
LAND USE AND PLANNING

INTRODUCTION

This Chapter evaluates the relationship of the proposed Plan to the applicable land use plans and policies of the City of Ceres and other agencies with jurisdiction over the site. Consistent with CEQA Guidelines (Appendix G), the discussion of land use plans and policies is limited to those policies which have been adopted for the purpose of avoiding, mitigating, or reducing adverse environmental impacts of development.

The “Setting” section of this Chapter begins with a description of the existing land uses on and around the Plan area. It then provides an assessment of the Plan as currently proposed within the context of the relevant Goals, Objectives and Policies of the Ceres General Plan and the Ceres Zoning Ordinance. Although the Plan area is currently within the jurisdiction of Stanislaus County, annexation of the Plan area to the City of Ceres would be required prior to the proposed development of the site, which is why those Goals, Objectives and Policies from the Ceres General Plan are the primary focus here.

That the Plan might be inconsistent with particular policies in the General Plan, Zoning Ordinance, or other applicable plan, policies or regulations does not necessarily constitute a significant environmental effect.¹ Rather, inconsistency with current City policies that embody environmental protection commitments is an indication that Plan approval might lead to adverse effects on the physical environment. Under CEQA, significant environmental effects must involve an adverse change in physical conditions, as opposed to mere inconsistency with existing policies.

The following discussion reviews the Plan and its consistency with land use plans and policies of the City of Ceres. These plans and policies include the General Plan, zoning, and other land use controls. Policy language is often subject to varying interpretations. The following conclusions are focused on an analysis of current policies and regulations that might lead to adverse effects on the physical environment. This environmental analysis is not intended to pre-suppose the City’s determinations on consistency, or prevent imposition of "conditions of approval" to correct any determined inconsistencies outside of the CEQA forum.

EXISTING CONDITIONS

EXISTING LAND USES

Stanislaus County has land and facilities to the east of Crows Landing Road amounting to 19% of the Specific Plan area including a County jail, Sheriff’s administration and training facility, Agricultural Center, and Family Services, as well as additional area for future expansion of facilities and uses. The County’s plans for continuation and expansion of uses in this area are assumed under the Plan.

¹ See Baldwin v. City of Los Angeles (1999) 70 Cal. App 4th 819,8420843

The remaining area to the east of Crows Landing Road is the existing G3 Enterprises facility, representing 13% of the Specific Plan area. These properties include an industrial labeling and logistics facility as well as a retail corner at Whitmore Avenue and Crows Landing Road.

Carol Lane is an existing dead-end street (accessed off Whitmore Ave.) with a residential neighborhood consisting of 24 rural residential parcels generally ranging in size from approximately one half acre to one and a half acres in size, and 2 parcels at the corner of Whitmore Avenue making up the Whitmore Church of Christ. The Carol Lane neighborhood represents 2% of the Specific Plan area. This existing neighborhood is expected to remain under the proposed Specific Plan, and the Plan focuses on appropriate adjacent uses and buffers for this neighborhood.

The remaining 66% of the Specific Plan area includes 22 parcels primarily in agricultural use with some scattered rural home sites. This is the main area being planned for new development in the Specific Plan. This area also includes the existing El Rematito Flea Market, located at the northwest corner of Crows Landing Road and Hackett Road, which would be anticipated to remain in the short term but ultimately transition to more intensive retail development.

LAND USE DESIGNATIONS AND ZONING

The West Landing Specific Plan area currently falls under the jurisdiction of Stanislaus County, but is within the Phase 1, Phase 2 and Reserve Urban Growth Areas of the City of Ceres 1997 General Plan (**Figure 3.3**). Accordingly, the City of Ceres General Plan designates land uses for the West Landing Specific Plan area in anticipation of its eventual annexation and development.

Lands within the City of Ceres Urban Growth Area are divided between Phase 1, Phase 2 and Reserve Areas to indicate the timing of development anticipated in these areas. The proposed Plan would represent an acceleration of the timing implied by the current Urban Growth Area designations. A General Plan Amendment, including revision of the Urban Growth Areas would be required.

