

## 2.0 Context and Setting

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### 2.1 OVERVIEW

This chapter provides a history of the process to prepare this document, describes the regulatory authority for specific plans, provides an analysis of consistency with the General Plan and relationship with other documents, discusses existing conditions that served as a basis for the formulation of the land use diagram and the policies and standards contained within this document.

This Specific Plan is a policy and regulatory document. As a policy document, this Plan exemplifies the broader goals and policies contained in the General Plan through the establishment of policies for the Plan Area. As a regulatory document, the Specific Plan identifies the land use designations or zoning for all land in the Plan Area and lists development standards applicable solely to the Plan Area, while incorporating certain existing zoning standards of the Zoning Code by reference.

### 2.2 PROJECT HISTORY

The City of Ceres has experienced significant growth over the past two decades, and has seen its residential, commercial, and industrial land base build at a steady pace. To accommodate new growth, the City focused on areas south and southwest of the current City boundaries. The factors that make the south and southwest areas more suitable for new growth than areas to the north and east of the current City boundaries include:

- Infrastructure availability,
- Larger vacant parcels that are easier to aggregate and accommodate diverse development programs, and
- Opportunity to improve jobs/housing balance.

It is for these reasons that in 2007, the application was made and the City of Ceres initiated the Specific Plan process for the WLSP area.

Public participation is an important element in the Specific Plan process. Accordingly, the City implemented a community outreach program to facilitate stakeholder and community involvement in the formulation of the land use plan. Initial outreach efforts were focused on meeting in small groups with Plan stakeholders consisting of property owners, residents of the Plan area, County representatives, and service providers. These targeted stakeholder meetings were held throughout February and March 2008 and included meetings with:

- Carol Lane neighbors (an existing neighborhood in the Plan Area)
- Non-sponsoring property owners (mostly large agricultural parcels)
- Sponsoring property owners
- Stanislaus County (representing their facilities in the Plan Area)
- Ceres Police and Fire Departments
- Ceres Unified School District
- Modesto City School District

The purpose of these meetings was to discuss opportunities and constraints inherent to the planning area, identify issues, and guide the development of the Plan's primary elements. Another objective was to work with City of Ceres Planning staff and property owners to formulate the guiding principles of the Specific Plan.

In addition to stakeholder meetings, the community outreach program included three community meetings. The first community meeting, held April 23, 2008, introduced the specific plan process and discussed opportunities and constraints. The second community meeting, held May 29, 2008, included focus groups to collect input on alternative land use concepts. Following the second community meeting, two City Council/Planning Commission study sessions were held on August 21, 2008 and December 8, 2008. The purpose of the study sessions was to give Council members and Commissioners a progress report of the community outreach program, a summary of opportunities and constraints, and

to present the project vision and draft preferred land use plan. Input from Council members and Commissioners was instrumental in developing the preferred land use plan.

From meetings with the community, stakeholders, Council members and Commissioners, the following goals for the Preferred Land Use Plan were derived:

- Proposed land uses shall enhance or complement existing and surrounding uses.
- Proposed land uses shall be programmed in response to current and future market conditions in and around the City of Ceres.
- Fully develop the commercial and employment potential of the plan area, with the opportunity for a mix of uses.
- Create compact and walkable neighborhoods with a diversity of housing types and land uses, consistent with the small-town character of the City of Ceres.
- Provide a diversity of passive and active parks and open spaces.
- Develop non-motorized transportation networks, and arrange land uses to support alternative modes of transportation.
- Implement LEED principles and low impact development (L.I.D.) practices where appropriate and practical.

The third community meeting was held January 13, 2009, was focused on presenting the preferred land use plan and EIR scoping. At this meeting, the preferred land use plan was presented, discussed, and accepted, and direction was given to the consultant team to prepare the Specific Plan based upon the preferred land use plan. Reference Appendix D for a complete summary of the community outreach effort.

## 2.3 REGULATORY AUTHORITY AND COMPLIANCE

### 2.3.1 Specific Plan Authority

Specific Plans are authorized and described in California Government Code Section 65450 et seq. As set forth in the Government Code Section 65451, Specific Plans are required to contain the following information:

- "(a) A specific plan shall include a text and a diagram or diagrams which specify all of the following in detail:*
- (1) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.*
  - (2) The proposed distribution, location and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land use described by the plan.*
  - (3) Standards and criteria by which development will proceed, and standards for the conservation, development and utilization of natural resources, where applicable.*
  - (4) A program of implementation measures including regulations, programs, public works projects and financing measures necessary to carry out paragraphs (1), (2) and (3)."*

This Specific Plan document and the supporting studies provide text and diagrams for the items listed above. A land use diagram; major infrastructure items such sewer, water and drainage; guidelines and standards; and implementation and financing measures have been included.

