
PUBLIC SERVICES AND RECREATION

INTRODUCTION

This section evaluates the increased demand for public services, including fire protection, law enforcement, schools and parks under development of the proposed Plan.

FIRE PROTECTION

ENVIRONMENTAL SETTING

Currently, fire protection and emergency medical services for the majority of the unincorporated West Landing Specific Plan area and the surrounding areas are provided by the Westport Fire Protection District. As part of the annexation process, it is anticipated that Fire District boundaries will be reorganized so that the West Landing Specific Plan area will fall within the fire protection and emergency medical service area of the City of Ceres Emergency Services Division (ESD), within the Department of Public Safety. The Public Safety Department is comprised of two divisions: the Police Division and the ESD.

Per the 1994 agreement between the City of Ceres and the County, the Ceres ESD would continue to provide fire and life protection (emergency medical) services to the County facility in the Specific Plan area.

The ESD serves approximately 55,000 people within a 15-square mile service area and responded to almost 5,000 calls in 2007, with nearly 71% of those calls being medical in nature. The ESD operates four stations with 27 uniformed personnel and one administrative staff person, with a duty strength of eight people. Apparatus include seven engines, one truck, one rescue vehicle, three command vehicles, one utility vehicle and one boat.¹

The closest station is the satellite station at Boyle Drive and E. Service Road, just across the street from the southeastern corner of the Plan area. This station is backed-up by the main station at 2755 Third Street in downtown Ceres, approximately 3 to 4 miles from the West Landing Specific Plan area. Ceres fire stations respond to not only structure fires, but also a number of medical aid, rescue, public assistance and mutual aid calls as well. All firefighters are trained as Emergency Medical Technicians (EMTs) and are State Certified Firefighters.

¹ City of Ceres, Public Safety, Emergency Services/Fire Division, <http://www.ci.ceres.ca.us/3092.html>, accessed May 14, 2009.

REGULATORY SETTING

Federal and State

There are no federal or State standards affecting the provision of fire services to the Plan area.

Local

General Plan

The City of Ceres General Plan contains the following goals and policies regarding fire protection.

General Public Facilities and Services

- 4.A.1 Where new development requires the construction of new facilities, the new development shall fund its fair share of the construction of those facilities. The City shall require dedication of land within newly developing areas for required public facilities, as allowed by law.

Fire Protection/Emergency Services

- 4.H.1 The City shall attempt to maintain an ISO (Insurance Service Organization) rating of 3 or better.
- 4.H.2 The City shall, through adequate staffing and facilities, endeavor to maintain the minimum feasible response time for fire calls. To this end, the City shall attempt to maintain a response time of two minutes or less for emergency medical response and six or less for fire suppression calls.
- 4.H.3. The City shall require new development to develop or fund fire protection facilities, personnel, and operations and maintenance that, at a minimum, maintains the above service level standards.
- 4.H.4 The City shall identify key fire loss problems and design appropriate fire safety education programs to reduce fire incidents and loss.
- 4.H.5 The City shall implement ordinances through project review to control fire losses and fire protection costs through continued use of automatic fire detection, control, and suppression systems.

General Public Facilities and Services

- 4.A.1 Where new development requires the construction of new facilities, the new development shall fund its fair share of the construction of those facilities. The City shall require dedication of land within newly developing areas for required public facilities, as allowed by law.

Fire Hazards

- 7.C.1. The City shall require that new development meets state, county, and local fire district standards for fire protection.

7.C.2. The Emergency Services Division of the City Public Safety Department shall review development proposals for compliance with fire safety standards.

FIRE PROTECTION IMPACTS AND MITIGATION MEASURES

Standards of Significance

The project description used for this analysis includes annexation of the Plan area to the City of Ceres for public safety services including fire protection, detachment from the Westport Fire District, and construction of an approximately 7,000 square foot new Ceres public safety station on 1 acre of land within the Plan area that would be staffed by at least an engine company of two fire fighters at all times (see **Figure 3.6**). For purposes of this EIR, the proposed Specific Plan would have a significant effect on fire protection services if:

- Construction and provision of the proposed new facility would result in substantial adverse physical impacts; or
- The Plan as proposed would result in inadequate service ratios, response times or other performance objectives which could require new or physically altered facilities, the construction of which could cause significant environmental impacts.

Project-Specific Fire Protection Impacts

The Plan area will become part of Ceres and will increase demand for fire protection services. The existing land uses, primarily agriculture, do not generate a large number of emergency calls. The proposed Specific Plan would increase the amount of development in the Plan area, which would increase demand for Emergency Services, and would result in a change in service to the Plan area from the Westport Fire District to the City of Ceres. Through consultation with the Ceres Public Safety Department, a new 1-acre public safety (fire and police) station site is proposed within the Specific Plan area to serve proposed development while maintaining adequate response times. Potential locations for this facility have been coordinated with the Department as shown on **Figure 3.6**. Upon filing for a Tentative Subdivision Map in that area, the Ceres public safety station location will be identified on the map in coordination with the City of Ceres Public Safety Department.

The Department also noted that a new truck (with a ladder) would be required to provide adequate service to the non-residential portion of the project area in the event of a multi-story structure fire, as their existing truck is dedicated to a commercial area in a different portion of their service area.

The Plan includes a new public safety station in the Plan area as part of the project description analyzed in this EIR. Payment of the Public Facility Fee (PFF) would provide some of the funding for public safety facilities, such as the new station, and equipment as needed, and ensure that fire protection services can be provided to the Plan area without degrading existing service levels. The impact is *less than significant*

Westport Fire District

The majority of the Plan area is currently served by the Westport Fire District, a district with a small operating budget. Reorganization would result in a loss of tax revenue for this district, which is already operating with a minimal budget and could affect the District's continuing financial feasibility and ability to provide service to their remaining service area.

However, as part of the review of the annexation application, the Stanislaus Local Agency Formation Committee (LAFCO) is obligated to evaluate the effects of any such reorganization on the affected agencies and make specific findings regarding any existing district's continuing feasibility and ability to provide services.