The City of Ceres General Plan (General Plan) designates the following uses in the Plan area (See **Figure 3.3**):

- Office (O)
- Community Commercial (CC)
- Light Industrial (LI)
- General Industrial (GI)
- Community Facilities (CF)
- Residential Reserve (RR)

The proposed Plan would represent a change to these land use designations in some areas of the Plan. A General Plan Amendment would be required.

SURROUNDING LAND USES

The Plan area is surrounded by a variety of land uses as summarized below:

- Low-density residential subdivision and industrial uses to the north (City of Modesto)
- Low-density residential subdivision to the east (City of Ceres)

- Industrial, commercial and agricultural uses to the south (City of Ceres and unincorporated areas)
- Agricultural uses to the west (unincorporated)

The Plan area is adjacent to fully developed areas in the City of Modesto at the northern boundary and the City of Ceres at the eastern boundary. The southern boundary is adjacent to unincorporated agricultural uses and developing City of Ceres commercial and industrial uses. Agricultural uses stretch away from the western boundary and would be anticipated to remain.

REGULATORY SETTING

FEDERAL REGULATIONS

There are no federal laws or regulations affecting the land use and planning issues analyzed in this EIR.

STATE REGULATIONS

Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000

The Cortese-Knox-Hertzberg Act governs reorganization of cities and districts. Section 56001 of the Act requires that a Local Agency Formation Commission (LAFCO) be formed in every county. Each LAFCO reviews and approves annexation to and reorganization of cities and urban services districts in order to encourage orderly growth and development essential to the social, fiscal and economic well-being of the state. Specific elements established by the Act encourage orderly development patterns by discouraging urban sprawl and preserving open-space and prime agricultural lands.

In order to implement the requirements listed above, LAFCOs have the specific authority to review the following actions:

- Annexations to, or detachment from, cities or districts,
- Formations or dissolution of districts,
- Incorporation or disincorporation of cities,
- Consolidation or reorganization of cities and districts,
- Establishment of subsidiary districts, and
- Development of, and amendments to, spheres of influence.

Stanislaus County LAFCO policies are discussed later in this section.

LOCAL REGULATIONS

City of Ceres General Plan

Although the Plan area is under the jurisdiction of Stanislaus County at present, if the proposed Plan is approved, the Plan area will be annexed to the City of Ceres, and will be subject to the City's General Plan and codes. Therefore, this section considers only the City's General Plan.

The City of Ceres General Plan designates and describes the general categories for all lands within the City boundaries, and includes recommended standards for population density and building

intensity. For areas outside of the City limits, but within the City's Sphere of Influence, the General Plan identifies anticipated land use designations.

The following General Plan goals and policies apply to annexation of the Plan area to the City, and land uses within the Plan area.

GOAL 1.B

To grow in an orderly pattern consistent with economic, social and environmental needs, maintaining Ceres' small town character and preserving surrounding agricultural lands.

Policies

- 1.B.1. The City shall ensure that land is designated for development consistent with the needs of the community and to maintain a positive fiscal balance for the City.
- 1.B.2. The City shall promote and support the development of a healthy balance of residential, commercial, and industrial businesses within the city.
- 1.B.3. The City shall ensure that future development occurs in an orderly sequence based on the logical extension of public facilities and services.
- 1.B.5. Annexations to the city shall be approved only after City approval of an appropriate areawide plan (e.g., master plan, specific plan) that addresses land use, circulation, housing, infrastructure, and public facilities and services, based on the annexation policy included as Appendix A of the *Policy Document*. The various areas requiring areawide plans are shown conceptually in Figure 1-3. The requirements for areawide planning and analysis of the impact on public facilities and services may be waived by the City Council for individual projects or categories of projects where these types of studies are determined to be unnecessary or impractical due to size, scale, location, or other special circumstances associated with the application to annex to the City. In general, these would include:
 - a. Existing developed areas
 - b. Existing or proposed public facilities
 - c. Small-scale (generally less than 10 acres) infill or island areas
 - d. Small-scale (generally less than 10 acres) areas located north of Hatch Road
 - e. Unique economic development opportunities that offer significant community benefits (e.g., 100 or more permanent/part-time jobs, substantial sales tax revenues)
 - f. Housing projects for very-low and low income households.
- 1.B.9. The City shall promote pedestrian, bicycle, and transit access and circulation in designating and approving new development.
- 1.B.11. The City shall require development project design to reflect and consider natural features, noise exposure of residents, visibility of structures, circulation, access, and the relationship of the project to surrounding uses. Residential densities, building intensities, and lot patterns will be determined by these and other factors. As a result, the maximum densities and intensities specified by General Plan designations or zoning for a given parcel of land may not be realized.

