

# MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY - PLANNING DEPARTMENT  
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## INITIAL STUDY

### I. BACKGROUND INFORMATION

**Project Title:** Regulations for Keeping Roosters in Residential Zoning Districts and the Limited Agricultural District.

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**File No.:** PD070731

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**Project Location:** Unincorporated Areas of Monterey County.

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**Name of Property Owner:** County Residents in the Unincorporated Areas

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**Name of Applicant:** Monterey County - Resource Management Agency

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**Assessor's Parcel Number(s):** Multiple

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**Acreage of Property:**

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**General Plan Designation:** 1982 Monterey County General Plan

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**Zoning Districts:** MDR, LDR, and RDR and A. Medium Density, Low Density, Rural Density Residential and Limited Agricultural Districts.

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**Lead Agency:** Resource Management Agency – Planning Department

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**Prepared By:** Taven M. Kinison Brown

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**Date Prepared:** March 2008

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## ***II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING***

### **A. Project Description:**

Revise the Monterey County Zoning Ordinance Title 21 as necessary to protect the public health and welfare from undue noise and nuisance from crowing roosters in residential areas. The new revisions to County Ordinances are not intended to infringe upon legal farming and permitted commercial operations. This ordinance does not apply to the Coastal Zone.

Presently, County Ordinance allows “Small Livestock Farming” and “Animal Husbandry” without permits in the Medium Residential District (MDR), Low Density Residential District (LDR), Rural Density Residential District (RDR), and the Limited Agricultural Zoning District (A). The County’s present definition of Small Livestock Farming allows “the raising or keeping of small animals which may include up to 499 of the following: chickens, pigeons, hogs, rabbits, ducks, geese, guinea fowl, peafowl, goats, sheep, or similar fowl or animals.” When an operation has over 499 of these small animals, the operation is then redefined as a “Poultry Farm” and is subject to a discretionary Use Permit in the RDR zone. Poultry Farms are not otherwise allowed in the Medium Residential District (MDR), Low Density Residential District (LDR), and the Limited Agricultural Zoning District (A).

The proposed adjustments to the County Ordinances include modification to the allowed uses within each of these four Chapters to allow no more than two roosters in the Medium Residential District (MDR), Low Density Residential District (LDR), Rural Density Residential District (RDR), and the Limited Agricultural Zoning District (A).

Modifications to Chapters include provisions to allow that requests may be made to the Director of Planning to allow for more than two roosters, subject to issuance of an Administrative Permit (Chapter 21.70). Applicants for such permits will be required to demonstrate that the public health and welfare is protected from undue noise and nuisance from crowing roosters in residential areas. Fees will be required of the applicant to process the Administrative Permit according to an adopted fee schedule that may be revised from time to time. The draft Ordinance to Regulate the Keeping of Roosters in Residential Districts and the Limited Agricultural District has been attached to this document as Exhibit 1.

### **B. Environmental Setting and Surrounding Land Uses:**

The proposed changes to the Monterey County Zoning Code would apply to the unincorporated areas of Monterey County. The proposed ordinance amendments are meant to address and improve the peace and comfort of living in the residentially zoned and Limited Agricultural zoned areas of Monterey County by reducing noise and nuisance from roosters. The three residential zones, MDR, LDR and RDR can be found in many places in inland Monterey County and include concentrations of the residential population (for unincorporated Monterey County). This ordinance does not apply to the Coastal Zone. The Limited Agricultural Zone is overlaid on five familiar unincorporated communities: Boronda, San Ardo, Bradley, Parkfield, and a subdivision southwest of King City along Pine Canyon Road.

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

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

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

**Monterey County General Plan:** The project was reviewed for consistency with the Monterey County General Plan, and is consistent with the plans and policies of this document, as explained in Section IV.9 - Land Use and Planning.

**IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION**

**A. FACTORS**

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

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

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

Check here if this finding is not applicable

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

**EVIDENCE:** Based upon the planner's project analysis, many of the above topics on the checklist do not apply. Less than significant impacts or potentially significant impacts are identified for **agriculture resources, land use/planning, and public services**. The project would have no quantifiable adverse environmental effect on the categories not checked above, as follows:

**Aesthetics:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning districts and the Limited Agricultural District (the Project) will not affect scenic vistas, damage scenic resources, degrade the existing visual character or quality the site (Monterey County unincorporated areas) nor create a new source of light or glare.