It is anticipated that, should it be required, a tax-sharing agreement and/or transition period in which the Westport Fire District retains coverage of all or a portion of the Specific Plan area prior to development under the Specific Plan would address potential financial concerns. LAFCO will require the loss of tax revenue and the continued feasibility of the Westport Fire District to be addressed before annexation will be approved, thus this impact would be considered *less than significant*.

Cumulative Fire Protection Impacts

The Ceres ESD currently has sufficient fire protection rating for providing coverage for most of its service area, with an ISO Class rating of 3. However, the division is not meeting staffing standards of the National Fire Protection Association and relies on outside fire agencies for support under automatic aid agreements.²

Increased development in the City of Ceres would increase demand for fire protection services. Additional staff and resources will need to be added to provide adequate fire protection and emergency medical services. Funding of these increased services is anticipated to come from Public Facility Fees paid by new development, and Measure H funds. Measure H was approved by City voters in 2007 to impose a 0.5 cent local sales tax for the purpose of improving emergency services.

While development of the Plan area would contribute incrementally to the need for new stations, personnel and equipment, a new station is proposed in the Plan area. This new station would serve the Plan area and contribute to maintaining adequate service levels throughout the city and reducing the reliance on outside agencies. The impact would be considered *less than significant*.

² City of Ceres, Municipal Services Review / Sphere of Influence Plan, prepared by PMC, LAFCo Review Draft March 2009, pp.4.0-26 to 4.0-29.

LAW ENFORCEMENT

ENVIRONMENTAL SETTING

At present, law enforcement to the unincorporated Plan area is provided by the Stanislaus County Sheriff's Office. Once annexed, the Plan area will fall within the service area of the City of Ceres Police Department. The Ceres Police Department operates out of the 2727 Third Street Station, about 3 to 4 miles from the Plan area.

The Ceres Police Department serves a population of over 40,000 with a current staffing ratio of 0.9-1.1 police officers per 1,000 residents. They received an estimated 48,738 calls for service in 2006-2007. In addition to basic Patrol units, the Police Division includes the following units: Traffic Patrol, Canine Unit, Mounted Unit, SWAT Negotiations Team, Abandoned Vehicle Abatement, Community Service Officers, and Volunteers in Public Safety.³

The Department's adopted service standard is 1 to 1.5 patrol officers per 1,000 residents, and an average response time of 5 minutes.⁴ The Police Division is able to provide adequate law enforcement services to the City but is aware of a need to increase staffing levels to improve services and reduce crime.⁵

The California Highway Patrol has primary responsibility for State highways that traverse the city.

REGULATORY SETTING

Federal and State

There are no federal or State standards affecting the provision of law enforcement services to the Plan area.

Local

General Plan

The City of Ceres General Plan contains the following goals and policies regarding law enforcement.

General Public Facilities and Services

- 4.A.1 Where new development requires the construction of new facilities, the new development shall fund its fair share of the construction of those facilities. The City shall require dedication of land within newly developing areas for required public facilities, as allowed by law.

GOAL 4.G

To provide adequate police services to deter crime and to meet the growing demand for services associated with increasing population and commercial/industrial development in the city.

³ City of Ceres, Municipal Services Review / Sphere of Influence Plan, prepared by PMC, LAFCo Review Draft March 2009, pp.4.0-22 to 4.0-23.

⁴ City of Ceres, West Landing Specific Plan, prepared by Wood Rodgers, August 2010.

⁵ City of Ceres, Municipal Services Review / Sphere of Influence Plan, prepared by PMC, LAFCo Review Draft March 2009, pp.4.0-22 to 4.0-23.

POLICIES

- 4.G.1. The City shall, through adequate staffing and patrol arrangements, endeavor to maintain the minimum feasible response times for police calls. The City shall strive to achieve a maximum four minute response time for life-threatening events.
- 4.G.2. The City shall strive to maintain conditions so that officers have a minimum 40 percent patrol time to ensure that law enforcement can play a proactive, rather than reactive, role.
- 4.G.3. Within the City's overall budgetary constraints, the City shall provide police facilities (including patrol and other vehicles, necessary equipment, and support personnel) sufficient to maintain its service standards.
- 4.G.4. The City shall require new development to develop or fund police facilities, personnel, and operations and maintenance that, at a minimum, maintain the above standards.
- 4.G.5. The City shall pursue the development of an 800 megahertz radio system to ensure efficient dispatch and response time. New development shall be required to contribute its fair share in paying the costs of this system.
- 4.G.6. The City shall promote public safety programs, including neighborhood watch, child identification and fingerprinting, and other public education efforts.
- 4.G.7. The City shall consider public safety issues in all aspects of public facility, commercial, and residential project design, including crime prevention through environmental design.

Public Facilities

GOAL 7.D

To reduce the risk and fear of crime through physical planning strategies that maximize surveillance opportunities and minimize opportunities for crime and by promoting community awareness and crime prevention.

POLICIES

- 7.D.1. The City shall require review of proposed development projects by the Public Safety Department to promote public safety features in physical design.
- 7.D.3. The City shall promote the establishment of neighborhood watch programs to encourage community participation in the patrol of neighborhood areas, and increased awareness of any suspicious activity.
- 7.D.4. Street lighting shall be required in urban residential and in all commercial and industrial areas to discourage crime.
- 7.D.5. Lighting shall be designed for the security and safety of onsite areas such as parking lots, loading, shipping and receiving, pathways and working areas. The height and design of light fixtures should be compatible with surrounding buildings.
- 7.D.6. The City shall discourage crime through the incorporation of “defensible space” concepts into the design of dwellings and structures as follows:

a. Residential

- i. Well-lighted and visible streets and street names, entrances, and house numbers.
- ii. Well-lighted and windowed apartment stairwells, where possible.
- iii. Fewer and more visible access points.
- iv. A visually well-defined separation between public and private areas.
- v. Placement of windows to allow easy resident surveillance of yards, corridors, entrances, parking areas, streets, and other public and semi-public places.
- vi. Location of kitchen and living areas to facilitate surveillance.
- vii. Elimination of undefined hallways, particularly doubleloaded corridors shared by large numbers of families. Entries and circulation corridors should be designed so that as few families as possible share a common lobby, facilitating the recognition of strangers.

b. Industrial and Commercial

- i. Landscaping and the location of buildings and walls should facilitate surveillance from the street and from neighboring structures, and should not provide places for concealment near entryways.
- ii. The street system should allow emergency vehicle access around buildings to the full extent possible.
- iii. Parking and walkways should be located where surveillance from streets or an attendant is possible to reduce worker or customer isolation when walking to and from cars.
- iv. Access to buildings or building groups and access between buildings should be limited
- v. Access to roofs by pallets and flag poles should be eliminated or avoided.

