



County of Calaveras Department of Planning

Peter Maurer ~ Interim Planning Director
Phone (209) 754-6394 Fax (209) 754-6540
www.planning.calaverasgov.us

Initial Study / Negative Declaration
Review Period: August 14, 2024 to September 13, 2024

Initial Study ENVIRONMENTAL CHECKLIST For the SHORT-TERM VACATION RENTAL (STVR) ORDINANCE 2024-029 ZA

1. Project Title: 2024-029 – Zoning Amendment to adopt short-term vacation rental standards
2. Lead Agency Name and Address: Calaveras County Planning Department
891 Mountain Ranch Road
San Andreas, CA 95249
3. Contact Person and Phone Number: Peter Maurer, Interim Planning Director
(209) 754-6394
4. Project Location: All unincorporated area of Calaveras County
5. Project Sponsor's Name and Address: Calaveras County
891 Mountain Ranch Road
San Andreas, CA 95249
6. Project Description: The county is proposing to adopt an ordinance amendment to repeal Chapter 20.20, Lake Tulloch Short-Term Vacation Rentals and adopt a new ordinance to establish short-term vacation rentals standards throughout the unincorporated areas of Calaveras County.
7. Other public agencies whose approval is required: NONE
8. Have California Native American Tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code §21080.3.1?

NO

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.?

NO

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.

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

DETERMINATION (To be completed by 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 original scope of the proposed project **COULD** have had a potentially significant effect on the environment, there **WILL NOT** be a significant effect because revisions/mitigations to the project have been made by or agreed to by the applicant. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a potentially significant effect on the environment and an **ENVIRONMENTAL IMPACT REPORT** or its functional equivalent will be prepared.
- I find that the proposed project **MAY** have a potentially significant impact on the environment. However, at least one impact has been adequately analyzed in an earlier document, pursuant to applicable legal standards, and has been addressed by mitigation measures based on the earlier analysis, as described in the report's attachments. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the impacts not sufficiently addressed in previous documents.
- I find that, although the proposed project could have had a significant effect on the environment, because all potentially significant effects have been adequately analyzed in an earlier EIR or Negative Declaration, pursuant to applicable standards, and have been avoided or mitigated, pursuant to an earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, all impacts have been avoided or mitigated to a less-than-significant level and no further action is required.



Peter N. Maurer
Interim Planning Director

7 Aug. 2024
Date

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

Environmental Impact Analysis:

The proposed project is an amendment to the Calaveras County Code to repeal Chapter 20.20, Lake Tulloch Short-Term Vacation Rentals and adopt new provisions in the zoning code, Title 17, that would apply standards county-wide. The proposed ordinance would modify the current practice of requiring an administrative use permit for short-term vacation rentals (STVR) only in the Lake Tulloch area that requires an annual renewal, replacing that with a one-time ministerial permit process for STVRs in all parts of the unincorporated area of Calaveras County. Standards would be applied to address maximum occupancy based on the number of bedrooms and parking space available, noise, and health and safety standards. These standards are similar to or more stringent than those typically applied under the current ordinance applying to STVRs at Lake Tulloch. There are no standards in place for the rest of the county. The proposed ordinance would create a neighborhood notification procedure, a process to address violations, and a revocation and appeal process.

There are approximately 700 STVRs operating in the county that have registered with the County Treasure/Tax Collector for the collection of the transient occupancy tax (TOT). An unknown number of STVRs may be operating without a business license or collection of TOT. The purpose of the proposed ordinance is to provide a standard set of rules and regulations for operating STVRs, to protect the enjoyment of a peaceful neighborhood environment by nearby residents, and to provide a notice to those neighbors of the presence of an STVR and whom to contact in the event of violations of the terms of operating an STVR.

