



## RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

### **CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR AN AMENDMENT OF THE EL DORADO COUNTY ZONING ORDINANCE CHAPTER 130.16 SIGNS; MAKING FINDINGS OF FACT AND MAKING A STATEMENT OF OVERRIDING CONSIDERATIONS**

**WHEREAS**, the County of El Dorado is mandated by the State of California to maintain an adequate and proper General Plan; and

**WHEREAS**, because of that mandate, El Dorado County's General Plan and the various elements thereof must be periodically updated with current data, recommendations, and policies; and

**WHEREAS**, the Board of Supervisors adopted a General Plan on July 19, 2004, which identifies planned land uses and infrastructure for physical development in the unincorporated areas of the County of El Dorado; and

**WHEREAS**, on July 22, 2014, the Board of Supervisors adopted Resolution of Intention 106-2014 to amend the Sign Ordinance, which is a Chapter in the Zoning Ordinance; and authorized the Community Development Agency Long Range Planning Division to prepare all necessary documentation and environmental review requirements pursuant to the California Environmental Quality Act; and

**WHEREAS**, an Environmental Impact Report (EIR) has been prepared pursuant to CEQA to analyze the potential environmental impacts of the proposed comprehensive update to the County Sign Ordinance; and

**WHEREAS**, on October 1, 2014, the County commenced the environmental review process with issuance of a CEQA Notice of Preparation (NOP) soliciting written comments regarding the scope and content of the EIR for the proposed Sign Ordinance Update; and

**WHEREAS**, on October 23, 2014, the County held a public scoping meeting to receive oral comments on the NOP; and

**WHEREAS**, on December 31, 2014, the Draft EIR for the Sign Ordinance Update project (SCH# 2014102001) was released for public review for a 45-day review period ending on February 17, 2015; and

**WHEREAS**, on March 12, 2015, the final EIR was provided to the Planning Commission and was released for public review; and

**WHEREAS**, on March 26, 2015 and May 28, 2015, the Planning Commission held a public hearing to receive comments on the Final EIR; and the Planning Commission recommended that the Board of Supervisors certify the final EIR for a comprehensive update of the County Sign Ordinance, Chapter 130.16 of the County Zoning Ordinance; and

**WHEREAS**, on July 28, 2015, the Board of Supervisors independently reviewed the final EIR, the staff report, written public comments, and the Planning Commission's recommendation on May 28, 2015; and

# EXHIBIT A

**WHEREAS**, the final EIR identifies certain significant and unavoidable environmental impacts caused by the Project and mitigation is incorporated into the Project which does not eliminate, but does lessen the significant and unavoidable environmental effects as identified in the final EIR under Section 15091; and

**WHEREAS**, the Board of Supervisors desires, in accordance with CEQA, to declare that, despite the occurrence of significant environmental impacts that cannot be substantially lessened or avoided through the adoption of feasible mitigation measures or feasible alternatives, there exist certain overriding economic, social, and other considerations for approving the Project that the Board believes justifies the occurrence of those impacts; and

**WHEREAS**, the Board of Supervisors finds the Project is consistent with, and advances the implementation of the goals of the General Plan, as described in the Findings of Fact attached hereto as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of the County of El Dorado as follows:

1. Pursuant to Section 15090 of the CEQA Guidelines, the Board of Supervisors hereby certifies that: a) the final EIR has been completed in compliance with CEQA; b) the final EIR was presented to the Board of Supervisors, and the Board reviewed and considered the information contained in the final EIR prior to approving the project; and c) the final EIR reflects the independent judgment and analysis of the Board of Supervisors of the County of El Dorado; and
2. As set forth in Section 15043 of the CEQA Guidelines, a public agency may approve a project even though the project would cause a significant effect on the environment if the agency makes a fully informed and publicly disclosed decision that: (a) There is no feasible way to lessen or avoid the significant effect (see Section 15091) and (b) Specifically identified expected benefits from the project outweigh the policy of reducing or avoiding significant environmental impacts of the project (see Section 15093). The Board of Supervisors hereby makes that decision as set forth more fully in Exhibit A.
3. Exhibit A of this Resolution provides findings of fact required under Section 15091 of the CEQA Guidelines for significant effects of the project, feasibility of mitigation measures, and feasibility of alternatives. The Board of Supervisors hereby adopts these various Findings of Fact attached hereto as Exhibit A.
4. Exhibit A, Section M of this Resolution provides the findings required under Section 15093 of the CEQA Guidelines relating to accepting adverse impacts of the project due to overriding considerations. The Board of Supervisors has balanced the economic, legal, social, technological, and other benefits of the project against the unavoidable adverse environmental effects. The Board of Supervisors finds the economic, legal, social, technological, and other benefits outweigh the adverse environmental effects of the project; therefore, the adverse environmental effects are deemed to be “acceptable” and the Board of Supervisors hereby adopts the Statement of Overriding Considerations attached hereto as Exhibit A, Section M.
5. The Board of Supervisors has considered two Project alternatives identified in the DEIR, and has concluded based on substantial evidence in the record that the two alternatives are infeasible because they would not achieve the project objectives for the following reasons: 1) The No Project Alternative would continue the implementation of the current Sign Code, and 2) The No Digital Signs Alternative would not allow digital electronic changeable message displays; and has determined that the General Plan amendment that the Board of Supervisors is approving as set forth in Resolution No. \_\_\_\_\_ as reviewed in the final EIR can be feasibly implemented in light of economic, legal, social, technological, and other considerations, as discussed herein under Section 15091.
6. After considering the EIR and in conjunction with making these findings, the Board of Supervisors hereby finds that pursuant to Section 15092 of the CEQA Guidelines that approval of the amendment to the Zoning Ordinance, Chapter 130.16, may result in significant effects on the environment, however, the County has

determined that any remaining significant effects on the environment, as set forth in Exhibit A, are found to be unavoidable under Section 15091 and acceptable due to overriding considerations under Section 15093.

**BE IT FURTHER RESOLVED**, the Board of Supervisors hereby adopts the findings made at such time as this Board stated their intention to make the above listed amendment to the County Zoning Ordinance and incorporate said findings herein by reference.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the \_\_\_\_ day of \_\_\_\_\_ 2015, by the following vote of said Board:

Attest:  
James S. Mitrising  
Clerk of the Board of Supervisors

Ayes:  
Noes:  
Absent:

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

\_\_\_\_\_ Chair, Board of Supervisors