LAW ENFORCEMENT IMPACTS AND MITIGATION MEASURES

Standards of Significance

The project description used for this analysis includes annexation of the Plan area to the Ceres Police Department, detachment from the Stanislaus County Sheriff's Office, and construction of an approximately 800 square foot police substation within the proposed new Ceres public safety station in the Plan area (see **Figure 3.6**). For purposes of this EIR, the proposed Specific Plan would have a significant effect on law enforcement services if:

- Construction and provision of the proposed new facility would result in substantial adverse physical impacts; or
- The Plan as proposed would result in inadequate service ratios, response times or other performance objectives which could require new or physically altered facilities, the construction of which could cause significant environmental impacts.

Project-Specific Law Enforcement Impacts

The Plan area will become the jurisdiction of the Ceres Police Department and will increase demand for law enforcement services from that agency. The existing land uses, primarily agriculture, do not generate a large number of emergency calls. The proposed Specific Plan would increase the amount of development in the Plan area, which would increase demand for Emergency Services, including law enforcement. Through consultation with Ceres Public Works Department, potential locations for

a new 1-acre ESD (fire and police) station site is proposed within the Specific Plan area to serve proposed development while maintaining adequate response times (**Figure 3.6**). Additionally, the Plan encourages neighborhood watch programs and “Crime Prevention Through Environmental Design”.

The Plan includes a new police substation in the Plan area as part of the project description analyzed in this EIR. Payment of the Public Facility Fee would provide additional funding for ESD facilities, such as the new station, and equipment as needed, and ensure that law enforcement services can be provided to the Plan area without degrading existing service levels. The project-specific impact in relation to law enforcement is *less than significant*.

Cumulative Law Enforcement Impacts and Mitigation Measures

Increased development in the City of Ceres would increase demand for law enforcement services. Additional staff and resources will need to be added to provide adequate law enforcement services. Funding of these increased services is anticipated to come from Public Facility Fees paid by new development and Measure H funds. Measure H was approved by City voters in 2007 to impose a 0.5 cent local sales tax for the purpose of improving emergency services.

While development of the Plan area would contribute incrementally to the need for new stations, personnel and equipment, a new station is proposed in the Plan area. The impact would be considered *less than significant*.

EDUCATION

ENVIRONMENTAL SETTING

The eastern portion of the West Landing Specific Plan area, between the Union Pacific rail line and Crows Landing Road, is within the Ceres Unified School District (CUSD). However, no students would be expected to be generated in this area as it includes only the County complex and the G3 Enterprises industrial facility.

The western portion of the West Landing Specific Plan area, from Crows Landing Road to Ustick Road, is currently located within the Modesto City School District (MCSD). The Plan proposes a territory transfer along with annexation so that the entire Plan area would fall within CUSD. However, approval of a school district reorganization is separate and independent of approval of annexation and the Specific Plan and not under the control of the City of Ceres. It is possible that the Plan area will undergo annexation and development while existing school district boundaries remain unchanged.

Ceres Unified School District (CUSD)

If the proposed territory transfer is approved, CUSD would be responsible for education of Plan area students from kindergarten through high school. Within this District, the schools are designed to serve kindergarten through 6th grade in elementary schools, 7th and 8th grades in junior high schools, and 9th to 12th grades in high schools.

CUSD operates a total of 19 schools, including: 11 elementary (K through 6th grade) schools, 2 junior high schools (7th through 8th grade), 3 high schools (9th through 12th grades), 1 comprehensive school (K through 12th grades), 1 independent alternative center, and 1 evening adult school (continuation). There are additionally 4 approved charter schools in the District. The District supported a total of 12,476 students in the 2007-2008 school year with an average class size of 26.9 district-wide.⁶

Additionally, construction projects are planned or underway in the District. A third junior high school, Chavez, is currently being constructed, with an anticipated opening in Fall 2011. Three new elementary schools, Hanline, Lucas and Elementary 15 (not yet named), are planned, to be constructed with state “hardship” funding. And the Central Valley High School has planned classroom additions that will significantly increase capacity.

The closest junior high school is Blaker-Kinser Junior High at 1601 Kinser Rd., approximately 1 mile east of the Plan area. Central Valley High School at 4033 S. Central Ave. Ceres, CA, and Ceres High School at 2320 Central Avenue, Ceres, CA are both approximately 1.5 miles east of the Plan area.

New elementary schools are proposed as part of the Plan (see Figure 3.4) to serve elementary students generated in the Plan area.

Modesto City School District (MCSD)

If the proposed territory transfer is not approved, MCSD would continue to be responsible for education of Plan area students from kindergarten through high school. Within this District, the

⁶ California Department of Education, Ed-Data website, http://www.ed-data.k12.ca.us/Navigation/fsTwoPanel.asp?_bottom=/profile.asp?level=06&reportNumber=16, accessed June 2009.

schools are designed to serve kindergarten through 6th grade in elementary schools, 7th and 8th grades in middle schools, and 9th to 12th grades in high schools.

