

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Planning & Community Development *RF*
Urgent _____ Routine X

BOARD AGENDA # 9:25 A.M.

AGENDA DATE: AUGUST 28, 2001

CEO Concurs with Recommendation YES _____ NO _____
(Information Attached)

4/5 Vote Required YES _____ NO X

SUBJECT: APPROVAL OF GENERAL PLAN AMENDMENT NO. 2001-03 AND REZONE APPLICATION NO. 2001-05 - JIM WYATT. REQUEST TO CHANGE THE GENERAL PLAN DESIGNATION FROM COMMERCIAL TO INDUSTRIAL AND THE ZONING FROM C-2 (GENERAL COMMERCIAL) TO M (INDUSTRIAL) FOR 1.86 ACRES LOCATED AT 2701 E. SERVICE ROAD, IN THE CERES AREA (APN: 053-38-07)

PLANNING COMMISSION RECOMMENDATION:

ON JUNE 7, 2001, THE COUNTY PLANNING COMMISSION FOLLOWED STAFF'S RECOMMENDATION AND RECOMMENDED UNANIMOUSLY THAT THE BOARD OF SUPERVISORS APPROVE THIS PROJECT AS FOLLOWS:

1. FIND THAT THE ENVIRONMENTAL DOCUMENTS PREPARED AND ADOPTED BY THE CITY OF CERES, LEAD AGENCY FOR THIS PROJECT, HAVE BEEN REVIEWED AND THAT THEY ADEQUATELY ADDRESS CEQA ISSUES.

(Planning Commission Recommendation Continued on Page 2)

FISCAL IMPACT:

None.

BOARD ACTION AS FOLLOWS:

No. 2001-655

On motion of Supervisor Caruso, Seconded by Supervisor Simon
and approved by the following vote,

Ayes: Supervisors: Mayfield, Blom, Simon, Caruso, and Chair Paul

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

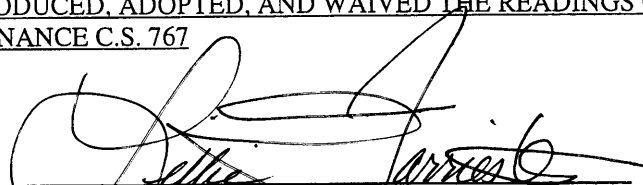
1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

Motion:

INTRODUCED, ADOPTED, AND WAIVED THE READINGS OF
ORDINANCE C.S. 767



SUBJECT: APPROVAL OF GENERAL PLAN AMENDMENT NO. 2001-03 AND REZONE APPLICATION NO. 2001-05 - JIM WYATT.

PAGE 2

**PLANNING
COMMISSION
RECOM-
MENDATION
CONTINUED:**

2. FIND THAT THE PROPOSED GENERAL PLAN AMENDMENT IS CONSISTENT WITH THE OVERALL GOALS AND POLICIES OF THE LAND USE ELEMENT OF THE COUNTY GENERAL PLAN AND THE OVERALL GENERAL PLAN.
3. APPROVE GENERAL PLAN AMENDMENT NO. 2001-03.
4. FIND THAT THE PROPOSED M (INDUSTRIAL) ZONING IS CONSISTENT WITH THE INDUSTRIAL GENERAL PLAN DESIGNATION.
5. APPROVE REZONE APPLICATION NO. 2001-05.

DISCUSSION:

The project here is a combination general plan amendment and rezoning. The 1.86 acre site is located immediately adjacent to the Southern Pacific Railroad tracks just west of US Highway 99, on the north side of Service Road in the Ceres area. It currently houses several businesses of a heavy commercial / light industrial nature. The property, and those bordering it westerly to Moffett Rd, north of Service Road, has been zoned and general planned commercial for decades. It is, we believe, fair to characterize the area as being of a urbanized commercial/industrial nature. There are also residences scattered in and around this neighborhood.

The proposal is to change the County General Plan designation of the Wyatt parcel to Industrial and to rezone it to M (Industrial). This change would be consistent with the plans for the area that Ceres and the landowner have. It is our understanding that Mr. Wyatt wishes to install a billboard on the site. The C-2 (General Commercial) zone does not allow off-site advertising (billboard) while the M (Industrial) zone does. Ceres is aware of this and does not object. City support of the project is required as if would be for any similar development proposal within the sphere of influence of a city.

Ceres has recently completed its own processing of an application to designate this area for industrial uses, including complete environmental review. No significant issues were identified in the Initial Study and a Negative Declaration was adopted at the time the City Council approved the project at its meeting of March 12, 2001. A complete packet of information from Ceres is attached to this staff report. It includes the appropriate CEQA documents, which are to be considered by the County in its own actions on the project, as the County role in this instance is as a Responsible Agency rather than our normal Lead Agency status. Please refer to the attached staff report to the Planning Commission for further details.

The Commission held a properly advertised public hearing on this matter on June 7 of this year. Max Garcia of Garcia-Davis-Ringler spoke briefly on behalf of applicant Jim Wyatt. There was no one speaking in opposition. The Commission with very little comment, on a motion by Commissioner Haney, seconded by Commission McWilliams, unanimously voted to recommend that the Board of Supervisors approve the proposal.

SUBJECT: APPROVAL OF GENERAL PLAN AMENDMENT NO. 2001-03 AND REZONE
APPLICATION NO. 2001-05 - JIM WYATT.

PAGE 3

**POLICY
ISSUES:**

The County General Plan mandates that land use approvals within the sphere of influence of a city must be supported by that city in order that the County approve them. Ceres does, in fact, support this change of general plan and zoning designations.

**STAFFING
IMPACT:**

None.

ATTACHMENTS: Planning Commission Staff Report, June 7, 2001
Planning Commission Minutes, June 7, 2001

STANISLAUS COUNTY PLANNING COMMISSION

June 7, 2001

STAFF REPORT

GENERAL PLAN AMENDMENT APPLICATION NO. 2001-03
REZONE APPLICATION NO. 2001-05
JIM WYATT

REQUEST: TO CHANGE THE GENERAL PLAN DESIGNATION FROM COMMERCIAL TO INDUSTRIAL AND TO CHANGE THE ZONING DISTRICT FROM C-2 (GENERAL COMMERCIAL) TO M (INDUSTRIAL).

APPLICATION INFORMATION

Owner/Applicant:	Jim Wyatt
Agent:	Max Garcia, Garcia- Davis-Ringler
Location:	2701 E. Service Rd., between Moffett Rd. and Highway 99, Ceres
Section, Township, Range:	14-3-9
Supervisory District:	Five (Supervisor Caruso)
Assessor's Parcel:	053-38-07
Referrals:	See Exhibit "C" Environmental Review Referrals
Area of Parcels:	1.86 acres
Water Supply:	Private well
Sewage Disposal:	Septic tank
Existing Zoning:	C-2 (General Commercial)
General Plan Designation:	Commercial
Community Plan Designation:	Not applicable
Williamson Act Contract No.:	Not applicable
Environmental Review:	Mitigated Negative Declaration completed March 12 th , 2001 by City of Ceres, acting as lead agency on a pre-zoning of the property.
Present Land Use:	Warehouses, auto repair, cabinet shop.
Surrounding Land Use:	Mixture of uses including truck terminals, truck sales, recycling, paint shop, residential and an almond orchard.

BACKGROUND

This project is a request to change the general plan designation from Commercial to Industrial on a 1.86 acre parcel and to change the zoning district from C-2 (General Commercial) to M (Industrial). The new zoning will allow the use of the property in a manner consistent with its planned use by the City of Ceres in whose Sphere of Influence the property is located.

The current applicant, Jim Wyatt, recently submitted a request to the City of Ceres to pre-zone this property to M-1 Light Industrial and to designate it as LI, Light Industrial on the General Plan Diagram of the Ceres General Plan. The City of Ceres has established a work program to make this same change as a part of its study of a Highway 99 Interchange Study, but has not yet completed the work. Mr Wyatt has, therefore, decided to move ahead on his own.

Ceres has recently completed its own processing of that application, including complete environmental review. No significant issues were identified in the Initial Study and a Negative Declaration was adopted at the time the City Council approved the project at its meeting of March 12, 2001. A complete packet of information from Ceres is attached to this staff report. It includes the appropriate CEQA documents, which are to be considered by the County in its own actions on the project, as the County role in this instance is as a Responsible Agency rather than our normal Lead Agency status. This is reflected in the Staff Recommendation below.

