Agenda Item: _____

Meeting Date:_____

ADMINISTRATIVE REPORT

TO: John M. Bramble, City Manager

FROM: Kim Espinosa, Planning Manager

DATE: September 9, 2011

SUBJECT: Adoption of the *Merced Vision 2030 General Plan* and Certification of the General Plan Final Environmental Impact Report (EIR)

REPORT IN BRIEF

After the public hearing, the City Council should give direction to staff regarding any possible changes in the General Plan and then continue the public hearing to the October 3, 2011, City Council meeting to consider adoption of the *Merced Vision 2030 General Plan* and its associated Environmental Impact Report (EIR).

RECOMMENDATION:

City Council: After the staff presentation, open the public hearing, and receive public testimony. The City Council should then give direction to staff regarding any desired changes in the General Plan (changes in the proposed Specific Urban Development Plan/Sphere of Influence boundary, policy language changes, etc.) and then continue the public hearing to the City Council meeting of October 3, 2011, for final action on the adoption of the General Plan and EIR.

POSSIBLE CITY COUNCIL ACTIONS

1. Continue the public hearing to October 3, 2011; or,
2. Refer back to staff for reconsideration of specific items as requested by Council; or,
3. Continue item to another future Council meeting (date and time to be specified in City Council motion).

AUTHORITY/CODE SECTIONS

Under California Government Code Section 65358(a), a legislative body may amend, after a public hearing, all or part of an adopted General Plan if the body deems the amendment to be in the public's interest. Title 19 of the Merced Municipal Code outlines environmental review procedures.

DISCUSSION:

Project Description

The *Merced Vision 2030 General Plan* is a comprehensive update of the City's General Plan and will replace the *Merced Vision 2015 General Plan* adopted in 1997. The General Plan includes revised Land Use, Transportation & Circulation, Open Space/Conservation, Noise, and Safety Elements as well as optional elements—Urban Expansion, Public Services & Facilities, Urban Design, and Sustainable Development. (The Housing Element was adopted under a separate process in May 2011.)

The expansion of the City's growth boundary will define the limits for extending City services and infrastructure so as to accommodate new development anticipated within the 20 year time-frame of the General Plan. The current growth boundary or Specific Urban Development Plan (SUDP) contains approximately 20,000 acres and the current Sphere of Influence (SOI) contains approximately 33,700 acres. The proposed SUDP/SOI (now combined into one) contains 33,576 acres. Despite the size of the SUDP/SOI, policies are proposed in the Plan to promote compact urban development and provide for an orderly transition from rural to urban land uses. After extensive public review over the last six years, the *Merced Vision 2030 General Plan* is now ready for adoption after the Environmental Impact Report is certified.

Brief Overview of the General Plan Update Process

The following is a brief overview of the General Plan Update process. For a more detailed history of the project, please refer to Attachment B of Planning Commission Staff Report #11-09 (Attachment 7).

The General Plan Update process first began in 2005 and was originally supposed to simply add the UC Merced Campus, the University Community, and areas in between to the City's growth boundary. During 2006, much of the work was focused on defining the General Plan Update Study Area, which grew to include areas of expansion to the northwest, southwest, and southeast in addition to the UC Merced-related areas. In July 2006, after reviewing various options for a Draft SUDP/SOI boundary and several public meetings, the City Council adopted a Draft SUDP/SOI of approximately 43,591 acres or over double the size of the City's current SUDP (20,540 acres). In August 2006, a new firm, Quad-Knopf of Roseville, was hired to complete the General Plan Update and EIR after the original consultant contract was terminated.

Because of the size and population capacity of the General Plan Study Area, it became necessary to define a smaller boundary to accommodate the next 20 years of growth. Currently the City's Specific Urban Development Plan (SUDP)

boundary and the Sphere of Influence (SOI) boundary are different boundaries with the SUDP reflecting a 20-year growth plan and the Sphere of Influence defining a longer time frame. However, since the City's SOI boundary was adopted by the Local Agency Formation Commission (LAFCO) in 1997, new criteria has been put in place by LAFCO that will require the City to demonstrate how we can provide services to all areas within the SOI. Because of those criteria, staff and the consultants recommended that the SUDP and SOI boundaries be co-terminus and that a larger Area of Interest (AOI) be defined that represents long-term growth areas. Areas within the SUDP/SOI will have City land use designations, but areas within the AOI will not. However, there are criteria included in the Draft General Plan defining how areas within the AOI can be added to the SUDP/SOI as time goes on. Further environmental studies will also be required before any of these AOI areas could be developed.

In September 2007, a Draft Land Use Diagram with a Draft SUDP/SOI was released for public review. After input from the community and property owners, the Draft Land Use Diagram was modified in February 2008 and included a 33,463-acre SUDP/SOI within the larger 43,591-acre Area of Interest, which corresponded to the original Draft SUDP/SOI. The combined SUDP/SOI is almost the same size (33,463 acres) as the current SOI (37,300 acres), but includes some different areas and the large area northeast of Lake Yosemite, the former planned site of the UC Merced Campus, has been removed.

During 2008 to 2010, the consultants worked with City staff to complete the Draft *Merced Vision 2030 General Plan* document (including all the goals, policies, and implementing actions) and the Draft EIR, both released for public review on August 24, 2010. The Draft *Merced Vision 2030 General Plan* is based on the *Merced Vision 2015 General Plan* and contains many of the same goals, policies, and implementing actions. The Draft General Plan has been updated to include new information since the 1997 adoption, new policies to address the proposed SUDP/SOI and Area of Interest, and new policies to address new issue areas (such as the High Speed Rail, the San Joaquin Valley Blueprint process, climate change, etc.) which have arisen since the 1997 adoption of the *Merced Vision 2015 General Plan*. Many public meetings were held throughout the General Plan Update process. (For details, see Finding D of the Planning Commission Staff Report at Attachment 7.)

<u>What is the General Plan and Why Is It Important?</u>

According to State law, each city and county in California is required to adopt a General Plan which provides for "the physical development of the County or City, and any land outside its boundaries, which bears relation to its planning." The General Plan must consist of seven required elements—land use, circulation, open space, conservation, housing, noise, and safety—all of which must contain specific

content, also prescribed by the State, and which shall be consistent with one another. (For example, the land use element can't designate a property as residential if the open space element indicates that it should be preserved as open space.) The General Plan may also consist of as many optional elements as the community wants.

Most people associate the General Plan with the Land Use Diagram, which shows the various land uses (residential, commercial, industrial, schools, open space, etc.) for specific pieces of property within the community's growth boundary. The Land Use Diagram is important, but the General Plan is primarily a policy document which spells out the community's vision for growth and development. All new development within the community must conform with the General Plan, including its diagrams, maps, and policies. In fact, the City Council cannot approve a development project which does not conform to its General Plan. The General Plan must be amended, through a public hearing process, before such a project could be approved. An example would be that a shopping center could not be built on a vacant parcel that is designated on the General Plan for single-family residential unless the General Plan is amended and the shopping center conforms to all the policies in the General Plan. When applications for development are presented to the Planning Commission and City Council, staff provides an analysis of the project's conformity to the General Plan. City infrastructure plans, impact fee programs, and other master plans also need to conform to the General Plan.

The *Merced Vision 2015 General Plan* is the City's current General Plan, which was adopted in 1997. The *Merced Vision 2015 General Plan* contains a 20,540-acre Specific Urban Development Plan (SUDP) boundary, a 37,300-acre Sphere of Influence (SOI), and the seven state-required elements, along with additional elements covering urban expansion, public facilities, urban design, and sustainable development. Once adopted, all policies in the General Plan, no matter which element they are in, should be treated with equal importance and must be implemented.

Major Changes from the *Merced Vision 2015 General Plan*

The Draft *Merced Vision 2030 General Plan* is based on the current *Merced Vision 2015 General Plan*, adopted in 1997. Most of the Vision 2015 Plan is still relevant today so the vast majority of the goals, policies, and implementing actions from the 2015 Plan are maintained in the 2030 Plan. Factual information in the General Plan text has been updated to reflect current conditions and other text has been added or modified to reflect changes in the 2030 Plan.

The following is a brief summary of major policies that have been added in each Element of the General Plan from the 2015 Plan to the 2030 Plan.

1) Urban Expansion—A co-terminus SUDP/SOI has been proposed along with an Area of Interest (AOI) representing over 40 years of growth.
2) Land Use—Increased flexibility has been added for retail at major intersections under unique circumstances; development standards have been added for large research parks and freeway-oriented developments; the South Merced Community Plan (adopted in 2008) has been incorporated; a transit-oriented development overlay has been proposed in the vicinity of the Downtown High Speed Rail station; large Community Plan areas have been added (University Community, Castle Farms, Mission Lakes, Bellevue Corridor, etc.), and implementation of the San Joaquin Valley Blueprint principles and densities has been added.
3) Transportation & Circulation—Policies have been added regarding "Complete Streets" that accommodate all modes of travel; the Merced-Atwater Expressway and Campus Parkway have been added to the Circulation system; and the Bicycle Advisory Commission is discussed.
4) Public Services & Facilities—Policies relating to schools have been substantially modified to better define City/School relations and a new goal area regarding telecommunications was added.
5) Urban Design—No major changes.
6) Open Space, Conservation, & Recreation—Policies from the 2004 Parks and Open Space Master Plan were added as well as more information about wetlands and wildlife resources.
7) Sustainable Development—Policies were added relating to Climate Change and Greenhouse Gas Emissions, including the completion of a Climate Action Plan and implementing "green" building codes, and a policy was added relating to "healthy communities."
8) Housing—Adopted by a separate process in May 2011.
9) Noise—New noise measurement techniques were added and noise data was updated.
10) Safety—Information regarding Fire Department practices was updated along with emergency preparedness procedures and policies regarding the 200-Year Floodplain in addition to the 100-Year Floodplain were added.

<u>Proposed Changes to the General Plan Since the August 2010 Draft</u>

Since August 2010, the City has received numerous comments on the *Merced Vision 2030 General Plan*, both verbal and written, from members of the general public, other public agencies, City staff, City boards or commissions, etc. Staff has kept a record of these comments and, as much as possible, changes have been incorporated into the document in response to these comments. Other changes were required to respond to comments on the Draft EIR. These changes are outlined at Attachment 3 along with the source of the comments.

Most of the proposed changes are relatively minor word changes, clarifications, typographical errors, or updating factual information. The major changes are mostly in Chapter 3 (Land Use), Chapter 4 (Transportation and Circulation), Chapter 5 (Public Services and Facilities), and Chapter 11 (Safety). The Chapter 3 (Land Use) changes are related to various Community Plans, especially changes asked for by UC Merced relating to the new boundary for the campus and University Community North, which also affects the Land Use Diagram. The Chapter 4 (Transportation & Circulation) changes include many recommended by the Bicycle Advisory Commission and some changes related to Castle Airport (some changes to Chapter 11 were also related to Castle Airport). The changes in Chapter 5 (Public Services and Facilities) and Chapter 11 (Safety) are mostly from Fire Chief Mike McLaughlin, appointed in 2011, in order to better reflect policies and procedures of the Merced Fire Department under his new leadership. (Retired Fire Chief Ken Mitten had served on the General Plan Technical Advisory Committee and had previously provided his input on the General Plan.)

Changes will need to be made to the proposed Land Use Diagram as well. Since the Diagram was substantially completed in February 2008 (with only minor modifications in August 2010), there have been ten general plan amendments approved through the normal City public hearing process which will need to be reflected on the proposed map. These proposed changes are outlined at Attachment 2. For information on how the Land Use Diagram affects specific properties within the City's SUDP/SOI, please see Findings I, J, K, and L of the Planning Commission Staff Report at Attachment 7.

Adopting the Land Use Diagram and Avoiding Conflicts of Interest

In order to avoid potential or perceived conflicts of interest regarding properties owned by the Planning Commissioners and City Council members, the City Attorney has advised that the General Plan Land Use Diagram should be adopted in segments. Although no changes in land use designation are proposed within the current City limits where these properties are located, this approach reflects an abundance of caution to avoid even perceived conflicts of interest. For the Planning Commission, staff divided the Land Use Diagram into five sectors as shown in Attachment A of the Planning Commission Staff Report at Attachment 7 for the purposes of adoption, based on the locations of the primary residences of the members and other property interests that were provided to the City by the individual members. For the City Council, staff divided the Land Use Diagram into seven (7) sectors as shown in Attachment 1. These sectors have been drawn so that no more than one member should have to declare a potential conflict for any one sector.

The seven sectors are described as follows (see also Attachment 1) and the Councilmember with property interests in that area is also noted:

1) Sector I – South of Highway 99 and Highway 140, East of R Street (south of Childs Ave) and Q Street (north of Childs Ave) *[Councilmember Rawlings]*
2) Sector II – North of Highway 99 and Highway 140, East of Q Street, and South of North Bear Creek Drive from Q Street to Oleander Drive, South of Alexander Avenue from Oleander to McKee Road, and South of East Olive Avenue, East of McKee *[Mayor Spriggs]*
3) Sector III – East of G Street and North of North Bear Creek Drive from G Street to Oleander Drive, North of Alexander Avenue from Oleander to McKee, and North of East Olive Avenue, East of McKee *[Councilmember Carlisle]*
4) Sector IV – North of Highway 99 between T Street and Q Street, North of North Bear Creek Drive from R Street to G Street, and North of Loughborough Drive from M Street to G Street *[Councilmember Gabriault-Acosta]*
5) Sector V – South of Santa Fe Road/West Olive Avenue and West of R Street from Olive to North Bear Creek Drive, West of T Street from North Bear Creek Drive to Highway 99, and South of Highway 99, West of Q Street (from Highway 99 to Childs) and West of South Highway 59, South of Childs *[Mayor Pro Tempore Blake]*
6) Sector VI – North of Santa Fe Road/West Olive Avenue from North Highway 59 to R Street, East of North Highway 59 from Olive to Buena Vista Drive, East of Sarasota Avenue from Buena Vista to El Redondo Drive, and East of San Augustine Ave, North of El Redondo *[Councilmember Lor]*
7) Sector VII – North of Santa Fe Road/West Olive Avenue, West of North Highway 59 from Olive to Buena Vista Drive, West of Sarasota Avenue from Buena Vista to El Redondo Drive, and West of San Augustine Ave, North of El Redondo *[Councilmember Pedrozo]*

<u>Environmental Impact Report</u>

<u>Preparation of the Environmental Impact Report</u>

The Draft and Final Environmental Impact Reports (EIR) for the *Merced Vision 2030 General Plan* (SCH#2008071069) were prepared by Quad-Knopf to meet the requirements of the California Environmental Quality Act (CEQA). Specialized sub-consultants serving with Quad-Knopf in the environmental assessment process included Fehr & Peers (traffic), J.C. Brennan & Associates (noise), Peak and Associates (cultural resources), and Geocon (geology). The contract with Quad-Knopf was amended twice to include an expanded scope to ensure that the analysis was as complete and accurate as possible. The table in Finding O of the Planning

Commission Staff Report at Attachment 7 provides a summary of key events and dates leading up to the Final EIR.

Impacts Identified from the Project

The Draft EIR for the proposed *Merced Vision 2030 General Plan* has identified potentially significant physical environmental impacts that are expected to result from the Project. The EIR also provides appropriate measures to mitigate the impacts and to reduce anticipated *physical* environmental impacts to less than significant levels. Significant Environmental Effects Requiring Mitigation include impacts on aesthetics, agriculture & forest resources, air quality, biological resources, noise, transportation/traffic, and greenhouse gas emissions (global climate change). These impacts and mitigation measures are summarized in the table in Finding P of the Planning Commission Staff Report at Attachment 7 and in more detail in Table ES-2 in the Executive Summary of the Draft EIR (modified in the Final EIR, see Section 4) as well as in the Mitigation Monitoring Program in Section 5 of the Final EIR and at Exhibit 2 of Attachment 9.

The EIR for the proposed *Merced Vision 2030 General Plan* also identified Unavoidable Significant Environmental Effects (summarized in Section 5.1, starting on page 5-1 of the Draft EIR). These impacts cannot be mitigated below the relevant threshold of significance. These impacts, which will require a Statement of Overriding Considerations, include aesthetics, agricultural and forest resources, air quality, hydrology and water quality, noise, transportation/traffic, and greenhouse gas emissions (global climate change).

Significant Cumulative Environmental Effects resulting from the General Plan implementation are described in Section 5.7 of the Draft EIR. Significant and unavoidable impacts, which will require a Statement of Overriding Considerations, were found in the area of agricultural and forest resources, air quality, hydrology and water quality, public services (electric and gas), transportation/traffic, and greenhouse gas emissions (global climate change).

Project Alternatives

Three project alternatives were analyzed in Chapter 4 of the Draft EIR. CEQA requires a discussion of alternatives which are capable of avoiding or substantially lessening any significant impact of the project. Table 4-1 on page 4-18 of the Draft EIR provides a comparison of the alternatives vs. the project with mitigations for 17 different impact areas (i.e. air quality, noise, traffic, etc.).

- Alternative 1—Existing General Plan (No Project) assumed that the *Merced Vision 2030 General Plan* was not adopted and the *Merced Vision 2015 General Plan* remained in effect, which would leave the SUDP at approximately 21,700 acres. According to Table 4-1, Alternative 1 would

result in the reduction of 10 impacts, the increase of 3 impacts, and 4 impacts would remain unchanged. Alternative 1 was found to be environmentally inferior to the proposed General Plan and other alternatives because it fails to achieve the project objectives (see Section D of Exhibit 1 of Attachment 9).

- Alternative 2—Reduced Project Area assumed a smaller growth boundary and slower growth by eliminating two large Community Plan areas (Castle Farms and Mission Lakes, totaling approximately 5,000 acres) and reducing the proposed SUDP/SOI from 33,576 acres to 28,576 acres. Alternative 2 would result in a reduction in 11 impacts, no impacts would be increased, and 6 impacts would remain unchanged. Alternative 2 is the environmentally superior alternative because it reduces more potential impacts than other alternatives and serves to reduce the severity of three significant cumulative impacts (agriculture, air quality, and traffic). However, the Findings of Fact and Statement of Overriding Considerations at Exhibit 1 of Attachment 9 finds that Alternative 2 is less desirable than the General Plan ("the Project") because mitigation measures incorporated into the Project will substantially lessen or avoid most of the environmental impacts of the Project, thereby diminishing or preventing the perceived impact avoiding benefits of adopting Alternative 2, and that Alternative 2 would not accomplish all of the Project objectives.
- Alternative 3—Concentrated Growth assumed that the proposed SUDP/SOI boundary and the number of residential units would remain the same, but residential densities would be increased significantly in and around existing developed areas to provide the same growth capacity. More land would be designated for Open Space or Reserve. Alternative 3 would result in a reduction in 8 impacts, no impacts would increase, and 9 impacts would remain unchanged. In Exhibit 1 of Attachment 9, Alternative 3 is found to be less desirable than the Project for the same reasons as Alternative 2.

In the Findings of Fact and Statement of Overriding Considerations at Exhibit 1 of Attachment 9, it is concluded that the proposed *Merced Vision 2030 General Plan* is the superior alternative for achieving the goals established for the Project and the City of Merced while minimizing impacts to the environment. Each of the alternatives are not superior to the Project because they compromise one or more of the Project objectives, and for all those reasons above, all three alternatives are rejected in favor of the Project.

Final EIR and Response to Comments

The Draft EIR for the proposed *Merced Vision 2030 General Plan* was distributed to interested agencies and the public for a 60-day-period (beginning on August 24, 2010 and ending on October 22, 2010). The City received 26 letters commenting on the DEIR. One of those letters arrived after the close of the comment period,

but it has been responded to as well. Those letters can be seen in their entirety in Section 3 of the Final EIR (distributed to the City Council on July 8, 2011). Responses to comments contained in those letters are located immediately following each letter in Section 3 of the Final EIR.

As required per Section 21092.5(a) of the State of California Public Resources Code, a copy of the response to comments was sent to each public agency who had submitted a letter on July 8, 2011 (at least 10 days prior to the Planning Commission hearing). A notice was also sent to all those individuals who had commented on the DEIR regarding the availability of the Final EIR, including the Responses to Comments, on July 8, 2011. (The DEIR commenters were also mailed public hearing notices for the July 20 Planning Commission hearing on June 28, 2011, which indicated that the Final EIR would be available on July 8, 2011.) The Final EIR was made available for public review at City offices, the Main Branch of the Merced County Library, and the City's website on July 8, 2011. (The Final EIR was actually on the City's website by the afternoon of July 7, 2011.) Printed copies and copies on CD-ROM were also made available. These same individuals and agencies were informed of the City Council public hearing by mail on August 24, 2011.

The Final EIR for the proposed *Merced Vision 2030 General Plan* also contains minor modifications to the text and mitigation measures in response to the comments received (see Section Four of the Final EIR). Section Five of the Final EIR includes a revised table of proposed mitigation measures, which serves as the Mitigation Monitoring Program, and is excerpted at Exhibit 2 of Attachment 9 of this report. One error was noted after publication of the Final EIR—page 2-2 should be corrected to read "Letter 22—Thomas C. Grave" (not "Thomas Lollini" as noted).