GOAL 1.C

To provide adequate land in a range of residential densities to accommodate the housing needs of all income groups expected to reside in Ceres, while ensuring high quality of residential development.

Policies

- 1.C.1. The City shall support residential development at a manageable pace to achieve its fair share of regional housing needs and provide for orderly extensions of infrastructure and public services.
- 1.C.2. In reviewing and approving areawide plans for residential development, the City shall ensure that an adequate supply and densities of residential land is available.
- 1.C.3. New residential developments should be physically and socially integrated with the community. In considering proposed gated or walled residential development, the City shall review the need for these features in terms of whether they detract from the sense of integration of such development into the community.
- 1.C.5. The City shall encourage multi-family housing to be located throughout the community, especially near transportation corridors, downtown, major commercial areas and neighborhood commercial centers.

GOAL 1.D

To provide for the development of new residential areas in planned neighborhoods to be developed at an orderly pace and designed to promote transit, walking, and bicycling.

Policies

- 1.D.1. The City shall encourage the creation of well-defined residential neighborhoods throughout the city, including in newly developing areas. Each neighborhood should have a clear focal point, such as a park, school, or other open space and community facility, and shall be designed to promote pedestrian convenience. To this end, the City shall consider the form of historic neighborhoods, including emphasis on pedestrian access and circulation and tree-lined parkways, as models for the planning and design of new residential neighborhoods. (See also Policy 2.C.2. in the “Residential Streets” section of Chapter 2).
- 1.D.2. Consistent with the City’s annexation policy (Appendix A), new residential development shall occur after adoption of areawide plans (i.e., master plans or specific plans). Areawide plans shall indicate the locations of various residential land uses, parks, schools, neighborhood commercial, streets, bikeways, walkways, and other infrastructure. Areawide plans shall include a mix of residential densities. Each residential areawide plan shall at a minimum address the following:
 - a. The distribution, location, and extent of land uses, including standards for land use intensity.
 - b. Compatibility of new development with adjacent existing and proposed development.
 - c. Provision of a range of housing types to ensure socially and economically integrated neighborhoods based on the Housing Element projections of housing

needs.

- d. Distribution and location of roadways, including design standards for and the general alignment of arterial and collector streets. Specific provisions for local streets and bikeways should be shown, where necessary.
- e. Provisions for the extension of the existing city roadway system into new development areas. New development shall be linked to adjacent existing neighborhoods and planned neighborhoods.
- f. Distribution and location of and specifications for sewer, water, and drainage facilities needed to serve new development consistent with the *Sewer, Water, and Drainage Specific Plans*, including reservations for needed wells and storage areas.
- g. Distribution and location of neighborhood commercial centers, parks, schools, and other public- and quasi-public facilities.
- h. Provisions for linking residential neighborhoods, parks, schools, shopping areas, and employment centers through a system of pedestrian and bicycle pathways.
- i. Design guidelines for all new public and private development, including landscaping, roadway frontage treatment, subdivision identification signs and monuments, and walls and fences.
- j. Provisions for development phasing to ensure orderly and contiguous development consistent with infrastructure expansions and anticipated market demand.
- k. Provisions for minimizing conflicts between new development and adjacent agricultural uses.
- l. Implementation measures necessary to carry out the plan, including a program for financing public infrastructure improvements.

1.D.3. The City shall require residential subdivisions to be designed to provide well-connected internal and external street, bicycle, and pedestrian systems.

1.D.4. The City shall promote architectural and landscape design features in new development that create more pedestrian-friendly neighborhoods, such as rear, setback, or detached garages, front porches, tree-lined streets, and landscaped strips between street and sidewalks.

GOAL 1.F

To designate adequate commercial land for and promote development of commercial uses compatible with surrounding land uses to meet the present and future needs of Ceres residents and visitors and to maintain economic vitality.