**Air Quality:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will have no impact on air quality.

**Biological Resources:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will have no impact on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Adoption of the Project would have no effect on riparian habitat or other sensitive natural community, nor affect federally protected wetlands. Adoption of the project will not interfere 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. Adoption of the project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Adoption of the project will 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.

**Cultural Resources:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will not cause a substantial adverse change in the significance of a historical resource, cause a substantial adverse change in the significance of an archaeological resource, directly or indirectly destroy a unique paleontological resource or site

or unique geologic feature, nor disturb any human remains, including those interred outside of formal cemeteries. While the maintaining of domesticated birds has many cultural roots for many persons, the project still allows two roosters in every zoning district where they are presently allowed. The suggested ordinances allows persons to maintain additional roosters through a permit process if they can demonstrate to the Director of Planning that the public health and welfare will be protected from undue noise and nuisance from crowing roosters in residential and Limited Agricultural areas. The new revisions to County Ordinances are not intended to infringe upon legal farming and permitted commercial operations.

**Geology/Soils:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will have no impact on Geological Resources.

**Hazards/Hazardous Materials:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will not create a hazard to the public or involve hazardous materials.

**Hydrology/Water Quality:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will not violate any water quality standards, deplete groundwater supplies, alter existing drainage patterns, nor contribute run-off or otherwise degrade water quality.

**Mineral Resources:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will have no impact on Mineral Resources.

**Noise:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts includes no construction or physical components that may involve the creation of new or increased noise levels. The purpose of the changes to County Ordinances is to protect the public health and welfare from undue noise and nuisance from crowing roosters in residential areas. A decrease in noise disturbances in residential areas from crowing roosters may be expected.

**Population/Housing:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will not induce substantial population growth, displace existing housing, nor displace persons.

**Recreation:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will not increase the use of existing neighborhood and regional parks or other recreational facilities, nor does the Project propose the provision of such facilities.

**Transportation/Traffic:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will not increase existing vehicle traffic, nor result in a change to air traffic patterns, nor conflict with County and regional programs and responsibilities to maintain regional transit infrastructure and systems.

**Utilities and Service Systems:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will have no impact on Utilities and Service Systems.

**B. DETERMINATION**

On the basis of this initial evaluation:

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

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Signature

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Date

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Printed Name

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Title

## ***V. EVALUATION OF ENVIRONMENTAL IMPACTS***

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

## VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Have a substantial adverse effect on a scenic vista? (Source: 1,2,3)	<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? (Source:1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings? (Source: 1,2,3)	<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? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

2. AGRICULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**2. AGRICULTURAL RESOURCES**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

**Agricultural Resources 2(a) – No Impact.** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and Limited Agricultural districts will not 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 uses.

**Agricultural Resources 2(b) – Less than Significant Impact.** While adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning districts will not affect Williamson Act Contracts, it will affect the allowance of roosters in the MDR, LDR, RDR and A zoning districts.

The following described sections of the Zoning Code (Title 21) are proposed for adjustment to achieve increased protection of the public health and welfare from undue noise and nuisance from crowing roosters in residential areas. Underline has been used to show the proposed additions to Code.

***Chapter 21.12***

***REGULATIONS FOR MEDIUM DENSITY RESIDENTIAL***

***ZONING DISTRICTS OR “MDR” DISTRICTS***

**Section 21.12.030 USES ALLOWED.**

M. Intermittent livestock farming or animal husbandry uses such as "4-H" projects on a minimum of 20,000 square feet. No more than two roosters may be allowed in intermittent livestock farming or animal husbandry operations in the Medium Density Residential Zone, unless otherwise formally permitted by the County of Monterey.

**Section 21.12.040 USES ALLOWED, ADMINISTRATIVE PERMIT REQUIRED**

- I: More than two roosters may be permitted if it can be demonstrated that the public health and welfare can be protected from undue noise and nuisance from crowing roosters in residential areas.