Findings of Fact and Statement of Overriding Considerations

The Environmental Impact Report (EIR) for the *Merced Vision 2030 General Plan* identified significant impacts associated with the Project. Approval of a Project with significant impacts requires that findings be made by the City pursuant to the California Environmental Quality Act (CEQA) and State CEQA Guidelines. These findings must state that significant impacts of the Project would either: 1) be mitigated to a less-than-significant level pursuant to the mitigation measures identified in this EIR; or 2) mitigation measures notwithstanding, have a residual significant impact that requires a Statement of Overriding Considerations.

Quad-Knopf in consultation with City staff has prepared Draft "Findings of Fact and Statement of Overriding Considerations" (Exhibit 1 of Attachment 9). The findings are divided into six sections: 1) Introduction; 2) Findings Associated with Certification of the EIR; 3) Findings Associated with Specific Impacts and

Mitigation Measures; 4) Findings Associated with Significant Cumulative Environmental Effects; 5) Findings Supporting Rejection of Alternatives; and 6) a Draft Statement of Overriding Considerations.

All significant impacts associated with the Project have been mitigated to a level of insignificance except those described above. Therefore, a Draft Statement of Overriding Considerations (beginning on page 38 of Exhibit 1 of Attachment 9) has been prepared.

Mitigation Monitoring

In accordance with CEQA requirements, the City is required to adopt a Mitigation Monitoring and Reporting Program when approving mitigation measures contained in an EIR or mitigated negative declaration. The Program is to be designed to ensure compliance with the adopted project mitigation measures that were required by the public agency in order to reduce or avoid significant environmental effects. A Mitigation Monitoring Program is required for this project and can be found in Section 5 of the Final EIR and at Exhibit 2 of Attachment 9.

Planning Commission Recommendation

On July 20, 2011, the Planning Commission held a public hearing to consider adoption of the *Merced Vision 2030 General Plan* and certification of its associated EIR. Ten (10) individuals offered public testimony. After considering all the testimony, by unanimous vote (5-0-2, 5 ayes, 2 absent), the Planning Commission recommended certification of the Final General Plan EIR (including adoption of Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring Program) and adoption of the *Merced Vision 2030 General Plan* (as shown in the August 2010 Draft) with changes to the text of the document as outlined in Attachment 3. For the Land Use Diagram, the Planning Commission took five separate votes for the five sectors, and all votes were unanimous (4-0-1-2, 4 ayes, 1 abstain, 2 absent). Please see the Planning Commission Minutes and Resolutions at Attachments 4, 5, and 6 for details.

Letters received at or after the Planning Commission hearing can be seen at Attachment 8. (Earlier correspondence is included in Attachment E of the Planning Commission staff report at Attachment 7). Based on the letter from Steve Rough (Attachment 8F), staff is recommending one minor change to the General Plan document regarding the right-of-way on Yosemite Avenue, east of Parson/Gardner, which is reflected in Attachment 3, Items #43 and #60.

City Council Action

Staff is recommending that the City Council open the public hearing and receive public testimony. The City Council should then give staff any direction regarding

possible changes in the General Plan (changes in the proposed SUDP/SOI, policy language changes, etc.), and then continue the public hearing to the City Council meeting of October 3, 2011 for final consideration of adoption of the *Merced Vision 2030 General Plan* and certification of the Final EIR.

Respectfully Submitted,

Kim Espinosa,
Planning Manager

Reviewed and Approved,

David B. Gonzalves, Director of
Development Services

Approved By,

John M. Bramble,
City Manager

[KE: 2011/General Plan Update/Public Hearings/04-CC Adoption/Gen Plan Adoption AR-CC Hearing-Sept19-11.docx]

PLEASE BRING YOUR COPY OF THE DRAFT MERCED VISION 2030 GENERAL PLAN AND DRAFT AND FINAL EIR's TO THE MEETING.

Attachments:

1) Land Use Diagram Divided Into Sectors for Adoption Purposes
2) Proposed Changes to General Plan Land Use Diagram
3) Proposed Changes to the General Plan Since the August 2010 Public Review Draft
4) Planning Commission Resolution #2988 (EIR)
5) Planning Commission Resolution #2989 (General Plan)
6) Planning Commission Minutes (July 20, 2011)
7) Planning Commission Staff Report #11-09
8) Correspondence Regarding the General Plan Received at or after the Planning Commission Public Hearing
    a) Email from Jim Sanders (July 20, 2011)
    b) "What Does the Future Look Like" Presentation by Jean Okuye (July 20, 2011)
    c) "Paving Paradise" Study Submitted by Jean Okuye (July 20, 2011)
    d) "Minor Subdivisions of Agricultural Land in Merced County (1998-2008)" Submitted by Jean Okuye (July 20, 2011)
    e) Letter from Jim Todd of Merced Gateways (July 20, 2011)
    f) Email from Steve Rough of Yosemite Church (July 22, 2011)
    g) Letter from Paul Fillebrown of Merced County (August 5, 2011)

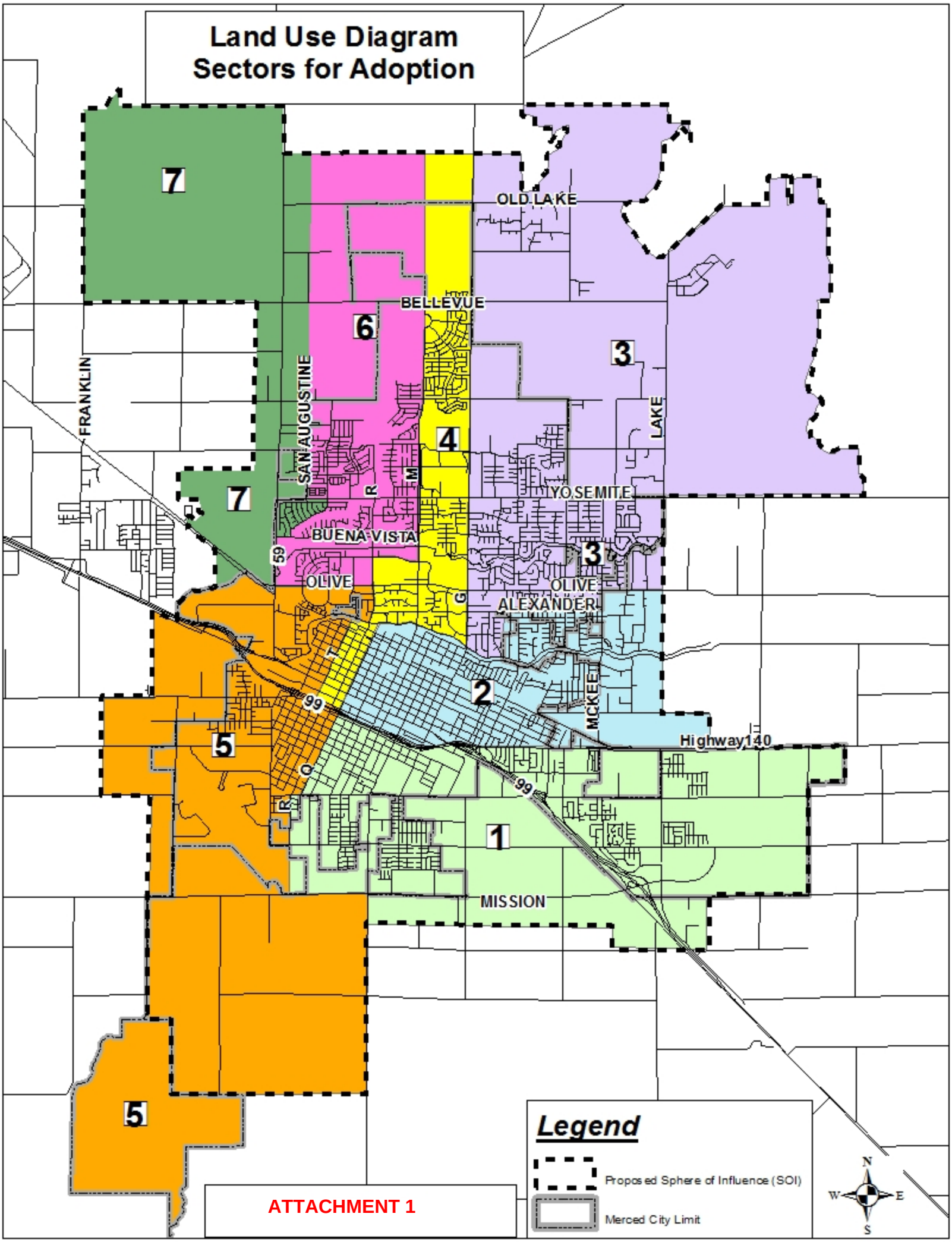
h) Letter from Tom Lollini of UC Merced (August 16, 2011)
i) Letter from John Wilbanks of Castle Farms (August 30, 2011)

9) Draft City Council Resolution (EIR) (For reference only)
   a) Exhibit 1—Findings of Fact and Statement of Overriding Considerations
   b) Exhibit 2—Mitigation Monitoring Program

10) Draft City Council Resolution (General Plan) (For reference only)
   a) Exhibit A—General Plan Public Review Draft (August 2010)
   b) Exhibit B—Proposed Changes to General Plan (same as Attachment 3)
   c) Exhibit C—Proposed Changes to Land Use Diagram (same as Attachment 2)
   d) Exhibit D—Land Use Diagram Sectors (same as Attachment 1)

11) Draft City Council Resolution (Application to LAFCO) (For reference only)
   a) Exhibit A—Specific Urban Development Plan (SUDP)/Sphere of Influence (SOI) boundary map

Land Use Diagram
Sectors for Adoption



ATTACHMENT 1

MERCED VISION 2030 GENERAL PLAN

Recommended Changes Since August 2010 Draft
(Modified 9/7/11)

Land Use Diagram

#	APN#	Location	Designation on Land Use Diagram (8/24/10)	Corrected Designation	Source
1	52-300-021 52-300-024 52-300-26 60-010-001 60-020-007 (UC 815 acres & Univ Comm North 833 acres)	Northeast and Southeast corners of Bellevue Rd & Lake Rd (UC Merced Campus & University Community)	School and Community Plan	Designations of School (SCH) and Community Plan (CP) remain but the boundaries change per Exhibit 1	The UC Board of Regents adopted an EIR for the revised boundaries for the UC Merced Campus & University Community North on March 25, 2009.
2	057-200-076 (40 acres)	West of Highway 59, north of Santa Fe Drive	Business Park (BP)	Regional/ Community Commercial (RC)	Property owner request to retain 1997 General Plan land use designation
3	052-230-083 (58 acres)	Southwest corner of G and Farmland	Low Density Residential (LD)	School (SCH)	GPA #07-02 11-15-2010 CC Res# 2010-89
4	224-212-001, -002, -003, -8, -009, -010, -012, -013 (1.7 acres)	Northeast corner of Bancroft and Cardella	Fire Station (PG)	Low Density Residential (LD)	GPA #08-03 8-2-2010 CC Res #2010-71
5	058-020-058 (2.5 acres)	Southeast corner of Hwy 59 & Buena Vista	Business Park (BP)	Neighborhood Commercial (CN)	GPA #09-01 5-18-2009 CC Res #2009-37
6	058-290-036 (1 acre)	South of Yosemite, east of R Street	Low Density Residential (LD)	Business Park (BP)	GPA #09-02 8-17-2009 CC Res #2009-60
7	231-010-009 (42 acres)	Southwest corner of Gardner and Cardella	Low Density Residential (LD)/Low Medium Density Residential (LMD)	Commercial/ Professional Office (CO) & Low Medium Density Residential (LMD)	GPA #09-03 11-16-2009 CC Res #2009-81

#	APN#	Location	Designation on Land Use Diagram (8/24/10)	Corrected Designation	Source
8	030-204-007, & -008 (15,000 SF)	Southwest corner of W 24th and G Streets	High Medium Density Residential (HMD)	General Commercial (CG)	GPA #10-01 3-15-2010 CC Res #2010-21
9	231-040-004, -005, -006 (11.5 acres)	Northeast corner of Yosemite & G	High Medium Density Residential (HMD)	Commercial/ Professional Office (CO)	GPA #10-02 8-2-2010 CC Res #2010-73
10	006-061-005 (14,000 SF)	North of Donna/East of G Street (PD #26)	Low Density Residential (LD)	Commercial/ Professional Office (CO)	GPA #10-04 11-15-2010 CC Res #2010-100
11	Not Applicable	Kibby Road (between Childs & Gerard Ave)	Collector Street shown from Childs to Gerard	Kibby Road has been vacated from Childs to Gerard	GPA #06-01/ Vacation #06-01 9-28-2009 CC Res #2009-69/ CC Res #2009-70
12	007-350-005, -006, & -007 (8.8 acres)	Southwest corner of West Olive Ave & G Street	Neighborhood Commercial (CN)	Regional/ Community Commercial (RC)	GPA #11-01 9-6-2011 CC Res #2011-59

MERCED VISION 2030 GENERAL PLAN

Proposed Changes Since August 2010 Public Review Draft

*(*Revised--9/1/2011)*

Abbreviations:

Pg	=	Page #
¶	=	Paragraph #
Col.	=	Column
R	=	Right Column
L	=	Left Column

Sources:

BAC	=	Bicycle Advisory Committee
BIA	=	Building Industry Association
CC	=	City Council
CL	=	Citizen Letter (Various)
CO	=	County Planning Staff
CS	=	City Staff (Planning, City Attorney, etc.)
EIR	=	Changes proposed in Final EIR for the General Plan
FC	=	Fire Chief (Appointed in 2011)
GP LU Map	=	General Plan Land Use Diagram (Fig. 3.1)
GPA	=	General Plan Amendment (approved since GP LU Map was drafted)
LF	=	LAFCO Staff
PC	=	Planning Commission
TYPO	=	Typographic Error
UC	=	University of California Staff

Entire Document

#	Pg.	¶	Col.	Change	Source
1	--	--	--	Various Figures, Maps, and Table throughout the General Plan document will be modified to reflect the 2009 UC Merced and University Community North boundaries as adopted by the UC Board of Regents in 2009. This will include changes to the Land Use Diagram and SUDP/SOI boundary for those areas only. See Exhibit 1 for the 2009 UC/UCP boundaries.	CS/UC

Executive Summary

#	Pg.	¶	Col.	Change	Source
2	I-ii	2	L	2nd sentence should read: "The seven required elements are land use, ~~transportation,~~ circulation, open space, conservation, housing, noise, and safety."	CS
3	I-ii	4	L	Last sentence should read: "It presents the general distribution of the uses of land within the City of Merced and its Specific Urban Development Plan/Sphere of Influence (SUDP/SOI), or growth boundary."	CS
4	I-v	1	R	1st sentence should read: "The *Merced Vision 2030~~5~~ General Plan* is organized…"	TYPO
5	I-xi	9	R	The italics should be removed from the entire sentence.	TYPO
6	II-xiii	--	--	Under Goal Area S-3: Flooding, Policy S-3.1 should read: "S-3.1—Implement Protective Measures for Areas in the City and the SUDP/SOI Within the 100-Year and 200-Year Floodplains." (Needs to match text on pg. 11-33).	CS

Chapter 1--Introduction

#	Pg.	¶	Col.	Change	Source
7	1-3	1	R	Text in 1st sentence noted in ALL CAPS "67 OPS.CAL.ATTY. GEN.75" should read "67.Ops.Cal.Att.Gen.75" instead.	CS

Chapter 2--Urban Expansion

#	Pg.	¶	Col	Change	Source
8	2-1	1	L	Last sentence should read: "County policies ~~that~~ also affect the rural and suburban areas immediately outside the City's incorporated limits."	CS
9	2-6	4	R	The 1st sentence of the 4th paragraph should read: "The Land Use Diagram will accommodate a population larger than what is projected in ***Table 2.1.a***, which reflects projections done by the Merced County Association of Governments in 2004, and includes the projected population for the City of Merced and its SUDP/SOI along with the UC Merced campus and University Community. MCAG provides separate population projections for the UC area, which are included in the City's SUDP/SOI numbers in Table 2.1. (The 2030 population number was subsequently reduced from 154, 961 to 137,779 by MCAG in July 2010 when new population projections were adopted. A 2035 population projection of 152,100 was also added. A new Table 2.1.b has been added to show the July 2010 population projections for both the City and UC Merced/University Community as well as Merced County.)"	CS

#	Pg.	¶	Col	Change	Source
10	2-7	--	--	Under Table 2.1.a, "City of Merced Population Projections (2000 to 2030)", which has been re-titled "Table 2.1.a, "the following should be added: "Source: Merced County Association of Governments, 2004"	CS
11	2-7	--	--	Under Table 2.1.a, a new Table 2.1.b, *"City of Merced Population Projections (2010-2035)"* should be added (see Exhibit 2).	CS
12	2-27	--	--	Implementing Action UE-1.2.c should read as follows: **"Continue to limit expansion of City utilities to only those areas within ~~an~~ the established urban boundary."**	CL
13	2-27	--	--	Under the explanation under Implementing Action UE-1.2.c, after the 3rd sentence, the following should be added: "If it is necessary for technical/economic reasons to allow utilities to cross unincorporated territory (i.e. water/sewer main extensions), actual access to such utility services will be restricted to those inside the City limits until such time as annexation occurs."	CL
14	2-27	--	--	Under the explanation for Implementing Action UE-1.2.d, the 2nd sentence should read as follows: "The highest densities should, in general, be directed toward central areas of the City and not along the urban fringes unless they are in Community Plan areas, where higher densities may be justified."	CL
15	2-29	--	--	Under Implementing Action UE-1.3.g, in the "explanation" section following the Action itself, should read: "a) Urban Expansion Policies—UE 1.1, UE 1.2, and UE 1.3.~~, and UE 1.7~~."	CS
16	2-33	--	--	In the explanation under Implementing Action UE-1.5.d, the following should be added after the 2nd sentence: "The City will consider establishing a 'Rural Residential' (R-R) zoning district, which can be used in these areas upon annexation. The R-R district would address standards for existing private wells and septic systems, the keeping of animals and livestock, the level of public improvements in such areas (i.e. the possible omission of sidewalks, etc.), and other issues that often arise when such developed areas are proposed for annexation."	CS

#	Pg.	¶	Col.	Change	Source
17	3-4	2	L	Text in the 3rd sentence noted in ALL CAPS "67 OPS.CAL.ATTY. GEN.75" should read "67.Ops.Cal.Att.Gen.75" instead.	CS
18	3-5	--	--	Table 2.1—Merced Planned Land Use Summary will be modified as shown in Exhibit 3	CS
19	3-6	1	R	In the 1st sentence, "*duplexes*" should NOT be italicized.	TYPO
20	3-9	2	L	The title above the 2nd paragraph should read: "P/G <u>or SCH</u> (Public/Government <u>or School).</u>"	CS
21	3-9	3	L	The 2nd sentence shall be revised to read: "OS-PK areas may be designated in areas containing public parks, golf courses, greens, commons, playgrounds, landscape areas and similar types of public and ~~public~~ <u>private</u> open spaces."	TYPO
22	3-13	2	L	Last sentence should read "The *City of Merced Housing Element* (Chapter 9) was ~~adopted~~ <u>last revised</u> in 2004 and will be updated in ~~2010~~ <u>2011</u>."	CS
23	3-19	--	--	Under Implementing Action L-1.4.b, the 1st sentence of the explanation under the Action should read: "In 2010, the City of Merced currently has a significant inventory of over ~~2,000~~ <u>2,500</u> lots, which are within approved subdivisions but have not yet been built on."	CS
24	3-19	--	--	Under Implementing Action L-1.4.b, the 2nd sentence of the explanation under the Action should read: "In addition, the City has significant numbers of foreclosed homes. ~~(i.e. Merced has for the last few years, consistently lead the nation in the number of foreclosures)~~." *{Note: The information in "( )" was somewhat misleading as the foreclosure stats refer to Merced County and not the City of Merced, so staff recommends deleting it since the first part of the sentence makes the point on its own.}*	CS
25	3-19	--	--	Under Implementing Action L-1.4.b, the 3rd sentence of the explanation under the Action should read: "The City should consider developing incentives to spur the development of these <u>undeveloped</u> lots, including reduced development fees for "in-fill" areas and <u>expedited processing of development applications for construction on "in-fill" lots</u> in addition to reviewing the City's current annexation policies to make sure such "in-fill" development is favored over new "Greenfield" development in outlying areas." *(The above was suggested by Commissioner Colby at the Joint PC/CC Study Session on 1/10/11. Not all of his suggested language was supported by the other members, but there seemed to be agreement on the additions above.)*	PC

