

2559

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA, APPROVING
SITE UTILIZATION PLAN REVISION #12 TO
PLANNED DEVELOPMENT (P-D) #42 CHANGING
THE LAND USE DESIGNATION FOR
APPROXIMATELY 141 ACRES OF LAND WITHIN
THE BELLEVUE RANCH MASTER DEVELOPMENT
PLAN (BRMDP) AREA AND AMENDING TABLE 6.1
OF THE BRMDP**

**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) #42 as described on Exhibit C.

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 #42 in conformance with this Ordinance and the provisions of Title 20 of the Merced Municipal Code.

SECTION 3. BELLEVUE RANCH MASTER DEVELOPMENT PLAN (BRMDP). The Director of Development Services is hereby directed to make the appropriate changes to the BRMDP including Table 6.1 in conformance with this Ordinance. The changes to Table 6/1 shall be shown on Exhibit D, attached hereto and by reference made a part of this Ordinance.

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 _____, 2024, and was passed and adopted at a regular meeting of said City Council held on the ____ day of _____, 2024, by the following called vote:

AYES: Council Members:

NOES: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

APPROVED:
MATTHEW SERRATTO, MAYOR

Mayor

ATTEST:
D. SCOTT MCBRIDE, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:
CRAIG J. CORNWELL, CITY ATTORNEY

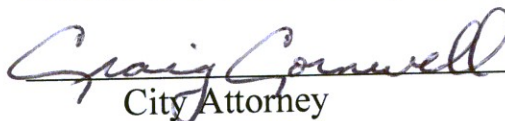
 1/16/24
City Attorney Date

EXHIBIT A
LEGAL DESCRIPTION

All or portions of the following:

Bellevue Ranch West

Villages 18-B, 19-A, 19-B, 21-A, 21-B, 22-A as shown on that certain map entitled "Bellevue Ranch West, Villages 17-22," recorded in Volume 81, Page 1 of Merced County Records.

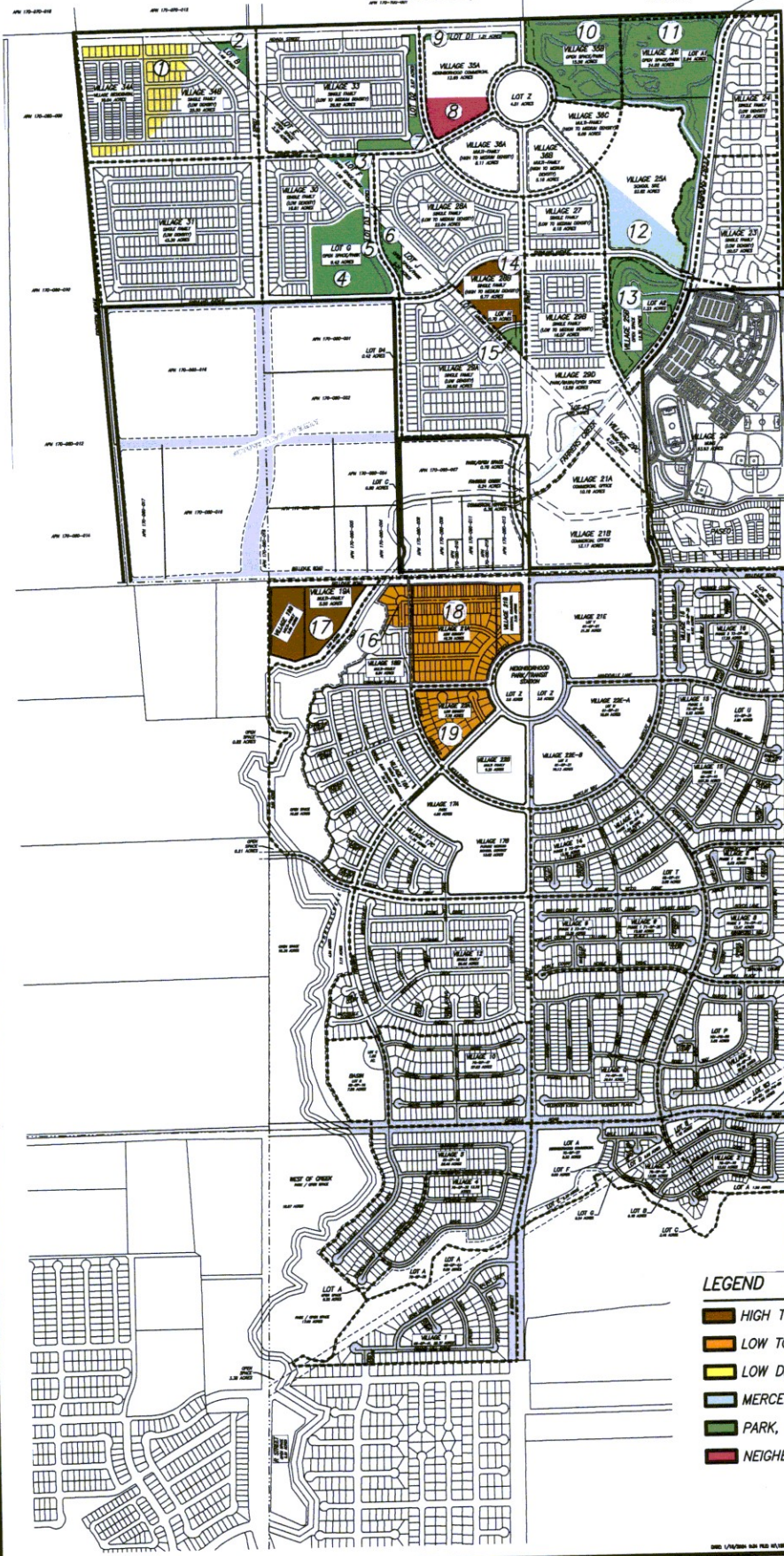
Also, known as Assessor's Parcel Numbers: 224-300-005; -007; -008; -010; -011; -012

