

## INFORMATION FOR FILING A COMPLETE APPLICATION FOR ANNEXATION TO THE CITY OF CERES

Each application must contain the following information, unless specifically waived by the Planning/Building Manager. Incomplete applications will not be processed or considered by the Planning Commission or City Council. The information described below is generic to all Annexation applications. Some specialized applications or projects may require additional information. Please consult with the Ceres Planning & Building Division before submitting an application.

Annexations involve a three-step review process:

- the first is by the City of Ceres
- the second is by LAFCO
- the third is the final action by the City to either declare the property annexed, set the annexation for election, or abandon the process.

*FIRST STEP:* The City must complete its hearings on the annexation, rezoning, and any development proposal prior to sending the annexation to LAFCO for action.

*SECOND STEP:* Once the City's process is complete, the City of Ceres actually acts as the applicant before LAFCO and prepares the LAFCO application in cooperation with the applicant. The Stanislaus LAFCO will conduct a hearing(s) and may either disapprove the application, conditionally approve the application, or approve the application on its own merit.

*THIRD STEP:* Upon approval of the application, LAFCO will advise the City of their action. The City may be required by LAFCO to conduct a protest hearing. Upon the conclusion of the protest hearing, the City may have three options:

1. Order the property annexed, if it is uninhabited (less than 12 registered voters) or all property owners are in support;
2. Order an election to decide annexation issue, if 25% of the property owners have voiced a protest;
3. Abandon the process, if over 50% of the property owners have filed a protest.

To minimize delay and duplication, the Planning & Building Division encourages applicants to **apply for all the discretionary permits and approvals** needed for the review of their projects **at the same time**. The concurrent review of these applications will also facilitate the environmental review process. Where the same information is required for more than one permit or approval, **it is not necessary to duplicate the information submitted**. For example, only one legal description needs to be submitted even though the requirement for a legal description appears on the list of information required for each permit or approval. If you have any questions about the information required for an application or the number of copies that must be submitted with the application, please call the Ceres Planning & Building Division at (209) 538-5774 for assistance.

### The following must be included with all annexation applications:

- Completed Application Form, including the signature of all property owners.
- Payment of all application fees. Applicants are responsible for all fees and costs (other agency fees, consultants, etc.) of processing an application with the City of Ceres. Where a deposit is required, an applicant is responsible for maintaining a positive balance with the City. A negative balance will cause an application to become incomplete, and work on the application may be halted until sufficient funds are deposited with the City of Ceres.

- A map which shows specifically the boundaries of the proposal, all bearings and distances, and the relationship of the boundaries to those of the existing district.
- A generalized map showing the boundaries and relative size of the proposal with respect to the surrounding area.
- A legal description of the boundaries of the proposal. (The legal description may change if additional property is added or deleted from the proposed annexation by either the City Council or LAFCO. If this occurs, a new legal description shall be provided by the applicant prior to the City's or LAFCO's final action on the annexation.)
- A list including the name and mailing address of each person who owns land within the area. (This information may be obtained from the Stanislaus County Assessor's Office.) **PLEASE USE THE ATTACHED FORM.** Supporters of the annexation shall have an **(S)** by their name; those opposed shall have an **(O)** by their name; and those who are undecided or are not contacted shall have a **(U)** by their name.
- Identification of and/or submittal of development applications and rezoning request, if any.
- Completed "Initial Study" questionnaire.
- Mailing labels (two sets) containing the names and mailing addresses of all of the owners of property within 300 feet of the perimeter of the project site property. **The mailing labels, used to mail notices of the public hearing to adjacent property owners, shall be prepared and certified by a title company that the list of property owners and mailing addresses was prepared from the most current information available from the Stanislaus County Assessor.**
- Completed Indemnification Form.
- Names and addresses of providers of the following services (**BEFORE and AFTER** the annexation):
 

Police protection	Soil conservation	Fire protection
Sewerage	Mosquito abatement	Street construction/maintenance
Street lighting	Schools	Garbage collection
Domestic water		
- Assessed value and use code for each parcel.
- Existing land use on each parcel.
- Completed Hazardous Waste and Substances Statement.





