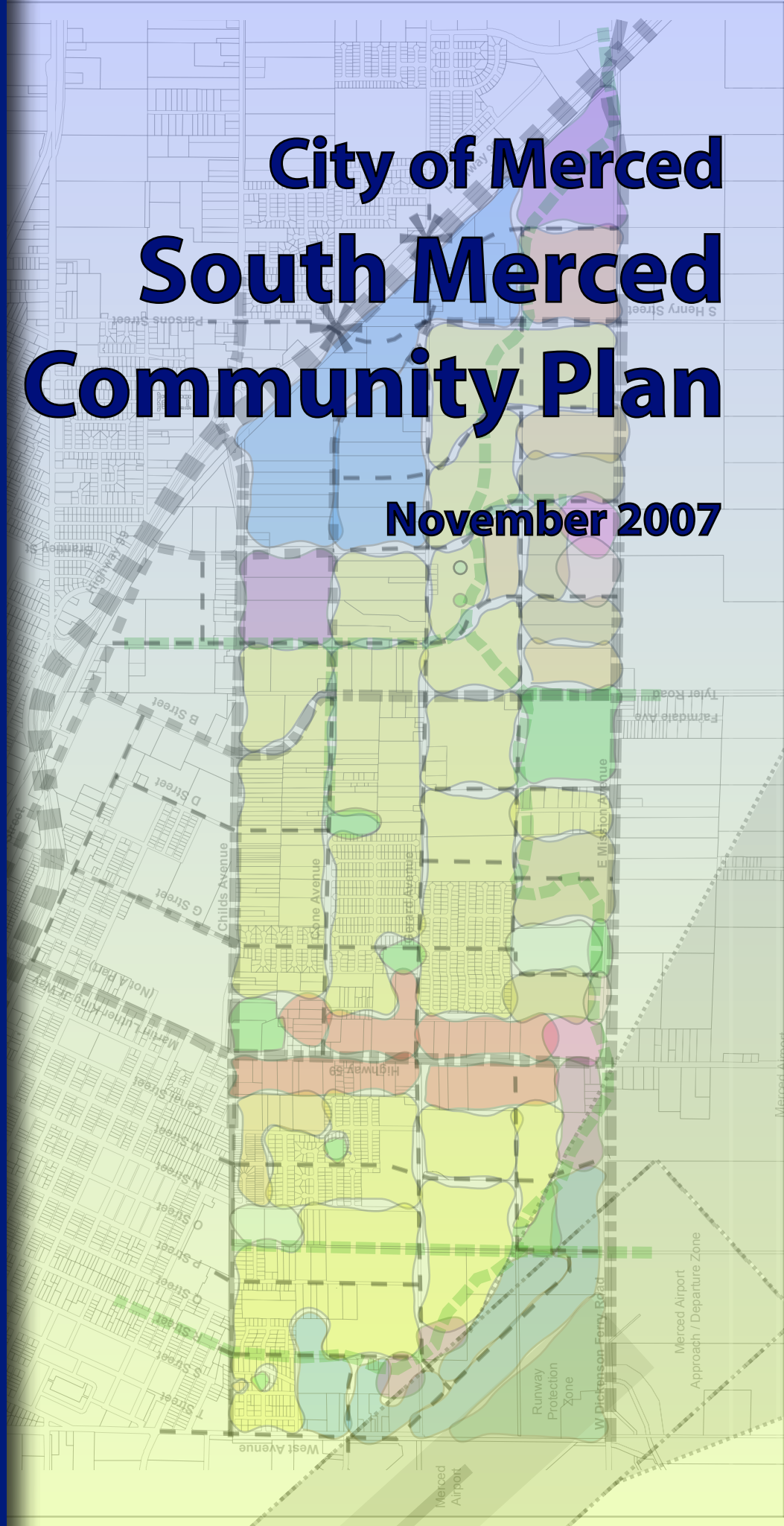




# City of Merced South Merced Community Plan

November 2007



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## South Merced Community Plan

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**Table of Contents**

**CHAPTER I COMMUNITY PLAN INTRODUCTION..... I**

- A. Overview..... I-1
- B. Plan Area Description..... I-1
- C. Statutory Authority..... I-1
- D. Relationship of the Community Plan to the Merced General Plan..... I-1

**CHAPTER II COMMUNITY PARTICIPATION ..... II**

- A. Project Background..... II-1
- B. Formation and Role of the Citizen’s Advisory Committee ..... II-1
  - 1. Formation..... II-1
  - 2. Membership..... II-1
  - 3. Roles ..... II-2
- C. Community Outreach and Participation..... II-3
  - 1. Stakeholders (Non-Government) ..... II-3
  - 2. Community Workshops and Participation ..... II-4
  - 3. Technical Advisory Participation..... II-4
- D. Environmental Review..... II-5

**CHAPTER III LAND USE ..... III**

- A. Description of Land Uses..... III-1
  - 1. Agricultural..... III-2
  - 2. Business Park..... III-2
  - 3. General Commercial..... III-2
  - 4. Neighborhood Commercial ..... III-2
  - 5. Commercial Professional Office ..... III-3
  - 6. Regional/Community Commercial ..... III-3
  - 7. Industrial ..... III-4
  - 8. Open Space/Park Recreation ..... III-4
  - 9. Low Density Residential ..... III-5
  - 10. Low to Medium Density Residential ..... III-5
  - 11. Village Residential ..... III-6
  - 12. School ..... III-6
- B. Land Use Diagram..... III-6

**CHAPTER IV PUBLIC FACILITIES ..... IV**

- A. Overview..... IV-1
- B. Infrastructure Plan..... IV-1
  - 1. Sanitary Sewer Service Facilities ..... IV-1
  - 2. Solid Waste Disposal..... IV-1
  - 3. Stormwater Drainage..... IV-2
  - 4. Water Facilities..... IV-2
  - 5. Energy..... IV-2
  - 6. Schools..... IV-2
  - 7. Parks and Community Services..... IV-3
  - 8. Public Safety..... IV-3

**Table of Contents**

- C. Transportation and Circulation ..... IV-3
  - 1. Existing Infrastructure/Opportunities and Constraints..... IV-4
  - 2. Existing Plans and Vision for the Area ..... IV-6
  - 3. Summary Results of the Initial Traffic Assessment..... IV-7
  - 4. Primary Components of the Circulation Plan ..... IV-7

**CHAPTER V SOUTH MERCED COMMUNITY PLAN GOALS, POLICIES, AND IMPLEMENTATION ACTIONS.....V**

- A. Strategic Plan ..... V-1
- B. Community advisory committee..... V-1
- C. Goals and policies ..... V-2

**CHAPTER VI STANDARDS AND CRITERIA ..... V1**

- A. Overview ..... VI-1
- B. Development Standards..... VI-1
  - 1. Standard Land Uses and Zoning ..... VI-1
  - 2. Planned Development Land Use and Zoning ..... VI-3
  - 3. Special Regulations ..... VI-4
- C. Natural Resources Standards ..... VI-4

**CHAPTER VII IMPLEMENTATION AND FINANCING PROGRAM..... VII**

- A. Regulations and Programs ..... VII-1
  - 1. CEQA Mitigation Monitoring Program..... VII-1
  - 2. Annexations ..... VII-1
  - 3. Zoning..... VII-1
  - 4. Subdivisions..... VII-1
- B. Public Works Projects..... VII-2
- C. Financing and Funding Methods ..... VII-2



## LIST OF TABLES

Table 1: City of Merced – Summary of Street and Highway Standards.....	IV-9
Goal Area H: Revitalize and Preserve Neighborhoods and House .....	V-2
Goal Area I: Improve Infrastructure & Public Services .....	V-3
Goal Area CD: Build Identity, Character and Community Design .....	V-4
Goal Area CE: Commercial and Employment Opportunities .....	V-5
Goal Area OS: Enhance Park, Open Space & Community Facilities .....	V-6
Goal Area T: Circulation and Transportation .....	V-8

## LIST OF FIGURES

I-1 Location Map.....	I-5
I-2 Land Use Concept.....	I-6
III-1 Land Use Diagram .....	III-6
IV-1 Sanitary Sewer Service Facility Diagram .....	IV-13
IV-2 Stormwater drainage Facilities Diagram .....	IV-14
IV-3 Water Facilities Diagram .....	IV-15
IV-4 Public Facilities Diagram.....	IV-16
IV-5 Circulation Concept .....	IV-17
IV-6 Off Street Bicycle Concept .....	IV-18
IV-7 2004 Regional Transportation Plan.....	IV-19

### LIST OF ACRONYMS

ADT	average daily traffic
BIA	Building Industry Association
CAC	Citizen's Advisory Committee
CEQA	California Environmental Quality Act
CPTED	crime prevention through environmental design
EIR	Environmental Impact Report
FAR	floor area ratio
LOS	level of service
MCAG	Merced County Association of Governments
MID	Merced Irrigation District
MMRP	Mitigation Monitoring and Reporting Program
NAACP	National Association for the Advancement of Colored People
P-D	Planned Development
ROW	right-of-way
RTP	Regional Transportation Plan
URS	URS Corporation

**CHAPTER I**  
**Community Plan Introduction**

## A. OVERVIEW

The South Merced Community Plan (Plan) is a 2,052-acre area located in the southern portion of Merced, California, south of downtown (Figure I-1). The project area is bounded by Childs Avenue on the north, State Route (SR) 99 on the east, Mission Avenue/Dickenson Ferry Road on the south, and West Avenue and the Merced Airport on the west.



## B. PLAN AREA DESCRIPTION

The City of Merced is located in the Central San Joaquin Valley, approximately 150 miles southeast of San Francisco, California. Merced is approximately 50 miles from Modesto to the north, Fresno to the south, and 80 miles west of Yosemite Valley within Yosemite National Park.

As of January 1, 2006, 30% of the area was occupied by primarily single family residences; the remainder was agricultural fields, bordered by the Merced Municipal Airport to the west. The area is generally flat, with few features.

## C. COMMUNITY PLAN CONCEPT

The City of Merced proposes to adopt a Community Plan to revitalize and guide the future development of the 2,052-acre area in the southern portion of the City. The planning effort, content and future implementation of the planning document created for South Merced is one of a broad and general view. The *South Merced Community Plan* and associated Program Level DIER was drafted as a general planning document. It is not meant to be treated or implemented as a “Specific Plan” as set for in the California Government Code § 65451. The South Merced Community Plan or SMCP, involves planning for the development of specific land uses in the South Merced area. The project was defined in the adopted South Merced Strategic Plan (Strategic Plan) (City of Merced, 2003). Based on the Strategic Plan, stakeholder, community, and City Staff input, a Community Plan Concept has been prepared (Figure I-2 – Land Use Concept Map). This plan is not the land use diagram but rather the overall concept upon which the subsequent supporting diagrams of this Community Plan are based. The Concept Plan was the basis for extensive internal and external dialogue prior to proceeding with the finalization of this Community Plan.

The South Merced Community Plan Land Use Concept (Figure I-2) was derived from community input via a series of workshops. Public input along with City of Merced planning staff guidance was the basis during the creation of the seminal design for the vision of the Community Plan. This concept map serves as the base for the other diagrams in this document. Since its nature is conceptual, the school site is depicted as “floating”. This is due to the fact that the future location of the school is to be determined by a separate legal entity – the Merced School District.

**D. RELATIONSHIP OF THE COMMUNITY PLAN TO THE MERCED GENERAL PLAN**

The Community Plan was drafted to be consistent with the City's General Plan. Presented below is a statement testifying its consistency with the *Merced Vision 2015 General Plan*. The following seven key policy topics in the current City of Merced General Plan will be implemented through the Plan:

1. **“Specifically target South Merced as an area that needs more commercial retail and office development”** (Policy L-2.1, Implementation Action 2.1.e).

As part of the development of the Plan, locations for commercial retail and office development were identified and are illustrated in the Land Use Concept of the Plan (Figure I-2).

**“Special emphasis should be placed on encouraging the development of neighborhood commercial center(s) in the general vicinity of the South Highway 59 corridor to serve the needs of South Merced residents”** (Policy L-2.6, Implementation Action 2.6.b); and **“Identify existing or potential neighborhood core areas that could serve as a Core Commercial area”** (Policy UD-2.1, Implementation Action 2.1.a).

These are also implementation actions of the Plan (pages V-5&V-6).

2. **“Consider and review the “Urban Villages” concept for feasibility of implementation within South Merced”** (Community Plan Guiding Principle 1).

As part of the development of the Plan, locations for “Urban Villages” were identified and are illustrated in the Land Use Concept of the Plan (Figure I-2).

**“Application of “Urban Village” design principles will be encouraged in all new growth areas of the City, including North Merced, Southwest Merced, and South Merced”** (Urban Design Chapter, Page 6-5); and **“Encourage pedestrian or transit-friendly designs at suitable locations”** (Policy L-3.1, Implementation Action 3.1.a).

These are implementation actions of the Plan (pages IV-7-9).

3. **“Non-residential uses shall be considered for areas within the Merced Municipal Airport Clear Zones”** (Community Plan Guiding Principle 2).

Residential uses are either absent or the permitted population densities are restricted in the Merced Municipal Airport Clear Zones as shown on the Land Use Concept of the Plan (Figure I-2).

4. **“Rehabilitation, redesignation, and redevelopment of existing blighted uses should be considered (for example, the auto wrecking yards near Childs and SR 99 and the**

**residential and heavy commercial areas east of the Airport)”** (Community Plan Guiding Principle 3).

As part of the development of the Plan, some of the noted blighted locations have been redesignated and are illustrated in the Land Use Concept of the Plan (Figure I-2). Additionally, most of the area between Childs Avenue and Gerard Avenue in the planning area has been included in the Gateways Redevelopment Area.

5. **“Study options and opportunities for extending the off-street trail (pedestrian and bicycle path) system to and through those portions of the City of Merced south of SR 99”** (Policy T-2.4, Implementation Action 2.4.b).

As part of the development of the Plan, opportunities for the extension of pedestrian and bike path systems were studied. These opportunities are depicted in the Off Street Bicycle Concept of the Plan (Figure IV-6).

**“Develop an off-street bikeway and trail system in South Merced”** (Policy OS-3.2, Implementation Action 3.2.e).

This is addressed in Policy OS-1.1 of the Plan (page V-6).

6. **“Explore the feasibility of creating some scenic corridors in South Merced through the use of special landscaping standards”** (Policy OS-1.3, Implementation Action 1.3.d).

As part of the development of the Plan, scenic corridors have been identified in Policy CD-1.2 and special landscaping standards have been established (page V-5).

7. **“Upgrading the existing Childs Avenue interchange with SR 99 (Figure 4.22) would provide improved access to and from the area. A series of frontage roads which connect the G Street interchange and the Childs interchange with the proposed new Mission interchange will also likely be needed in conjunction with these improvements”** (Transportation Element, page 4-38).

As part of the development of the Plan, a series of frontage roads are depicted in the Circulation Concept of the Plan (Figure IV-5).

In addition, the California Office of Planning and Research states in the *State of California, The Planner’s Guide to Community Plan, Part Five: A Community Plan’s Relationship to Other Planning Measures*.