Policies

1.F.1. The City shall designate commercial land in appropriate locations and parcel sizes to provide for various kinds of commercial development to meet the needs of Ceres residents and visitors. The City shall strive to avoid designating an oversupply of commercially-designated land to prevent the dilution or deterioration of currently viable commercial uses.

1.F.2. Commercial facilities should be designed to promote transit, pedestrian, and bicycle

access. The City shall require that new commercial development be designed to facilitate pedestrian circulation within and between commercial sites and nearby residential areas rather than being designed solely to serve vehicular circulation.

- 1.F.5. The City shall encourage significant new office developments to locate near major transportation corridors, and/or concentrations of residential uses. New office development may serve as buffers between residential uses and higher-intensity commercial uses.
- 1.F.7. The City shall reserve sites for neighborhood commercial development, when appropriate, in areawide plans for new residential neighborhoods.

GOAL 1.G

To designate adequate land for and promote development of industrial uses to meet the present and future needs of Ceres residents for jobs and to maintain economic vitality.

Policies

- 1.G.1. The City shall designate specific areas suitable for industrial development and reserve such lands in a range of parcel sizes to accommodate a variety of industrial uses.
- 1.G.2. The City shall only approve new industrial development that has adequate infrastructure and services. Industrial development shall be required to provide sufficient buffering from residential areas to avoid impacts associated with noise, odors and the potential release of noxious and hazardous materials.
- 1.G.3. The City shall promote the development of new business park uses in the business park locations south of Service Road and along Mitchell Road (north of Hatch Road).

GOAL 1.I

To maintain a healthy and diverse local economy that meets the present and future employment, shopping, recreational, public safety, and service needs of Ceres residents and to expand the economic base to better serve the needs of residents.

Policies

- 1.I.1. The City shall encourage the retention and expansion of existing industries and businesses in Ceres.
- 1.I.2. The City shall support the development of primary wage-earner job opportunities to provide Ceres residents an alternative to commuting outside Ceres.
- 1.I.3. The City shall seek the development of new businesses, especially those that provide primary wage-earner jobs, by designating adequate land and providing infrastructure in areas where resources and public facilities and services can accommodate employment generators.
- 1.I.4. The City shall focus economic development efforts on projects that will maximize long-term net revenues to the City.

GOAL 1.N

To maintain land as Residential and Industrial Reserve within the Planning Area for consideration for accommodation of development projected to occur beyond 2015.

Policies

- 1.N.1. Substantial development of reserve areas will not be permitted without a General Plan Amendment. Prior to any General Plan Amendment, the City will allow only uses consistent with the Agricultural designation and County zoning.
- 1.N.2. The City will consider the appropriateness of annexation and development of Residential and Industrial Reserve lands based upon the following factors.
- a. The distribution, location, and extent of land uses, including standards for land use intensity.
 - a. Demonstrated need for additional land
 - b. Availability of appropriately-designated land for development within the Urban Growth Area
 - c. Possible location and mix of land uses
 - d. Implications for overall community form
 - e. Ability to provide infrastructure and public facilities and services
 - f. Environmental impacts
 - g. Fiscal impact on City
 - h. Community benefits

Ceres Zoning Ordinance

As the Plan area is not currently located within the boundaries of the City of Ceres, it has not yet been zoned by the City. The annexation process will include pre-zoning consistent with the proposed Plan. The proposed zoning and regulations presented in the Plan will be consistent with City of Ceres zoning.

LAFCO

The Stanislaus Local Agency Formation Commission (LAFCO) must approve all annexations within the County, including annexation of the Plan area. LAFCO considers the following factors when deciding whether annexation is appropriate:

POLICY 1 - PURPOSE.

The purposes of the Local Agency Formation Commission are provided by the Cortese-Knox-Hertzberg Local government Reorganization Act of 2000, and include the following:

- Discourage urban sprawl;
- Encourage orderly formation and development of local governmental agencies, based on local conditions and circumstances;
- Initiate and make studies of governmental agencies;
- Adopt spheres of influence for each local governmental agency.

The following Goals will guide the Commission in implementing the purposes of LAFCO (*amended April 23, 2003*):

1. To encourage planned, well-ordered, efficient development patterns.
2. To encourage efficient and effective delivery of Governmental Services by the agencies who provide those services.
3. To encourage urban land use patterns which balance urban growth with the conservation of open space and primary agricultural lands.
4. To encourage the cities and the County to plan urban land use patterns, which include a harmony between housing for residents and jobs provided by commercial and industrial development.