- (b) Section 65454 states: "No specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the General Plan."*

An analysis of consistency with the existing General Plan and policies is included within the appendices of this Specific Plan document.

### **2.3.2 Sequence and Tiering of Entitlements**

The WLSP provides policy and design direction for development of the entire Plan Area consistent with the City's General Plan. The WLSP establishes specific land uses on individual parcels with the intent that these land uses will be entitled concurrent with approval of the Specific Plan. The new zoning will be as identified on the WLSP Land Use Plan and development standards contained within this document. The Specific Plan also summarizes the proposed phasing and financing of infrastructure necessary to serve the proposed land uses. Phasing and financing information is provided in Chapter 10, Project Financing Plan. Subsequent project detail will be provided through the tentative subdivision map or development plan review process.

### **2.3.3 Compliance with California Environmental Quality Act (CEQA)**

An Environmental Impact Report (EIR) has been prepared for the WLSP to evaluate environmental impacts and provide mitigation measures. The WLSP is intended to function together with the Mitigation Monitoring Report Program (MMRP) contained in the EIR. Mitigation measures contained in the EIR have been incorporated as policies or standards of the WLSP or must be placed as conditions of approval on subsequent development applications.

In accordance with California Government Code Section 65457, subsequent development proposals within the Plan Area, if consistent with this Specific Plan and the mitigation measures in the EIR prepared for this Plan, will be within the scope of the certified EIR. City staff will determine whether further environmental analysis is required for any project within the WLSP. In some instances, further environmental analyses may be required even when the project is consistent with the Specific Plan, if the project deviates from the EIR project description to the extent that new, significant environmental impacts are identified by the City.

### **2.3.4 Severability**

If any regulation, condition, program, or portion of the West Landing Specific Plan is held invalid by a California or Federal Court of competent jurisdiction, such portions shall be deemed separate, distinct, and independent provisions, and the invalidity of such provisions shall not affect the validity of the remaining provisions thereof.

## **2.4 POLICY SETTING - THE CITY OF CERES GENERAL PLAN**

The goals and policies of the City of Ceres General Plan, adopted on February 24, 1997 (as amended), govern the West Landing Specific Plan area. The function of the General Plan is to provide guidance to the development and management of land within the City. The General Plan contains goals, policies, and objectives to which all projects must adhere. The General Plan summarizes its policies and implementation strategies as they relate to the City's goals and objectives. The General Plan includes the following elements: Land Use and Community Design, Transportation and Circulation, Housing, Public Facilities and Services, Recreational and Cultural Resources, Agricultural and Natural Resources, Health and Safety, and Administration and Implementation.

### **2.4.1 General Plan Land Use Map**

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. The General Plan Land Use Map (Figure 2.1) identifies six land uses for the West Landing Specific Plan area in anticipation of its eventual development: Office, Community Commercial, Light Industrial, General Industrial, Community Facilities and Residential Reserve. While the WLSP Land Use Plan (Figure 4.1) provides for development of all these land uses, it differs from the General Plan Land Use Map to enough of a degree that an amendment to the General Plan Land Use Map will be required. The General Plan Amendment will be approved by City Council concurrent with the prezone and the adoption of the West Landing Specific Plan.

