

**EL DORADO COUNTY GENERAL PLAN  
GENERAL PLAN FLOOR AREA RATIO AMENDMENT**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF EL DORADO CERTIFYING THE GENERAL PLAN FLOOR AREA  
RATIO AMENDMENT (A06-0002) SUPPLEMENT TO THE 2004 GENERAL PLAN  
ENVIRONMENTAL IMPACT REPORT**

**EXHIBIT A**

**SUPPLEMENTAL STATEMENT OF OVERRIDING CONSIDERATIONS**

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## **SECTION A. INTRODUCTION AND SIGNIFICANT AND UNAVOIDABLE IMPACTS**

### **INTRODUCTION**

In approving the Floor Area Ratio (FAR) Amendment (A06-0002) to the El Dorado County General Plan project which is evaluated in the Final Supplement to the 2004 El Dorado County General Plan Environmental Impact Report (Final Supplement), the County makes the following Supplemental Statement of Overriding Considerations in support of its findings regarding the General Plan FAR Amendment (A06-0002) pursuant to the California Environmental Quality Act (CEQA). The Board of Supervisors has considered the information contained in the Final Supplement which was prepared to document the variation in impacts identified as a result of analysis of the General Plan FAR Amendment (A06-0002) as compared to the impacts identified in the 2004 El Dorado County General Plan Environmental Impact Report (General Plan EIR), and has fully reviewed and considered the public testimony and record in this proceeding.

The Board of Supervisors has carefully balanced the benefits of adoption of the General Plan FAR Amendment (A06-0002) against the increase in severity of two significant and unavoidable impacts projected under 2025 conditions and 26 significant unavoidable adverse impacts projected beyond 2025 associated with development, as identified in the General Plan EIR. Notwithstanding the disclosure of the increase in severity of the impacts identified in the Final Supplement which have not been eliminated or mitigated to a less-than-significant level, the Board of Supervisors, acting pursuant to Section 15093 of the State CEQA Guidelines, hereby determines that the benefits of the General Plan FAR Amendment (A06-0002) outweigh the significant unmitigated adverse environmental impacts.

### **SIGNIFICANT AND UNAVOIDABLE IMPACTS**

The General Plan EIR identified 40 potentially adverse impacts which could not be mitigated to a less-than-significant level. The Board of Supervisors made findings and a statement of overriding considerations for each of the significant and unavoidable impacts.

The Final Supplement to the 2004 El Dorado County General Plan Environmental Impact Report identifies a projected increase under buildout conditions in the severity the following significant and unavoidable impacts shown below:

- Impact 5.1-2: Substantial alteration or degradation of land use character in the county or subareas
- Impact 5.2-2: Degradation of existing visual character or quality of the area or region
- Impact 5.3-1: Increase in daily and peak hour traffic
- Impact 5.3-2: Insufficient transit capacity
- Impact 5.4.1: Increase water demand and likelihood of surface water shortages
- Impact 5.4.2: Potential impacts associated with the development of new surface water supplies and related infrastructure

- Impact 5.4-3: Increase in groundwater demand and related impacts
- Impact 5.4-4: Increase in wastewater flows and related infrastructure impacts
- Impact 5.4-7: Increase in surface water pollutants from additional wastewater treatment plant discharges
- Impact 5.5-3: Potential noncompliance with state-mandated diversion rate
- Impact 5.5-5: Potential for land use incompatibility and other impacts of new and expanded solid waste and hazardous waste facilities
- Impact 5.5-6: Potential for land use incompatibility and other impacts of new and expanded energy supply infrastructure
- Impact 5.5-7: Potential for impacts associated with new and expanded communications infrastructure
- Impact 5.7-1: Exposure of sensitive receptors to construction noise
- Impact 5.7-2: Exposure of sensitive receptors to traffic noise
- Impact 5.7-3: Exposure of sensitive receptors to non-transportation noise
- Impact 5.7-4: Exposure of sensitive receptors to aircraft noise
- Impact 5.8-1: Short-term construction generated emissions of criteria air pollutants
- Impact 5.8-2: Long-term emissions of criteria air pollutants
- Impact 5.8-3: Long-term exposure of sensitive receptors to toxic air contaminants
- Impact 5.8-4: Contribution to near-term local mobile-source co concentrations
- Impact 5.8-5: Exposure of sensitive receptors to odorous emissions
- Impact 5.9-2: Increased risk of accidental release of hazardous materials
- Impact 5.9-5: Increased potential for fire incidents and fire hazards
- Impact 5.9-7: Risk of exposure to flood hazards inside dam inundation area
- Increase in the cumulative impacts to visual resources, transportation and circulation, water resources, utilities, air quality, noise and human health and safety, as addressed previously in this section.