Bellevue Ranch North

Portions of Parcels A and B as shown on that certain map recorded in Volume 103, Page 48 of Merced County Records.

Also known as Assessor's Parcel Numbers: 170-060-018 and -019

PROPOSED GENERAL PLAN AMENDMENT BELLEVUE RANCH MERCED, CALIFORNIA



LAND USE REVISION

- ① V-34A/B
VR TO LD 9.42 Ac
- ② LOT B
LD TO P/OS 1.46 Ac
- ③ LOT F
LMD TO P/OS 1.92 Ac
- ④ LOT G
LD TO P/OS 9.42 Ac
- ⑤ LOT D3
LD TO P/OS 1.16 Ac
- ⑥ LOT J
LD TO P/OS 1.45 Ac
- ⑦ LOT D2
LMD TO P/OS 3.67 Ac
- ⑧ V-35A
HMD TO NC 3.73 Ac
- ⑨ LOT D1
NC TO P/OS 1.21 Ac
- ⑩ V-35B
NC TO P/OS 15.55 Ac
- ⑪ V-26
LMD TO P/OS 24.02 Ac
- ⑫ V-25A
LMD TO SCH 7.26 Ac
- ⑬ V-25B
LMD TO P/OS 12.30 Ac
- ⑭ V-28B
LMD TO HMD 6.77 Ac
- ⑮ LOT H
LMD TO P/OS 0.70 Ac
- ⑯ V-18B
OS TO LMD 2.05 Ac
- ⑰ V-19A&B
P/OS TO HMD 10.55 Ac
- ⑱ V-21A & V-21B
RC TO LMD 20.35 Ac
- ⑲ V-22A
HMD TO LMD 7.78 Ac

LEGEND

- HIGH TO MEDIUM DENSITY RESIDENTIAL (HMD)
- LOW TO MEDIUM DENSITY RESIDENTIAL (LMD)
- LOW DENSITY RESIDENTIAL (LD)
- MERCED CITY SCHOOL DISTRICT (SCH)
- PARK, BASIN, OR OPEN SPACE (P/OS)
- NEIGHBORHOOD COMMERCIAL (NC)