*Chapter 21.14*

**REGULATIONS FOR LOW DENSITY RESIDENTIAL ZONING**

**DISTRICTS OR "LDR" DISTRICTS**

**Section 21.14.030 USES ALLOWED.**

- D. Animal husbandry and small livestock farming; provided that not more than one horse, mule, cow, or similar livestock shall be kept for each twenty thousand square feet of land area. No more than two roosters may be allowed in small livestock farming operations in the Low Density Residential Zone, unless otherwise formally permitted by the County of Monterey.
- P. Intermittent livestock farming or animal husbandry uses such as "4-H" projects. No more than two roosters may be allowed in intermittent livestock farming or animal husbandry operations in the Low Density Residential Zone, unless otherwise formally permitted by the County of Monterey.

**Section 21.14.040 USES ALLOWED, ADMINISTRATIVE PERMIT REQUIRED**

- J: More than two roosters may be permitted if it can be demonstrated that the public health and welfare can be protected from undue noise and nuisance from crowing roosters in residential areas.

*Chapter 21.16*

**REGULATIONS FOR RURAL DENSITY RESIDENTIAL ZONING**

**DISTRICTS OR "RDR" DISTRICTS**

**Section 21.16.030 USES ALLOWED.**

- K. Animal husbandry and small livestock farming; provided that not more than one horse, mule, cow, or similar livestock shall be kept for each twenty thousand square feet of land area. No more than two roosters may be allowed in animal husbandry and small livestock farming operations in the Rural Density Residential Zone, unless otherwise formally permitted by the County of Monterey.
- L. All agricultural uses on a minimum of ten acres including crop and tree farming, livestock farming, animal husbandry, apiaries, aviaries, except for those uses requiring an Administrative or Use Permit. No more than two roosters may be allowed in the livestock farming and animal husbandry operations in the Rural Density Residential Zone, unless otherwise formally permitted by the County of Monterey.

- R. Intermittent livestock farming or animal husbandry such as "4-H" projects. No more than two roosters may be allowed in intermittent livestock farming or animal husbandry operations in the Rural Density Residential Zone, unless otherwise formally permitted by the County of Monterey.

**Section 21.16.040 USES ALLOWED, ADMINISTRATIVE PERMIT REQUIRED**

- K: More than two roosters may be permitted if it can be demonstrated that the public health and welfare can be protected from undue noise and nuisance from crowing roosters in residential areas.

*Chapter 21.48*

**REGULATIONS FOR LIMITED AGRICULTURAL**

**ZONING DISTRICTS OR "A" DISTRICTS**

**Section 21.48.30 USES ALLOWED**

- B. Animal husbandry and small livestock farming; provided that not more than one horse, mule, cow, or similar livestock shall be kept for each twenty thousand square feet of land area. No more than two roosters may be allowed in animal husbandry and small livestock farming operations in the "A" District, unless otherwise formally permitted by the County of Monterey.

**Section 21.48.035 USES ALLOWED, ADMINISTRATIVE PERMIT REQUIRED**

- A: More than two roosters may be permitted if it can be demonstrated that the public health and welfare can be protected from undue noise and nuisance from crowing roosters in residential areas.

While the proposed project directly changes the allowance provided in the Zoning Code for the Medium Density Residential District, Low Density Residential District, Rural Density Residential District and Limited Agricultural Zone, no changes are proposed for any other Monterey County Zoning Districts, including but not limited to the AI Agricultural Industrial Zone, F Farmland Zone, RG Rural Grazing Zone, PG Permanent Grazing, and RC Resource Conservation Zone. In this manner there will be a less than significant impact to legal farming and permitted commercial operations.

**Agricultural Resources 2(c) – No Impact.** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use.

**3. AIR QUALITY**

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

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in significant construction-related air quality impacts? (Source: 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people? (Source: 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

4. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

<b>5. CULTURAL RESOURCES</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Disturb any human remains, including those interred outside of formal cemeteries? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

<b>6. GEOLOGY AND SOILS</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: 1,2,3) Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii)	Strong seismic ground shaking? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii)	Seismic-related ground failure, including liquefaction? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv)	Landslides? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in substantial soil erosion or the loss of topsoil? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>6. GEOLOGY AND SOILS</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

<b>7. HAZARDS AND HAZARDOUS MATERIALS</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>7. HAZARDS AND HAZARDOUS MATERIALS</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

<b>8. HYDROLOGY AND WATER QUALITY</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Violate any water quality standards or waste discharge requirements? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**8. HYDROLOGY AND WATER QUALITY**

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

<b>9. LAND USE AND PLANNING</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Physically divide an established community? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

**Land Use and Planning Resources 9(a) – No Impact.** There is no construction or physical component to the proposed project. Adoption of the project will not physically divide an established community.