The Final Supplement to the 2004 El Dorado County General Plan Environmental Impact Report identifies a projected increase in the severity of the two significant and unavoidable impacts under 2025 conditions shown below; the remaining 24 impacts of the 26 identified above would be less than significant under 2025 conditions.

- Impact 5.1-2: Substantial alteration or degradation of land use character in the county or subareas
- Impact 5.2-2: Degradation of existing visual character or quality of the area or region

The Board of Supervisors has amended the General Plan to include mitigation measures identified in Exhibit B (Findings of Fact) to reduce these impacts to the extent feasible. No additional feasible mitigation measures have been determined to be available to reduce these significant and unavoidable impacts to a level of less than significance. The Board of Supervisors finds that there are no other available feasible mitigation measures or alternatives that the Board could adopt at this time which would reduce these impacts to a less-than-significant level. To the extent that these adverse

impacts will not be eliminated or lessened to an acceptable (less-than-significant) level, the Board of Supervisors finds that specific economic, legal, social, technological, and other considerations identified herein support approval of the project despite these unavoidable impacts.

## **SECTION B. SPECIFIC FINDINGS**

### **PROJECT CHANGES AND FINAL DISPOSITION OF MITIGATION MEASURES TO AVOID OR REDUCE IMPACTS**

Changes or alterations have been made in the project that mitigate to the maximum degree feasible the significant environmental effects of the project, as identified in the Final Supplement and Exhibit B (Findings of Fact). The Board has made a number of changes to the adopted General Plan that will reduce the environmental impacts of the General Plan FAR Amendment (A06-0002), including development standards to address the compatibility of more intensive use and increased building mass in visually sensitive areas, limitation on glare-producing surfaces, development of a County-wide transit program, water use efficiency measures, requirement for waste diversion plans for non-residential uses, incorporate reduction measures for ozone precursors and other air pollutants into development projects, and review of development projects to reduce impacts associated with toxic air contaminants and odorous emissions. In addition, with the exceptions and modifications identified in Section K of Exhibit B, every applicable mitigation measure identified in the Final Supplement has been incorporated into the General Plan and is adopted by the Board as a part of their action to adopt the General Plan.

#### **Project Benefits Outweigh Unavoidable Impacts**

The remaining unavoidable and irreversible impacts of the project are acceptable in light of the economic, legal, social, technological, and other considerations set forth herein because the benefits of the project, as described in Exhibit B (Findings of Fact), Section H (Project Benefits), outweigh any significant and unavoidable or irreversible adverse environmental impacts of the project.

#### **Balance of Competing Goals**

The Board finds that it is imperative to balance competing goals in approving the General Plan FAR Amendment (A06-0002). The adopted General Plan encourages a balance between population growth, economic development, and the need to protect the environment. The General Plan FAR Amendment (A06-0002) will expand employment choices for its citizens and promote a range of employment types, through expanding the potential for Commercial, Industrial and Research and Development uses. The General Plan FAR Amendment (A06-0002) will also provide for a wide range of retail services and business development, while not increasing acreage of areas designated for these uses thus conserving natural resources, open space, habitat, and recreation areas. Several significant environmental impacts have not been fully

mitigated because of the need to meet competing concerns, and/or the need to recognize economic, legal, social, technological, and other issues as factors in decision-making. Accordingly, the Board has chosen to accept significant adverse environmental impacts because to eliminate them would unduly compromise important economic, legal, social, technological, and other goals. The Board of Supervisors finds and determines, based on the General Plan EIR, the Environmental Assessments of Policy Modifications and Revisions to Mitigation Measures, the Findings of Fact for the certification of the General Plan EIR and adoption of the General Plan, the Statement of Overriding Considerations for the certification of the General Plan EIR and adoption of the General Plan, the Final Supplement, testimony from the hearings, and other supporting information in the record, that the General Plan FAR Amendment (A06-0002) will provide for a positive balance of the competing goals and that the benefits to be obtained by the project outweigh the adverse environmental impacts of the project.

## **SECTION D. OVERRIDING CONSIDERATIONS**

The Board of Supervisors has made a number of specific determinations regarding the significant and unavoidable impacts that are relevant to the decision to approve the project:

### **FISCAL AND ECONOMIC CONSIDERATIONS**

Substantial evidence in the record demonstrates various fiscal and economic benefits which the County will derive from the implementation of the General Plan FAR Amendment (A06-0002). Included among these are (in no relevant order):

- Provides the highest designation for job- and revenue-producing commercial, industrial, and research and development land uses. This capacity will allow for the most efficient, market-based allocation of commercial, industrial and research and development growth as population increases in the County.
- Plans for growth in a way designed to provide more employment options for the County's new and existing residents. The General Plan FAR Amendment (A06-0002) will increase the amount of square footage that can be developed on Commercial, Industrial and Research and Development parcels, complementing and advancing the County's efforts toward attracting new businesses, which can supply employment opportunities for County residents.
- Maintains continuity of economic development policies to provide stability and certainty to the El Dorado County business community, residents, and investors in El Dorado County businesses. The General Plan FAR Amendment (A06-0002) is consistent with the intent of these policies that are directed towards increasing employment opportunities and providing the planning framework appropriate in developing regional employment and retail centers.