I. AESTHETICS

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Except as provided in Public Resources Code §21099, would the project:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

DISCUSSION

a-c) **No Impact** – A scenic vista is an area that is designated, signed, and accessible to the public for the express purposes of viewing and sightseeing. The County General Plan does not specifically designate any scenic vistas within the County; however, the Conservation and Open Space Element notes that the County’s scenic resources are some of its most valued assets and include forests, rolling hills, ranches, agricultural land, historic landscapes, oak woodlands, rock formations and other unique topographical features, river corridors, lakes, and streams. Short-term vacation rentals are located in residential structures situated in residential neighborhoods or larger rural parcels. These are no different than other residential homes in a neighborhood and would not look differently from a house that is used as a primary residence. New STVRs would be located in existing residential structures or newly constructed houses otherwise permitted by right in the zone. Similarly, lighting associated with a STVR would be consistent with lighting for existing or new owner-occupied residences. There are no specific lighting standards in the current provisions of Chapter 20.20. The new lighting standards in Title 17 would apply. The proposed ordinance would not have a substantial adverse effect on a scenic vista, scenic resources, scenic quality of non-urban areas, or create substantial light and glare. No impact would occur.

II. AGRICULTURE AND FORESTRY RESOURCES

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

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

DISCUSSION

a-e) **No Impact** – As discussed above under air quality, the proposed ordinance does not expand the existing capacity for property owners to utilize residential structures for short-term vacation rentals; it just adds standards. Such rentals would be permitted, subject to regulations, on lands already zoned residential or where residential structures are already permitted by right. STVRs would not be a permitted use on Agriculture Preserve (AP) zoned land, which is land under a Williamson Act contract, or Timber Production (TP) zone. Thus, the proposed project will not result in a conversion of farmland or forest land or otherwise adversely impact agricultural or forestry resources.

III. 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.

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

The proposed project is located in Calaveras County, which is part of the Mountain Counties Air Basin (MCAB). Air quality within the County is under the jurisdiction of the Calaveras County Air Pollution Control District (CCAPCD). Although the County has experienced relatively good air quality, it has been classified as a non-attainment area for the State and Federal ozone standards (1-hour and 8-hour) and particulate matter standards (PM2.5 and PM10). To become designated as a non-attainment area for the State and Federal standards, there must be at least one monitored violation of the ambient pollutant standards within the area’s boundaries. An area is designated in attainment of the State standard if concentrations for the specified pollutant are not exceeded. An area is designated in attainment of the Federal standards if concentration for the specified pollutant is not exceeded on average more than once per year.

a-d) **No Impact** – The ability of a property owner to utilize an existing or new residential structure as a STVR would not change the amount or type of emissions associated with a residential structure. A typical vacation rental is occupied on weekends during the winter ski season, and less than full time during the summer (although some rentals are booked weekly). The amount of traffic and appliance use that would emit air pollutants would be the same as or less than if the residence were occupied by a full-time resident. There would not be an impact associated with any of the criteria under air quality.

IV. BIOLOGICAL RESOURCES

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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 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, regulations or by the California Department of Fish and Wildlife or US 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

migratory wildlife corridors, or impede the use of native wildlife nursery sites?

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |

DISCUSSION

a-f) As discussed above under Air Quality, STVRs would be located in existing residential structures or new residential structures permitted by right on existing parcels for use as residences in appropriate zones. The County, through its General Plan and Zoning Code, has identified zones appropriate for residential development that minimizes the impacts to biological resources. The proposed ordinance would not change any zoning or permit any new subdivision activity. It would also not create any new development that is not already permitted by right as a single family residential use. No impact to biological resources would occur.

V. CULTURAL RESOURCES

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 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 § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

a-c) **No Impact** – The proposed ordinance does not authorize any new construction that would not otherwise be permitted by right in residential zone districts. The use of an existing historical structure for a STVR may be permitted, but the ordinance allowing that would not lessen any protections in place for the preservation of these resources. Therefore, no impact to historical, cultural, or archaeological resources would occur.

VI. ENERGY

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

a-b) No Impact – The amount of energy used for a vacation rental would be no different from that of a permanent residence, and—unless it is occupied every day of the year—would be less. Therefore, the proposed ordinance establishing regulations for STVRs would have no impact on energy resources.