**Land Use and Planning Resources 9(b) – Less than Significant Impact.**

The Monterey County General Plan recognizes that “Land uses of an inherent noise-generating nature could adversely impact residents.” While the General Plan discussion is in the context of new development, it is still true that uses of an inherent noise-generating nature could adversely impact residents. Additionally, Goal 22 of the 1982 Monterey County General Plan is “To maintain an overall healthy and quiet environment by trying to achieve living and working conditions free from annoying and harmful sounds.” Objective 22.1 of Goal 22 is (for the County to) “Adopt noise reduction measures and begin implementation by 1984; revise as conditions change.” The proposal to protect the public health and welfare from undue noise and nuisance from crowing roosters in residential areas does not conflict with this Goal and Objective of the General Plan and effectively helps to support and implement the Goal and Objective by regulating and limiting noise generation from roosters and by limiting the number of roosters. In this manner, the Ordinance is consistent with the General Plan and will have a less than significant impact.

Please refer to the response for Agricultural Resources 2(b) above for the described sections of the Zoning Code (Title 21) that are proposed for adjustment to achieve increased protection of the public health and welfare from undue noise and nuisance from crowing roosters in residential areas.

**Land Use and Planning Resources 9(c) – No Impact** Adoption of the project will not conflict with any habitat conservation plan or natural community conservation plan.

<b>10. MINERAL RESOURCES</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

<b>11. NOISE</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project result in:</b>					
a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>11. NOISE</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project result in:</b>					
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

<b>12. POPULATION AND HOUSING</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

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

**Discussion/Conclusion/Mitigation:**

**Public Services 13(a-d) – No Impact** The project does not include the provision of any new governmental facilities, and there is no anticipation of needing to construct additional facilities to implement the Ordinance changes. The construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times. The Fire Department, Sheriffs Department, School Districts and Parks Departments will not be affected by adoption of the proposed Ordinances.

**Public Services 13(e) – Less than Significant Impact** Enforcement of provisions of the Project and the Monterey County Zoning Ordinance (Title 21) are the responsibility of the Monterey County Resource Management Agency Code Enforcement Department. Other departments with responsibility to protect the public health, welfare, and safety may become involved if circumstances warrant. It is expected that there would likely be an initial surge of complaints and the need for investigation and response should the proposed changes to the County Ordinance (the Project) be adopted. This initial surge is anticipated to be absorbed within the existing staff structure of the Resource Management Agency (which includes both the Code Enforcement and Planning Departments). Referrals to and cooperation with other agencies may be necessary. In this manner, there is no forecast 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. In this manner, approval of the proposed project would have a less than significant to public services.

<b>14. RECREATION</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

<b>15. TRANSPORTATION/TRAFFIC</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in inadequate emergency access? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>15. TRANSPORTATION/TRAFFIC</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
f)	Result in inadequate parking capacity? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

<b>16. UTILITIES AND SERVICE SYSTEMS</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Comply with federal, state, and local statutes and regulations related to solid waste? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

## VII. MANDATORY FINDINGS OF SIGNIFICANCE

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

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

### Discussion/Conclusion/Mitigation:

**VII (a): No Impact.** The project does not have the potential to degrade the quality of the environment as it has been determined that there will be less than significant impacts to agriculture resources, land use/planning and public services. Further, analysis supports the conclusion that there would be no (negative) impacts to aesthetics, air quality, biological resources, geology/soils, hazardous materials, hydrology/water quality, mineral resources, noise, population/housing, recreation, transportation /traffic, utilities and services systems. See previous Sections II.A - Project Description, II.B - Environmental Setting, and Section IV.A - Environmental Factors Potentially Affected, as well as the sources referenced. The following describes the project's potential to contribute to global warming as mandated by AB 32.

**VII (b-c): No Impact:** Cumulative Impacts and Global Warming: The enactment of AB 32, the Global Warming Solutions Act, was signed into legislation by Governor Schwarzenegger in September 2006 and requires that greenhouse gases emissions be reduced to 1990 levels by the year 2020. Increased emissions of greenhouse gases due to developmental pressures have resulted in multiple adverse environmental effects, including, sea level rise, increased incidence

*Initial Study – Rooster Ordinance*

and intensity of severe weather events (e.g., heavy rainfall, droughts), and extirpation or extinction of plant and wildlife species. Further, emissions contributing to climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Given the significant adverse environmental effects associated with anthropogenic climate change, increased emissions have the potential to result in cumulatively considerable air quality impacts and indirect biological and hydrological impacts.