The current MCSD enrollment is approximately 32,000 students. Students are served at 23 elementary schools (K-6), four middle schools (7-8), and six comprehensive high schools (9-12), with a seventh comprehensive high school opening in Fall 2010.⁷

The Plan area is located within the attendance boundaries for Fairview Elementary (K-6) approximately 0.5 miles from the Plan area, Hanshaw Middle School (7-8) approximately 0.5 miles from the Plan area, and Downey High (9-12) approximately 4.5 miles from the Plan area. New elementary schools proposed as part of the Plan (see Figure 3.4) would serve elementary students generated in the Plan area.

REGULATORY SETTING

Federal

There are no federal standards affecting schools that would serve the Plan area.

State

Senate Bill 50

Senate Bill (SB) 50 (Chapter 407, Statutes of 1998) is a school construction measure that was approved by the voters on the November 3, 1998 ballot. It authorized the expenditure of State general obligation bonds, primarily for the modernization and rehabilitation of older school facilities and the construction of new school facilities related to new growth.

SB 50 also implemented significant fee reform by amending the laws governing developer fees and school mitigation in a number of ways:

It establishes the base (statutory) amount (indexed for inflation) of allowable developer fees at \$1.93 per square foot for residential construction and \$0.31 per square foot for commercial construction.

It prohibits school districts, cities, and counties from imposing school impact mitigation fees or other requirements in excess of or in addition to those provided in the statute.

It also suspends for a period of at least eight years, a series of court decisions allowing cities and counties to deny or condition development approvals on grounds of inadequate school facilities when acting on certain types of entitlements.

SB 50 prohibits local agencies from imposing school impact fees in excess of those provided by the statute in connection with approval of a proposed project. Additionally, a local agency cannot require participation in a Mello-Roos for school facilities; however, the statutory fee is reduced by the amount of any voluntary participation in a Mello-Roos. SB 50 has resulted in full State preemption of school mitigation. Satisfaction of the statutory requirements by a developer is deemed to be “full and complete mitigation.” The new law does identify certain circumstances under which the statutory fee can be exceeded. These include preparation and adoption of a “needs analysis,” eligibility for State funding, and satisfaction of two of four requirements identified in the law including year-round

⁷ MCSD website, <http://mcs.monet.k12.ca.us/schools/default.aspx> , accessed December 4, 2009.

enrollment, general obligation bond measure on the ballot over the last four years that received 50 percent plus one of the votes cast, 20 percent of the classes in portable classrooms, or specified outstanding debt.

Assuming a district can meet the test for exceeding the statutory fee, the law establishes ultimate fee caps of 50 percent of costs where the State makes a 50 percent match, or 100 percent of costs where the State match is unavailable. All fees are levied at the time the building permit is issued. District certification of payment of the applicable fee is required before the City or County can issue the building permit.

Local

General Plan

The City of Ceres General Plan contains the following goals and policies regarding schools

GOAL 4.I

To provide for educational needs for all Ceres residents.

POLICIES

- 4.I.1. The City should continue to assist the school districts in providing quality education facilities that will accommodate projected student growth.
- 4.I.2. The City and the school districts should work together in using existing school facilities for non-school-related and child care activities.
- 4.I.3. The City shall support the development of appropriately-located private school facilities to provide additional educational facilities in Ceres.

GOAL 4.J

To ensure that adequate school facilities are available and appropriately located to meet the needs of Ceres residents.

POLICIES

- 4.J.1. The City shall work cooperatively with the school districts in monitoring housing, population, and school enrollment trends and in planning for future school facility needs, and shall assist the districts in locating appropriate sites for new schools in the Planning Area.
- 4.J.2. The City's land use planning should be coordinated with the planning of school facilities. The City and the school districts should work together in the early stages of the areawide planning and school site selection processes. As needed, the City should reserve school sites in areawide plans to accommodate school district needs.
- 4.J.3. The City should plan and approve residential uses in those areas that are most accessible to school sites in order to enhance neighborhoods, minimize transportation requirements and costs, and minimize safety problems.
- 4.J.4. The City shall encourage siting school facilities so they serve as focal points within the neighborhoods and the community.

- 4.J.5. The City shall encourage siting schools in areas with safe and convenient pedestrian and bicycle access.
- 4.J.6. The City shall encourage the design and improvement of school facilities to provide adequate off-street parking and areas for student pick-up and drop-off to minimize safety problems.
- 4.J.7. The City will work closely with the school districts to secure adequate funding for new school facilities. To this end, the City will continue its agreement (City Resolution 94-111) with the Ceres Unified School District for collecting development fees for all projects in the CUSD portion of the Urban Growth Area except where specifically addressed otherwise through an existing development agreement. The City shall negotiate with Modesto City Schools to provide for appropriate mitigation for development within the Modesto City Schools' portion of the Urban Growth Area.
- 4.J.8. The City shall support enactment of state legislation to finance the construction of new schools and shall support the modification of state laws and regulations.

EDUCATION IMPACTS AND MITIGATION MEASURES

Standards of Significance

The proposed Specific Plan would have a significant effect on schools if:

- Construction of the proposed new schools would result in substantial adverse physical impacts; or
- The Plan as proposed would require additional new or physically altered facilities, the construction of which could cause significant environmental impacts.

The Plan proposes a territory transfer along with annexation so that the entire Plan area would fall within CUSD. However, approval of a school district reorganization is separate and independent of approval of annexation and the Specific Plan and not under the control of the City of Ceres. It is possible that the Plan area will undergo annexation and development while remaining in MCSD. Therefore, this section analyzes potential impacts under both the scenario in which a territory transfer occurs and CUSD serves the Plan area, and a scenario in which no territory occurs and the Plan area develops within MCSD.

Assuming Territory Transfer to CUSD

Project-Specific Education Impacts to CUSD (assuming Plan area is CUSD)

The CUSD student generation rates shown in **Table 17.1** were multiplied with the number of residential units that could be constructed within the Plan area. Note that student generation rates scheduled to go into effect in May 2010 were used for this analysis.⁸

⁸ Telephone conversation with Walt Hanline, Superintendent, CUSD, March 31, 2010.

