

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA, APPROVING
SITE UTILIZATION PLAN REVISION #3 TO
PLANNED DEVELOPMENT (P-D) #12 CHANGING
THE LAND USE DESIGNATION FROM
“COMMERCIAL OFFICE” TO “SELF STORAGE”
FOR AN APPROXIMATELY 6-ACRE PARCEL
GENERALLY LOCATED ON THE NORTH SIDE OF
OLIVE AVENUE, APPROXIMATELY 725 FEET EAST
OF HIGHWAY 59**

**THE CITY COUNCIL OF THE CITY OF MERCED DOES ORDAIN
AS FOLLOWS:**

SECTION 1. AMENDMENT TO CODE. The property described in Exhibit A and shown on the map at Exhibit B, attached hereto, and by reference made a part of this Ordinance, is hereby re-designated as shown on said Official Site Utilization Plan for Planned Development (P-D) #12 from “Commercial Office” to Self Storage” as shown on Exhibit B.

SECTION 2. CHANGE OF MAP. The Director of Development Services is hereby directed to make the appropriate markings on the Official Site Utilization Plan for Planned Development #12 in conformance with this Ordinance and the provisions of Title 20 of the Merced Municipal Code.

SECTION 3. STANDARDS. Pursuant to Merced Municipal Code Section 20.20.020 (M)(5) – Development Standards, the re-designated property shall be subject to the Development Standards found at Exhibit C attached hereto and incorporated herein by this reference.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 5. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or

portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 6. PUBLICATION. The City Clerk is directed to cause a summary of this Ordinance to be published in the official newspaper at least once within fifteen (15) days after its adoption showing the vote thereon.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Merced on the ____ day of _____, 2023, and was passed and adopted at a regular meeting of said City Council held on the ____ day of _____, 2023, by the following called vote:

AYES: Council Members:

NOES: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

APPROVED:

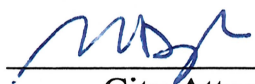
Mayor

ATTEST:
STEPHANIE R. DIETZ, CITY CLERK


BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:



City Attorney



Date

LEGAL DESCRIPTION OF 1965 West Olive Avenue, Merced, CA 95348

ALL THAT PORTION OF LOTS 39 AND 88, AS SHOWN ON MAP ENTITLED "MAP OF CROCKER COLONY" RECORDED ON JUNE 7, 1911 IN VOLUME 5 OF OFFICIAL PLATS, AT PAGE 6, MERCED COUNTY RECORDS AND BEING A PORTION OF PARCEL B, ACCORDING TO THAT PARCEL MAP NO. 2 FOR C.B.M. COMPANY, RECORDED IN BOOK 9 OF PARCEL MAPS, AT PAGE 47, MERCED COUNTY RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL "B", ALSO BEING THE SOUTHWEST CORNER OF LOT 88, ACCORDING TO "MAP OF CROCKER COLONY", RECORDED JUNE 7, 1911 IN BOOK 5 OF MAPS, AT PAGE 6, MERCED COUNTY RECORDS; THENCE NORTH $01^{\circ}20'09''$ EAST, 1410.38 FEET ALONG THE WEST LINE OF SAID PARCEL "B" TO A POINT ON THE WEST LINE OF LOT 39 OF SAID CROCKER COLONY; THENCE SOUTH $88^{\circ}39'51''$ EAST, 189.00 FEET; THENCE SOUTH $01^{\circ}20'09''$ WEST, 1404.65 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL "B" AND THE SOUTH LINE OF SAID LOT 88; THENCE SOUTH $89^{\circ}36'00''$ WEST, 189.09 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE PROPERTY AND PROPERTY RIGHTS EXCEPTED IN DEED RECORDED AUGUST 4, 1961 IN BOOK 1539 OF OFFICIAL RECORDS, AT PAGE 594, MERCED COUNTY RECORDS; IN DEED RECORDED MARCH 3, 1972 IN BOOK 1881 OF OFFICIAL RECORDS, AT PAGE 546; AND IN DEED RECORDED MARCH 3, 1972 IN BOOK 1881, OF OFFICIAL RECORDS, AT PAGE 555, SAID PROPERTY AND PROPERTY RIGHTS BEING (A) ALL OIL, GAS AND OTHER HYDROCARBONS IN AND UNDER THAT PORTION OF THE ABOVE DESCRIBED LAND HEREAFTER DESCRIBED AS THE "MINERAL PROPERTY", AND (B) ALL OTHER MINES AND MINERALS FOUND IN SOLID, GASEOUS, LIQUID OF VISCID STATE IN OR UNDER THE MINERAL PROPERTY.

TOGETHER WITH (1) THE RIGHT TO USE THE "MINERAL PROPERTY" TO SLANT DRILL WELLS FOR ANY PURPOSE AND TO DRILL OR DIG TUNNELS FOR ANY PURPOSE, THE SURFACE LOCATION OF WHICH WELLS OR TUNNELS ARE ON THE PROPERTIES OTHER THAN THE ABOVE DESCRIBED REAL PROPERTY AND THE PRODUCING INTERVALS OF WHICH WELLS OR TUNNELS ARE IN THE "MINERAL PROPERTY" AND (2) THE RIGHT TO STORE, INJECT IN AND REMOVE FROM THE "MINERAL PROPERTY" OIL, GAS, WATER OR OTHER FLUIDS AND OTHER MINES AND MINERALS OF ANY KIND BY WELLS OR TUNNELS THE SURFACE LOCATION OF WHICH ARE ON PROPERTIES OTHER THAN THE ABOVE DESCRIBED PROPERTY.