APPLICATION No. 21 - \_\_\_\_\_

Planning and Building Division  
2220 Magnolia Street  
Ceres, CA 95307  
(209) 538-5774  
FAX (209) 538-5675

LAND USE - DEVELOPMENT  
APPLICATION

Type of application(s) submitted [please check appropriate box(es) of all that are required for your project]:

- |   |                          |                              |                          |
|---|--------------------------|------------------------------|--------------------------|
| Annexation                              | <input type="checkbox"/> | Prezoning                    | <input type="checkbox"/> |
| Architectural and Site Approval         | <input type="checkbox"/> | Rezoning                     | <input type="checkbox"/> |
| Conditional Use Permit                  | <input type="checkbox"/> | Specific Plan Site Plan      | <input type="checkbox"/> |
| General Plan Amendment                  | <input type="checkbox"/> | Vesting Tentative Parcel Map | <input type="checkbox"/> |
| Planned Community Development Plan      | <input type="checkbox"/> | Vesting Tentative Subdiv Map | <input type="checkbox"/> |
| Planned Community Master Plan           | <input type="checkbox"/> | Variance                     | <input type="checkbox"/> |
| Time Extension — Permit                 | <input type="checkbox"/> | Time Extension — Map         | <input type="checkbox"/> |
| LAFCO Out of Boundary Service Agreement | <input type="checkbox"/> |                              |                          |

Please include all of the information required for each permit for which you have applied. Please review the appropriate list for required information.

**APPLICANT/PROPERTY OWNER INFORMATION:**

Applicant: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: ( ) \_\_\_\_\_  
E-mail: \_\_\_\_\_

Property Owner (if not the applicant): \_\_\_\_\_  
(If more than one property owner, attach separate sheet with names, addresses and phone numbers)

Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: ( ) \_\_\_\_\_

Applicant's Representative: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: ( ) \_\_\_\_\_  
E-mail: \_\_\_\_\_

**\* IMPORTANT ("Applicant") – Please select one of the following options and initial:**

I am the current property owner associated with the property listed on this application entitlement request and I approve this application submittal to the City. \_\_\_\_\_  
Initials

I am **NOT** the current property owner and I hereby acknowledge that I have been advised by City staff to consider postponing the closing of escrow for the purchase of the property listed on this application entitlement request as the City Planning Commission and/or City Council has not considered and officially approved said entitlement request for this project. \_\_\_\_\_  
Initials