#	Pg.	¶	Col	Change	Source
26	3-44	--	--	Under Implementing Action L-2.2.d, last sentence of explanation following the Action should read: "Special attention should be given to areas within the ~~northwestern~~ northeastern portion of the City as job centers for businesses seeking a location near UC Merced."	TYPO
27	3-53	--	--	Implementing Action L-2.9.a should read: **"Plan for job centers in the ~~northwestern~~ northeastern portion of the City capitalizing on the proximity of a research university, UC Merced."** 1st sentence of explanation under L-2.9.a should read: "As part of the development of the ~~northwestern~~ northeastern area, research and development campuses should be encouraged."	TYPO
28	3-53	--	--	After the last sentence of the explanation under Implementing Action L-2.9.a, the following should be added: "Business parks to accommodate research and development, technology, light industry, and business uses complimentary of the UC Merced Campus research could also be located on appropriately-designated properties along the Bellevue Corridor and other transportation corridors in the vicinity of the UC Merced Campus if the market exists for such uses."	CL
29	3-64	--	--	In the explanation under Implementing Action L-3.6.b, No. 2 should read: "2) Community Plans which include or are adjacent to established neighborhoods will address the needs of those ~~neighbor-hoods~~ neighborhoods and potential adverse impacts resulting from plan implementation."	TYPO
30	3-64	--	--	In the explanation under Implementing Action L-3.6.b, No. 4 should read: "4) Community Plan areas need connectivity with existing and planned urban areas. This includes all modes of transportation, including vehicles, bicycles, public transit, etc."	BAC
31	3-64	--	--	In the explanation under Implementing Action L-3.6.b, the last paragraph should read as follows: "The City ~~shall~~ may undertake the development of these Community Plans subsequent to the adoption of the General Plan or require developers to complete such plans. The costs of developing the plans may be assessed to those property owners, builders, and developers who will benefit from the plans as development takes place."	CS
32	3-66	2	L	The 1st sentence should read: "The 'Specific Plans' ~~do not necessarily conform with the requirements of~~ may or may not be a 'specific plan' as contemplated by Government Code Section 65450 *et seq*."	CS
33	3-69	2	L	1st sentence should read: "As envisioned in this plan, a 'Community Plan' may or may not ~~conform with~~ meet the requirements of a 'specific plan' contemplated by Government Code Section 65450 *et seq.* ~~for 'Specific Plans."~~	CS

#	Pg.	¶	Col	Change	Source
34	3-69	8	R	The 2nd sentence of No. 6 of "Community Plan Guiding Principles" should read: "These elements may include but not be limited to Land Use, Circulation (including all modes of transportation), Open Space, and infrastructure phasing."	BAC
35	3-71	1	L	The 1st and 2nd sentences should read: "The City ~~shall~~ may undertake the development of these Community Plans subsequent to the adoption of the General Plan or require developers to complete such plans. The costs of developing the plans may be assessed to those property owners, builders, and developers who will benefit from the plans as development takes place."	CS/CL
36	3-71	3	L	The 3rd paragraph shall read as follows: "Unlike the other Community Plans discussed in this Section, the University Community Plan (UCP) has already been adopted by Merced County. The City's 1997 Sphere of Influence ~~currently~~ includes the UC Merced Campus, although the Campus' footprint has been revised since 1997. ~~and t~~The City of Merced assumes implementation of ~~the~~ a Revised ~~University Community Plan~~ UCP at some future date."	UC/ EIR
37	3-71	2	R	The 2nd paragraph should read as follows: "In ~~2004~~ 2002, the Merced County Board of Supervisors adopted the ~~University Community Plan~~ UCP (also called a "Specific Urban Development Plan" or "SUDP") and associated environmental impact report for the development of an adjacent university community. In 2004, when the SUDP was adopted by the County of Merced, the ~~University Community Plan~~ UCP covered 2,133 acres and consisted of high-, medium-, and low-density housing; commercial buildings; buildings to house research and development; and parking, parks, schools, and open space."	UC/ EIR
38	3-71	3	R	The 1st sentence of the 3rd paragraph should read: "The 2004 ~~University Community Plan (~~UCP~~)~~ has been adopted as part of the Merced County General Plan and includes goals, objectives, policies, and implementation programs to address the development of the University Community. "	UC/ EIR

#	Pg.	¶	Col	Change	Source
39	3-71 & 3-72	4 & 1	R & L	The paragraph that follows the header "Current Revisions Under Consideration" should read as follows and the header should be modified to read "2009 Revisions": "After the 2002 adoption of the LRDP, UC Merced applied for a CWA Section 404 permit to fill approximately 86 acres of wetlands on the campus site. During discussions with various federal agencies, the University ~~is proposing~~ proposed an alternative to reduce the Campus' impacts on wetlands by reducing the size of the developed portion of the Campus from 910 acres to 810 acres and shifting the Campus boundary south into an area that was to be occupied by the University Community and shifting the Community boundary east. This proposed change brought about the need to revise the UC Merced LRDP and the University Community Plan, for which UC Merced officials prepared applications and an associated EIR, adopted by the University of California Board of Regents in 2009. ~~Now Merced County will review the proposed change to the University Community Plan based on principles and objectives of the University Community Plan adopted in 2004~~. After that adoption, the University Board of Regents had indicated that it intended to submit an application for a University Community Plan Update to Merced County, which has land use jurisdiction over the University Community. Although this application has not yet been submitted to the County, the City of Merced has chosen to acknowledge the revised 2009 boundaries for the University and the University Community North within the *Merced Vision 2030 General Plan* since the environmental impacts of those boundaries have been fully analyzed in UC's EIR, which involved the participation of the University, the County of Merced, and the City of Merced."	CS
40	3-73	2	L	After the 1st bullet under the heading "Economics/Market", the following paragraph should be added: "Project specific market studies may be provided by individual landowners in support of development proposals as an adjunct to and in support of the overall Bellevue Corridor market study. Individual landowners providing a "project" level market study showing support for planned land uses/activities may not be required to participate in the overall Bellevue Corridor market study after an evaluation of the project level study is completed by staff and deemed to be adequate to substitute for the overall Bellevue Corridor market study."	CL

#	Pg.	¶	Col	Change	Source
41	3-74	3	L	After the two bullets at the top of the page under "Character/Design," the following paragraph should be added under a new heading entitled "Timing": "Development projects may proceed in advance of the Bellevue Corridor Community Plan if all of the following findings can be made, as determined by the City Council upon recommendation by the Planning Commission: • There is an immediate or near term need for the facilities or uses proposed by the plan; • That the project is supportable by a project specific market study; • That the project is designed consistent with the "Urban Village Policies and Design Guidelines" as defined in Chapter 6 of the Merced Vision 2030 General Plan; • That the project is designed to be compatible with adjacent land uses as illustrated in the General Plan; and, • The owner consents that the development project, at the City's discretion, may be required to be consistent with the plans and specifications approved as part of the Bellevue Corridor Community Plan."	CL
42	3-89 to 3-97	--	--	The following note, which already appears on p. 3-89, shall appear on each subsequent page with a Conceptual Land Use Plan: "Note: Plans are included here for illustrative purposes only. These are, with the exception of the 2004 University Community Plan, NOT adopted plans and no land use entitlements are granted by including these plans here."	CS

Chapter 4--Transportation & Circulation

#	Pg.	¶	Col.	Change	Source
43	4-5	--	--	*Figure 4.1-Circulation Plan* should be modified to remove Kibby Road as a collector between Childs & Gerard per General Plan Amendment #06-01, approved on Sept. 28, 2009, and to change the designation for Yosemite Avenue, east of Parsons/Gardner to a "Special Arterial" with a right-of-way of 94 feet and a cross section as shown in added Figure 4.27f (see Item #60 below).	CS/CL
44	4-7	2	L	1st sentence should read: "It will be ~~extremely~~ important for the City to continue to work closely with Caltrans, the County, and MCAG in the future regarding several important regional circulation issues which are discussed in more detail later in this chapter:"	CS
45	4-22	3	R	Last sentence should read: "Construction efforts are anticipated to begin ~~by as early as 2011~~ within the next few years."	CS
46	4-26	1	L	The 3rd sentence should read: "Details of the existing and planned system are presented in the Merced Bicycle Plan, adopted in 2008 (Figure 4.9), an implementing action of the General Plan, which is updated every four years. The alignments shown are conceptual and subject to further refinement prior to actual construction."	BAC/ CL
47	4-27	2	R	The 2nd sentence is revised to read as follows: "The airport is the only ~~"regionally significant"~~ "General Aviation Airport" ~~airport~~ in the County according to criteria used by the ~~Civil Aeronautics Board~~ Federal Aviation Administration. A "General Aviation Airport" is one used for both private and commercial air transport."	CL
48	4-28	2	L	3rd and 4th sentences should read: "The subsidy ~~would expire~~ which was due to expire on August 31, 2010 ~~and at this time it is not known whether EAS would be~~ has since been renewed. If ~~not~~ the subsidy was ever eliminated, Merced would need to obtain alternative funding or seek other solutions in order to maintain this air service."	CS
49	4-56	--	--	After the 2nd sentence of the explanation under Implementing Action T-2.1.f, the following should be added: "The City/County Revenue Sharing Agreement could be one method of coordinating bicycle facility planning between the City, the County, and UC Merced."	BAC
50	4-57	--	--	After the 1st sentence of the explanation under Implementing Action T-2.2.f, the following should be added: "One such location could be the future Downtown High Speed Rail Station, where bike-friendly routes to the station and short/long term bike parking facilities could be incorporated into the station design to assist bicycle commuting."	BAC

#	Pg.	¶	Col.	Change	Source
51	4-59	--	--	After the 2nd sentence of the explanation under Implementing Action T-2.4.b, the following should be added: "The City should also pursue partnerships with local cycling advocacy groups, such as the Merced Bike Coalition and the UC Cycling Alliance, and local bike shops in efforts to promote cycling in Merced."	BAC
52	4-60	--	--	After the last sentence of the explanation under Implementing Action T-2.5.a, the following should be added: "Bicycle parking guidelines from the Association of Pedestrian and Bicycle Professionals (APBP) should be considered as a resource for developing such a bike parking ordinance. The City should also encourage employers to provide end-of-trip facilities, such as bike lockers, bike rooms, and shower facilities, to encourage bicycle commuting. "	BAC
53	4-60	--	--	The 1st sentence of the explanation under Implementing Action T-2.5.c should read: "Although the City does not operate the Bus system so it cannot mandate such, the City should encourage the transit provider to continue to provide ~~the provision of~~ bicycle racks on buses, which has proven to be an effective tool for promoting bicycle and transit use."	BAC
54	4-61	--	--	The 4th sentence of the explanation under Implementing Action T-2.6.a should read: "Coordinating bicycle planning with the University is, therefore, critical, and should be incorporated into the development of the University's Long Range Development Plan, the University Community Plan, the Regional Bike Plan, and Merced Bicycle Plan."	BAC
55	4-61	--	--	In the explanation under Implementing Action T-2.6.a, the 4th sentence should read: "The City should update the Bicycle Master Plan, an implementing action of the General Plan, every ~~five~~ four years to remain eligible for state funding."	BAC
56	4-61	--	--	The last sentence of the explanation under Implementing Action T-2.6.a should read: "The South Merced Community Plan, as an implementing action of the General Plan, also includes various bicycle-related improvements, which should be incorporated into the Bicycle Master Plan for implementation. Through the South Merced Community Plan and the Bicycle Master Plan, the City will focus on adding and improving bicycle facilities in South Merced for recreation and commuting.	BAC

#	Pg.	¶	Col.	Change	Source
57	4-66	--	--	Under Policy T-3.1, the following new Implementing Action T-3.1.d and its associated explanation should be added: **"3.1.d Work with the County of Merced on land use and master planning issues in the vicinity of Castle Airport and its Land Use Compatibility Zones."** "The City of Merced recognizes that Castle Airport is a County asset with the potential to generate job growth within the County of Merced. Merced County is currently in the process of developing a new Castle Airport Master Plan, which would outline Castle's proposed development over the next 20 years. Merced County has expressed an interest in expanding Castle's current role as mostly a general aviation airport (the County's website in 2011 indicates that general aviation uses are 99% of current operations) to include air cargo, military exercises, and commercial air service. If such a Master Plan was approved, the Land Use Compatibility Zones for Castle Airport would need to be modified to reflect those changes. If modified, Castle Airport's Land Use Compatibility Zones could affect development within the existing City and the proposed SUDP/SOI. (Long time residents will remember the significant noise impacts of Castle's military operations until Castle Air Force Base closed in 1995.) Therefore, the City wants to continue to work with the County on ensuring that any adopted Castle Airport Master Plan contains realistic aircraft operation projections that do not hinder both existing and future development within the City."	CS/CO
58	4-73	2	--	After the 3rd sentence of the 1st paragraph under "Expressways" section, the following should be added: "Expressways should be designed to include separated Class I bike paths if feasible to provide a safe avenue for bike commuters."	BAC
59	4-73	4	--	After the 4th sentence of the 3rd paragraph under "Expressways", the following should be added: "The Campus Parkway north of Yosemite Avenue has not yet been designed in detail and may require modified access spacing, right-of-way, and/or alignment. Standards for the design of Campus Parkway north of Yosemite Avenue will need to be defined in the University Community Plan and any subsequent modifications."	CL
60	4-83	--	--	A new cross-section (Figure 4.27f) for Yosemite Avenue, east of Parsons/Gardner will be added as shown in Exhibit 4.	CL
61	4-86 & 4-87	--	--	Add Note #3 as follows to Figures 4.28 and 4.29: "3. Bike lanes shall be added to the extent safe and feasible within the proposed right-of-way at these intersections."	BAC

#	Pg.	¶	Col.	Change	Source
62	5-2	3 1 2 3 4	L R R R R	The section under "Merced Fire Department" should be amended to read as follows: "The City of Merced Fire Department provides fire protection, rescue, and emergency medical services from five fire stations strategically located throughout the ~~urban area~~ City. The Department's ~~Central Fire Station and~~ Headquarters (Station 51) is located near the intersection of East 16th and G Streets. Station 52 is located at Merced Regional Airport on Falcon Way; Station 53 is on Loughborough Drive ~~behind~~ adjacent to the Merced Mall; Station 54 is on East 21st Street; and Station 55 is ~~near~~ at the intersection of Parsons and Silverado within Carpenter Park. The Fire Department call volume continues to increase on an annual basis. Some of the increase is a result of a larger population base, others significant factors that affect the call volume are socioeconomic factors and access to services. In 2010, the Department responded to 6325 incidents: 6% of which were to fires and 57% were emergency medical or rescue incidents. The remaining 37% of incidents were comprised of good intent calls, false alarms, service calls, and other special types of incidents. Fire Department personnel are typically assigned ~~on~~ to a three-shift ~~platoon~~ work schedule, which provides the City coverage 24 hours a day, seven days a week. The Department equipment includes ~~first line~~ engine companies ~~(carry and pump water)~~ (water, hose, and pump), and ladder companies (ladders, rescue tools, and rescue equipment), ~~reserve engines and ladder trucks, airport emergency vehicles,~~ aircraft rescue firefighting (ARFF) vehicle, medium rescue trailer, mass decontamination trailer, personnel rehabilitation unit, and other ~~miscellaneous~~ support vehicles. ~~Merced's fire protection system operates according to a central station concept. Under this concept, a central station can respond to calls from within its own service area or district, and can provide back-up response to other districts as well. From 1990 to 2010, response activity doubled. "~~ ~~"~~The Department is regularly evaluated and rated ~~under the auspices~~ of by the Insurance Services ~~Office~~ Organization (ISO). The ISO utilizes the Fire Protection Rating System (FPRS) to assess the Department and to provide a final score ~~, which.~~ The score defines the level of fire protection services on a scale of 1 to 10; with 1 representing the best level of protection and 10 indicating no protection at all. The Department's ~~2009~~ current rating is Class 2, which is considered to be well above average. ~~, despite manning levels~~	FC

				~~below national averages.~~ The Class 2 rating ~~helps keep the costs of~~ is used to determine the fire insurance premiums ~~low~~ for ~~City~~ businesses and residences within the City."	
63	5-4	1 2	L L	The above section under "Merced Fire Department" continues on the following page and should read as follows: "Fire stations are strategically located, fixed facilities that are developed to house personnel and equipment to provide the identified level of service to a specific geographic area or district. The ~~City's~~ Fire Department Facilities Master ~~Facilities~~ Plan is developed using the approach previously outlined and is used in the planning of stations ~~that will~~ to provide protection within a primary service area. The Department has a goal of maintaining a response time of four to six minutes for the first crew to arrive at a fire or medical emergency within an assigned district. This goal was chosen on the basis of proven factors affecting property damage and, more importantly, life. As the City continues to grow in population and area, the fire protection system will ~~have to change if it is~~ need to evolve to meet this response time standard. This would require the potential relocation of existing facilities and the development of new stations ~~two existing stations to be relocated and five new facilities~~ with personnel and equipment to be added to the system. ***Figure 5.1*** shows tentative fire station locations within the Area of Interest. ~~A fewer number of stations may needed to just serve the proposed SUDP/SOI."~~	FC
64	5-10	3	L	Last sentence should read: "The State of California has enacted legislation requiring communities to prepare flood damage control ordinances based on a 200-year event, ~~requiring~~ which may require the City to update this ordinance for certain areas of the City."	CS
65	5-12	--	--	Figure 5.4 incorrectly shows the "Franklin-Beachwood" area inside the City limits. The Figure will be modified to show the correct City limit boundary.	CS
66	5-13	3	L	The last sentence should read: "However, the City in recognizing ~~t~~ the importance of public education to the well-balanced community we desire…" (rest of sentence unchanged)	TYPO
67	5-14	1	R	The 2nd & 3rd sentences should read: "The first phase of the campus opened in Fall 2005 with 870 students. Development of the campus has advanced significantly with approximately ~~3,500~~ 4,300 attending the Fall 2010 session."	CS
68	5-17	3	L	The 2nd sentence should read: "The first phase of the hospital consists of an 8-story, 260,000-square-foot hospital with 185 beds, a power ~~plan~~ plant, a helipad, and approximately 950 parking spaces."	TYPO

#	Pg.	¶	Col.	Change	Source
69	5-24	--	--	Implementing Action P-1.3.f should read as follows: **"Consider changes to the Public Facilities Financing Plan and Public Facilities Impact Fee program, under applicable provisions of law, to reflect lower fees for "in-fill" development, transit-oriented development, and new development within the 2015 SUDP vs. areas being added to the SUDP/SOI in the *Merced Vision 2030 General Plan*."**	BIA/ CL
70	5-25	--	--	Implementing Action P-2.1.a should be amended to read as follows: "**Periodically review existing and potential station facilities, equipment and staffing levels ~~manpower~~ in light of protection service needs."**	FC
71	5-25	--	--	1st sentence of explanation under P-2.1.b should read: "Subject to the resource constraints of the City, fire stations should be located so that no development within the City is located outside of the primary response ~~areas~~ time objectives (4 to 6 minutes, at least 90 percent of the time) ~~of~~ for at least one fire station ~~within the resource constraints of the City~~."	CS/ FC
72	5-26	--	--	Implementing Action P-2.1.f and the explanation under it should be amended to read as follows: "**Provide fire facilities and related resources to support the Fire Department Facilities Master Plan and any subsequent updates ~~"central station concept"~~.** In order to maintain ~~above average~~ fire insurance ratings and to plan for additional stations, fire facilities should be provided and sited to support the ~~"central station concept" described in Section 5.2.1 of this chapter~~ current Fire Department Facilities Master Plan and any subsequent updates."	FC
73	5-26	--	--	The explanation under Implementing Action P-2.1.g should read as follows: "The City should continue participation in and support community level crime prevention programs such as the Neighborhood Watch, ~~and~~ VIP (Volunteer In Police), and Community Emergency Response Team (CERT) programs."	FC
74	5-32	--	--	Implementing Action P-5.1.d should read as follows: **"Installation or design of facilities necessary to provide services to development projects will be based on the full build-out scenario."**	BIA

#	Pg.	¶	Col.	Change	Source
75	5-36	--	--	The 2nd paragraph, 2nd sentence of the explanation under Implementing Action P-7.1.a should read as follows: "However, the City in recognizing the importance of public education to the well balanced community we desire, will look to those seeking entitlements from the City to be good trustees of the future and to go beyond the statutory minimums to address the impacts of their development on schools by entering into voluntary agreements with the relevant public school districts to the extent permitted by law."	BIA
76	5-44	--	--	The 1st sentence of the explanation under Implementing Action P-9.1.a should read: "The City would develop plans and standards for the installation of telecommunications infrastructure."	BIA
77	5-47	2	R	2nd sentence should read: "This fee program is administered by the Merced County Association of Governments and ~~all the~~ most cities in Merced County and the County participate."	CS

Chapter 6--Urban Design

#	Pg.	¶	Col.	Change	Source
78	6-11	--	--	The 1st sentence of the 2nd paragraph of the explanation under Implementing Action UD-1.1.f should read: "Similarly, light industrial uses should not generally be permitted in Villages except that those business park/research & development type uses may be appropriate in those Villages in the ~~northwestern~~ northeastern portion of the City near UC Merced."	TYPO

Chapter 7--Open Space, Conservation, & Recreation

#	Pg.	¶	Col.	Change	Source
79	7-13	4	L	1st sentence should read: "Two ~~Three~~ other sites of ~~significant~~ groundwater contamination are located on the former Castle Air Force Base property northwest of the City and the GE Kendall plant in the southeast portion of the City's planning area. ~~, and at the site of the former wood treatment facility in the Franklin Beachwood area west of the City.~~"	CS
80	7-31	--	--	In the explanation under Implementing Action OS-3.2.h, after the 2nd sentence, the following should be added: "Where feasible, bike paths should be designed so that at least one side is open to a public street. Situations where bike paths are located along the back sides of homes with limited visibility should be avoided as much as possible."	CL

