



FINDINGS OF FACT

FOR THE

JACKSON GENERAL PLAN UPDATE (SCH: 2022110545)

SEPTEMBER 2023

Prepared for:

City of Jackson
Community Development Department
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D e N o v o P l a n n i n g G r o u p

A Land Use Planning, Design, and Environmental Firm



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FINDINGS FOR THE JACKSON GENERAL PLAN UPDATE

REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
(Public Resources Code, § 21000 et seq.)

I. INTRODUCTION

The California Environmental Quality Act (CEQA) requires the City of Jackson (City), as the CEQA lead agency to: 1) make written findings when it approves a project for which an environmental impact report (EIR) was certified, and 2) identify overriding considerations for significant and unavoidable impacts identified in the EIR.

These findings explain how the City, as the lead agency, approached the significant and potentially significant impacts identified in the environmental impact report (EIR) prepared for the General Plan Update (General Plan, or Project). The statement of overriding considerations identifies economic, social, technological, and other benefits of the Project that override any significant environmental impacts that would result from the Project.

As required under CEQA, the Final EIR describes the Project, adverse environmental impacts of the project, and mitigation measures and alternatives that would substantially reduce or avoid those impacts. The information and conclusions contained in the EIR reflect the City's independent judgment regarding the potential adverse environmental impacts of the Project.

The Final EIR for the Project examined several alternatives to the Project that were not chosen as part of the approved project (Alternative A: No Project Alternative, Alternative B: Land Use Buffer Alternative, and Alternative C: Reduced Intensity Alternative).

The Findings of Fact and Statement of Overriding Considerations set forth below ("Findings") are presented for adoption by the City Council (Council) as the City's findings under the California Environmental Quality Act ("CEQA") (Public Resources Code, §21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, § 15000 et seq.) relating to the Project. The Findings provide the written analysis and conclusions of this Council regarding the Project's environmental impacts, mitigation measures, alternatives to the Project, and the overriding considerations, which in this Council's view, justify approval of the Jackson General Plan, despite its environmental effects.

II. GENERAL FINDINGS AND OVERVIEW

State law requires the City to adopt a comprehensive, long-term general plan for the physical development of its planning area. The Plan must include land use, circulation, housing, conservation, open space, noise, and safety elements, as specified in Government Code Section 65302, to the extent that the issues identified by State law exist in the City's planning area. Additional elements that relate to the physical development of the City may also be addressed in the Plan. The degree of specificity and level of detail of the discussion of each Plan element need only reflect local conditions and circumstances. The Plan has been prepared to address the requirements of State law and the relevant items addressed in Government Code Section 65300 et seq.

A. Procedural Background

In May of 2020, the City issued a request for proposals (RFP) inviting bids from qualified consulting firms to assist the City in the preparation of a comprehensive update to the General Plan. The process to update the Jackson General Plan began in June 2020. The Jackson General Plan Update (General Plan Update or proposed General Plan) was developed with extensive community input and reflects the community's vision for Jackson.

The City of Jackson circulated a Notice of Preparation (NOP) of an EIR for the proposed project on November 23, 2022 to trustee and responsible agencies, the State Clearinghouse, and the public. A scoping meeting was held on December 5, 2022 at the City of Jackson City Hall Council Chambers. During the 30-day public review period for the NOP, which ended on December 27, 2022, seven comment letters were received on the NOP. A summary of the NOP comments is provided in Section 1.8 of the Draft EIR. The NOP and all comments received on it are presented in Appendix A of the Draft EIR.

The City of Jackson published a public Notice of Availability (NOA) for the Draft EIR on June 30, 2023 inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH# 2022110545) and was published in the Amador County Register pursuant to the public noticing requirements of CEQA. The Draft EIR was available for public review from June 30, 2023 through August 14, 2023. The Public Draft General Plan was also available for public review and comment during this time period.

The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR identifies issues determined to have no impact or a less than significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in the Draft EIR.

The City of Jackson received three comment letters regarding the Draft General Plan and Draft EIR from public agencies, organizations, and members of the public during the 45-day review period.

In accordance with CEQA Guidelines Section 15088, this Final EIR responds to the written comments received on the Draft EIR. The Final EIR also contains minor edits to the Draft EIR, which are included in Chapter 3.0 (Errata). This document and the Draft EIR, as amended herein, constitutes the Final EIR.

B. Record of Proceedings and Custodian of Record

For purposes of CEQA and the findings set forth herein, the record of proceedings for the City's findings and determinations consists of the following documents and testimony, at a minimum:

- The NOP, comments received on the NOP, Notice of Availability, and all other public notices issued by the City in relation to the Jackson General Plan Update EIR.
- The Jackson General Plan Update Draft EIR, associated appendices in the Draft EIR, and technical materials cited in the Draft EIR.
- The Jackson General Plan Update Final EIR, including comment letters and technical materials cited in the document.
- All non-draft and/or non-confidential reports and memoranda prepared by the City of Jackson and consultants in relation to the EIR.
- Minutes and/or recordings of the discussions regarding the Project and/or Project components at public hearings held by the City.
- Staff reports associated with Planning Commission and City Council meetings on the Project.
- Those categories of materials identified in Public Resources Code Section 21167.6.

The City Clerk is the custodian of the administrative record. The documents and materials that constitute the administrative record are available for review at the City of Jackson City Clerk and Records at 33 Broadway, Jackson, CA 95642.