**“Consistency is commonly demonstrated through the statement of the relationship of the Community Plan to the general plan or through a discussion of the individual policies and programs and how each consistently implements the general plan.**

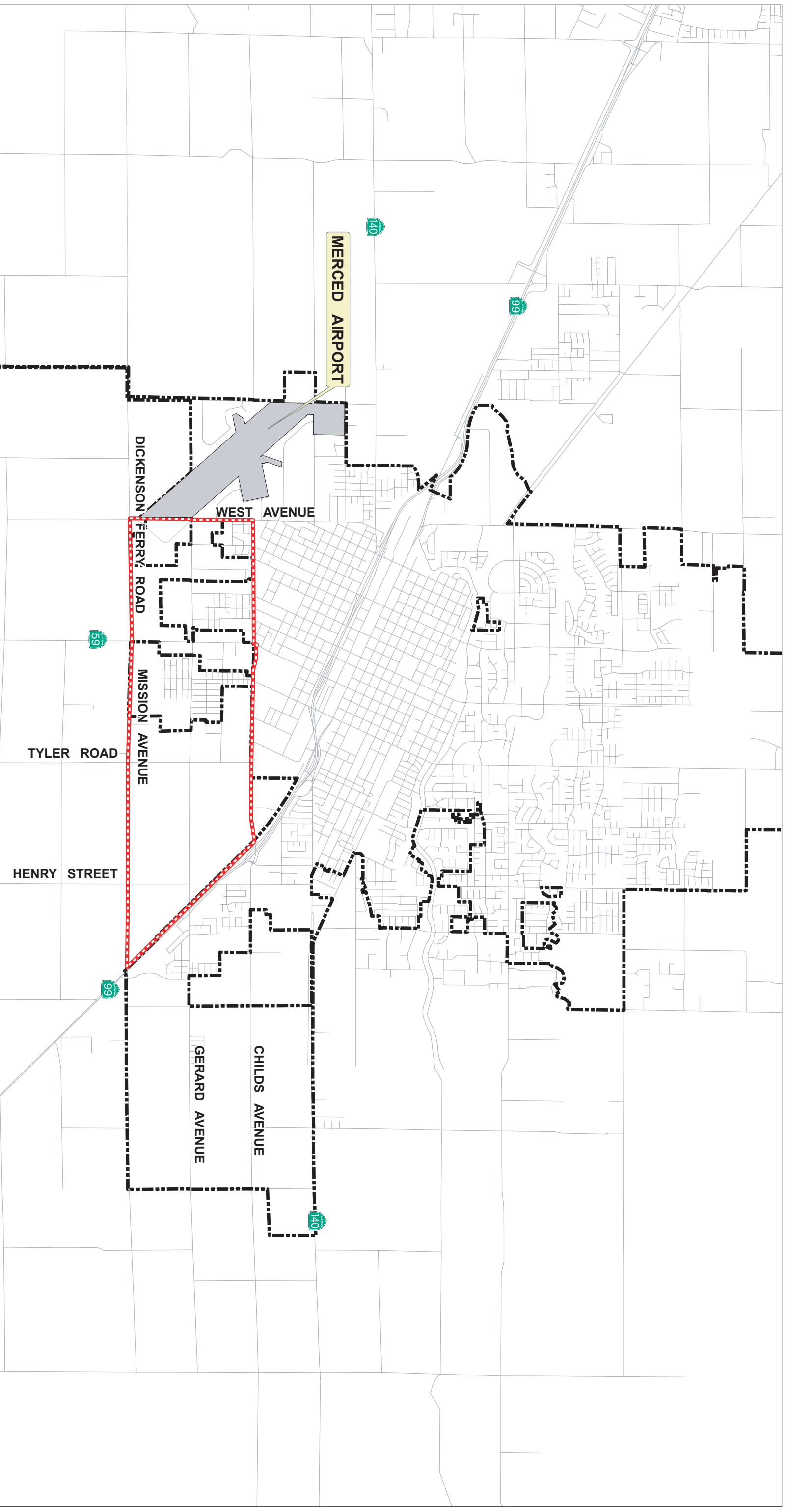


As used in the *General Plan Guidelines*, and based on the language contained in the statutes and various legal interpretations by the courts, a general rule for consistency determinations can be stated as follows:

**“An action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment.”**

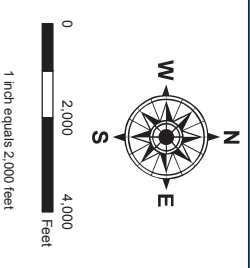
# SOUTH MERCED COMMUNITY PLAN - LOCATION MAP

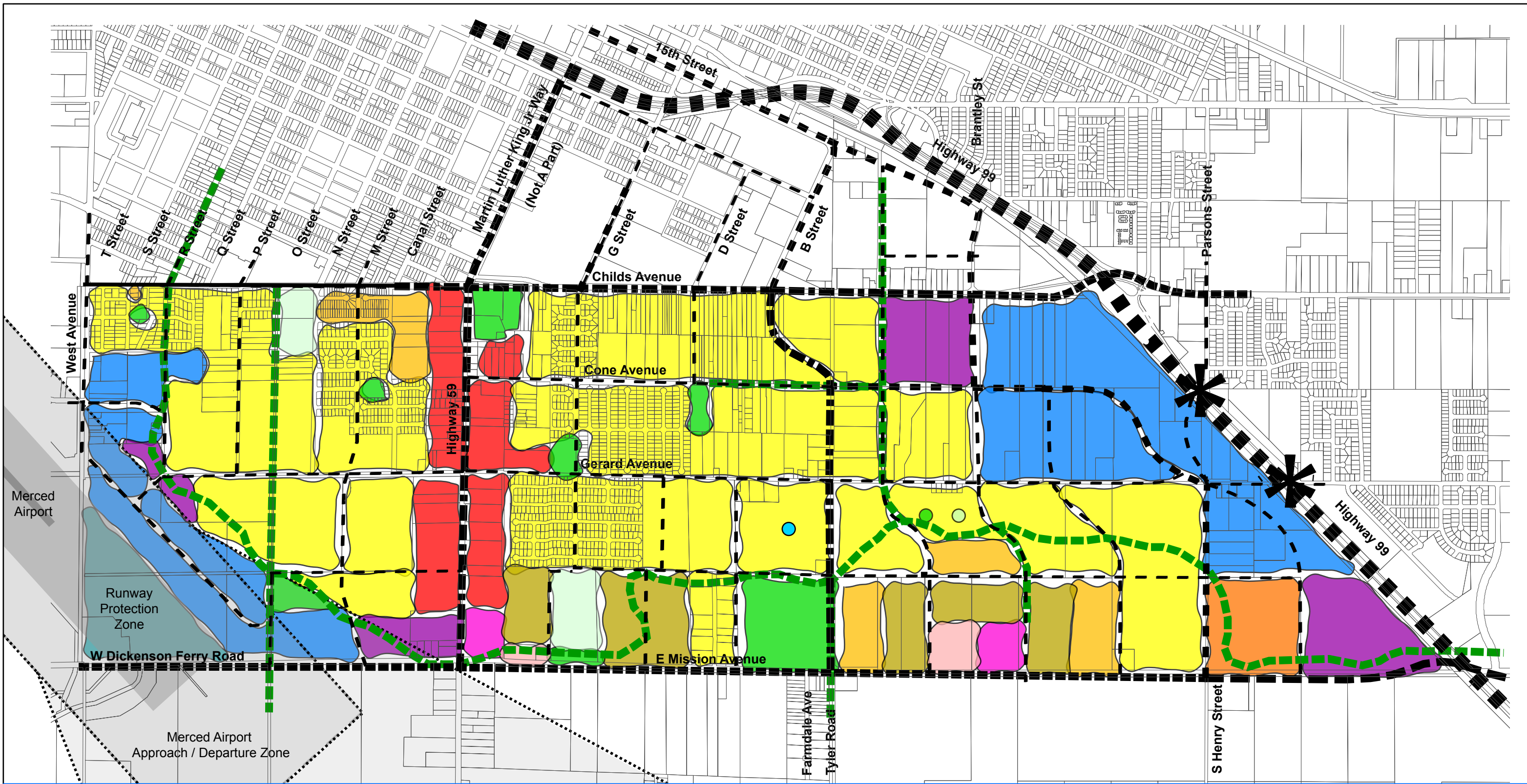
Figure I-1



## LEGEND

- ROADS
- AIRPORT
- SOUTH MERCED COMMUNITY PLAN
- CITY BOUNDARY





# SOUTH MERCED COMMUNITY PLAN - LAND USE CONCEPT

Figure I-2

Prepared map by permission of the City of Merced. 2005.



**LEGEND**

- ..... Airport Flight Zone
- Linear Open Space / Pathway
- \* Proposed Freeway Overpass

- Agricultural
- Business Park
- Commercial - Regional Community
- Commercial - General

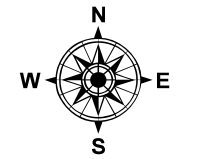
- Commercial - Neighborhood
- Commercial - Office
- Open Space / Park Recreation

- Residential - Low Density
- Residential - Low to Medium Density
- Residential - Village
- School

- Floating Park Site
- Floating School Site
- Floating High School
- Highway 99

- Major Arterial
- Minor Arterial
- Major Collector
- Minor Collector 2

Local



Not to Scale

**CHAPTER II**  
**Community Participation**

### A. PROJECT BACKGROUND

In the fall of 2004, the Merced County Association of Government, in association with the City of Merced, applied for planning grants from Caltrans. After being awarded an Environmental Justice and Planning Grant from Caltrans in July 2005, the City began the planning effort to create the South Merced Community Plan. The Caltrans contract was signed and a request for proposal was sent out to seek professional planning assistance. In November 2005, the City selected the planning consultant firm URS Corporation (URS) to assist City planning staff in preparing the Plan.

### B. FORMATION AND ROLE OF THE CITIZEN'S ADVISORY COMMITTEE

#### 1. Formation

During January 2006, the City of Merced solicited the community to participate as members of the Citizen's Advisory Committee (CAC) for the Plan. In early January, the City Council, at a televised public hearing, presented a draft list of what groups would be represented on the CAC. Based on the testimony provided, representation from the following groups was sought:

- Greater Merced Chamber of Commerce;
- The Hispanic Chamber of Commerce;
- League of Women Voters;
- Golden Valley Neighborhood Association;
- Merced Lao Family Community;
- National Association for the Advancement of Colored People (NAACP);
- Neighborhood Watch Representatives;
- Local Business Owners;
- City/County Residents;
- Landlords;
- Religious Affiliations; and
- Non-Profit Group.

#### 2. Membership

In February 2006, the City Council appointed the CAC and authorized work to begin. The following individuals were members of the Plan CAC:

- Michelle W. Allison;
- Diana Almanzar;
- Dwight Amey;
- Bert Cuen;
- Diana DuPont;

- James Freitas;
- Clark Kellogg;
- Jennifer Krumm;
- Linda Lopez;
- Leslie Mullins;
- Sol Rivas;
- Michael Ryel;
- Michael O. Sullivan;
- Rick Telegan; and
- Doretha Thomas.

These individuals met together and with the community to assist City staff and URS in crafting important components of the plan. Many hours were spent in discussions, debates, and brain-storming sessions which resulted in a comprehensive, consistent, and valuable planning document for the City.

### 3. Roles

On March 1, 2006, the City began the planning process with the CAC kickoff meeting. As presented to the CAC, their role extended throughout the planning process and offered many opportunities for input, including:

- Camera Survey. During mid-March, the CAC explored the planning area and City environs taking photographs of the sites and issues of importance to them. Many of these photographic testimonies are reflected in the plan's policies and diagrams. The following list is a summary tally of the most common themes from these photos:
  - The neighborhood lacks key features, namely parks and neighborhood serving commercial businesses;
  - Improvements to the transportation system are needed, including safety improvements; missing signals; a lack of sidewalks; substandard roads; and poor road conditions;
  - Vacant lots negatively affect the neighborhood;
  - Drainage problems exist;
  - Open space improvements and upgraded and new sites are needed;
  - Code enforcement violations need attention specifically signs, fencing, vehicles, trash, animals, and cars;
  - Abandoned buildings negatively affect the neighborhood;
  - Apartments need better site designs;
  - Higher design standards needed; and



- Underground utilities.

Community Tour. On March 18, 2006, the CAC took City staff and URS on a community tour. Thus, the consultant's first impression of the Plan area came directly from area residents and property and business owners.

Review Three Alternative Plans. On May 18, 2006, the CAC met with City staff and URS to review preliminary land use concepts.

Plan Alternatives Public Workshop. In July 2006, the CAC, URS, and City staff held community workshops to gather comments and ideas. Draft concepts related to land use, circulation, housing, open space, and infrastructure were presented and discussed.

Recommendation of Final Alternative Plan. On November 15, 2006 a CAC meeting with interested community members discussed three primary components of the draft Community Plan: land use, the initial traffic assessment, and draft policy statements.

Policy Language Review. On November 27 and December 5, 2006 the CAC met with City staff to amend draft policy language and to provide a final recommendation on the land use concept.

### C. COMMUNITY OUTREACH AND PARTICIPATION

The Plan was prepared based on considerable involvement with the citizens of South Merced. The process included a community tour by the CAC to share issues of importance to the community with URS and City planning staff; public community workshops; and numerous one-on-one stakeholder interviews. A general schedule of events guided the planning process.

#### 1. Stakeholders (Non-Government)

Overview: Stakeholders represent individuals or groups that do not live or work in the area of the Plan, but could be affected by the land use map or policies of the Plan. For a discussion of meetings with technical stakeholders (i.e., those from local government agencies) see item #3 below. Stakeholders were interviewed about their ideas and concerns for consideration in drafting the Plan. Stakeholders also participated in public workshops and reviewed draft maps and policies pertaining to the Plan. Stakeholders represented the following groups:

- Neighborhood Associations (groups and individuals);
- Local Developers and Builders;
- Building Industry Association (BIA);
- Agricultural Interests;
- Environmental/Conservation Groups; and
- Local Non-Profit Groups.

**2. Community Workshops and Participation**

Overview: Community workshops provided an opportunity for City staff, the CAC, and URS to hold in-depth discussions about South Merced Strategic Plan priorities, specifically concerning land use, mobility, housing, infrastructure, and open space. The community workshops were advertised extensively via newspaper, radio, flyers, and letters to community organizations, reaching out to as many citizens in the Plan area as possible.

Dates: July 13, 2006 (Community Workshop #1)  
July 15, 2006 (Community Workshop #2)

Outreach: Flyers in English, Spanish, and Hmong were provided to the Community Partnership Alliance and the Lao Community for distribution, and were posted at the following locations: Merced Transpo Station; several grocery stores adjacent to the planning area; the Jerry O' Banion Learning Center (South Merced's Library); and the Boys and Girls Club.

Public Information Officer Mike Conway spoke on local radio station KYOS on July 5 and July 12, 2006 about the Plan, inviting interested members of the public to attend the community workshops. A news release in the Merced Sun Star about the workshops was presented on July 6, along with a July 10 article concerning the workshop events.

In August 2006, an article about the City's effort to draft a community-based Community Plan for South Merced was published in the City's monthly newsletter, which is inserted into utility bills, posted at City Hall, and available on the City's website.

**3. Technical Advisory Participation**

Overview: During the course of the planning period, City staff and URS met or offered to meet with the following local agency staff and committees to discuss and provide guidance on different aspects of the plan:

- City of Merced Economic and Development and Redevelopment Staff;
- Merced Irrigation District; and
- Merced County Public Works.
- City of Merced/Development Service Department
- City of Merced Airport Authority
- City of Merced Airport Manager
- Merced County Airport Land Use Commission
- City of Merced Police Department
- City of Merced Fire Department
- City of Merced Community Parks and Recreation
- Caltrans

- Merced City School District
- Weaver Union Elementary School District
- Merced Union High School District
- City of Merced Economic Development Advisory Committee
- City of Merced Development Review Group
- Cemetery District

### **D. ENVIRONMENTAL REVIEW**

Consistent with the California Environmental Quality Act (CEQA) statutes and guidelines, several opportunities for public input were provided concerning the potential environmental impacts of the project. These include:

April 2006 – Review and Comment of Initial Study;

May 2006 – CEQA Scoping Meeting;

March 2007 – Review and Comment of Draft Environmental Impact Report (EIR);

June 2007 – Planning Commission Public Hearing; and

July 2007 – City Council Public Hearing.

**CHAPTER III**  
**Land Use**

### A. DESCRIPTION OF LAND USES

#### Land Use Types and Distribution

The Plan project area shall include 12 land use designations:

- Agricultural
- Business Park
- General Commercial
- Neighborhood Commercial
- Commercial Professional Offices
- Regional/Community Commercial
- Industrial
- Open Space/Park
- Low Density Residential
- Low to Medium Density Residential
- Village Residential
- School

The various types of residential use designations are distributed throughout the Plan area, with the greatest concentration of low density residential land found between SR 59 and Tyler Road. Low to medium density and village residential land (creating “Villages”) are proposed in two locations: between SR 59 and Tyler Road; and along Mission Avenue (the second village concept, the larger of the two) between Tyler Road and Henry Street.

