

**Attachment 1**  
**Resolution 1746**

**RESOLUTION NO 1746**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF IONE**

**CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT ON THE GENERAL  
PLAN UPDATE, MAKING FINDINGS OF FACT RELATING TO THE FEASIBILITY  
OF MITIGATION MEASURES AND PROJECT ALTERNATIVES, AND ADOPTING A  
MITIGATION MONITORING AND REPORTING PROGRAM, AND ADOPTING THE  
2009 GENERAL PLAN**

**WHEREAS**, California Government Code Section 65300 requires the City adopt a comprehensive, long-term general plan for the physical development of the City; and

**WHEREAS**, the City of Ione adopted its first General Plan in 1963 and the Plan was subsequently updated in 1974 and 1982; and

**WHEREAS**, the Land Use Map was amended in 1989 and 1992, the Circulation Element was updated in 1991 and 2003, and the Housing Element was updated in 2005; and

**WHEREAS**, since 1982 the City has not comprehensively updated its General Plan; and

**WHEREAS**, the conditions in the City and the requirements for general plans under State law have changed since the 1982 update; and

**WHEREAS**, in March 2008, the City Council directed that a comprehensive update to the City's General Plan be completed; and

**WHEREAS**, in accordance with Section 65351 of the California Government Code, the City has facilitated public participation in the General Plan process through the following steps:

- Creating a project website for people to learn about the project and stay involved.
- Conducting three public workshops on July 14 2008, September 8, 2008, and November 19, 2008 at Evalynn Bishop Hall at Howard Park. The workshops provided the public with an introduction to the General Plan process and were a forum for the public to express their ideas and concerns about the future of Ione.
- Conducting a public survey aimed at gathering resident input and views outside of the workshop setting. The surveys were mailed out as part of the September sewer bill and were available for pickup at a number of locations throughout town (Curves, Claypool's, etc). Over 230 responses were received.
- A series of Planning Commission meetings on December 9 and December 15, 2008, where the Planning Commission discussed the three base land use alternatives and a fourth alternative prepared by staff and based upon comments at the November 19 public workshop. The Commission ultimately recommended an alternative to the City Council as the draft preferred Land Use Plan.

- A City Council meeting on January 6, 2009 to discuss the draft preferred Land Use Plan. The Council received the Planning Commission recommendation and took public comment. At the conclusion of the meeting, the Council directed staff on a preferred Land Use Plan to use as the basis for the preparation of the balance of the General Plan and for the initiation of the draft General Plan Environmental Impact Report (EIR).
- A policy workshop with the City Council and Planning Commission on February 19, 2009 to discuss circulation issues and policies for the draft General Plan. The Council and Commission ultimately directed staff on a new series of level of service standards and other circulation policies. These standards were used to complete the initial transportation analysis of the draft Land Use Plan in late February.
- At a second circulation policy discussion on April 7, 2009, the Council directed staff to modify the draft circulation policy based upon the initial traffic model results.
- On April 21, 2009, the City released the draft General Plan for public review.
- On May 5, 2009, the City Council and Planning Commission conducted a joint study session of the Conservation and Open Space, Noise and Safety, Economic Development, Public Facilities, and Housing Elements of the draft General Plan.
- On May 19, 2009, the City Council and Planning Commission conducted a joint study session of the Land Use and Circulation Elements.
- On June 10, 2009, the City released the Draft Environmental Impact Report (DEIR) for the draft General Plan. This initiated a 45-day public comment period as required under State law.
- On July 14, 2009, the City held a workshop to receive public comments on the DEIR. Only one comment was received at the meeting.
- On July 27, 2009, the 45-day public comment period for the DEIR closed. The City received a total of 7 letters.
- On August 5, 2009, the Planning Commission held a public hearing, accepted public comment, and adopted Planning Commission Resolution No. 09-4 recommending that the City Council adopt the General Plan as amended.
- On August 26, 2009, the City Council held a public hearing to consider adoption of the General Plan, receiving the staff report and presentation incorporated herein by reference and accepting public comment.

At each of the above City Council and Planning Commission meetings the City Council and Planning Commission received written and oral comments from the public. This public

participation program informed the public of the on-going General Plan process; obtained public input regarding major issues, community objectives, and plan policies; provided the public with opportunities to evaluate alternative plans and to participate in choosing the preferred alternative; informed decision makers of public opinions; and worked towards community consensus; and

**WHEREAS**, in accordance with Government Code Section 65352 the City referred the proposed draft General Plan to numerous agencies and entities and provided each with adequate time in which to comment on the draft General Plan; and

**WHEREAS**, the City determined that the General Plan Update (also referred to herein as “Project”) was a project requiring review pursuant to the California Environmental Quality Act (CEQA), Public Resources Code 21000 et seq. and that an Environmental Impact Report (EIR) be prepared to evaluate the potential environmental effects of the project; and

**WHEREAS**, a Notice of Preparation was released for public and agency review and comment on January 16, 2009 for the General Plan Update Draft EIR, with public review period starting January 16, 2009, and ending on February 16, 2009, and a public scoping meeting to receive comments on topics and issues which should be evaluated in the Draft EIR was held by the City on February 10, 2009; and