- Establishes Floor Area Ratios which are competitive with communities in the region, including the City of Folsom, Placer County, the City of Roseville, Sacramento County, and Tuloumne County. The increase in FAR would give the County an opportunity to complete for the development of regional employment centers.

## LEGAL AND REGULATORY CONSIDERATIONS

Substantial evidence in the record demonstrates various social benefits which the County would derive from the implementation of the General Plan FAR Amendment (A06-0002). Included among these are (in no relevant order):

- As discussed in Exhibit B (Findings of Fact), each of the alternatives to the General Plan FAR Amendment (A06-0002) is infeasible. Accordingly, the only option available to the County other than adopting the General Plan FAR Amendment (A06-0002) would be to take no action. The effects of this decision would generally be as described in the No Project Alternative.

## SOCIAL CONSIDERATIONS

Substantial evidence in the record demonstrates various social benefits which the County would derive from the implementation of the General Plan FAR Amendment (A06-0002). Included among these are (in no relevant order):

- Best reflects the community's expressions of quality of life and community values and guides the County's growth through 2025 in a manner consistent with the community's vision. The General Plan FAR Amendment (A06-0002) encourages a balance between population growth, economic development, and the need to protect the environment.
- Best maintains the County's rural character and provides opportunities for residents desiring a rural lifestyle by not designating additional lands for employment-generating uses, but rather increasing the development potential of lands already designated for Commercial, Industrial and Research and Development uses.

## ENVIRONMENTAL CONSIDERATIONS

Substantial evidence in the record demonstrates various social benefits which the County would derive from the implementation of the General Plan FAR Amendment (A06-0002). Included among these are (in no relevant order):

- Increase in opportunity for employment choices for the County's citizens while not increasing the acreage of lands designated for development. The General

Plan FAR Amendment (A06-0002) will provide for a wide range of retail services and business development.

The Board of Supervisors has balanced the fiscal, economic, legal, regulatory, social, and environmental considerations against the unavoidable and irreversible environmental risks identified in the EIR and has concluded that those impacts are outweighed by these considerations, among others. Upon balancing the environmental risks and countervailing benefits of each of the individual considerations identified above, the Board of Supervisors has concluded that the benefits that the County will derive from the implementation of the General Plan outweigh those environmental risks.

## **SECTION E. CONCLUSION**

The General Plan FAR Amendment (A06-0002) Final Supplement was prepared pursuant to the CEQA Guidelines. The Board of Supervisors independently determined that the Final Supplement fully and adequately addresses the impacts that would occur as a result of implementing the General Plan FAR Amendment (A06-0002).

The alternatives identified and considered in the General Plan FAR Amendment (A06-0002) Final Supplement met the test of "reasonable" analysis and provided the Board with important information from which to make an informed decision.

Public hearings were held before the Planning Commission and the Board of Supervisors. Substantial evidence in the record from those meetings and other sources demonstrates various benefits and considerations including economic, legal (regulatory), social, technological, environmental, and other benefits which the County would achieve from the implementation of the General Plan FAR Amendment (A06-0002).

The Board of Supervisors has balanced the benefits of the General Plan FAR Amendment (A06-0002) against the increase in the severity of significant and unavoidable impacts identified in the Final Supplement and has concluded that this increase in the severity of impacts is outweighed by the benefit of implementing the General Plan FAR Amendment (A06-0002). Upon balancing the environmental risks and countervailing benefits, the Board of Supervisors has concluded that the benefits that the County will derive from the implementation of the General Plan FAR Amendment (A06-0002), as compared to the analysis presented in the General Plan EIR, outweigh the increase in severity of the environmental impacts.

The Board of Supervisors has determined that the benefits of adopting the General Plan FAR Amendment (A06-0002), override the significant, unavoidable and irreversible increase in the severity of the environmental impacts identified through the General Plan FAR Amendment (A06-0002) analysis.

In conclusion, the Board of Supervisors finds that any remaining (residual) effects on the environment attributable to the General Plan FAR Amendment (A06-0002), which are found to be unavoidable in the preceding Findings of Fact, are acceptable due to the overriding concerns set forth in Exhibit B (Findings of Fact) and Exhibit 1 (Overriding Considerations) of this.

The Board concludes that the General Plan FAR Amendment (A06-0002) should be adopted.