D. Consideration of the Environmental Impact Report

In adopting these Findings, this Council finds that the Final EIR was presented to this Council, the decision-making body of the lead agency, which reviewed and considered the information in the Final EIR prior to approving the Jackson General Plan. By these findings, this

City Council ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the Final EIR. The City Council finds that the Final EIR was completed in compliance with the California Environmental Quality Act. The Final EIR represents the independent judgment and analysis of the City.

E. Severability

If any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court to be invalid, void, or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Jackson General Plan, shall continue in full force and effect unless amended or modified by the City.

III. FINDINGS AND RECOMMENDATIONS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS

A. Agricultural and Forest Resources

1. General Plan implementation would involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use (EIR Impact 3.2-4)

(a) **Potential Impact.** The potential for the Project to result in the 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 is discussed at pages 3.2-10 through 3.2-11 of the Draft EIR.

(b) **Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.

(c) **Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:

(1) **Effects of Mitigation and Remaining Impacts.** As described on pages 3.2-10 through 3.2-11 of the Draft EIR, implementation of the proposed General Plan may lead to the conversion of Farmland, including grazing lands and land which may contain prime soil characteristics, to non-agricultural uses due to changes in the environment within the planning area. The policies and actions listed under impact 3.2-1 of the Draft EIR would minimize this impact, however, this impact would remain a significant and unavoidable impact.

- (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with conversion of farmlands.

B. Air Quality

1. General Plan implementation would conflict with or obstruct implementation of the applicable air quality plan, or result in a cumulatively considerable net increase of criteria pollutants (EIR Impact 3.3-1)

- (a) **Potential Impact.** The potential for the Project to conflict with or obstruct implementation of the applicable air quality plan, or result in a cumulatively considerable net increase of criteria pollutants is discussed at pages 3.3-16 through 3.3-22 of the Draft EIR.
- (b) **Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.
- (c) **Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:
 - (1) **Effects of Mitigation and Remaining Impacts.** As described on pages 3.3-16 through 3.3-22 of the Draft EIR, policies and actions included throughout the proposed General Plan cover the full breadth of air quality issues and promote air quality and vehicle trip reductions throughout the city. With implementation of the General Plan policies and actions that would reduce criteria pollutant emissions, air quality impact would be limited. However, the proposed General Plan would create new development that would increase overall criteria air pollutant emissions within the City of Jackson, due to an increase in vehicle trips in the City in the cumulative year 2040 buildout scenario, compared to the existing condition. Therefore, this impact is considered significant and unavoidable.
 - (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with air quality and criteria pollutant emissions.

C. Greenhouse Gases, Climate Change, and Energy**1. General Plan implementation has the potential to generate GHG emissions that could have a significant impact on the environment and/or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases (EIR Impact 3.7-1)**

- (a) **Potential Impact.** The potential for the Project to generate GHG emissions that could have a significant impact on the environment and/or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases is discussed on pages 3.7-18 through 3.7-26 of the Draft EIR.
- (b) **Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.
- (c) **Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:
- (1) **Effects of Mitigation and Remaining Impacts.** As described on pages 3.7-18 through 3.7-26 of the Draft EIR, GHG emissions would be minimized through the implementation of the goals, policies, and actions. However, even with implementation of the goals, policies, and actions contained in the proposed General Plan, there is no guarantee that the General Plan alone would be sufficient to limit GHGs to the extent required by AB 32 and SB 375, and other federal and state regulations, and a quantitative GHG at the program levels is not feasible. Therefore, out of an abundance of caution, General Plan implementation is considered to have the potential to generate GHG emissions that could have a significant impact on the environment and/or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. This impact is considered significant and unavoidable.
- (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with greenhouse gas emissions.

D. Transportation and Circulation**1. General Plan implementation may conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) (EIR Impact 3.14-1)**

- (a) **Potential Impact.** The potential for the Project to result in VMT impacts is discussed at pages 3.14-16 through 3.14-21 of the Draft EIR.
- (b) **Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.
- (c) **Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:

- (1) **Effects of Mitigation and Remaining Impacts.** As described on pages 3.14-16 through 3.14-21 of the Draft EIR, the implementation of the proposed General Plan would likely contribute to land use development that generates VMT per dwelling unit or employee in excess of the levels necessary to meet State GHG reduction goals.

Although larger changes in the proposed General Plan land use element could potentially reduce VMT further, those changes would also affect the achievement of other goals the City seeks to achieve with the General Plan. VMT reduction also depends on factors such as demographic change, household preferences for housing types and locations, the cost of fuel, and the competitiveness of regional transit relative to driving, which relates to congestion along vehicular commute routes that are not under the City's jurisdiction. Therefore, this impact is considered significant and unavoidable.

This impact finding will generally govern future development projects consistent with the general plan. As such, the city plans to rely on CEQA Section 15183 to relieve subsequent, consistent land use projects of having to perform new VMT analysis. Instead, the city will require project developers to identify feasible CAPCOA on-site VMT reduction strategies to incorporate into the project design to lessen VMT growth.

- (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with transportation VMT impacts.

E. Utilities and Service Systems**1. General Plan implementation would result in insufficient water supplies available to serve the City and reasonably foreseeable future development during normal, dry and multiple dry years (EIR Impact 3.15-1)**

- (a) **Potential Impact.** The potential for the Project to result in insufficient water supplies available to serve the City and reasonably foreseeable future development during normal, dry and multiple dry years is discussed at pages 3.15-10 through 3.15-12 of the Draft EIR.
- (b) **Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.
- (c) **Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:
- (1) **Effects of Mitigation and Remaining Impacts.** As described on pages 3.14-10 through 3.14-12 of the Draft EIR, the proposed General Plan includes a range of policies designed to ensure an adequate water supply for development and to minimize the potential adverse effects of increased water use. The policies and actions would assist in ensuring that adequate water supplies are available to serve new growth projected under the proposed General Plan. However, as described above potential issues associated with treatment limitations within the AWA (Amador Water Agency) service area and specifically the Tanner WTP (Wastewater Treatment Plant) treatment requirements may impact the ability to treat and provide water and would require additional improvements to support future capacity needs, the details of which are not all known at this time. Therefore, out of an abundance of caution this is would represent a significant and unavoidable impact of the Project.
- (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with water supplies availability.