General commercial land is primarily designated along SR 59. A pocket of regional/community commercial is proposed to the northeast of the Henry Street and Mission Avenue intersection. Neighborhood Commercial land is proposed at the Tyler Road and Henry Street Village location along with commercial professional offices. Business parks are proposed as a complementary use for village centers.

Industrial land use is proposed east of Brantley Street along SR 99 and in the southwest corner of the project, near the Merced Airport.

Because of constraints posed by the nature of the airport activities, agricultural land use is proposed at the southwest corner of the Plan area, in what is identified as the Merced Airport Runway Protection Zone.

School location designations are proposed in key locations in low density residential uses and in very close proximity to open space/park areas. These strategic locations meet a two-fold need: to ensure optimum service area coverage for school districts, and open space to buffer the area from surrounding land uses. It also provides children access to open space. Similarly, the open space/park land use locations are near residential areas. The only cemetery is located at SR 59 and Childs Avenue.

### 1. Agricultural

Agricultural land comprises 63 gross acres (47 net acres) of the Plan area. It is located in the Merced Airport Runway Protection Zone, in the far southwest corner of the Plan area. It essentially acts as a buffer against the potential hazards of the airport for the surrounding land.



### 2. Business Park



The business park designation will comprise 125 gross acres (94 net acres) within the Plan area. The floor area ratio (FAR) would be 0.50. The estimated allowable square footage would be 2,041,875. As shown on Figure III-1, business park lands are located in four areas: at the intersection of Cone Avenue and Brantley Street, next to the general commercial strip along SR 59 at the intersection of West Dickenson Ferry Road, at the intersection of Gerard Avenue and R Street, and in the southeast corner of the Plan area, Mission Avenue and SR 99.

### 3. General Commercial

General commercial land will comprise 123 gross acres (92 net acres) within the Plan area. The FAR would be 0.25. The estimated allowable square footage would be 1,004,603. As shown on Figure III-1, the general commercial land is located along the SR 59 corridor.





**4. Neighborhood Commercial**



The neighborhood commercial land will comprise 20 gross acres (15 net acres) within the Plan area. The FAR would be 0.25. The estimated allowable square footage would be 163,350. As shown on Figure III-1, neighborhood commercial lands are located in two areas: next to the general commercial strip along SR 59 at the intersection of West Dickenson Ferry Road, and at the village concept near the intersection of Brantley Street and Mission Avenue.

**5. Commercial Professional Offices**

Commercial professional offices will comprise 13 gross acres (10 net acres) within the Plan area. The FAR would be 0.25. The estimated allowable square footage would be 106,178. As shown on Figure III-1, commercial professional office lands are located in two areas: next to the commercial general strip along SR 59 and the intersection of West Dickenson Ferry Road, and at the village concept near the intersection of Brantley Street and Mission Avenue.



**6. Regional/Community Commercial**



The regional/community commercial land will comprise 41 gross acres (31 net acres) within the Plan area. The FAR would be 0.25. The estimated allowable square footage would be 334,868. As shown on Figure III-1, the regional/community commercial land is located northeast of the Henry Street and Mission Avenue intersection.

For several reasons, the Plan dramatically reduces and relocates the regional/community commercial site from its location at the southwest corner of SR 99 and Childs Avenue to a smaller 40-acre site near Mission Avenue and Henry Street. Reasons for the change include:

- a. The Childs Avenue/SR 99 site consists of vacant lands intermixed with heavy commercial and light industrial land uses;
- b. In order to accommodate anticipated traffic from the originally sited regional/community commercial land, a massive reconstruction of the Childs Avenue/ SR 99 interchange would be necessary. Because of adjacent development, this could be very difficult and expensive.
- c. Other corners (northwest) of the intersections of SR 99 and Childs Avenue and SR 99 and Mission Avenue contain or are planned to contain regional commercial land uses.
- d. In addition to high traffic loads to State Route 99, significant vehicular trips would be generated in the existing neighborhood and developed area north of Childs Avenue, between State Route 99 and G Street.

For these reasons, a change in land use designation from regional/community commercial to industrial is presented in the Plan. The industrial designation has a lower trip generation and is consistent with existing land uses.

### 7. Industrial

Industrial land will comprise 368 gross acres (276 net acres) within the Plan area. The FAR would be 0.50. The estimated allowable square footage would be 6,011,280. Locating a significant portion of this land use type in the southwest portion of the planning area is important because this portion of the Plan area is within the Merced Airport Runway Protection Zone, the Approach/Departure Zone, and the Extended Approach/Departure Zone. Each of these zones have limitations as to what types and intensities can be used therein. The other location for industrial land is proposed east of Brantley Street along SR 99.



### 8. Open Space/Park Recreation



Open space/park land will comprise 66 gross acres (50 net acres) within the Plan area. Open space/park uses are most commonly located near residential areas. The only cemetery is located at SR 59 and Childs Avenue.

A significant feature of the Plan is the inclusion of a Class I bike/pedestrian pathway that courses through the Plan area in an east-west direction. On the east, it connects with the

regional Class I bike/pedestrian pathway proposed along Campus Parkway. On the west, it connects with a bike lane on R Street. North-south oriented pathway segments are also included to provide greater access to existing residents north of the planning area, and to future residents south of Mission Avenue. The vision is for southern connections to eventually run parallel with Owens Creek, located approximately 3/4 mile south of the Plan area.

The selected route provides connections to schools, parks, and commercial sites. More importantly, the majority of the proposed pathway traverses through currently under-developed lands, putting the Class I bike/pedestrian pathway in wide landscaped corridors, similar to pathway systems along Bear Creek and Black Rascal Creek. This design is exactly what was envisioned in the South Merced Strategic Plan, except that, instead of using existing Merced Irrigation District (MID) canals and ditches, linear storm-drainage basins will need to be created as development occurs; MID expressed a strong preference to place their conveyance facilities underground. Additionally, after surveying the routes of the existing above-ground MID facilities, it was determined that their locations were not suitable or beneficial to the function of a Class I bike/pedestrian pathway; they do not connect places of interest, and they traverse through developed areas limiting the width of the pathway.

**9. Low Density Residential**

Low density residential land will comprise 989 gross acres (742 net acres) within the Plan area. The development units per acre is approximately 5. The estimated allowable number of development units would be 3,709. The majority of this land type is found between SR 59 and Tyler Road. Low density residential land is also found west of SR 59 and east of Tyler Road.



**10. Low to Medium Density Residential**



Low to medium density residential land will comprise 89 gross acres (67 net acres) within the Plan area. The development units per acre is approximately 9. The estimated allowable number of development units would be 601. The majority of this land type is found in pockets near village concepts, at the intersection of M Street and Childs Avenue, and flanking the main village concept between Tyler Road and Henry Street, just north of Mission Avenue.

**11. Village Residential**

Village residential land will comprise 117 gross acres (88 net acres) within the Plan area. The development units per acre is approximately 18. The estimated allowable number of development units would be 1,580. The majority of this land type is found between SR 99 and Tyler Road, just north of Mission Avenue, and comprises the heart of the village development located between Tyler Road and Henry Street, just north of Mission Avenue.



**12. School**



School land will comprise 29 gross acres (22 net acres) of the Plan area, not counting a high school. School sites have specific requirements for their location and the most common and non-conflicting neighboring land is residential. The existing elementary school site is located at the intersection of N Street and Childs Avenue. A recently approved elementary school site is located at the intersection of G Street and Mission Avenue. The Weaver Union Elementary School District is anticipating the need for either an

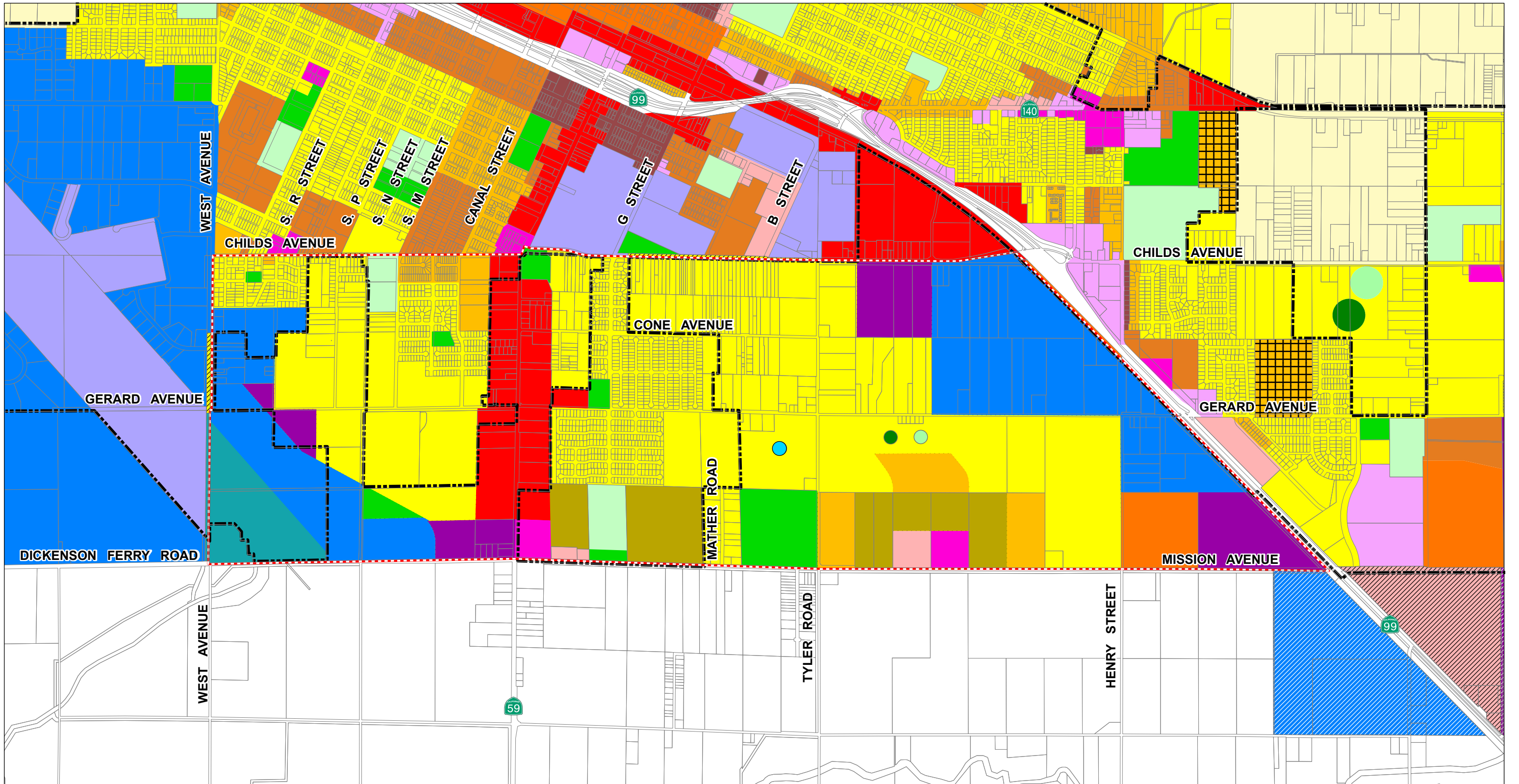
elementary or middle school located in the residential area located between Tyler Road and SR 99. The Merced Union High School District has expressed a need for a high school, likely to be sited in the vicinity of Tyler Road.

**B. LAND USE DIAGRAM**

Figure III-1 is the Land Use Diagram, which presents the proposed general distribution of land uses within the Plan project area. The Land Use Diagram conforms to Section 65451(a) (1) of the State of California Government Code, and is hereby adopted and incorporated into the Plan.

The word “Diagram” is distinguished from “Map” in the context of a California Attorney General Opinion (67 OPS.CAL.ATTY.GEN.75 (3/7/84)), to provide a certain limited degree of flexibility in applying the Land Use Designations to specific parcels.





# SOUTH MERCED COMMUNITY PLAN - LAND USE DIAGRAM

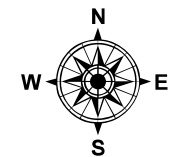
Figure III-1

Prepared map by permission of the City of Merced, 2005.



### LEGEND

- |                             |                         |                           |                                    |                               |
|-----------------------------|-------------------------|---------------------------|------------------------------------|-------------------------------|
| SOUTH MERCED COMMUNITY PLAN | AGRICULTURAL            | GENERAL COMMERCIAL        | HIGH TO MEDIUM DENSITY RESIDENTIAL | REGIONAL COMMUNITY COMMERCIAL |
| MERCED CITY LIMITS          | BUSINESS PARK           | HIGH DENSITY RESIDENTIAL  | NEIGHBORHOOD COMMERCIAL            | RURAL RESIDENTIAL             |
| PARCELS                     | BUSINESS PARK RESERVE   | INDUSTRIAL RESERVE        | OPEN SPACE - PARK RECREATION       | SCHOOL                        |
|                             | COMMERCIAL OFFICE       | LOW DENSITY RESIDENTIAL   | PUBLIC/GENERAL USE                 | VILLAGE RESIDENTIAL           |
|                             | COMMERCIAL RESERVE      | LOW TO MEDIUM RESIDENTIAL | MOBILE HOME PARK RESIDENTIAL       | FLOATING HIGH SCHOOL          |
|                             | THOROUGHFARE COMMERCIAL | MANUFACTURING INDUSTRIAL  | RESIDENTIAL RESERVE                | FLOATING SCHOOL               |



0 800 1,600 Feet

1 inch equals 800 feet

**CHAPTER IV**  
**Public Facilities**



**A. OVERVIEW**

In general, the Plan infrastructure system is an extension of the existing community's infrastructure. This chapter describes the improvements needed for the future development of the project area. Improvements described in this chapter include sanitary and sewer facilities, solid waste disposal, stormwater drainage, water, energy, schools, parks and community service facilities, public safety, and transportation and circulation.

**B. INFRASTRUCTURE PLAN**

The Infrastructure Plan for the Plan is shown on Figures IV-1 through IV-4. These figures serve as design schematics for the Plan's infrastructure and do not necessarily represent specific alignments or locations for facilities. All public facilities described in this chapter are consistent with land use designations of the Plan. The figures indicate the preliminary sizing and design for backbone infrastructure within the Plan project area. The exact design, location, and construction phasing will be determined as development occurs. All public facilities in the Plan area shall conform to all applicable City regulations, except where otherwise noted in this Plan.

**1. Sanitary Sewer Service Facilities**

Facility: The City's Public Works' Wastewater/Sewer System Division provides and maintains sanitary sewer service facilities for residential, commercial, and industrial land within the City. The provision of sanitary sewer service facilities within the Plan area includes the necessary conveyance of wastewater from the proposed land uses to the City's treatment facilities as determined by the Public Works Department Wastewater/Sewer Division. Figure IV-1 shows the approximate location of upgrades to the sewer infrastructure system based on the proposed land uses. All development within the Plan area will be required to comply with the City of Merced's design standards for wastewater conveyance and treatment prior to final approval.

Funding: All required sanitary sewer facilities will be funded by the development proponents. The amount of funding required from each developer will be proportional to their anticipated usage of the facilities pursuant to Government Code § 66000 and as codified in the City of Merced Municipal Code 17.62.050. It is probable that the first proponents to develop in the Plan area will have to fund specific improvements beyond their anticipated usage. However, subsequent development proponents will fund their anticipated share and said monies will be returned to development proponents who funded the initial improvements as provided by Merced Municipal Code 17.62.050(c).

**2. Solid Waste Disposal**

Facility: Solid waste disposal, currently provided by the City of Merced's Refuse Division, shall conform to the provisions of City Ordinance 2073§1, 2001. Said ordinance requires occupants/tenants of all land use types within the City to pay for the removal of solid waste from the City's Refuse Division.