TABLE 17.1: CUSD PLAN AREA STUDENT GENERATION

	Single Family		Multi-Family		Total Projected Enrollment
	Units	Student Rate	Units	Student Rate	
Elementary	2325	0.548	1310	0.41	1696
Middle	2325	0.157	1310	0.051	433
High	2325	0.259	1310	0.077	750
Total					2879

CUSD is running near capacity in many of its schools, but has current and planned construction projects to add capacity, as shown in **Table 17.2**.

TABLE 17.2: CUSD SCHOOL CAPACITY AND ENROLLMENT

School	Capacity ¹	2009/2010 Enrollment ²	Remaining Capacity ³
Elementary			
Westport	600	411	189
Caswell	600	518	82
Adkison	600	528	72
Virginia Parks	600	627	-27
Vaughn	600	627	-27
La Rosa	600	498	102
Fowler	600	591	9
Sinclear	600	633	-33
Hidahl	600	471	129
Don Pedro	600	458	142
White	600	641	-41
Hanline ⁴	600		600
Lucas ⁴	600		600
Elementary 15 ⁴	600		600
Total Elementary			2397
Junior High			
Mae Hensley	800	938	-138
Blaker Kinser	800	773	27
Cesar Chavez ⁵	800		800
Total Junior High			689
High			
Central Valley High ⁶	2100	1550	550
Ceres High	1400	1228	172
Argus High	400	370	30
Total High			752

1 Capacity Information provided via telephone correspondence (4/6/10) from Fred Van Vleck, Assistant Superintendent of Business Services, CUSD. According to Mr. Van Vleck, elementary school capacity ranges from 600 to 625, so 600 was conservatively used.

2 Enrollment information provided via email correspondence (3/31/10) by John Christiansen, Coordinator, Child Welfare and Attendance, CUSD. Per Mr. Christiansen, projected enrollment for the next school year is similar to these enrollment numbers.

3 Remaining capacity includes current and proposed construction projects.

4 These Elementary Schools are proposed, with state "hardship" funding identified.

5 Cesar Chavez Junior High is currently under construction and is anticipated to open in Fall 2011.

6 Central Valley High School has a current capacity of 1550. Planned classrooms additions will increase capacity to that shown.

The eastern portion of the Specific Plan area, between the Union Pacific rail line and Crows Landing Road, is within the Ceres Unified School District. The western portion of the Specific Plan area, from Crows Landing Road to Ustick Road, is located within the Modesto City School District. As part of the annexation process, it is anticipated that school district boundaries will be reorganized so that the entire Specific Plan area will fall within the Ceres Unified School District. Based on coordination with the Ceres Unified School District, middle school and high school students can be accommodated in existing facilities. Two elementary schools are proposed in the Plan area to support the up to 1811 elementary students that could be generated by Plan area development, as shown on the Land Use Plan (**Figure 3.4**).

If built according to CUSD standards, the two proposed elementary schools in the Plan area (**Figure 3.4**) would accommodate up to 625 students each, or a total of 1250 students, 446 less than the potential student generation in the area. A comparison of this number and the Middle and High School projected Plan area enrollment numbers in **Table 17.1** to the remaining capacity shown in **Table 17.2**, shows that there should be capacity for the students generated in the Plan area in the existing CUSD system. However, it is important to note that the capacity of the system was planned for existing and projected enrollment in other areas of Ceres and is not intended to accommodate the growth and student generation in the Plan area. This impact is discussed under Cumulative Education Impacts at the end of this subsection.

Funds would be needed for constructing and staffing new schools. School funding typically has a number of sources, such as property tax, State General Funds, special taxes and developer fees. As discussed above, the assessment of developer fees is regulated through the State Government Code. Because the proposed Specific Plan would pay school mitigation fees, consistent with State law, potential impacts due to increased school enrollment would be *less than significant*.

Project-Specific Education Impacts to MCSD (assuming Plan area is CUSD)

Students currently enrolled from the Plan area include 13 elementary students, 1 middle school student, and 5 high school students.⁹ This is less than 0.1% of the total enrollment in MCDS of over 31,000 students and between 0.1% and 1.6% the enrollment at the schools in which the Plan area is currently in the attendance boundaries (compare to enrollment figures in **Table 17.4**).

For the 2009/2010 school year, MCSD received a total of 188 CUSD students (1.5% of CUSD enrollment) via interdistrict transfer.¹⁰ Based on this transfer rate and CUSD student generation rates, MCSD could anticipate 44 interdistrict transfer students from the Plan area if a territory transfer was completed, which equates to 0.14% of current enrollment.

Due to the low numbers and relative percentage of students the Plan area currently contributes to the MCDS system, removal of these students from the District through reorganization would not destabilize the District or result in significant environmental impacts. Again, due to the low number and relative percentage of students that could be anticipated to attend MCSD schools through

⁹ Email correspondence with Dana McGarry, Director of Planning and Research, MCSD, December 1, 2009.

¹⁰ Ibid.

interdistrict transfer, this would not result in a significant environmental impacts. The impact of a district reorganization on MCSD would be *less than significant*.

Assuming NO Territory Transfer, Plan Area Remains in MCSD

Project-Specific Education Impacts to CUSD (assuming Plan area is MCSD)

The portion of the Plan area anticipated to generate students is not currently within the CUSD so there would be no impact related to loss of current or projected students.

For the 2009/2010 school year, CUSD received 124 MCSD students (0.04% of MCSD enrollment) via interdistrict transfer.¹¹ Based on this transfer rate and MCSD student generation rates, CUSD could anticipate 7 interdistrict transfer students from the Plan area, an increase of 0.06% over current enrollment.

Due to the low number and relative percentage of students that could be anticipated to attend CUSD through interdistrict transfer, this would not result in a significant environmental impacts. The impact of no district reorganization on CUSD is *less than significant*.

Project-Specific Education Impacts to MCSD (assuming Plan area is MCSD)

The student generation rates shown in **Table 17.3** were multiplied with the number of residential units that could be constructed within the Plan area.