Land Use Table
 General Plan Amendment #17-02
 Site Utilization Plan Revision #12 to P-D #42

Village/Lot	Acres	Current General Plan Land Use Designation	Proposed General Plan Land Use Designation	Proposed Site Utilization Plan Designation
<i>Bellevue Ranch West (BRW)</i>				
18B	2.05	Park/Open Space	Low-Medium Density Residential	Single-family, including duplexes, and townhomes
19A & 19B	10.55	Park/Open Space	High Medium Density Residential	Multi-family
21A & 21B	20.35	Regional/Community Commercial	Low Medium Density Residential	Single-family, including duplexes, and townhomes
22A	7.78	High Medium Density Residential	Low Medium Density Residential	Single-family, including duplexes, and townhomes
<i>Bellevue Ranch North (BRN)</i>				
25A	7.26	School/Low Medium Density Residential	School	School
25B	12.30	Low Medium Density Residential	Park/Open Space	Park/Open Space
26	24.02	Low Medium Density Residential	Park/Open Space	Park/Open Space
28B	6.77	Low Medium Density Residential	High Medium Density Residential	Multi-family
Lot B	1.46	Low Density Residential	Park/Open Space	Park/Open Space
Lot D1	1.21	Neighborhood Commercial	Park/Open Space	Park/Open Space

Land Use Table
 General Plan Amendment #17-02
 Site Utilization Plan Revision #12 to P-D #42

Village/Lot	Acres	Current General Plan Land Use Designation	Proposed General Plan Land Use Designation	Proposed Site Utilization Plan Designation
Lot D2	3.67	Low-Medium Density Residential	Park/Open Space	Park/Open Space
Lot D3	1.16	Low Density Residential	Park/Open Space	Park/Open Space
Lot F	1.92	Low Density Residential	Park/Open Space	Park/Open Space
Lot G	9.42	Low Density Residential	Park/Open Space	Park/Open Space
Lot H	.70	Low-Medium Density Residential	Park/Open Space	Park/Open Space
Lot J	1.45	Low Density Residential	Park/Open Space	Park/Open Space
34A & B	9.42	Village Residential	Low Density Residential	Single-family, including duplexes and townhomes or Multi-family (Reconfigured)
35A	3.73	High-Medium Density Residential	Neighborhood Commercial	Neighborhood Commercial
35B	15.55	Neighborhood Commercial	Park/Open Space	Park/Open Space

**Bellevue Ranch Master Development Plan (MDP) Table 6.1
Major Infrastructure Phasing**

~~(Revised & Adopted by City Council on June 21, 2004)~~
~~(Revision & Adopted by Planning Staff on August 17, 2005)~~
(Revision & Adopted by Planning Commission on June 18, 2008)
(Revision to be presented to Planning Commission and City
Council Fall of 2023)

The following table shows the same circulation and major infrastructure improvements listed in the MDP Table 6.1, adopted by the City Council May 15, 1995, in the columns for contiguous and non-contiguous improvements. Two new columns have been added to show the village interior improvements as well as concurrent construction phasing. This table indicates when certain improvements are **warranted** by Sub-Phase development. It does not address funding sources or the timing of available funding. In general, each Developer shall be responsible for construction of the warranted improvements, with the exception of wells, which the City will construct.

The Sub-Phases have been reorganized to show the order in which the Villages are now expected to be developed by Crosswinds and Woodside, for the area south of Bellevue Road. North of Bellevue Road the order shown in the adopted Table 6.1 shall be maintained except as noted. MDP Villages 6, 11, 13 and 19 have been excluded from this proposed sequence due to floodplain constraints.