### **3. Stormwater Drainage**

Facility: Figure IV-2 presents the Storm Water Drainage Facilities diagram. The removal of stormwater is required by 18.32.40 of the Municipal Code. The diagram represents the estimated size and location of the facilities based on information provided by the City Engineer and may be subject to change as developments are proposed.

Funding: All development proponents are required to provide adequate drainage pursuant to 18.32.040 and 17.48.160(e) of the Merced Municipal Code. Construction thereof will be a condition of project approval and will be funded by the developer. Any upgrades to regional stormwater facilities may also be required and funded by development proponents.

### **4. Water Facilities**

Facility: The City of Merced Public Works Department Water System Division is responsible for providing potable water throughout the city. The provision of potable water service facilities within the Plan area includes the necessary conveyance of water from the City's treatment and/or storage facilities to the proposed land uses within the plan area. Figure IV-2 shows the anticipated size and approximate location of upgrades to the potable water infrastructure system based on proposed land use. All development within the Plan area will be required to comply with the City of Merced's design standards for water supply, treatment, and conveyance prior to final approval.

Funding: Each development proponent will be responsible for, as a condition of approval, the cost of improvements that their project necessitates, including but not limited to, water main extensions, water main upgrades, and connection fees. Long-term water availability to serve the proposed future land uses shall be demonstrated through compliance with SB 221 and SB 610. Any water source upgrades will be funded by development proponents through the collection of impact fees pursuant to Government Code § 66000 and as codified in the City of Merced Municipal Code 17.62.050.

### **5. Energy**

Facility: Pacific Gas and Electric Company will provide gas and electrical service for the Plan project area.

Funding: Private arrangements for energy will be made between the developer and the utility provider.

### **6. Schools**

Facility: Public educational services are provided by the Merced City School District, Weaver Union School District, and Merced Union High School District. Development proponents will have to meet with the school districts prior to project approval to determine if the need exists for land dedication (Figure IV-4, Public Facilities Diagram).

Funding: Payment of school impact fees to the School District (or direct dedication of land), will be made in accordance with Chapters 4.7 and 4.9 of the State Government Code and Municipal Code 18.44 *et seq.* Mitigation on the need for school facilities in land use approvals is limited by the California Legislature to the payment of mitigation fees under Government Code Sections 65995, 65995.5, or 65995.7, as applicable, and the payment of such fees is deemed to be **full and complete** mitigation of the impacts of any local agency action involving the planning, use, or development of real property.

## **7. Parks and Community Services**

Facility: Parks and community services are provided by the City of Merced. See Figure IV-4, Public Facilities Diagram for the location of proposed park facilities within the Plan area.

Funding: Pursuant to Government Code 66477 (Quimby Act), the City has passed Ordinance 1526 § 1 (part), 1984 which requires the dedication (or fees in lieu thereof) of 5 acres of parkland per 1,000 residents of a development. The decision as to whether direct land dedication or the payment of in lieu fees is required is at the discretion of the City (Municipal Code 18.40.020).

## **8. Public Safety**

Facility: Figure IV-4, Public Facilities Diagram, shows the proposed public safety facilities (police and fire) located within the Plan area.

Funding: Impact fees collected from future development will be required pursuant to 17.62.040 of the Merced Municipal Code and Government Code § 66000. A portion of these fees may be used to mitigate the impacts of future development on police and fire protection services and facilities.

## **C. TRANSPORTATION AND CIRCULATION**

The Circulation Concept for the Plan is shown on Figure IV-5 and the Off Street Bicycle Concept is shown on Figure I-V6. These figures serve as a design schematic for the Plan's needed transportation improvements and do not necessarily represent final alignments or facility classifications. The exact design, location, and construction phasing will be determined by the City as development is proposed. All public roadway facilities in the Plan project area shall conform to all applicable City regulations, except where otherwise noted in this Plan. The improvements shown represent an upgrade and/or re-alignment of existing streets as well as the construction of new streets.

The aforementioned roadway improvements will be funded by future development proponents. If not listed in the Public Facility Finance Plan, then a contribution of a fair-share traffic impact fee as determined by a project-specific traffic study, will be required. Future projects may be required to construct new or to improve roadways that abut their land or are located off site. In addition, § 17.64 of the Merced Municipal Code sets forth regional transportation impact fees as

calculated by the Merced County Association of Governments (MCAG) to help offset impacts from individual developments on certain off-site roadways of regional significance.

## 1. Existing Infrastructure/Opportunities and Constraints

### a. Description of Existing Roads

Provision for north-south oriented travel is limited in this part of Merced. SR 99 crosses the City of Merced, leaving openings for north-south travel at “V” Street, “R” Street, “M” Street, “Martin Luther King Jr. Way” (SR 59), and “G” Street. The Southern Pacific Railway prohibits access from the area to “Yosemite Park Way,” and poses a constraint to widening along all aforementioned streets and the “D” Street connection to 16<sup>th</sup> Street. With exception of SR 59, all of the listed major north-south oriented roads are two-lanes within constricted right-of-ways and primarily adjacent to residential uses. In summary, this existing environment constrains north-south travel onto a few roads having limited capacity.

**SR 59** is a north-south highway running through Merced County. It is a two-lane highway in the Plan area. Beyond the northern portion of the study area, as it enters central Merced, SR 59 becomes Martin Luther King Jr. Way. Access to SR 59 from the Plan area would occur primarily at the unsignalized intersections of Childs Avenue, Gerard Avenue and Dickenson Ferry / Mission Avenue. The most recent traffic counts available from Caltrans (2004) indicate that SR 59 carries an average daily traffic (ADT) volume of 14,300 immediately south of SR 99, 11,800 north of Childs Avenue, and 8,600 between Mission Avenue and Childs Avenue. The Merced County Association of Governments (MCAG) in coordination with the City and local developers is in the beginning stages of having a Project Study Report (PSR) prepared for this roadway.

**Gerard Avenue** is an east-west roadway that runs from a point west of SR 99 to its terminus west of SR 59. In the Plan area, Gerard Avenue is currently a rural two-lane road; It is planned to be a collector roadway. The current ADT on Gerard Avenue is estimated at 2,100.

**Childs Avenue** is a two-lane road that extends westerly from an interchange on SR 99 to South East Road. This road provides access to SR 99 at a sub-standard yet full access interchange east of the Plan area. Childs Avenue carries approximately 4,600 vehicles per day on its highest volume location. It is planned to become an arterial roadway between “M Street and Childs Avenue and SR 99, and to maintain the “collector” status west of “M Street.





**G Street** is a north-south collector road that extends from central Merced southerly to Cone Avenue and south through the recently approved La Bella Vista subdivision to Mission Avenue. The existing ADT on G Street between Childs Avenue and Cone Avenue is 3,600. As one of the few north-south oriented roads in the growth area of the South Merced Community Plan, “G” Street is forecasted to receive much traffic.

**Tyler Road** is a north-south collector road that extends south from an intersection on Childs Avenue to Reilly Road in rural Merced County. The existing ADT on Tyler Road is approximately 3,000. This road will become one of the primary north-south oriented roads with its connection to lands south of Mission Avenue and fronting uses of a regional park and the potential for a high school.



**b. Current and “Existing Plus Approved” Levels of Service**

Previous traffic studies identified peak hour levels of service (LOSs) at existing intersections in the study area. All planning area intersections, other than Childs Avenue / SR 59 & SR 99, operate at LOS D or better during the a.m. and p.m. peak hours.

The *Mission Avenue Annexation* traffic study also identified peak hour levels of service (LOSs) assuming approved development project ADT at existing intersections in the study area. That study found that several intersections would operate below acceptable LOS, including: “G” Street and Childs; Childs and SR 59; SR 59 and Gerard Avenue; and SR 59 and Mission Avenue. The applicants of the projects within the Mission Avenue Annexation are working toward implementation of mitigation measures to lessen those impacts.

Caltrans District 10 has programmed use of “safety” money for the installation of a signal at the off-set intersection of Childs Avenue and SR 59. Caltrans views the signalization of the offset intersection as an interim safety project and encourages the City to obtain the right-of-way for an ultimate lined up configuration. The detailed preliminary design work for the Safety project is due to be completed in Fall 2007, with the installation likely in 2008.

**2. Existing Plans and Vision for the Area****a. Merced Vision 2015 General Plan**

The City of Merced General Plan, adopted in 1997, contains goals and policies relevant to transportation and circulation around the proposed Community Plan area. The Merced Vision 2015 General Plan envisions a 1-mile grid system of major north-south roadways as part of the Village Concept for growth in the northern and northeastern sectors of the City. The South Merced Community Plan utilizes the same circulation concepts and introduces a new street classification (“urban collector” – C3) to enhance the capacity of affected roadways.

The Merced Vision 2015 General Plan also describes the eastern and western beltway connected by Mission Avenue. The South Merced Community Plan builds upon this framework and classifies Mission Avenue / Dickenson Ferry Road as a major arterial with limited access.

Chapter 6 of the General Plan describes the urban design guidelines for development of the road and circulation system for new growth areas. At a city-wide scale, this urban design concept defines the relationship between various parts of the City, linked together by open space and transportation corridors. The guidelines provide for how the various street types and parking lots are to be designed.

The General Plan sets a minimum peak hour LOS of D as a design objective for all new streets in new growth areas and for most existing City streets, except under special circumstances. The General Plan also has a policy to ensure that new development provides facilities and programs that improve the effectiveness of transportation control measures and congestion management programs.

**b. 2004 Regional Transportation Plan for Merced County**

The 2004 Regional Transportation Plan (RTP) (Figure IV-7) prepared by MCAG provides a comprehensive long-range view of transportation issues, needs, and opportunities for Merced County. It establishes the goals, objectives, and policies for future transportation improvements. The RTP identifies the actions that should be taken, and the funding needs and options available for successful implementation.

The MCAG Governing Board has established a LOS standard of D for the entire regional road network. Any segment of roadway that is worse than LOS D is considered to be a deficiency in the transportation system. These deficiencies may then become the basis for project priorities in the capital improvement program. Caltrans’ LOS standard is C on routes within the Interregional Road System, which includes routes 5, 99, 140 from Merced to Mariposa County, and 152. The LOS standard is D on all other state routes.

The RTP contains a series of transportation improvement projects, some of which could potentially benefit the South Merced Community Plan project. These improvements are divided into two categories: those for which funding has been identified from an established source, such as State or Federal funds; and those for which funding would

need to be identified before construction could begin. These priorities were based on the policy goal of having no worse than LOS D on any significant roadway.

### **3. Summary Results of the Initial Traffic Assessment**

Numerous impacts to the eastern portion of the planning area, both on and off-site, were identified. The impacts were created due to a combination of narrow roads and large regional commercial and industrial land uses. It is important to note that the impacts identified were at the “cumulative scenario level” which includes all development of the City’s SUDP and other nearby development in the County. This view approximates the traffic load in the year 2030 from all development in the area. Thus, not all of the impact identified in the project traffic studies was generated by the South Merced Community Plan project.

**Based on the initial traffic assessment, the Community Plan was modified by: (a) including wider roads with increased lanes and capacity; (b) reducing the size of the regional commercial; and (c) relocating the regional commercial to the Mission Avenue Interchange.**

### **4. Primary Components of the Circulation Plan**

#### **a. Explore Need and Use of SR 99 Overpasses**

During the public outreach of the planning effort, an idea to place an east-west oriented bridge over State Highway 99 at Gerard Avenue (without ramps) was expressed. The road would connect the neighborhoods on both sides of State Route 99 without having to use the regional interchanges at Childs and Mission Avenue. Similarly, a north-south bridge over State Highway 99 at Henry/Parsons (without ramps) could serve a similar purpose. The initial traffic assessment concluded that not only would the road be heavily utilized, but that it would also reduce the traffic load on the Childs Avenue and Mission Avenue interchanges with State Route 99 by several thousand trips or in practical terms, for the need of four through-lanes instead of six through-lanes. The Plan is not stating that both bridges would be needed, rather, that additional cost-benefit analysis be undertaken to determine if such infrastructure, either a north-south or east-west route would be needed and desired by the community.

#### **b. Tyler Road/B Street Connection**

Tyler Road is planned to function as an arterial street in the Plan area, and is likely to extend south of Mission Avenue as development of the City occurs. As such, it becomes the second north-south arterial in the Plan area; the other is SR 59, whose intersections are currently operating below City level thresholds. Development of the Plan area would generate large amounts of traffic whose tendency will be to travel north. The initial traffic assessment confirmed the concern of City staff and the CAC that a more direct north-south roadway connection along the Tyler Road/B Street alignment would be beneficial to circulation in the community. Said connection will reduce traffic congestion along

Childs Avenue by removing the otherwise closely spaced T intersections. It also aligns with Yosemite Park Way, making a connection to this roadway more possible if the need and ability arises in the future. Making such connection in the future will still be a challenge and may not be possible given the juxtaposition of roadways and rail lines in the area.

**c. New Street Classification**

The new street classification, C3, as noted in the Circulation Concept (Figure IV-5 & Table 3) is a means of accommodating the increasing amount of traffic anticipated in those areas of the Plan. The C3 classification of roadway is characterized by one that has: two travel lanes; provision for a left-turn lanes; and no on-street parking. This "Urban Collector" is located primarily along the Industrial and Business Park lands where a higher number of car trips is anticipated, and where a means to accommodate large freight vehicles. It is also used along residential, office and commercial travel corridors that are anticipated to carry greater loads of traffic than regular collector roads which have on-street parking and do not provide for separate left-turn lanes. Even with these roadways, the traffic analysis found that along some road segments, additional "capacity-enhancing" design elements may be necessary such as reducing the number of street intersections that intersect the Urban Collector. In some cases, use of a four-lane arterial will be needed to meet the City's level of service standard for traffic flow. . The following table summarizes the options of different cross-sections that can be utilized by the City of Merced to implement this type of street.

"C3" Types	Features (all include 2 lanes and center turn lane)	Curb to Curb	Right-of-Way
1	Bike Lanes / No On-Street Parking	46'	72'
2	On-Street Parking / No Bike Lanes	50'	61'*
3	On Street Parking and Bike Lanes	58'	84'
* Does not include parkstrips			



**Table 1: City of Merced - Summary of Street and Highway Standards**

Road Classification	Right-Of-Way	# of Lanes	Driveway Access Restrictions	Street Intersection Spacing	Parking	Proposed in Plan - Circulation Concept
Expressway	150 ft.	6-8	Full	1 mile	No	
Major Arterial	128 ft.	4-6	Full	1/4 - 1/2 mile	No	✓ "A"
Arterial	128 ft.	4-6	<sup>1</sup> Partial	1/4 - 1/2 mile	No	
Divided Arterial	118 ft.	4-6	<sup>1</sup> Partial	1/4 - 1/2 mile	No	✓ "B"
Minor Arterial	94 ft.	2-4	<sup>1</sup> Partial	1/8 - 1/4 mile	Generally Not Permitted	✓ "C1" & "C2"
Urban Collector	61 – 84 ft.	3	<sup>1</sup> Partial	As needed	Generally Not Permitted	✓ "C3"
Major Collector	<sup>2</sup> 68-74 ft.	2-4	<sup>3</sup> Partial	As needed	<sup>3</sup> Permitted in Selected Areas	✓ "D"
Collector	68 ft.	2	<sup>4</sup> Partial	As needed	<sup>4</sup> Permitted in Selected Areas	
Local	49-60 ft.	2	No	As needed	Permitted	✓ "E"
Transitway	<sup>5</sup> Varies	2-6	<sup>5</sup> Varies	<sup>5</sup> Varies	<sup>5</sup> Varies	

<sup>1</sup> Generally no direct access to adjacent property. Right-turn-in/right-turn-out local streets or combined access driveways may be permitted at the City's discretion at 1/8 mile points.

<sup>2</sup> Less (68 feet) right-of-way (ROW) may be permitted where supported by a traffic analysis to assure that the narrower street would not be overloaded. Analysis would include trip generation and distribution based on existing and future land use and circulation systems. Additional width may be necessary at intersections where analysis shows need for turn lanes.