2. **General Plan implementation would not require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects (EIR Impact 3.15-2)**
- (a) **Potential Impact.** The potential for the Project to result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects is discussed at pages 3.15-13 through 3.15-14 of the Draft EIR.
 - (b) **Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.
 - (c) **Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:
 - (1) **Effects of Mitigation and Remaining Impacts.** As described on pages 3.14-12 through 3.14-14 of the Draft EIR, updated General Plan policies and actions described under Impact 3.15-1 are designed to ensure an adequate water supply for development and to minimize the potential adverse effects of increased water use and requiring infrastructure improvements to occur in pace with new development. However, out of an abundance of caution as future improvement are needed but the specific details of each improvement is unknown at this time and will occur over the course of the Buildout of the General Plan, this is considered a significant and unavoidable impact.
 - (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with new water treatment facilities and expansion.
3. **General Plan implementation would not have the potential to result in a determination by the wastewater treatment provider which serves or may serve the Project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments (EIR Impact 3.15-3)**
- (a) **Potential Impact.** The potential for the Project to result in a determination by the wastewater treatment provider which serves or may serve the Project that it does not have adequate capacity to serve the project's

projected demand in addition to the provider's existing commitments is discussed at pages 3.15-21 through 3.15-25 of the Draft EIR.

- (b) **Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.
- (c) **Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:
 - (1) **Effects of Mitigation and Remaining Impacts.** As described on pages 3.14-21 through 3.14-24 of the Draft EIR, updated General Plan includes a comprehensive set of goals, policies, and actions to ensure an adequate and reliable wastewater collection and treatment system. The policies and actions would further assist in ensuring that adequate wastewater treatment and conveyance infrastructure is available to serve new growth projected under the proposed General Plan. Additionally, as specifically described in Policy LU 6-3: the City requires all development projects to mitigate their infrastructure service impacts or demonstrate that the City's infrastructure, public services, and utilities can accommodate the increased demand for services, and that service levels for existing users will not be degraded or impaired. However as described above potential issues associated with compliance with new discharge permits and treatment requirements may impact the ability to treat and discharge wastewater and would require additional improvements and regulations that could impact discharge capacity , the details of which are not all known at this time. Additionally, buildout of the proposed General Plan could generate additional demands which could exceed the current treatment capacity of the facility. As such out of an abundance of caution this is considered a significant and unavoidable impact.
 - (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with wastewater capacity.

4. **General Plan implementation may require or result in the relocation or construction of new or expanded wastewater facilities, the construction or relocation of which could cause significant environmental effects (EIR Impact 3.15-4)**
- (a) **Potential Impact.** The potential for the Project to result in the relocation or construction of new or expanded wastewater facilities, the construction or relocation of which could cause significant environmental effects is discussed at pages 3.15-25 through 3.15-27 of the Draft EIR.
 - (b) **Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.
 - (c) **Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:
 - (1) **Effects of Mitigation and Remaining Impacts.** As described on pages 3.14-25 through 3.14-27 of the Draft EIR, updated General Plan includes policies and actions designed to ensure adequate wastewater treatment capacity is available to serve development and to minimize the potential adverse effects of wastewater treatment. However as described above, buildout of the proposed General Plan could generate additional demands which could exceed the current treatment capacity, and needed future improvement to meet discharge requirements would require improvements, the details of which are not all known at this time. As such out of an abundance of caution this is considered a significant and unavoidable impact.
 - (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with new wastewater treatment facilities and expansion.

F. Cumulative Impacts

1. **Cumulative impact to agricultural lands and resources. (EIR Impact 4.2)**
- (a) **Potential Impact.** The potential for the Project to result in a cumulative loss of agricultural land and resources, including important farmlands, significant farmlands, land under the Williamson Act, and other farmlands, is discussed on page 4.0-7 of the Draft EIR.

- (b) **Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.
- (c) **Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:

- (1) **Mitigation and Remaining Impacts.** As described on page 4.0-7 of the Draft EIR, the Project includes policies and actions that are intended to reduce the conversion of farmlands. These include policies that encourage the development of vacant lands within City boundaries prior to conversion of agricultural lands and ensure that urban development near existing agricultural lands will not unnecessarily constrain agricultural practices or adversely affect the economic viability of nearby agricultural operations. Overall, the policies and actions included in the proposed General Plan are intended to support and preserve the agricultural heritage of Jackson as development continues to occur within the Planning Area.

The Jackson General Plan has taken a proactive approach towards focusing new growth and development towards infill locations, and protecting open space areas and agricultural lands throughout the Planning Area to the greatest extent feasible. However, as described in greater detail under Impact 3.2-4 of the Draft EIR, there is no feasible policies available to reduce the potential for future ag-land conversion to a less than significant level. Other conversions of farmland within Amador County over the buildout period is also likely to occur. The policies and actions identified in Section 3.2 of the Draft EIR would minimize this impact to the greatest extent feasible, and other General Plans in Amador County have also minimized potential impacts to agricultural resources. Nevertheless, this is considered a cumulatively considerable and significant and unavoidable impact.

- (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with cumulative impacts to agricultural lands and resources.