PROJECT DESCRIPTION

The actual proposal here is a combination general plan amendment and rezoning. The 1.86 acre site is located immediately adjacent to the Southern Pacific Railroad tracks just west of US Highway 99, on the north side of Service Road in the Ceres area. It currently houses several businesses of a heavy commercial / light industrial nature. The property, and those bordering it westerly to Moffett Rd, north of Service Road, has been zoned and general planned commercial for decades. Uses within the C-2 zoned area include a recycling business and a truck terminal. There are also legal non-conforming commercial uses south of the site in an area still zoned for agriculture. It is, we believe, fair to characterize the area as being of a urbanized commercial/industrial nature. There are also residences scattered in and around this neighborhood.

The proposal is to change the County General Plan designation of the Wyatt parcel to Industrial and to rezone it to M (industrial). This change would, as indicated, be consistent with the plans for the area that Ceres and the landowner have. It is our understanding that Mr. Wyatt wishes to install a billboard on the site. C-2 does not allow off-site advertising while the M zone does. Ceres is aware of this and does not object. City support of the project is required as if would be for any similar development proposal within the sphere of influence of a city.

Other future changes in use are unknown at this time. Presently the site is served by private well and septic tank. The applicant is desirous of being able, at some point in the future, to have public sewer and water services available from the city. Eventual annexation in to the City of Ceres will permit that to occur at some time yet to be determined.

FINDINGS/POLICIES

To evaluate a general plan change, the goals and policies of the General Plan must be reviewed. In addition, County policies, adopted by the Board of Supervisors, set forth additional findings necessary for approval of a general plan change request.

In making a recommendation on this proposal, the views of all parties should be considered. Staff

In making a recommendation on this proposal, the views of all parties should be considered. Staff believes the project is fully consistent with the General Plan. In particular it is supported by the City of Ceres in whose Sphere of Influence it is being proposed. Commissioners may wish to refer to their personal copies of the General Plan to ensure that staff has indeed covered all appropriate topics.

FINDINGS REQUIRED FOR APPROVAL
GENERAL PLAN

General Plan amendments affect the entire County and any evaluation must give primary concern to the County as a whole, therefore, a fundamental question must be asked in each case: "Will this amendment, if adopted, generally improve the economic, physical and social well-being of the County in general?" Additionally, the County in reviewing general plan amendments, shall consider the additional costs to the County that might be anticipated (economic, environmental, social) and how levels of public and private service might be affected. In each case, in order to take affirmative action regarding the general plan amendment application, the following findings established by Board of Supervisors policy for processing general plan amendments must be met:

1. The general plan amendment will maintain a logical land use pattern without detriment to existing and planned land uses.
2. The County and other affected governmental agencies will be able to maintain levels of service consistent with the ability of the governmental agencies to provide a reasonable level of service.

In the case of a proposed amendment to the diagram of the Land Use Element, an additional finding must be established.

3. The amendment is consistent with the General Plan goals and policies.

Staff believes all of the required findings listed above can be met. The County has recognized the site as suitable for development, as it has been zoned C-2 for many years. The City of Ceres has recognized the site as suitable for uses consistent with the proposed industrial designation. There is no evidence that the project would adversely impact provisions of services. Prior to annexation to the City of Ceres any impacts to County services will be mitigated through the payment of impact mitigation fees. With the earlier portions of this report in mind, staff concludes the project is, on an overall basis, consistent with the goals and policies of the County General Plan.

REZONE

To approve a rezone, the Planning Commission must find that it is consistent with the General Plan. In this case, the Industrial zoning would indeed be consistent with the proposed industrial land use designation.

RECOMMENDATION

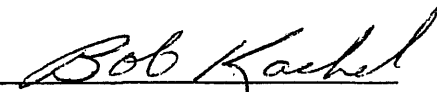
Based on the foregoing discussion, staff recommends the project for approval. Should the Commission wish to approve the project, it should recommend that the Board of Supervisors:

1. Find that the environmental documents prepared and adopted by the City of Ceres, Lead Agency for this project have been reviewed and that they adequately address CEQA issues.
2. Find that the proposed general plan amendment is consistent with the overall goals and policies of the Land Use Element of the County General Plan and the overall General Plan.
3. Approve General Plan Amendment No. 2001-03.
4. Find that the proposed M (Industrial) zoning is consistent with the Industrial General Plan designation.
5. Approve Rezone Application No. 2001-05.

Report written by: Bob Kachel, Senior Planner, May 21, 2001

Attachments: Exhibit A: Maps
Exhibit B: City of Ceres Resolutions / CEQA Documents
Exhibit C: Environmental Review Referrals

Reviewed by:

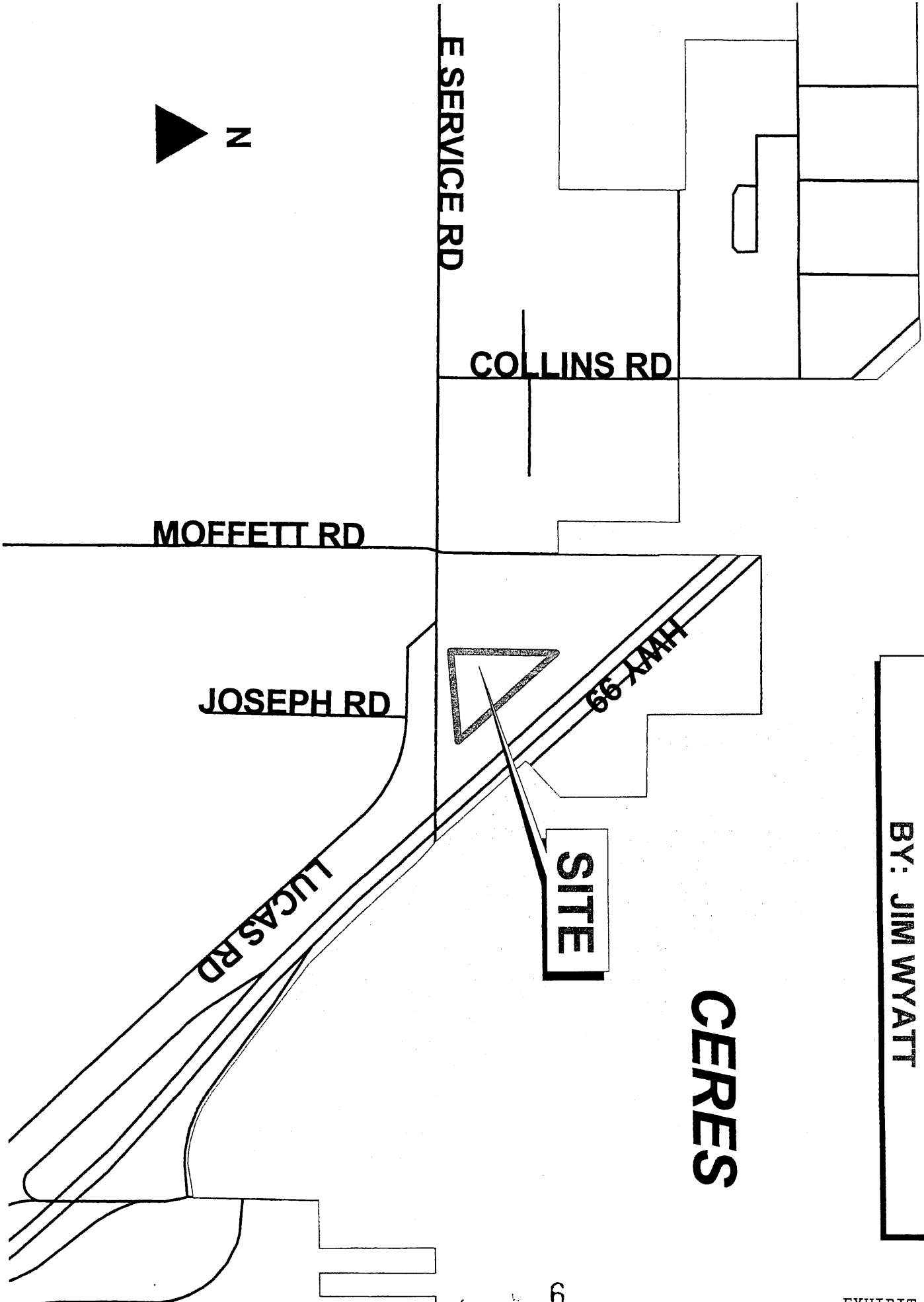

Bob Kachel, Senior Planner

**SUMMARY OF RESPONSES: ENVIRONMENTAL REVIEW
REFERRALS PROJECT: GPA 2001-03 & REZONE 2001-05 - JIM
WYATT**

REFERRED TO:	PUBLIC HEARING NOTICE	RESPONDED		RESPONSE			MITIGATION MEASURES		Conditions		
		YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	No	
DATE: March 6, 2001											
AGRICULTURE COMMISSIONER	X		X								
AIRPORT LANDS COMMISSION											
CA DEPT OF FORESTRY											
CALTRANS	X		X			X					
CITY OF CERES	X	X	X			X					
COMMUNITY SERVICES/SANITARY DISTRICT											
CORPS OF ENGINEERS											
COUNTY COUNSEL	X			X							
DEVELOPMENT SERVICES	X		X			X					
ENVIRONMENTAL RESOURCES	X		X			X					
FIRE PROTECTION DISTRICT CERES	X	X		X							
CONSOLIDATED FIRE PROTECTION DISTRICT	X		X			X					
FISH & GAME	X			X							
HOSPITAL DISTRICT		X									
IRRIGATION DISTRICT: TURLOCK	X	X	X			X					
LAFCO	X			X							
MOSQUITO DISTRICT: TURLOCK	X	X		X							
MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES	X	X		X							
MUNICIPAL ADVISORY COUNCIL											
PARKS & FACILITIES	X			X							
P.G. & E.	X	X		X							
PUBLIC WORKS	X		X			X					
REDEVELOPMENT	X			X							
REGIONAL WATER QUALITY											
RISK MANAGEMENT	X		X			X					
StanCOG	X			X							
SCHOOL DISTRICT 1: CERES UNIFIED	X	X		X							
SCHOOL DISTRICT 2:	X	X									
SHERIFF	X	X		X							
STANISLAUS COUNTY FARM BUREAU	X			X							
STANISLAUS ERC	X		X			X					
STATE CLEARINGHOUSE											
STATE LANDS BOARD											
SUPERVISORIAL DISTRICT: TWO - CARUSO	X			X							
TELEPHONE COMPANY	X	X		X							
TUOLUMNE RIVER PRESERVATION TRUST											
US FISH & WILDLIFE	X			X							
VALLEY AIR DISTRICT	X			X							
WATER DISTRICT											
DEPT. OF WATER RESOURCES											

GPA NO.2001-03 & REZ. NO.2001-05
BY: JIM WYATT

CERES



DON PEDRO RD

COLLINS RD

1.47 AC.

2.0 AC.

E SERVICE RD

6.186 AC.

N

29.51 AC.

MOFFETT RD

1.75 AC.

2.12 AC.

SITE 1.86 AC.

Union Pacific

HWY 99

2.16 AC.

MOFFETT RD

3.64 AC.

1.49 AC.

1.94 AC.

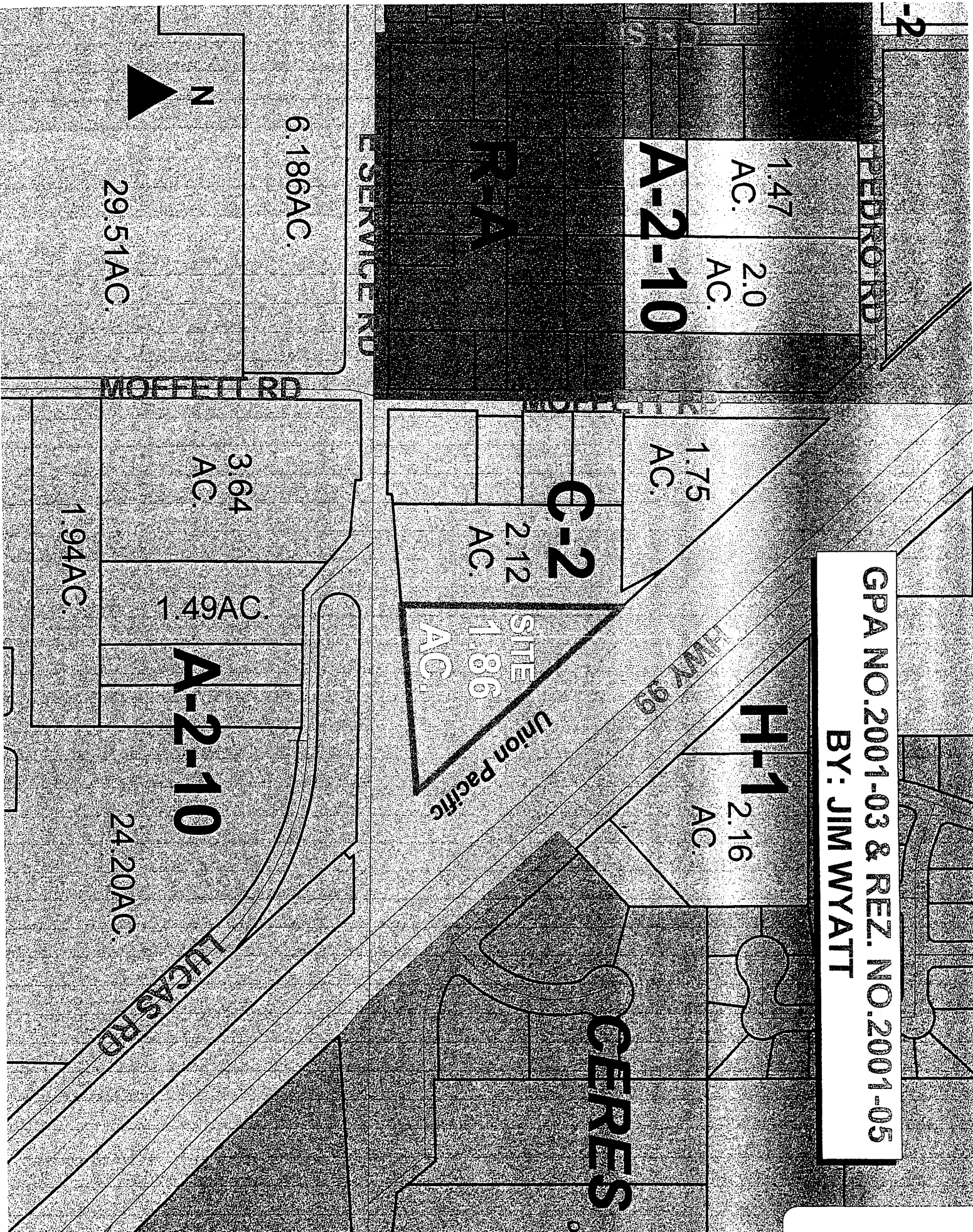
24.20 AC.

LUCAS RD

GPA NO.2001-03 & REZ. NO.2001-05
BY: JIM WYATT

CERES

GPA NO.2001-03 & REZ. NO.2001-05
BY: JIM WYATT



RESOLUTION NO. 2001- 44

A RESOLUTION OF THE CITY COUNCIL ADOPTING
A NEGATIVE DECLARATION FOR A PROPOSED GENERAL PLAN
DIAGRAM DESIGNATION AMENDMENT AND PREZONING
(APPLICATION NO. 00-20 AND 00-21)

THE CITY COUNCIL
City of Ceres, California

WHEREAS, the City Council of the City of Ceres, State of California, has considered said application proposing a General Plan Diagram Designation Amendment from CC (Community Commercial) to LI (Light Industrial), and rezoning of the subject parcel to M-1 at a duly noticed public hearing held on March 12, 2001 and considered all comments presented whether oral or written, and:

WHEREAS, the Planning Commission duly held a public hearing on February 5, 2001 at 7:00 p.m. and reviewed and considered the appropriate documents regarding the potential environmental effects of the proposed application, and recommended by a vote of 4-0 (Felix absent) to adopt a Negative Declaration; and,

WHEREAS, the property affected by this resolution is fully described as: lot 1 of Collins Subdivision within the South ½, Section 14 Township 4 South Range 9 East Mount Diablo Base Meridian; and,

WHEREAS, the City of Ceres prepared a Negative Declaration pursuant to the requirements of CEQA and circulated the document and no significant environmental effects of the project were identified.

NOW, THEREFORE, BE IT RESOLVED that based upon the evidence within the staff report and project file, the City Council of the City of Ceres hereby adopts a Negative Declaration for the General Plan Diagram Designation Amendment to Light Industrial and Prezoning of 2701 E. Service Road to M-1, Light Industrial.