When analyzing a project's potential to affect climate change, it is important to note that neither CEQA nor current case law identifies thresholds or other direction in measuring or evaluating the effect of individual projects on global warming. As a result, in the absence of applicable methodology and thresholds, the significance of the project's effect on global warming cannot be quantified. Furthermore, given the transboundary nature of greenhouse gases, the cumulative global emissions contributing to climate change can be attributed to every nation, region, and city, in addition to naturally occurring phenomenon.

While the project limits the number of roosters that may be maintained on a residentially zoned or Limited Agricultural zoned property without permits, no changes have been proposed to the amount of small farm animals (499) allowed under the definition of Small Livestock Farming. The proposed project is unlikely to impact existing levels of greenhouses gases on a local, regional, or global scale.

## ***VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES***

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

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

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

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

**Evidence:** Based on the record as a whole as embodied in the Monterey County Resource Management Agency Planning Department files pertaining to PD070731 and the attached Initial Study, the proposed project to introduce regulations for the Keeping of Roosters in Residential Zones and the Limited Agricultural Zone would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species or have a substantial adverse effect on any riparian habitat or other sensitive natural community. The project will not have the potential to degrade the environment (Source: IX. 1, 2, 3, 4). While the project limits the number of roosters that may be maintained on a residentially zoned or Limited Agricultural zoned property without permits, no changes have been proposed to the amount of small farm animals (499) allowed under the definition of Small Livestock Farming.

## ***IX. REFERENCES***

1. Monterey County General Plan
2. Title 21 of the Monterey County Code (Zoning Ordinance)
3. Monterey County GIS Geographical Information System
4. CEQA Air Quality Guidelines, prepared by Monterey Bay Unified Air Pollution Control District, Adopted 1995 and last revised in September 2004.

## ***X. EXHIBITS***

1. Draft Ordinance To Regulate The Keeping Of Roosters In Residential Districts.
2. CDFG Form Requesting “No Effect Determination.”

**EXHIBIT 1**

**Draft**

**ORDINANCE No. \_\_\_\_\_**

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA AMENDING CHAPTER 21.12, 21.14, 21.16, AND 21.48 OF TITLE 21 (ZONING) OF THE MONTEREY COUNTY CODE TO REGULATE THE KEEPING OF ROOSTERS IN RESIDENTIAL DISTRICTS AND THE LIMITED AGRICULTURAL DISTRICT.

***County Counsel Summary***

*This ordinance amends Chapters 21.12, 21.14, 21.16 and 21.48 of Title 21 (Zoning) of the Monterey County Code to regulate the keeping of roosters in the Medium Residential District (MDR), Low Density Residential District (LDR), Rural Density Residential District (RDR), and the Limited Agricultural Zoning District (A). Presently, County Ordinance allows “Small Livestock Farming” and “Animal Husbandry” without permits in these districts. The County’s present definition of Small Livestock Farming allows the raising or keeping of small animals which may include up to 499 of the following: chickens, pigeons, hogs, rabbits, ducks, geese, guinea fowl, peafowl, goats, sheep, or similar fowl or animals. This Ordinance modifies Sections within each of these Chapters to allow no more than two roosters in these residential districts and the Limited Agricultural District for the purpose of protecting the public health and welfare from undue noise and nuisance from crowing roosters in residential areas. Modifications include provisions to allow that requests may be made to the Director of Planning to allow for more than two roosters. Applicants for such permits will be required to demonstrate that the public health and welfare is protected from undue noise and nuisance from crowing roosters in residential areas. The amendments to this title are not intended to infringe upon legal farming and permitted commercial operations.*

The Board of Supervisors of the County of Monterey ordains as follows:

**SECTION 1.** Within Chapters 21.12, 21.14, 21.16 and 21.48, Sections 21.12.030, 21.12.040, 21.14.030, 21.14.040, 21.16.030, 21.16.040, 21.48.030 and 21.48.035 of the Monterey County Code are amended to read as follows:

***Chapter 21.12***

***REGULATIONS FOR MEDIUM DENSITY RESIDENTIAL***

***ZONING DISTRICTS OR “MDR” DISTRICTS***

**Section 21.12.030 USES ALLOWED.**

M. Intermittent livestock farming or animal husbandry uses such as "4-H" projects on a minimum of 20,000 square feet. No more than two roosters may be allowed in

intermittent livestock farming or animal husbandry operations in the Medium Density Residential Zone, unless otherwise formally permitted by the County of Monterey.