2. **Cumulative impact on the region's air quality (EIR Impact 4.3)**
- (a) **Potential Impact**. The potential for the Project to result in a considerable contribution to the cumulative impact on the region's air quality is discussed on pages 4.0-7 and 4.0-8 of the Draft EIR.
 - (b) **Mitigation Measures**. Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.
 - (c) **Findings**. Based upon the EIR and the entire record before this Council, this Council finds that:
 - (1) **Mitigation and Remaining Impacts**. As described on page 4.0-8 of the Draft EIR, the Project includes policies and actions included throughout the proposed General Plan would reduce the severity of this impact to the extent feasible. With implementation of the General Plan policies and actions that would reduce criteria pollutant emissions, air quality impact would be limited. However, the proposed General Plan would create new development that would increase overall criteria air pollutant emissions within the City of Jackson, due to an increase in vehicle trips in the City in the cumulative year 2040 buildout scenario, compared to the existing condition. Therefore, this impact is considered significant and unavoidable, and cumulatively considerable.
 - (2) **Overriding Considerations**. The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with cumulative impacts on the region's air quality.
3. **Cumulative impacts related to greenhouse gases, climate change, and energy (EIR Impact 4.7)**
- (a) **Potential Impact**. The potential for the Project to result in a considerable contribution to the greenhouse gases, climate change, and energy impacts is discussed on pages 4.0-10 and 4.0-11 of the Draft EIR.
 - (b) **Mitigation Measures**. Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.
 - (c) **Findings**. Based upon the EIR and the entire record before this Council, this Council finds that:

- (1) **Mitigation and Remaining Impacts.** As described on pages 4.0-10 and 4.0-11 of the Draft EIR, General Plan policies and implementing actions would minimize potential impacts associated with GHG emissions in the Planning Area through the promotion of VMT reduction strategies, multimodal support and transportation improvements, and the support of green building practices, among other policies and actions, and would support requirements under AB 32 and SB 375.

Subsequent development projects will be required to comply with the General Plan and adopted federal, state, and local regulations for the reduction of GHG emissions. The City of has prepared the General Plan to include numerous goals, policies and implementing actions intended to reduce GHG emissions associated with future development and improvement projects. GHG emissions would be minimized through the implementation of the goals, policies, and actions. However, even with implementation of the goals, policies, and actions contained in the proposed General Plan, there is no guarantee that the General Plan alone would be sufficient to limit GHGs to the extent required by AB 32 and SB 375, and other federal and state regulations, and a quantitative GHG at the program levels in not feasible. Therefore, out of an abundance of caution, General Plan implementation is considered to have the potential to generate GHG emissions that could have a significant impact on the environment and/or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. This impact is considered significant and unavoidable, and cumulatively considerable.

- (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with cumulative increases in greenhouse gases emissions.

4. Cumulative impacts on the transportation network (EIR Impact 4.14)

- (a) **Potential Impact.** The potential for the Project to result in a considerable contribution to the cumulative impacts on the transportation network is discussed on pages 4.0-16 and 4.0-17 of the Draft EIR.
- (b) **Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.

- (c) **Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:
- (1) **Mitigation and Remaining Impacts.** As described on pages 4.0-16 through 4.0-17 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. However, it may not be feasible to mitigate this impact to a less-than-significant level in all instances as the General Plan would result in VMT increases exceeding the threshold for dwelling unit or employee in excess of the levels necessary to meet State GHG reduction goals. No feasible mitigation is available to fully reduce the cumulative effect on VMT, or to mitigate the proposed project's contribution to a less-than-significant level. This would represent a cumulatively considerable contribution by the Project to the significant and unavoidable cumulative impact.
 - (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with cumulative impacts on the transportation network.

5. **Cumulative impacts related to utilities (EIR Impact 4.15)**

- (a) **Potential Impact.** The potential for the Project to result in a considerable contribution to the cumulative impacts on utilities is discussed on pages 4.0-17 and 4.0-20 of the Draft EIR.
- (b) **Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.
- (c) **Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:
 - (1) **Mitigation and Remaining Impacts.** As described on pages 4.0-17 through 4.0-20 of the Draft EIR, future projects would be reviewed for adequate service levels and projected water and wastewater demands associated with General Plan buildout would be included within future master planning documents. The proposed General Plan includes a comprehensive set of goals, policies, and actions to ensure an adequate and reliable source of clean potable water and wastewater service. However, as described in Chapter 3.15 (Utilities) of the Draft EIR, potential issues associated with treatment limitations within the AWA service area and specifically

the Tanner WTP treatment requirements may impact the ability to treat and provide water and would require additional improvements to support future capacity needs, the details of which are not all known at this time. As such out of an abundance of caution this is considered a cumulatively considerable and significant and unavoidable impact.

- (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with cumulative impacts on utilities and services.

G. Significant Irreversible Effects

1. Irreversible and adverse effects (EIR Impact 4.17)

- (a) **Potential Impact.** The potential for the Project to result in a significant irreversible effect associated with the consumption of nonrenewable resources and irretrievable commitments/irreversible physical changes is discussed on page 4.0-29 of the Draft EIR.
- (b) **Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.
- (c) **Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:
 - (1) **Mitigation and Remaining Impacts.** As described on page 4.0-29 of the Draft EIR, the project includes an extensive policy framework that is designed to address land use and environmental issues to the greatest extent feasible, while allowing growth and economic prosperity for the City. However, even with the policies and actions that will serve to reduce potential significant impacts, the proposed General Plan will result in significant irreversible changes and has the potential to result in adverse effects as described above. This impact is considered a significant and unavoidable impact under CEQA.
 - (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with irreversible effects.