POLICY 5 - PREZONING FOR CITY ANNEXATION

Effective January 1, 2001, prezoning is mandated by Government Code Section 56375. All prezoning designations shall remain in effect for at least two years unless the City Council makes specified findings relating to changed conditions and circumstances. No city annexation application will be deemed complete unless the prezoning process has been completed. The adopted procedure for prezoning is as follows:

Such prezoning shall also require that the city become the lead agency for environmental review for the proposed change and shall prepare and submit to LAFCO the environmental assessment forms in sufficient time for LAFCO's Executive Officer to comment before a determination of environmental effects is made.

POLICY 20 – LOGICAL BOUNDARIES

The following shall be considered as favorable factors in determining logical boundaries for a proposal (*amended April 23, 2003*):

- A. The Commission encourages the creation of logical boundaries and proposals which do not create islands and would eliminate existing islands, corridors, or other distortion of existing boundaries.
- B. Proposals which are orderly and will either improve or maintain the agency's logical boundary are encouraged.

POLICY 21 – DEVELOPMENT OF VACANT OR UNDERUTILIZED LAND PRIOR TO ANNEXATION OF ADDITIONAL TERRITORY

The following shall be considered with regards to development of vacant or underutilized land prior to annexation of additional territory:

- A. Development of existing vacant non-open space, and non-prime agricultural land within an agency's boundaries is encouraged prior to further annexation and development.
- B. Annexation proposals to cities or districts providing urban services of undeveloped or agricultural parcels shall show: that urban development is imminent for all or a substantial portion of the proposal area; that urban development will be contiguous with existing or proposed development; and that a planned, orderly, and compact urban

development pattern will result. Proposals resulting in leapfrog, non-contiguous urban development patterns shall not be approved.

Typically, the issues listed above would be addressed within a General Plan, then, at the time of proposed expansion, LAFCO would review whether the expansion meets the above criteria. The LAFCO would need to adopt findings for each of the criteria and indicate whether the expansion conforms to State and Stanislaus County LAFCO policies. All annexation proposals are scrutinized, approved, or disapproved, based on factors listed in the Cortese-Knox Hertzberg Act under Section 56841.

IMPACT ANALYSIS

STANDARDS OF SIGNIFICANCE

The following thresholds for measuring a project's environmental impacts are based on CEQA Guidelines thresholds:

1. Would the Project physically divide an established community?
2. Would the Project conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect?
3. Would the Project conflict with any applicable habitat conservation plan or natural community conservation plan?

DIVIDING ESTABLISHED COMMUNITY

Development of the Plan would involve construction of a mixed-use residential, retail, office, and industrial development at the outer edge of the City of Ceres' Planning Area, adjacent to residential development within the city limits that has already occurred to the east of the site and in part adjacent to commercial and industrial uses that are being developed to the south of the site. The proposed Plan would have *no impact* related to the division of an established community.

CONFLICT WITH PLANS AND POLICIES

Consistency with the Ceres General Plan

In summary, the Plan as proposed is consistent with the policies of the Ceres General Plan. However, development of the Plan area as proposed would result in a residential density in excess of that currently projected by the City based on the existing General Plan land use designations for the property, and in new urban development potentially occurring before the current General Plan anticipated. City approval of a General Plan Amendment and of the West Landing Specific Plan as proposed would be one way to resolve this potential conflict.

The Plan as proposed includes retail, office and residential development between Crows Landing Road and Knox Road that would be inconsistent with the existing industrial land use designation for the site as shown in the Ceres General Plan. Were the City to approve the requested General Plan Amendment, these land use inconsistencies would be eliminated and the proposed uses would be incorporated, as the City would have decided that the uses requested are now appropriate for the site.

The final determination of consistency with the City's General Plan can only be made by the City Council. The policies that would guide development of the proposed Specific Plan are found in the Land Use Element, which addresses land use patterns and types of development. The relevant goals and policies are reproduced in the Regulatory Setting, above. The relationship of the proposed Specific Plan to those General Plan goals and policies is discussed below.