Chapter 8--Sustainable Development

#	Pg.	¶	Col.	Change	Source
81	8-27	--	--	Periods need to be added to the end of the last sentences of the explanations under both Implementing Actions SD-1.3.e and SD-1.4.a.	TYPO
82	8-32	--	--	Section C-1 of Implementing Action SD-1.7.d should read: "1. The City shall ~~utilize~~ consider guidance from the Institute for Local Government…" (rest of sentence remains unchanged).	CS
83	8-31	--	--	Implementing Action SD-1.7.d should read as follows: **"In addition to the measures described in ~~SD-1.7.d~~ SD-1.7.c, … (rest of sentence remains the same)"**	TYPO
84	8-40	--	--	Implementing Action SD-3.2.d should read as follows: **"Encourage builders to develop "green" and/or LEED-Certified (or other similar programs) buildings."**	BIA
85	8-41	--	--	After the last sentence of the explanation under Implementing Action SD-4.2.b, the following should be added: "On December 6, 2010, the City Council adopted Resolution #2010-101 supporting the City of Merced becoming a Healthy Eating Active Living (HEAL) City."	CS

Chapter 9—Housing [Adopted Separately—May 16, 2011]

#	Pg.	¶	Col.	Change	Source
86	All			The Housing Element, adopted separately on May 16, 2011, will be incorporated into the final adopted General Plan document.	CS

Chapter 10--Noise

#	Pg.	¶	Col.	Change	Source
87	10-24	2	L	After the 1st sentence of the paragraph, the following should be added: "(Pepsi Beverage Co. subsequently closed the plant on December 8, 2010.)"	CS

#	Pg.	¶	Col	Change	Source
88	11-1	2	R	Section "11.1.2—City of Merced Emergency Response/Disaster Plan" should read as follows: "In ~~2003~~ 2011, the City of Merced updated its Emergency ~~Response/Disaster~~ Operations Plan ~~and a countywide plan was also adopted~~. ~~Both~~ The plan~~s~~ is ~~are~~ updated ~~as needed~~ on a regular basis to ~~respond to~~ meet the evolving emergency response needs and to address new hazards. The Plan addresses mitigation, planning, response, and recovery activities for various emergency situations. The Plan consists of: ~~1) general information; 2) initial response operations; 3) extended operations; and 4) recovery.~~ a) Purpose, scope, situations, and assumptions; b) concept of operations; c) organization and assignment of responsibility; d) direction, control, and coordination; e) information collection and dissemination; f) communications; g) administration, logistics, and finance; h) preparedness, training and exercises; i) plan development and maintenance; j) authorities; and k) supporting documents and annexes. The purpose of the plan is to provide emergency planning, organization, ~~and~~ response, mitigation, and recovery guidance. The Plan ~~deals~~ is compliant with the emergency management requirements of ~~through~~ the Standardized Emergency Management System (SEMS), the Incident Command System (ICS), and the National Incident Management System (NIMS). Further, the Plan supports law enforcement, ~~traffic~~ access control, fire, medical, rescue, ~~and radiological~~ hazardous materials, care and shelter, ~~and~~ support, and resources. The plan is designed to prepare the community for responding to an emergency situation in a highly organized and efficient manner ~~way so chaotic situations are avoided~~."	FC
89	11-16	5 1	L R	The 2nd and 3rd paragraphs under "Risk Factors and Mitigations" should read as follows: "Urban fire risks include personal safety practices, construction materials and methods, built-in fire protection systems, site planning, and overall land use. In order to mitigate the risk and impact of fire within Merced, the City ~~has adopted the concepts of Community Fire Protection Master Planning (C.F.P.M.P.)~~ uses a master planning process that identifies potential risks and/or hazards and then proposes methods to address those risks ~~As a system with many components, C.F.P.M.P. received a commitment from the City Council~~ This master planning process has been used since 1982 to provide fire protection planning with a goal of a "fire safe community." ~~As a system, C.F.P.M.P. states that~~ Fire protection planning requires involvement of all City agencies, individuals, and organizations that have input and support community health, safety, development, and stability."	FC

#	Pg.	¶	Col	Change	Source
90	11-16	3	R	The paragraph under "Personal Safety Practices" should read: "~~Merced's current~~ The number one cause of residential fires is cooking. Kitchen safety revolves mainly around an individual's safety practices. For this reason, the Fire Department has developed and is conducting several public education programs. These programs stress emphasis on children and senior citizens who have been identified by the National Fire Protection Agency as high-risk groups for fire death and injuries. Within the scope of the *Merced Vision 2030 General Plan*, the Fire Department will be committing resources toward educating the adult population about the risks of fire."	FC
91	11-16 11-17	4 1	R L	The paragraph under "Construction Materials, Methods, and Site Planning" should read: "The California Building Code and the California Fire Codes work together to regulate building construction and related items such as the care of vacant lots and the storage of flammable liquids. On average, each ~~Each~~ year, the Fire Department ~~and engine companies~~ conducts in excess of 4,000 inspections and eliminated approximately 8,000 Fire Code violations which could attribute to the cause and severity of a fire. The inspection program primarily targets the high and medium hazard occupancies identified in the ~~"Land Use"~~ "Hazards and Risks" section on the following pages. To provide effective fire prevention activities for low hazard ~~land uses~~ occupancies, the Fire Department conducts ~~year-round~~ seasonal hazard removal programs (primarily weed abatement)."	FC
92	11-17	3 4	L L	The 2nd and 3rd paragraphs under "Vacant Lots" should read: "The City of Merced ~~currently has a~~ employs a weed ~~control~~ abatement program, which requires ~~weed abatement during the year~~ property owners to eliminate flammable vegetation and rubbish from their properties. Each property within the City is ~~served annually~~ surveyed each spring ~~with~~ and notices are sent ~~for removal of weeds, etc.~~ to the owners of property that has been identified to pose a fire risk. Since inception of this program in 1992, grass or brush related fires within the City have ~~fallen dramatically~~ been greatly reduced. The City ~~Fire, Police, and Public Works Departments~~ also picks up abandoned vehicles, and a "Spring Clean-up" conducted annually allows people to have bulky refuse picked up at transfer stations without charge. Naturally, the use of built-in protection such as fire resistant materials and automatic sprinklers in all new structures ~~above that~~ as required by the Building and Fire Codes significantly reduces the risk of urban fires and may reduce the City's reliance upon fire suppression crews."	FC

#	Pg.	¶	Col	Change	Source
93	11-17 11-19	2 3 4 1 2	R R R L L	The "Land Use" section should be re-titled "Hazards and Risks" and should read as follows: "Merced has a variety of ~~land use~~ occupancy types. Some ~~Many~~ of these require tailored fire protection considerations. These ~~land uses~~ occupancies are included as follows: • Special Risk ~~High Hazard~~ Occupancies (schools, hospitals, nursing homes, and other high life hazard or large fire potential occupancies) • High Risk ~~Medium Hazard~~ Occupancies (apartments, offices, mercantile and industrial occupancies) • Medium Risk ~~Low Risk~~ Occupancies (one-, two-, or three-family dwellings and scattered small businesses) • Low Risk Occupancies ~~Rural Operations~~ (vehicles, vacant land, storage shed, and outbuildings ~~scattered dwellings, outbuildings, vacant lots~~) ~~Each of these land use types requires somewhat different fire suppression resources (e.g., emergency medical services, hazardous materials response, and heavy rescue).~~ ~~Merced's current policy~~ The Fire Department's response objective is to ~~provide~~ arrive at the scene of an emergency ~~response~~ within 4 to 6 minutes 90-percent of the time within the resource constraints of the City. ~~and~~ The Merced Fire Department also strives to provide adequate resources to ~~combat fires in these occupancies~~ mitigate emergency incidents within ~~the financial constraints of~~ the City. ~~The target of this response is to place a fire unit on scene at 90 percent of the incidents in five minutes.~~ Therefore, it is important that ~~those~~ industries using hazardous materials, large facilities, or ~~requiring special fire hazard considerations going into~~ special or high risk occupancies being developed in new areas of the City ~~not currently occupied by these types of businesses~~ be accompanied by additional fire department facilities, equipment, and/or personnel. The current ~~response practice provides for a~~ structure fire first-alarm assignment consists of ~~two pumpers~~ three engines, one ~~ladder~~ truck, ~~one mini pumper,~~ and ~~a~~ one chief officer ~~for all structure fires~~. The increased awareness and use of hazardous materials, and the need for heavy, confined space, and water rescue services,~~;~~ however, have led the Fire Department to develop programs to provide expanded services."	FC

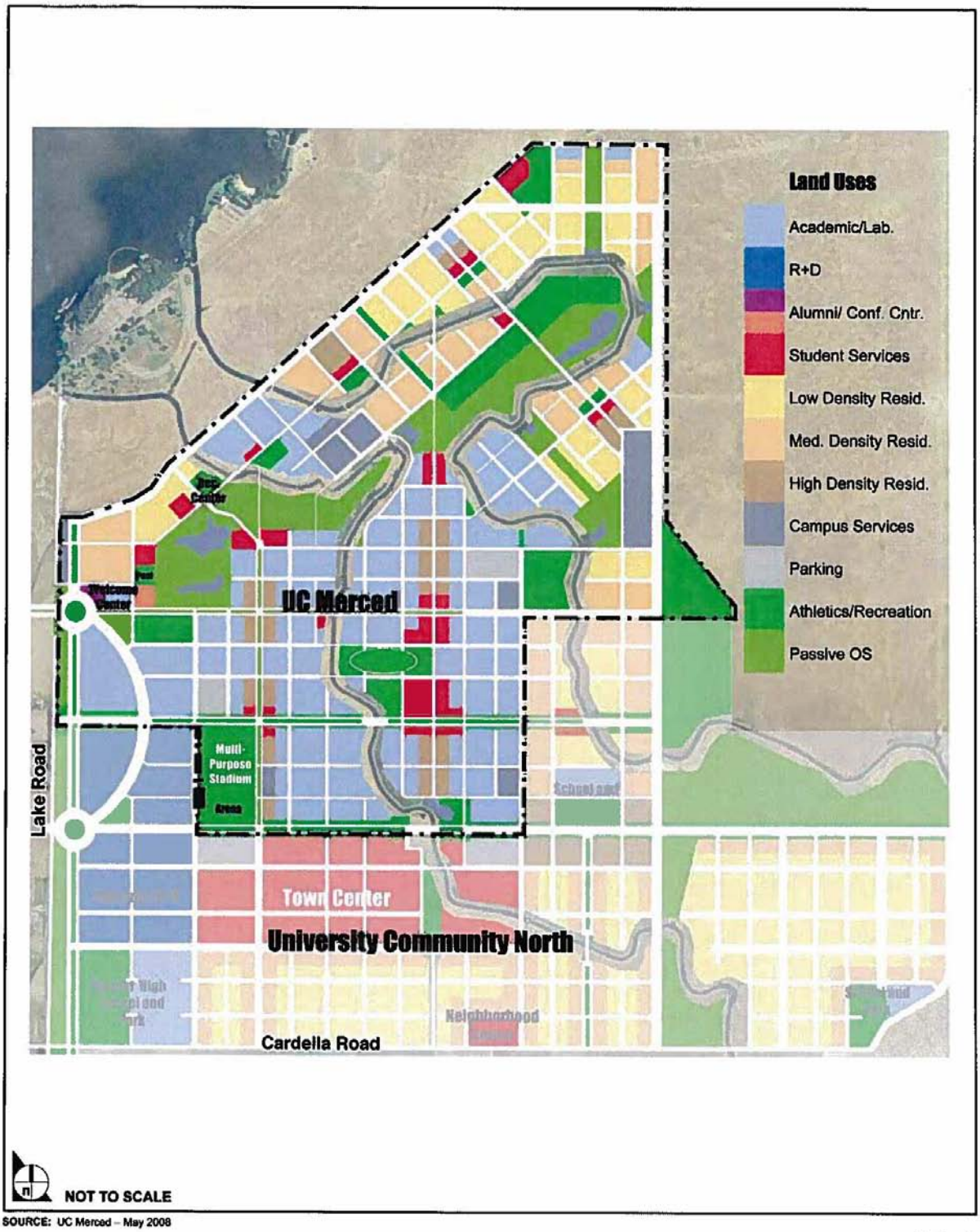
#	Pg.	¶	Col	Change	Source
94	11-19	3 4	L L	The "Wildland Fires" section should be re-titled "Wildland and Vegetation Fires" and should read as follows: "Wildland and vegetation fire hazards exist in ~~varying degrees over approximately 90 percent of~~ Merced County, mostly outside urban areas. The Valley's long, hot, dry summers and extensive vegetation ~~makes for~~ creates a fire season that extends from late spring to early fall. ~~Approximately fifty to~~ More than one hundred wildland fires can occur in Merced County ~~in any one year~~ on an annual basis. Irrigated agricultural land, however, is less susceptible to wildland fires than grazing areas. As the City has ~~increasingly~~ annexed large blocks of undeveloped land, the potential for wildland and vegetation fires ~~(mainly grassland fires)~~ within the City has increased. The City Fire Department ~~is typically called~~ responds to ~~6 to 10 significant grassland~~ 50-75 vegetation fires per year ~~which occur in County fringe areas adjacent to the City limits~~. The Fire Department is also frequently called to provide mutual aid to the Merced County Fire Department for ~~grassland~~ vegetation fires in the wider Merced area ~~due to increasingly strained fire fighting resources within the County over the last decade~~."	FC
95	11-19 11-21	2 3 1	R R L	The 1st and 2nd paragraphs under "Hazard Response—Urban and Wildland Fires: Access" should read as follows: "Access, as it relates to urban fires, is promoted or restricted based on three factors: (1) the geographical proximity of ~~the proper equipment~~ fire resources, (2) the location of physical boundaries in relationship to the station and fire, and (3) the road system. ~~The proximity of the proper equipment is discussed in the land use portion of the "Risks Factors and Mitigations" section of this chapter.~~ The location of the physical boundaries in relationship to the station and fire is addressed in a station service area plan (see ***Figure 11.6***) ~~that is found in the "Fire Department Service Level Report." The plan~~ Fire station location planning allows for the distribution of stations and resources to provide protection for areas geographically separated by physical boundaries, such as creeks and railways, and also protects against the elimination of all of the fire response resources by an earthquake, flood, or other disaster. A well-defined system of local streets and roads is also important to provide emergency access for firefighting equipment and evacuation routes for the public. The circulation system is a critical part of the Fire Department's ability to maintain a desired response time of four to six minutes ~~minute response time~~ to any area of the City, 90-percent of the time. To provide adequate access and room for firefighting operations, the National Fire Protection Association standards recommend minimum roadway widths of 28 feet with parking on one side only and 36 feet if parking is allowed on both sides. Provision of bridges over creeks and grade separated railroad crossings are also critical elements in meeting response times." (Note: the 3rd paragraph under this section remains the same.)	FC

#	Pg.	¶	Col	Change	Source
96	11-21	3	L	The 2nd sentence of the 1st paragraph under "Water Supply" should read: "This is especially important in large commercial and industrial ~~buildings~~ occupancies."	FC
97	11-21	4	L	The 2nd sentence of the 2nd paragraph under "Water Supply" should read: "In addition to providing water supplies for fire suppression ~~forces~~ operations, the effectiveness of automatic fire sprinkler systems is dependent upon the water service."	FC
98	11-21	2 3 4 5	R R R R	The "City of Merced Fire Department" section should read as follows: "As of ~~2009~~ 2011, the City of Merced Fire Department's ~~fire control equipment~~ resources consisted of five first-line engine companies ~~(carry and pump water)~~ ~~at five stations throughout the City~~, one ladder company (85 feet), two reserve engines, one reserve truck, technical rescue and mass decontamination trailers, and ~~several miscellaneous~~ command and support vehicles, that respond out of five fire stations within the City. The Fire Department personnel, as of ~~2009~~ 2011, totals ~~81~~ 64.5 personnel ~~employees~~, all of whom are paid professionals, ~~which~~ who provide City coverage 24 hours a day, seven days a week. The City of Merced Fire Department has a mutual aid agreement with the Atwater and Merced County Fire Departments. Moreover, the Fire Department is a member of the California Master Mutual Aid Plan. These ~~This~~ agreements enable the different jurisdictions to request aid from ~~another~~ each other when necessary. ~~At present,~~ The Merced Fire Department holds a Class II ISO rating. ~~This ration schedule~~ The Fire Protection Rating Schedule is used by the Insurance Service ~~Office~~ Organization (ISO) to measure a fire department's capabilities, which are used to establish insurance rates for commercial and residential properties. "	FC
99	11-22	3	R	The 3rd paragraph under "Evacuation Routes" should read: "The ~~*Merced City Emergency Plan*~~ *City of Merced Emergency Operations Plan* addresses various emergency situations ~~designates the Police Chief as~~ and identifies a Care and Shelter Branch Director ~~Evacuation Coordinator (in case of a wider emergency, the County Sheriff is designated)~~ who is responsible for supporting and coordinating the evacuation efforts in the field. At the time of an emergency, ~~the Evacuation Coordinator~~ the Care and Shelter Branch Director will evaluate the situation, access various routes ~~(many of which will have been planned out in advance)~~, determine the best routes, alert the public via radio and/or TV of evacuation routes and procedures, and coordinate the evacuation with state and local officials, such as the Highway Patrol, Caltrans, etc. Evacuation routes for most emergencies can be seen in ***Figure 11.8***."	FC

#	Pg.	¶	Col	Change	Source
100	11-22	2 3	R R	The "Hazard Response—Wildland and Vegetation Fires" should read as follows: "The City's response to fighting wildland and vegetation fires is much the same as the response to urban fires. Typically, the Fire Department will dispatch two ~~trucks~~ engines and one chief officer to ~~such~~ vegetation fires and evaluate whether there is a need for additional ~~apparatus~~ resources.~~,~~ ~~especially if there is a threat to nearby structures.~~ The Fire Department ~~is also in the process of redesigning their fire apparatus (adding larger water tanks, adding four-wheel drive, etc.)~~ needs to consider obtaining fire apparatus that are designed for off-road operations in order to better combat ~~grassland~~ vegetation fires, where water supply can be limited and off-road response may be necessary. Most wildland fires outside the City limits are responded to by Merced County or the California Department of Forestry and Fire Protection (~~CDF~~ CalFIRE) ~~although the City Fire Department is often called upon to provide mutual aid when needed~~. In order to prevent wildland fires before they start, the City's weed abatement program requires that flammable vegetation ~~on vacant lots~~ be plowed under or mowed down ~~if it is not irrigated agricultural land~~. The Police, Fire, and Inspection Services Departments combine to make sure that abandoned vehicles or building (potential fire hazards) are removed."	FC
101	11-26	1	R	The paragraph under "Hazard Response—Airport Ground Safety" should read: "Merced County's Airport Land Use Compatibility Plan calls for approach protection through land use restrictions in Zone A areas, a maximum occupancy level for commercial/ industrial uses, and density restrictions on residential uses in Zone C ~~Zones B1 and B2~~, and the retention of existing agricultural uses and the discouragement of residential land uses in Zones B1 and B2 ~~the entire referral area (Zones A, B1, B2, and C)~~."	CL
102	11-30	--	--	Under Policy S-1.1, add new Implementing Action 1.1.g as follows: **"1.1.g—Complete preparation and implementation (and updates as needed) of a Local Hazard Mitigation Plan for the City per the requirements of the Federal Emergency Management Agency (FEMA)."**	CS
103	11-33	--	--	The 1st sentence of the explanation after Implementing Action S-3.1.d should read: "In 2008, the State of California adopted new legislation that requires jurisdictions to prepare certain floodplain regulations based on the 200-year flood event, instead of the previously used 100-year flood event."	CS

#	Pg.	¶	Col	Change	Source
104	11-34	--	--	Implementing Action S-4.1.a should read as follows: "**Provide additional fire station locations as expansion of the City occurs in order to maintain a response <u>time</u> objective of 4 to 6 minutes citywide <u>90 percent of the time</u>, within the financial constraints of the City."**	FC
105	11-35	--	--	Implementing Action S-4.2.d should read as follows: **"Continue close collaboration between Inspection Services, Fire Prevention, and Fire Suppression support personnel to ensure public safety and improve construction safety through the building permit and life safety inspections process."** Replaces the following: **"~~Expand the inspection program to include the following recommendations by the Insurance Services Office:~~ ~~a. Perform fire prevention inspections of all buildings other than dwellings once a year, except hazardous occupancies which should be inspected twice a year.~~ ~~b. Establish a program of adequate reinspection of electrical wiring and equipment.~~ ~~c. Perform fire inspections on residential rental properties on a change in tenants."~~**	FC
106	11-36	--	--	Under Policy S-5.1, the following new Implementing Action S-5.1.d and its associated explanation should be added: **<u>"5.1.d Work with the County of Merced on land use and master planning issues in the vicinity of Castle Airport and its Land Use Compatibility Zones."</u>** <u>"The City of Merced recognizes that Castle Airport is a County asset with the potential to generate job growth within the County of Merced. Merced County is currently in the process of developing a new Castle Airport Master Plan, which would outline Castle's proposed development over the next 20 years. Merced County has expressed an interest in expanding Castle's current role as mostly a general aviation airport (the County's website in 2011 indicates that general aviation uses are 99% of current operations) to include air cargo, military exercises, and commercial air service. If such a Master Plan was approved, the Land Use Compatibility Zones for Castle Airport would need to be modified to reflect those changes. If modified, Castle Airport's Land Use Compatibility Zones could affect development within the existing City and the proposed SUDP/SOI. (Long time residents will remember the significant noise impacts of Castle's military operations until Castle Air Force Base closed in 1995.) Therefore, the City wants to continue to work with the County on ensuring that any adopted Castle Airport Master Plan contains realistic aircraft operation projections that do not hinder both existing and future development within the City."</u>	CS/CO

EXHIBIT 1



SOURCE: UC Merced – May 2008

FIGURE 2.0-4

2009 LRDP Campus Land Use Map

974-001-10/08

EXHIBIT 2

(Note: This entire table is new and will be inserted after Table 2.1.a on page 2-7.)