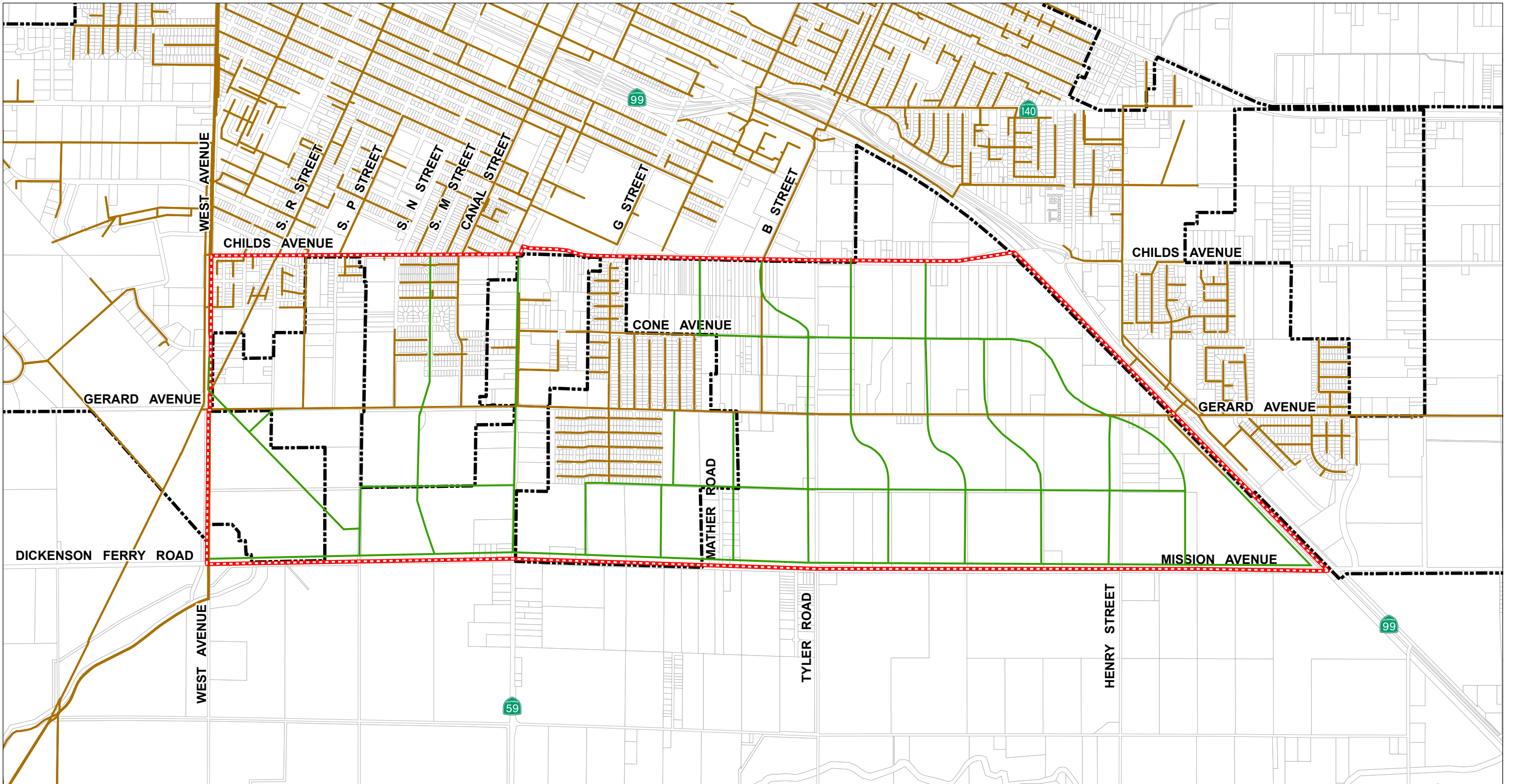
<sup>3</sup> Generally no direct access (fronting lots and residential driveways) allowed.

<sup>4</sup> Fronting lots would be permitted on collectors where traffic analysis shows daily traffic volumes will not exceed 1,500 vehicles under ultimate conditions. Driveways or other direct access and parking are to be avoided if feasible within 300 feet of existing signalized intersections or an intersection with realistic prospects for future signalization.

<sup>5</sup> There are different kinds of transitways, depending on their function. Some segments will allow buses only (refer to Bellevue Ranch Master Development Plan) while others will function as normal arterials except they will offer exclusive high-occupancy vehicle lanes.

ft = feet

NOTE: These are general standards appropriate for most situations. Higher standards may be required or less standards may be permitted based on detailed design studies. Expanded ROWs may be required at intersections to accommodate turn lanes. On-street parking may be deleted if adequate, convenient off-street parking is provided in a subdivision design. A subdivision design deleting on-street bicycle lanes may be permitted if an adequate, convenient Class I bicycle paths is available (subject to possible reimbursement and/or maintenance costs for existing system).



# SOUTH MERCED COMMUNITY PLAN - SANITARY SEWER SERVICE FACILITY DIAGRAM

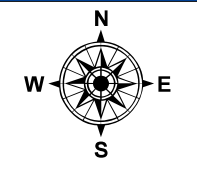
Figure IV-1

Prepared map by permission of the City of Merced, 2005.



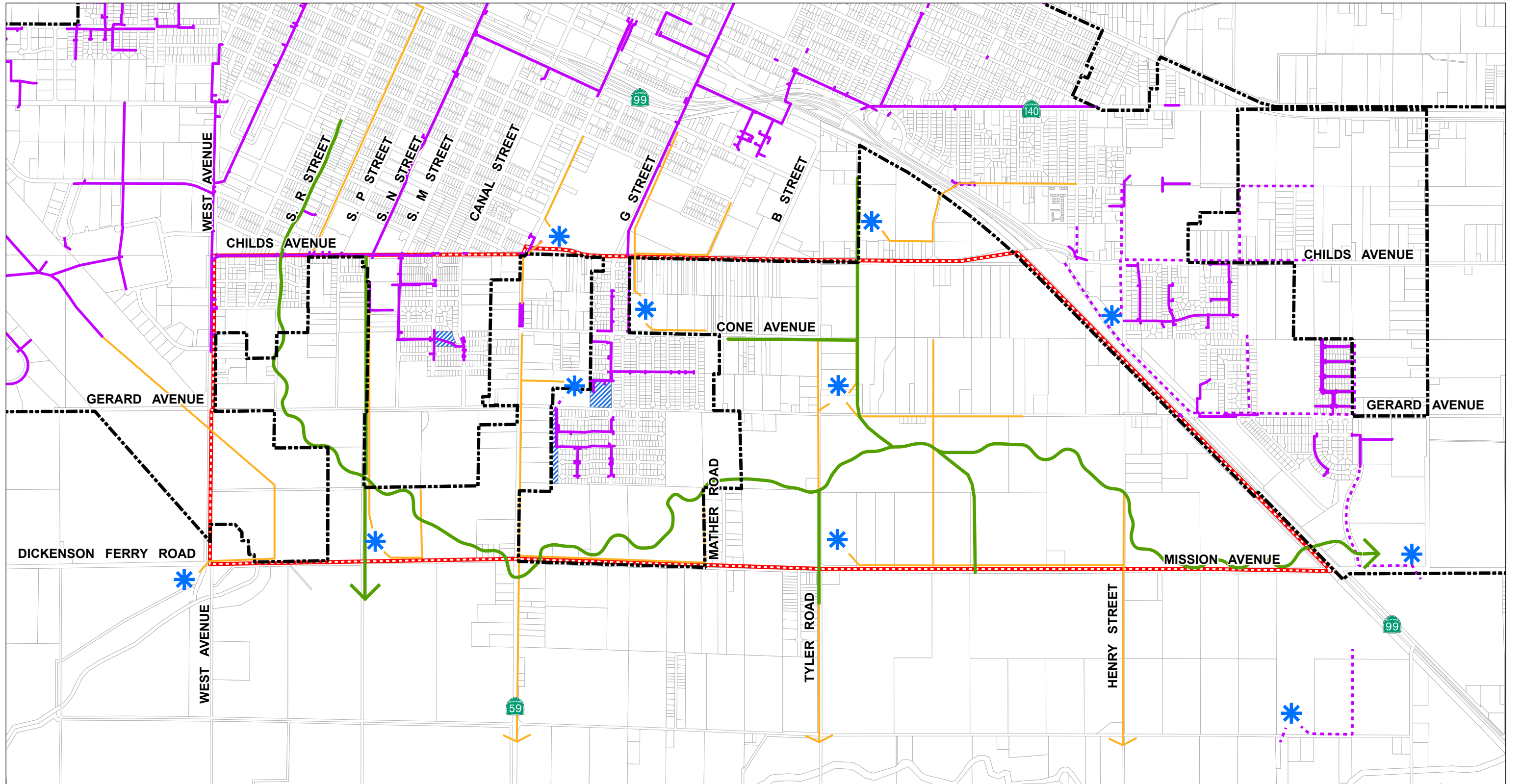
### LEGEND

- SOUTH MERCED COMMUNITY PLAN
- MERCED CITY LIMITS
- Existing Sewer Lines
- Proposed Sewer Lines
- PARCELS



0      800      1,600  
Feet

1 inch equals 800 feet



# SOUTH MERCED COMMUNITY PLAN - STORMWATER FACILITIES DIAGRAM

Figure IV-2

Prepared map by permission of the City of Merced, 2005.



### LEGEND



SOUTH MERCED COMMUNITY PLAN



MERCED CITY LIMITS



PARCELS

Storm Drains

Storm Drains - Proposed

Existing Detention Basins

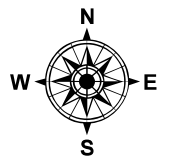


Proposed Detention Basins

Proposed Bicycle Path (Potential Secondary Site for Stormwater Conveyance)

Note: All Detention Basins include a Pump Station.

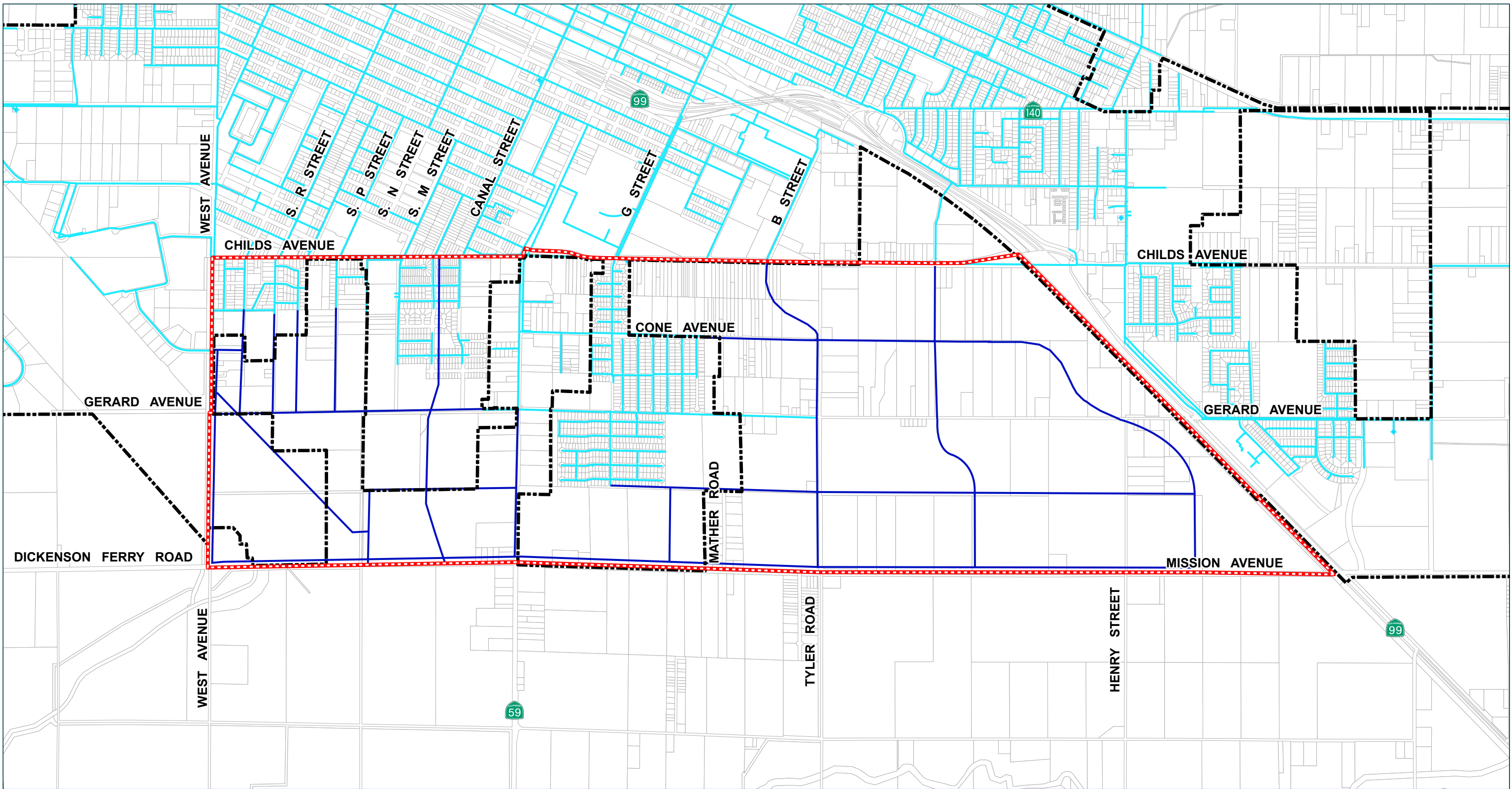
Source: Storm Drain Master Plan, City of Merced, 2002.



0 800 1,600 Feet

1 inch equals 800 feet











# SOUTH MERCED COMMUNITY PLAN - WATER FACILITIES DIAGRAM

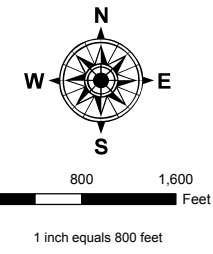
Figure IV-3

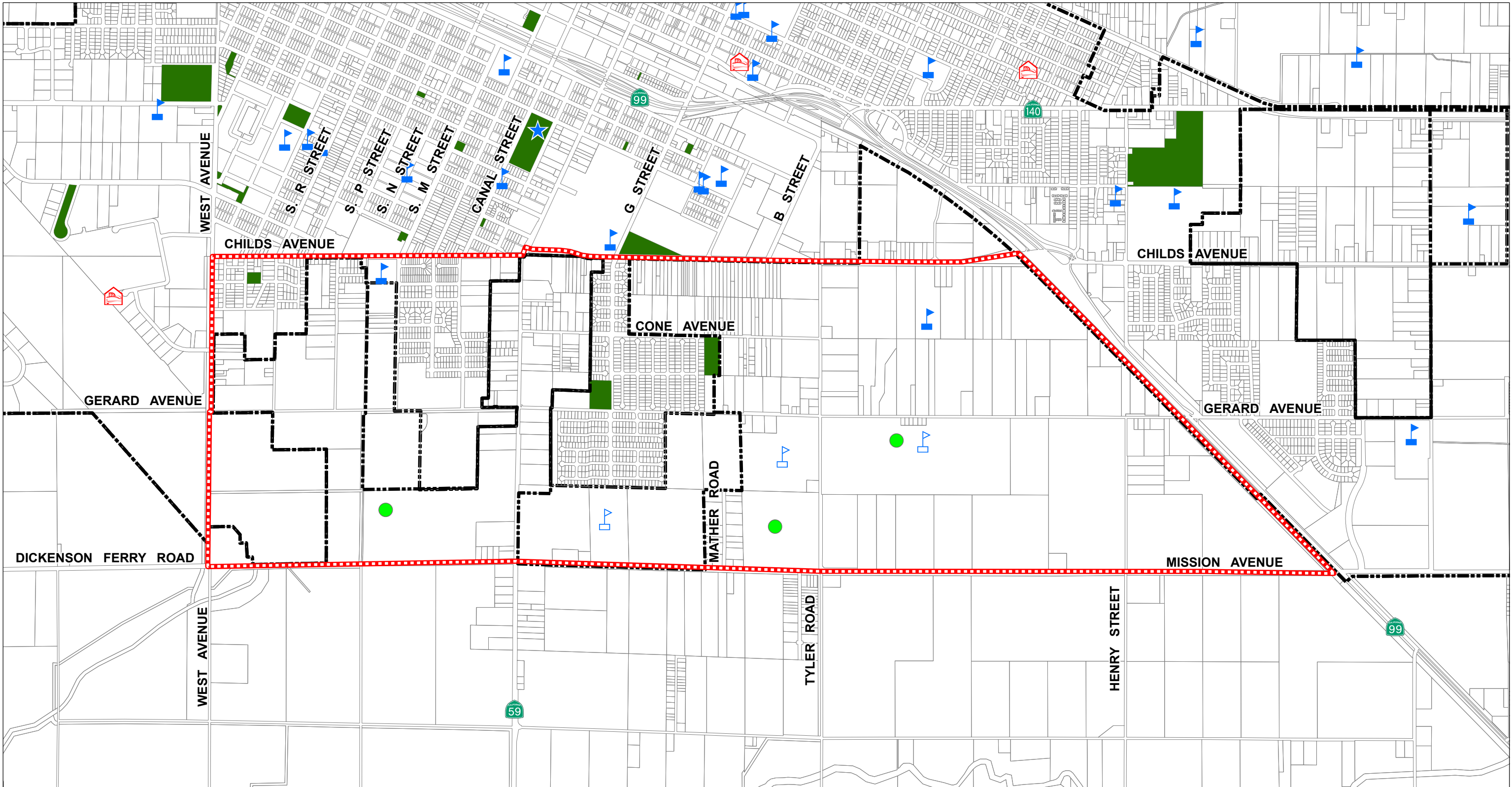
Prepared map by permission of the City of Merced. 2005.