**PLANNING DIVISION APPLICATION, ENVIRONMENTAL REVIEW  
AND MAINTENANCE FEES**

**APPLICATION FEES**

<input type="checkbox"/>	SITE PLAN APPROVAL	0625 100-6-712-70		
	__ Site Plan Approval (Custom Residential)		100.00	_____
	__ Site Plan Approval – Commercial/Industrial (Hearing)		1,230.00	_____
	__ Site Plan Approval Amendment – Commercial/Industrial (Hearing)		1,060.00	_____
	__ Site Plan Approval Amendment – Commercial/Industrial Staff Level		670.00	_____
	__ Site Plan Approval – Residential (Hearing)		920.00	_____
	__ Site Plan Approval Amendment – Residential (Hearing)		920.00	_____
	__ Site Plan Approval Amendment – Residential (Staff Level)		650.00	_____
<input type="checkbox"/>	VARIANCE	0625 100-6-712-70	1,170.00	_____
<input type="checkbox"/>	CONDITIONAL USE PERMIT	0625 100-6-712-70		
	__ Hearing, Major		1,400.00	_____
	__ Hearing, Minor		1,220.00	_____
	__ Staff Level-Request for Minor Amendment		920.00	_____
<input type="checkbox"/>	PLANNED COMMUNITY DEVELOPMENT PLAN	0625 100-6-712-70		
	__ Planned Community Development Plan		1,500.00	_____
	__ Planned Community Development Plan Amendment		1,250.00	_____
<input type="checkbox"/>	REZONE/PREZONE/PLANNED COMMUNITY MASTER PLAN	0625 100-6-712-70	1,440.00	_____
<input type="checkbox"/>	TENTATIVE PARCEL/TRACT MAPS	0627 100-6-714-70		
	__ Tentative Parcel Map 4 or less		1,940.00	_____
	__ Tentative Tract Map 5 or More		2,040.00	_____
	__ Tentative Tract/Parcel Map Amendment		1,250.00	_____
	__ Tentative Tract/Parcel Map Time Extension		390.00	_____
	__ Lot Line Adjustments	0630 100-6-716-70	910.00	_____
<input type="checkbox"/>	TIME EXTENSION	0625 100-6-712-70	650.00	_____
<input type="checkbox"/>	SIGN PERMIT	0625 100-6-712-70	140.00	_____
<input type="checkbox"/>	DEVELOPMENT AGREEMENTS/PLANS			
	__ Development Agreement <sup>(a)</sup>	9200 787-XXX	2,000.00 DEPOSIT/HOURLY RATES	_____
	__ Development Agreement Amendment <sup>(a)</sup>	9200 787-XXX	2,000.00 DEPOSIT/HOURLY RATES	_____
	__ Development Plan – Specific/Master Plan <sup>(c) (d)</sup>	9200 787-XXX	2,500.00 DEPOSIT/HOURLY RATES	_____
	__ Development Plan – Specific/Master Plan Amendment <sup>(a)</sup>	9200 787-XXX	1,000.00 DEPOSIT/HOURLY RATES	_____
<input type="checkbox"/>	GENERAL PLAN AMENDMENT <sup>(a)</sup>	9200 787-XXX	2,000.00 DEPOSIT/HOURLY RATES	_____
<input type="checkbox"/>	ANNEXATION <sup>(a) (b)</sup>	9200 787-XXX	2,000.00 DEPOSIT/HOURLY RATES	_____
<input type="checkbox"/>	ZONING ORDINANCE TEXT AMENDMENT	9200 787-XXX	1,000.00 DEPOSIT/HOURLY RATES	_____
<input type="checkbox"/>	OUT OF BOUNDARY SERVICE AGREEMENT	0630 100-6-716-70	1,000.00 (LAFCO Hearing)/\$500 (Staff level)	_____
<input type="checkbox"/>	APPEAL			
	__ Appeal of Planning Commission Decision	0625 100-6-712-70	630.00	_____
	__ Appeal of Planning Manager Determination	0625 100-6-712-70	315.00	_____
<input type="checkbox"/>	PLANNING COMMISSION INTERPRETATION	0625 100-6-712-70	500.00	_____

**ENVIRONMENTAL REVIEW FEES**

<input type="checkbox"/>	INITIAL STUDY/MITIGATED NEGATIVE DECLARATION <sup>(f)</sup>	0630 100-6-716-70	880.00	_____
<input type="checkbox"/>	ENVIRONMENTAL IMPACT REPORT <sup>(c) (d)</sup>	9200 787-XXX	2,500.00 DEPOSIT/HOURLY RATES	_____

**DEPT. OF FISH AND WILDLIFE FEES**

<input type="checkbox"/>	REVIEW OF NEGATIVE DECLARATION/MITIGATED NEG. DEC. <sup>(e)</sup>	0451 787-201	2,480.25	_____
<input type="checkbox"/>	REVIEW OF EIR <sup>(e)</sup>	0451 787-201	3,445.25	_____
<input type="checkbox"/>	NOTICE OF EXEMPTION. <sup>(e)</sup>	0630 100-6-716-70	57.00	_____
<input type="checkbox"/>	NOTICE OF DETERMINATION. <sup>(e)</sup>	0630 100-6-716-70	57.00	_____

# MAINTENANCE FEES

<input type="checkbox"/>	COPIES OF MAPS (Black & White)	0645 100-6-728-73	10.00	_____
<input type="checkbox"/>	CD COPIES OF DOCUMENTS/MINUTES/PLANS	0645 100-6-728-73	10.00	_____
<input type="checkbox"/>	FILE ARCHIVE-MICROFILMING	0320 100-6-708-73	97.00	_____