Table 2.1.b
City of Merced Population Projections (2010-2035)

Year	*City of Merced*	*UC Merced/ University Community*	*Merced + UC Merced/Univ. Community*	*County of Merced*	*Percentage of County (Merced & UC)*
2010	81,500	1,900	**83,400**	260,000	32.1%
2015	91,500	4,700	**96,200**	287,000	33.5%
2020	107,600	9,400	**117,000**	331,000	35.3%
2025	121,800	15,600	**137,400**	372,000	36.9%
2030	137,400	22,500	**159,900**	417,500	38.3%
2035	152,100	31,300	**183,400**	465,500	39.4%

Source: Merced County Association of Governments, July 2010

EXHIBIT 3

Table 3.1
Merced Planned Land Use Summary

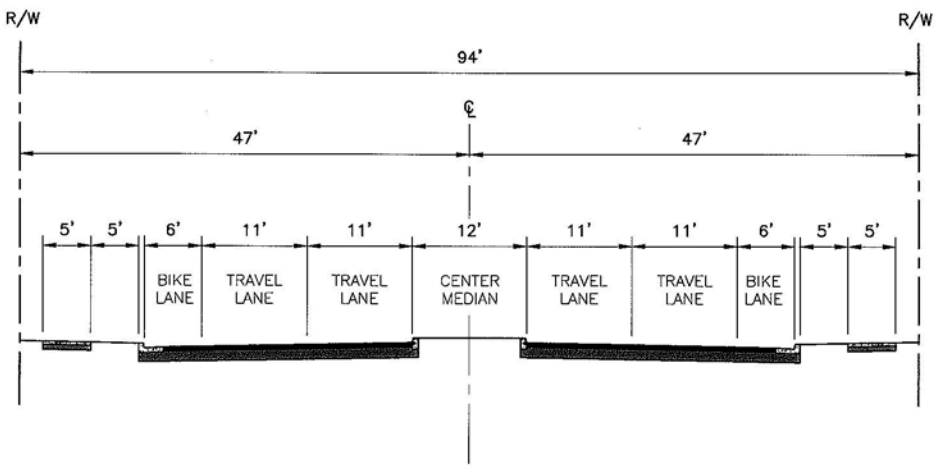
(2015 General Plan SUDP vs. 2030 General Plan SUDP/SOI)

	2015 GP SUDP		*2030 GP SUDP/SOI*		
Land Use Classification	*Acres*	*Percent of Total*	*Acres*	*Percent of Total*	*Percent Change*
RR (Rural Residential)	~~296~~ 280	~~1.44~~ 1.35	~~2,301~~ 2,285	~~6.88~~ 6.80	~~677~~ 816
AG (Agriculture)	~~114~~ 149	~~0.55~~ 0.72	~~114~~ 149	~~0.34~~ 0.45	0
Total Agricultural Residential	*~~410~~ 429*	*~~1.99~~ 2.07*	*~~2,415~~ 2,434*	*~~7.22~~ 7.25*	*~~489~~ 566*
LD (Low-Density Residential)	~~8,497~~ 7,792	~~41.25~~ 37.62	~~8,771~~ 8,066	~~26.21~~ 24.02	~~3~~ 3.5
LMD (Low-Medium Density)	~~1130~~ 1,209	~~5.49~~ 5.84	~~1,177~~ 1,256	~~3.52~~ 3.74	~~4~~ 3.8
Total Single-Family Residential	*~~9,627~~ 9,001*	*~~46.74~~ 43.46*	*~~9,948~~ 9,322*	*~~29.73~~ 27.76*	*~~3~~ 3.5*
HMD (High-Medium Density)	~~807~~ 775	~~3.92~~ 3.74	~~833~~ 800	~~2.49~~ 2.38	~~3~~ 3.2
HD (High Density Residential)	92	~~0.45~~ 0.44	116	~~0.35~~ 0.34	~~26~~ 25.5
RMH (Residential Mobile Home)	80	~~0.39~~ 0.38	~~80~~ 79	0.24	0
Total Multi-Family	*~~979~~ 947*	*~~4.75~~ 4.56*	*~~1,029~~ 995*	*~~3.08~~ 2.96*	*~~5~~ 5.1*
P/G (Public/Government)	~~538~~ 535	~~2.61~~ 2.59	~~578~~ 576	~~1.73~~ 1.71	~~7~~ 7.5
CO (Commercial Office)	~~474~~ 713	~~2.30~~ 3.44	~~474~~ 713	~~1.42~~ 2.12	0
Total Office	*~~1,012~~ 1,248*	*~~4.91~~ 6.03*	*~~1,052~~ 1,289*	*~~3.14~~ 3.83*	*~~4~~ 3.1*
IND (Industrial)	~~2,877~~ 2,542	~~13.97~~ 12.27	~~2,877~~ 2,542	~~8.60~~ 7.57	0
IND-R (Industrial Reserve)	150	0.73	1,223	~~3.65~~ 3.64	~~715~~ 813
Total Industrial	*~~3,027~~ 2,692*	*~~14.70~~ 13.00*	*~~4,100~~ 3,765*	*~~12.25~~ 11.21*	*~~35~~ 39.8*
BP (Business Park)	~~582~~ 631	~~2.83~~ 3.05	~~659~~ 709	~~1.97~~ 2.11	~~13~~ 12.2
BP-R (Business Park Reserve)	~~88~~ 328	~~0.43~~ 1.59	~~88~~ 328	~~0.26~~ 0.98	0
Total Business Park	*~~670~~ 959*	*~~3.25~~ 4.64*	*~~747~~ 1,037*	*~~2.23~~ 3.09*	*~~11~~ 8.0*
CG (General Commercial)	~~494~~ 566	~~2.40~~ 2.73	~~494~~ 566	~~1.48~~ 1.69	~~0~~
CN (Neighborhood Commercial)	~~252~~ 268	~~1.22~~ 1.30	~~275~~ 291	~~0.82~~ 0.87	~~9~~ 8.5
CT (Thoroughfare Commercial)	~~505~~ 219	~~2.45~~ 1.05	~~679~~ 392	~~2.03~~ 1.17	~~34~~ 79
RC (Regional/Community)	~~518~~ 706	~~2.51~~ 3.41	~~518~~ 707	~~1.55~~ 2.10	0
Total Commercial	*~~1,769~~ 1,759*	*~~8.59~~ 8.49*	*~~1,966~~ 1,956*	*~~5.88~~ 5.83*	*~~11~~*
OS-PK (Open Space/Park)	~~954~~ 870	~~4.63~~ 4.20	~~1,107~~ 1,022	~~3.31~~ 3.04	16
Total Open Space	*~~954~~ 870*	*~~4.63~~ 4.20*	*~~1,107~~ 1,022*	*~~3.31~~ 3.04*	*16*
Total School	*~~746~~ 731*	*~~3.62~~ 3.53*	*~~1,740~~ 1,725*	*~~5.20~~ 5.14*	*~~133~~ 236*
*Total Other Lands**	*~~1,404~~ 2,075*	*~~6.82~~ 10.02*	*~~1,244~~ 2,074*	*~~3.72~~ 6.18*	*~~-11~~ 0*
Community Plan Areas	*0*	*0.00*	*~~8,115~~ 7,957*	*~~24.25~~ 23.71*	*N/A*
TOTAL SUDP/SOI AREA	**~~20,598~~ 20,711**	**100.00**	**~~33,463~~ 33,576**	**100.00**	**62**

Note: Open Space Inventory for the 2030 SUDP/SOI includes arterial street rights-of-way
*"Other Lands" includes "Village Residential," "Residential Reserve," "Commercial Reserve," "Future School," "Future Park"
Source: Figure 3.1-Land Use Diagram as calculated by Quad Knopf, Inc., 2011

EXHIBIT 4

Figure 4.27f
Yosemite Avenue (East of Parsons/Gardner) Special Section



RECEIVED
JUL 22 2011
CITY OF MERCED
PLANNING DEPT.

NOTES:

1. THIS CROSS SECTION IS APPLICABLE FOR YOSEMITE AVENUE BETWEEN LAKE ROAD AND PARSONS/GARDNER.
2. ACTUAL RIGHT-OF-WAY WIDTHS MAY VARY TO REFLECT EXISTING ROADWAY IMPROVEMENTS ALREADY CONSTRUCTED IN GENERAL CONFORMANCE WITH THIS STANDARD.
3. ADDITIONAL RIGHT-OF-WAY MAY BE NECESSARY AT APPROACHES TO INTERSECTIONS TO ACCOMMODATE RIGHT TURN LANES.

N.T.S.

CITY OF MERCED

SPECIAL ARTERIAL - YOSEMITE AVENUE	PROPOSED

C:\temp\Yosemite Avenue.dwg

DRAFT: 7/21/2011

CITY OF MERCED
Planning Commission

Resolution #2988

WHEREAS, the Merced City Planning Commission at its regular meeting of July 20, 2011, held a public hearing and considered Certification of the Environmental Impact Report (EIR) for the *Merced Vision 2030 General Plan*; and,

WHEREAS, the Merced City Planning Commission concurs with Findings N through Y of Staff Report #11-09; and,

WHEREAS, after reviewing the City's Environmental Impact Report for the *Merced Vision 2030 General Plan*, and fully discussing all the issues, the Merced City Planning Commission does resolve to hereby recommend to City Council Certification of EIR #10-01 with page 2-2 of the Final EIR corrected to read, "Letter 22 – Thomas C. Grave" (not "Thomas Lollini" as noted); Adoption of Findings of Fact and a Statement of Overriding Considerations; and Adoption of a Mitigation Monitoring Program regarding EIR #10-01.

Upon motion by Commissioner Ward, seconded by Commissioner Colby, and carried by the following vote:

AYES: Commissioner(s) Colby, Ward, Amey, Acheson, and Chairperson Cervantes

NOES: Commissioner(s) None

ABSENT: Commissioner(s) McCoy and Madayag

ABSTAIN: Commissioner(s) None

Adopted this 20th day of July 2011

Chairperson, Planning Commission of the City of Merced, California

ATTEST:

Secretary

Attachment:

Exhibit A – Findings of Fact and a Statement of Overriding Considerations

Exhibit B – Mitigation Monitoring Program

n:shared:planning:PC Resolutions:General Plan Merced Vision 2030 & FEIR #10-01 (EIR Res)

ATTACHMENT 4

TO AVOID DUPLICATION, THE ATTACHMENTS TO PLANNING COMMISSION RESOLUTION #2988 HAVE BEEN DELETED. THE ATTACHMENTS CAN NOW BE FOUND IN THE ADMINISTRATIVE REPORT AS FOLLOWS:

- Exhibit A (Findings of Fact/Statement of Overriding Considerations) is now Exhibit 1 of Attachment 9 of the Administrative Report
- Exhibit B (Mitigation Monitoring Program) is now Exhibit 2 of Attachment 9 of the Administrative Report

CITY OF MERCED
Planning Commission

Resolution #2989

WHEREAS, the Merced City Planning Commission at its regular meeting of July 20, 2011, held a public hearing and considered Adoption of the *Merced Vision 2030 General Plan*. The General Plan includes Urban Expansion, Land Use, Transportation & Circulation, Public Facilities & Services, Urban Design, Open Space, Conservation & Recreation, Sustainable Development, Housing (previously adopted May 16, 2011), Noise and Safety Elements. The expansion of the City's growth boundary will define the limits for extending City services and infrastructure so as to accommodate new development anticipated within the 20 year time-frame of the General Plan. The current growth boundary or Specific Urban Development Plan (SUDP) contains approximately 20,000 acres and the current Sphere of Influence (SOI) contains approximately 33,700 acres. The proposed SUDP/SOI (now combined into one) contains 33,576 acres. Policies in the proposed General Plan promote compact urban development and provide for an orderly transition from rural to urban land uses; and,

WHEREAS, the Merced City Planning Commission concurs with Findings A through M of Staff Report #11-09; and,

WHEREAS, after reviewing the City's Environmental Impact Report, and fully discussing all the issues, the Merced City Planning Commission does resolve to hereby recommend to City Council Adoption of the *Merced Vision 2030 General Plan* as shown in the August 2010 Public Review Draft with the changes outlined in Attachment D of Staff Report #11-09 (as modified July 20, 2011).

Upon motion by Commissioner Ward, seconded by Commissioner Colby, and carried by the following vote:

AYES: Commissioners Colby, Ward, Amey, Acheson, and Chairperson Cervantes
NOES: None
ABSENT: Commissioners McCoy and Madayag
ABSTAIN: None

ATTACHMENT 5

WHEREAS, after reviewing the City's *Merced Vision 2030 General Plan* Land Use Diagram, the Merced City Planning Commission does resolve to hereby recommend to City Council Adoption of the *Merced Vision 2030 General Plan* Land Use Diagram (Figure 3.1), with changes outlined in Attachment C of Staff Report #11-09 (as modified July 20, 2011), in the following sectors as illustrated on Attachment A of Staff Report #11-09:

Sector I – South of Highway 99 until Glen Avenue and then South of Highway 140

Upon motion by Commissioner Amey, seconded by Commissioner Acheson, and carried by the following vote:

AYES: Commissioners Colby, Amey, Acheson, and Chairperson Cervantes
NOES: None
ABSENT: Commissioners McCoy and Madayag
ABSTAIN: Commissioner Ward

Sector II – East of G Street, North of Highway 140, and South of Olive Avenue

Upon motion by Commissioner Ward, seconded by Commissioner Acheson, and carried by the following vote:

AYES: Commissioners Colby, Ward, Acheson, and Chairperson Cervantes
NOES: None
ABSENT: Commissioners McCoy and Madayag
ABSTAIN: Commissioner Amey

Sector III – North of Highway 99 between G and M Streets, East of M Street between Olive Avenue and Yosemite Avenue, and North of Yosemite Avenue, East of Paulson Road

Upon motion by Commissioner Ward, seconded by Commissioner Acheson, and carried by the following vote:

AYES: Commissioners Ward, Amey, Acheson, and Chairperson Cervantes
NOES: None
ABSENT: Commissioners McCoy and Madayag
ABSTAIN: Commissioner Colby

Sector IV – West of M Street between Highway 99 and Yosemite Avenue, North of Yosemite Avenue between San Jose Avenue/M Street and Paulson Road

Upon motion by Commissioner Ward, seconded by Commissioner Amey, and carried by the following vote:

AYES: Commissioners Colby, Ward, Amey, and Chairperson Cervantes
NOES: None
ABSENT: Commissioners McCoy and Madayag
ABSTAIN: Commissioner Acheson

Sector V – North of Yosemite Avenue, West of San Jose Avenue

Upon motion by Commissioner Colby, seconded by Commissioner Acheson, and carried by the following vote:

AYES: Commissioners Colby, Ward, Amey, and Acheson
NOES: None
ABSENT: Commissioners McCoy and Madayag
ABSTAIN: Chairperson Cervantes

Adopted this 20th day of July 2011

Chairperson, Planning Commission of
the City of Merced, California

ATTEST:

Secretary

n:shared:planning:PC Resolutions:General Plan Merced Vision 2030 & FEIR #10-01 (GP Res)

CITY OF MERCED
Planning Commission

MINUTES

Merced City Council Chambers
Wednesday, July 20, 2011

Chairperson CERVANTES called the meeting to order at 7:00 p.m., followed by a moment of silence and the Pledge of Allegiance.

ROLL CALL

Commissioners Present: Travis Colby, Mary Ward, Dwight Amey, Bob Acheson, and Chairperson Richard Cervantes

Commissioners Absent: Carole McCoy and Kimberly Madayag (both absent excused)

Staff Present: Director of Development Services Gonzalves, Planning Manager Espinosa, Deputy City Attorney Rozell, Secretary Lucas, and Recording Secretary Lane

1. **APPROVAL OF AGENDA**

M/S WARD-COLBY, and carried by unanimous voice vote (two absent), to approve the Agenda as submitted.

2. **MINUTES**

M/S WARD-AMEY, and carried by unanimous voice vote (two absent), to approve the Minutes of July 6, 2011, as submitted.

3. **COMMUNICATIONS**

None.

ATTACHMENT 6

4. **ITEMS**

4.1 Adoption of *Merced Vision 2030 General Plan* and its associated Environmental Impact Report. The General Plan includes Urban Expansion, Land Use, Transportation & Circulation, Public Facilities & Services, Urban Design, Open Space, Conservation & Recreation, Sustainable Development, Housing (previously adopted May 16, 2011), Noise, and Safety Elements. The expansion of the City's growth boundary will define the limits for extending City services and infrastructure so as to accommodate new development anticipated within the 20 year time-frame of the General Plan. The current growth boundary or Specific Urban Development Plan (SUDP) contains approximately 20,000 acres and the current Sphere of Influence (SOI) contains approximately 33,700 acres. The proposed SUDP/SOI (now combined into one) contains 33,576 acres. Policies in the proposed General Plan promote compact urban development and provide for an orderly transition from rural to urban land uses.

Planning Manager ESPINOSA reviewed the report on this item. She noted modifications to Attachments C and D of Staff Report #11-09 and a letter from former Council Member Jim Sanders. These items were provided to the Commission prior to the meeting. For further information, refer to Staff Report #11-09.

Public testimony was opened at 7:25 p.m.

Speakers from the Audience:

STEVE ROUGH, Merced
TOM GRAVE, Merced
LISA KAYSER-GRANT, Merced
JEAN OKUYE, Merced, submitted a presentation into the record
ROD WEBSTER, Merced
JOHN GRANT, Merced
JOHN B. HINCHEY, Modesto, submitted a map into the record
JIM TODD, Sonora, submitted a letter into the record

AMANDA CARVAJAL, Merced
RICHARD HARRIMAN, Merced

Public testimony was completed at 8:18 p.m.

M/S WARD-COLBY, and carried by the following vote, to recommend to City Council Certification of Draft and Final Environmental Impact Report #10-01, with page 2-2 of the Final EIR corrected to read, "Letter 22: Thomas C. Grave" (not Thomas Lollini as noted); Adoption of the Draft Findings of Fact and Draft Statement of Overriding Considerations; and Adoption of a Mitigation Monitoring Program, subject to Findings N through Y set forth in Staff Report #11-09 (RESOLUTION #2988):

AYES: Commissioners Colby, Ward, Amey, Acheson, and Chairperson Cervantes
NOES: None
ABSENT: Commissioners McCoy and Madayag
ABSTAIN: None

M/S WARD-COLBY, and carried by the following vote, to recommend to City Council Adoption of the *Merced Vision 2030 General Plan* in accordance with the August 24, 2010, Draft and the proposed changes at Attachment D (as modified on July 20, 2011) of Staff Report #11-09, subject to Findings A through M set forth in Staff Report #11-09 (RESOLUTION #2989):

AYES: Commissioners Colby, Ward, Amey, Acheson, and Chairperson Cervantes
NOES: None
ABSENT: Commissioners McCoy and Madayag
ABSTAIN: None

M/S AMEY-ACHESON, and carried by the following vote, to recommend to City Council Adoption of the *Merced Vision 2030 General Plan* Land Use Diagram (Figure 3.1 of the *Merced Vision 2030 General Plan* – Exhibit 1) with changes as outlined in Attachment C (as modified on July 20, 2011) of Staff Report #11-09

and divided into the following sectors as seen at Attachment A of Staff Report #11-09, subject to Findings A through M set forth in Staff Report #11-09 (RESOLUTION #2989):

Commissioner WARD declared a potential conflict of interest and left the dais (returning after the vote on that Sector).

Sector I – South of Highway 99 until Glen Avenue and then South of Highway 140

AYES: Commissioners Colby, Amey, Acheson, and Chairperson Cervantes
NOES: None
ABSENT: Commissioners McCoy and Madayag
ABSTAIN: Commissioner Ward

Commissioner AMEY declared a potential conflict of interest and left the dais (returning after the vote on that Sector).

Sector II – East of G Street, North of Highway 140, and South of Olive Avenue

Upon motion by Commissioner Ward, seconded by Commissioner Acheson, and carried by the following vote:

AYES: Commissioners Colby, Ward, Acheson, and Chairperson Cervantes
NOES: None
ABSENT: Commissioners McCoy and Madayag
ABSTAIN: Commissioner Amey

Commissioner COLBY declared a potential conflict of interest and left the dais (returning after the vote on that Sector).

Sector III – North of Highway 99 between G and M Streets, East of M Street between Olive Avenue and Yosemite Avenue, and North of Yosemite Avenue, East of Paulson Road

Upon motion by Commissioner Ward, seconded by Commissioner Acheson, and carried by the following vote:

AYES: Commissioners Ward, Amey, Acheson, and Chairperson Cervantes
NOES: None
ABSENT: Commissioners McCoy and Madayag
ABSTAIN: Commissioner Colby

Commissioner ACHESON declared a potential conflict of interest and left the dais (returning after the vote on that Sector).