	Single Family		Multi-Family		Total Projected Enrollment
	Units	Student Rate	Units	Student Rate	
Elementary	2325	0.271	1310	0.199	891
Middle	2325	0.083	1310	0.021	220
High	2325	0.176	1310	0.096	535
Total					1646

The Plan area is located within the attendance boundaries for Fairview Elementary (K-6), Hanshaw Middle School (7-8), and Downey High (9-12), the current enrollment and capacity for which are shown in **Table 17.4**.

Gregori High School will be opening for the 2010/2011 school year and while the Plan area will not be located within the new school's attendance boundaries, the attendance boundaries will be redrawn to balance attendance at what will be the seven high schools in the district, with attendance for the new school drawn mostly from Davis and Modesto High Schools. Per discussion with the school district, this would open up capacity in Modesto High to allow redrawing of the attendance boundaries such that students in the Plan area could attend the closer Modesto High (approximately 2.5 miles from the Plan area) rather than the more distant Downey High (approximately 4.5 miles from the Plan area). Rough estimates of potential enrollment at Gregori and Modesto High Schools

¹¹ Ibid.

with changed attendance boundaries are included in **Table 17.4**. Actual projections for the 2010/2011 school year are not yet available from the district.¹²

TABLE 17.4: MCSD SCHOOL CAPACITY AND ENROLLMENT

	Standard Capacity	2009/2010 Enrollment	Remaining Capacity	Projected Plan Area Enrollment
Fairview Elementary	1029	832	197	
Proposed Plan Area Elementary(s)	1000			891
Hanshaw Junior High	984	808	176	220
Downey High	2016	1876	140	535
Modesto High	2448	2766	-318	
Gregori High Projected	2200	1600	600	
Modesto High Projected	2448	1966	482	535

Funds would be needed for constructing and staffing new schools. School funding typically has a number of sources, such as property tax, State General Funds, special taxes and developer fees. As discussed above, the assessment of developer fees is regulated through the State Government Code. Because the proposed Specific Plan would pay school mitigation fees, consistent with State law, potential impacts due to increased school enrollment would be *less than significant*.

Other Environmental Impacts Related to District Boundary Change

The transfer of property adjusts the boundary between two school districts, and would result in students in the Plan area attending CUSD schools instead of MCSD schools, which has the potential to result in environmental impacts.

In either district, implementation of the Plan would result in construction of elementary schools in the Plan area to serve Plan area students, the construction of which have already been taken into account in the environmental analysis throughout this EIR. The environmental impacts would be effectively no difference in the level of environmental impacts at the elementary level with or without a district boundary change.

Middle schools, whether in the MCSD or the CUSD, are currently about the same distance from the project site – within a mile at the closest point. Assuming redrawing of attendance boundaries in MCSD, the high schools in either district would be about the same distance, about 2 to 3 miles. Taking this into consideration, a territory transfer would have approximately the same or lessened impacts than the Plan moving forward with no territory transfer.

Cumulative Education Impacts

Increased development in the City of Ceres would increase cumulative demand for education services. As growth occurs throughout the CUSD (or MCSD), the District will construct new schools as necessary. According to Assistant Superintendent of Business Services at CUSD, Fred Van Vleck, it can be anticipated that elementary students could be accommodated in the proposed Plan area and nearby CUSD elementary schools but that additional middle and high schools will likely need to be

¹² Correspondence with Dana McGarry, Director, Planning and Research, Modesto City Schools, telephone discussion and email on 11/16/09 and 12/1/09 respectively.

built to accommodate this and other new development in Ceres.¹³ If the Plan area remains in MCSD, it can be assumed from current and projected enrollment that on a cumulative level, new middle and high schools would ultimately need to be constructed to support cumulative increases in school enrollment. The construction of new schools will have environmental impacts. Actual impacts cannot be determined until a school location and design is proposed, but are anticipated to include the loss of agricultural land, air pollutant emissions associated with traffic, erosion and noise. Construction of the two new elementary schools in the Plan area are included in this analysis of the Specific Plan. Any additional new schools proposed in the future would subject to the CEQA process, so potential impacts and appropriate mitigation would be identified at that time. Plan area development would pay school mitigation fees, which, according to California Government Code Section 65996, SB 50, represents mitigation for the impacts on schools. Therefore, the proposed Specific Plan area's contribution to the cumulative demand for school services would be *less than significant*.

PARKS AND RECREATION

ENVIRONMENTAL SETTING

The City of Ceres Recreation Department is responsible for operation and maintenance of the 76-acre River Bluff Regional Park, the 28-acre Smyrna Community Park, and 11 smaller neighborhood parks, as well as over 14,000 city trees, landscaped medians, a skate park, and landscaping around city-owned buildings. The City currently has a total of 195.6 acres of developed and undeveloped parkland with the inclusion of school sites, a sufficient amount of dedicated parkland to meet the City's own park acreage standards (4 acres per 1,000 people).¹⁴

The Recreation Department has several active programs to serve youth, adults and seniors, including aquatics, basketball, tennis, sports camps, pre-school, dance, Tai Chi, dog obedience, and many others. The Recreation Department coordinates Ceres Youth Commission, Ceres Community Foundation, and all youth sports organizations and is active in organizing citywide special events.¹⁵

REGULATORY SETTING

Federal

There are no federal standards affecting the provision of parks.

State

Quimby Act

California Government Code Section 66477, Subdivision Map Act, referred to as the Quimby Act, permits local jurisdictions to require the dedication of land and/or the payment of in-lieu fees solely for park and recreation purposes. The required dedication and/or fee are based upon the residential density, parkland cost, and other factors. Land dedicated and fees collected pursuant to the Quimby Act may only be used for developing new, or rehabilitating existing, park or recreational facilities. The maximum dedication and/or fee allowed under current State law is equivalent to providing three acres of park land per 1,000 persons, unless the park acreage of a municipality exceeds that standard, in which case the maximum dedication is five acres per 1,000 residents.

Local

General Plan

The City of Ceres General Plan contains the following goals and policies regarding parks.

