

MONTEREY COUNTY

HOUSING AND COMMUNITY DEVELOPMENT

Erik V. Lundquist, AICP, Director



HOUSING, PLANNING, BUILDING, ENGINEERING, ENVIRONMENTAL SERVICES

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NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT

PROJECT TITLE: VACATION RENTAL ORDINANCES PROJECT

PROJECT LOCATION: MONTEREY COUNTY

Notice is hereby given that Monterey County is seeking written comment on the Notice of Preparation of an Environmental Impact Report (EIR) for the Vacation Rental Ordinance Project in accordance with the California Environmental Quality Act. The 30-day public review period will begin on August 29, 2022, and end on September 28, 2022. All comments must be received no later than September 28, 2022. The County is soliciting public and agency input on the scope and content of the environmental information to be contained in the EIR. The project description, location, and possible environmental effects of the proposed project are described in the attached Initial Study and summarized below.

PROJECT DESCRIPTION: Ordinances establishing regulations for vacation rental uses in the unincorporated areas of Monterey County.

Monterey County, as Lead Agency under the California Environmental Quality Act (CEQA), will prepare an EIR for the proposed ordinances amending the Monterey County Code (MCC) for the purpose of establishing regulations for vacation rentals. In accordance with Section 15082 of the CEQA Guidelines, the County has issued this Notice of Preparation (NOP) to provide responsible agencies, trustee agencies, and other interested parties with information describing the proposed project and its potential environmental effects.

The project consists of three draft ordinances amending the MCC and possible amendments to the associated General Plan, Land Use Plans, and Areas Plans for the purpose of establishing regulations, standards, and circumstances under which vacation rentals may be allowed. Vacation rentals are defined as *“The use, by any person, of residential property for transient lodging where the term of occupancy, possession, or tenancy of the property by the person entitled to such occupancy, possession, or tenancy is, except as provided herein, for a period of thirty (30) consecutive calendar days or fewer, counting portions of calendar days as full days. “Vacation Rental” includes Commercial Vacation Rentals and Limited Vacation Rentals.”* Vacation rentals do not include a bed & breakfast facility, hotel, motel, hostel, inn, roominghouse, boardinghouse, rooming or boarding. The purpose of these ordinances is to: 1) preserve and enhance the residential character and sense of security and safety in stable neighborhoods of residential properties; 2) provide opportunity for visitors to access public areas of the County through Vacation Rental opportunities, benefiting the local economy while preserving the housing supply and quality of life, and protecting public health, safety, and general welfare; 3) establish regulations that provide opportunity for homeowners and residents to offer Vacation Rentals for visitors that have the

potential to provide financial benefits to offset the high cost of living in Monterey County; 4) establish that Limited Vacation Rental uses are similar in character, density, and intensity to residential use, are not anticipated to convert long-term housing out of the market, and therefore are allowed uses, where applicable, with a Vacation Rental Operation Permit and a business license; and 5) establish regulations to address the potential Commercial Vacation Rental uses that have the potential impact the character, density, and intensity of residential uses, convert long-term housing out of the market, or pose hazards to public health, safety, and general welfare in areas known to have infrastructure limitations.

These regulations also provide an amortization of investment for existing vacation rental operations in an effort to grant opportunities for those operations to continue, provided that the vacation rental activity was established prior to the effective date of the respective ordinances and that the operator is pursuing all necessary County permits, licenses, and entitlements. This process is especially important for commercial vacation rental operations located in areas that are subject to visitor serving unit caps because approval of a permit application will be subject to a first come, first serve basis. The regulations limit vacation rentals to only residential and commercial zoning districts in the unincorporated areas of Monterey County. The regulations limit establishment of vacation rentals to existing, legally established dwellings. Therefore, no specific development or construction is proposed for or would be entitled by any of the draft ordinances.

The project consists of the three draft ordinances listed below and possible amendments to the General Plan and associated Land Use Plans and Areas Plans, and they would establish regulations, standards, and circumstances under which vacation rentals may be allowed. The draft ordinances of the Monterey County, State of California, are as follows:

1. Amending Section 7.02.060 of the Monterey County Code Relating to Business Licensing for Hotels and Vacation Rentals and Adding Chapter 7.110 Relating to Vacation Rental Activities;
2. Amending Title 20 (Coastal Zoning) of the Monterey County Code Relating to Vacation Rentals; and
3. Amending Title 21 (Non-Coastal Zoning) of the Monterey County Code Relating to Vacation Rentals.

LEAD AGENCY: MONTEREY COUNTY HOUSING & COMMUNITY DEVELOPMENT

ADDRESSES WHERE A COPY OF THE NOP AND INITIAL STUDY ARE AVAILABLE FOR REVIEW:

Monterey County

**Housing & Community Development
1441 Schilling Place South, 2nd Floor
Salinas, CA 93901
(831) 755-5025**

**Castroville Branch - Andy Ausonio Library - Monterey County Free Libraries
11160 Speegle St.
Castroville, CA 95012**

**Greenfield Branch - Monterey County Free Libraries
315 El Camino Real
Greenfield, CA 93927**

**Harrison Memorial Library
Corner of Ocean Avenue and Lincoln Street
Carmel-By-The-Sea, CA 93923**

Or

<https://www.co.monterey.ca.us/government/departments-a-h/housing-community-development/planning-services/current-planning/general-info/vacation-rental-aka-short-term-rental-ordinances-coastal-inland>

PUBLIC REVIEW PERIOD: AUGUST 29, 2022, THROUGH SEPTEMBER 28, 2022

POTENTIAL SIGNIFICANT ENVIRONMENTAL EFFECTS:

The County has determined that an EIR will be prepared for the proposed project; an Initial Study (IS) has been prepared for the project that identifies the following potential environmental impacts that should be studied in the EIR, including but not limited to: agricultural resources, air quality, energy, greenhouse gas emissions, hydrology and water quality (groundwater use), land use/planning, noise, population and housing, transportation, tribal cultural resources, and utilities/service systems (water use).

Two public scoping meetings will be held on September 6, 2022, at 5:00 PM and September 19, 2022, at 1:00 PM. The scoping meeting will provide an opportunity to disseminate information, identify environmental issues, and discuss the scope of review to be included in the EIR.

FIRST PUBLIC SCOPING MEETING SEPTEMBER 6, 2022, AT 5:00 PM.

The first public scoping meeting will be on **September 6, 2022**, at 5:00 PM. The meeting will be in person and virtual.

To Attend in Person

Monterey County Government Center Administration Building
168 West Alisal Street, 2nd Floor (Monterey Room), Salinas, CA 93901

To Attend Virtually

<https://montereycty.zoom.us/j/92186550538?pwd=VDBEcFlYsWtsZUMzcHV4eE9zTEk4Zz09>

Webinar ID: 921 8655 0538 Passcode: 298335 Or Join by Phone at +1 213 338 8477

SECOND SCOPING MEETING SEPTEMBER 19, 2022, AT 1:00 PM.

The second public scoping meeting will be held on **September 19, 2022**, at 1:00 PM. The meeting will be virtual.