PASSED AND ADOPTED this 12th day of March, 2001 by the following vote:

AYES: Constantinou, Moore, Risen and Mayor Arrollo

NOES: None

ABSENT: None

ABSTAINED: Ingwerson



LOUIE ARROLLO, Mayor

ATTEST:



BRENDA SCUDDER HERBERT, City Clerk
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SEAL IMPRESSED

RESOLUTION NO. 2001-43

A RESOLUTION OF THE CITY COUNCIL ADOPTING A
GENERAL PLAN DIAGRAM DESIGNATION AMENDMENT
FOR APPLICATION 00-21

THE CITY COUNCIL
City of Ceres, California

WHEREAS, the City Council of the City of Ceres, State of California, has considered said application proposing a General Plan Diagram Amendment from CC (Community Commercial) to LI (Light Industrial) Designation at a duly noticed public hearing held on March 12, 2001 and considered all comments presented whether oral or written; and,

WHEREAS, the Planning Commission duly held a public hearing on February 5, 2001 at 7:00 p.m. and reviewed and considered any comments received during the public review period and recommended by a vote of 4-0 (Felix absent) to recommend adoption of the subject General Plan Diagram Designation Amendment; and,

WHEREAS, the property affected by this resolution is fully described as: lot 1 of Collins Subdivision within the South ½, Section 14 Township 4 South Range 9 East Mount Diablo Base Meridian; and,

WHEREAS, the City of Ceres prepared a Negative Declaration pursuant to the requirements of CEQA and circulated the document and no significant environmental effects of the project were identified.

NOW, THEREFORE, BE IT RESOLVED that based upon the evidence within the staff report and project file, the City Council of the City of Ceres hereby adopts a General Plan Diagram Designation Amendment to Light Industrial for land located at 2701 E. Service Road to M-1, Light Industrial.

PASSED AND ADOPTED this 12th day of March, 2001 by the following vote:

AYES: Constantinou, Moore, Risen and Mayor Arrollo

NOES: None

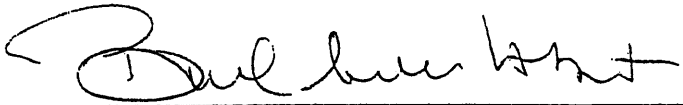
ABSENT: None

ABSTAINED: Ingwerson



LOUIE ARROLLO, Mayor

ATTEST:



BRENDA SCUDDER HERBERT, City Clerk
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SEAL IMPRESSED

ORDINANCE 2001-897

AN ORDINANCE APPROVING THE PREZONING OF A
1.8 ACRE PARCEL AT 2701 E SERVICE ROAD BETWEEN
LUCAS ROAD AND HIGHWAY 99 ON THE NORTH SIDE OF
SERVICE ROAD TO M-1, LIGHT INDUSTRIAL

THE CITY COUNCIL
City of Ceres, California

WHEREAS, Jim Wyatt, has duly filed an application to prezone a 1.8 acre parcel at 2701 E. Service Road to M-1, Light Industrial; and,

WHEREAS; the Planning Commission considered this application at its regularly scheduled meeting on February 5, 2001 considered all comments submitted both oral and written, and recommended the City Council prezone the property by a vote of 4-0 (Felix absent); and,

WHEREAS, all documents relating to the application for approval of this pre zoning, including the application, exhibits, attachments, and Negative Declaration, are on file in the Ceres Planning and Community Development Department and incorporated herein by reference; and,

WHEREAS, the City Council duly held a public hearing regarding said application at its regularly scheduled meeting of March 12, 2001, at which time the City Council considered all public comment and materials presented regarding the application.

NOW, THEREFORE, after duly considering all public testimony, comment, and materials presented at the public hearing, and all documents and materials submitted prior to the public hearing including the staff report and application file, all of which comprise the entire record in this matter and are on file, the City Council finds as follows:

- 1) The pre zoning to M-1 (Light Industrial) is consistent with the goals, policies, and program of the General Plan of the City of Ceres as amended.
- 2) The pre zoning application is consistent and compatible with the surrounding zoning and land uses.
- 3) There are no significant environmental effects of the pre zoning and a Negative Declaration has been adopted in compliance with CEQA.

NOW, THEREFORE, IT IS HEREBY ORDAINED by the City Council of the City of Ceres as follows:

1. That Title 18 of the Ceres Municipal Code is amended to prezone the 1.8 acre property as herein described to M-1, light Industrial, and all documents related thereto, the specifics of which are on file in the Planning and Community Development Department and incorporated herein by reference, is hereby approved.

This ordinance shall take effect and be in full force and operation from and after thirty (30) days from its final passage and adoption and shall be published at least once in the Ceres Courier, the official newspaper of the City of Ceres.

The foregoing Ordinance was introduced at the regular meeting of the City Council of the City of Ceres held on the 12th day of March, 2001, and was finally passed and adopted on the 26th day of March, 2001, by the following vote:

AYES: Constantinou, Moore and Risen

NOES: None

ABSENT: Mayor Arrollo

ABSTAINED: Ingwerson


ANDY CONSTANTINO, Vice Mayor

ATTEST:


BRENDA SCUDDER HERBERT, City Clerk

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SEAL IMPRESSED



PLANNING AND
COMMUNITY DEVELOPMENT
2220 MAGNOLIA STREET
CERES, CA 95307
(209) 538-5774
FAX (209) 538-5780

CITY COUNCIL
Louie Arrollo, Mayor
Andy Constantinou Eric E. Ingwerson
DeLinda Moore Stan Risen

February 7, 2001

Ron Freitas, Director
Stanislaus County Planning
and Community Development Department
1010 10th Street Suite 3400
Modesto, CA 95354

SUBJECT: Property at 2701 E. Service Road

Dear Ron:

Jim Wyatt, as owner of the property at 2701 E. Service Road, has submitted a request for a General Plan Diagram Amendment and Prezoning to change the designation of this property in the Ceres General Plan from CC, Community Commercial to LI, Light Industrial and prezone the site to M-1, Light Industrial. The Planning Commission considered this request at their meeting of February 5, 2001 and unanimously recommended to the City Council the approval of a Negative Declaration for this action and to approve the General Plan Diagram Amendment and prezone the site as requested.

It is expected that this request will be considered by the City Council in the month of March. Staff did support this request and at the Planning Commission public hearing, there was no opposition.

Should the City Council concur with the recommendation of the Planning Commission, various industrial and commercial uses would be consistent with a Light Industrial General Plan designation. I understand Mr. Wyatt is interested in erecting a billboard on this property. The City of Ceres does allow off-site advertising (billboard) in Industrial Zones subject to a minimum separation of 1,000 feet from any other new or existing off-site advertising sign located on the same side of Highway 99 and subject to a maximum of 480 square feet of sign area on one side, with a height not to exceed 40 feet above the grade of Highway 99.

If you have any questions or need further information, please don't hesitate to call me.

Sincerely,


Randy Hatch
Director of Planning
and Community Development

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March 6, 2001
City Council Agenda-March 12, 2001

GARCIA & WEAVER
ENGINEERING

MAR 09 2001

MEMORANDUM

RECEIVED

TO: Tim Kerr, City Manager

FROM: Randy Hatch, ^{RH} Director of Planning & Community Development
Sydnee Alyster, Code Enforcement Officer/Asst. Planner

SUBJECT: **Public Hearing-Resolution Nos. 2001-43 and 2001-44 -adopting a Negative Declaration and approving to change the General Plan diagram designation from Community Commercial to Light Industrial and to consider Ordinance No. 2001-897 (Introduction and First Reading) to prezone a 1.8 acre site to M-1, Light Industrial at 2701 E. Service Road (Application Nos. 00-20PZ and 00-21 GPA, Wyatt).**

RECOMMENDED ACTION:

Recommend that the City Council take the following actions:

- 1) Approve Resolution No. 2001-44 adopting a Negative Declaration, which adequately addresses CEQA for this proposal as no significant environmental effects of the project, have been identified.
- 2) Approve Resolution No. 2001-43 approving the General Plan Amendment from CC, Community Commercial to LI, Light Industrial.
- 3) Introduce and First Reading of Ordinance No. 2001-897 to prezone the 1.8 acre site to M-1, Light Industrial at 2701 E. Service Road.