VII. GEOLOGY AND SOILS

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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 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?	<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), 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 type="checkbox"/> | <input checked="" 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"/> |

DISCUSSION

a-f) **No Impact** – As discussed above, the ordinance does not expand residential development or authorize any construction not already permitted in residential zones. Any construction of new residential structures would be subject to standard soils and geotechnical testing prior to construction. Therefore, the proposed ordinance would not expose people or structures to potential substantial adverse effects related to landslides or liquefaction and there is no new risk of harm to life or property sited on expansive soils.

VIII. GREENHOUSE GAS EMISSIONS

- | | <u>POTENTIALLY
SIGNIFICANT
IMPACT</u> | <u>LESS THAN
SIGNIFICANT
IMPACT WITH
MITIGATION</u> | <u>LESS THAN
SIGNIFICANT
IMPACT</u> | <u>NO IMPACT</u> |
|--|---|---|---|-------------------------------------|
| Would the project: | | | | |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

a-b) **No Impact** –Auto emissions are the primary source of greenhouse gas (GHG) emissions in Calaveras County; however, the County has not adopted a plan or program to reduce GHGs so the proposed ordinance would not conflict with any such plan or program. Vehicular traffic generated by the use of a residential structure as a vacation rental would be similar to that of full-time residents, and perhaps, since the rental would not be utilized every day, vehicular traffic would be less. There would be no impact from the ordinance on greenhouse gas emissions.

IX. HAZARDS AND HAZARDOUS MATERIALS

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

a-g) **No Impact** – The proposed ordinance would not create hazards or result in exposure to persons or hazardous materials. Use of residential structures for STVRs would be similar to use by a full-time resident. Fire district or building safety inspections would be required to ensure safe storage of any household hazardous substances. There would be no impact associated with hazardous materials.

X. HYDROLOGY AND WATER QUALITY

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) result in substantial erosion or siltation on- or off-site;	<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"/>

DISCUSSION

a-e) No Impact – No construction is proposed with this proposed ordinance. The ordinance simply applies standards for operation of STVRs in existing residential structures. New residential structures that may be constructed in the future for use as a STVR must comply with all standard construction practices applied at the building permit stage.

XI. LAND USE AND PLANNING

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

a) **No Impact** – The proposed ordinance would not create a physical barrier dividing a community, however, there is a concern that an overabundance of STVRs in a neighborhood disrupts the fabric of the community. STVRs are currently allowed by right in residential homes. This ordinance would add standards to reduce the nuisance potential associated with STVRs and would provide the first step and a better accounting of the number of STVRs operating in the county, enabling the County to better track and determine if STVRs are adversely affecting housing supply. Anecdotal information suggests that many of existing STVRs are second homes that would be otherwise vacant except when owners are staying while on vacation from their primary residences elsewhere.

b) **No Impact** – The proposed ordinance would not conflict with any land use plan and the standards applied in the ordinance would reduce potential conflicts with full-time residents in the neighborhoods where the STVRs are located and already permitted by right.

XII. MINERAL RESOURCES

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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"/>

DISCUSSION

a-b) **No Impact** –The proposed ordinance would provide for the use of existing and future residential structures allowed by right as STVRs. Thus, the Project would not result in the loss of availability of any known mineral resources of value to the region or result in the loss of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. No impact would occur.

XIII. NOISE

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

a-b) **No Impact** – The proposed ordinance would not result in the generation of significant levels of noise or vibration. The noise standards of Chapter 9.02 that currently apply to vacation rentals at Lake Tulloch would apply to STVRs county-wide through this ordinance, which would lessen the impact of nuisance noise.

c) **No Impact** – While there may be existing or future STVRs located near an airport, exposure to noise is minimal due to the types of aircraft utilizing the Calaveras County airport, and provisions of the Airport Land Use Compatibility Plan would apply. There would be no impact associated with noise.

XIV. POPULATION AND HOUSING

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

a-b) No Impact – Currently there are no restrictions on converting a residential structure to a STVR. The proposed ordinance would apply standards to already existing STVRs and any potentially new residential structures to be developed as STVRs. While there is a concern that allowing STVRs reduces the number of houses available for long-term renters, they are already allowed and continuing to allow them would displace substantial numbers of people necessitating construction of replacement housing elsewhere.