The "Clarification Revision" of August 2008 to the 6-18-08 version of Table 6.1 clarifies inconsistencies presented by Notes #1 and #2. These notes referred to recommended improvements of the Fehr & Peers memorandum of 12-2-04. The notes stated that certain improvements were "revised" as recommended in said traffic report. However, the text within Table 6.1 did not reflect those changes. To view these referenced changes, one needs to look at Table 6 of the 12-2-04 memorandum. The August 2008 Table 6.1 presented here reconciles the inconsistencies by showing where modification to text in Table 6.1 would have to be made in order to be consistent with Staff accepted portions of Table 6 of the 12-2-04 memorandum.

NOTE: Table 6.1 was not officially amended to include these "clarifications." This document is prepared to show Staff's interpretation and affect of the 12-2-08 traffic study.

Color Coding of Responsible Areas:

Red Bold=Bellevue Ranch East Improvements (Crosswinds)

Green Bold Underlined =North Merced Major Roadway Improvement Impact Fee

Blue Underlined=Bellevue Ranch West Improvements (Woodside)

Black Bold=Bellevue Ranch Improvements, joint responsibility in Village 22

Black=Bellevue Ranch Improvements, North of Bellevue Road (unchanged since May 15, 1995).

[Phases are as noted on Minor Phasing Diagram in Master Development Plan—page 60 and Attachment B of Planning Commission Staff Report #04-13 2nd Addendum]

**Bellevue Ranch Master Development Plan
Table 6.1—Major Infrastructure Phasing**

Sub-Phase (Village)	Contiguous Improvements	Non-Contiguous Improvements	Interior Improvements	Villages Able to Construct out of sequence with this sub-phase
BIIP I	None	<ul style="list-style-type: none"> • M St (Barclay Rd. to Lehigh)(1/2 street) • M St Cottonwood Creek Bridge (1/2 Street) • Well Site (G St/ Cardella Rd) 	<ul style="list-style-type: none"> • BIIP I Collectors • Sewer, Drain and Water • Detention Basins DB-P, T and U • Storm Drain and Sewer Pump Stations Outfalls 	<ul style="list-style-type: none"> • Village 15, 16, 8A, 14 and 9
8A	None	None	<ul style="list-style-type: none"> • V-8A streets and utilities 	<ul style="list-style-type: none"> • Concurrent with BIIP I
15	None	<ul style="list-style-type: none"> • Fire Station Dedication 	<ul style="list-style-type: none"> • Village-15 streets and utilities 	<ul style="list-style-type: none"> • Concurrent with BIIP I
1	<ul style="list-style-type: none"> • M St: Lehigh to Cottonwood Ck (1/2 Street) • M St: Cottonwood Bridge (1/2 street) and bike crossing 	<ul style="list-style-type: none"> • M St: Cottonwood Ck to Cardella Rd intersection (1/2 street) 	<ul style="list-style-type: none"> • V-1 streets and utilities 	<ul style="list-style-type: none"> • None <p>Note: Sub-Phase (Village) 1 is not dependent on Sub-Phases BBIP I, 8A, and 15.</p>
9	None	None	<ul style="list-style-type: none"> • V-9 streets and utilities 	<ul style="list-style-type: none"> • Concurrent with BIIP I
3	<ul style="list-style-type: none"> • Cardella Road: M St to Bancroft Dr (1/2 street) • Cottonwood Ck bike path/imp. • Cardella Rd (Bancroft Dr to G St) (1/2 street) 	<ul style="list-style-type: none"> • <u>Cardella Rd/Bancroft Signal (as part of the development of the commercial site).</u> 	<ul style="list-style-type: none"> • V-3 streets and utilities • V-11 drainage basin 	<ul style="list-style-type: none"> • Village 2 <p>Note: Sub-Phase (Village) 3 is not dependent on Sub-Phases BBIP I, 8A, 9, and 15.</p>
2	<ul style="list-style-type: none"> • Cottonwood Ck bike path/improvements 	None	<ul style="list-style-type: none"> • V-2 streets and utilities 	<ul style="list-style-type: none"> • Concurrent with Village 3
5	<ul style="list-style-type: none"> • Cardella: (M St to Round Hill Dr (Freemark)) (4 lanes total) • Well site (Cardella Rd/Fahrens Ck.) 	None	<ul style="list-style-type: none"> • V-5 streets and utilities 	<ul style="list-style-type: none"> • Villages 4, 10, & 12 <p>Note: Sub-Phase (Village) 5 is not dependent on Sub-Phases BBIP I, 8A, 15 and 9.</p>
14	None	None	<ul style="list-style-type: none"> • Village-14 streets and utilities 	<ul style="list-style-type: none"> • Concurrent with BIIP I

