valley, dams on the Carmel River, and a well on the Seaside Aquifer. The City is wholly within the MPWMD, which is responsible for developing long-term water supply for the Monterey Peninsula cities in the district.

Cal-Am supplies water to the residential, municipal, and commercial needs of the Monterey Peninsula area communities. Cal-Am's water distribution system distributes water from two main sources: the Carmel River and the Seaside Basin coastal subarea.

### *State Water Resources Control Board Order Number 95-10*

In 1995, in response to complaints that Cal-Am was illegally taking water from the Carmel River, the State Water Resources Control Board (State Water Board) issued Order No. WR 95-10 directing Cal-Am to implement actions to terminate its unlawful diversion. Order No. 95-10 recognized that Cal-Am had legal rights to divert 3,376 acre-feet annually (afa) of water from the Carmel River Basin, but found that Cal-Am was diverting a total of 14,046 afa for this purpose, an excess of approximately 10,730 afa, "without a valid basis of right." The Order also determined that such diversions have historically had an adverse effect on the riparian corridor along portions of the river, wildlife that depend on riparian habitat, and steelhead and other fish which inhabit the river. The 3,376 afa rights are not subject to instream flow requirements.

On November 30, 2007, both MPWMD and Cal-Am jointly obtained an additional right to divert water from the river. Due to the overdraft condition of the Seaside Groundwater Basin, the State Water Board issued Permit 20808A authorizing the diversion of up to 2,246 afa water from the river to underground storage in the Seaside Groundwater Basin from December through May of each year, if specified streamflow requirements are met. On November 30, 2011, a second right (Permit 20808C) was authorized for up to 2,900 afa subject to instream flow requirements. The State Water Board also issued Cal-Am an appropriative right for 1,484 afa (Table 13), subject to instream flow requirements, but this may only be used in the Carmel River Basin. The amount of rights authorized by the State Water Board is a maximum; the actual availability of water is dependent on streamflow. The MPWMD estimates the

long-term average yield of rights subject to instream flows totals approximately 2,400 afa. However, due to physical constraints in the Cal-Am system, not all of this water may currently be produced.

Through various conservation efforts over the past 13 years, Cal-Am has reduced its annual illegal diversion of the Carmel River Basin to approximately 7,150 acre-feet. Cal-Am continues its effort towards providing an alternative potable water source.

#### *State Water Resources Control Board Cease and Desist Order*

On October 20, 2009, the State Water Resources Control Board issued a Cease and Desist Order (CDO) to Cal-Am. Among other matters, the CDO alleges that Cal-Am has failed to comply with Condition 2 of Order 95-10 that requires Cal-Am to terminate its unauthorized diversions from the river, that Cal-Am's diversions continue to have adverse effects on the public trust resources of the river and should be reduced, and that the ongoing diversion is a violation of Water Code Section 1052 prohibiting the unauthorized diversion or use of water.

The CDO seeks to compel Cal-Am to reduce the unauthorized diversions by specified amounts each year, starting in water year 2008-09 and continuing through water year 2016 when Cal Am must cease all unauthorized diversions. The adopted CDO prohibits Cal-Am from providing new service connections and increasing use at existing service addresses that were not provided a "will serve commitment" (or similar commitment) before October 20, 2009.

Water availability within the Cal-Am system remains under careful state scrutiny since State Water Resources Control Board Order No. 95-10 was imposed in 1995. State Board Order No. 95-10 requires Cal-Am to reduce the water it pumps from the Carmel River by 20 percent now, and up to 75 percent in the future. Also, any new water that is developed must first completely offset Cal-Am's unlawful diversions from the Carmel River, an estimated 10,730 acre-feet (AF) per year, before any water produced by Cal-Am can be used for new construction or expansions in use.

#### *MPWMD Water Use Credit and Transfer Programs*

In 1992, as part of its oversight of water allocation and distribution, MPWMD adopted Ordinance 60 establishing a program whereby a water customer may obtain and reuse water use credits when water use on a particular property is reduced or discontinued. A reduction of water use, whether by changing to a less-intensive use, by retrofitting equipment with water conserving devices, or by demolishing a building, results in a water use credit that may be used later on the same site. When a residential property owner applies to MPWMD for the water use credit, MPWMD calculates the amount of the credit based upon the number and types of water-using fixtures that will be discontinued. When a commercial property owner applies to the MPWMD for a water use credit, the MPWMD will determine credits based upon one of several methods:

The commercial water use factor associated with the historical use(s) may be used when a use is either being abandoned or permanently reduced to a lower intensity use; a quantification of water saved may be used when inefficient equipment is replaced with highly water efficient equipment; or historic records may be used to determine the past (abandoned) use. With a few exceptions, the water use credit is valid for 60 months and can be extended for 60 months. After the 60-month period, any remaining unused water use credit expires. Water use credits affected by the CDO will be reinstated at its conclusion with a term equal to the amount of time the CDO impacted the credit.