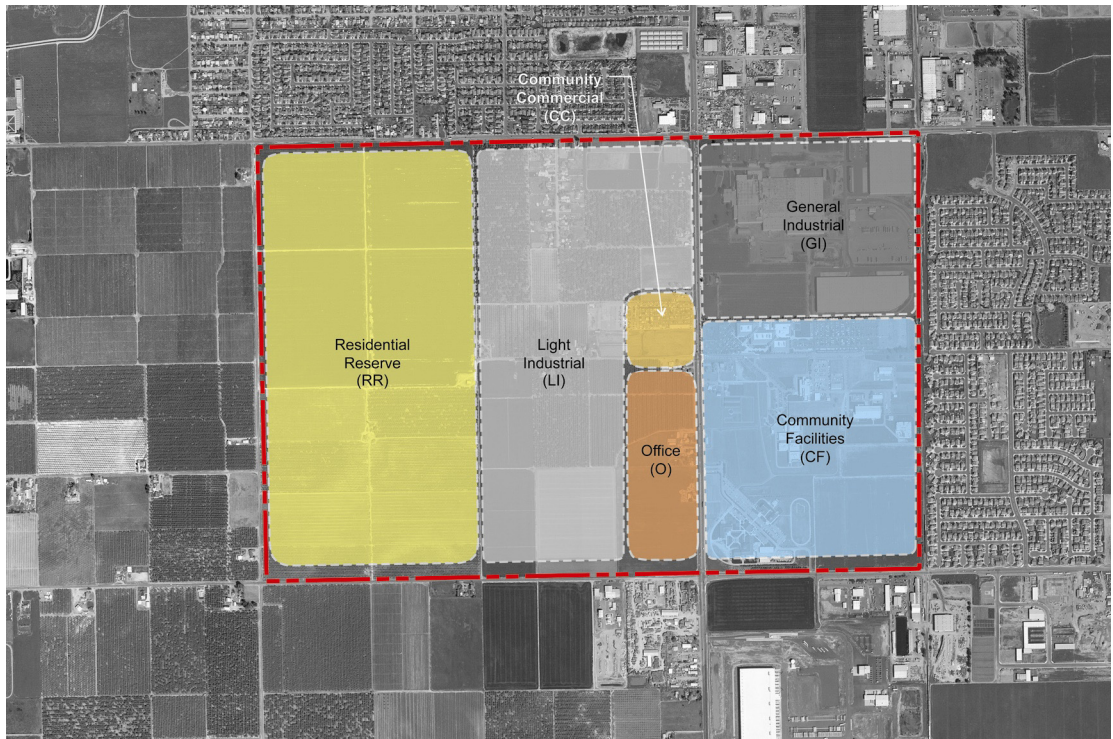


Figure 2.1: General Plan Land Use Map

#### 2.4.2 General Plan Policy Analysis

Lands within the City of Ceres Urban Growth Area encompasses all land envisioned for the development of Ceres through the year 2015. This area is divided between Phase 1 and Phase 2 to ensure orderly development. Residential development is permitted within Phase 2 when there is a demonstrated need for additional land and there is less than a five-year supply of appropriately-designated land available within Phase 1. Lands within the City of Ceres Planning Area designated as Industrial and Residential Reserve are identified as areas for development after the year 2015, although some of these areas have been developed.

The WLSP is divided among the three areas as follows and as shown in Figure 2.2.

- **Phase 1 Area** – Land west of the Union Pacific Railroad to Crows Landing Road, approximately 1/3 of the Plan Area.
- **Phase 2 Area** – Land west of Crows Landing Road to Knox Road, representing approximately the next 1/3 of the Plan Area.

- **Reserve Area** – Land from Knox Road to Ustick Road, representing approximately the final 1/3 of the Plan Area.