**Section 21.12.040 USES ALLOWED, ADMINISTRATIVE PERMIT REQUIRED**

- I: More than two roosters may be permitted if it can be demonstrated that the public health and welfare can be protected from undue noise and nuisance from crowing roosters in residential areas.

*Chapter 21.14*

***REGULATIONS FOR LOW DENSITY RESIDENTIAL ZONING***

***DISTRICTS OR "LDR" DISTRICTS***

**Section 21.14.030 USES ALLOWED.**

- D. Animal husbandry and small livestock farming; provided that not more than one horse, mule, cow, or similar livestock shall be kept for each twenty thousand square feet of land area. No more than two roosters may be allowed in small livestock farming operations in the Low Density Residential Zone, unless otherwise formally permitted by the County of Monterey.
- P. Intermittent livestock farming or animal husbandry uses such as "4-H" projects. No more than two roosters may be allowed in intermittent livestock farming or animal husbandry operations in the Low Density Residential Zone, unless otherwise formally permitted by the County of Monterey.

**Section 21.14.040 USES ALLOWED, ADMINISTRATIVE PERMIT REQUIRED**

- J: More than two roosters may be permitted if it can be demonstrated that the public health and welfare can be protected from undue noise and nuisance from crowing roosters in residential areas.

*Chapter 21.16*

***REGULATIONS FOR RURAL DENSITY RESIDENTIAL ZONING***

***DISTRICTS OR "RDR" DISTRICTS***

**Section 21.16.030 USES ALLOWED.**

- K. Animal husbandry and small livestock farming; provided that not more than one horse, mule, cow, or similar livestock shall be kept for each twenty thousand square feet of land area. No more than two roosters may be allowed in animal husbandry and small livestock farming operations in the Rural Density Residential Zone, unless otherwise formally permitted by the County of Monterey.
- L. All agricultural uses on a minimum of ten acres including crop and tree farming, livestock farming, animal husbandry, apiaries, aviaries, except for those uses requiring an Administrative or Use Permit. No more than two roosters may be allowed in the livestock

farming and animal husbandry operations in the Rural Density Residential Zone, unless otherwise formally permitted by the County of Monterey.

- R. Intermittent livestock farming or animal husbandry such as "4-H" projects. No more than two roosters may be allowed in intermittent livestock farming or animal husbandry operations in the Rural Density Residential Zone, unless otherwise formally permitted by the County of Monterey.

**Section 21.16.040 USES ALLOWED, ADMINISTRATIVE PERMIT REQUIRED**

- K: More than two roosters may be permitted if it can be demonstrated that the public health and welfare can be protected from undue noise and nuisance from crowing roosters in residential areas.

*Chapter 21.48*

**REGULATIONS FOR LIMITED AGRICULTURAL**

**ZONING DISTRICTS OR "A" DISTRICTS**

**Section 21.48.30 USES ALLOWED**

- B. Animal husbandry and small livestock farming; provided that not more than one horse, mule, cow, or similar livestock shall be kept for each twenty thousand square feet of land area. No more than two roosters may be allowed in animal husbandry and small livestock farming operations in the "A" District, unless otherwise formally permitted by the County of Monterey.

**Section 21.48.035 USES ALLOWED, ADMINISTRATIVE PERMIT REQUIRED**

- A: More than two roosters may be permitted if it can be demonstrated that the public health and welfare can be protected from undue noise and nuisance from crowing roosters in residential areas.

**SECTION 2. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall become effective on the 31<sup>st</sup> day after its adoption.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2008 by the following vote:

Supervisors:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

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Dave Potter, Chair  
 Monterey County Board of Supervisors

Attest:  
 LEW C. BAUMAN, Clerk  
 to the Board of Supervisors

By: \_\_\_\_\_  
 Deputy

APPROVED AS TO FORM:  
 Charles McKee, County Counsel

By: \_\_\_\_\_  
 Deputy