**LEGEND**

- |                                                                                     |                             |                                                                                       |                      |
|-------------------------------------------------------------------------------------|-----------------------------|---------------------------------------------------------------------------------------|----------------------|
|  | SOUTH MERCED COMMUNITY PLAN |  | Water Wells          |
|  | MERCED CITY LIMITS          |  | Existing Water Lines |
|  | PARCELS                     |  | Proposed Water Lines |














# SOUTH MERCED COMMUNITY PLAN - PUBLIC FACILITIES

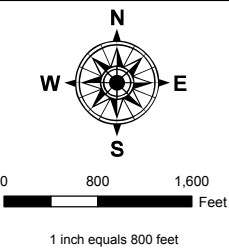
Figure IV-4

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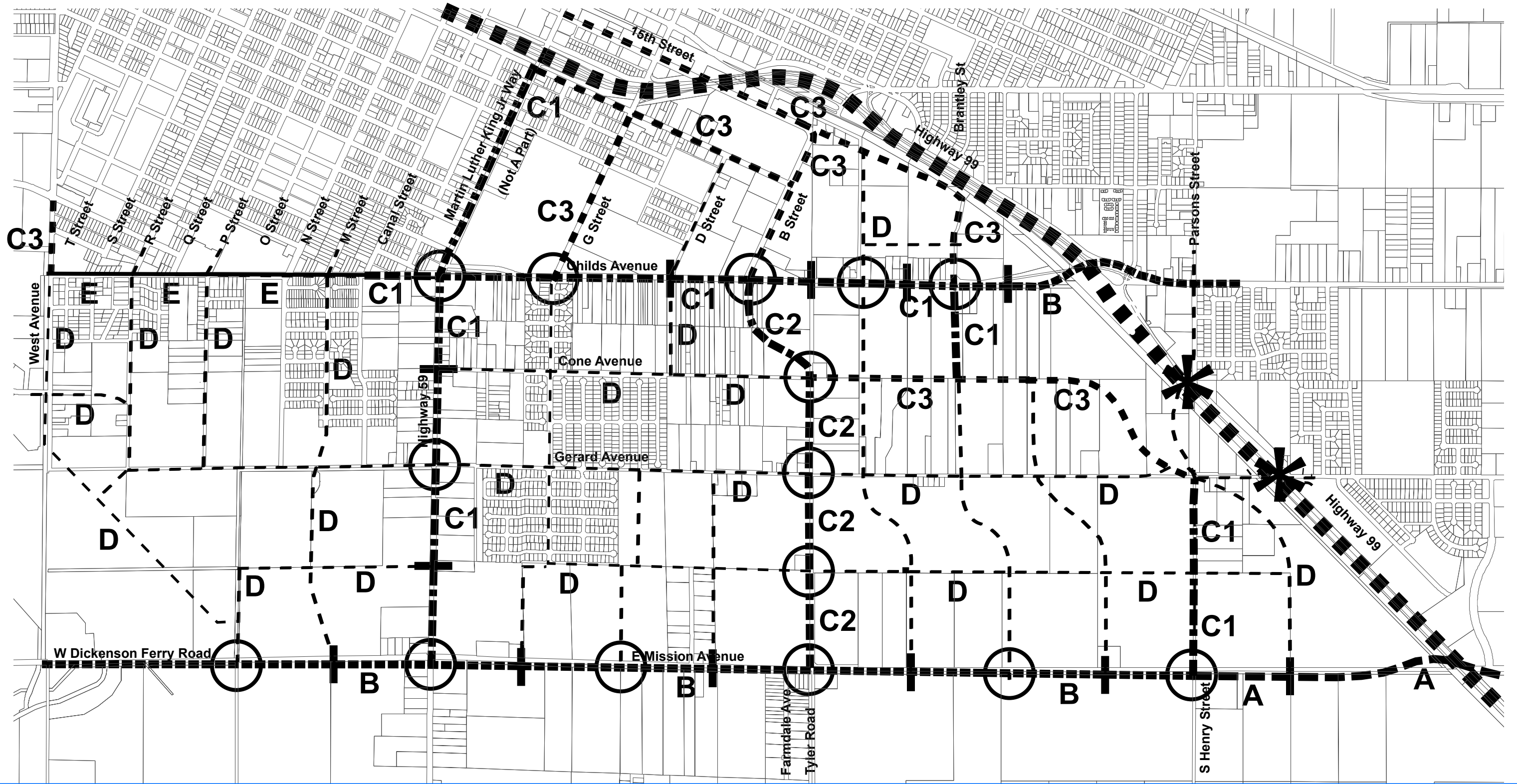


### LEGEND

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|-----------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
|  SOUTH MERCED COMMUNITY PLAN |  EXISTING PARKS                    |  POLICE STATION  |
|  MERCED CITY LIMITS          |  FIRE STATIONS                     |  PROPOSED PARK   |
|  PARCELS                     |  EXISTING PUBLIC / PRIVATE SCHOOLS |  PROPOSED SCHOOL |







# SOUTH MERCED COMMUNITY PLAN - CIRCULATION CONCEPT

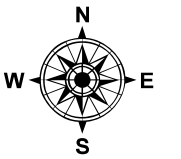
Figure IV-5

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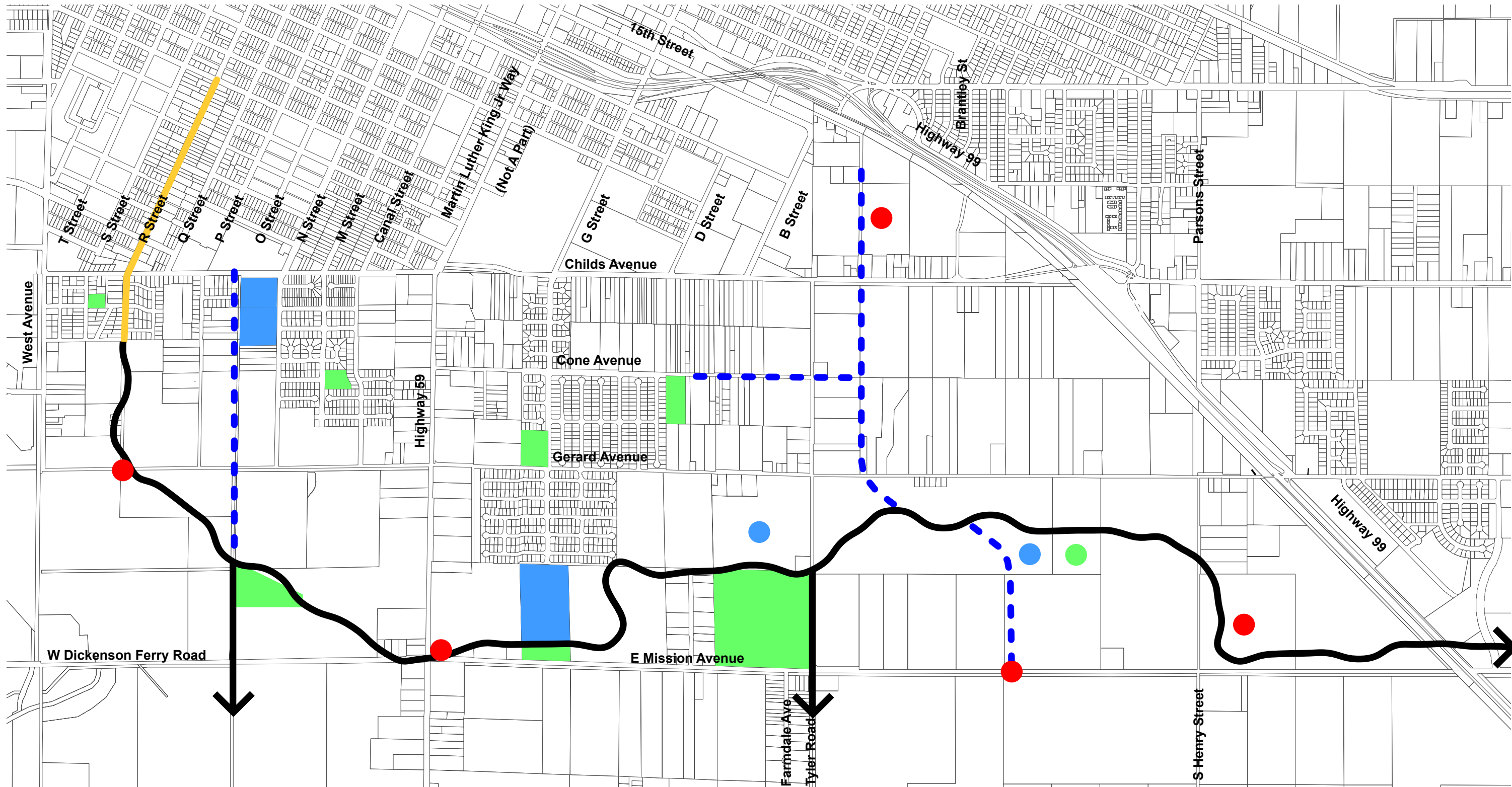


## LEGEND

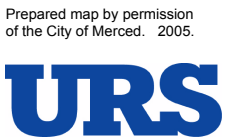
- |                                                                      |                                                                       |                            |
|----------------------------------------------------------------------|-----------------------------------------------------------------------|----------------------------|
| Highway 99                                                           | "C2" - Minor Arterial - 94 ft ROW; 4 lanes with landscaped median     | Potential Freeway Overpass |
| "A" - Major Arterial - 128 ft ROW; 6 lanes plus landscaped median    | "C3" - Urban Collector - 74 ft ROW; 3 lanes (2 plus center-turn lane) | Signalized Intersection    |
| "B" - Divided Arterial - 118 ft ROW; 4 lanes plus landscaped median  | "D" - Collector - 74 ft ROW; 2 lanes (collector)                      | Right-in / Right-out only  |
| "C1" - Minor Arterial - 94 ft ROW; 5 lanes (4 with center-turn lane) | "E" - Childs Avenue Special Section - 604 ft ROW; 2 lanes             |                            |



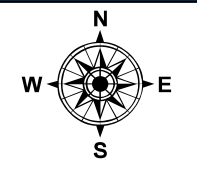
Not to Scale



**SOUTH MERCED COMMUNITY PLAN - OFF STREET BICYCLE PATH CONCEPT** Figure IV-6



- LEGEND**
- Community Plan Boundary
  - Primary Class 1 Bicycle Path
  - Secondary Class 1 Bicycle Path
  - "R Street" Class 2 Bicycle Path
  - Schools
  - Parks
  - Retail Commercial Sites

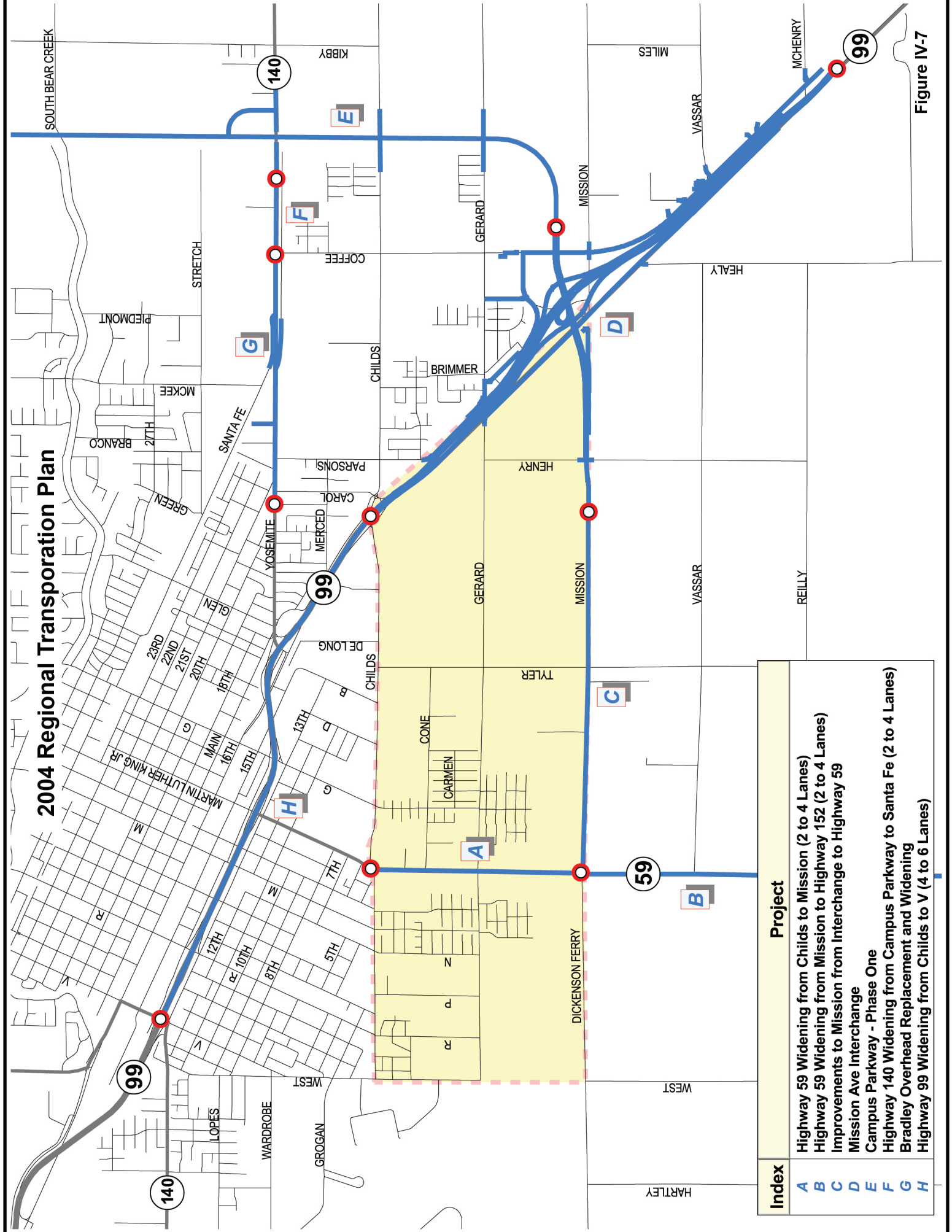


Not to Scale

Prepared map by permission of the City of Merced. 2005.