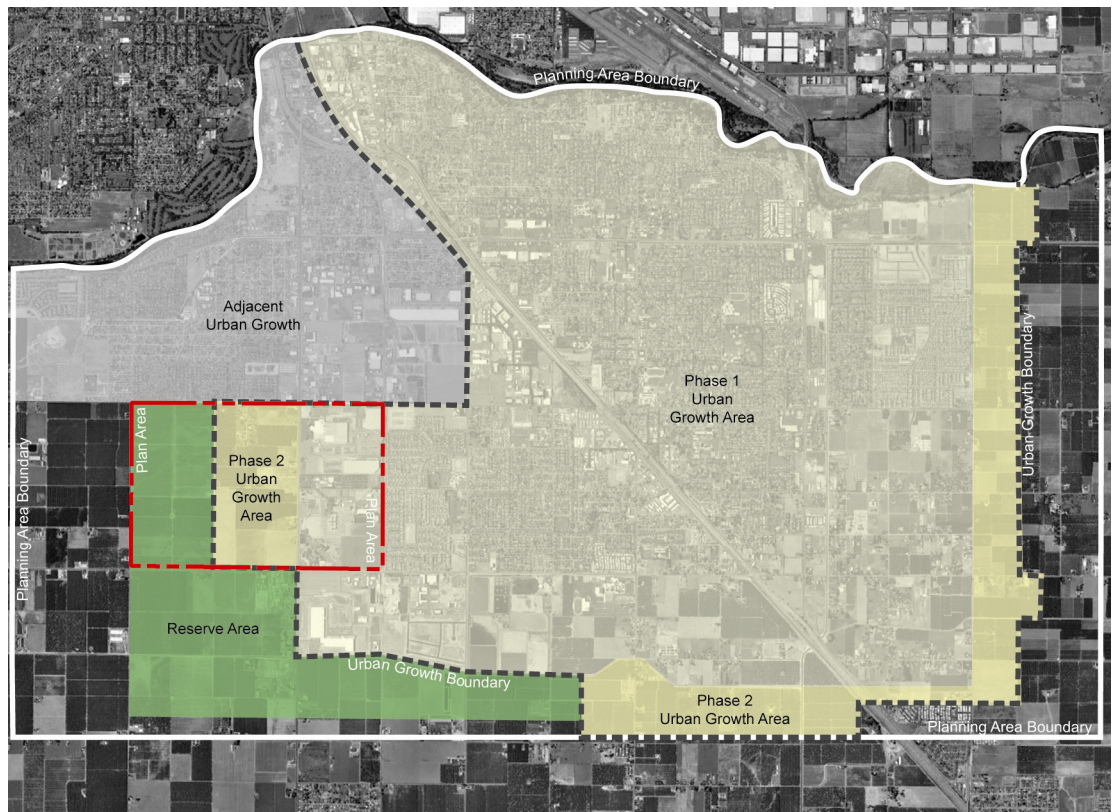


Figure 2.2: Ceres General Plan, Planning Area and Urban Growth Area

General Plan policies ensure that no substantial urban development can occur within the Reserve Areas without a General Plan Amendment. In accordance with Government Code Section 65454, a Specific Plan must be consistent with the adopted General Plan. For the Reserve Area of the WLSP, the General Plan must be amended to maintain consistency between the two documents.

## 2.5 ZONING ORDINANCE

The Zoning Ordinance of the City of Ceres has been established to promote and protect the public health, safety, and general welfare. Among the various objectives of the Zoning Ordinance include the promotion of development at appropriate densities in order to conserve and enhance the City's physical scale and character as defined in the General Plan. The City of Ceres Zoning Ordinance includes land use, development densities and development standards. With the adoption of the WLSP and associated General Plan Amendment, Annexation and Prezone, the entire Plan Area will be re-zoned PC, Planned Community, with reference to the Specific Plan to establish land use types, intensities, and development

standards. In the case where this specific plan document does not discuss a particular zoning topic (e.g. parking requirements) the City's existing zoning ordinance shall apply. The zoning designation proposed by the WLSP is consistent with the General Plan.

## 2.6 EXISTING CONDITIONS AND SITE ANALYSIS

The West Landing Specific Plan is located in an unincorporated area of Stanislaus County, adjacent to the City of Ceres. The City is located approximately 4-miles south of Modesto, and approximately 10-miles northwest of the City of Turlock, along State Route 99. The WLSP lies within the west half of Section 16 and all of Section 17, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, as shown on the Ceres Quadrangle prepared by the U.S. Geological Survey in 1969 and photorevised in 1987 and on the Brush Lake Quadrangle prepared by the U.S. Geological Survey in 1969 and photoinspected in 1976.

### 2.6.1 Property Ownership

The WLSP area encompasses 960-acres divided among 58 parcels. Ownership within the plan area has been categorized in the following groups:

- **Sponsoring Property Owners** – This ownership group is providing funds for drafting of the WLSP and accompanying EIR. This group owns approximately 494-acres of land, representing 51 percent of land included in the Plan Area. The ten parcels included in this group range from approximately 1 to 138-acres.

**Table 2.1: Sponsoring Property Owners**

APN	Owner Name	Lot Acreage
056-055-001-000	G3 PROPERTY INC	18.58
056-055-002-000	G3 ENTS INC	33.54
056-057-001-000	RUTLAND PROPERTIES INC	88.68
056-057-002-000	RUTLAND PROPERTIES INC	88.30
056-057-003-000	BOYLE B S JR FAMILY LTD PRTSHP	137.67
086-015-008-000	G 3 ENTS INC	0.84
086-015-018-000	G 3 ENTS INC	2.00
086-015-019-000	G3 ENTS INC	14.26
086-015-020-000	G3 ENTS INC	53.45
086-015-021-000	G3 ENTS INC	57.10
<b>Sub-Total Acreage</b>		<b>494.42</b>

- **Non-Sponsoring Property Owners** – This ownership group represents approximately 238-acres, accounting for 25 percent of land within the Plan Area. The eighteen parcels included in this group range in size from 1/3 to 57-acres.