To Attend Virtually

<https://montereycty.zoom.us/j/99160568854?pwd=WEo1VEMvNWdQL1NRSFVZTStSWnpSZz09>

Webinar ID: 991 6056 8854 Passcode: 610181 Or Join by Phone at +1 669 900 6833

TO SUBMIT COMMENTS

We welcome your comments during the public review period. All comments must be received by September 28, 2022. You may submit your comments in hard copy to:

Monterey County Housing and Community Development Department
Attn: Melanie Beretti, AICP, Principal Planner
1441 Schilling Place, 2nd Floor South
Salinas, CA 93901

The Agency also accepts comments via e-mail or facsimile but requests that you follow these instructions to ensure that the Agency has received your comments. To submit your comments by e-mail, please send a complete document including all attachments to:

CEQAcomments@co.monterey.ca.us

Any e-mailed document should contain the name of the person or entity submitting the comments and contact information such as phone number, mailing address and/or e-mail address and include any and all attachments referenced in the e-mail. If you do not wish to send a follow-up hard copy, then please send a second e-mail requesting confirmation of receipt of comments with enough information to confirm that the entire document was received. If you do not receive e-mail confirmation of receipt of comments, then please submit a hard copy of your comments to ensure inclusion in the environmental record or contact the Agency to ensure the Agency has received your comments.

Facsimile (fax) copies will be accepted with a cover page describing the extent (e.g. number of pages) being transmitted. A faxed document must contain a signature and all attachments referenced therein. Faxed documents should be sent to the contact noted above at **(831) 757-9516**. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy

to the name and address listed above. If you do not wish to send a follow-up hard copy, then please contact the Agency to confirm that the entire document was received.

The NOP and Initial Study is available in a CD for purchase from Monterey County Housing & Community Development at the above address. The documents are also available on the County website at: <https://www.co.monterey.ca.us/government/departments-a-h/housing-community-development/planning-services/current-planning/general-info/vacation-rental-aka-short-term-rental-ordinances-coastal-inland>.

TO RECEIVE PUBLIC NOTICES OR ADDITIONAL INFORMATION

In addition to a scoping meeting, public hearings will be held during the public review period for the Draft EIR being prepared for this project. The hearings will be held at a time and place to be specified by legal advertisement in a local newspaper of general circulation. If you would like to be notified of the hearings or would like additional information please send an email to hcdcomments@co.monterey.ca.us or call Melanie Beretti at 831-755-5285 or send your request by mail to the name and address above. Please note that if you are already on the public email distribution list to receive notices regarding vacation (aka short-term) rental ordinance development, you will automatically be included in public notices for the Draft EIR.

Initial Study

for the

Monterey County Vacation Rental Ordinances Project

Prepared for:



County of Monterey Housing and Community Development Department
1441 Schilling Place, 2nd Floor South
Salinas, CA 93901
831-755-5285

Contact: Melanie Beretti, AICP

Prepared By:



Ascent Environmental, Inc.
455 Capitol Mall, Suite 300
Sacramento, California 95814
619-717-8655

Contact: Kathie Washington

August 2022

1 ENVIRONMENTAL CHECKLIST

PROJECT INFORMATION

- | | |
|--|--|
| 1. Project Title: | Monterey County Vacation Rental Ordinances |
| 2. Lead Agency Name and Address: | County of Monterey Housing and Community Development Department |
| 3. Contact Person and Phone Number: | Melanie Beretti, AICP, Principal Planner
831-755-5285
BerettiM@co.monterey.ca.us |
| 4. Project Location: | County of Monterey |
| 5. Project Sponsor's Name and Address: | County of Monterey
1441 Schilling Place, 2 nd Floor South
Salinas, CA 93901 |
| 6. General Plan Designation: | Various Designations based on Current General Plan Designations |
| 7. Zoning: | Various Zoning based on Current Zoning Ordinance |

8. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

The County of Monterey Housing and Community Development Department has prepared draft regulations for vacation rentals within the unincorporated areas of the County. The proposed regulations would be applicable to coastal and non-coastal areas of the unincorporated areas of the County. A vacation rental, which can also be known as "short-term" or "transient", means the use, by any person, of residential property for transient lodging where the term of occupancy, possession, or tenancy of the property by the person entitled to such occupancy, possession, or tenancy is, except as provided herein, for a period of thirty (30) consecutive calendar days or fewer, counting portions of calendar days as full days. Vacation Rental does not include a bed and breakfast facility, hotel, motel, hostel, inn, roominghouse, boardinghouse, rooming or boarding.

The project consists of three draft ordinances amending the Monterey County Code (MCC) for the purpose of establishing regulations, standards, and circumstances under which vacation rentals may be allowed. These regulations also provide an amortization of investment for existing vacation rental operations to enable those operations to continue for a limited time, provided that the vacation rental activity was established prior to the effective date of the respective ordinances and that the operator is pursuing all necessary County permits, licenses, and entitlements. This process is especially important for commercial vacation rental operations located in areas that are subject to visitor serving unit caps because approval of a permit application will be subject to a first come, first serve basis. A commercial vacation rental is defined as a residential property rented as a vacation rental by the owner or operator for more than three times per 12-month period, which also includes a residential property rented as a vacation rental three or fewer times per 12-month period, if any of the three vacation rentals exceed a duration of 14 consecutive calendar days. The regulations limit establishment of vacation rentals to existing, legally established dwellings. Therefore, no specific development or construction is proposed by any of the draft ordinances.

Additional amendments to land use plans may be required as a result of the ordinances. However, these amendments are not known at this time and any amendments identified will be disclosed and addressed in the EIR.

The following summarizes the proposed ordinances:

Monterey County Coastal Zoning – Title 20 Amendment

The proposed amendment to the Monterey County Zoning Ordinance for coastal areas of unincorporated Monterey County (Title 20 of the Monterey County Code) provides definitions for terms not already defined, clarifies in which zoning districts vacations would be allowed and what type of permit(s) would be required, and provides specific regulations for vacation rentals. Title 20 is part of the County's Coastal Implementation Plan and will require certification by the California Coastal Commission.

Monterey County Inland Zoning – Title 21 Amendment

The proposed amendment to the Monterey County Zoning Ordinance for inland areas of unincorporated Monterey County (Title 21 of the Monterey County Code) provide definitions for terms not already defined, clarify in which zoning districts vacation rentals would be allowed and what type of permit(s) would be required, and provide specific regulations for vacation rentals.

Title 7 – Business Taxes, Licenses and Regulations

There are two proposed amendments to MCC Title 7.

The first is a proposed amendment to MCC Chapter 7.02, which would require an annual business license for vacation rentals in the coastal and inland areas of unincorporated Monterey County.

The second is to add a new chapter to set requirements for annual operation permits for hotels and vacation rentals and is applicable in the coastal and inland areas of unincorporated Monterey County.

The proposed draft ordinances are included as Attachment A to this Checklist and also available at this website: <https://www.co.monterey.ca.us/government/departments-a-h/housing-community-development/planning-services/ordinances-plans-under-development/short-term-rental-ordinances-coastal-ref130043-inland-ref100042>.