IV. FINDINGS AND RECOMMENDATIONS REGARDING THOSE IMPACTS WHICH ARE LESS THAN SIGNIFICANT, LESS THAN CUMULATIVELY CONSIDERABLE, OR HAVE NO IMPACT

A. Specific impacts within the following categories of environmental effects were found to be less than significant as set forth in more detail in the Draft EIR.

1. **Aesthetics and Visual Resources:** The following specific impacts were found to be less than significant:

- a. Impact 3.1-1: General Plan implementation would not have a substantial adverse effect on a scenic vista
- b. Impact 3.1-2: General Plan implementation would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway
- c. Impact 3.1-3: General Plan implementation would not, in a non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings, or in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality
- d. Impact 3.1-4: General Plan implementation would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area

2. **Agricultural and Forest Resources:** The following specific impacts were found to be less than significant:

- a. Impact 3.2-1: General Plan Implementation would 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 use
- b. Impact 3.2-2: General Plan Implementation would not conflict with existing zoning for agricultural use, or a Williamson Act Contract
- c. Impact 3.2-3: General Plan implementation would not result in the loss of forest land or conversion of forest land to non-forest use

3. **Air Quality:** The following specific impacts were found to be less than significant:

- a. Impact 3.3-2: General Plan implementation would expose sensitive receptors to substantial pollutant concentrations

- b. Impact 3.3-3: General Plan implementation would not result in other emissions (such as those leading to odors adversely affecting a substantial number of people)

4. Biological Resources: The following specific impacts were found to be less than significant:

- a. Impact 3.4-1: General Plan implementation 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 in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service
- b. Impact 3.4-2: General Plan implementation would not 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 U.S. Fish and Wildlife Service
- c. Impact 3.4-3: General Plan implementation would not 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
- d. Impact 3.4-4: General Plan implementation would not 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
- e. Impact 3.4-5: The General Plan would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance
- f. Impact 3.4-6: General Plan implementation would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan

5. Cultural and Tribal Resources: The following specific impacts were found to be less than significant:

- a. Impact 3.5-1: General Plan implementation would not cause a substantial adverse change in the significance of a historical or archaeological resource pursuant to Section 15064.5

- b. Impact 3.5-2: General Plan implementation would not lead to the disturbance of any human remains
 - c. Impact 3.5-3: General Plan implementation would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074, and that is: 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 a resource determined by the lead agency
6. **Geology and Soils:** The following specific impacts were found to be less than significant:
- a. Impact 3.6-1: General Plan implementation would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides
 - b. Impact 3.6-2: General Plan implementation would not result in substantial soil erosion or the loss of topsoil
 - c. Impact 3.6-3: General Plan implementation would not result in development located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse
 - d. Impact 3.6-4: General Plan implementation would not result in development 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
 - e. Impact 3.6-5: General Plan implementation does not have the potential to 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
 - f. Impact 3.6-6: General Plan implementation would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature
7. **Greenhouse Gases, Climate Change and Energy:** The following specific impacts were found to be less than significant:
- a. Impact 3.7-1: General Plan implementation would not conflict with adopted plans, policies, or regulations adopted for the purpose of reducing greenhouse gas emissions

- b. Impact 3.7-2: General Plan implementation would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, or conflict with or obstruct a state or local plan for renewable energy or energy efficiency
8. **Hazards and Hazardous Materials:** The following specific impacts were found to be less than significant:
- a. Impact 3.8-1: General Plan implementation would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment
 - b. Impact 3.8-2: General Plan implementation would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school
 - c. Impact 3.8-3: General Plan implementation would not have projects located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5
 - d. Impact 3.8-4: General Plan implementation is not located within an airport land use plan, two miles of a public airport or public use airport, and would not result in a safety hazard for people residing or working in the project area
 - e. Impact 3.8-5: General Plan implementation would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan
 - f. Impact 3.8-6: General Plan implementation would not expose people or structures to a significant risk of loss, injury or death involving wildland fires
9. **Hydrology and Water Quality:** The following specific impacts were found to be less than significant:
- a. Impact 3.9-1: General Plan implementation would not violate water quality standards or waste discharge requirements or otherwise substantially degrade water quality or obstruct implementation of a water quality control plan
 - b. Impact 3.9-2: General Plan implementation would not result in the depletion of groundwater supplies or interfere substantially with groundwater recharge or conflict with a groundwater management plan

- c. Impact 3.9-3: General Plan implementation would not alter the existing drainage pattern in a manner which would result in substantial erosion, siltation, flooding, impeded flows, or polluted runoff
 - d. Impact 3.9-4: General Plan implementation would not release pollutants due to project inundation by flood hazard, tsunami, or seiche
- 10. Land Use, Population and Housing:** The following specific impacts were found to be less than significant or to have no impact:
- a. Impact 3.10-1: General Plan implementation would not physically divide an established community
 - b. Impact 3.10-2: General Plan implementation would not 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
 - c. Impact 3.10-3: General Plan implementation would not 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)
 - d. Impact 3.10-4: General Plan implementation would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere
- 11. Mineral Resources:** The following specific impacts were found to be less than significant:
- a. Impact 3.11-1: General Plan implementation would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state
 - b. Impact 3.11-2: General Plan implementation would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan
- 12. Noise:** The following specific impacts were found to be less than significant:
- a. Impact 3.12-1: General Plan implementation may result in exposure to significant traffic noise sources
 - b. Impact 3.12-2: General Plan implementation may result in the generation of excessive stationary noise sources