Goal 1.B and its supporting policies are intended to ensure that the City grows in an orderly pattern that meets the City's economic, social and environmental needs. The Specific Plan includes a balance of Low, Medium and High Density Residential uses, parks, school sites, and employment centers including the existing and expanding County complex and G3 Enterprises facility as well as new retail, office and business park uses. Approval of a General Plan Amendment and pre-zoning would indicate the City finds the proposed uses appropriate to meet this goal.

Consistent with Policy 1.B.3, the extension of public services and utilities to the Plan area would be logical, because sewer and water lines are located in the adjacent streets (see Chapter 18, Utilities), schools are located in proximity to and within the Plan area, and police and fire services can be located in the plan area to preserve service levels (see Chapter 16, Public Services).

Policies 1.B.5 and 1.D.2 provide direction for annexations to the City. An appropriate area wide plan is required, such as the proposed Specific Plan, which includes the necessary elements, including land use, circulation, housing, infrastructure, and public facilities and services. Each neighborhood is expected to have a clear focal point, such as the elementary school and neighborhood park in the proposed Specific Plan. Area wide plans, such as the proposed Specific Plan, are to provide for a variety of housing types, and to identify schools, parks, utilities and other infrastructure, a well-connected system of streets, bicycle paths and sidewalks, pedestrian-friendly components, and standards for street design. The proposed Specific Plan addresses all of these issues, and includes Design Guidelines that govern architectural themes and styles, signs, walls and fences and landscaping.

Policy 1.B.9 and 1.D.3 state that the City shall promote pedestrian, bicycle, and transit access and circulation in designating and approving new development. The proposed Specific Plan provides bicycle and pedestrian trails throughout, connecting the residential areas to the elementary schools and employment centers where transit is anticipated to be available. Chapter 5: Circulation, of the Specific Plan specifies that provision of bus turnouts, benches and shelters will be coordinated with the appropriate transit agencies.

Consistent with Policy 1.B.11, the Specific Plan incorporates the conditions of the site and surrounding area in project design. Land uses were sited to transition from higher-intensity uses along the Crows Landing corridor to low-density housing adjacent to agriculture uses to the west. The Specific Plan addresses noise exposure of residents, circulation, access and the relationship of the project to surrounding uses.

As directed by Goal 1.C and policies 1.C.1 and 1.C.2, the Specific Plan provides for a wide range of residential densities and housing types by including low, medium and high residential densities. The Specific Plan includes only a general phasing plan. A more detailed phasing plan discussion will be provided with the project Financing Plan to ensure that the public and private improvements are constructed in a logical and viable sequence, so that each phase of private development is supported by adequate existing and planned public and private facilities and services and related infrastructure to support the demand for such facilities and services generated by each phase.

The Specific Plan would be integrated with the existing community (Policy 1.C.3) through the provision of bicycle and pedestrian paths that could connect to the City to the east and location of

uses to be compatible to adjacent development. However, connections to the east are limited to arterials by the rail line at the eastern boundary of the Specific Plan.

Consistent with Policy 1.C.5, the Specific Plan provides for multi-family units adjacent to the retail and employment center along Crows Landing Road, which is also a transit corridor, as well as allowable as mixed-use development in neighborhood commercial and office areas.

Consistent with Goal 1.D and its supporting policies, the Plan proposes pedestrian-friendly neighborhoods with parks and schools as focal points and a well-connected street and pedestrian system. Chapter 6 of the Specific Plan includes landscaping policies for the Plan area, including paseo connections and streetscape landscaping to enhance the pedestrian environment. Also, as stated under Chapter 7, the Specific Plan encourages siting of buildings to create an inviting streetscape and alternative garage configurations to minimize their dominance on the streetscape.

Consistent with Goal 1.F and its supporting policies as well as policies 1.I.2, 1.I.3, and 1.I.4, the Plan includes commercial uses along the Crows Landing Road transit corridor, including a variety of retail uses (regional commercial, community commercial and neighborhood commercial) and office uses. Chapter 7 of the Specific Plan includes design guidelines for these uses intended to be compatible with adjacent land uses and contribute to vibrant, pedestrian-oriented places.

Consistent with policies 1.G.1 and 1.G.2, the Specific Plan includes a sizable area of land designated and suitable for industrial business park development. While not in the exact location specified in policy 1.G.3, this would be consistent with the promotion of new business park uses.