GOAL 5.A

To establish and maintain a public park system and recreational facilities suited to the needs of Ceres residents, employees, and visitors.

¹⁴ City of Ceres, Municipal Services Review / Sphere of Influence Plan, prepared by PMC, LAFCo Review Draft March 2009, p.4.0-33.

¹⁵ City of Ceres, Municipal Services Review / Sphere of Influence Plan, prepared by PMC, LAFCo Review Draft March 2009, p.4.0-33.

POLICIES

- 5.A.1. The City shall continue to develop and expand its park system, to include a balance of passive and active recreational opportunities.
- 5.A.2. The City shall strive to achieve the following standards for the development of park facilities:

Facility Type	Size	Standard
Neighborhood Park	5 to 10 acres	1.4 acres/1,000 population
Community Park	40 to 60 acres	2.6 acres/1,000 population

Joint use of City parks as drainage detention basins will be permitted, with the park as the primary use. Joint use of parks with and adjacent to schools will also be encouraged.

- 5.A.3. Neighborhood parks should serve as the recreational and social focus of the neighborhood, and should include facilities for both active and passive recreation activities. Neighborhood parks should be easily accessible to the neighborhood via trails, bikeways, sidewalks, or low-volume residential streets. A prototype neighborhood park is illustrated below [see General Plan].
- 5.A.4. Community parks should focus on meeting the recreational needs of large sections of the community and allow for group activities and other recreational opportunities not feasible at the neighborhood level. Community parks should be developed with a balance of active and passive recreation activities. A prototype community park is illustrated below [see General Plan].
- 5.A.5. The City shall pursue the development of community parks to serve citywide needs. The first priority for development of a new community park will be in the eastern part of the Planning Area; other locations will also be identified.
- 5.A.6. The City shall investigate the potential public use of canal rights-of-way and the reservation of selected adjacent sites for use as greenbelts or recreation corridors.
- 5.A.7. The City shall continue to cooperate with Stanislaus County and the City of Modesto in the development of the Tuolumne River Regional Park.
- 5.A.8. The City shall consider the following factors in the design of new parks:
 - a. Safety
 - b. Security
 - c. Maintenance
 - d. Accessibility by various means of transportation
 - e. Landscaping complimentary to the surrounding environment
 - f. Travel distance of users
 - g. Passive vs. active use areas
 - h. Restroom facilities
 - i. Citizen input

5.A.9. The City shall continue to cooperate with the public and quasi-public agencies in the joint development, maintenance, and use of facilities. The City shall explore additional partnerships for development of regional youth and adult sports facilities and recreation programs. To this end, the City shall continue the joint use agreements with the school district for the utilization of parks and school facilities.

5.A.10. The City shall encourage the establishment or joint development of commercial or private recreation facilities within the Ceres area.

Municipal Code

The City's Municipal Code governs park dedication and payment of in lieu fees through the following sections:

17.34.020 DEDICATION/IN LIEU FEE REQUIRED.

As a condition of approval of a tentative subdivision map or parcel map, including vesting map, the subdivider shall be required to dedicate land, pay a fee in lieu thereof, or both, at the option of the City, and pay a fee for improving the land for parks or recreational purposes according to the standards and formula contained in this Chapter and the City of Ceres Public Facility Fees Program as set forth in the Ceres Public Facility Plan. The provisions of this Chapter do not apply to commercial or industrial subdivisions; nor do they apply to condominium projects or stock cooperatives which consist of the subdivision of air space in an existing apartment building which is more than five (5) years old when no new dwelling units are added. (Ord. 97-870, 1997)

17.34.030 GENERAL STANDARD.

It is found and determined that the public interest, convenience, health, welfare and safety require that the general standard of four (4) acres of land for each one thousand (1,000) persons residing within the City as set forth in the Ceres General Plan shall be devoted to local park and recreation purposes. (Ord. 97-870, 1997)

17.34.040 STANDARDS AND FORMULA FOR DEDICATION OF LAND.

Where it has been determined, pursuant to Section 17.34.080 of this Chapter, that a park or recreational facility is necessary within the subdivision to serve the immediate and future needs of the residents of the subdivision, the subdivider of a subdivision containing more than fifty (50) dwelling units shall dedicate land for local parks sufficient in size, location and topography to serve the residents of the subdivision. The amount of land to be dedicated shall be determined pursuant to the following standards and formula:

$$LD = AN / 1,000 \times 4.0 \text{ Acres}$$

Note:

LD: Land Dedication Per Dwelling Unit

AN: Average Number Of Persons Per Dwelling Unit

The following table, based on the above standard and as it may be updated from time to time by resolution of the City Council to reflect census data issued by the State or Federal government, shall

determine the land dedication requirement for each subdivision based on the type of dwelling unit that will be accommodated by the subdivision and the average occupancy of such units:

Type of Dwelling	Acreage Dedication/Dwelling	Average Number Persons/Dwelling
Single-family	0.0128	3.2
Multi-family	0.0107	2.67
Mobile home	0.0078	1.94

(Ord. 97-870, 1997)

17.34.050 FEES IN LIEU OF LAND DEDICATION.

Where it has been determined, pursuant to Section 17.43.080 of this Chapter, that a park or recreational facility is not necessary in the subdivision to serve the immediate and future needs of the residents of the subdivision, and/or the subdivision contains less than fifty (50) dwelling units, the subdivider shall pay the park fee in lieu of dedication in an amount determined in accordance with the Ceres Public Facility Fees Program for park purposes. The money collected according to the provisions of this Chapter shall be used only for the purpose of providing neighborhood or community parks or recreational facilities reasonably related to serving the subdivision by way of the purchase of necessary land and/or improvements to the new or existing land. (Ord. 97-870, 1997)

17.34.060 CRITERIA FOR REQUIRING BOTH DEDICATION AND FEE.

In a subdivision of more than fifty (50) lots, where it has been determined pursuant to Section 17.34.080 of this Chapter that park land dedication is required in the subdivision, the subdivider shall both dedicate land and pay a fee per lot in the amount calculated as follows:

Fee = Total park fee payable for the subdivision minus the value of the actual dedication divided by the number of lots.