Sector IV – West of M Street between Highway 99 and Yosemite Avenue, North of Yosemite Avenue between San Jose Avenue/M Street and Paulson Road

Upon motion by Commissioner Ward, seconded by Commissioner Amey, and carried by the following vote:

AYES: Commissioners Colby, Ward, Amey, and Chairperson Cervantes
NOES: None
ABSENT: Commissioners McCoy and Madayag
ABSTAIN: Commissioner Acheson

Chairperson CERVANTES declared a potential conflict of interest and left the dais (returning after the vote on that Sector). Commissioner WARD assumed the Chairperson's seat during his brief absence.

Sector V – North of Yosemite Avenue, West of San Jose Avenue

Upon motion by Commissioner Colby, seconded by Commissioner Acheson, and carried by the following vote:

AYES: Commissioners Colby, Ward, Amey, and Acheson
NOES: None

ABSENT: Commissioners McCoy and Madayag
ABSTAIN: Chairperson Cervantes

5. INFORMATION ITEMS

5.1 Calendar of Meetings/Events

Planning Manager ESPINOSA informed the Commission that the General Plan Amendment #10-03/Zone Change #411/Revision #4 to the Northeast Yosemite Specific Plan application regarding the proposed office complex at the southeast corner of Mercy Avenue and Sandpiper Avenue was referred back to staff and the Planning Commission from the City Council due to an error in the environmental document. It would most likely be scheduled for one of the September Planning Commission meetings.

6. ADJOURNMENT

There being no further business, Chairperson CERVANTES adjourned the meeting at 8:38 p.m.

Respectfully submitted,

KIM ESPINOSA, Secretary
Merced City Planning Commission

APPROVED:

RICHARD CERVANTES, Chairperson
Merced City Planning Commission

n:shared:Planning:PCMINUTE:Minutes 2011:M07-20-2011

CITY OF MERCED
Planning & Permitting Division

STAFF REPORT:	**#11-09**	**AGENDA ITEM:**	**4.1**
FROM:	Kim Espinosa, Planning Manager	**PLANNING COMMISSION** **MEETING DATE:** July 20, 2011 **CITY COUNCIL** (Tentative Date) **MEETING DATE:** September 19, 2011	

SUBJECT: **Adoption of the *Merced Vision 2030 General Plan* and its associated Environmental Impact Report.** The General Plan includes Urban Expansion, Land Use, Transportation & Circulation, Public Facilities & Services, Urban Design, Open Space, Conservation & Recreation, Sustainable Development, Housing (previously adopted May 16, 2011), Noise, and Safety Elements. The expansion of the City's growth boundary will define the limits for extending City services and infrastructure so as to accommodate new development anticipated within the 20 year time-frame of the General Plan. The current growth boundary or Specific Urban Development Plan (SUDP) contains approximately 20,000 acres and the current Sphere of Influence (SOI) contains approximately 33,700 acres. The proposed SUDP/SOI (now combined into one) contains 33,576 acres. Policies in the proposed General Plan promote compact urban development and provide for an orderly transition from rural to urban land uses. *PUBLIC HEARING*

ACTION: PLANNING COMMISSION:

Recommendation to City Council

1) Certification of Final Environmental Impact Report (FEIR) #10-01; Adoption of Draft Findings of Fact and a Draft Statement of Overriding Considerations; and Adoption of a Mitigation Monitoring Program
2) Adoption of *Merced Vision 2030 General Plan*
3) Adoption of *Merced Vision 2030 General Plan* Land Use Diagram

CITY COUNCIL:

Approve/Disapprove/Modify

1) Certification of Final Environmental Impact Report (FEIR) #10-01; Adoption of Findings of Fact and a Statement of Overriding Considerations; and Adoption of a Mitigation Monitoring Program
2) Adoption of *Merced Vision 2030 General Plan*
3) Adoption of *Merced Vision 2030 General Plan* Land Use Diagram

SUMMARY

The *Merced Vision 2030 General Plan* is a comprehensive update of the City's General Plan and will replace the *Merced Vision 2015 General Plan* adopted in 1997. The General Plan includes revised Land Use, Transportation & Circulation, Open Space/Conservation, Noise, and Safety Elements as well as optional elements—Urban Expansion, Public Services & Facilities, Urban Design, and Sustainable Development. (The Housing Element was adopted under a separate process in May 2011.) After extensive public review over the last six years, the *Merced Vision 2030 General Plan* is now ready for adoption after the Environmental Impact Report is certified. City staff is recommending approval.

ATTACHMENT 7

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend approval of:

A) Certification of the Draft and Final Environmental Impact Report (EIR) #10-01; Adoption of Draft Findings of Fact and a Draft Statement of Overriding Considerations (Attachment G); and Adoption of a Mitigation Monitoring Program (Attachment F), subject to the Draft Resolution at Attachment H and with Page 2-2 of the Final EIR corrected to read "Letter 22: Thomas C. Grave" (not Thomas Lollini as noted); and,

B) Adoption of the *Merced Vision 2030 General Plan* in accordance with the August 24, 2010 Draft and the proposed changes at Attachment D, subject to the Draft Resolution at Attachment I; and,

C) Adoption of the *Merced Vision 2030 General Plan* Land Use Diagram (Figure 3.1 of the *Merced Vision 2030 General Plan*—Exhibit 1) with changes as outlined in Attachment C and divided into the following sectors as seen at Attachment A, subject to the Draft Resolution at Attachment I:

1) Sector I—South of Highway 99 until Glen Ave and then South of Highway 140
2) Sector II—East of G Street, North of Highway 140, & South of Olive Ave
3) Sector III—North of Highway 99 between G and M Streets, East of M between Olive & Yosemite Ave, and North of Yosemite, East of Paulson Rd
4) Sector IV—West of M St between Highway 99 and Yosemite Ave, North of Yosemite between San Jose Ave/M St and Paulson
5) Sector V—North of Yosemite Ave, West of San Jose Ave

PROJECT DESCRIPTION

The *Merced Vision 2030 General Plan* is organized into 14 separate chapters plus an Executive Summary as follows:

1) Introduction
2) Urban Expansion
3) Land Use
4) Transportation and Circulation
5) Public Services and Facilities
6) Urban Design
7) Open Space, Conservation, and Recreation
8) Sustainable Development
9) Housing (adopted separately on May 16, 2011, to be inserted into the final document)
10) Noise
11) Safety
12) Glossary of Terms
13) Bibliography
14) Subject and Policy Index (to be completed after adoption)

A Draft Environmental Impact Report (DEIR) and Final EIR (FEIR) have been completed for the *Merced Vision 2030 General Plan*. The current growth boundary (adopted in 1997 with the *Merced Vision 2015 General Plan*) or Specific Urban Development Plan (SUDP) contains approximately 20,700 acres and the current Sphere of Influence (SOI) contains approximately 33,700 acres. The proposed SUDP/SOI (now combined into one) contains 33,576 acres. An additional 10,000 acres are also included in the Area of Interest (AOI), which represents growth beyond the next 20 years.

BACKGROUND

Brief Overview of the General Plan Update Process

The following is a brief overview of the General Plan Update process. For a more detailed history of the project, please refer to Attachment B.

The General Plan Update process first began in 2005 and was originally supposed to simply add the UC Merced Campus, the University Community, and areas in between to the City's growth boundary. During 2006, much of the work was focused on defining the General Plan Update Study Area, which grew to include areas of expansion to the northwest, southwest, and southeast in addition to the UC Merced-related areas. In July 2006, after reviewing various options for a Draft SUDP/SOI boundary and several public meetings, the City Council adopted a Draft SUDP/SOI of approximately 43,591 acres or over double the size of the City's current SUDP (20,540 acres). In August 2006, a new firm, Quad-Knopf of Roseville, was hired to complete the General Plan Update and EIR after the original consultant contract was terminated.

Because of the size and population capacity of the General Plan Study Area, it became necessary to define a smaller boundary to accommodate the next 20 years of growth. Currently the City's Specific Urban Development Plan (SUDP) boundary and the Sphere of Influence (SOI) boundary are different boundaries with the SUDP reflecting a 20-year growth plan and the Sphere of Influence defining a longer time frame. However, since the City's SOI boundary was adopted by the Local Agency Formation Commission (LAFCO) in 1997, new criteria has been put in place by LAFCO that will require the City to demonstrate how we can provide services to all areas within the SOI. Because of those criteria, staff and the consultants recommended that the SUDP and SOI boundaries be co-terminus and that a larger Area of Interest (AOI) be defined that represents long-term growth areas. Areas within the SUDP/SOI will have City land use designations, but areas within the AOI will not. However, there are criteria included in the Draft General Plan defining how areas within the AOI can be added to the SUDP/SOI as time goes on. Further environmental studies will also be required before any of these AOI areas could be developed.

In September 2007, a Draft Land Use Diagram with a Draft SUDP/SOI was released for public review. After input from the community and property owners, the Draft Land Use Diagram was modified in February 2008 and included a 33,463-acre SUDP/SOI within the larger 43,591-acre Area of Interest, which corresponded to the original Draft SUDP/SOI. The combined SUDP/SOI is almost the same size (33,463 acres) as the current SOI (37,300 acres), but includes some different areas and the large area northeast of Lake Yosemite, the former planned site of the UC Merced Campus, has been removed.

During 2008 to 2010, the consultants worked with City staff to complete the Draft *Merced Vision 2030 General Plan* document (including all the goals, policies, and implementing actions) and the Draft EIR, both released for public review on August 24, 2010. The Draft *Merced Vision 2030 General Plan* is based on the *Merced Vision 2015 General Plan* and contains many of the same goals, policies, and implementing actions. The Draft General Plan has been updated to include new information since the 1997 adoption, new policies to address the proposed SUDP/SOI and Area of Interest, and new policies to address new issue areas (such as the High Speed Rail, the San Joaquin Valley Blueprint process, climate change, etc.) which have arisen since the 1997 adoption of the *Merced Vision 2015 General Plan*. Many public meetings were held throughout the General Plan Update process (see Finding D).

FINDINGS/CONSIDERATIONS:

State General Plan Law

A) California state law (Government Code Section 65300 et seq) requires each city and county to adopt a general plan for all the physical development of the county or city, and any land outside its boundaries which bears relation to its planning. State law requires the General Plan, at the minimum, to consist of seven elements or chapters (Land Use, Circulation, Open Space, Conservation, Housing, Noise, and Safety) and spells out the required contents of each (Section 65302). The *Merced Vision 2030 General Plan* has been prepared in accordance with these laws and meets the minimum requirements. General Plan law also allows the inclusion of additional chapters as deemed appropriate by the local jurisdiction. The *Merced Vision 2030 General Plan* contains the following optional elements—Urban Expansion, Public Services & Facilities, Urban Design, and Sustainable Development. The Housing Element was adopted through a separate process on May 16, 2011.

What is the General Plan and Why Is It Important?

B) According to State law, each city and county in California is required to adopt a General Plan which provides for "the physical development of the County or City, and any land outside its boundaries, which bears relation to its planning." The General Plan must consist of seven required elements—land use, circulation, open space, conservation, housing, noise, and safety—all of which must contain specific content, also prescribed by the State, and which shall be consistent with one another. (For example, the land use element can't designate a property as residential if the open space element indicates that it should be preserved as open space.) The General Plan may also consist of as many optional elements as the community wants.

Most people associate the General Plan with the Land Use Diagram, which shows the various land uses (residential, commercial, industrial, schools, open space, etc.) for specific pieces of property within the community's growth boundary. The Land Use Diagram is important, but the General Plan is primarily a policy document which spells out the community's vision for growth and development. All new development within the community must conform with the General Plan, its diagrams, maps, and policies. In fact, the City Council cannot approve a development project which does not conform to its General Plan. The General Plan must be amended, through a public hearing process, before such a project could be approved. An example would be that a shopping center could not be built on a vacant parcel that is designated on the General Plan for single-family residential unless the General Plan is amended and the shopping center conforms to all the policies in the General Plan. When applications for development are presented to the Planning Commission and City Council, staff provides an analysis of the project's conformity to the General Plan. City infrastructure plans, zoning, impact fee programs, etc., also need to conform to the General Plan.

The *Merced Vision 2015 General Plan* is the City's current General Plan, which was adopted in 1997. The *Merced Vision 2015 General Plan* contains a 20,540-acre Specific Urban Development Plan (SUDP) boundary, a 37,300-acre Sphere of Influence (SOI), and the seven state-required elements, along with additional elements covering urban expansion, public facilities, urban design, and sustainable development. Once adopted, all policies in the General Plan, no matter which element they are in, should be treated with equal importance and must be implemented.

Major Changes from the *Merced Vision 2015 General Plan*

C) The Draft *Merced Vision 2030 General Plan* is based on the current *Merced Vision 2015 General Plan*, adopted in 1997. Most of the Vision 2015 Plan is still relevant today so the vast majority of the goals, policies, and implementing actions from the 2015 Plan are maintained in the 2030 Plan. Factual information in the General Plan text has been updated to reflect current conditions and other text has been added or modified to reflect changes in the 2030 Plan.

The following is a brief summary of major policies that have been added in each Element of the General Plan from the 2015 Plan to the 2030 Plan.

1) Urban Expansion—A co-terminus SUDP/SOI has been proposed along with an Area of Interest (AOI) representing over 40 years of growth.
2) Land Use—Increased flexibility has been added for retail at major intersections under unique circumstances; development standards have been added for large research parks and freeway-oriented developments; the South Merced Community Plan (adopted in 2008) has been incorporated; a transit-oriented development overlay has been proposed in the vicinity of the Downtown High Speed Rail station; large Community Plan areas have been added (University Community, Castle Farms, Mission Lakes, Bellevue Corridor, etc.), and implementation of the San Joaquin Valley Blueprint principles and densities has been added.
3) Transportation & Circulation—Policies have been added regarding "Complete Streets" that accommodate all modes of travel; the Merced-Atwater Expressway and Campus Parkway have been added to the Circulation system; and the Bicycle Advisory Commission is discussed.
4) Public Services & Facilities—Policies relating to schools have been substantially modified to better define City/School relations and a new goal area regarding telecommunications was added.
5) Urban Design—No major changes.
6) Open Space, Conservation, & Recreation—Policies from the 2004 Parks and Open Space Master Plan were added as well as more information about wetlands and wildlife resources.
7) Sustainable Development—Policies were added relating to Climate Change and Greenhouse Gas Emissions, including the completion of a Climate Action Plan and implementing "green" building codes, and a policy was added relating to "healthy communities."
8) Housing—Adopted by a separate process in May 2011.
9) Noise—New noise measurement techniques were added and noise data was updated.
10) Safety—Information regarding Fire Department practices was updated along with emergency preparedness procedures and policies regarding the 200-Year Floodplain in addition to the 100-Year Floodplain were added.

Public Review Process

D) State law requires that the City conduct a public hearing on the General Plan and its environmental document prior to adoption. The General Plan Guidelines suggest that the adoption process provide broad public access to the plan prior to adoption. However, there are no specific standards in the law except for the normal public notice requirements.

Since 2005, the City has been receiving public input into the General Plan process. Joint Planning Commission/City Council Study Sessions were held in July 2005, September 2005, May 2006, May 2007, February 2008, December 2010, and January 2011. The Planning Commission, acting as the General Plan Update Citizens Advisory Committee (CAC), met three times in February 2007, August 2007, and September 2010. Public hearings were held before the Planning Commission and City Council in June and July 2006 in order to adopt a Draft SUDP boundary for use in completion of the General Plan Update.

The City's General Plan Technical Advisory Committee (TAC), including representatives from the four school districts, UC Merced, MID, Merced County Planning and Public Works, MCAG, and various City Departments, met six times—March 2007, May 2007, July 2007, September 2007, February 2008, and March 2008. A separate sub-committee of the TAC, made up of school district representatives, met several times with City Planning staff and the City Attorney to work on draft policies relating to schools. City Department Heads also held three workshops on the General Plan in March 2006, June 2009, and November 2009.

Stakeholder/property owner meetings for all those property owners within the Study Area were held in April 2006, March 2007, and September 2007; special meetings with property owners along the Bellevue Corridor were held in June and July 2008; and a smaller group of Bellevue Corridor property owners and UC Merced staff met with City staff four times in July-September 2008 to discuss a draft land use concept for the Bellevue Corridor Community Plan. Community forums were held in April 2007 and September 2010.

In addition to these public meetings, City staff has made presentations to various community groups on the General Plan throughout the process, including the Building Industry Association, the Farm Bureau, the Sierra Club, Com-VIP, the Merced County Board of Realtors, the League of Women Voters, Kiwanis Club, UC Merced, and others. Input has also been sought from City boards and commissions, such as the Economic Development Advisory Commission, the Regional Airport Authority, the Recreation and Parks Commission, and the Bicycle Advisory Commission.

Over the last six years, written correspondence has been received by City staff regarding the General Plan Update. Most of that correspondence related to specific concerns about different pieces of property (whether they were in or out of the growth boundary or what land use they wanted). That input was incorporated into the Draft General Plan and Land Use Diagram and most of it is no longer relevant to the adoption of the General Plan in its current form. That correspondence is available within the City records, but only correspondence that is relevant to the current adoption process has been provided to the Planning Commission in this report.

Public Notice

E) On June 30, 2011, a public hearing notice for the Planning Commission's consideration of the *Merced Vision 2030 General Plan* was published in the *Merced County Times*. On June 28, 2011, notices were mailed to approximately 280 interested citizens who had asked to be on the General Plan mailing list over the 6-year process. Public Hearing Notices were also mailed to all those 26 individuals and agencies who had submitted comments on the Draft EIR during the public review period as well as 47 individuals and agencies that receive notification of all City EIR's. The Public Hearing Notice was also posted to the City's website.

Proposed Changes to the General Plan Since the August 2010 Draft

F) Since August 2010, the City has received numerous comments on the *Merced Vision 2030 General Plan*, both verbal and written, from members of the general public, other public agencies, City staff, City boards or commissions, etc. Staff has kept a record of these comments and, as much as possible, changes have been incorporated into the document in response to these comments. Other changes were required to respond to comments on the Draft EIR. These changes are outlined at Attachment D along with the source of the comments.

Most of the proposed changes are relatively minor word changes, clarifications, typographical errors, or updating factual information. The major changes are mostly in Chapter 3 (Land Use), Chapter 4 (Transportation and Circulation), Chapter 5 (Public Services and Facilities), and Chapter 11 (Safety). The Chapter 3 (Land Use) changes are related to various Community Plans, especially changes asked for by UC Merced relating to the new boundary for the campus and University Community North, which also affects the Land Use Diagram. The Chapter 4 (Transportation & Circulation) changes include many recommended by the Bicycle Advisory Commission and some changes related to Castle Airport (some changes to Chapter 11 were also related to Castle Airport). The changes in Chapter 5 (Public Services and Facilities) and Chapter 11 (Safety) are mostly from Fire Chief Mike McLaughlin, appointed in 2011, in order to better reflect policies and procedures of the Merced Fire Department under his new leadership. (Retired Fire Chief Ken Mitten had served on the General Plan Technical Advisory Committee and had previously provided his input on the General Plan.)

G) Two recent letters related to the General Plan were received by the City Council at their December 6, 2010 and January 10, 2011 joint study sessions with the Planning Commission. One letter from Jim Sanders (Attachment E2) asks the City to delay adoption of the General Plan for at least two years and asks for more consideration regarding solar farms. The other letter is from the Merced County Farm Bureau (Attachment E1) and asks for the Council to consider requiring agricultural land mitigation. Staff has not proposed any changes to the General Plan based on these comments and awaits direction from the Planning Commission and the City Council on whether any of the above issues should be addressed.

H) Changes will need to be made to the proposed Land Use Diagram as well. Since the Diagram was substantially completed in February 2008 (with only minor modifications in August 2010), there have been eight general plan amendments approved through the normal City public hearing process which will need to be reflected on the proposed map. These proposed changes are outlined at Attachment C. There are also 3 pending general plan amendment applications that have been scheduled for either Planning Commission or City Council public hearing within the next few months. If those amendments are approved prior to the City Council taking final action on the General Plan, they will need to be added to the Land Use Diagram.

General Plan Proposals Relating to Specific Properties

I) The Land Use Diagram reflects proposals which affect specific properties in one of three ways:

1. Changing the current Land Use Designation of properties either within the current City Limits and/or within the 2015 SUDP area; or,
2. Including properties that were previously outside the 2015 SUDP within the proposed 2030 SUDP/SOI and giving them a specific land use designation; or,
3. No change in land use designation is proposed.

J) Case #1 involves approximately 1,700 acres within the 2015 SUDP. These properties are along both sides of the North Highway 59 corridor from Yosemite to the northern SUDP boundary (approximately 1,100 acres) and along both sides of the Bellevue Corridor from G to Gardner (approximately 600 acres). The properties along the west side of Highway 59 have been changed from various land use designations to "Community Plan" as they are best planned as part of the "Castle Farms Community Plan" described in Section 3.7.5 of the Draft General Plan. Some of the properties along the east side of Highway 59 have been changed from Low Medium Density Residential or Business Park to Low Density Residential. This was proposed in order to better reflect the change in the Highway 59 corridor from the primary access corridor to Highway 99 to a secondary access with the addition of the Atwater-Merced Expressway. Those properties at the corners of Yosemite, Cardella, Bellevue, and Old Lake along the Highway 59 corridor have remained the same.