Allowable Vacation Rentals

The proposed regulations would allow up to six (6) percent of the total single family residential dwelling count in each of the County's land use planning areas. The following table identifies the existing dwelling units, existing unpermitted rentals, and allowable rentals for each planning area.

Planning Area	Residential Dwelling Units Identified by Assessor's Office	Number of Residential Dwelling Units Allowed for Vacation Rentals (6% per Planning Area)	Number of Current Advertised Vacation Rental Dwelling Units ¹	Available Allowable Residential Units for Vacation Rentals as a Result of the Proposed Ordinances
Cachagua	512	30	24	6
Carmel	2,948	176	162	14
Carmel Valley	5,033	302	129	173
Central Salinas Valley	1,642	98	10	88
Big Sur Coast ³	925	56	22	34

Del Monte Forest	1,432	86	48	38
Fort Ord	1,007	60	1	59
Greater Monterey Peninsula	3,879	232	87	145
Greater Salinas	2,001	120	8	112
Moss Landing	61	3	8	-5 ²
North County - Inland	5,653	339	19	320
North County - Coastal	3,916	235	48	187
South County	1,296	78	10	68
Toro	4,321	259	33	226

Source: Data Provided by County of Monterey, 2022

Notes:

1: The existing vacation rentals is based on advertised data. Several vacation rentals are currently not permitted and would be required to obtain a permit upon adoption of the ordinances.

2: All existing unpermitted vacation rentals would be required to obtain a permit from the County and permits would be issued on a first come first serve basis. In order to stay within the allowable number of units for vacation rentals within each planning area, the County would only approved up 6 percent of the total units at the time of adoption of the applicable ordinance. Therefore, the number of vacation rentals within the Moss Landing area would decrease by five percent.

3: For purposes of this analysis, the Big Sur Coast includes two privately owned residential units located within the Coast Non-Coastal area, which are right on the border between Coast-Big Sur and the Coastal Non-Coastal Planner areas.

9. Surrounding Land Uses and Setting: *Various – ordinance is for the entire County and not location specific.*
(Briefly describe the project's surroundings)
10. Other public agencies whose approval is required: (e.g., permits, financing approval, or participation agreement) *California Coastal Commission certification of Title 20 amendments for areas with rentals located within the Coastal Zone*
11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

AB 52 consultation has not yet been completed; it will be conducted as part of the EIR. The result of the AB 52 consultation will be discussed in the EIR.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages. Where checked below, the topic with a potentially significant impact will be addressed in an environmental impact report.

- | | | |
|---|--|--|
| <input type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Agriculture and Forest Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Energy |
| <input type="checkbox"/> Geology / Soils | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards / Hazardous Materials |
| <input checked="" type="checkbox"/> Hydrology / Water Quality | <input checked="" type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources |
| <input checked="" type="checkbox"/> Noise | <input checked="" type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input checked="" type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Wildfire | <input checked="" type="checkbox"/> Mandatory Findings of Significance |
| | <input type="checkbox"/> None | <input type="checkbox"/> None with Mitigation Incorporated |

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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



August 29, 2022

Signature

Date

Erik V. Lundquist, AICP

Director of Housing & Community Development

Printed Name

Title

County of Monterey

Agency

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

1.1 AESTHETICS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. Aesthetics.				
Except as provided in Public Resources Code section 21099 (where aesthetic impacts shall not be considered significant for qualifying residential, mixed-use residential, and employment centers), would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.1.1 Discussion

a) Have a substantial adverse effect on a scenic vista?

No Impact. The proposed regulations would not authorize or facilitate any new development. The ordinance only applies to existing dwelling units. The ordinance would not affect how residences are used in relation to scenic resources; from a scenic vista standpoint, visitors to a residence are not distinguishable from permanent residents. Therefore, the proposed regulations would have a *no impact* on scenic vistas, and this issue will not be analyzed further in the EIR.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. The proposed regulations would not authorize or facilitate any new development. The ordinance only applies to existing dwelling units. The ordinance would not affect how residences are used in relation to scenic resources; from a scenic resources standpoint, visitors to a residence are not distinguishable from permanent residents. Therefore, the proposed regulations would have *no impact* on scenic resources and this issue will not be analyzed further in the EIR.

- c) **In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?**

No Impact. The proposed regulations would not authorize or facilitate any new development. The ordinance only applies to existing dwelling units. The existing visual character or quality of public views of the site and its surroundings would not be impacted and would not conflict with any zoning or other regulations governing scenic quality. Therefore, the proposed regulations would have *no impact* on existing visual character and this issue will not be analyzed further in the EIR.

- d) **Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

No Impact. The proposed regulations would not authorize or facilitate any new development. The ordinance only applies to existing dwelling units. There would be *no impact* associated with a new source of substantial light or glare and this issue will not be analyzed further in the EIR.

1.2 AGRICULTURE AND FOREST RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II. Agriculture and Forest Resources.				
<p>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, as updated) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.</p> <p>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.</p> <p>Would the project:</p>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.2.1 Discussion

- 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?**

No Impact. While there are parts of Monterey County designated as Important Farmland (i.e., Prime Farmland, Unique Farmland, or Farmland of Statewide Importance), the proposed regulations would not result in a change to land use designations or zoning, nor would it result in any new development. Therefore, it would not convert any farmland areas to non-agricultural uses and the proposed regulations would have *no impact* on agriculture uses. This issue will not be analyzed further in the EIR.

b) Conflict with existing zoning for agricultural use or a Williamson Act contract?

Potentially Significant Impact. The proposed regulations would not rezone any parcels to a new class of use (i.e., Agriculture to Residential). The ordinance would not result in a change to land use designations or zoning, nor would it result in any new development. The proposed vacation rental regulations would not result in any changes to parcels under Williamson Act Contract. The intent of the proposed regulations is for vacation rentals to be compatible with the Williamson Act properties. Approval of vacation rentals within the County on Williamson Act properties would be required to be consistent with the Williamson Act program. However, the County is currently in the process of updating the compatibility list to include vacation rentals in the Williamson Act program within the County. Since this update is not yet completed, this issue will be further discussed within the EIR. Therefore, for purposes of this initial study the proposed regulations would have a *potentially significant impact* on agricultural zoning of Williamson Act contracts and this issue will be analyzed further in the EIR.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No Impact. The proposed regulations would not authorize or facilitate any new development. The ordinance only applies to existing dwelling units. It would not change any land zoned as forest land or timberland. Thus, the proposed regulations would have *no impact* on forest land and this issue will not be analyzed further in the EIR.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. As stated above, the proposed regulations would not authorize new development and would not result in any changes to any forest land; therefore, the proposed regulations would have *no impact* on forest land and this issue will not be analyzed further in the EIR.

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?

No Impact. The proposed regulations would not authorize or facilitate any new development. Therefore, the ordinance would not convert any farmland areas to non-agricultural uses or forest land to non-forest uses. Thus, the proposed regulations would have *no impact* on agriculture or forest land and this issue will not be analyzed further in the EIR.