Received by \_\_\_\_\_

**TOTAL DUE** \$ \_\_\_\_\_

- (a) Deposit required-Burdened hourly rate charged against deposit.
- (b) Deposit required-Burdened hour rate plus full cost of map service charged against deposit.
- (c) Deposit required-Burdened hourly rate plus consultant and/or attorney costs charged against deposit.
- (d) Requires submission of Processing Agreement Form.
- (e) Fee set by State of California/Stanislaus County and may be adjusted each year.
- (f) May require special studies (noise, traffic, air, etc...) - full cost of studies is responsibility of applicant. \$10,000 deposit is required so that staff may begin RFP process towards selection of a consultant to complete necessary study. If study is less than deposit, unused balance will be returned. If amount is more than deposit, the applicant will be required to submit the difference prior to commencement of contract.

FINANCE DEPT. USE ONLY



AGREEMENT TO DEFEND AND INDEMNIFY  
The City of Ceres

I (We), \_\_\_\_\_, the applicant(s), do hereby agree that should the City of Ceres take any administrative or legislative action approving the application or any related administrative or legislative action necessary to allow the project to proceed, the applicant(s) will defend, indemnify, and hold the City, its agents, officers, and employees harmless from any claim, action, or proceeding so long as the City promptly notifies the applicant(s) of any such claim, action, or proceeding, and the City cooperates fully in the defense.

**Furthermore, the applicant understands that upon submitting this application, the applicant is not permitted to make any changes to the project site during the course of this application process, including, but not limited to: grading, tree removal, demolition of buildings or structures, and occupying the site to conduct a business operation that first requires City approval. These activities may be permitted only if the applicant first receives written authorization from the City of Ceres Planning & Building Division.**

Dated: \_\_\_\_\_ Signed: \_\_\_\_\_  
Applicant(s)

City of Ceres  
Environmental Information Form

**Hazardous Waste Site Certification:**

**INSTRUCTIONS:**

1. This certificate must be completed with an application for a development project or tentative map application.
2. The applicant shall consult the most current list of hazardous waste sites list as found at [www.geotracker.swrcb.ca.gov](http://www.geotracker.swrcb.ca.gov) (once at the site, click on the Site/Facility Finder link) and shall specify whether or not the development project is located on a site included on the list. **Attach complete hazardous waste list to this Environmental Information form.**

Some of the acronyms you may find at this site are:

SLIC = Spills, Leaks & Investigation Clean Up Sites      LUFT= Leaking Underground Fuel Tank  
UST= Underground Storage Tank      AST= Aboveground Storage Tank  
LDS= Land Disposal Site

**FORM:**

The undersigned owner(s), applicant(s) or their legal representative(s) of the lands for which this development project application is made, hereby certify under penalty of perjury under the laws of the State of California that:

In accordance with Section 65962.5(e) of the Government Code of the State of California:

He/She has consulted the most current and appropriate list of “Identified Hazardous Waste Sites—County of Stanislaus” and further certifies that the site of the proposed development project (check applicable box and fill in date of list):

- a. **IS NOT LOCATED** on a site included on the list entitled “Identified Hazardous Waste Sites—County of Stanislaus”, dated \_\_\_\_\_.
- b. **IS LOCATED** on a site included on the list entitled “Identified Hazardous Waste Sites—County of Stanislaus”, dated \_\_\_\_\_.

List Assessor’s Parcel Numbers of the project property: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signatures of Applicants/Owners of Record  
*Attach additional sheets if necessary*

\_\_\_\_\_  
Date

## INSTRUCTIONS FOR MAILING ADDRESS LABELS TWO SETS REQUIRED

### To Applicant:

The City of Ceres requires that all applications submitted for public hearing by the Planning Commission and/or City Council shall include a list of the current owners of property within 300 feet from the perimeter of the project site. If any part of a surrounding parcel falls within the 300 foot radius, the corresponding property owner(s) must be included in the list. However, if the number of parcels in fewer than 300 the radius for notice shall be increased until a minimum of 30 parcels or a **MAXIMUM** of 1,000 feet is attained. The list shall include the property owners' names, their mailing addresses, and their Assessor's Parcel Numbers.

Preparation, verification, and submission of this list of property owners shall be the responsibility of the applicant. This list must be certified by a title insurance company as being from the most recent County tax roll.