- c. Impact 3.12-3: Implementation of the General Plan could result in an increase in construction noise sources
 - d. Impact 3.12-4: General Plan implementation may result in construction vibration
 - e. Impact 3.12-5: General Plan implementation may result in exposure to excessive aircraft noise sources

- 13. Public Services and Recreation:** The following specific impacts were found to be less than significant:
 - a. Impact 3.13-1: General Plan implementation may result in adverse physical impacts on the environment associated with the need for new governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts
 - b. Impact 3.13-2: General Plan implementation may result in adverse physical impacts associated with the deterioration of existing parks and recreation facilities or the construction of new parks and recreation facilities

- 14. Transportation and Circulation:** The following specific impacts were found to be less than significant:
 - a. Impact 3.14-2: General Plan implementation may conflict with a program, plan, policy, or ordinance addressing the circulation system, including transit, bicycle, and pedestrian facilities
 - b. Impact 3.14-3: General Plan implementation may increase hazards due to a design feature or incompatible uses
 - c. Impact 3.14-4: General Plan implementation may cause inadequate emergency access

- 15. Utilities and Service Systems:** The following specific impacts were found to be less than significant:
 - a. Impact 3.15-5: General Plan implementation would not require or result in the relocation or construction of new or expanded storm water drainage facilities, the construction or relocation of which could cause significant environmental effects
 - b. Impact 3.15-6: General Plan implementation would comply with federal, state, and local management and reduction statutes and regulations related to solid waste, would not generate solid waste in excess of State or local standards or otherwise impair the attainment of solid waste reduction goals, and would not exceed of the capacity of local infrastructure

- 16. Wildfires:** The following specific impact was found to have no impact:
- a. Impact 3.16-1: General Plan implementation would not have a significant impact related to wildfire risks associated with lands in or near State Responsibility Areas or lands classified as very high fire hazard severity zones
- B.** The project was found to have a less than cumulatively considerable contribution to specific impacts within the following categories of environmental effects as set forth in more detail in the Draft EIR.
- a. **Impact 4.1:** Cumulative degradation of the existing visual character of the region
 - b. **Impact 4.4:** Cumulative loss of biological resources, including habitats and special status species
 - c. **Impact 4.5:** Cumulative impacts on known and undiscovered cultural resources
 - d. **Impact 4.6:** Cumulative impacts related to geology and soils
 - e. **Impact 4.7:** Cumulative impacts related to greenhouse gases, climate change, and energy
 - f. **Impact 4.8:** Cumulative impacts related to hazardous materials and human health risks
 - g. **Impact 4.9:** Cumulative impacts related to hydrology and water quality
 - h. **Impact 4.10:** Cumulative impacts related to local land use, population, and housing
 - i. **Impact 4.11:** Cumulative impacts related to mineral resources
 - j. **Impact 4.12:** Cumulative impacts related to noise
 - k. **Impact 4.13:** Cumulative impacts to public services and recreation
 - l. **Impact 4.16:** Cumulative impact related to wildfire
- C.** The above impacts are less than significant or less than cumulatively considerable for one of the following reasons:
- 1. The EIR determined that the impact is less than significant for the Project.
 - 2. The EIR determined that the Project would have a less than cumulatively considerable contribution to the cumulative impact.

V. PROJECT ALTERNATIVES

A. Identification of Project Objectives

An EIR is required to identify a “range of potential alternatives to the project [which] shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one of more of the significant effects.” Chapter 2.0 of the Draft EIR identifies the Project’s goals and objectives. The Project objectives include:

- Develop a long-term vision for the City of Jackson
- Engage a broad spectrum of the community members
- Engage key stakeholders to perpetuate long-term involvement
- Establish a greater connection between the General Plan and current planning issues
- Educate the public on the City’s existing conditions and the General Plan Update process
- Provide a range of high-quality housing options
- Attract and retain businesses and industries that provide high-quality and high-paying jobs
- Continue to maintain and improve multimodal transportation opportunities
- Maintain strong fiscal sustainability and continue to provide efficient and adequate public services
- Address new requirements of State law.

B. Alternatives Analysis in EIR

1. Alternative 1: No Project Alternative

The No Project Alternative is discussed on pages 5.0-5 through 5.0-6 and pages 5.0-21 through 5.0-23 of the Draft EIR.

Under Alternative 1 (No Project Alternative), the City would continue to implement the existing General Plan and no changes would be made to address updated General Plan Guidelines, or the requirements of State law. Since adoption of the existing General Plan, State legislation has been passed requiring the City to address new safety and circulation requirements in the General Plan and to further address greenhouse gas emissions. Additionally, while the City currently has a certified Housing Element, it will be required to update its Housing Element and receive new State certification by December 2023, and the existing General Plan does not conform to state requirements regarding planning for future housing growth. The General Plan goals, policies, and actions, as well as the Land

Use Map, would not be updated to address the vision and concerns of the City's residents, property owners, decision-makers, and other stakeholders that actively participated in the visioning and goal and policy development process.

Under Alternative 1, new growth would be allowed as envisioned under the existing General Plan, with land uses required to be consistent with the existing General Plan Land Use Map. Therefore, Alternative 1 would result in the continuation of existing conditions and development levels, as described in Chapter 3.10 (Land Use and Population) of the DEIR and would result in similar development totals when compared to the proposed Project.