DISCUSSION:

This application proposes to change the Ceres General Plan Diagram (map) for a 1.86-acre site from CC (Community Commercial) to LI (Light Industrial) and prezone the unincorporated site to M-1 (Light Industrial). The site is situated between Lucas Road and Highway 99 on the north side of Service Road.

Analysis

The primary activities of the proposed site and the surrounding uses are currently industrial. The project site is bordered on the north and east by the Southern Pacific Railroad and Highway 99.

On the south is Service Road and an almond orchard and rural land. The surrounding uses to the west are a truck terminal, auto parts dismantler and recycling center. The property owner wishes to change the General Plan Diagram to reflect the existing uses. This would allow the property owner to expand industrial activities, which he may not be able to do with the current Community Commercial General Plan designation. The City has independently recognized the need to change the General Plan in this area to Light Industrial as part of the work program of the Mitchell/Service Road/Highway 99 Interchange Study. The applicant does not want to wait for this City action and has gone forward independently. The property owner proposes to prezone the site to M-1 (Light Industrial) to implement the General Plan and allow for future annexation. Additionally, due to the County's policies regarding development of unincorporated land within a sphere of influence, the General Plan Amendment and Prezone will allow the applicant to expand the industrial uses while still under county control.

Cega

To insure compliance with the provisions of CEQA, staff has prepared and circulated an "Initial Study Environmental Assessment" based on the General Plan Amendment and rezoning proposal. This Initial Study reviewed all potential environmental issues and was circulated to various utilities and public agencies for comment including Caltrans. As of the end of the thirty (30) day review and comment period, no significant issues have been raised. It is the recommendation of both the Planning Commission and staff that a Negative Declaration be adopted for this project.

Planning Commission Recommendation

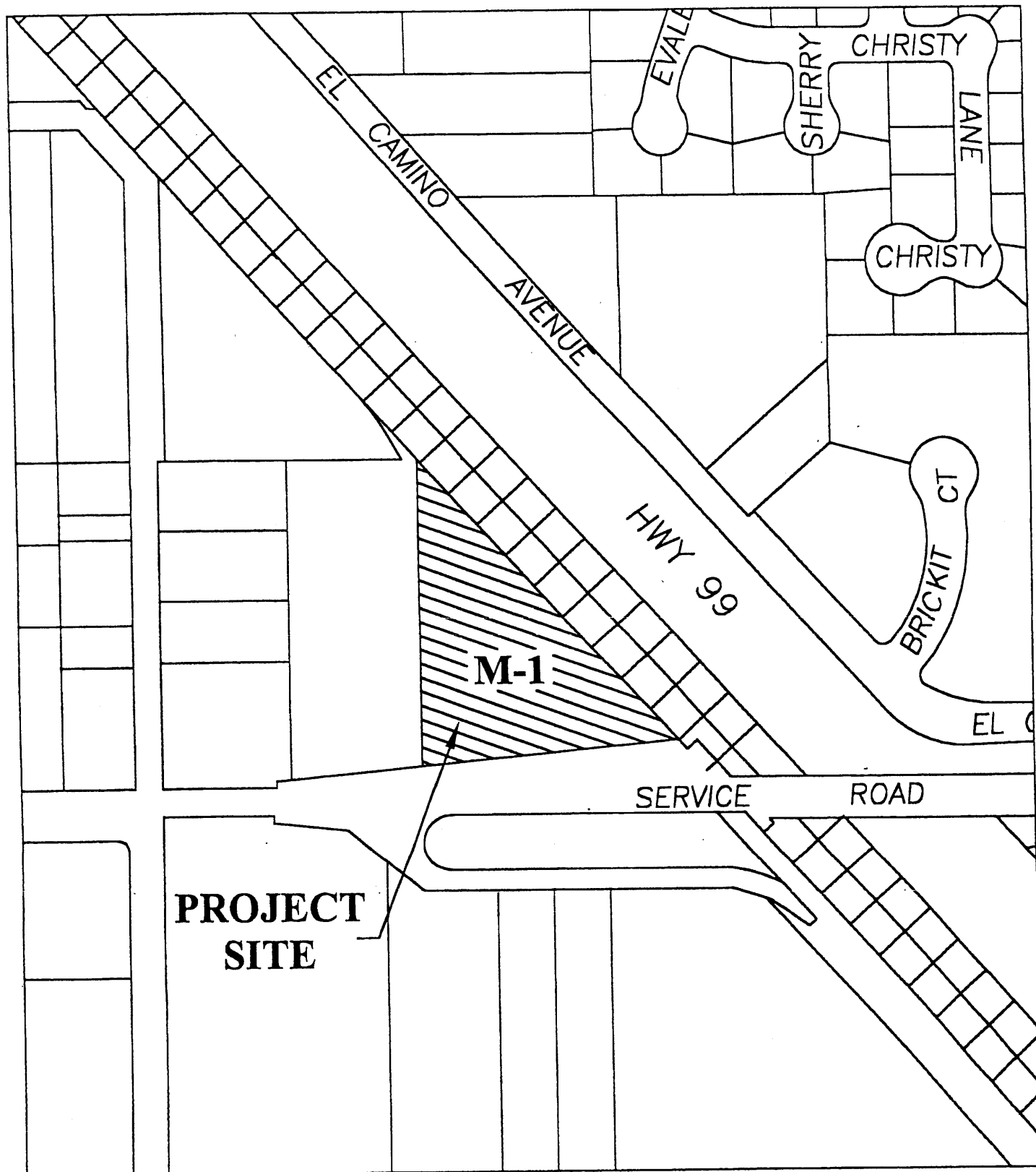
The Planning Commission held a public hearing on the request at their February 5, 2001 meeting. The proponents presented the request. There was no opposition. The Planning Commission, after the public hearing, recommended that the City Council adopt the requested action by a vote of 4:0 (Commissioner Felix was absent).

/SA

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Attachments: Site Map
Resolution No. 2001-____
Initial Study
Resolution No. 2001-____
Ordinance No. 2001-____

PROPOSAL TO CHANGE THE GENERAL PLAN DESIGNATION TO LIGHT INDUSTRIAL AND PREZONE TO M-1



00-20 PZ / 00-21 GPA WYATT

EXHIBIT B-10

Scale: 1"=200'

RESOLUTION NO. 2001- 44

A RESOLUTION OF THE CITY COUNCIL ADOPTING
A NEGATIVE DECLARATION FOR A PROPOSED GENERAL PLAN
DIAGRAM DESIGNATION AMENDMENT AND PREZONING
(APPLICATION NO. 00-20 AND 00-21)

THE CITY COUNCIL
City of Ceres, California

WHEREAS, the City Council of the City of Ceres, State of California, has considered said application proposing a General Plan Diagram Designation Amendment from CC (Community Commercial) to LI (Light Industrial), and rezoning of the subject parcel to M-1 at a duly noticed public hearing held on March 12, 2001 and considered all comments presented whether oral or written, and:

WHEREAS, the Planning Commission duly held a public hearing on February 5, 2001 at 7:00 p.m. and reviewed and considered the appropriate documents regarding the potential environmental effects of the proposed application, and recommended by a vote of 4-0 (Felix absent) to adopt a Negative Declaration; and,

WHEREAS, the property affected by this resolution is fully described as: lot 1 of Collins Subdivision within the South ½, Section 14 Township 4 South Range 9 East Mount Diablo Base Meridian; and,

WHEREAS, the City of Ceres prepared a Negative Declaration pursuant to the requirements of CEQA and circulated the document and no significant environmental effects of the project were identified.

NOW, THEREFORE, BE IT RESOLVED that based upon the evidence within the staff report and project file, the City Council of the City of Ceres hereby adopts a Negative Declaration for the General Plan Diagram Designation Amendment to Light Industrial and Prezoning of 2701 E. Service Road to M-1, Light Industrial.

PASSED AND ADOPTED this 12th day of March, 2001 by the following vote:

AYES:

NOES:

ABSENT:

LOUIE ARROLLO, Mayor

ATTEST:

BRENDA SCUDDER HERBERT, City Clerk
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City of Ceres**Proposed Negative Declaration**

Prepared pursuant to City of Ceres Environmental Guidelines, §§ 1.7(c), 5.5.)

Project Name: Application No. 00-20 PZ and Application No. 00-21 GPA Wyatt

Description of Project: This is a proposal to prezone approximately 1.86 acres to M-1, Light Industrial and to change the General Plan designation from Community Commercial to Light Industrial.