1.3 AIR QUALITY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. Air Quality.				
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied on to make the following determinations.				
Are significance criteria established by the applicable air district available to rely on for significance determinations?				
	<input checked="" type="checkbox"/> Yes		<input type="checkbox"/> No	
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1.3.1 Discussion

- a) Conflict with or obstruct implementation of the applicable air quality plan?
- b) 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?
- c) Expose sensitive receptors to substantial pollutant concentrations?
- d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Potentially Significant Impact. The proposed regulations would not authorize or facilitate any new development. Therefore, the proposed regulations would not result in any construction activities. However, the operation of vacation rentals could potentially increase vehicle trips and trip lengths as people travel from outside the region to use the rentals, and they may be more apt to drive to area attractions than typical long-term residents. Additionally, there is a potential that the users of vacation rentals utilize more energy than permanent residents on a per-night basis. This could result in an increase in air emissions. It is not anticipated that the implementation of the ordinance would exceed any significant criteria or growth assumed by the Monterey Bay Air Resources District in its air quality attainment plans. However, this would need to be further evaluated.

Therefore, as it relates to air quality, there is it *potentially significant impact* to air quality that will be analyzed further in the EIR.

1.4 BIOLOGICAL RESOURCES

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

1.4.1 Discussion

- a) **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?**

No Impact. The proposed regulations would not authorize or facilitate any new development. As such, activities permitted by the proposed regulations would not result in foreseeable impacts to habitats and the species that use them. Therefore, the proposed regulations would have *no impact* on any sensitive or special-status species and this issue will not be analyzed further in the EIR.

- b) **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?**

No Impact. The proposed regulations would not authorize or facilitate any new development. Therefore, activities permitted by the project would not result in reasonably foreseeable impacts to habitats or natural communities referenced in the above question. Thus, the proposed regulations would result in *no impact* on listed sensitive natural communities and this issue will not be analyzed further in the EIR.

- c) **Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

No Impact. Wetlands or “other waters” include lakes, rivers, streams (including intermittent streams), mud flats, sand flats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds are under the jurisdiction of the U.S. Army Corps of Engineers pursuant to Section 404 of the Clean Water Act. The proposed regulations would not authorize or facilitate any new development. Therefore, the proposed regulations would have *no impact* on wetlands and other waters of the United States and this issue will not be analyzed further in the EIR.

- 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?**

No Impact. The proposed regulations would not authorize or facilitate any new development. As such, activities permitted by the proposed regulations would result in *no impact* or modification to any wildlife corridors or native wildlife nursery sites.

- e) **Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

No Impact. The proposed regulations would not authorize or facilitate any new development. Such activities permitted by the proposed regulations would not result in a reasonably foreseeable conflict with existing policies protecting biological resources. Therefore, *no impact* would occur with respect to the proposed regulations’ consistency with local policies and ordinances, and this issue will not be analyzed further in the EIR.

- 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?**

No Impact. The proposed regulations would not authorize or facilitate any new development. Regulations for vacation rentals limit these uses to existing legally established residences. This allows the use of developed properties without the need to further disturb the land or impact resources. Therefore, the project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, and *no impact* related to this issue would occur. This issue will not be analyzed further in the EIR.

1.5 CULTURAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. Cultural Resources.				
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially disturb human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.5.1 Discussion

a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

No Impact. State CEQA Guidelines Section 15064.5 defines an historical resource as: 1) a resource listed in or determined to be eligible by the State Historical Resources Commission for listing in the California Register of Historical Resources; 2) a resource listed in a local register of historical resources or identified as significant in a historical resource survey meeting certain state guidelines; or 3) an object, building, structure, site, area, place, record or manuscript which a lead agency determines to be significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided that the lead agency’s determination is supported by substantial evidence in light of the whole record. A project-related significant adverse effect would occur if a project would adversely affect a historical resource meeting one of the above definitions. The proposed regulations would not authorize or facilitate any new development, or modifications to existing buildings. As such, activities permitted by the proposed regulations would not result in reasonably foreseeable impacts to historic structures. Thus, the project would not cause a substantial adverse change in the significance of a historical resource defined in §15064.5. Therefore, *no impact* related to historical resources would occur as a result of the ordinance.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

No Impact. The proposed regulations would not authorize new development. No grading or excavation would be proposed as part of the project, nor are such activities reasonably foreseeable consequences of activities authorized by the project. Therefore, *no impact* related to this issue would occur, and will not be analyzed further in the EIR.

c) Substantially disturb human remains, including those interred outside of formal cemeteries?

No Impact. The proposed regulations do not authorize or facilitate any new development. No grading or excavation is proposed as part of the project, nor are such activities reasonably foreseeable consequences of activities authorized by the project. Therefore, *no impact* related to this issue would occur and will not be analyzed further in the EIR.

1.6 ENERGY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. Energy.				
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1.6.1 Discussion

- a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency

Potentially Significant Impact. The proposed regulations would not authorize or facilitate any new development. Therefore, the proposed regulations would not result in any construction activities. However, the operation of a vacation rental could potentially increase vehicle trips and trip lengths as people travel from outside the region to use the rentals, and they may be more apt to drive to area attractions than typical long-term residents. Additionally, there is a potential that the users of vacation rentals utilize more energy than permanent residents on a per-night basis. This could result in an increase energy consumption and could potentially conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and this would need to be further evaluated. Therefore, there is a *potentially significant impact* to energy that will be analyzed further in the EIR.

1.7 GEOLOGY AND SOILS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. Geology and Soils.				
Would the project:				
a) Directly or indirectly cause 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 California Geological Survey Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.7.1 Discussion

- a) Directly or indirectly cause 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 California Geological Survey Special Publication 42.)
 - ii) Strong seismic ground shaking?
 - iii) Seismic-related ground failure, including liquefaction?
 - iv) Landslides?

No Impact. Surface ground rupture along faults is generally limited to a linear zone a few yards wide. There are three Alquist-Priolo Earthquake Fault Zones within Monterey County. The San Andreas Fault runs through the southeastern portion of the County for approximately 30 miles and poses the greatest seismic hazard to the County. The two other active faults affecting Monterey County include the Palo Colorado-San Gregorio fault zone and the Monterey Bay fault zone. In Monterey County, all onshore active fault traces lie along the main San Andreas Fault (County of Monterey 2022). The southeast County is an active earthquake area with a regular cycle of moderately large earthquakes. Only the small town of Parkfield contains land within the Earthquake Fault Zone (EFZ) (County of Monterey 2007).

The proposed regulations would not authorize or facilitate any new development. Consequently, the proposed regulations would not cause a substantial increase exposure of people or structures to adverse effects caused by the rupture of a known fault.

Depending on the strength of the seismic ground shaking, it is possible that structures in the area could be damaged during such an event. However, any building modifications would conform to the seismic standards contained within California Building Code (CBC) Title 24, which identifies specific design requirements to reduce damage from strong seismic ground shaking, ground failure, liquefaction, landslides, soil erosion, and expansive soils. There would be *no impact* and will not be analyzed further in the EIR.