One 40-acre property along the Highway 59 corridor, just north of Olive Avenue, was proposed to be changed from Regional Commercial to Business Park, but the property owner, Mr. Ridenour, has submitted a letter asking that the current land use designation remain (Attachment E3). Staff has reviewed this request and believes the original designation should be maintained since there has been significant interest in developing commercial property in that location despite the changes to the Highway 59 corridor. The recommended change to the Draft Land Use Diagram is reflected in Attachment C.

The properties along both sides of the Bellevue Corridor from G to Gardner have been changed from various land use designations to a conceptual "Mixed Use" corridor with specific land uses to be defined as part of the Bellevue Corridor Community Plan process described in Section 3.7.4 of the Draft General Plan.

K) Case #2 involves over 12,800 acres that were added within the proposed 2030 SUDP/SOI that were not included in the 2015 SUDP. In April 2006, all of these property owners who owned 1 acre or more were notified by letter of the possibility of being included in the City's growth boundary and were invited to attend informal stakeholder meetings to ask questions about or respond to the proposals. Stakeholder meetings with this same group were also held in March and September 2007. Over 100 property owners attended these meetings. To date, the City has received only two letters from any of these property owners regarding the proposed Land Use Diagram.

Staff received two letters from property owners who disagreed with the City's proposals—one property owner who wanted to be included in the SUDP/SOI and one who wished to be removed from the SUDP/SOI. The Roginas, owners of approximately 150 acres at the southeast corner of Yosemite & Lake Road, which is included in the Area of Interest but not the SUDP/SOI, asked to be included in the SUDP/SOI. An agent for Mr. Steiner, owner of 100 acres located north of North Bear Creek Drive, ¼ mile east of Whitegate Drive, which is partially within the 2015 SOI adopted in 1997, asked that his property be removed so he could deal with the County on his proposed subdivision. (See Attachments E4 and E5 for those letters.) Adding properties to the SUDP/SOI after completion of the EIR would be problematic because additional environmental analysis would need to be completed. Removing properties from the SUDP/SOI can be done more easily if that is the direction from the City Council.

L) Case #3 applies to the vast majority of properties within the current City limits and 2015 SUDP. In fact, there are no sites within the current City limits for which changes in land use are proposed and only a few properties within the 2015 SUDP with proposed changes in land use, discussed above in Case #1. Only one property owner within the current City limits has asked for a change in land use designation. City staff received one letter from Jim Todd representing Merced Gateway, LLC, regarding 70 acres near the southeast corner of Coffee and Gerard Avenues, which is currently designated as Regional Commercial and High Density Residential (Attachment E6). Mr. Todd asked that either a collector roadway segment through the property be deleted from the proposed Circulation Map or included in the City's Public Facilities Impact Fee program. Staff believes the roadway segment is necessary to serve the area and, therefore, does not support removing it. Including the roadway in the City's fee program is outside the scope of the General Plan, so that request cannot be addressed at this time. Mr. Todd expresses a concern about an "over abundance of housing" and asks that residential designations on his property be reconsidered. City policy calls for locating high density residential uses adjacent to commercial developments and staff believes that the current designations for this property should not be changed.

Adopting the Land Use Diagram and Avoiding Conflicts of Interest

M) In order to avoid potential or perceived conflicts of interest regarding properties owned by the Planning Commissioners and City Council members, the City Attorney has advised that the General Plan Land Use Diagram should be adopted in segments. Although no changes in land use designation are proposed within the current City limits where these properties are located, this approach reflects an abundance of caution to avoid even perceived conflicts of interest. Staff has divided the Land Use Diagram into five sectors as shown in Attachment A for the purposes of adoption, based on the locations of the primary residences of the Commission members and other property interests that were provided to the City by the individual members. These sectors have been drawn so that no more than one member present should have to declare a potential conflict for any one sector. Two Commissioners, Commissioner McCoy and Commissioner Madayag, have informed staff that they would not be able to be present at the July 20, 2011 public hearing, so that has also been factored into the manner in which the sectors were drawn since there will only be 5 Planning Commissioners present.

The five sectors are described as follows (see also Attachment A) and the Commissioner with property interests in that area is also noted:

1) Sector I—South of Highway 99 until Glen Ave and then South of Highway 140 (Commissioner Ward)
2) Sector II—East of G Street, North of Highway 140, & South of Olive Ave (Commissioner Amey)
3) Sector III—North of Highway 99 between G and M Streets, East of M between Olive & Yosemite Ave, and North of Yosemite, East of Paulson Rd (Commissioner Colby—two properties)
4) Sector IV—West of M St between Highway 99 and Yosemite Ave, North of Yosemite between San Jose Ave/M St and Paulson (Commissioners Acheson and McCoy)
5) Sector V—North of Yosemite Ave, West of San Jose Ave (Chairman Cervantes and Commissioner Madayag)

FINDINGS/CONSIDERATIONS (Environmental Impact Report):

Purpose of an EIR

N) The purpose of an Environmental Impact Report (EIR) is to evaluate the anticipated physical environmental impacts of a project, and to provide mitigation measures necessary to decrease those impacts to a less than significant level. The EIR process also allows public review of the expected environmental effects by agencies and the public, and provides a method for identifying unavoidable significant impacts and adopting overriding considerations, if deemed necessary. EIRs also identify project alternatives and cumulative impacts of a project.

Preparation of the Environmental Impact Report

O) The Draft and Final Environmental Impact Reports (EIR) for the *Merced Vision 2030 General Plan* (SCH#2008071069) were prepared by Quad-Knopf. (A previous consultant was involved in the General Plan process from May 2005-June 2006, but Quad-Knopf took over the project in August 2006.) Specialized sub-consultants serving with Quad-Knopf in the environmental assessment process included Fehr & Peers (traffic), J.C. Brennan & Associates (noise), Peak and Associates (cultural resources), and Geocon (geology). The contract with Quad-Knopf was amended twice in order to make sure that the analysis was as complete and accurate as possible. The following table provides a summary of key events leading up to the Final EIR.

Event	Date
EIR Contract Approved by City Council with Quad-Knopf	August 21, 2006
EIR Contract Amendment #1 Approved by City Council	June 16, 2008
Notice of Preparation (NOP) Distributed	July 14, 2008
Comment Period on NOP Ends	August 18, 2008
Draft EIR Completed	August 2010
Draft EIR 60-day Public Review Period Begins	August 24, 2010
Draft EIR 60-day Public Review Period Closes	October 22, 2010
EIR Contract Amendment #2 Approved by City Council	May 16, 2011
Final EIR Made Available to Public & Distributed to Those Who Submitted Comment Letters	July 8, 2011

Impacts Identified from the Project

P) The Draft EIR for the proposed *Merced Vision 2030 General Plan* has identified potentially significant physical environmental impacts that are expected to result from the Project. The EIR also provides appropriate measures to mitigate the impacts and to reduce anticipated *physical* environmental impacts to less than significant levels. Significant Environmental Effects Requiring Mitigation include impacts on aesthetics, agriculture & forest resources, air quality, biological resources, noise, transportation/traffic, and greenhouse gas emissions (global climate change). These impacts and mitigation measures are summarized in the table below and in more detail in Table ES-2 in the Executive Summary of the Draft EIR (modified in the Final EIR, see Section 4) as well as in the Mitigation Monitoring Program in Section 5 of the Final EIR and at Attachment F.

Impacts	Mitigation (If Available)
3.1-Aesthetics	♦ Guidelines for outdoor lighting provided.
3.2-Agriculture & Forest Resources	♦ Encourage property owners to maintain their land in ag production until urban development takes place in SUDP/SOI, work cooperatively with land trusts on conservation easements; Prefer infill development over fringe development.
3.3-Air Quality	♦ Require developments to follow SJVAPCD regulations during construction; Consider City ordinance to reduce emissions during construction; Follow BACT (Best Available Control Technology) mitigations for discretionary projects; Encourage energy conservation features.
3.4-Biological Resources	♦ Require surveys/mitigation/avoidance for vernal pool species, special status plants, Valley Elderberry Longhorn Beetle, Burrowing Owls, special status birds, special status amphibians, special status reptiles, special status fish, and special status mammals. ♦ Streambed alteration agreement for riparian habitat ("no net loss"). ♦ Conduct Wetlands delineation & require Section 404 & 401 permits.
3.5-Cultural Resources	♦ No mitigation required.
3.6-Geology & Soils	♦ No mitigation required.
3.7-Hazards & Hazardous Materials	♦ No mitigation required.
3.8-Hydrology & Water Quality	♦ No mitigation measures are available.
3.9-Land Use & Planning	♦ No mitigation required.
3.10-Mineral Resources	♦ No mitigation required.
3.11-Noise	♦ Implement criteria for evaluating construction vibration impacts.
3.12-Population & Housing	♦ No mitigation required.
3.13-Recreation	♦ No mitigation required.
3.14-Public Services	♦ No mitigation required.
3.15-Traffic & Transportation	♦ Increase number of travel lanes on 53 various roadway segments to achieve Level of Service (LOS) "D" or better, including Highway 59, R Street, M Street, Martin Luther King Jr. Way, G Street, Parsons/Gardner, Campus Parkway, Tyler Road, Old Lake Road, Bellevue Road, Cardella Road, Yosemite Ave, Olive Ave, Highway 99, Childs Ave, Mission Ave, & Thornton Ave. ♦ Require traffic studies for CEQA analysis of general plan amendments, specific/community plans, and annexations.
3.16-Utilities & Services	♦ No mitigation required.
3.17-Greenhouse Gas Emissions (Global Climate Change)	♦ Per Policies and Implementing Actions in the Sustainable Development Chapter, address greenhouse gas emissions during the CEQA process for development projects, develop a Climate Action Plan, consider various measures for new development regarding recycling, alternative transportation, tree planting, mixed-use, reducing "urban heat island" effect, motor vehicle emission reduction, water use efficiency, and energy efficiency.

Q) The EIR for the proposed *Merced Vision 2030 General Plan* also identified Unavoidable Significant Environmental Effects (summarized in Section 5.1, starting on page 5-1 of the Draft EIR). These irreversible impacts cannot be mitigated below the relevant threshold of significance. These impacts include aesthetics, agricultural and forest resources, air quality, hydrology and water quality, noise, transportation/traffic, and greenhouse gas emissions (global climate change).

R) Significant Irreversible Environmental Changes are also addressed in the Draft EIR in Section 5.2. A project results in a significant irreversible impact if 1) it involves a large commitment of nonrenewable resources; 2) primary and secondary impacts would commit future generations to similar uses; and 3) it involves uses which irreversible damage could result from any potential environmental accidents associate with the project. Development allowed under the General Plan would commit nonrenewable resources to the construction and maintenance of buildings, infrastructure, and roadways. Changes in land use under the General Plan will also result in the conversion of agricultural and vacant land to urban uses, which is a commitment for future generations. No significant impact would result from environmental accidents.

S) Significant Cumulative Environmental Effects resulting from the General Plan implementation are described in Section 5.7 of the Draft EIR. Significant and unavoidable impacts, which will require a Statement of Overriding Considerations, were found in the area of agricultural and forest resources, air quality, hydrology and water quality, public services (electric and gas), transportation/traffic, and greenhouse gas emissions (global climate change).

Project Alternatives

T) Three project alternatives were analyzed in Chapter 4 of the Draft EIR. Alternative 1—Existing General Plan (No Project) assumed that the *Merced Vision 2030 General Plan* was not adopted and the *Merced Vision 2015 General Plan* remained in effect, which would leave the SUDP at approximately 21,700 acres. Alternative 2—Reduced Project Area assumed a smaller growth boundary and slower growth by eliminating two large Community Plan areas (Castle Farms and Mission Lakes, totaling approximately 5,000 acres) and reducing the proposed SUDP/SOI from 33,576 acres to 28,576 acres. Alternative 3—Concentrated Growth assumed that the proposed SUDP/SOI boundary would remain the same, but residential densities would be increased in and around existing developed areas and more land would be designated for Open Space or Reserve. In the Findings of Fact and Statement of Overriding Considerations at Attachment G, all three alternatives are rejected for not meeting the project objectives and failing to accommodate the City's projected growth.

Final EIR and Response to Comments

U) The Draft EIR for the proposed *Merced Vision 2030 General Plan* was distributed to interested agencies and the public for a 60-day-period (beginning on August 24, 2010 and ending on October 22, 2010). The City received 26 letters commenting on the DEIR. One of those letters arrived after the close of the comment period, but it has been responded to as well. Those letters can be seen in their entirety in Section 3 of the Final EIR (distributed to the Planning Commission on July 8, 2011). Responses to comments contained in those letters are located immediately following each letter in Section 3 of the Final EIR.

As required per Section 21092.5(a) of the State of California Public Resources Code, a copy of the response to comments was sent to each public agency who had submitted a letter on July 8, 2011 (at least 10 days prior to the Planning Commission hearing). A notice was also sent to all those individuals who had commented on the DEIR regarding the availability of the Final EIR, including the Responses to Comments, on July 8, 2011. (The DEIR commenters were also mailed public hearing notices for the July 20 Planning Commission hearing on June 28, 2011, which indicated that the Final EIR would be available on July 8, 2011.) The Final EIR was made available for public review at City offices, the Main Branch of the Merced County Library, and the City's website on July 8, 2011. (The Final EIR was actually on the City's website by the afternoon of July 7, 2011.) Printed copies and copies on CD-ROM were also made available.

V) The Final EIR for the proposed *Merced Vision 2030 General Plan* also contains minor modifications to the text and mitigation measures in response to the comments received (see Section Four of the Final EIR). Section Five of the Final EIR includes a revised table of proposed mitigation measures, which serves as the Mitigation Monitoring Program, and is excerpted at Attachment F of this staff report. One error was noted after publication of the Final EIR—page 2-2 should be corrected to read "Letter 22—Thomas C. Grave" (not "Thomas Lollini" as noted).

Findings of Fact and Statement of Overriding Considerations

W) The Environmental Impact Report (EIR) for the *Merced Vision 2030 General Plan* identified significant impacts associated with the Project. Approval of a Project with significant impacts requires that findings be made by the City pursuant to the California Environmental Quality Act (CEQA) and State CEQA Guidelines. These findings must state that significant impacts of the Project would either: 1) be mitigated to a less-than-significant level pursuant to the mitigation measures identified in this EIR; or 2) mitigation measures notwithstanding, have a residual significant impact that requires a Statement of Overriding Considerations.

Quad-Knopf in consultation with City staff has prepared Draft "Findings of Fact and Statement of Overriding Considerations" (Attachment G). The findings are divided into six sections: 1) Introduction; 2) Findings Associated with Certification of the EIR; 3) Findings Associated with Specific Impacts and Mitigation Measures; 4) Findings Associated with Significant Cumulative Environmental Effects; 5) Findings Supporting Rejection of Alternatives; and 6) a Draft Statement of Overriding Considerations.

X) All significant impacts associated with the Project have been mitigated to a level of insignificance except those described in Findings Q, R, and S. Therefore, a Draft Statement of Overriding Considerations (beginning on page 36 of Attachment G) has been prepared.

Mitigation Monitoring

Y) In accordance with CEQA requirements, the City is required to adopt a Mitigation Monitoring and Reporting Program when approving mitigation measures contained in an EIR or mitigated negative declaration. The Program is to be designed to ensure compliance with the adopted project mitigation measures that were required by the public agency in order to reduce or avoid significant environmental effects. A Mitigation Monitoring Program is required for this project and can be found in Section 5 of the Final EIR and at Attachment F.

PLEASE BRING YOUR COPIES OF THE DRAFT MERCED VISION 2030 GENERAL PLAN, THE DRAFT EIR, AND FINAL EIR TO THE MEETING. (Please contact City staff if you need another copy.)

Attachments:

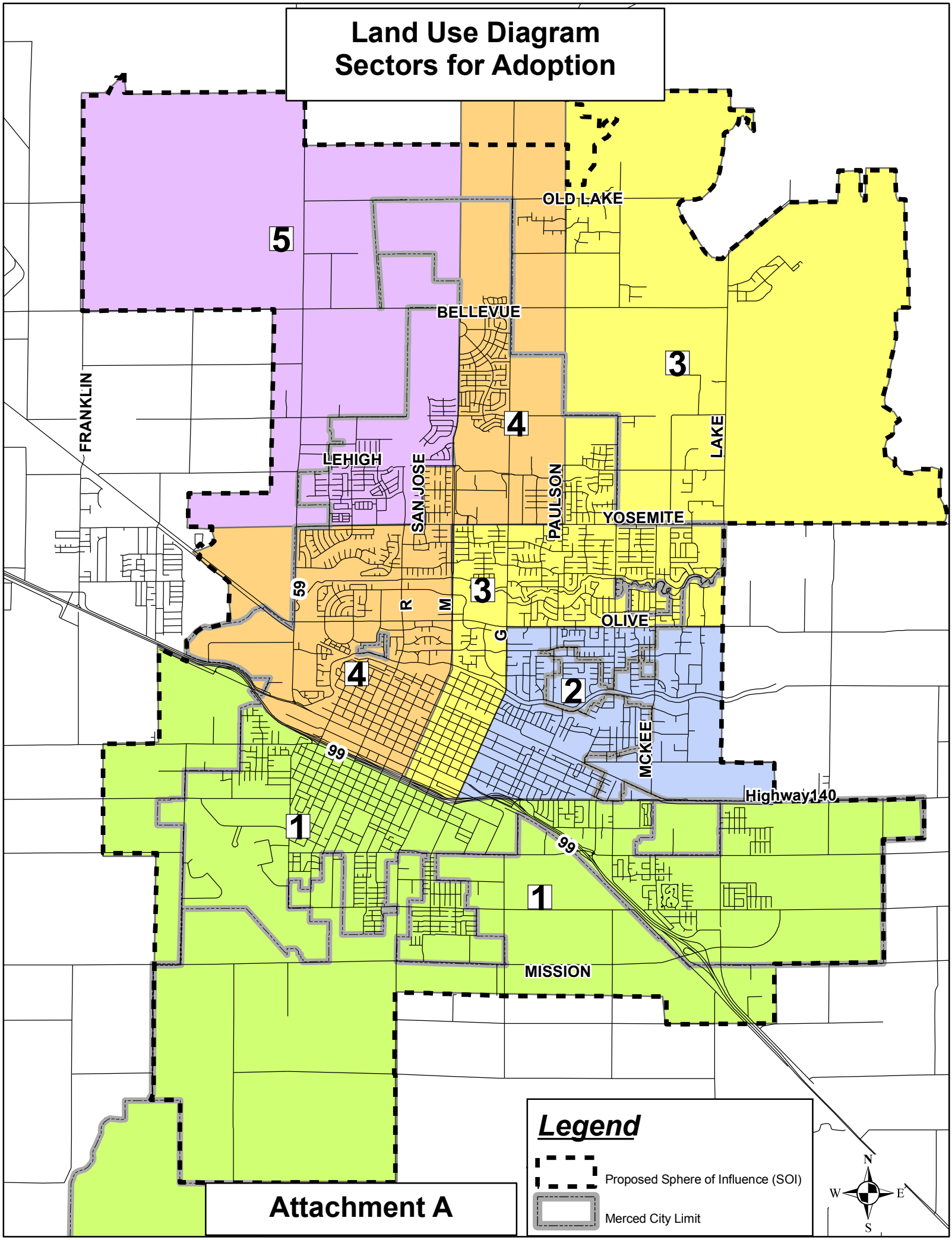
A) Land Use Diagram Divided Into Sectors for Adoption Purposes
B) Detailed History of the *Merced Vision 2030 General Plan*
C) Proposed Change to General Plan Land Use Diagram
D) Proposed Changes to the General Plan Since the August 2010 Public Review Draft
E) Correspondence Regarding the General Plan
   1) Merced County Farm Bureau (January 2011)
   2) Jim Sanders (December 2010)
   3) Paul Ridenour (February 2011)
   4) David and Carolyn Rogina/RA Sano Farms (December 2010)
   5) John Hinchey for Louis Steiner (May 2010)
   6) Jim Todd for Merced Gateways, LLC (December 2010)
F) Mitigation Monitoring Program
G) Draft CEQA Findings of Fact and Statement of Overriding Considerations
H) Draft Planning Commission Resolution (EIR)
I) Draft Planning Commission Resolution (General Plan)

[Ref: KE\Projects\2011\General Plan Update\Public Hearings\03-Planning Commission\Merced Vision 2030 General Plan Adoption-PC Staff Rpt #11-09-July20-11.docx]

TO AVOID DUPLICATION, THE FOLLOWING ATTACHMENTS TO PLANNING COMMISSION STAFF REPORT #11-09 HAVE BEEN DELETED. THE ATTACHMENTS CAN NOW BE FOUND IN THE ADMINISTRATIVE REPORT AS FOLLOWS:

- Attachment C (Changes to the Land Use Diagram) of the Planning Commission Staff Report has been updated and is now Attachment 2 of the Administrative Report
- Attachment D (Changes to the General Plan Text) has been updated and is now Attachment 3 of the Administrative Report
- Attachment F (Mitigation Monitoring Program) is now Exhibit 2 of Attachment 9 of the Administrative Report
- Attachment G (Findings of Fact/Statement of Overriding Considerations) is now Exhibit 1 of Attachment 9 of the Administrative Report
- Attachment H (Draft Planning Commission Resolution on EIR) has been updated and is now Attachment 4 of the Administrative Report
- Attachment I (Draft Planning Commission Resolution on the General Plan) has been updated and is now Attachment 5 of the Administrative Report
- Attachments A, B, and E remain unchanged and follow this sheet

Land Use Diagram
Sectors for Adoption



Attachment A

DETAILED HISTORY OF
THE *MERCED VISION 2030 GENERAL PLAN*

2005—The Process Begins

On May 16, 2005, the City Council approved a professional services contract with URS Corporation for preparation of the General Plan Update and EIR. The General Plan Study Area included 10,815 acres not included in the City's current Specific Urban Development Plan (SUDP) of 20,540 acres, for a total Study Area of approximately 31,355 acres.