### To Title Companies:

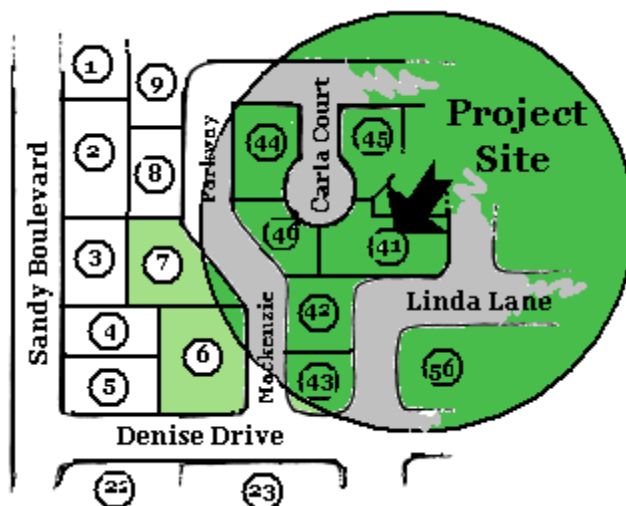
Please prepare the property owners' list as follows:

- Type the assessor's property number, property owners' names, and mailing addresses on self-adhesive address label sheets. Continuous tractor-fed labels will NOT be accepted. The mailing labels will be used to mail the public hearing notices to the property owners. **Please include the name(s) and mailing address(es) of the applicant(s) and the owner(s) of the parcel(s)**. Two separate, complete list of mailing labels are required.
- Submit base maps with 300' radius clearly delineated. Also, please include the assessment roll that lists all the properties within the radius (which should be all those that you have typed mailing labels for).
- Failure to meet these standards for mailing labels may result in delay in your public hearing date.

If you have any questions, please contact the Planning & Building Division at 209-538-5774.

Here is an example of what your mailing label should look like. Generally there are 33 labels to a sheet.

123-045-067 John Smith and Jane Doe 890 Some Street Anyplace, CA 93246
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**Environmental Information Form**  
(To be Completed by Applicant per  
City of Ceres Environmental Guidelines §16)

Date Filed: \_\_\_\_\_

**General Information**

1. Name and address of developer or project sponsor: \_\_\_\_\_  
\_\_\_\_\_
2. Address of project: \_\_\_\_\_  
Assessor's Block and lot Number: \_\_\_\_\_
3. Name, address, and telephone number of person to be contacted concerning this project:  
\_\_\_\_\_  
\_\_\_\_\_
4. Indicate any other State or Local permits needed to complete the project:  
\_\_\_\_\_
5. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies:  
\_\_\_\_\_
6. Existing zoning district: \_\_\_\_\_
7. Proposed use of site (Project for which this form is filed):  
\_\_\_\_\_
8. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.? \_\_\_\_\_  
\_\_\_\_\_

**Project Description — Environmental Setting: A detailed description of your project should include (as applicable) the following information on your plans and on the “narrative” (as referenced on Page 2 of this application):**

9. Site size.
10. Square footage of buildings.
11. Number of floors of construction.
12. Number of off-street parking spaces provided.
13. Attach plans.
14. Proposed scheduling.
15. Associated projects.
16. Anticipated phasing of development.
17. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected.

- 18. If commercial, indicate the type, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities.
- 19. If industrial, indicate type, estimated employment per shift, and loading facilities.
- 20. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.
- 21. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required.

*Will your project create any of the following effects? Discuss all items checked yes (attach additional sheets as necessary).*