**WHEREAS**, the City distributed a Notice of Availability for the General Plan Update Draft EIR on June 10, 2009, which started a public review period, ending on July 27, 2009; and

**WHEREAS**, the Notice of Completion for the Draft EIR (SCH#2009012038) was also submitted to the State Clearinghouse for state agency review with Public Review Period starting June 10, 2009, and ending on July 27, 2009; and

**WHEREAS**, the City held a public meeting on July 14, 2009 to receive public comments on the Draft EIR and those comments were received and considered in the Final EIR; and

**WHEREAS**, the Planning Commission considered the General Plan Update on August 5, 2009 and recommended certification of the EIR and adoption of the General Plan Update to the City Council; and

**WHEREAS**, the Draft EIR identified several significant and unavoidable environmental impacts of the General Plan. Approval of the General Plan will therefore require adoption of a Statement of Overriding Considerations by City Council; and

**WHEREAS**, the Draft EIR identified several potentially significant impacts that will be reduced to insignificance with specific mitigation measures. Approval of the General Plan will therefore require adoption of mitigation findings and a Mitigation Monitoring Program; and

**WHEREAS**, the Draft EIR and the August 26, 2009 staff report regarding the Draft EIR, including the preliminary analysis of the public comments, reflects the City’s independent judgment and analysis; and

**WHEREAS**, the General Plan dated August 2009 and the Draft EIR, incorporated herein by reference, are available from the City Planning Department and on the General Plan website; and

**WHEREAS**, the City Council reviewed all evidence presented both orally and in writing and intends to make certain findings in compliance with CEQA, which are more fully set forth below and in Exhibit A, attached hereto and incorporated in its entirety by this reference.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ione as follows:

**1. Certification of the Final EIR**

- A. The City Council hereby certifies that the Final EIR has been completed in compliance with the requirements of the California Environmental Quality Act.
- B. The City Council hereby certifies that the Final EIR was presented to the City Council and that the City Council reviewed and considered the information contained in the Final EIR prior to taking action on the Project.
- C. The City Council hereby certifies that the Final EIR reflects the independent judgment and analysis of the City Council.

**2. Findings on Impacts**

The City Council finds:

- A. The Final EIR identifies potentially significant impacts that can be mitigated to less than significant levels. The City Council makes the findings with respect to significant impacts as set forth in Exhibit A, attached hereto and incorporated herein by reference.
- B. The Final EIR identifies potentially significant impacts that cannot be mitigated to a less than significant level and are thus considered significant and unavoidable. The City Council makes the findings with respect to these significant and unavoidable impacts as set forth in Exhibit A.

**3. Findings on Alternatives**

Four (4) project alternatives (Existing General Plan Alternative (No Project Alternative), Westward Focused Growth, Southward Focused Growth, Western Ione Roadway Improvement Strategy Segments Alternatives) were evaluated by the City during project development and in the EIR. As set forth in Exhibit A, these alternatives result in more severe environmental effects, do not meet the basic project objectives, or do not provide any substantial environmental benefits as compared to the proposed General Plan Update. A fifth alternative (Q Ranch Increased Density Alternative) was recommended for inclusion in the Project by the Planning Commission and was accepted and included by the City Council. The City Council hereby finds that the proposed General Plan Update, including the Q Ranch Increased Density Alternative, as mitigated by adoption of mitigation measures identified in the EIR, can be feasibly implemented and serves the best interests of the City.

**4. Statement of Overriding Considerations**

Because the adoption of all feasible mitigation measures will not substantially lessen or avoid all significant adverse environmental effects caused by the project, the City

Council adopts a Statement of Overriding Considerations concerning the project's unavoidable significant impact to explain why the General Plan Update's benefits override and outweigh its unavoidable impacts on the environment as set forth in Exhibit A.

**5. Adoption of the Mitigation Monitoring and Reporting Program**

- A. The City Council hereby finds that the proposed mitigation measures described in the Final EIR and Findings are feasible, and therefore will become binding upon the City. The Mitigation Monitoring and Reporting Program is included as Exhibit B and will involve incorporation of the mitigation measures into the General Plan Update.
- B. The City Council hereby adopts the Mitigation Monitoring and Reporting Program, as set forth in Exhibit B, attached hereto and incorporated herein by reference.

**6. Other Findings**

- A. The City Council finds that issues raised during the public comment period and written comment letters submitted after the close of the public review period of the Draft EIR do not involve any new significant impacts or "significant new information" that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

BE IT FURTHER RESOLVED by the City Council of the City of Ione as follows:

- 1. The City Council finds that the modifications to the General Plan, attached hereto as Exhibit C, reflect the City Council's changes to the August 2009 General Plan after reviewing the document and receiving public testimony.
- 2. The City Council finds that the General Plan dated August 2009 and the modifications attached hereto as Exhibit C, meet the requirements of Government Code section 65300 et seq.
- 3. Based on the findings set forth herein, the City Council hereby rescinds and repeals all prior City of Ione General Plans, and hereby adopts the General Plan dated August 2009.

**Adopted** this 26<sup>th</sup> day of August, 2009 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Lee Ard, Mayor

ATTEST:

\_\_\_\_\_  
Janice Traverso, City Clerk