- b) Result in substantial soil erosion or the loss of topsoil?
- 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?
- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?

No Impact. The proposed regulations would not authorize or facilitate any new development. No grading or excavation is proposed as part of the project, nor are such activities reasonably foreseeable consequences of activities authorized by the project. In addition, any modifications to any existing buildings within the County would be required to comply with existing building codes and regulations. Therefore, there would be a *no impact* associated with soil erosion or unstable soil and this issue will not be analyzed further in the EIR.

- e) **Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?**

Less than Significant Impact. The proposed regulations do not authorize or facilitate any new development. However, many units that could be used as vacation rentals are served by septic tanks. The ordinances have been prepared to have provisions consistent with the County's existing onsite wastewater treatment system (OWTS) requirements, including the requirement that vacation rentals permittees would be required to provide evidence that an existing septic tank meets the County's performance standards and requirements. These standards have been established to ensure that the OWTS function properly. Therefore, compliance with existing standards and regulatory requirements would ensure that impacts related to the use of septic tanks is *less than significant impact* and this issue will not be analyzed further in the EIR.

- f) **Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

No Impact. The proposed regulations do not authorize or facilitate any new development. No grading or excavation is proposed as part of the project, nor are such activities reasonably foreseeable consequences of activities authorized by the project. Therefore, there would be *no impact* associated with paleontological resources and this issue will not be analyzed further in the EIR.

1.8 GREENHOUSE GAS EMISSIONS

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

1.8.1 Discussion

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Potentially Significant Impact. The proposed regulations would not authorize or facilitate any new development. Therefore, the proposed regulations would not result in any construction activities. However, the operation of vacation rentals could potentially increase vehicle trips and trip lengths as people travel from outside the region to use the rentals, and they may be more apt to drive to area attractions than typical long-term residents. Additionally, there is a potential that the users of vacation rentals utilize more energy than permanent residents on a per-night basis. This could result in an increase in greenhouse gas (GHG) emissions. It is not anticipated that the implementation of the ordinance would exceed any thresholds or conflict with any applicable plans or policies for the purpose of reducing GHG emissions, including the County’s in-progress Community Climate Action and Adaptation Plan. However, this would need to be further evaluated. This is a *potentially significant impact* and will be analyzed further in the EIR.

1.9 HAZARDS AND HAZARDOUS MATERIALS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. Hazards and Hazardous Materials.				
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1.9.1 Discussion

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

No Impact. The proposed regulations would not authorize or facilitate any new development. Users of vacation rentals are not expected to use hazardous materials other than typical small quantities of household hazardous materials, such as cleaning agents, and these would not be expected to result in impacts over any existing from current uses and baseline conditions. As such, it is not reasonably foreseeable that the activities permitted by the project would involve routine transport, use, or disposal of hazardous materials beyond the normal use of products for a residential use. Therefore, *no impact* related to this issue would occur and will not be further discussed in the EIR.

- b) **Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?**
- c) **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

No Impact. The proposed regulations would not authorize or facilitate any new development. No grading or excavation is proposed as part of the project, nor are such activities reasonably foreseeable consequences of activities authorized by the project which could result in the release of hazardous materials into the environment. Users of vacation rentals are not expected to use hazardous materials other than typical small quantities of household hazardous materials, such as cleaning agents, and these would not be expected to result in impacts over any existing from current uses and baseline conditions. Therefore, *no impact* related to this issue would occur and will not be further discussed in the EIR.

- d) **Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

No Impact. The proposed regulations would not authorize or facilitate any new development. No grading or excavation is proposed as part of the project, nor are such activities reasonably foreseeable consequences of activities authorized by the project. The activities permitted by the proposed regulations would not result in vacation rental uses occurring on sites other than existing residential dwellings. As such, the project would not increase the number of residences located on the above-described lists from current conditions. As such, *no impact* related to this issue would occur and will not be discussed further in the EIR.

- 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 or excessive noise for people residing or working in the project area?**

No Impact. The proposed regulations would not authorize or facilitate any new development. No grading or excavation is proposed as part of the project, nor are such activities reasonably foreseeable consequences of activities authorized by the project. The activities permitted by the project would not result in vacation rental uses occurring on sites other than existing residential dwellings. The County has a total of four airports the Airport Land Use Commission has adopted updated Airport Land Use Compatibility Plans for two of the airports (Monterey Regional Airport and Marina Airport). New vacation rentals may be located within two miles of an airport or located within an Airport Influence Area as defined by the Airport Land Use Compatibility Plans, but people residing in the area would not be exposed to a safety hazard or excessive noise that is not currently allowed for the existing residential use. Therefore, the proposed regulations would have *no impact* on public airports or private airstrips and this issue will not be analyzed further in the EIR.

- f) **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Less than Significant Impact. The proposed regulations would only affect the use of existing dwelling units in established neighborhoods, and no new development is authorized or reasonably foreseeable. No aspects of this project would inhibit access to hospitals, emergency response centers, school locations, communication facilities, highways and bridges, or airports. In addition, the ordinances limit the number of vacation rentals within areas of the County that have limited emergency access. Furthermore, the ordinances require vacation rentals to comply with Title 14 of the California Code of Regulations – State Minimum Fire Safe Regulations and local emergency safety regulations, which were established to protect public safety. Therefore, the use of a residential use as a vacation rental would not interfere with the County's existing emergency response and evacuation plans. Thus, there would be

a *less than significant impact* related to emergency response plans or emergency evacuation plans, and this issue will not be analyzed further in the EIR.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

Less than Significant Impact. The proposed regulations would only affect the use of existing dwelling units in established neighborhoods, and no new development is authorized or reasonably foreseeable. In addition, the ordinances limit the number of vacation rentals within areas of the County that have limited emergency access. Furthermore, the ordinances require vacation rentals to comply with Title 14 of the California Code of Regulations – State Minimum Fire Safe Regulations and local emergency safety regulations, which were established to protect public safety. As such, there would be no reasonably foreseeable increased risks involving wildland fires. Therefore, there would be a *less than significant impact* related to wildland fires and this issue will not be analyzed further in the EIR.

1.10 HYDROLOGY AND WATER QUALITY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. Hydrology and Water Quality.				
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial on- or offsite erosion or siltation;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) 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; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.10.1 Discussion

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

No Impact. The proposed regulations would not authorize new development and is not expected to induce growth or development because, due to caps on the number that may operate, eligibility restrictions, and prohibitions on the types of buildings that may be used. Vacation rentals would occur within existing dwelling units and would not result in new impervious surfaces or interfere with any groundwater recharge. Any future development modifications to existing dwelling units for vacation rentals would be required to comply with all existing water quality regulations and County design standards. Furthermore, the operation of the vacation rentals would be similar to the existing

residential uses and would not violate any water quality standards. Therefore, the proposed regulations would have *no impact* on water quality standards or waste discharge, groundwater supplies, would not violate any water quality standards or waste discharge requirements, and will not be analyzed further in the EIR.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Potentially Significant Impact. The proposed regulations would not authorize or facilitate any new development. The ordinance would not result in an increase in permanent residents of the County. However, the County is dependent on groundwater; various basins in the County are subject to overdraft, resulting in seawater intrusion and other effects. The question of whether there is a potential for vacation users to utilize more groundwater on a per-night basis than typical residences who are subject to restrictions, higher water bills, etc., requires further analysis. Therefore, this is a *potentially significant impact* and would be analyzed further in the EIR.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) Result in substantial on- or offsite erosion or siltation;

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

iii) 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; or

iv) Impede or redirect flood flows?