Sub-Phase (Village)	Contiguous Improvements	Non-Contiguous Improvements	Interior Improvements	Villages Able to Construct out of sequence with this sub-phase
16	<ul style="list-style-type: none"> Well Site (G Street/Bellevue Road) 	<ul style="list-style-type: none"> M St: Cardella to Barclay (remainder to full improvements) 	<ul style="list-style-type: none"> Village-16 streets and utilities 	<ul style="list-style-type: none"> Concurrent with BIIP I
BIIP II	None	None	<ul style="list-style-type: none"> BIIP II Collector Roadways Sewer, Drain and Water 	<ul style="list-style-type: none"> Village 8B, 7 and Lot Q
4	<ul style="list-style-type: none"> Cottonwood Ck pedestrian bridge 	None	<ul style="list-style-type: none"> V-4 streets and utilities 	<ul style="list-style-type: none"> Concurrent with Village 5
8B	None	None	<ul style="list-style-type: none"> V-8B streets and utilities 	<ul style="list-style-type: none"> Concurrent with BIIP II
7	<ul style="list-style-type: none"> Cardella Rd (M St to G St)(1/2 street) Cardella Road/G Street signal 		<ul style="list-style-type: none"> V-7 streets and utilities 	<ul style="list-style-type: none"> Concurrent with BIIP II
10	None	None	<ul style="list-style-type: none"> V-10 streets and utilities 	<ul style="list-style-type: none"> Concurrent with Villages 5 and BBIP I (M Street component only)
12	None	<ul style="list-style-type: none"> M St/Cardella Rd signal¹, 	<ul style="list-style-type: none"> V-12 streets and utilities 	<ul style="list-style-type: none"> Concurrent with Village 10
17	None	<ul style="list-style-type: none"> R St (Yosemite to Cardella)(4 lanes total) ^{+8 10} Cardella Rd (Round Hill Dr (Freemark) to R St) (4 lanes total) ^{+8 10} Fahrens Ck Bridge at /Cardella Rd (4 lanes total) ^{+8 14} R St/Cardella Rd Signal^{+ 11} 	<ul style="list-style-type: none"> V-17 streets and utilities 	<ul style="list-style-type: none"> Villages 18 & 19 Note: Sub-Phase (Village) 17 is not dependent on Sub-Phases BBIP I, 8A, 15, 9, 14, 16, BBIP II, 8B and 7. Excepting "M" Street portion of BBIP I.
18	None	<ul style="list-style-type: none"> R Street: Cardella Rd to Franciscan Dr (4 lanes total) ^{+8 10} R Street: Franciscan Dr (<u>Arrow Wood</u>) to Bellevue Rd (4 lanes total) ^{+8 10} Cardella Rd/Bancroft Signal Franciscan Dr (<u>Arrow Wood</u>)/R St signal ^{+8 11} R St/Bellevue Rd Signal^{+ 11} Cardella Rd/Round Hill Dr (Freemark) signal 	<ul style="list-style-type: none"> V-18 streets and utilities 	<ul style="list-style-type: none"> Concurrent with Village 17

**Bellevue Ranch Master Development Plan
Table 6.1—Major Infrastructure Phasing
Clarification Memorandum - August 2008, Page 3**