In 1993, MPWMD adopted Rule 28 to allow Water Use Credit Transfers between commercial properties. The rule was amended in 1995, to allow Water Use Credit Transfers from an existing commercial use to a jurisdiction's water allocation. The Water Use Credit rules are designed to provide incentives for undertaking extraordinary retrofitting and/or installation of proven new technology and to provide a mechanism for offsetting potential intensification in use.

The Water Credit rules also allow former uses to be reoccupied if a Water Credit has not been abandoned and expired or moved to another Site. Water savings after the Water Credits have been applied to a Water Permit can be minimal. The goal is that there is no increase in use.

#### *City of Monterey Allocation*

In 1981, MPWMD's Resolution 81-7 authorized an annual allocation of 5,746 acre-feet of potable water to the City. Subsequent annual allotments were made and were adjusted up to 6,125.48 acre-feet to more accurately reflect

the City's actual water use. In 1993, the City received from MPWMD a water allocation of 308 afa from Cal-Am's Paralta Well in the Seaside Basin coastal subarea. This was the last allocation from MPWMD.

In 1986, the City Council reserved the remaining supply of the City's allocation for seven categories of uses and established procedures for determinations of water usage. The purpose for establishing the unallocated reserve was to provide a water account that could be used to address unanticipated or emergency water requests, such as increased usage caused by increased visitors, use by the Federal Government, State and other agencies beyond the jurisdiction of the City, and unanticipated emergencies. The categories have changed over time, and since 2006, are assigned as follows: 1) Affordable Housing, 2) Public Projects (reserve), 3) Public Projects (high priority), 4) Single Family Remodels, 5) Other Residential, 6) Commercial Projects, and 7) Economic and Environmental Sustainability. The City has established a Water Waiting list for those projects that have received all of their required discretionary approvals but do not have adequate water resources to develop this project. As of June 13, 2013, there were 37 projects on the wait list, accounting for over 35.2 acre feet of water.

The MPWMD has adopted rules that allow the transfer of water between uses and adjacent sites under the same ownership, though these rules are under strict regulation by MPWMD. The City conducted an inventory of water usage and availability helped to determine the presence of water credits on a particular site that may be available for an expanded use. The identification of water credits assisted in the identification of opportunity sites that could achieve Project objectives prior to the identification and delivery of a new water source to the City.

Additionally, The City owns two open space parcels adjacent to the Ryan Ranch Business Park, one of which is located on the former Fort Ord that has access to water. The Marina Coast Water District is the water purveyor for the former Fort Ord, and water allocations were made to the jurisdictions within its boundaries. The City of Monterey was allocated approximately 65 acre-feet (af) from the Fort Ord allocation for the City's entire 130+ acres. The City can allocate a portion of the 65 af for the open space parcel as it deems appropriate.

#### Storm Water

See discussion in section IX.

#### Solid Waste

The regional waste collection facility is located in the City of Marina and is operated by the Monterey Regional Waste Management District. Locally, there is a transfer facility in Ryan Ranch operated by Monterey Disposal Service.

#### **Discussion:**

**a-b, e)** A sewer capacity study (Schaaf & Wheeler, 2018) was conducted for the proposed zoning amendment. If residential buildout were to occur, sewer flows would more than double (from 30,379 gallons per day, Average Dry Weather Flow, to 67,360 gpd, ADWF). The study does not clarify, however, whether the existing conveyance capacity of the City's downstream sanitary sewer system could handle this intensification of sanitary sewer flow. It is unclear whether a sewer infrastructure plan would be necessary. Implementation of mitigation measures 9, 10, and 11 would make any impacts to wastewater facility capacity less than significant. Furthermore, the City's Permits and Inspections Office would impose sanitary sewer connection requirements on and collect sewer fees from residential project developers. These fees serve to improve and maintain the City's sanitary sewer system. Therefore, impacts to sewer and wastewater treatment facilities would be **less than significant with mitigation**.

**Mitigation Measure 9:** On a project by project basis, residential project developers shall demonstrate adequate conveyance capacity to the point of the connection with the regional collection system, and provide written confirmation from Monterey One Water that the regional treatment plant has the required capacity to accept the additional sewage flows. Developers shall comply with this measure prior to building permit issuance.

**Mitigation Measure 10:** Any existing sanitary sewer laterals to be abandoned shall be completely removed, and the lateral connection to the sewer main shall also be removed (replace section of sewer main with lateral connect) prior to final building inspection.