No Impact. The proposed regulations would not authorize or facilitate any new development. No grading or excavation is proposed as part of the project, nor are such activities reasonably foreseeable consequences of activities authorized by the project. Therefore, it would have no impact on existing drainage patterns or result in an increase or change in runoff. Any future development modifications to existing dwelling units for vacation rentals would be required to comply with all existing drainage regulations and County design standards. Furthermore, the operation of the vacation rentals would be similar to the existing residential uses and would not violate any drainage standards. As a result, there would be *no impact* resulting in the substantial alternative of an existing drainage pattern as a result of erosion, surface runoff, or flood flow and this issue will not be analyzed further in the EIR.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact. The proposed regulations would not authorize or facilitate any new development. No grading or excavation is proposed as part of the project, nor are such activities reasonably foreseeable consequences of activities authorized by the project. Therefore, the proposed regulations would have *no impact* related to inundation by seiche, tsunami, or mudflow and this issue will not be analyzed further in the EIR.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No Impact. The proposed regulations would not authorize or facilitate any new development. No grading or excavation is proposed as part of the project, nor are such activities reasonably foreseeable consequences of activities authorized by the project. Furthermore, the proposed ordinances require vacation rental to comply with the County's

adopted Local Area Management Plan, which implements state wastewater regulations. Therefore, there would be *no impact* related to the implementation of a water quality control plan.

1.11 LAND USE AND PLANNING

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. Land Use and Planning.				
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1.11.1 Discussion

a) Physically divide an established community?

No Impact. The proposed regulations would not authorize or facilitate any new development. The proposed regulations would only affect the use of existing dwelling units in established neighborhoods. There will be no physical division of an established community, and therefore, there would be *no impact*, and this issue will not be analyzed further in the EIR.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Potentially Significant Impact. The proposed regulations would not authorize or facilitate any new development. The proposed regulations would only affect the use of existing dwelling units in established neighborhoods. The EIR will provide an analysis of the any potential environmental impacts that would result due to a conflict of the proposed regulations with any existing land use plan, policy, or regulations. Until this analysis is completed, an impact determination cannot be made. Therefore, This is a *potentially significant impact* and will be analyzed further in the EIR.

1.12 MINERAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. Mineral Resources.				
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.12.1 Discussion

- 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?**

No Impact. The proposed regulations would not authorize or facilitate any new development. The project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State, therefore, no impacts related to this issue would occur. Therefore, the proposed regulations would have a *no impact* on regionally valuable mineral resources, and this issue will not be analyzed further in the EIR.

- 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?**

No Impact. The proposed regulations would not authorize or facilitate any new development. The project would not 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. Thus, the proposed regulations would have *no impact* related to the loss of availability of a locally important mineral resource discovery site, and this issue will not be analyzed further in the EIR.

1.13 NOISE

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII.Noise.				
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, or a substantial temporary or permanent increase in noise levels above existing ambient levels that could result in an adverse effect on humans?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1.13.1 Discussion

- a) **Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, or a substantial temporary or permanent increase in noise levels above existing ambient levels that could result in an adverse effect on humans?**

Potentially Significant Impact. The proposed regulations would not authorize or facilitate any new development. No grading or excavation is proposed as part of the project, nor are such activities reasonably foreseeable consequences of activities authorized by the project. As such, there would not be any noise generated from construction-related activities. While occupancy levels of vacation rentals are presumed to be similar to existing residential uses, there is the possibility of instances of increases in operational noise levels in homes that are rented as vacation rentals simply due to the transient nature of rental guests. However, the proposed regulations shall comply with Monterey County Code Chapters 10.60 (Noise Control) and 8.36 (Nuisance and Nuisance Animals), which prohibits the use of sound amplifying equipment within the time period from 9:00 p.m. to 7:00 a.m. the following morning. This includes loud and unreasonable sounds, such as any sound that is plainly audible at a distance of fifty (50) feet in any direction from the source of the sound or any sound that exceeds the exterior noise level standards set forth in the County Code. Additionally, the project states that vacation rental permittees are responsible for all nuisance violations that occur in the vacation rental, and the permittee is charged a minimum inspection fee for anytime an inspection needs to occur at the unit. While provisions are included to penalize permittees when excess noise occurs, such penalties would only be issued if there is a violation. Because there is an elevated chance that nuisance noise will be created in neighborhoods with vacation rentals this is a *potentially significant impact* and will be analyzed further in the EIR.

b) Generation of excessive groundborne vibration or groundborne noise levels?

No Impact. The proposed regulations would not authorize or facilitate any new development. No grading or excavation is proposed as part of the project, nor are such activities reasonably foreseeable consequences of activities authorized by the project. As such, there would not be any groundborne vibration or groundborne noise generated from construction-related activities. Therefore, the proposed regulations would have *no impact* related to the generation of excessive groundborne vibration or groundborne noise levels, and this issue will not be analyzed further in the EIR.

c) For a project located within the vicinity of a private airstrip or 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?

No Impact. The proposed regulations would not authorize or facilitate any new development. The activities permitted by the project would not result in vacation rental uses occurring on sites other than existing dwelling units. The County has a total of four airports the Airport Land Use Commission has adopted updated Airport Land Use Compatibility Plans for two of the airports (Monterey Regional Airport and Marina Airport). New vacation rentals may be located within two miles of an airport or located within an Airport Influence Area as defined by the Airport Land Use Compatibility Plans, but people residing in the area would not be exposed to excessive noise that is not currently allowed for the existing residential use. Therefore, the proposed regulations would have *no impact* related to exposure of residents or workers to excessive noise levels, and this issue will not be analyzed further in the EIR.

1.14 POPULATION AND HOUSING

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. Population and Housing.				
Would the project:				
a) Induce substantial unplanned 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>

1.14.1 Discussion

- a) Induce substantial unplanned 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)?

No Impact. The proposed regulations would not authorize or facilitate any new development, nor would it allow new residential development on parcels that are not already zoned for such use. There is no potential for inducing population growth, and therefore, the proposed regulations would have a *no impact* on population growth, and this issue will not be analyzed further in the EIR.

- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Potentially Significant Impact. The proposed regulations would not authorize or facilitate any new development. No grading or excavation is proposed as part of the project, nor are such activities reasonably foreseeable consequences of activities authorized by the project. The intent of the proposed regulations amendment is to establish regulations, standards, and circumstances under which vacation rentals may be allowed. Allowing some vacation rentals to operate in the County could deplete the housing supply for long term residents or could displace residents, necessitating replacement housing elsewhere. This issue requires further analysis. Therefore, this is a *potentially significant impact* and will be analyzed further in the EIR.