Under Alternative 1, the existing General Plan policy framework would still be in effect, which would constitute a status quo approach to land use regulation in the City. The proposed General Plan, along with the policy framework proposed by the General Plan Update, encourages and aims to provide the framework and land use pattern for logical, orderly growth from the City's compact, historic center extending to well-delineated residential neighborhoods, employment centers, and community amenities to meet the City's long-term housing, employment, and civic needs. The proposed General Plan provide opportunities for cohesive new growth, and would ensure that development pays its fair-share of necessary roadway, public service, and other infrastructure improvements, and that provides for increased protection of natural resources would occur through policy and actions included in the updated plan. Additionally, the proposed General Plan was prepared in conformance with State laws and regulations associated with the preparation of general plans, including requirements for environmental protection.

Alternative 1 would not include updated policies, particularly those related to housing, greenhouse gases, and complete streets policies to address safety, access, and mobility for all roadway users, as required by State law. This alternative would not include various policies proposed in the General Plan update to ensure protection of environmental resources, both at a project level and under cumulative conditions, consistent with the objectives of CEQA.

- a. **Findings:** The No Project Alternative is rejected as an alternative because it would not achieve the Project's objectives.
- b. **Explanation:** Alternative 1 failed to meet several basic Project objectives and thus was not further considered. Alternative 1 fails to meet several of the basic project objectives, including addressing new requirements of State law; and addressing emerging transportation, housing, and employment trends. Therefore, Alternative 1 (No Project) is rejected from further consideration.

2. Alternative 2: Land Use Buffer Alternative

The Land Use Buffer Alternative is discussed on pages 5.0-6 through 5.0-14 and pages 5.0-21 through 5.0-23 of the Draft EIR.

The Land Use Buffer Alternative would be identical to the proposed project in terms of land uses within the City limits and the SOI. The only differences would be that the Land Use Buffer Alternative would incorporate a 200 foot-wide agricultural and open space buffer along the inner perimeter of the southern and western portion of the SOI and the southwest portion of the City. This portion of the City and SOI currently abuts County agricultural lands that are used for grazing. In the future, should these lands be converted to more active agricultural uses such as vineyards or other crops, there could be additional conflicts between these uses and Residential Suburban uses proposed in the SOI. The buffer in this area would also provide aesthetic benefits, as the open space and agricultural appearance of lands in the southern area would be retained. The northern and eastern portions of the SOI would not have a buffer as these areas are adjacent to County lands that are developed with large lot residential development. As a result, the potential for conflicts with agricultural uses is less of an issue in the northern area of the City and SOI. This alternative would also include a buffer prohibiting development within the portion of the SOI encompassed by Safety Area 3 (Overflight Zone) for Westover Field. This buffer would reduce land use and noise impacts associated with Westover Airport and would also reduce visual impacts associated with development in the northern area of the SOI. It is anticipated that development in the northern area of the SOI would be reduced; however, overall development in the City and SOI would not be significantly reduced under this alternative, but rather be clustered in areas that remain available for development.

- a. **Findings:** The Land Use Buffer Alternative is rejected as an alternative because it would not achieve the Project's objectives.

Explanation: Like The proposed Project, Alternative 2 reflects the current goals and vision expressed by city residents, businesses, decision-makers, and other stakeholders; through the updated policy document, and addresses new requirements of State law, including climate resiliency planning, environmental justice, complete streets, etc.

Alternative 2 would provide for some reductions of impacts due to additional open space buffers and associated undeveloped lands, however this alternative would not reduce any significant impacts to a less than significant level. Additionally, this alternative would create separations and could physically divide community

connectivity with developments located on either side of the buffer, and would require utility infrastructure be extended in a non-orderly fashion to accommodate development on either side of the buffered areas resulting in many inefficiencies for future development activities and improvements

For these reasons, the Project is considered superior to Alternative 2.

3. Alternative 3: Reduced Intensity Alternative

The Reduced Intensity Alternative Alternative is discussed on pages 5.0-14 through 5.0-21 and pages 5.0-21 through 5.0-23 of the Draft EIR.

The Reduced Intensity Alternative would consist of a reduction in the amount of development in residential dwelling units and non-residential square proposed in the City and SOI. The reductions for the Planning Area compared to the proposed project are shown in Table 5.0-1 of the DEIR.

- a. Findings:** The Reduced Intensity Alternative is rejected as an alternative because it would not reduce many of the significant impacts under the proposed Project to a less than significant level.
- b. Explanation:** Like the proposed Project, Alternative 3 would satisfy most Project objectives as it would adopt the updated policy document as well as the updated Land Use Map. However this alternative would allow reduces residential densities and would allow for less residential growth that would be allowed under the proposed Project. Alternative 3 meets most Project objectives and would be slightly environmentally superior to the proposed Project. However, this alternative would not reduce any significant impacts to a less than significant level, and would reduce the overall housing opportunities within the planning area, and would be inferior in meeting regional and state housing goals, and may limit the city's ability to meet future regional housing needs and objectives.

For these reasons, the Project is considered superior to Alternative 3.

VI. STATEMENTS OF OVERRIDING CONSIDERATIONS

Pursuant to CEQA Section 21081(b) and the CEQA Guidelines Section 15093, the City of Jackson has balanced the benefits of the proposed General Plan against the following unavoidable adverse impacts associated with the proposed General Plan and has included all feasible mitigation measures as policies and action items within the General Plan. Jackson has also examined alternatives to the proposed project, and has determined that adoption and implementation of the proposed General Plan is the most desirable, feasible, and appropriate action. The other alternatives are rejected as infeasible, failed to meet project objectives, were not able to reduce any significant impacts to a less than significant levels, or increased the severity on significant impacts based on consideration of the relevant factors discussed in Chapter 5.0 of the Draft EIR.