**Table 2.2: Non-Sponsoring Property Owners**

APN	Owner Name	Lot Acreage
056-055-003-000	PEDRO MARQUEZ	9.73
056-055-004-000	QUETZAL CORP	9.61
056-055-005-000	MARQUEZ PEDRO & C FAMILY TRUST	9.21
056-055-006-000	DAVID L REHDER	4.62
056-055-007-000	NASARIO GARCIA	0.39
056-055-008-000	EDWIN J VARGAS	19.74
056-055-009-000	PETE J VERDEGAAL	30.55
056-055-010-000	DON R & LIVING PAYNE	4.86
056-055-011-000	CLAUDIO A NAYARES	0.76
056-055-012-000	JOSE H & MARIA N AMADOR	0.96
056-055-013-000	FLETCHER & WINONA R RICHARDSON	0.94
056-055-014-000	JAYMES J MICHELENA	57.34
056-055-019-000	RALPH A BAVA	29.79
056-055-021-000	ERNEST PAUL SCHEUBER	20.04
056-055-022-000	ERNEST P SCHEUBER	19.95
086-015-011-000	MODESTO CITY OF	0.03
056-055-023-000	CORDA	1.00
056-055-025-000	VERDEGAAL	18.56
<b>Sub-Total Acreage</b>		<b>238.08</b>

- **Stanislaus County** – This ownership group represents approximately 177-acres, accounting for 19 percent of land included in the Plan Area. The parcels range in size from 10 to 117-acres.

**Table 2.3: Stanislaus County**

APN	Owner Name	Lot Acreage
086-015-005-000	STANISLAUS COUNTY OF	27.15
086-015-014-000	STANISLAUS COUNTY OF	116.53
086-015-015-000	STANISLAUS COUNTY OF	10.16
086-015-016-000	STANISLAUS COUNTY OF	23.52
<b>Sub-Total Acreage</b>		<b>177.36</b>

- **Carol Lane Neighbors** – This ownership group represents approximately 18-acres, accounting for 2 percent of the land included in the Plan Area. The twenty-six parcels range in size from 1/2 to 1 1/2 -acres.

Table 2.4: Carol Lane Neighbors

APN	Owner Name	Lot Acreage
056-056-002-000	CH CHRIST OF WHITMORE C LANE	1.57
056-056-004-000	ROBERT HILTERBRAND	0.46
056-056-005-000	MARIANO CASTILLO	0.92
056-056-006-000	ALLEN & ESTELLA OLIVER	0.92
056-056-007-000	MAXIMILIANO A & MARGARITA DIAZ	0.81
056-056-008-000	ELIAS & ARACELI SANCHEZ	0.57
056-056-009-000	MARIA L VILLALOBOS	0.46
056-056-010-000	ROBERT R & STACI A GRAHAM	1.08
056-056-011-000	RAVAE HENSON	0.38
056-056-012-000	WAYNE A HAAS	0.38
056-056-013-000	TAMERA F GARDNER	0.47
056-056-014-000	THELMA FARRIESTER	0.85
056-056-015-000	KEITH & SALLY WATERMAN	0.92
056-056-017-000	ROGELIO A & CARMELA C GARIBAY	0.96
056-056-018-000	FRANCISCO & ISABEL CHAVEZ	0.43
056-056-019-000	FRANCISCO & ISABEL CHAVEZ	0.43
056-056-020-000	EDUARDO & MARIA E BRAVO	0.45
056-056-021-000	MARIANO CASTILLO	0.45
056-056-022-000	MARIANO CASTILLO	0.30
056-056-023-000	ARMANDO VALENCIA	0.54
056-056-024-000	BERTOLDO & GUADALUPE LOPEZ	0.39
056-056-025-000	STEVE JACKSON & LUCILLE EDNA FORD	0.60
056-056-026-000	JOHN DIPPOLITO	1.28
056-056-027-000	DALE E & JENNIE S KETTNER	0.97
056-056-028-000	CH CHRIST OF	0.88
056-056-029-000	LUIS J DIAZ	0.46
<b>Sub-Total Acreage</b>		<b>17.93</b>