1.15 PUBLIC SERVICES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. Public Services.				
Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.15.1 Discussion

- a) **Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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:**

Fire protection?

No Impact. The proposed regulations would not authorize or facilitate any new development. Furthermore, the proposed regulations would not result in an increase in permanent residents in the County and would not increase demands on fire protection so as to require the construction of new or expanded fire protection facilities. Therefore, the proposed regulations would have *no impact* on fire protection services, and this issue will not be analyzed further in the EIR.

Police protection?

Less than Significant Impact. The proposed regulations would not authorize or facilitate any new development. Furthermore, the proposed regulations would not result in an increase in permanent residents in the County and would not substantially increase demands on the County Sheriff’s department so as to require the construction of new or expanded law enforcement facilities. Therefore, the proposed regulations would have a *less than significant impact* on police protection services, and this issue will not be analyzed further in the EIR.

Schools?

No Impact. The proposed regulations would not authorize or facilitate any new development. Furthermore, the proposed regulations would not result in an increase in permanent residents in the County would not increase demand on schools so as to require the construction of new or expanded school facilities. Therefore, the proposed regulations would have *no impact* on school services and facilities and this issue will not be analyzed further in the EIR.

Parks?

Less than Significant Impact. The proposed regulations would not authorize or facilitate any new development. Furthermore, although users of vacation rentals are more likely to visit beaches, parks, etc., the proposed regulations would not result in an increase in permanent residents in the County and would not substantially increase demands on parks so as to require the construction of new or expanded park facilities. Therefore, the proposed regulations would have a *less than significant impact* on parks, and this issue will not be analyzed further in the EIR.

Other public facilities?

No Impact. The proposed regulations would not authorize or facilitate any new development. Furthermore, the proposed regulations would not result in an increase in permanent residents in the County and would not increase demands on other public facilities so as to require the construction of new or expanded public facilities. Therefore, the proposed regulations would have *no impact* on other public facilities, and this issue will not be analyzed further in the EIR.

1.16 RECREATION

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. Recreation.				
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.16.1 Discussion

- a) **Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

Less than Significant Impact. The proposed regulations would not authorize or facilitate any new development. Furthermore, although users of vacation rentals are more likely to visit beaches, parks, etc., the proposed regulations would not result in an increase in permanent residents in the County and would not increase the use of neighborhood and regional parks or other recreational facilities so as to cause the substantial physical deterioration of such facilities. Therefore, the proposed regulations would have a *less than significant impact* related to increased use that would substantially deteriorate existing facilities, and this issue will not be analyzed further in the EIR.

- b) **Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?**

No Impact. The proposed regulations would not authorize or facilitate any new development. Furthermore, the proposed regulations would not result in an increase in permanent residents in the County and would not increase the use of neighborhood and regional parks or other recreational facilities so as to require the construction or expansion of recreational facilities. Therefore, the construction or expansion of recreational facilities would not be required. The proposed regulations would have *no impact* related to adverse physical effects caused by construction or expansion of recreational facilities, and this issue will not be analyzed further in the EIR.

1.17 TRANSPORTATION

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. Transportation.				
Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1.17.1 Discussion

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Potentially Significant Impact. The proposed regulations would not authorize or facilitate any new development; and thus, would not result in any new construction activities. Therefore, the proposed regulations amendment would not alter any roadway, transit, bicycle, or pedestrian facilities; and would not result in changes to transit service and operations. However, the operations of a vacation rental could result in an increase in vehicle trips that would be in conflict with general plan policies encouraging the reduction in vehicular trips and the use of alternative modes of transportation such as transit, bicycle, and pedestrian. Therefore, the operation of vacation rentals could result in a conflict with a potential program, plan, ordinance, or policy addressing the circulation system, which could contribute considerably to cumulative transportation impacts. This is a *potentially significant impact* and will be analyzed further in the EIR.

b) Conflict or be inconsistent with CEQA Guidelines section 15064.3(b), which pertains to vehicle miles travelled?

Potentially Significant Impact. The proposed regulations would not authorize or facilitate any new development; and thus, would not result in any new construction activities. Therefore, the proposed regulations are not expected to increase construction-generated vehicle miles traveled (VMT) and the temporary generation of VMT from construction traffic is not expected to substantially increase VMT in the region such that it could contribute to long-term adverse environmental effects. However, the operations of a vacation rental could result in fundamental changes to travel patterns as compared to those of existing land uses, including increases in the number of vehicular trips and/or trip lengths. For example, the availability of new vacation rentals could result in newly generated trips from locations outside of the region. Additionally, during their stay, guests could be generating longer lengths by virtue of traveling to regional attractions more distant from the residence than what the existing inhabitant would make. Therefore, the VMT associated with the proposed ordinance’s operation could result in an increase in VMT such that a conflict or inconsistency with CEQA Guidelines could occur. This is a *potentially significant impact* and will be analyzed further in the EIR.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact. The proposed regulations would not authorize or facilitate any new development; and thus, would not result in any construction activities. Therefore, there would be no increase in hazards associated with construction activities. Additionally, because the proposed regulations would not result in any development or construction activities, no roadways would be altered and similar automobile types (i.e., passenger vehicles) would continue to be the dominant type of vehicle trips generated. Thus, the proposed regulations amendment would not result in a substantial increase in hazards to due design features or incompatible uses. Therefore, *no impact* related to this issue would occur and this issue will not be analyzed further in the EIR.

d) Result in inadequate emergency access?

Less than Significant Impact. The proposed regulations would only affect the use of existing dwelling units in established neighborhoods, and no new development is authorized or reasonably foreseeable. No aspects of this project would inhibit or change existing emergency access within the County. In addition, the ordinances limit the number of vacation rentals within areas of the County that have limited emergency access. Furthermore, the ordinances require vacation rentals to comply with Title 14 of the California Code of Regulations – State Minimum Fire Safe Regulations and local emergency safety regulations, which were established to protect public safety. Thus, there would be a *less than significant impact* related to inadequate emergency access and this issue will not be analyzed further in the EIR.

1.18 TRIBAL CULTURAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. Tribal Cultural Resources.				
<p>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code 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:</p>				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) 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 Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1.18.1 Discussion

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code 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:

- a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?
- b) 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 Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Potentially Significant Impact. The proposed regulations would not authorize or facilitate any new development. No grading or excavation is proposed as part of the project, nor are such activities reasonably foreseeable consequences of activities authorized by the project. Most tribal cultural resources are anticipated with buried resources and land valued for association with tribal practices.

Assembly Bill 52 (AB 52) established a formal consultation process for California Native American Tribes to identify potential significant impacts to Tribal Cultural Resources, as defined in Public Resources Code 21074, as part of CEQA. As specified in AB 52, lead agencies must provide notice inviting consultation to California Native American tribes that are traditionally and culturally affiliated with the geographic area of a proposed regulations if the Tribe has submitted a request in writing to be notified of Proposed Ordinances. The Tribe must respond in writing within 30 days of the County's AB52 notice. The AB 52 consultation will occur as part of the EIR, and the consultation process will be documented in the EIR. Since the Notice of Preparation has not yet been issued, which will start the AB 52 process, a determination of the potential impacts to tribal cultural resources cannot be made at this time. Therefore, this is a *potentially significant impact* and this issue will be analyzed further in the EIR.