	Yes	No
22. Change existing features of any riverfronts, beaches, hills, bluffs or create a substantial alteration of ground contours.	<input type="checkbox"/>	<input type="checkbox"/>
23. Change scenic views or vistas from existing residential areas or public lands or roads.	<input type="checkbox"/>	<input type="checkbox"/>
24. Change or affect any sensitive, special status or protected biological species, resource (wildlife, water) or habitat?	<input type="checkbox"/>	<input type="checkbox"/>
25. Change pattern, scale or character of general area of project.	<input type="checkbox"/>	<input type="checkbox"/>
26. Create significant amounts of solid waste or litter.	<input type="checkbox"/>	<input type="checkbox"/>
27. Increase dust, ash, smoke, fumes or odors in vicinity.	<input type="checkbox"/>	<input type="checkbox"/>
28. Change river, stream or ground water quality or quantity, or alter existing drainage patterns.	<input type="checkbox"/>	<input type="checkbox"/>
29. Create a substantial change in existing noise or vibration levels in the vicinity.	<input type="checkbox"/>	<input type="checkbox"/>
30. Create or involve disposal of potentially hazardous materials, such as toxic substances, flammables or explosives.	<input type="checkbox"/>	<input type="checkbox"/>
31. Create a substantial change in demand for municipal services (police, fire, water, sewage, etc.).	<input type="checkbox"/>	<input type="checkbox"/>
32. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.).	<input type="checkbox"/>	<input type="checkbox"/>
33. Is the site on filled land or a slope of 10 percent or more?	<input type="checkbox"/>	<input type="checkbox"/>
34. Is your project related to a larger project or series of projects?	<input type="checkbox"/>	<input type="checkbox"/>
35. Describe the project site as it exists <b>before</b> the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or polaroid photos will be accepted.		
36. Describe the surrounding properties, including information on plant and animals and any cultural, historical or scenic aspects. Indicate the type of surrounding land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.		

**Certification**

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date \_\_\_\_\_ Signature \_\_\_\_\_  
 For \_\_\_\_\_

**CITY OF CERES  
ANNEXATION POLICY**

Adopted by City Council Resolution 95-112 (August 28, 1995)

## **City of Ceres Annexation Policy**

### **1. Area-wide Planning Required for Annexation to the City of Ceres**

All applications for annexation to the City of Ceres, except for those listed in number six below, shall be accompanied by, and based on, an appropriate area-wide plan (e.g. master plan, specific plan, etc.) that addresses land use, circulation, housing, infrastructure, public facilities and public services. The geographic scope of the area-wide plan shall reflect a reasonable and logical unit taking into consideration such factors as existing and proposed land uses and natural and man-made features (e.g. rivers, major streets and roads, railroads, canals, power lines, etc.).

In the case of area-wide plans prepared for areas that are planned for predominantly residential development, the area-wide plan shall emphasize the creation of residential neighborhoods, including when appropriate, schools, parks and conveniently located neighborhood-serving commercial, and shall incorporate opportunities for a range of housing types and densities consistent with the latest Housing Element of the City's General Plan.

### **2. Infrastructure Study - Public Facilities Fees and Additional Mitigation Where Necessary**

All area-wide plans shall provide an analysis of the public facilities and infrastructure (streets, traffic signals, water supply system, waste water treatment system, parks, public safety facilities, etc.) needed to accommodate the proposed development described in the area-wide plan. This analysis shall also identify the funding source of any needed public facilities, including any proposals for the creation of districts to fund any such facilities. The infrastructure or public facilities planned in conjunction with an area-wide plan shall be consistent with the city's Public Facilities Plan and/or other functional plans for infrastructure or public facilities.

It shall be the responsibility of project sponsors to insure that adequate infrastructure and public facilities are available to serve the development described in the area-wide plan. The city may require project sponsors and/or future developers to fund or install public facilities, for which it collects Public Facilities Fees, if necessary to have the public facilities available to serve the development anticipated in the area-wide plan at the time it becomes needed. The city may also require the oversizing of infrastructure or public facilities where such facilities will be needed to serve future development consistent with the city's General Plan. Where oversized, or out-of-sequence public facilities are required, reimbursement from either the city or future developers, depending on the circumstances, may be arranged by agreement with the city.

Pursuant to the City Council's policy regarding school mitigation (described in more detail in Resolution 94-111) the payment of School Mitigation Fees for residential development approved in conjunction with area-wide plans shall be required as set forth in City Council Resolution 94-111. All other proposed land uses shall mitigate school impacts in accordance with state law and Resolution 94-111.