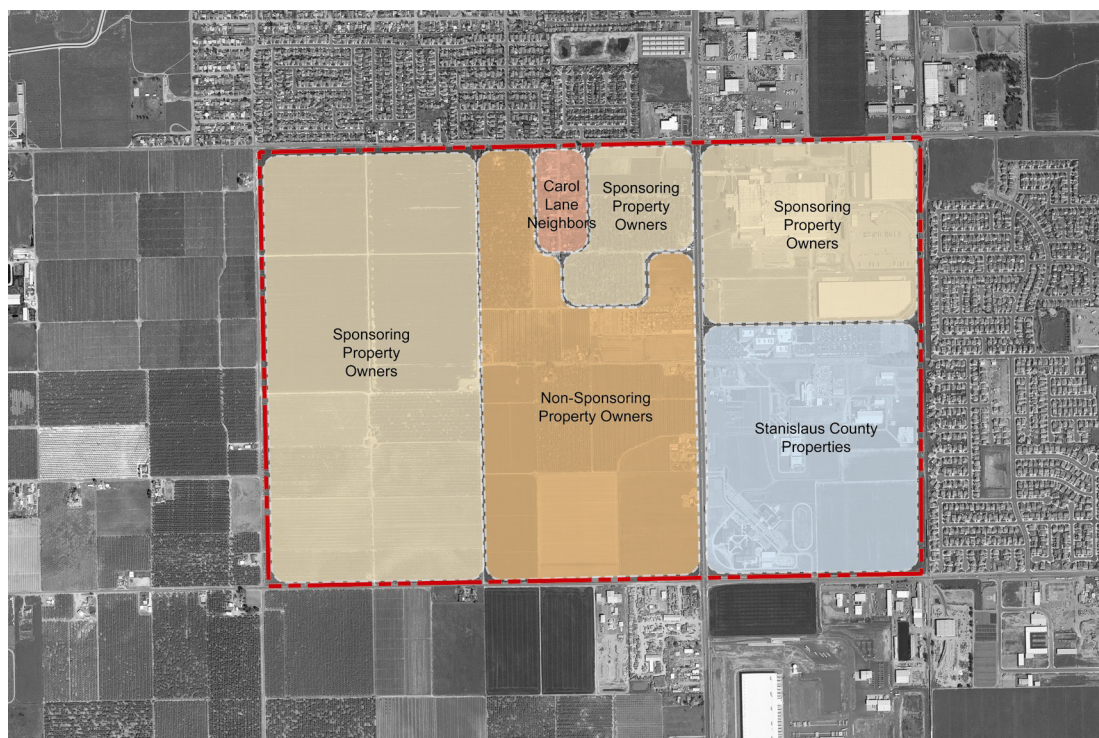


Figure 2.3: Existing Ownership

## 2.6.2 Existing Land Use

The WLSP Area includes a variety of existing land uses. Agricultural uses are located in the western and central plan area. Rural homes sites are distributed throughout the plan area, including the Carol Lane development. The Church of Christ is also located on Carol Lane. The G3 Enterprises, Inc. industrial and commercial uses are located in the northeastern plan area. El Rematito Flea Market is located in the northwest corner of Crows Landing Road and Hackett Road. Stanislaus County uses, including the County Jail, Community Services Agency, Department of Child Support, County Department of Parks and Recreation, University of California Cooperative Extension, Criminal Justice Training Center and Office of Agricultural Commissioner, are located in the southeastern plan area.