THE "MINERAL PROPERTY" SHALL BE THAT PORTION OF THE ABOVE DESCRIBED REAL PROPERTY (OR ANY PORTION THEREOF) WHICH IS MORE THAN 500 FEET VERTICALLY BELOW THE SURFACE OF THE ABOVE DESCRIBED REAL PROPERTY.

APN: 058-030-005-000

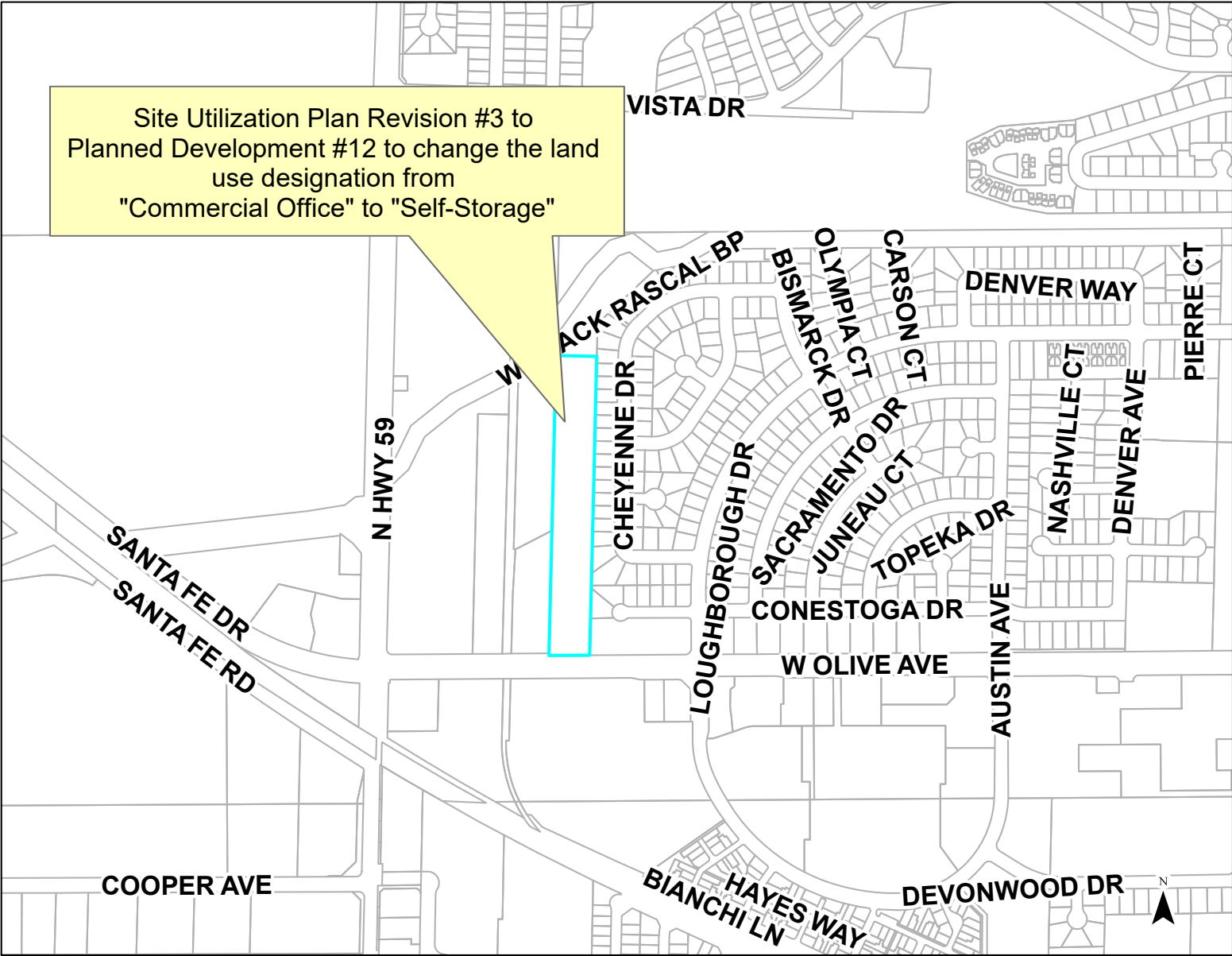


EXHIBIT B

DEVELOPMENT STANDARDS
Olive Avenue Self-Storage &
Boat/RV Parking

The following information contains Development Standards for the Olive Avenue Self-Storage and Boat/Recreational Vehicle Parking at 1965 W Olive Avenue through Site Utilization #3 to Planned Development (P-D) #12

DEVELOPMENT STANDARDS FOR OLIVE AVENUE SELF-STORAGE &
BOAT/RV LONG TERM PARKING FACILITY

	PD-12
Setbacks for all primary and secondary structures	* Zero-Lot Line
Off-Street Parking for Self-Storage and Boat/RV Long Term Parking Facility	5 parking stalls
Boat & RV Parking Surface	Gravel

*Zero-Lot Line for side and rear yard. Front yard (Olive Avenue) must maintain a minimum 10-foot set-back from front property line.