**Mitigation Measure 11:** For both sanitary sewer and storm drain systems, access and maintenance of lines, structures and detention basins across private property will be required. Any new public storm or sewer infrastructure will require recordation of applicable easements providing for maintenance and access prior to final building inspection.

- c) The analyses in Schaaf & Wheeler’s report (2018) demonstrate an intensification of storm water drainage for the 2- through 10-year storm events due to the residential projects which would result from the zoning amendment. However, the report did not examine the existing system’s downstream capacity to accommodate the additional flows. Mitigation Measure 12 would require developers to design and construct flood control facilities to detain this additional storm water runoff. In addition, residential projects shall comply with any applicable development-related storm water regulations including MCC Chapter 31.5 “Storm Water Management”. Developers shall submit erosion and sediment control plans, storm water control plans, and any other documentation, if applicable, which will be subject to Plans and Public Works Department review and approval prior to issuance of a grading or building permit. On the other hand, residential projects would be subject to the same I-R District development regulations for maximum lot coverage. There would be no change in storm water runoff between buildout of current allowed uses and buildout of proposed residential uses. Furthermore, residential projects require less parking than commercial office projects. Residential projects require an average of two parking spaces per dwelling unit, whereas business and medical offices require a minimum of one parking space per 275 sq. ft. of building area. On average, residential projects would create less impervious surface area than commercial or industrial projects. Therefore, impacts related to storm water drainage facilities would be **less than significant with mitigation**.

**Mitigation Measure 12:** Developers shall design and construct flood control facilities to detain additional storm water runoff from residential projects which result from the zoning amendment. This design shall be in conformance with applicable Caltrans storm water requirements for State Highway 68. In addition, residential projects shall comply with any applicable development-related storm water regulations including MCC Chapter 31.5 “Storm Water Management” and post-construction development regulations of the Central Coast Regional Water Quality Control Board at the time of parcel-level development review. Other development-related storm water regulations shall apply at the time of parcel-level development. Developers shall submit erosion and sediment control plans, storm water control plans, and any other documentation, if applicable, which will be subject to Plans and Public Works Department review and approval prior to issuance of a grading or building permit.

- d) Resulting residential projects would be required to provide water. If these future projects do not have existing entitlements or resources, a request for new or expanded entitlements would be evaluated for environmental impacts at the time of the request. New water supplies require Monterey County Health Department and Monterey Peninsula Water Management District approvals. A City of Monterey building permit would not be issued until these approvals are obtained. Therefore, impacts would be **less than significant**.
- f-g) On average, residential facilities generate less solid waste than commercial or industrial facilities. Therefore, a buildout of the Garden Road corridor under current zoning regulations would generate more solid waste than a buildout that included residential uses. Thus, the Monterey Regional Waste Management District landfill which serves Garden Road would have sufficient permitted capacity to accommodate the residential projects’ solid waste disposal needs. As residential projects are proposed, they would be evaluated for compliance with statutes and regulations related to solid waste. These projects are required to comply with the City’s Recycling and Waste Enclosure Standards and Guidelines, which require trash enclosures for multifamily projects with five or more units to be connected to the sewer system and flow through a grease trap with a minimum capacity of 35 gallons per minute (70 lb). All trash enclosures are required to have a solid roof. Requests to build enclosures without roofs may be made to the Public Works Department. Therefore, impacts related to solid waste would be **less than significant**.

SUBJECT AREA	Potentially Significant Impact	Less-than-significant with Mitigation	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>XIX. MANDATORY FINDINGS OF SIGNIFICANCE</b>					
a) Does the project 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?		X			- City of Monterey, General Plan
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“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.)			X		- City of Monterey Plans and Public Works Department - City of Monterey, General Plan - California Air Resources Board (CARB) - California Air Pollution Control Officers’ Association (CAPCOA) - MBARD
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X			- City of Monterey, General Plan

**Discussion:**

- a) The proposed project would not degrade the quality of the environment as documented herein. Potential impacts to biological and cultural resources have been addressed by proposed mitigation measures 2-4. With the implementation of these **mitigation measures**, the proposed project’s potential impacts would be **less than significant**.
- b) The proposed project would result in **less-than-significant** impacts to aesthetics, agriculture resources, air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hazards and hazardous materials, hydrology/water quality, land use planning, noise, population/housing, public services, recreation, and transportation/traffic. When considered cumulatively along with past, current, and probable future projects that may occur in the area, the proposed project’s contribution is considered negligible and would not be cumulatively considerable.
- c) The proposed project would not result in substantial adverse effects on human beings, directly or indirectly. Potential adverse effects on human beings through impacts to air quality, biological resources, cultural resources, hazards and hazardous materials, land use planning, and public services have been addressed through the proposed mitigation measures. With implementation of these **mitigation measures**, the proposed project’s potential impacts would be **less than significant**.

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