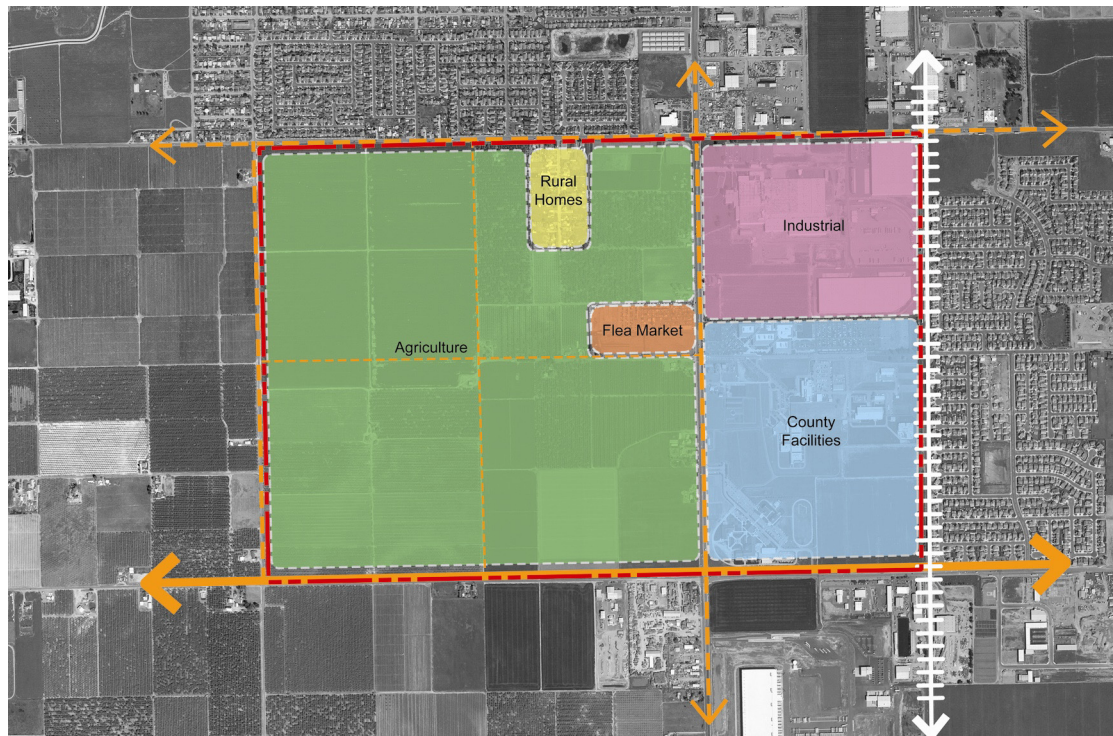


Figure 2.4: Existing Land Use

### 2.6.3 Surrounding Land Use

The land uses surrounding the project site consist of both urbanized development and agricultural uses. The northern Plan Area boundary, north of Whitmore Avenue, is mostly built-out with low-density residential homes and industrial uses. The eastern Plan Area boundary, east of the Union Pacific Railroad tracks, is built-out with low-density residential homes. The southern Plan Area boundary, south of Service Road, is partially built-out with commercial, industrial, and agricultural uses. The western Plan Area boundary is undeveloped agricultural land.

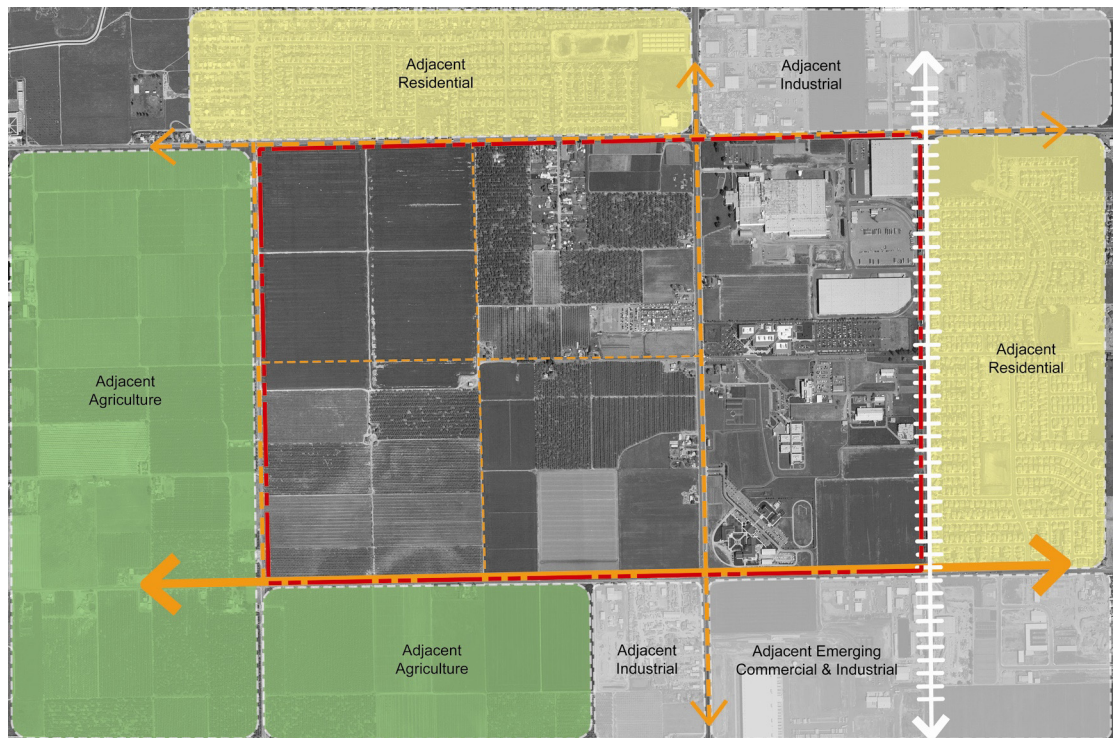


Figure 2.5: Surrounding Land Uses

### 2.6.4 Topography and Drainage

The Plan Area is essentially flat, with an average slope across the Plan Area of approximately 0.15 percent. On-site elevations range from 85 feet above mean sea level (msl) near Whitmore to 77 feet msl near Service Road, with surface flows which move in roughly a southwesterly direction. Most of the natural drainage courses in the area have been altered by agricultural activities, and surface water flows are directed into agricultural and roadside ditches. Previously developed parcels include onsite provisions to handle the local storm drainage run-off for their property including drainage collection systems which contain a series of gravity drainage pipes as well as appropriately sized and located retention basins.