The Specific Plan area includes the existing County complex and G3 Enterprises industrial facility and will accommodate growth in these existing facilities, consistent with policy 1.I.1.

A portion of the Specific Plan area is currently designated as Residential Reserve, an area not anticipated to develop prior to 2015 in the Ceres General Plan. Approval of a General Plan Amendment and pre-zoning would indicate the City finds development at this time appropriate, consistent with policies 1.N.1 and 1.N.2.

For the reasons discussed above, the proposed Specific Plan is consistent with the applicable policies of the General Plan. Therefore, this impact is considered *less than significant*.

Consistency with LAFCO Policies

LAFCO actions will be necessary in order to implement the proposed Specific Plan, because it requires annexation to the City of Ceres. In order to approve the annexation request, LAFCO would need to make a determination that the proposed Specific Plan is consistent with its policies. Therefore, a brief discussion of the relationship of the proposed Specific Plan to relevant LAFCO objectives and policies is provided below. However, the final determination of consistency can be made only by LAFCO.

Policy 1—Purpose

The purpose of LAFCO includes discouraging urban sprawl, encouraging planned, well-ordered, efficient development patterns, as well as efficient and effective delivery of public services and a balance urban growth with the conservation of open space and primary agricultural lands. LAFCO also encourages cities to plan urban land use patterns that harmonize housing for residents and jobs provided by commercial and industrial development.

The proposed Specific Plan provides for both housing and jobs and contributes to a balance between these. While the proposed Specific Plan does not show the same land uses as those in the General Plan, the General Plan did identify that the area can accommodate demand for both residential and non-residential development.

The Plan area is contiguous with the City, and public utilities and services are available in proximity to the Plan area. A Specific Plan has been prepared for the Plan area, indicating the amount and type of development, as well as the appropriate provision of services and utilities. For these reasons, the proposed Specific Plan represents planned, well-ordered and efficient growth that can be efficiently and effectively served by public services and utilities.

The General Plan also seeks to balance urban growth with agricultural lands by identifying an Urban Growth Area that directs growth to be contiguous to the City in a pattern intended to minimize premature conversion of agricultural land. The Plan area includes active agricultural land, and most of the acreage is designated Prime Farmland considered suitable for most crops (see Chapter 5, Agriculture). Therefore, the Specific Plan would result in the loss of farmland. However, most of the land surrounding the City of Ceres is also active Prime Farmland with similar soils, so any expansion of the City boundaries in alternative locations would result in a similar loss of farmland. The proposed Specific Plan would convert land adjacent to the City and identified in the General Plan for ultimate development, though in a nearer timeframe than anticipated under the General Plan. Approval of a General Plan Amendment would indicate the City finds development at this time appropriate consistent with its policies.

For the above reasons, the proposed Specific Plan is consistent with the overall intent of Policy 1.

Policy 5 - Rezoning for City Annexation.

Policy 5 requires rezoning of the site to be annexed. The City proposing the annexation is to be lead agency for environmental review of the annexation project. The Plan area will be rezoned, and the City of Ceres is acting as lead agency for EIR certification, Specific Plan approval and annexation. All appropriate documentation will be provided to LAFCO as part of the annexation request, once the City's environmental and approval processes have been completed. Therefore, the proposed Specific Plan is consistent with Policy 5.

Policy 20 – Logical Boundaries

Policy 20 encourages the creation of logical boundaries that are orderly and will either improve or maintain the agency's logical boundary. The Plan area is bounded on the east by the City of Ceres and to the north by the City of Modesto and is bounded by established roadways on the west and south. Some portion of the land to the south has been annexed to the City of Ceres. Annexation would be a logical extension of the City limits. No islands, peninsulas, or corridors would be created by annexation of the Plan area. For these, reasons, the proposed Specific Plan is consistent with Policy 20.

Policy 21 – Development of Vacant or Underutilized Land Prior To Annexation of Additional Territory

Policy 21 encourages development of vacant or underutilized land prior to annexation of additional territory. Further, the City is expected to demonstrate that urban development is imminent for all or a substantial portion of the proposal area; that urban development will be contiguous with existing or proposed development; and that a planned, orderly, and compact urban development pattern will result.