# 2004 Regional Transportation Plan



Index	Project
A	Highway 59 Widening from Childs to Mission (2 to 4 Lanes)
B	Highway 59 Widening from Mission to Highway 152 (2 to 4 Lanes)
C	Improvements to Mission from Interchange to Highway 59
D	Mission Ave Interchange
E	Campus Parkway - Phase One
F	Highway 140 Widening from Campus Parkway to Santa Fe (2 to 4 Lanes)
G	Bradley Overhead Replacement and Widening
H	Highway 99 Widening from Childs to V (4 to 6 Lanes)

Figure IV-7



**CHAPTER V**  
**South Merced Community Plan Goals, Policies,**  
**and Implementation Actions**

### A. STRATEGIC PLAN

On January 20, 2004, the Merced City Council accepted the South Merced Strategic Plan, with the expectation that a subsequent Community Plan would be prepared to implement some of the recommendations from that Strategic Plan that fall within the previously prescribed geographical boundaries of the Plan. The Plan implements many of the Strategic Plan's goals, specifically portions of:

- Strategic Plan Goal 1: Enhance Park, Open Space, and Community Facilities
- Strategic Plan Goal 2: Improve Circulation and Transportation
- Strategic Plan Goal 3: Build Identity, Character and Community Design
- Strategic Plan Goal 4: Strengthen Economic Development
- Strategic Plan Goal 5: Alter Regulatory Framework to Facilitate Development
- Strategic Plan Goal 6: Revitalize and Preserve Neighborhoods and Housing
- Strategic Plan Goal 7: Improve Infrastructure and Public Services

It is important to note that the 2004 Strategic Plan retains value and will continue to provide guidance to the community concerning the improvement of community programs and organizations as well as other issues that pertain to areas outside the boundary of the Plan.

### B. COMMUNITY ADVISORY COMMITTEE

In 2006, the City Council appointed a Citizen's Advisory Committee to oversee the incorporation of the Strategic Plan into this Plan. The Committee toured the project area in March of 2006, and met numerous times throughout that year to develop a series of specific recommended actions. Several public meetings were held to gather comments and ideas concerning the future development of this part of Merced (see Chapter II, Community Participation).

When combined, the Committee's specific actions, the recommendations of the Strategic Plan, and the policies and implementation actions of the *Merced Vision 2015 General Plan*, comprise the Community Plan's key diagrams, maps, and policies. The policies of the Plan can be traced to these planning activities and serves as the roadmap to future development in this part of Merced. The policies of the Plan are presented below. They are based on public comments received during the development of the Plan as well as the *Merced Vision 2015 General Plan* and *South Merced Strategic Plan*.

## C. GOALS AND POLICIES

In addition to the goals, policies, and implementation actions listed below, those of the *Merced Vision 2015 General Plan* are also applicable. The goals, policies, and implementation actions noted below are supplementary to those in the General Plan.

### ***Goal Area H: Revitalize and Preserve Neighborhoods and Housing***



#### **GOAL**

- Create safe and attractive neighborhoods that contain a diversity of housing types for all income levels.

#### **POLICIES**

- H-1.1** Encourage a Diversity of Building Types, Ownership, Prices, Designs, and Site Plans for Residential Areas Throughout The Planning Area.
- H-1.2** Promote Site Designs that Create Safe and Attractive Neighborhoods.

#### ***Policy H-1.1***

***Encourage a Diversity of Building Types, Ownership, Prices, Designs, and Site Plans for Residential Areas Throughout the Plan Area.***

#### ***Implementing Actions:***

- 1.1.a** Put small-lot single family developments in the Low-Medium density land use designations that surround the Mission Avenue Urban Village, reserving the Village Residential for higher densities.
- 1.1.b** Through the land entitlement process, ensure that a mix of higher density housing types including attached town-homes, condominiums, and apartments are distributed throughout the Village Residential land use designation of the Mission Avenue Urban Village.
- 1.1.c** As a means to provide housing opportunities to all income levels, require that a portion of the Village Residential land use designation of the Mission Avenue Urban Village has a minimum density of 20-units per acre.
- 1.1.d** Within the low-density residential land use designation, provide a mixture of lots in each subdivision that meets the R-1-5 and R-1-6 bulk lot requirements of the Merced Municipal Code.

## ***Policy H-1.2***

***Promote Site Designs that Create Safe and Attractive Neighborhoods.***

### ***Implementing Actions:***

- 1.2.a Encourage Planned Development Zoning in the Planning Area.**
- 1.2.b Incorporate the principles of crime prevention through environmental design (CPTED) in all projects.**

## ***Goal Area I: Improve Infrastructure and Public Services***



### **GOAL**

- **Implement Strategies that Fill Gaps in Missing Infrastructure and Public Services.**

### **POLICIES**

- I-1.1 Provide Storm-Water Drainage Facilities to Minimize Flooding and to Provide for Pedestrian Routes.**
- I-1.2 Remove Jurisdictional Boundary Conflicts to Make it Easier for Problems to be Resolved.**
- I-1.3 Cooperate with Merced Area School Districts to Provide School Sites that are Centrally Located to the Populations They Serve and are Adequate to Serve Community Growth.**

## ***Policy I-1.1***

***Provide Stormwater Drainage Facilities to Minimize Flooding and to Provide for Pedestrian Routes.***

### ***Implementing Actions:***

- 1.1.a Create a storm drain system with basins that simulate natural water features alongside the Class I pedestrian/bike path system.**
- 1.1.b Include key infrastructure deficient sites in capital improvement plans, financing plans, and other existing City mechanisms to begin the process of improving or installing missing infrastructure, namely:
  - (a) storm-drainage on Childs Avenue, east of SR 59;**
  - (b) signal installation and roadway alignment of SR 59 and Childs Avenue;****

- (c) near-term pavement and street light improvements on Mission Avenue between SR 59 and SR 99;
- (d) the Childs Avenue/SR 99 interchange; and
- (e) removal of sight-obscuring features that could cause traffic safety concerns, for example, at the intersection of Childs Avenue and “B” Street.

**1.1.c** As part of annexation proposals, inventory where public improvement upgrades to City standards are needed. Seek to require new growth to provide for these improvements throughout the entire annexation area.

**1.1.d** Ensure that infrastructure required of private development projects permitted in Merced County (but within future City limits) is documented and installed at the earliest possible time.

### ***Policy I-1.2***

***Remove Jurisdictional Boundary Conflicts to Make it Easier for Problems to be Resolved.***

#### ***Implementing Actions:***

**1.2.a** Target the SR 59 Corridor as a priority annexation area.

**1.2.b** Reasonable efforts shall be taken to avoid the formation of “peninsulas” or “islands” as part of any new annexation proposals. As a general rule, there should be no more than two sides of any annexation boundary adjacent to lands in Merced County.

### ***Policy I-1.3***

***Cooperate with Merced Area School Districts to Provide School Sites that are Centrally Located to the Populations They Serve and are Adequate to Serve Community Growth.***

#### ***Implementing Actions:***

**1.3.a** Work with the Weaver Union School District to designate an appropriately sited school north of the Mission Avenue Urban Village.

**1.3.b** Work with the Merced Union High School District to designate an appropriately sited high school in the planning area. Said facility should not be located in or adjacent to industrially zoned lands, the airport, and State Highway 99, and should be consistent with the siting criteria of the City specified in the *Merced Vision 2015 General Plan*. MUHSD recommends 50 net acres for the future high school site. If located next to the planned regional park, then the City and MUHSD will explore opportunities for joint use which may allow reduced acreage requirements for the school site, and would remove the requirement for the planned east-west oriented collector road in said area.

***Goal Area CD: Build Identity, Character, and Community Design***



**GOAL**

- **Implement Strategies that Build Identity and Community Character.**

**POLICIES**

**CD-1.1** Create and Enforce Codes that Will Foster the Development of an Aesthetic Environment.

**CD-1.2** Beautify and Enhance the Design of “Gateway” Roads in the Planning Area.

***Policy CD-1.1***

***Create and Enforce Codes that Will Foster the Development of an Aesthetic Environment.***

***Implementing Actions:***

- 1.1.a** The requirement to abide by the North Merced Sign Code shall be considered as a potential public benefit of newly annexed lands. Additionally, consider a sign code amendment that affords the Plan area with high-quality sign ordinances similar to those used in North Merced.
- 1.1.b** Where zoned “Planned Development,” regard the following features as important elements of development projects and make provisions for:
  - (a) solar orientation and design;
  - (b) affordable housing for very-low, low, and moderate income groups; and
  - (c) substantial open space and enhanced building architecture.
- 1.1.c** Code enforcement shall proactively seek to remove illegal signs, unsightly fences, inoperable vehicles, and trash. Additionally, actively enforce weed abatement, removal of trash from vacant lots, and storage of trash containers in side and rear yards.
- 1.1.d** Encourage the Merced County Fair Board to improve the image and appearance of the swap meet operations on Childs Avenue. Alternatively, encourage the Board to replace it with an alternate use that is more compatible with the developing residential neighborhood.
- 1.1.e** The removal of unsafe abandoned buildings is a City priority.
- 1.1.f** Require high quality architectural, site (signs, lights, walls, etc.), and landscape designs for

developments that abut SR 99. Require the installation of continuous vandal-resistant and attractive fencing adjacent to the Union Pacific Railroad ROW to deter trespassing.

### *Policy CD-1.2*

*Beautify and Enhance the Design of Gateway Roads in the Planning Area.*

#### *Implementing Action:*

- 1.2.a Require design treatments along Childs Avenue (between SR 99 and SR 59), Mission Avenue (between SR 99 and SR 59), Tyler Road, and SR 59 that will enhance the aesthetic qualities of the roadways. For example:
- (a) encourage and/or provide programs to businesses on SR 59 that will enable building facade and site landscaping improvements;
  - (b) install a landscaped median in Tyler Road; and
  - (c) utilize the established design guidelines (Policy OS-1.3 of the Merced Vision 2015 General Plan) for projects proposed alongside these roads.

## ***Goal Area CE: Commercial and Employment Opportunities***



### **GOAL**

- Implement Strategies to Attract Commercial Uses and Employment Centers.

### **POLICIES**

**CE-1.1** Provide Opportunities for Appropriate and Varied Commercial and Industrial Uses Throughout the Plan Area.

**CE-1.2** Use the City's Urban Village Concept, Policies, and Design Guidelines for Development in the Plan Area.

### *Policy CE-1.1*

*Provide Opportunities for Appropriate and Varied Commercial and Industrial Uses Throughout the Plan Area.*

#### *Implementing Actions:*

- 1.1.a Promote SR 59 south of Childs Avenue as a major auto service/agricultural service corridor.



- 1.1.b** Maintain industrial land use designations east of the airport, and south of Childs Avenue west of SR 99.
- 1.1.c** Provide zoning and seek to provide key services currently absent in the Plan area, including but not limited to:
  - (a) public services such as a fire station and schools,
  - (b) health-care facilities;
  - (c) neighborhood serving retail;
  - (d) professional offices; and
  - (e) banks and other financial-related offices.
- 1.1.d** Develop regional-serving retail near the Mission Avenue/SR 99 interchange, such as a major retail mall, big-box retail, freeway-oriented retail, and commercial recreational facilities.
- 1.1.e** Support Business Park land uses located at the intersection of R Street and Gerard Avenue that provide a mixture of commercial and office uses that serve populations in both the industrial park to the southwest and residential neighborhood to the northeast, and discourage uses that do not.

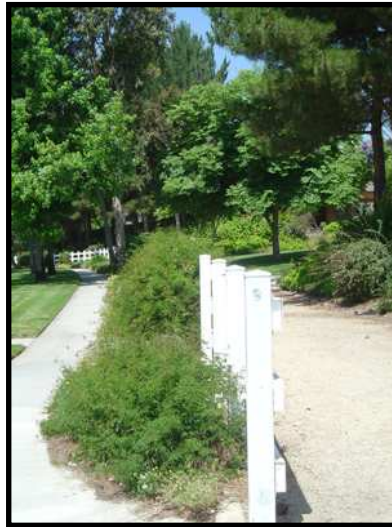
### ***Policy CE-1.2***

***Use the City's Urban Village Concept, Policies, and Design Guidelines for Development in the Plan Area.***

#### ***Implementing Actions:***

- 1.2.a** Develop the urban village on Mission Avenue, east of Tyler Road, in accordance with the Urban Design Chapter of the *Merced Vision 2015 General Plan*, and the associated urban village policies of its land use and transportation and circulation chapters.
- 1.2.b** While it is important to promote SR 59 south of Childs Avenue as a major auto service/agricultural service corridor, be flexible to allow for neighborhood-serving retail, and where feasible, require such development to be consistent with urban village design principles.

***Goal Area OS: Enhance Park, Open Space, and Community Facilities***



**GOAL**

- **Build Open Space Features to Enhance the Plan Area’s Living Environment.**

**POLICIES**

- OS-1.1** Develop a safe pedestrian and Bicycle System with Routes Between Open Spaces, Schools, and Key Destinations in the Plan Area.
- OS-1.2** Provide High-Quality Park and Recreational Facility Consistent with the Merced Park and Open Space Master Plan.
- OS-1.3** Develop Unique Features in the Plan Area to Attract Visitors and Residents from Other Parts of the City.
- OS-1.4** Require new development within airport influence areas to be designed and operated to enable the continued operation and growth of the Merced Municipal Airport

***Policy OS-1.1***

***Develop a Safe Pedestrian and Bicycle System with Routes Between Open Spaces, Schools, and Key Destinations in the Plan Area.***

***Implementing Actions:***

- 1.1.a** As development occurs, require construction of the Plan’s primary and secondary Class I (off-street) bike/pedestrian path system. The primary route is distinguished from the secondary route by its width, additional open space, and preference to be located away from paralleling streets where possible. The secondary routes are narrower and located alongside collector roads. Figure IV-6 depicts a general alignment of the bike path. A more precise and specific alignment will be made at the Project-specific level, with the goal of limiting interfaces with vehicles at road crossings.

- 1.1.b The Class I bike/pedestrian path system between Henry Street and Tyler Avenue is envisioned to be a wide linear park whose primary feature is a storm-drain system with sinuous basins that simulate a natural water feature.
- 1.1.c As determined by City staff on a site-by-site basis, the width and design of the Class I bike/pedestrian path system will vary throughout the Plan area depending upon adjacent land uses, use of stormwater basins, and traffic needs and impacts. An overall minimum width of 82-feet as depicted in Figure 6.1 of the *Merced Park and Open Space Master Plan* (page 6-50) should be assumed in the initial design of a project. Variations to this width are probable.
- 1.1.d Design arterial and collector street intersections and roadway segment cross-sections with wide medians and curb bulb-outs in order to:
  - (a) shorten the time a pedestrian or bicyclist is located in the travel lanes;
  - (b) create a safe-haven in the center median; and
  - (c) serve to calm traffic.
- 1.1.e In all situations, the Class I bike/pedestrian path system shall be designed and constructed to provide ample lighting and surveillance opportunities from adjacent land uses and streets. Where the pathway runs next to a cul-de-sac, broad vision-corridors (instead of narrow view sights between buildings and fences) shall be provided.
- 1.1.f As part of annexation proposals, conduct a study to determine where improvements are missing, then implement a program to install missing sidewalks, crosswalks, bike facilities, and lighting.

***Policy OS-1.2***

***Provide High-Quality Park and Recreational Facilities Consistent with the Merced Park and Open Space Master Plan.***

***Implementing Actions:***

- 1.2.a Consider expanding Flanagan Park to include larger sports fields.
- 1.2.b Install picnic benches, lights, and other park-related features at existing parks where needed.
- 1.2.c Continue efforts to acquire new park sites within future growth areas in advance of development to meet the recreational open space needs of a growing population.
- 1.2.d With regard to the regional park, engage the citizens of Merced for the purposes of gathering comments and ideas to help create a community-based concept for its design and use.