XV. PUBLIC SERVICES

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

No Impact – The regulations imposed by the proposed ordinance would not increase the number of STVRs that currently exist in the county, and would not result in impacts to public services. By requiring that all STVRs register and pay the transient occupancy tax, funds would be made available to support some of these services that would not otherwise be available.

XVI. RECREATION

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<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?

DISCUSSION

a-b) **No Impact** – The proposed ordinance would not increase the use of parks in the area. While people on vacation tend to take advantage of local recreational opportunities, the impact will not be greater than baseline because STVRs are already allowed by right. Also, the occupancy limits of STVRs would not exceed those of a residential home, so the number of potential visitors to recreational facilities would not be increased beyond baseline. No impact would occur.

XVII. TRANSPORTATION

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

a-d) **No Impact** – The proposed ordinance regulates existing and potential future STVRs by imposing standards, including adequate on-site parking. The parking standards are the same as or more restrictive than are in Chapter 20.20 so there would be no increase in parking at Lake Tulloch. This will reduce conflicts with circulation from vacation renters using parking on streets and obstructing traffic flow and emergency access. STVRs and permanent residences have similar trip generation rates, so daily VMT (vehicle miles traveled) will not significantly change.

XVIII. TRIBAL CULTURAL RESOURCES

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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), or | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

a-b) **No Impact** – The proposed ordinance would not alter any specific site, but simply imposes regulations on existing residential structures being utilized as STVRs. New residences that may be built and converted to a STVR would be on parcels previously created by subdivision or parcel map, for which cultural resource review would have been done at the tentative map stage. The ordinance and standards imposed would not result in impacts to tribal cultural resources.

XIX. UTILITIES AND SERVICE SYSTEMS

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications 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 sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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?	<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) 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"/> |

DISCUSSION

a-e) **No Impact** – As discussed above in Public Services, the proposed ordinance would regulate STVRs in existing and future residential structures already allowed by right. As a part of the building permit process, any new residential structures must have sufficient utilities to serve that unit. Existing STVRs are already served. Allowing and regulating STVRs would not change the service needs for these structures.

XX. WILDFIRE

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

a) **No Impact** – The proposed ordinance would impose regulations on STVRs utilizing existing structures and potential new residential structures in areas identified as appropriate for residential development. It would not impair an emergency evacuation plan and could serve to improve evacuation

because of enhanced parking standards that would minimize parking conflicts on narrow, residential streets, and require that evacuation routes be posted for STVR guests.

b-c) **Less than Significant Impact** – This ordinance would not increase the number of STVRs to be permitted beyond what is currently allowed.. While speculative, this could put guests who are unfamiliar with the local roads in an area of high fire hazard that could be confusing in the event of an evacuation. The ordinance would require that the owner post evacuation routes along with other rental information that will assist in the event that emergency evacuation is necessary. The use of a residence as a STVR would otherwise not be any different than as a full-time residence. There would be no impacts to wildfire evacuation, fire maintenance infrastructure, and post-fire risks.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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 a rare or endangered plant or animal 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

No Impact – Based on the information and analysis provided throughout this Initial Study, implementation of the proposed project would not substantially degrade the quality of the environment and would not 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 rare or endangered plants or animals, or eliminate important examples of California history or prehistory. The ordinance does not authorize or

encourage any more physical development or intensity of development than baseline in any area of the county, including Lake Tulloch.

b-c) **No Impact** – There are approximately 700 known STVRs in the county based on transient occupancy tax registration. Each of these, along with any other currently non-registered or new STVRs would be required to apply for and receive a permit to continue to operate. Cumulatively, this would *reduce* baseline environmental impacts by creating a regulatory environment that disincentives non-compliant rental units. The regulations would reduce neighborhood conflicts and nuisance factors, and will not alter the way in which residential uses and structures impact the environment. Regulating STVRs will not result in cumulative impacts nor would it have adverse effects on humans.

REFERENCES

1. Calaveras County General Plan, adopted November 12, 2019
2. Calaveras County Municipal Code.
3. Calaveras County Air Quality Management District, *Best Management Practices*, 2004.
4. Calaveras County Planning Department, Draft Short Term Vacation Rental Ordinance, August 2024.