Project Location: 2701 E. Service Road

Name of Project Proponent/Applicant: Jim Wyatt

A copy of the Initial Study ("Environmental Information Form" and "Environmental Checklist") documenting the reasons to support the adoption of a Negative Declaration is available from the City of Ceres Planning and Community Development Department.

Mitigation measures are are not included in the project to avoid potentially significant effects on the environment.

The public review on the proposed Negative Declaration ended at 5:00 p.m. on January 12, 2001.

The Planning Commission reviewed the proposed project on February 5, 2001.
The City Council adopted the Negative Declaration on XXXXX.

Randy Hatch, Director of Planning and Community Development

Date

City of Ceres Notice of Intent to Adopt a Negative Declaration

To: County Clerk
County of Stanislaus
912 11th Street
Modesto, CA 95350

From: City of Ceres Planning
2220 Magnolia Street
Ceres, CA 95307

Please post pursuant to Section 21092.3 of the Public Resources Code.

Project Name: 00-20 PZ and 00-21 GPA

Description of Project: Proposal to change the General Plan designation from Community Commercial to Light Industrial and Prezone the 1.86 acre site to M-1.

Project Location: 2701 E. Service Road

Name of Project Proponent/Applicant: Jim Wyatt

Review Information:

1. Pursuant to Section 21092.3 of the Public Resources Code, the City of Ceres hereby provides public notice of its intent to adopt a Negative Declaration in conjunction with the above project and its related applications.
2. Mitigation measures are are not included in the project to avoid potentially significant effects on the environment. If mitigation measures are proposed, a Mitigation Monitoring Plan will be adopted as part of the environmental review process associated with this project.
3. A "de minimis" fee exemption regarding proposed project's impact on fish and wildlife and the habitat on which they depend is is not recommended for this project.
4. The Planning Commission City Council is scheduled to review the proposed project on February 5, 2001. Planning Commission and City Council meetings begin at 7:00 p.m.
5. The public review period for commenting on the proposed Negative Declaration ends at 5:00 p.m. on January 12, 2001. The Initial Study/Negative Declaration can be viewed at the office of the Ceres Planning and Community Development, located at 2220 Magnolia Street in Ceres, California during normal business hours (weekdays from 8 a.m. to 5 p.m.). Copies of the environmental documents are also available in the Ceres Library located at 2250 Magnolia Street in Ceres.



Randy Hatch, Director of Planning and Community Development

12/12/00

Date

Environmental Checklist Form

Project Information

1. **Project Title:** Application No. 00-20 PZ and 00-21 GPA, Wyatt General Plan Change and Prezone
2. **Lead Agency Name and Address:** City of Ceres, 2220 Magnolia Street, Ceres, CA. 95307
3. **Project Sponsor's Name and Address:** Jim Wyatt, 3525 Mitchell Road Suite H, Ceres, CA. 95307
4. **Contact Person and Phone Number:** Max Garcia, (209) 538-3360
5. **Project Location:** 2701 E. Service Road, Ceres. APN: 053-38-07
6. **Project Description** (Describe the whole action involved, including and but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary):

The project proposes to change the Ceres General Plan for the 1.86 acre site from Community Commercial (CC) to Light Industrial (LI) and prezone the unincorporated site to Light Industrial (LI).
7. **General Plan Designation:** Community Commercial—request to change to Light Industrial
8. **Zoning:** Unincorporated—request to prezone to Light Industrial
9. **Surrounding Land Uses and Setting:** North and East: Southern Pacific Railroad tracks and State Highway 99; South: Service Road; West: Truck terminal, used car sales, auto parts dismantler and recycling center.
10. **Site Description:** Site is flat and soils are sandy loam, existing building on site used for warehousing, auto wrecking and repair, and cabinet shop.
11. **Other agencies whose approval is required (and permits needed):** None

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. A source list should be attached, and other sources used or individuals contacted should also be cited in the discussion.
- 7) Explanation of each issue should identify:
 - a) The significant criteria or threshold, if any, used to evaluate each question; and,
 - b) The Mitigation Measure identified, if any, to reduce the impact to less than significant.

8) In those cases where the City of Ceres systematically applies a standard requirement to address specific problems or to address specific concerns, the proposed project is assumed to include these systematically applied standards or requirements. An example is the application of Uniform Building Code Zone 3 Standards, which addresses shaking from earthquakes. The intent is to minimize the redundant identification of existing standards and requirements as mitigation measures that need to be monitored and reported. A source list is provided below and cited in the discussion that follows:

- a. Ceres General Plan Policy Document, February 1997
- b. Ceres General Plan Background Report, February 1997
- c. Ceres General Plan Final Environmental Impact Report, Certified November 1996.
- d. Ceres Zoning Ordinance, Title 18, Ceres Municipal Code.
- e. San Joaquin Valley Air Pollution Control District Regulations VIII.
- f. Recovery Plan for Upland Species of the San Joaquin Valley, U S Fish & Wildlife Service, 1998.
- g. Ceres Wastewater Treatment Plant Expansion Project EIR, December 1999.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. AESTHETICS -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista?
(Source # 8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
(Source # 8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? (Source # 8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source # 8 a,b,c,d) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: The property is flat, devoid of any significant vegetation or natural features and contains industrial uses. No significant visual or scenic resources exist or will be affected. No sensitive light receptors in area. Existing uses are not a significant source of light or glare and potential new uses under new General Plan designation will be regulated to prevent significant light or glare.

Mitigation Measures: None

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source # 8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source # 8 a,b,c,d) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (Source #8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: The site is developed with industrial uses. No agricultural resources will be impacted.

Mitigation Measures: None

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? (Source # 8 c,e) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source # 8 c,e) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source # 8 c,e) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Expose sensitive receptors to substantial pollutant concentrations? (Source # 8 c,e)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people? (Source # 8 c,e)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The site is in a Non-attainment Area for Part 10 Emissions and Ozone. The project does not propose new development. Any subsequent construction allowed due to the General Plan change and Prezone would be subject to the Air District's Regulation VIII Standards to control dust and emissions. Any subsequent development would require City review and environmental determination.

Mitigation Measures: None

IV. BIOLOGICAL RESOURCES -- Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source # 8 a,b,c,f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source # 8 a,b,c,f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source # 8 a,b,c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source # 8 a,b,c,f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance? (Source # 8 a,b,c,f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source # 8 a,b,c,f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Have a substantial adverse effect on any locally significant plant or animal species? (Source # 8 a,b,c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Have a substantial adverse effect on any significant ecological resource, i.e:				
i) Any habitat or vegetation for rare, threatened or endangered animals or plants? (Source # 8 a,b,c,f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Any riparian and wetland habitats? (Source # 8 a,b,c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: Biological resources are primarily restricted to habitats along the Tuolumne River. This site is developed, is not near the river, or any other sensitive resources. No evidence that any threatened animals or plants exist on the site.

Mitigation Measures: None

V. CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (Source # 8 b,c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (Source # 8 b,c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source # 8 b,c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries? (Source # 8 b,c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The Ceres General Plan EIR indicates that this site would not be expected to have archeological or paleontological significance.

Mitigation Measures: None

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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VI. GEOLOGY AND SOILS -- Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving, but not limited to: (Source # 8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (Source # 8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? (Source # 8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? (Source # 8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides? (Source # 8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? (Source # 8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source # 8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source # 8 b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? (Source # 8 b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: The site is not located on or near known faults and although ground shaking is a concern in Ceres, historical records indicate a low probability of ground shaking or liquefaction. New construction will comply with the Uniform Building Code Seismic Requirements. The site contains non-expansive soil and will be connected to City sewer.

Mitigation Measures: None

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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VII. HAZARDS AND HAZARDOUS MATERIALS -
Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: Project Description) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: Project Description) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: Project Description) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source #8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source #8 a,b,c and Modesto City-County ALUC) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? N/A | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source #8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands? (Source #8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: The proposed General Plan change and Prezone does not involve hazardous materials nor is it located on a hazardous material site. Due to the change in General Plan, any future industrial development will be subject to subsequent City review. The site is located approximately 1.5 miles south of the Modesto Airport Planning Area Boundary.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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There is no private airstrip anywhere in the vicinity. The project will not interfere with the City of Ceres Emergency Plan.

Mitigation Measures: None.