1.19 UTILITIES AND SERVICE SYSTEMS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. Utilities and Service Systems.				
Would the project:				
a) Require or result in the relocation or construction of construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has inadequate capacity to serve the project's projected demand, in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Fail to comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.19.1 Discussion

- a) **Require or result in the relocation or construction of construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?**

No Impact. The proposed regulations would not authorize or facilitate any new development. No grading or excavation is proposed as part of the project, nor are such activities reasonably foreseeable consequences of activities authorized by the project. The proposed regulations would not result in an increase of permanent residents within the County and would not increase the demand of water, wastewater treatment, electrical power, natural gas, or telecommunication facilities so as to result in the need for the construction of new or expanded facilities. With regards to OWTS's, the ordinances have been prepared to have provisions consistent with the County's existing OWTS requirements, including the requirement that vacation rentals permittees would be required to provide evidence that an existing septic tank meets the County's performance standards and requirements. These standards have been established to ensure that the OWTS function properly. Therefore, there would be *no impact* related to this issue and will not be analyzed further in the EIR.

b) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Potentially Significant Impact. The proposed regulations would not authorize or facilitate any new development. The ordinance would not result in an increase in permanent residents of the County is not anticipated to intensify the use of water beyond the use on an existing permanent residential use. However, there is a potential for vacation users to utilize more water on a per-night basis than typical residences who are subject to restrictions, higher water bills, etc., and this issue requires further analysis. Therefore, this is a *potentially significant impact* and would be analyzed further in the EIR.

c) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has inadequate capacity to serve the project's projected demand, in addition to the provider's existing commitments?

No Impact. The proposed regulations would not authorize or facilitate any new development. The ordinance would not result in an increase in permanent residents of the County is not anticipated to intensify the use of water beyond the use on an existing permanent residential use. However, there is a potential for vacation users to generate temporary increases in wastewater, but not beyond the amount of existing permanent residents and would not be sufficient to affect existing wastewater treatment provider capacities. With regards to OWTS's, the ordinances have been prepared to have provisions consistent with the County's existing OWTS requirements, including the requirement that vacation rentals permittees would be required to provide evidence that an existing septic tank meets the County's performance standards and requirements. These standards have been established to ensure that the OWTS function properly. Therefore, there would be *no impact* related to this issue and will not be analyzed further in the EIR.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

e) Fail to comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

No Impact. The proposed regulations would not authorize or facilitate any new development. The ordinance would not result in an increase in permanent residents of the County is not anticipated to generate solid waste beyond the use on an existing permanent residential use and would not impact any solid waste reduction goals or regulations. Therefore, there would be *no impact* related to this issue and will not be analyzed further in the EIR.

1.20 WILDFIRE

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. Wildfire.				
Is the project located in or near state responsibility areas or lands classified as high fire hazard severity zones?	<input checked="" type="checkbox"/> Yes		<input type="checkbox"/> No	
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1.20.1 Discussion

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact. The proposed regulations would only affect the use of existing dwelling units in established neighborhoods, and no new development is authorized or reasonably foreseeable. No aspects of this project would inhibit access to hospitals, emergency response centers, school locations, communication facilities, highways and bridges, or airports. The use of a residential use as a vacation rental would not interfere with the County’s existing emergency response and evacuation plans. In addition, the ordinances limit the number of vacation rentals within areas of the County that have limited emergency access. Furthermore, the ordinances require vacation rentals to comply with Title 14 of the California Code of Regulations – State Minimum Fire Safe Regulations and local emergency safety regulations, which were established to protect public safety. Thus, there would be a *less than significant impact* related to emergency response plans or emergency evacuation plans, and this issue will not be analyzed further in the EIR.

- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- c) Require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Less than Significant Impact. The proposed regulations would only affect the use of existing dwelling units, and no new development is authorized or reasonably foreseeable. There would be no foreseeable increased risks involving wildland fires. In addition, the ordinances limit the amount of vacation rentals within areas of the County that have limited emergency access. Furthermore, the ordinances require vacation rentals to comply with Title 14 of the California Code of Regulations – State Minimum Fire Safe Regulations and local emergency safety regulations, which were established to protect public safety. Therefore, there would be a *less than significant impact* related to wildland fires and this issue will not be analyzed further in the EIR.

1.21 MANDATORY FINDINGS OF SIGNIFICANCE

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. Mandatory Findings of Significance.				
a) Does the project have the potential to substantially 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, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1.21.1 Discussion

- a) **Does the project have the potential to substantially 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, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?**

No Impact. As discussed in Section 3.4 (Biological Resources) and Section 3.5 (Cultural Resources), the proposed regulations would not have the potential to degrade the quality of the environment, substantially reduce the habitat of 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. No new development is expected to occur with the implementation of the proposed ordinance.

As discussed in Section 3.4 (Biological Resources) and Section 3.5 (Cultural Resources) the proposed regulations would have no impacts to biological resources or cultural resources. Therefore, *no impact* is identified for this issue, and this will not be analyzed further in the EIR.

- 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.)**

Potentially Significant Impact. State CEQA Guidelines Section 15130 requires a discussion of the cumulative impacts of a project when the project’s incremental effect is “cumulatively considerable,” meaning that the project’s incremental effects are considerable when viewed in connection with the effects of past, current, and probable future projects. The cumulative impacts discussion does not need to provide as much detail as is provided in the analysis of project-specific impacts and should be guided by the standards of practicality and reasonableness.

Because the proposed regulations would have no impact on aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality (except groundwater use), mineral resources, public services, recreation, utilities and service systems (except water use) or wildfire it was determined that the proposed regulations would have no potential to result in cumulative impacts related to these resource areas..

As determined by this Initial Study, there may be potentially significant effects related to air quality, energy, GHG emissions, hydrology and water quality (groundwater use), land use, noise, population and housing (displacement), transportation, tribal cultural resources, and utilities and service systems (water use). Therefore, this would be a *potentially significant impact* and further analysis of the proposed ordinance’s potential contribution to cumulative impacts related to these resources is warranted in the EIR.

- c) **Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?**

Potentially Significant Impact. A discussion of direct and indirect effects on human beings will be provided in the forthcoming EIR. As demonstrated in the analysis in this Initial Study, operational activities that would be reasonably foreseeable with implementation of the proposed regulations would potentially result in substantial adverse effects on the environment, including human beings, either directly or indirectly. Specific environmental impacts that could have a substantial adverse effect on human beings include potential impacts associated with increase air emissions, transportation, and noise levels. Furthermore, cumulative impacts associated with the proposed regulations would be potentially significant. Therefore, the effects on human beings as a result of the proposed regulations would be a *potentially significant impact*, and this issue will be analyzed further in the EIR.

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2 REFERENCES

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