Sub-Phase (Village)	Contiguous Improvements	Non-Contiguous Improvements	Interior Improvements	Villages Able to Construct out of sequence with this sub-phase
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19	None <u>Bellevue Road Frontage</u>	<ul style="list-style-type: none"> Franciscan Dr (<u>Arrow Wood</u>) (Freemark Ave to R St)^{4,8, 10} Fahrens Creek Bridge at Franciscan Dr (<u>Arrow Wood</u>)^{8, 10} 	<ul style="list-style-type: none"> V-19 streets and utilities 	<ul style="list-style-type: none"> Concurrent with Village 17
Lot Q	None	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> Lot Q streets & utilities 	<ul style="list-style-type: none"> Concurrent with BIIP II
22-East ⁶ (MFR)	<ul style="list-style-type: none"> M Street (Barclay Drive to Bellevue Road) (2 lanes) on east side including Transit Circle w/ V-21 segments⁸ 	<ul style="list-style-type: none"> Bellevue/G Signal^{1, 8,} Bellevue Rd: M St to G St (3 lanes)^{8, 9} 	None	None
22-West (MFR)	<ul style="list-style-type: none"> M Street (Barclay Drive to Bellevue Road) (2 lanes) on west side including Transit Circle w/ V-21 segments⁸ 	<ul style="list-style-type: none"> Well site (Bellevue/R St)^{7, 8} Bellevue Rd: R St to M St (3 lanes)^{8, 9} 	None	None
21⁶ (Comm)		<ul style="list-style-type: none"> M & Bellevue Signal^{11,} G St: Bellevue to Merced College (4 lanes total)^{3, 10,} <u>or Measure V Funds</u> G & Foothill (Harvest) Signal^{4, 12} Fahrens Creek Bridge at Bellevue Rd(3 lanes)^{8, 13} <u>Cardella Rd/Round Hill Dr (Freemark) signal (at time western portion of V-21 is developed.</u> 	None	

Bellevue Ranch Master Development Plan
Table 6.1—Major Infrastructure Phasing
Clarification Memorandum - August 2008, Page 4

Above Bellevue Road	Same as adopted in the MDP, 5/15/95 (see below)	Non-Contiguous Improvements	Each village's streets and utilities
20	<ul style="list-style-type: none"> • Fahrens Creek Bypass (Drainage Phase 3) 	<ul style="list-style-type: none"> • Fahrens Creek Bypass (Phase 3) 	<ul style="list-style-type: none"> • V. 20 streets and utilities
23	None	None	<ul style="list-style-type: none"> • V. 23 streets and utilities
24	<ul style="list-style-type: none"> • Well Site No. 6 • Old Lake Rd (<u>Nevada Street</u>) (2 lanes) 	None	<ul style="list-style-type: none"> • V. 24 streets and utilities
25	<ul style="list-style-type: none"> • Collector St./Fahrens Cr. Bridge (near Phase 23/24) (<u>omit</u>) • Collector St (<u>Farmland Avenue</u>) /Fahrens Cr. Bridge (near Phase 20) 	None	<ul style="list-style-type: none"> • V. 25 streets and utilities
26	<ul style="list-style-type: none"> • Old Lake Rd: 2-lanes (<u>omit</u>) • Old Lake Rd/Fahrens Creek Bridge (<u>omit</u>) 	<ul style="list-style-type: none"> • G St: 2 lanes Old Lake Rd to Bellevue Rd (4 lanes total) • G St/Collector St Traffic Signal (near Phase 20/23) (<u>complete</u>) 	<ul style="list-style-type: none"> • V. 26 streets and utilities
27	<ul style="list-style-type: none"> • M St: 2 lane ultimate section 	<ul style="list-style-type: none"> • Collector St/Fahrens Cr. Bridge (near Phase 20/23) • N/S Collector/Bellevue Signal 	<ul style="list-style-type: none"> • V. 27 streets and utilities
28	None	None	<ul style="list-style-type: none"> • V. 28 streets and utilities
29	<ul style="list-style-type: none"> • M St: 2 lane ultimate section 	<ul style="list-style-type: none"> • N/S Collector/Fahrens Creek Bridge (between M & R Sts.) (<u>omit</u>) • M St: 2 lanes (So. To Bellevue) • M St/Fahrens Creek Bridge 	<ul style="list-style-type: none"> • V. 29 streets and utilities