### **2.6.5 Biological Resources**

The western part of the specific plan area consists primarily of almond orchards and fields farmed in hay crops. The eastern part of the plan area is already developed in industrial uses. Due to previous development, intensive agriculture, and associated lack of suitable habitat, the likelihood of occurrence of special-status plants within the West Landing Specific Plan area is considered extremely low. The likelihood of occurrence of listed, candidate, and other special-status wildlife animal species within the plan area is generally considered low. Although no special-status wildlife species were observed, the site contains suitable foraging and nesting habitat for Swainson's hawk and burrowing owl. Additionally, due to previous development and agricultural uses, no potential jurisdictional wetlands or Waters of the U.S. were observed in or near the Plan Area. Specifically, there are no streams, irrigation ditches, vernal pools, seasonal wetlands, marshes, ponds, or lakes of any type within the Plan Area.

### **2.6.6 Cultural Resources**

A preliminary cultural and historic analysis was prepared by Pacific Legacy. A records search of the Sacred Lands Inventory maintained by the Native American Heritage Commission (NAHC) identified no Native American cultural resources listed for the Plan Area. A record and information search conducted in March 2008 by the Central California Information Center (CCIC) revealed no prehistoric or historic archaeological resources within the Plan Area or within the 1/2 mile surrounding areas. Several older buildings more than 50 years old were located during a field survey. None of these buildings met any of the four California Register of Historical Resources criteria for listing as a historical resource. These sites were found to not be associated with important events in history or historically important people, not be architecturally significant, and there is no reason to believe that significant subsurface pre-historic or historic materials are present at the sites.

### **2.6.7 Noise**

The most significant noise source is vehicular traffic traveling on the major roadways surrounding the site. The major roadways include Whitmore Avenue, Crows Landing Road and Service Road. Future exterior and interior noise levels along these roadways would exceed those considered compatible with exterior residential land uses (60 dBA). Outdoor activity areas located in noise environments exceeding 60 dBA will require noise mitigation such as sound walls, or sound walls in combination with earthen

berms. Interior noise levels exceeding 45 dBA will require special construction techniques such as sound rated windows and doors, sound rated exterior wall assemblies, acoustical caulking, etc.

### 2.6.8 Circulation

Regional vehicular access to the WLSP is provided primarily by State Route 99 (SR 99), a north-south facility located approximately 2 miles east of the Plan Area via Whitmore Avenue and 1.5 miles north of the Plan Area via Crows Landing Road. In the vicinity of the Plan Area, SR 99 is a six-lane freeway. Access to and from SR 99 from the Plan Area is provided via Crows Landing Road, Whitmore Avenue and Service Road via the Mitchell Road interchange.

Local access within the Plan Area consists of Crows Landing Road, which has been constructed to a four-lane facility and a number of two-lane roads. These two-lane roads include Whitmore Avenue, Service Road, Ustick Road, and Hackett Road.



Figure 2.6: Existing Circulation

Although the existing transportation system in the vicinity of the Plan Area is heavily dependent on the automobile for most daily trips, existing bus transit facilities, and planned bicycle facilities offer alternative modes. Modesto Area Express, Ceres Area Transit, and Stanislaus Regional Transit currently provide fixed-route bus service to the Plan Area, with existing stops at the intersection of Crows Landing Road and Hackett Road. While the existing routes and stops would serve the County land uses and a portion of the commercial land uses in the core area, they are over a mile from the western edge of the Plan Area, where single-family residential land use are proposed. As the project develops and the demand for service increases, bus routes may be extended into the core area. The preferred route would be along B Street, which is within a one-quarter mile of most land uses in the Plan Area. It is generally accepted that most transit users are willing to walk up to one-quarter mile to access bus service.

Future planned bicycle lanes serving the plan area include Class II on-street lanes along Whitmore Avenue, Crows Landing Road and Service Road. Future bicycle lanes along Crows Landing Road and Whitmore Avenue are identified as Regional Bike Routes in the 2001 StanCOG Regional Transportation Plan.

### **2.6.9 Infrastructure**

The West Landing Specific Plan Area currently has minimal infrastructure. The area receives irrigation water from the Turlock Irrigation District. Currently, the majority of developed areas receive sanitary sewer service from the City of Ceres Sanitary Services Division and City of Modesto Water Service Area. The G3 development currently receives sanitary sewer from the City of Modesto. Existing residents use septic or leach fields. Pacific Gas and Electric currently provides gas service to the area and electricity is provided by Turlock Irrigation District. Chapter 8 discusses the infrastructure systems that will be constructed to support the project.