A. Significant Unavoidable Impacts

Based on the information and analysis set forth in the EIR and reiterated in Section III of these Findings, implementation of the proposed General Plan would result in the following project-specific significant impacts related to: agricultural resources, air quality, greenhouse gases, climate change and energy, transportation and circulation, utilities and service systems, and irreversible effects. These impacts are identified below:

- **Impact 3.2-4:** General Plan implementation would involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use;
- **Impact 3.3-1:** General Plan implementation would conflict with or obstruct implementation of the applicable air quality plan, or result in a cumulatively considerable net increase of criteria pollutants;
- **Impact 3.7-1:** General Plan implementation has the potential to generate GHG emissions that could have a significant impact on the environment and/or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases;
- **Impact 3.14-1:** General Plan implementation may conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b);
- **Impact 3.15-1:** General Plan implementation would result in sufficient water supplies available to serve the City and reasonably foreseeable future development during normal, dry and multiple dry years;

- **Impact 3.15-2:** General Plan implementation would not require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
- **Impact 3.15-3:** General Plan implementation would not have the potential to result in a determination by the wastewater treatment provider which serves or may serve the Project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments;
- **Impact 3.15-4:** General Plan implementation may require or result in the relocation or construction of new or expanded wastewater facilities, the construction or relocation of which could cause significant environmental effects;
- **Impact 4.2:** Cumulative impact to agricultural lands and resources;
- **Impact 4.3:** Cumulative impact on the region's air quality;
- **Impact 4.7:** Cumulative impacts related to greenhouse gases, climate change, and energy;
- **Impact 4.14:** Cumulative impacts on the transportation network.
- **Impact 4.15:** Cumulative impacts related to utilities.
- **Impact 4.17:** Irreversible and adverse effects.

B. Benefits of the Proposed General Plan/Overriding Considerations

The City of Jackson has (i) independently reviewed the information in the EIR and the record of proceedings; (ii) made a reasonable and good faith effort to eliminate or substantially lessen the impacts resulting from the proposed General Plan to the extent feasible by including policies and actions in the General Plan that effectively minimize or reduce potential environmental impacts to the greatest extent feasible; and (iii) balanced the project's benefits against the project's significant unavoidable impacts.

Adoption and implementation of the Jackson General Plan would provide the following economic, social, legal, and other considerable benefits:

1. The General Plan promotes compact and environmentally sustainable development through goals and policies that balance the need for adequate infrastructure, housing, and economic vitality with the need for resource management, environmental protection, and preservation of quality of life for Jackson residents.
2. The General Plan provides a land use map and policy document that accounts for existing development, physical constraints, economic development, flood and other hazards, and incompatible uses and assigns densities and use types accordingly to enhance the safety, livability, and economic vitality of Jackson.
3. The General Plan improves mobility options through the development of a multi-modal transportation network that enhances connectivity, supports community development patterns, limits traffic congestion, promotes public and alternative

- transportation methods, and supports the goals of adopted regional transportation plans.
4. The General Plan directs the preservation and environmental stewardship of the vast array of natural, cultural, and historic resources that uniquely define the character and ecological importance of the City and greater region.
 5. The General Plan addresses adverse environmental effects associated with climate change by facilitating sustainable development, promoting energy efficiency, and promoting development that reduces greenhouse gas emissions.
 6. The General Plan enhances the local economy and provides opportunities for future jobs and business development growth by planning for commercial and industrial development near existing urbanized areas and transportation corridors.
 7. The General Plan supports accommodating a variety of housing types and housing costs, through identifying lands that increase housing opportunities for lower density residential development through the very low and low density land use designations, and increasing opportunities for higher density development, including triplexes, fourplexes, townhomes, condominiums, and apartments, through the medium density and high density residential land use designations. These designations support a range of housing densities and mixed use development opportunities and will increase the variety of housing types and costs by providing opportunities to expand the variety of housing options available.
 8. The General Plan is the product of a comprehensive public planning effort driven by members of the public, the Planning Commission and the City Council through a series of public meetings, hearings and workshops that resulted in a thoughtful balance of community, economic, and environmental interests.

VII. CONCLUSION

After balancing the specific economic, legal, social, technological, and other benefits of the proposed project, the Council finds that the unavoidable adverse environmental impacts identified may be considered “acceptable” due to the specific considerations listed above which outweigh the unavoidable, adverse environmental impacts of the proposed project.

The Jackson City Council has considered information contained in the EIR prepared for the proposed General Plan as well as the public testimony and record of proceedings in which the project was considered. Recognizing that significant unavoidable agricultural resources, air quality, greenhouse gases, climate change and energy, transportation and circulation, utilities and service systems, and irreversible effects impacts may result from implementation of the proposed General Plan, the Council finds that the benefits of the General Plan and overriding considerations outweigh the adverse effects of the Project. Having included all feasible methods to reduce environmental impacts at the programmatic, General Plan level as policies and actions in the General Plan, and recognized all unavoidable significant impacts, the Council hereby finds

that each of the separate benefits of the proposed General Plan, as stated herein, is determined to be unto itself an overriding consideration, independent of other benefits, that warrants adoption of the proposed General Plan and outweighs and overrides its unavoidable significant effects, and thereby justifies the adoption of the proposed General Plan.

Based on the foregoing findings and the information contained in the record, the Council hereby determines that:

1. All significant effects on the environment due to implementation of the proposed General Plan have been eliminated or substantially lessened where feasible;
2. There are no feasible alternatives to the proposed General Plan which would fully mitigate or substantially lessen the impacts to a less than significant level; and
3. Any remaining significant effects on the environment found to be unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations above.