VIII. HYDROLOGY AND WATER QUALITY –
Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements? (Source #8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Source #8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including, but not limited to, the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source #8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including, but not limited to, the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source #8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? (Source #8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Otherwise substantially degrade water quality? (Source #8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source #8 b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source #8 b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Source #8 b,c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

j) Inundation by seiche, tsunami, or mudflow? (Source #8 b,c)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: The project will not substantially deplete groundwater supplies or exceed the capacity of the storm drain system since the site is already developed with industrial uses. The site is not within or adjacent to any flood hazard area. No existing drainage way (stream, river) is in vicinity of the site.

Mitigation Measures: None

IX. LAND USE AND PLANNING - Would the project:

a) Physically divide an established community? (Source #8 a,b,c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Source #8 a,b,c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source #8 a,b,c,e)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The proposed project is to change the City of Ceres General Plan and prezone for Light Industrial. The site is not within an established community nor is it subject to a habitat or natural community conservation plan.

Mitigation Measures: None

X. MINERAL RESOURCES - Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source #8 a,b,c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source #8 a,b,c) Discussion: No mineral resources are in the vicinity of the site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Mitigation Measures: None

XI. NOISE - Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source #8 a,b,c, Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? (Source #8 a,b,c, Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source #8 a,b,c, Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source #8 a,b,c, Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source #8 a,b,c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The project exists within the 60 dB or greater transportation noise contour from both State Highway 99 and the Southern Pacific Railroad noise. According to the General Plan, industrial uses are allowable uses in areas up to 70 dB and are probably feasible in areas exposed to noise greater than 70 dB. Any future industrial development would require City review to determine compliance with noise operation standards.

Mitigation Measures: None

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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XII. POPULATION AND HOUSING – Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source #8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source #8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source #8 a,b,c) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion The site is already developed in industrial uses and will therefore, not induce substantial growth. No homes or residential structures exist on the property and therefore project will not displace housing or people.

Mitigation Measures: None

XIII. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: (Source #8 a,b,c)

- | | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion: This project will have no impact on City services since the site is unincorporated. If annexed, the site may contribute to a cumulative impact on City service and thus, will be subject to City and other agency standards and public facility impact fees.

Mitigation Measures: None

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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XIV. RECREATION –

a) Would the project 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? (Source Project Description)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source Project Description)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: The development will place no demand on recreational facilities.

Mitigation Measures: None

XV. TRANSPORTATION/TRAFFIC – Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (Source #8 a,b,c)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Exceed, either individually or cumulatively, a level of service standard established by the City or the county congestion management agency for designated roads or highways? (Source #8 a,b,c)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Source #8 a,b,c)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source #8 a,b,c)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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e) Result in inadequate emergency access? (Source #8 a,b,c)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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f) Result in inadequate parking capacity per established parking ratios and standards? (Source #8 a,b,c, Project Description)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Source #8 a,b,c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: Site is developed with existing industrial land uses. No increase in traffic is expected as a result of a General Plan change and Prezone. Subsequent industrial development on the site would be subject to subsequent City review.

Mitigation Measures: None

XVI. UTILITIES AND SERVICE SYSTEMS -

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source #8 a,b,c,g)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source #8 a,b,c,g)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source #8 a,b,c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have insufficient water supplies available to serve the project from existing entitlements and resources, are new or expanded entitlements needed? (Source #8 a,b,c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source #8 a,b,c,g)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs? (Source #8 a,b,c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Violate federal, state, and local statutes and regulations related to solid waste? (Source #8 a,b,c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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Discussion: The site is already developed with industrial uses not connected to City sewer or water. The proposal therefore, will not impact the City's Wastewater Treatment Facility or water system. No solid waste disposal problems are generated by the project.

Mitigation Measures: None

XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: The site is already developed with industrial uses and change in General Plan and Prezone will have negligible impact. Any subsequent development on site due to change in General Plan and subsequent annexation to City will be subject to City review.

Mitigation Measures: None.

- The proposed project will not result in changes to any of the resources listed in Section 753.5(g) of California Code of Regulations and a "de minimis" Certificate of Fee Exemption is recommended.
- The proposed project will result in changes to any of the resources listed in Section 753.5(g) of California Code of Regulations and a "de minimis" Certificate of Fee Exemption is not recommended.

RESOLUTION NO. 2001- 43

A RESOLUTION OF THE CITY COUNCIL ADOPTING A
GENERAL PLAN DIAGRAM DESIGNATION AMENDMENT
FOR APPLICATION 00-21

THE CITY COUNCIL
City of Ceres, California

WHEREAS, the City Council of the City of Ceres, State of California, has considered said application proposing a General Plan Diagram Amendment from CC (Community Commercial) to LI (Light Industrial) Designation at a duly noticed public hearing held on March 12, 2001 and considered all comments presented whether oral or written; and,

WHEREAS, the Planning Commission duly held a public hearing on February 5, 2001 at 7:00 p.m. and reviewed and considered any comments received during the public review period and recommended by a vote of 4-0 (Felix absent) to recommend adoption of the subject General Plan Diagram Designation Amendment; and,

WHEREAS, the property affected by this resolution is fully described as: lot 1 of Collins Subdivision within the South ½, Section 14 Township 4 South Range 9 East Mount Diablo Base Meridian; and,

WHEREAS, the City of Ceres prepared a Negative Declaration pursuant to the requirements of CEQA and circulated the document and no significant environmental effects of the project were identified.

NOW, THEREFORE, BE IT RESOLVED that based upon the evidence within the staff report and project file, the City Council of the City of Ceres hereby adopts a General Plan Diagram Designation Amendment to Light Industrial for land located at 2701 E. Service Road to M-1, Light Industrial.

PASSED AND ADOPTED this 12th day of March, 2001 by the following vote:

AYES:

NOES:

ABSENT:

LOUIE ARROLLO, Mayor

ATTEST:

BRENDA SCUDDER HERBERT, City Clerk
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ORDINANCE 2001- 897

AN ORDINANCE APPROVING THE PREZONING OF A
1.8 ACRE PARCEL AT 2701 E SERVICE ROAD BETWEEN
LUCAS ROAD AND HIGHWAY 99 ON THE NORTH SIDE OF
SERVICE ROAD TO M-1, LIGHT INDUSTRIAL

THE CITY COUNCIL
City of Ceres, California

WHEREAS, Jim Wyatt, has duly filed an application to prezone a 1.8 acre parcel at 2701 E. Service Road to M-1, Light Industrial; and,

WHEREAS; the Planning Commission considered this application at its regularly scheduled meeting on February 5, 2001 considered all comments submitted both oral and written, and recommended the City Council prezone the property by a vote of 4-0 (Felix absent); and,

WHEREAS, all documents relating to the application for approval of this prezone, including the application, exhibits, attachments, and Negative Declaration, are on file in the Ceres Planning and Community Development Department and incorporated herein by reference; and,

WHEREAS, the City Council duly held a public hearing regarding said application at its regularly scheduled meeting of March 12, 2001, at which time the City Council considered all public comment and materials presented regarding the application.

NOW, THEREFORE, after duly considering all public testimony, comment, and materials presented at the public hearing, and all documents and materials submitted prior to the public hearing including the staff report and application file, all of which comprise the entire record in this matter and are on file, the City Council finds as follows:

- 1) The prezone to M-1 (Light Industrial) is consistent with the goals, policies, and program of the General Plan of the City of Ceres as amended.
- 2) The prezone application is consistent and compatible with the surrounding zoning and land uses.
- 3) There are no significant environmental effects of the prezone and a Negative Declaration has been adopted in compliance with CEQA.

NOW, THEREFORE, IT IS HEREBY ORDAINED by the City Council of the City of Ceres as follows:

1. That Title 18 of the Ceres Municipal Code is amended to prezone the 1.8 acre property as herein described to M-1, light Industrial, and all documents related thereto, the specifics of which are on file in the Planning and Community Development Department and incorporated herein by reference, is hereby approved.

This ordinance shall take effect and be in full force and operation from and after thirty (30) days from its final passage and adoption and shall be published at least once in the Ceres Courier, the official newspaper of the City of Ceres.

The foregoing Ordinance was introduced at the regular meeting of the City Council of the City of Ceres held on the 12th day of March, 2001, and was finally passed and adopted on _____ by the following vote:

AYES:

NOES:

ABSENT:

LOUIE ARROLLO, Mayor

ATTEST:

BRENDA SCUDDER HERBERT, City Clerk
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A. GENERAL PLAN AMENDMENT APPLICATION NO. 2001-03 & REZONE APPLICATION NO. 2001-05- JIM WYATT

Request to change the General Plan designation from C-2 (Commercial) to M (Industrial) and rezone from C-2 (General Commercial) to M (Industrial) on 1.86 ± acres. The property is located at 2701 E. Service Road, in the Ceres area.