**Bellevue Ranch Master Development Plan
Table 6.1—Major Infrastructure Phasing
Clarification Memorandum - August 2008, Page 5**

30	<ul style="list-style-type: none"> • R St: 2 lanes • Fire Station 	<ul style="list-style-type: none"> • R St: 2 lanes ½ mile north of Bellevue to Bellevue Rd ¹⁰ • R St: 2 lanes Bellevue to ½ mile south of Bellevue (4 lanes total) ¹⁰ • R St <u>Bellevue</u>/Fahrens Creek Bridge: 2 lanes (4 lanes total) ¹³ • R St/Collector St 	<ul style="list-style-type: none"> • V. 30 streets and utilities
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		Traffic Signal (near Phases 13/18)	
31	None	None	<ul style="list-style-type: none"> • V. 31 streets and utilities
32	None	None	<ul style="list-style-type: none"> • V. 32 streets and utilities
33	<ul style="list-style-type: none"> • R St: 2 lanes • Old Lake Rd: 2 lanes 	<ul style="list-style-type: none"> • Old Lake Rd: 2 lanes (in Phase 35) 	<ul style="list-style-type: none"> • V. 33 streets and utilities
34	None	None	<ul style="list-style-type: none"> • V. 34 streets and utilities
35	None	None	<ul style="list-style-type: none"> • V. 35 streets and utilities
36	None	None	<ul style="list-style-type: none"> • V. 36 streets and utilities

Notes:

1A. The ~~R Street improvements as well as the~~ staging of signal improvements, including the specified lane configurations throughout the plan area have been revised as recommended by in Table 6 of the memorandum dated December 2, 2004 entitled "Timing of off-site roadway improvements for Bellevue Ranch" prepared by Fehr & Peers, except that: (a) the signal at "M" Street and Cardella Road will remain as a requirement of Phase 12; (b) the signal at "G" Street and Bellevue will remain a Village 22-"East" requirement; (c) "G" Street road widening between Bellevue Road and Merced College will remain a Village 21 requirement; and the signal at Cardella Road and "G" Street will remain a Village 7 requirement.

1B. "R" Street will be constructed as shown in Table 6.1, not the Fehr & Peers memo dated 12-2-04.

Bellevue Ranch Master Development Plan
Table 6.1—Major Infrastructure Phasing
Clarification Memorandum - August 2008, Page 6

2. Not used. “R” Street will be constructed as shown in Table 6.1; the Fehr & Peers memo dated 12-2-04 did not change the timing of this improvement.
3. The G Street improvements have not been revised as recommended by in Table 6 of the memorandum dated December 2, 2004 entitled “Timing of off-site roadway improvements for Bellevue Ranch” prepared by Fehr & Peers.
4. Projects revised due to lack of Corps of Engineers drainage projects:
 - a. Cottonwood Creek Bypass (Drainage Phase 1, 2): By Bellevue Ranch West, Villages 1-3.
 - b. Fahrens Creek Bypass (Drainage Phase 1, 2, 3): deleted
5. Project moved to a later phase: Bellevue Rd: M to R (last 1 of 6 lanes) is moved into Phase 3/4.
6. The timing and responsibility (Crosswinds or Woodside) for these improvements in Village 21 (commercial) will be determined at the time of conditional use permit approval for this village.
7. Well site may be required sooner if deemed necessary by the City Engineer.
8. Improvements shall be completed prior to occupancy of any unit in this village.
9. Frontage improvements per Table B (Attachment H) of PC Staff Report #07-32 – 3rd Addendum.
10. **North Merced Major Roadway Improvement Impact Fee (NMMRIIP)**
11. To be installed at the time intersection improvements are made. PFFP Eligible.
12. To be installed as “warranted” per Traffic Study prepared by Traffic Engineering Consultant. PFFP Eligible.
13. City of Merced Capital Improvement Project PFFP Funds and Fees collected with Bellevue Ranch building permits.
14. City of Merced Capital Improvement Project utilizing PFFP funds.