### **3. Fiscal Impact Study and Mitigation of Public Services Costs - Growth Pays its Own Way**

All area-wide plans shall be subject to fiscal impact study that compares the on going, operating costs (maintenance and operations) to the city for the delivery of public services with the revenues generated by the projects that will be developed under the area-wide plan. In order to insure that the study is objective and consistent over time, the city will make arrangements for the completion of the fiscal impact study. However, project sponsors and/or future developers will be responsible for paying for this study either up front or in conjunction with the approval of individual projects.

Where the fiscal impact study shows that the development enabled by an area-wide plan will generate a surplus of revenue (more revenue than cost), no fiscal mitigation shall be required. Where the fiscal impact study shows that the development enabled by an area-wide plan will create an operating deficit (greater cost than revenue), project sponsors, future developers, and future property owners shall be required to mitigate 100% of any operating deficits.

That operating deficits not associated with the maintenance of parks and landscaped areas shall be addressed by the payment of a one-time Services Mitigation Fee. The fee shall be determined by capitalizing the projected annual deficit for a period of 15 years adjusted to reflect an annual inflation rate of 6% for this period. This fee may be collected in conjunction with either the subdivision phase or the building permit phase of a project. Like the School Mitigation Fees, discussed above, the

payment of this fee may be deferred to the final building inspection when appropriately secured as a lien against the property.

While the specific means of mitigation will vary on a case by case basis, the city's policy is to address all of those operating costs associated with the maintenance of landscaping by providing funds for these services through the city's Landscape and Lighting District. Operating costs associated with park maintenance shall be addressed through a Mello-Roos district, or the inclusion of such costs in the one-time Services Mitigation Fee.<sup>1</sup>

#### **4. Cost Sharing Preferred - "First-in" Pays If Necessary**

It is the preference of the Ceres City Council that all of the property owners, namely those whose property is included within the proposed master plan area and/or who will at some point in time benefit from the preparation of a master plan and subsequent annexation, ultimately and equitably share the costs associated with the preparation and processing of the various applications and studies associated with the area-wide planning of a particular area. The City Council encourages the affected parties to voluntarily arrive at cost-sharing arrangements prior to or during the processing of area-wide plan and application for annexation. However, where prior agreement to share the costs associated with the master planning process cannot be reached among the various property owners involved, it shall be the responsibility of the initiating party or parties who seek the approvals and entitlements to pay for all of the costs associated with the preparation of the area-wide plan and application for annexation.

Where no prior voluntary agreement to share the costs associated with the area-wide plan and application for annexation has been reached with the other benefiting property owners, reimbursement for a pro-rata share of these costs from future developers of these properties may be arranged by agreement with the city.

#### **5. City Responsible for Application to Annex**

The City Council of the City of Ceres shall have the sole discretion to determine whether an application to annex property to the City of Ceres shall be made to the Stanislaus County Local Agency Formation Commission (LAFCO). No application to annex property to the City of Ceres shall be made without the Planning Commission holding a public hearing to make a recommendation to the City Council on the area and extent of the annexation, and the City Council holding a public hearing to approve the annexation and to submit an application for annexation to LAFCO. An area-wide plan shall be the basis for evaluating a proposed annexation. It shall be the responsibility of the project sponsor to pay all costs associated with the annexation application including LAFCO annexation fees, State Board of Equalization fees, and any special election costs if necessary. The City Council may waive, defer or pay for the costs associated with an annexation application where it determines that it is in the public interest to do so.

#### **6. Exceptions**

The requirements for area-wide planning, analysis of the impact on public facilities and public services described above may be waived by the City Council, individually or as a whole, for certain types of annexation applications where these types of studies are unnecessary or impractical due to the size, scale, location or other special circumstances associated with the application to annex to the City of Ceres. In general these types of annexation applications include:

- existing developed areas;
- existing or proposed public facilities;
- small scale (generally less than 10 acres) infill or island areas;
- small scale (generally less than 10 acres) areas located north of Hatch Road;
- unique economic development opportunities that offer significant community benefits (e.g. 100 permanent/part time jobs, substantial sales tax revenues, etc.);
- housing projects for very-low and low-income households.

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<sup>1</sup> Policy modified to reflect changes in the law brought about by the passage of Proposition 218 in November of 1996.