***Policy OS-1.3***

***Develop Unique Features in the Plan Area to Attract Visitors and Residents From Other Parts of the City.***

***Implementing Actions:***

- 1.3.a Develop a signature 40-acre regional park as a draw to the Plan area and include notable features such as soccer and baseball sports fields, a waterplay feature, an open air theater, a meeting hall/community hall (for wedding/events), slow pitch softball fields, and a skate park or BMX circuit.

- 1.3.b Encourage the siting of the following as part of or near the regional commercial shopping center or regional park:**
  - (a) private water theme park;
  - (b) youth facility;
  - (c) batting cages, miniature golf, or similar commercial recreational use;
  - (d) year-round aquatic recreation facility; and/or
  - (e) arts facility.
- 1.3.c Encourage access to retail, cultural shops and markets, art galleries, and restaurants serving an array of ethnic foods.**
- 1.3.d As part of the new neighborhood, community, and regional shopping centers, develop public plazas that include items such as distinctive water features, colorful gardens, benches and gazebos, and performance and teaching spaces.**

***Policy OS-1.4***

***Require new development within airport influence areas to be designed and operated to enable the continued operation and growth of the Merced Municipal Airport***

***Implementing Actions:***

- 1.4.a Consistent with the land use diagram for the South Merced Community Plan, do not permit new residential uses to occur within Airport Influence Zones B1 and B2. Limit population densities in commercial, business park, industrial districts and other non-residential uses to 25 people per acre in the B1 zone and 50 people per acre in the B2 zone.**
- 1.4.b Prohibit children's schools, day care centers, libraries, hospitals, nursing homes and other highly noise sensitive uses in the B1 and B2 zones.**
- 1.4.c Require applicants to comply with FAA review requirements for projects within the B1 and B2 zones either prior to City approval of projects or as a condition of approval. This includes review for height limits and other hazards to flight.**
- 1.4.d For new developments, seek to require (a) disclosure of airport proximity and aircraft overflights in all real estate transactions involving property within the airport influence areas; (b) aviation easements in zone B1; and (c) deed notices in zone B2.**
- 1.4.e The City of Merced will comply with the state statute that requires Airport Land Use Commission review of certain development actions.**

***Goal Area T: Circulation and Transportation***



**GOAL**

- **Reduce Traffic Congestion and Improve Accessibility.**

**POLICIES**

**T-1.1** Reduce Congestion and Improve Accessibility by Constructing New and Improved Road Connections and Transit Services.

**T-1.2** Implement New and Alternative Truck Routes that Minimize Truck Travel in Neighborhoods.

***Policy T-1.1***

***Reduce Congestion and Improve Accessibility by Constructing New and Improved Road Connections and Transit Services.***

***Implementing Actions:***

- 1.1.a** Independent of or concurrently with, but not after approval of annexation of lands near the potential over-crossings of SR 99 at Gerard Avenue or Henry Road, a decision by the City based on further study as to the need and desire to extend one, both, or neither streets over SH 99 shall have been made.
- 1.1.b** Align Tyler Road with B Street. Additional study may be needed to determine the best alignment of roads in the area.
- 1.1.c** Utilize R Street, M Street, G Street, D Street, B Street, DeLong Street, and Brantley Street as important north-south oriented road connections. Independent of or concurrently with, but not after approval of annexation of lands in the Plan area east of SR 59, create a road improvement and financing plan that will define the location, magnitude, and funding for improvements that will be needed on these and other roads north of Childs Avenue.
- 1.1.d** In future site planning designs, explore the use of rear-access local roads at the rear of the commercial properties that front SR 59.

- 1.1.e** Independent of or concurrently with, but not after approval of annexation of lands near Childs Avenue and SR 99, create an interchange and financing plan that will define the location, magnitude, and funding for improvements that will be needed. Require new developments that will use the interchange and ramps at Highway 99 and Childs Avenue to contribute for future improvement of said interchange.
- 1.1.f** Prior to further development that will utilize SR 59, work with Caltrans to construct signals at:
  - (a) Gerard Avenue and SR 59;
  - (b) SR 59 and Mission Avenue; and
  - (c) Childs Avenue and SR 59. (Begin the process to widen SR 59 between Childs Avenue and Mission Avenue.)
- 1.1.g** Work with Caltrans to make intersection improvements at Childs Avenue and SR 59 (align, widen, and improve visibility and pedestrian safety) to maximize developer interest in pursuing commercial development projects. Consider an interim project that realigns road and installs stop signs.
- 1.1.h** Utilize the following strategies when planning for transit use:
  - (a) avoid residential subdivision designs that require pedestrians to duplicate walking distance (double-back) to reach public transit routes;
  - (b) avoid creating barriers that prevent convenient access to current or prospective public transit routes;
  - (c) plan for multi-modal transfer sites at regional and neighborhood commercial sites that incorporate auto parking areas, bike parking, transit, pedestrian and bicycle paths, and park and ride pick-up points;
  - (d) provide transit stops on major streets;
  - (e) avoid whenever possible public transportation transfer points that force passengers to cross major vehicle routes on foot; and
  - (f) provide off-street passenger loading/unloading at major public transportation destinations (shopping centers, etc.).

***Policy T-1.2***

***Implement New and Alternative Truck Routes that Minimize Truck Travel in Neighborhoods.***

***Implementing Actions:***

- 1.2.a** Encourage greater use of the Mission Avenue/Dickenson Ferry Road as a future truck route. Concurrently, seek to reduce the use of SH 59 and V Street as a truck route.
- 1.2.b** Develop road patterns that discourage local truck travel through neighborhoods.

**CHAPTER VI**  
**Standards and Criteria**



## A. OVERVIEW

The Plan shall be zoned planned development (P-D) for special areas of the Plan. All other zoning for the Plan will be in accordance with the requirements of Title 20 – Zoning, of the Merced Municipal Code.

The official Municipal Code of the City of Merced shall guide all development within the Plan project area. Specific exceptions from individual sections of the Municipal Code are presented in this Community Plan document; otherwise all relevant standards presented in the City Code, particularly including Title 20–Zoning, apply to this project.

## B. DEVELOPMENT STANDARDS

### 1. Standard Land Uses and Zoning

The following is a list of Plan project area land uses as defined in Title 20–Merced City Zoning Ordinance (Municipal Code) and Chapter 3–Land Use, Merced Vision 2015 General Plan.

As it pertains to zoning, the word “district” is utilized to define each land use category and is meant to apply to a portion of the territory of the City within which certain uniform regulations and requirements are met. Note: A comprehensive description of the land uses is located in the aforementioned documents.

- **Agricultural (A-T-5 District, Agricultural Transition)**

Purpose: The purpose of the agricultural district is to prevent the encroachment of urban and other incompatible land uses on farmlands, thereby protecting the physical and economic well being of agricultural operations.

- **Business Park (BP, Merced Vision 2015 General Plan)**

Purpose: The purpose of the business park district is to provide areas for a mix of heavy commercial, non-professional office, and industrial uses with shared access and parking.

- **General Commercial (C-G District)**

Purpose: The purpose of the general commercial district is to provide a location for wholesale and heavy commercial uses and services within the City.

- **Neighborhood Commercial (C-N District, Neighborhood Commercial)**

Purpose: The purpose of the neighborhood commercial district is to provide a center for convenience shopping in a residential neighborhood.

- **Commercial / Professional Office (C-O District, Administrative and Professional Office Commercial)**

Purpose: The purpose of the commercial district is to provide for medical, business, and professional offices, and medical and dental clinics.

- **Regional/Community Commercial (C-C District, Central Commercial)**

Purpose: The purpose of the central commercial district is to stabilize, improve, and protect the commercial characteristics of the central business district of the City and major area-wide business centers.

- **Industrial (I-R, I-L, I-H; Industrial Administration/Research, Light and Heavy Industrial, respectively)**

Purpose: The three classes of industrial districts do the following:

- a) Provide space for the many diverse types of industrial activities needed to serve the people and business, and maintain and strengthen the economic base of the City.
- b) Contribute to the effectuation of the General Plan by designating industrial areas of three classes, as all types of industrial activity may have an appropriate location.
- c) Preserve and enhance property values and promote the constructive improvement and orderly growth of existing and well-located industrial areas.
- d) Promote the establishment of new industrial areas properly located to serve the needs of the City.
- e) Prevent an indiscriminate mixture of industrial activity within industrial areas and prevent the scattering of industrial uses in the residential and commercial district.

- **Open Space /Park Recreation (OS/PK, Merced Vision 2015 General Plan)**

Purpose: The purpose of the open space/park district is to provide public and private open space for outdoor recreation both passive and active.

- **Low Density Residential (R-1 District)**

Purpose: The purpose of this low-density residential district is to stabilize, protect, and encourage the establishment and maintenance of a suitable environment for single-family dwellings.

- **Low to Medium Residential Density (Low-Medium Residential)**

Purpose: The purpose of the low to medium residential district is to promote and encourage the establishment and maintenance of a suitable environment for urban family living in areas characteristically occupied by two-family dwellings and appurtenant community services.

- **Village Residential (Planned Development)**

Purpose: See "Planned Development Land Use and Zoning" below

- **School (P/G, Public Government, Merced Vision 2015 General Plan)**

Purpose: The purpose of the public government district is to provide public facilities such as schools, fire stations, police stations, public buildings (libraries, court house, public office, etc.) and similar types of public uses and facilities.

## **2. Planned Development Land Use and Zoning**

Chapter 20.42 of the Merced City Ordinance (Municipal Code) states a P-D is intended to provide a zone which can permit and enjoin logical or desirable development and carry out the objectives of the General Plan by:

- a) Permitting the initial development or enlargement of commercial districts in close proximity to residential areas while protecting the character and quality of adjacent residential uses;
- b) Permitting clusters of multiple-family developments in appropriate locations within single-family zones with suitable controls imposed;
- c) Providing for the location, under suitable safeguards, of desirable types of research and manufacturing uses adjacent to, and within, commercial or residential areas;
- d) Permitting planned development on a large scale, which could include a combination of any two or all of the above-mentioned developments; and
- e) Permitting the redevelopment of parcels for residential, commercial, or industrial purposes, or any combination thereof in areas already built upon, but which now have marginal development.

In a P-D zone any and all uses are permitted, provided the use or uses are shown on the development plan for the particular P-D zone as approved by the City Council.

**3. Special Regulations**

Chapter 20.54 of the Merced City Zoning Ordinance (Municipal Code) provides an array of land uses that may occur within the Plan project area. The land uses range from rear dwellings to bed and breakfast establishments.

**C. NATURAL RESOURCES STANDARDS**

There are no specific natural resource standards in the Merced City Zoning Ordinance (Municipal Code). However, the Merced Vision 2015 General Plan addresses the importance of preserving natural resources for future development in its sustainable development and open space, conservation, and recreation elements.

For instance, the sustainable growth element focuses on accommodating growth and development without compromising agricultural soils, water supplies, wildlife habitat, air quality, non-renewable energy resources, and cultural and historic resources. Similarly, the goals of the open space, conservation, and recreation element are:

- To assure the continued availability of open land for the enjoyment of beauty, for recreation, and for preservation of natural resources;
- To guide development in order to make discerning use of the City's natural, environmental, and cultural resources;
- To maintain any valuable resource areas necessary for the continued survival of significant wild life and vegetation;
- To work toward balancing the interests of preservation of agricultural pursuits and the pastoral lifestyle, coupled with increasing development pressures throughout the Merced urban area.

**CHAPTER VII**  
**Implementation and Financing Program**

### A. REGULATIONS AND PROGRAMS

#### 1. CEQA Mitigation Monitoring Program

An EIR was written because several categories in the Initial Study were identified as significant impacts. Section 21081.6 of the Public Resources Code requires adoption of a monitoring program for all mitigation measures adopted in the EIR for the Plan.

The Mitigation Monitoring and Reporting Program (MMRP) is the system for managing, directly addressing, and resolving significant impacts. It is a way to ensure compliance during project implementation. The impacts identified in the EIR are divided into four categories (Table I-1, Table I-2, Table I-3, and Table I-4 in the South Merced Community Plan EIR):

- CATEGORY 1 – Potential Impacts that Can Be Mitigated
- CATEGORY 2 – Potential Impacts that are the Responsibility of Another Agency
- CATEGORY 3 – Potential Impacts that Cannot Be Fully Mitigated
- CATEGORY 4 – Potential Effects that Have Been Found Not To Be Significant

Future projects in the City of Merced are subject to this MMRP or other standards as approved by the City on a project-by-project basis.

#### 2. Annexations

Annexation of any portion of the Community Plan project area is subject to the review and approval of the Merced County Local Agency Formation Commission, in accordance with Section 56650 et. seq. of the California Government Code.

#### 3. Zoning

All land use and building related planning activities occurring within the Community Plan project area shall be subject to Title 20 of the Merced City Zoning Ordinance and applicable ordinances in the Merced Municipal Code (Ord.1420 § 1, 1981).

#### 4. Subdivisions

Subdivision of private property within the Community Plan project area by the City of Merced is subject to Title 18 of the Municipal Code, which is consistent with Government Code §66411. It is anticipated that, prior to approval of any tentative maps within any subareas depicted on Figure V-1, a Subarea Plan shall be subject to review and approval by resolution of the City Council.

### **B. PUBLIC WORKS PROJECTS**

Public facilities may be constructed by the City and any other relevant public agencies at any time and at any location, as outlined in Chapter III of the Community Plan and in accordance with relevant requirements of the Section D of Merced Municipal Code 17.62.040.

### **C. FINANCING AND FUNDING METHODS**

Public facilities impact fees will be used as described in Section D of Merced Municipal Code 17.62.040, Merced Municipal Code 17.62.050 – Collection and expenditure of fees.

Additionally, many of the road improvements needed for this plan are not currently identified in the City's Public Facility Finance Plan. Thus in order to further implement and reduce identified impacts, the City will update the Public Facility Finance Plan to include all listed improvement needs of the South Merced Community Plan and associated Environmental Impact Report. Until such time as this is accomplished, the City will require contribution of traffic impact fees from new development in the planning area. The impacts and fees will be determined through traffic studies required of project applicants. In most cases, this will occur at the annexation phase of development or through subsequent reviews if the site is already annexed.

1. The revenues raised by payment of the public facilities impact fee shall be placed in a separate and special account and such revenues, along with any interest earnings on that account, shall be used for the following purposes:
  - a. To pay for the design and construction of designated public facilities and reasonable costs of outside consultant studies related thereto;
  - b. To reimburse the city for designated public facilities constructed by the city with funds (other than grants or gifts) from other sources;
  - c. To reimburse developers who have designed and constructed designated public facilities which are oversized with supplemental size, length, or capacity; and
  - d. To pay for and/or reimburse costs of program development and ongoing administration of the public facilities fees program.
2. Within 5 years of the date of collection, fees provided for under this chapter shall be expended, encumbered, or committed for the construction of public facilities capital improvements.
3. A developer of any project subject to the fee described in this chapter may apply to the City Council for a reduction or adjustment to the fee, or waiver of all or a portion of the fee, based upon the absence of any reasonable relationship or nexus between the impacts of that development and either the amount of the fee charged or the type of facilities to be financed. The application shall be made in writing and filed with the city clerk not later than:



- a. Ten days prior to the date set for City Council consideration of the first development approval for the project, or
- b. If no development approval by the City Council is required, at the time of the filing of the request for a building permit.

The application shall state in detail the factual basis for the claim of waiver, reduction, or adjustment. The City Council shall consider the application at the same time as the development approval or at a separate hearing held within 60 days of filing the fee adjustment application. The decision of the City Council shall be final. If a reduction, adjustment, or waiver is granted, any change in use within the project shall invalidate the waiver, adjustment, or reduction of the fees. (Ord. 2130 § 1 (part), 2003: Ord. 2000 § 2, 1998: Ord. 1989 § 1 (part), 1998).