APN: 053-38-07

Staff report: Bob Kachel Recommends **APPROVAL**.

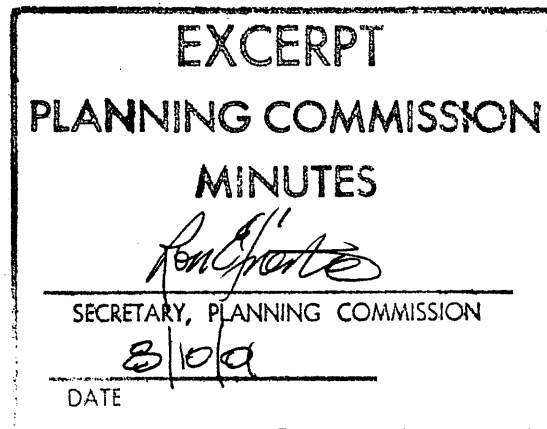
Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: Max Garcia, representing applicant, Garcia-Davis-Ringler, 3641 Mitchell Road, Ceres.

Public hearing closed.

Haney/McWilliams, Unanimously, **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS.**



ORDINANCE NO. C.S. - 767

AN ORDINANCE ADOPTING SECTIONAL DISTRICT MAP NO. 9-110.913 FOR THE PURPOSE OF REZONING FROM C-2 (GEN. COMMERCIAL) TO M (INDUSTRIAL) ON 1.86 + ACRES LOCATED AT 2701 E. SERVICE RD., IN THE CERES AREA. APN: 053-38-07

The Board of Supervisors of the County of Stanislaus, State of California, ordains as follows:

Section 1. Sectional District Map No. 9-110.913 is adopted for the purpose of designating and indicating the location and boundaries of a District, such map to appear as follows:

(Insert Map Here)

Section 2. This ordinance shall take effect and be in full force thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against same, in the Ceres Courier, a newspaper of general circulation published in Stanislaus County, State of California.

Upon motion of Supervisor Caruso, seconded by Supervisor Simon, the foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 28th day of August, 2001, by the following called vote:

AYES: Supervisors: Mayfield, Blom, Simon, Caruso and Chair Paul

NOES: Supervisors: None

ABSENT: Supervisors: None

ABSTAINING: Supervisors: None

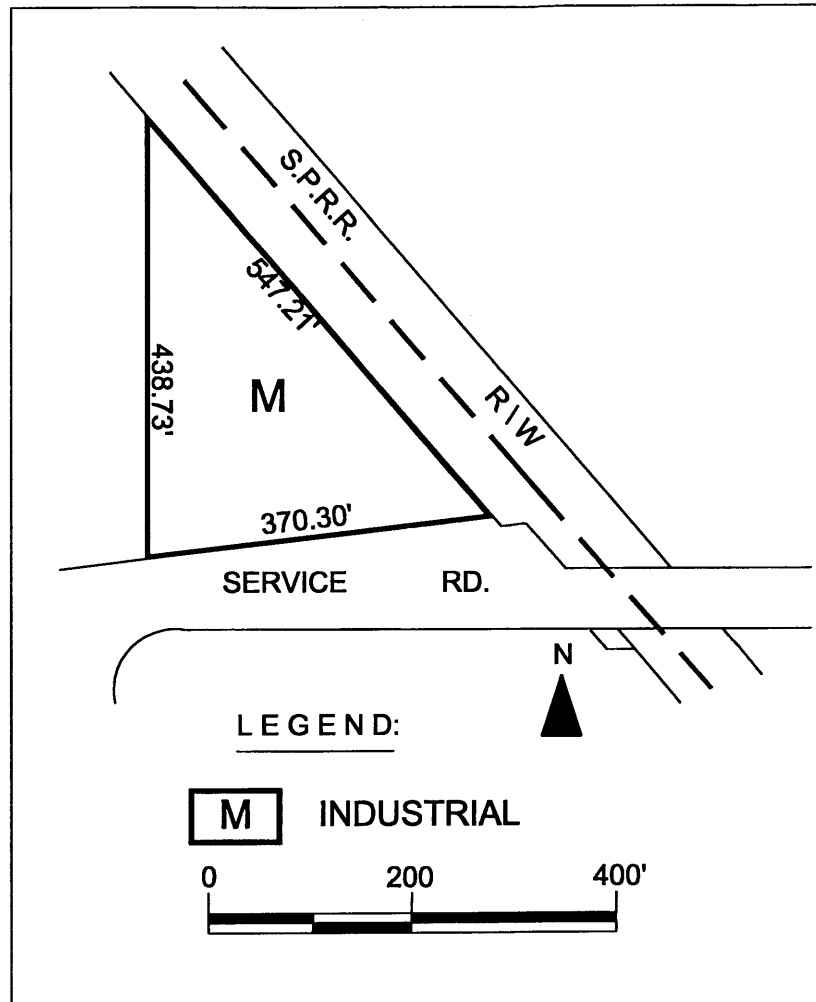
Paul Paul
CHAIR OF THE BOARD OF SUPERVISORS
OF THE County of Stanislaus, State of
California

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk of
the Board of Supervisors of
the County of Stanislaus,
State of California

BY: Lillie Farriester
Lillie Farriester, Assistant Clerk of the Board



SECTIONAL DISTRICT MAP NO. 9-110.913



Affidavit of Publication

Stanislaus County Board of Supervisors

1010 10th Street, Ste. 6700

Modesto, CA 95354

AFFIDAVIT OF PUBLICATION

Ordinance C.S. 767

CC#09-19

STATE OF CALIFORNIA }
County of Stanislaus } ss.

Robin Luton

of the said County, being duly sworn, deposes and says:

THAT I am and at all times herein mentioned was a citizen of the United States, over the age of twenty-one, and that I am not a party to, nor interested in the above entitled matter; that I am the clerk of the Ceres Courier, a newspaper of general circulation, published in the City of Ceres, County of Stanislaus, and which newspaper is published for the dissemination of local news and intelligence of general character, and which newspaper at all times herein mentioned had and still has a bona fide subscription list of paying subscribers, and which newspaper has been established and published at regular intervals in the said City of Ceres, County of Stanislaus, for a period of publication of the notice hereinafter referred to; and which newspaper is devoted to nor published for the interests; entertainment, or instruction of a particular class, profession, trade, calling, race or denomination, or any number of the same, that the notice, of which the annexed is a printed copy and which is hereby made a part if this affidavit, has been published in each regular and entire issue of said newspaper and not in any supplemental thereof on the following dates, to-wit:

Septemner 5, 2001

PRINCIPAL CLERK OF THE PRINTER

The Ceres Courier

P.O. BOX 7
CERES, CALIFORNIA, 95307
SUPERIOR COURT DECREE NO. 42498

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Ceres, California this fifth day of September, 2001

PUBLIC NOTICE

ORDINANCE NO. C.S.-767

AN ORDINANCE ADOPTING SECTIONAL DISTRICT MAP NO. 9-110.913 FOR THE PURPOSE OF REZONING FROM C-2 (GEN. COMMERCIAL) TO M (INDUSTRIAL) ON 1.86 + ACRES LOCATED AT 2701 E. SERVICE RD., IN THE CERES AREA APN:053-38-07 The Board of Supervisors of the County of Stanislaus, State of California, ordains as follows: Section 1. Sectional District Map No. 9-110.913 is adopted for the purpose of designating and indicating the location and boundaries of a District such map to appear as follows: Section 2. This ordinance shall take effect and be in full force thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against same, in the Ceres Courier, a newspaper of general circulation published in Stanislaus County, State of California. Upon motion of Supervisor Caruso, seconded by Supervisor Simon, the foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 28th day of August, 2001, by the following called vote:

AYES: Supervisors; Mayfield, Blom, Simon, Caruso and Chair Paul

NOES: Supervisors: None

ABSENT: Supervisors: None

ABSTAINING: Supervisors: None

Pat Paul, Chair of the Board of Supervisors of the County of Stanislaus, State of California

ATTEST: Christine Ferraro Tallman, Clerk of the Board of Supervisors of the County of Stanislaus, State of California

By: Lillie Farriester, Assistant Clerk of the Board

CC#09-19

SECTIONAL DISTRICT MAP NO. 9-110.913