The fee and total park fee payable are defined as:

FEE: The fee due from the subdivider.

TOTAL PARK FEE PAYABLE: The total park fees required to be paid in accordance with Section 17.34.050 of this Chapter, if no dedication was required. The amount of land required to be dedicated shall not exceed the amount calculated in accordance with Section 17.34.040 of this Chapter.

Provisions for reimbursement given in the Public Facility Fee Administrative Procedures are applicable to this Chapter. (Ord. 97-870, 1997)

Ceres Recreation Department Policy

In order to allow for dual use of retention basins as park areas, the Ceres Recreation Department allows credit for these areas based on how often they are expected to hold water, as follows:

Designed for floods every:	Park Credit for Acreage
10 years	50%
10-25 years	80%
25-100 years	90%
Above 100 years	100%

PARKS AND RECREATION IMPACTS AND MITIGATION MEASURES

Standards of Significance

The proposed Specific Plan would have a significant effect on parks if it would:

- increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Project-Specific Parks and Recreation Impacts and Mitigation Measures

The proposed Specific Plan would increase demand for parks. The Quimby Act standards and park standards identified in the General Plan and the formula for dedication of land presented in section 17.34.040 of the Municipal Code were used to determine how much parkland would be required to serve the proposed Specific Plan population. This demand was compared to the parkland that is provided within the proposed Specific Plan to determine if proposed parks are adequate.

The amount of parkland required within the Plan area is determined by applying the 4.0 acres per 1,000-population requirement from the General Plan to the anticipated population within the Plan area. As excerpted above, section 17.34.040 of the City of Ceres' Municipal Code identifies a factor of 3.2 persons per single-family household and 2.67 persons per multi-family household to be used for calculation of land dedication requirement. Per City of Ceres staff, these numbers came from the City of Ceres' General Plan, which further specifies a factor of 3.2 persons per Low Density Residential household, 2.75 persons per Medium Density Residential household, and 2.5 persons per High Density Residential household and should be used in the calculation of parkland requirements in lieu of California Department of Finance factors which would otherwise be used for population projections. **Table 17.5** provides a calculation of required parkland within the Plan area.

TABLE 17.5: PARKLAND REQUIREMENTS

Unit Type	Units	Population Multiplier ¹	Population Assumed	Parkland Requirement at 4/1000 ²
Low-Density	1,309	3.20	4,189	16.76
Medium Density	659	2.75	1,812	7.25
High Density	1,667	2.5	4,168	16.67
TOTAL	3,635		10,169	40.68

(1) The persons per dwelling unit factor is based on the City of Ceres General Plan.

(2) Calculated at 4.00 acres per 1,000 people, per the City of Ceres General Plan

The Specific Plan provides a total of about 47 acres of area designated for combination parks, which include stormwater retention basins, as shown on Figure 3.4. The proposed park/basin acreage includes one 30-acre Community Park and two approximately 8.5-acre Neighborhood Parks adjacent to the proposed school sites.

Portions of these parks will be dual-use and also serve as retention basins for area stormwater, as shown on the Stormwater System Plan, Figure 3.9. While the final design of these parks has not yet

been decided, preliminary hydrology calculations have led to the following estimates, based upon required basin capacities, good park design practices, and Ceres park credit policies. (For additional retention basin discussion, see Chapter 12: Hydrology.) According to the Specific Plan, the City of Ceres will allow credit for 7.5 acres of each of the two Neighborhood Parks. These parks will include 3.5-acre tiered dual use retention basins. The Community Park will include a net 27.4 acres of parkland credit, and will include a tiered 8-acre dual-use basin. This brings the assumed park credit to 42.4 acres, as shown in **Table 17.6**. Therefore, the City of Ceres park requirement of 4 acres per person (which amounts to 40.68 acres) will be satisfied for the Plan area.

TABLE 17.6: PARKLAND ACREAGE AND CREDITS

	Total Acres	Non-Basin Acres	Retention Basin Acres				Total Parkland Credit
			Above 100 Year Flood Levels	25-100 Year Flood Levels	10-25 Year Flood Levels	10 Year Flood Levels	
Parkland Credit Percentage		100%	100%	90%	80%	50%	
Community Park	30	22	1.35	1.35	0.5	4.8	27.4
Neighborhood Park (north)	8.5	5.5	0.5	0.5	0.2	1.8	7.5
Neighborhood Park (south)	8.5	5.5	0.5	0.5	0.2	1.8	7.5
TOTAL	47	33	2.35	2.35	0.9	8.4	42.4

Source: West Landing Specific Plan, July 2010

Parks will be improved through the collection of in-lieu fees and/or land dedication when building permits are obtained. With approval from the City, developers or builders may elect to dedicate and/or improve park sites in exchange for fee credits, or can utilize fees collected from other projects within the Plan area to purchase and improve park sites.

The proposed Specific Plan provides on-site parkland with an assumed park credit of approximately 42.4 acres. Development will dedicate this parkland and/or pay in lieu fees to meet requirements of City ordinance. Therefore, the impact on parks would be *less than significant*.

Cumulative Parks and Recreation Impacts and Mitigation Measures

When the General Plan was prepared in 1996, the City had a deficit of parkland, and anticipated development would increase the demand.¹⁶ However, the City is currently meeting its parkland acreage standards, which are greater than the minimum required by the State.¹⁷

Development of the proposed Plan would provide a combination of land and fees sufficient to provide for acquisition and development of parkland consistent with City ordinance. Therefore, the proposed Specific Plan would not contribute to cumulative deficiencies in the park system and this would be a *less than significant* cumulative impact.

¹⁶ City of Ceres, *City of Ceres General Plan, Final Environmental Impact Report*, November 12, 1996, page 6-2.

¹⁷ City of Ceres, *Municipal Services Review / Sphere of Influence Plan*, prepared by PMC, LAFCo Review Draft March 2009, pp.4.0-22 to 4.0-33.