As discussed above, the proposed Specific Plan provides for planned, orderly development. While not identical to the current land use designations or Urban Growth timing assumptions, the Specific Plan is generally consistent with the City's ultimate plan to accommodate residential and non-residential development in this area. Most of the land within the City's existing limits is developed with urban uses. There are several relatively large, undeveloped areas within the City, but they are designated either for non-residential development or Very Low Density Residential, which is intended to provide a transition between urban uses and the river and agricultural uses to the east of the City. Almost all of the non-urbanized land is designated Prime Farmland, and/or used for agriculture or rural residential uses. Therefore, any development other than the limited opportunities for infill within the City's current boundaries would result in the loss of farmland. The proposed Specific Plan is consistent with the overall intent of Policy 21.

For the reasons discussed above, the proposed Specific Plan is consistent with the overall intent of applicable LAFCO policies. Therefore, this impact is considered *less than significant*.

Consistency with Zoning

As indicated above, the Plan area has not yet been zoned by the City of Ceres, since it is not in the City's jurisdiction. With annexation to the City of Ceres, the entire project will be pre-zoned to P-C, Planned Community, with reference to the Specific Plan to establish land use types, intensities, and development standards. While development as proposed would conflict with the existing Stanislaus County zoning designation for the site (primarily A-2-40: General Agricultural – 40 Acre Minimum to the west of Crows Landing Road), pre-zoning consistent with the proposed Plan will assure the Plan is consistent with the zoning and that the zoning is consistent with the proposed Ceres General Plan designations.

INCOMPATIBLE LAND USES

Impact Plan-1: Incompatible Land Uses. The proposed Specific Plan could result in land uses that are incompatible with adjacent agricultural land and operations surrounding the Plan area, which could impede agricultural operations and conflict with Stanislaus County buffer guidelines.

This impact was also identified and discussed as Impact Ag-4 in Chapter 5 of this document. To summarize, the proposed Specific Plan would expand the City into areas that are still agricultural and agricultural lands located west and south of the Plan area are anticipated to continue to be active. It can be presumed that residents of the Plan area would continue to be in proximity to active agricultural operations, even after full development of the Plan area.

As the Plan area develops, temporary adjacencies between developed areas and those continuing agricultural uses will be created. These temporary adjacencies would be corrected through build-out of the Plan area. Following build-out of the Plan area, residences would be separated from adjacent agricultural uses by roadways.

Plan area residents could be subject to noise, odors and other aspects of farming that they may find annoying or disruptive as the Plan develops and following build-out. Conversely, complaints and other actions from residents who do not accept the conditions that result from living in proximity to agricultural operations can impede agricultural activity. Although roadways would provide buffers between residences and agricultural activities following build-out, this would not be expected to fully avoid these impacts. Potential conflicts between Plan area residents and nearby agricultural activities on both a temporary and permanent basis are considered potentially significant.

Mitigation Measure Ag-4 in addition to buffering elements of the Plan would reduce impact Plan-1. The landscaped setback and walls along Ustick Road and Service Road described in the Plan would lessen potential impacts by providing a buffer between the new residential development and anticipated continued agricultural uses. Additionally, Mitigation Measure Ag-4 would ensure that residents who choose to live in the Plan area are aware of potential annoyances and find them acceptable.

With the buffering elements included in the Plan and implementation of Mitigation Measure Ag-4, the impact related to land use incompatibilities would be reduced to a *less than significant* level.

CONFLICT WITH CONSERVATION PLANS

There are no habitat conservation plans or natural community conservation plans currently in force within the City of Ceres or Stanislaus County. The proposed Plan would have *no impact* related to possible conflicts with conservation plans adopted by either jurisdiction.

CUMULATIVE LAND USE AND PLANNING IMPACTS

Under cumulative conditions, planned, pending, approved, and reasonably foreseeable projects in the region have the potential to create land use conflicts with existing uses. As discussed above, development of the Plan could result in conflicts between urban development and existing agricultural uses, as could other area development on the boundary of agricultural areas. However, these impacts are generally site-specific and are mitigated through buffering included in the Plan and implementation of right-to-farm clauses through mitigation measure Ag-4. Therefore, the project would have a *less than cumulatively considerable* contribution to land use impacts.

This page has been intentionally left blank.