After the contract had been awarded, staff began to receive numerous requests from property owners requesting to be added to the General Plan Update Study Area. On July 5 and 12, 2005, joint Planning Commission/City Council Study Sessions on the General Plan Update were held. The City Council and Planning Commission directed staff to expand the study area to include other land areas where development interest was evident, thereby providing the City with a more comprehensive city planning effort. There was discussion that the General Plan Update be geared for a typical planning horizon for a growing community as well as a long term view of growth.

On September 7, 2005, the Planning Commission recommended to the City Council approval of an expanded General Plan Update Study Area, which encompassed approximately 40,000 acres or almost double the size of the City's current SUDP (20,540 acres). On September 19, 2005, the City Council approved the same study area.

On December 5, 2005, the City Council approved a modified scope of work for the General Plan Update. This "Growth Study" task involved the development of alternative SUDP boundaries and the selection of a preferred alternative.

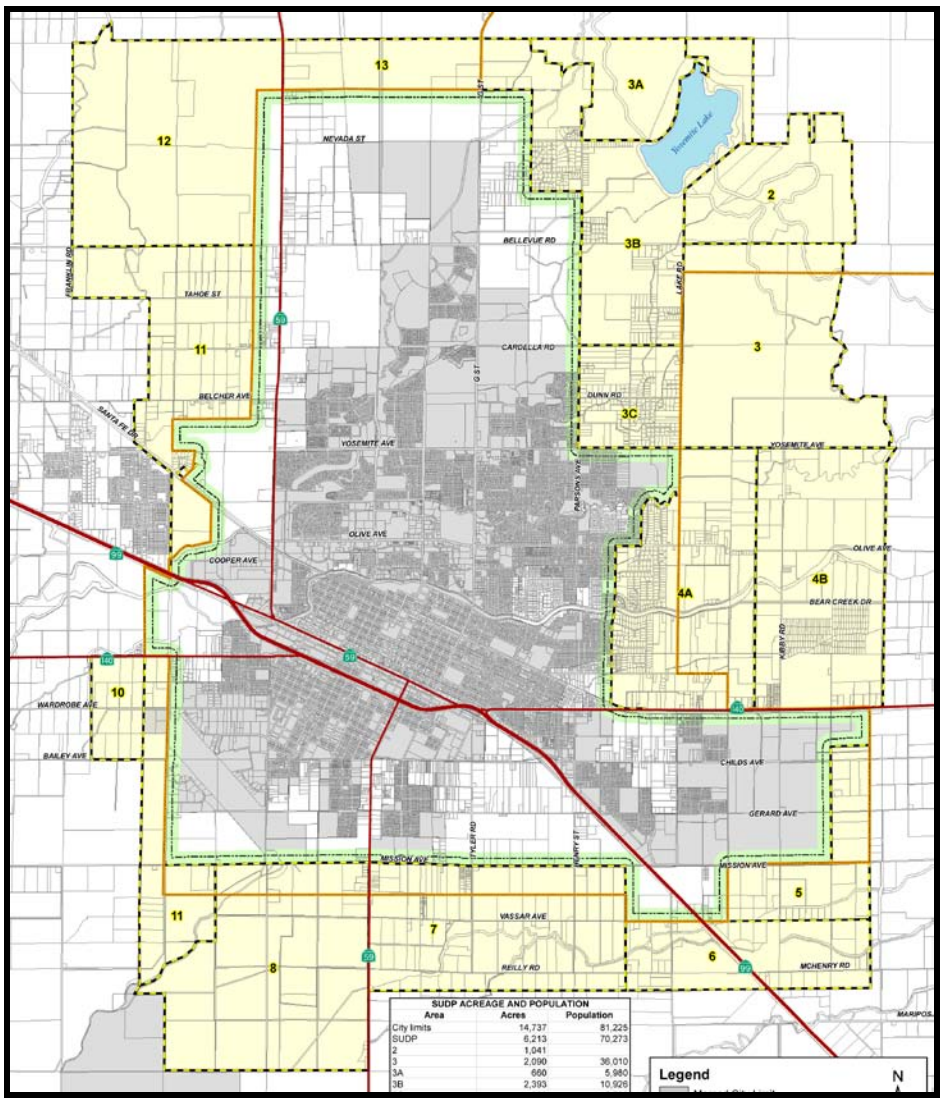
2006--Adoption of a Draft SUDP Boundary

After public meetings in March/April 2006 and a joint Planning Commission/City Council study session in May 2006, the City was ready to proceed with the adoption of a Draft SUDP boundary to be used for the preparation of the General Plan Update. Three Options for the Draft SUDP, ranging in size from 32,566 acres to 41,591 acres, were developed and analyzed, along with possible phasing policies to address the large size of the SUDP and the need to designate specific areas for immediate growth versus long-term growth.

On June 21, 2006, the Planning Commission held a public hearing on the Establishment of a Draft SUDP. After public testimony, the Planning Commission voted to recommend to the City Council adoption of Option #3 with the addition of the area east of Subarea 4, bounded by Yosemite Avenue to the north, Highway 140 to the south, and the Fairfield Canal to the east (see next page). This involves the 41,591 acres in Option #3 plus an additional approximate 2,000 acres. On July 17, 2006, the City Council adopted the Planning Commission recommendation.

Unfortunately, in June 2006, City staff elected to terminate its contract with URS Corporation for the General Plan Update and EIR. Negotiations began with Quad-Knopf, Inc., another consulting firm, to complete the General Plan Update and EIR.

General Plan Study Area and Sub-Areas/Draft SUDP (2006)



2006—A New Consultant

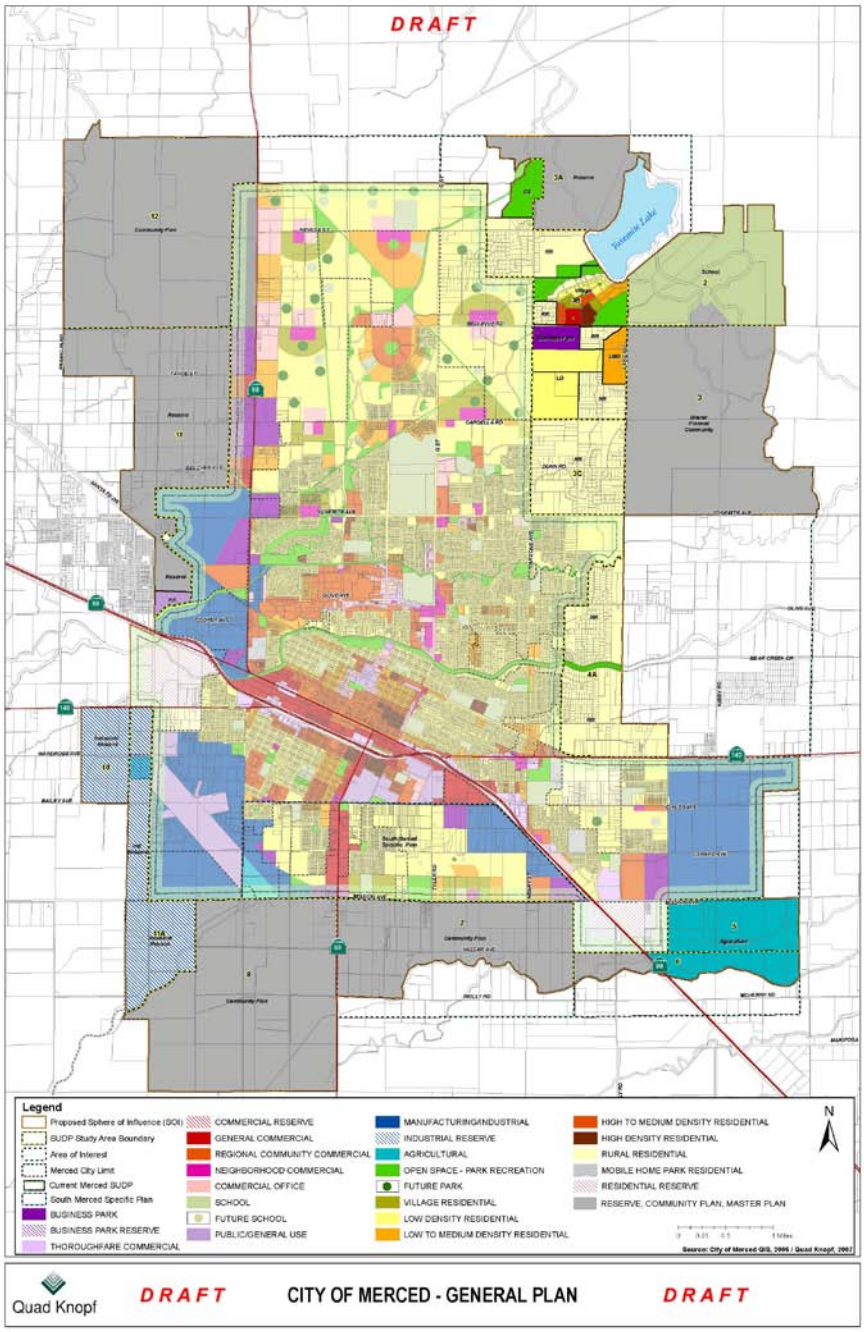
In August 2006, a new firm, Quad-Knopf of Roseville, was hired to complete the General Plan Update and EIR. In September 2006, Quad-Knopf met with City staff for the project "kick-off" meeting. In preparation for the City's Annual Open House on September 14, Quad-Knopf prepared a color flyer to hand out to the public regarding the status of the General Plan Update and the Draft SUDP. In October 2006, Quad met with the several developers to discuss their development plans. In early November, City staff met with County staff to discuss issues related to the General Plan Update and the tax-sharing agreement. In late November 2006, City staff sent out letters to various State and local agencies asking them to designate representatives to the City's General Plan Technical Advisory Committee (TAC). The City Council decided that the Planning Commission would act as the General Plan Citizens Advisory Committee or CAC.

In 2006-2007, several public meetings were held (see below), an analysis of the 16 Sub-areas of the Draft SUDP (see map below) was performed, and work began on the Draft EIR, etc.

2007—A Draft Land Use Diagram

In August 2007, a Draft Land Use Diagram was reviewed by the Planning Commission in their role as the General Plan Citizens Advisory Committee (CAC) and the Technical Advisory Committee (TAC) before being released to the public. The Draft Land Use Diagram included a draft Sphere of Influence (SOI)/SUDP boundary, a proposed Area of Interest (AOI) boundary, and draft land use designations for those areas within the Draft SOI/SUDP.

August 2007 Draft Land Use Diagram



2006-2007--Public Meetings

Joint Planning Commission/City Council Study Sessions were held in May 2006 and May 2007. The Planning Commission, acting as the General Plan Update Citizens Advisory Committee (CAC), met twice in February 2007 and August 2007. The City's General Plan Technical Advisory Committee (TAC), including representatives from the four school districts, UC Merced, MID, Merced County Planning and Public Works, MCAG, and various City Departments, met four times—March, May, July, and September 2007. Stakeholder/property owner meetings were held in April 2006, March 2007, and September 2007; and a community forum was held in April 2007.

On December 6, 2007, City staff and Quad-Knopf met with the Local Agency Formation Commission (LAFCO) board to discuss the City's Draft Sphere of Influence (SOI) boundary. City staff and the consultants were very pleased with the specific feedback and suggestions that was received from LAFCO board members. The issues raised by LAFCO were discussed in detail at the Joint Planning Commission/City Council Study Session in February 2008.

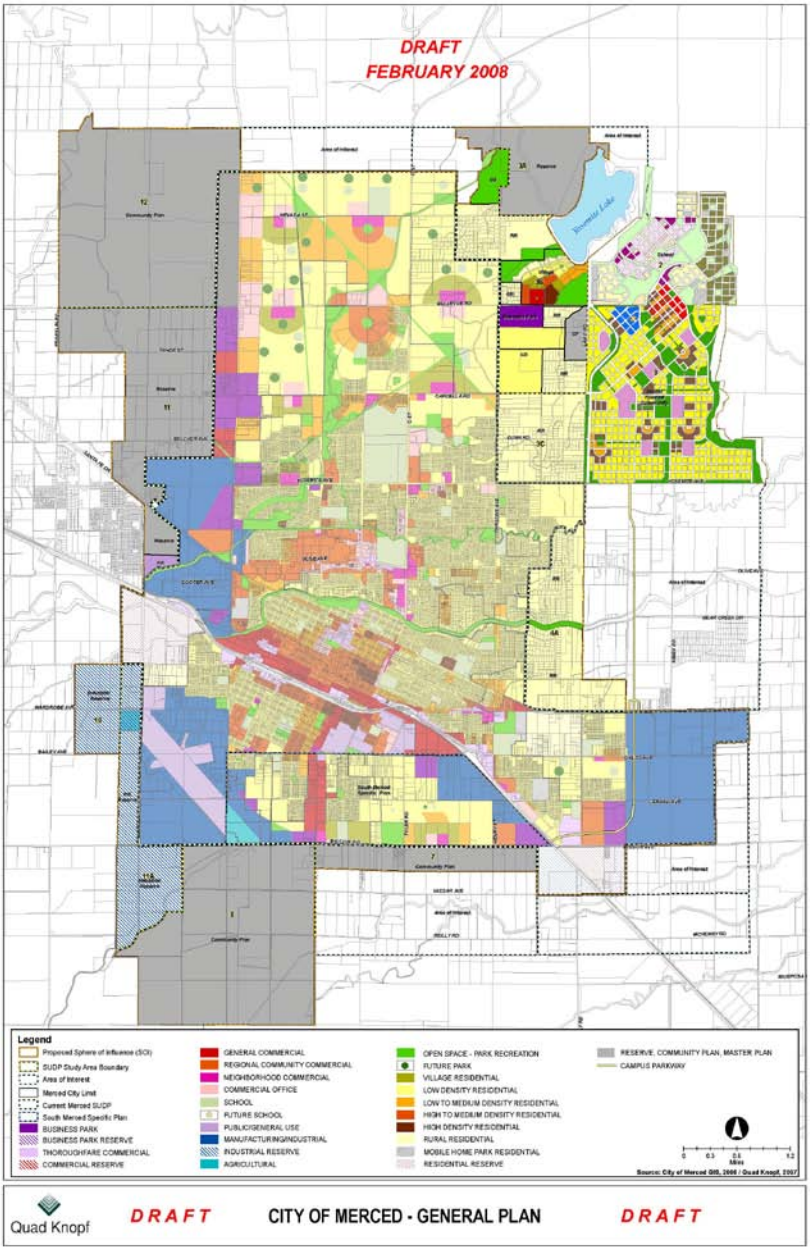
2008—A Modified Land Use Diagram

After input from the community and property owners, the Draft Land Use Diagram was modified in February 2008 and included a 35,541-acre SUDP/SOI within the larger 43,591-acre Area of Interest, which corresponds to the original Draft SUDP. Because of the large size and population capacity of the General Plan study area, it was necessary to define a smaller boundary to accommodate the next 20 years of growth. Currently the City's SUDP boundary and the Sphere of Influence (SOI) boundary are different boundaries with the SUDP reflecting a 20-year growth plan and the SOI defining a longer time frame. However, since the City's SOI boundary was adopted by LAFCO in 1997, new criteria has been put in place by LAFCO that will require the City to demonstrate how we can provide services to all areas within the SOI. Because of that criteria, staff and the consultants recommended that the SUDP and SOI boundaries be co-terminus and that a larger Area of Interest (AOI) be defined that represents long-term growth areas. Areas within the SUDP/SOI will have City land use designations, but areas within the AOI will not. However, criteria was included in the General Plan defining how areas within the AOI could be added to the SUDP/SOI in the future. With a Draft Land Use Diagram finalized, the consultants could begin preparing the draft General Plan document and Draft EIR.

2008 Public Meetings

A Joint Planning Commission/City Council Study Session was held in February 2008. The City's General Plan Technical Advisory Committee (TAC) met twice in 2008—February and March to discuss draft policies. A special subcommittee of the TAC involving the representatives from the various school districts met three times in late 2008 with City Planning staff and the City Attorney to discuss potential school policies. Special meetings with property owners along the Bellevue Corridor were held in June and July 2008, and a smaller group of Bellevue Corridor property owners and UC Merced staff met with City staff four times in July, August, and September 2008 to discuss a draft land use plan for the Bellevue Corridor Community Plan area.

February 2008 Draft Land Use Diagram



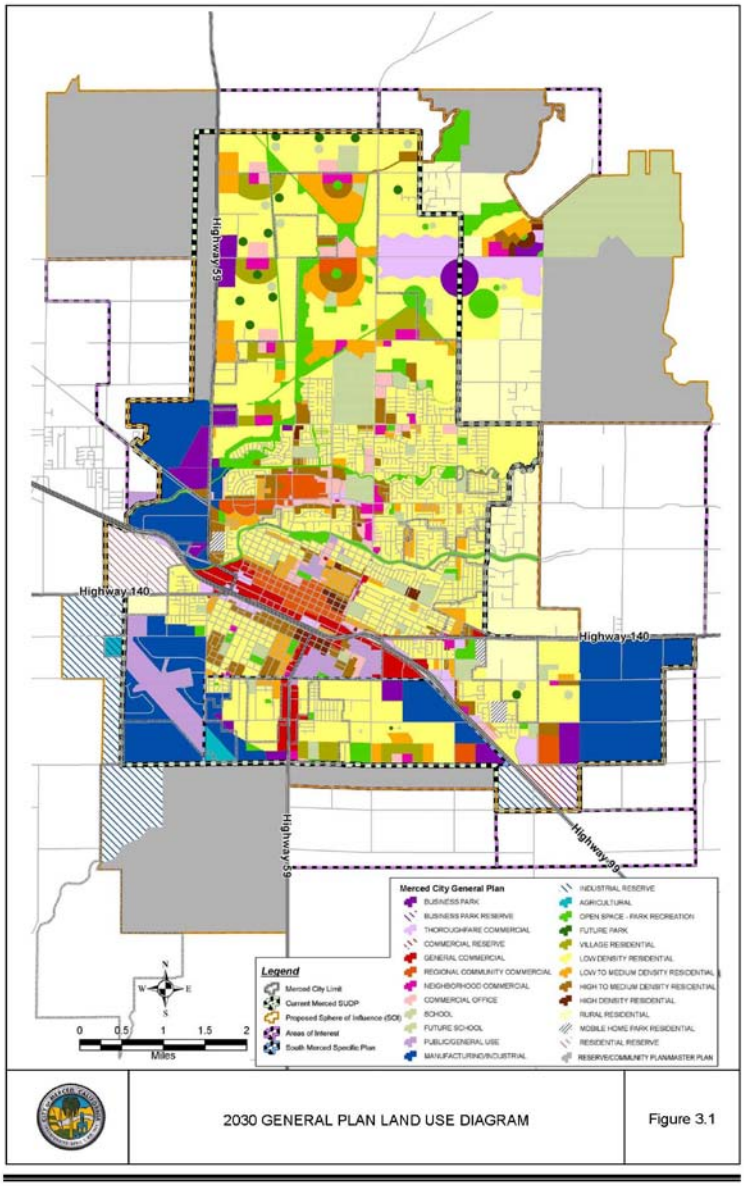
2009-2011

During 2009 to 2011, the consultants worked with City staff to complete the Draft *Merced Vision 2030 General Plan* document (including all the goals, policies, and implementing actions) and the Draft EIR, which were both released for public review on August 24, 2010. The Draft *Merced Vision 2030 General Plan* is based on the *Merced Vision 2015 General Plan* and contains many of the same goals, policies, and implementing actions. The Draft General Plan has been updated to include new information since the 1997 adoption, new policies to address the proposed SUDP/SOI and Area of Interest, and new policies to address new issue areas (such as the High Speed Rail, the San Joaquin Valley Blueprint process, climate change, etc.) which have arisen since the 1997 adoption of the *Merced Vision 2015 General Plan*.

The 60-day public review period for the Draft EIR (DEIR) took place from August 24, 2010 to October 22, 2010. 26 comment letters were received. On July 8, 2011, the Final EIR was released. The Final EIR contains responses to all the comments received on the DEIR, minor changes to the DEIR in response to the comments, and the mitigation monitoring program.

Public hearings to consider adoption of the Merced Vision 2030 General Plan and certification of the EIR are scheduled before the Planning Commission in July 2011 and before the City Council, tentatively, in September 2011.

<u>August 2010 Draft Land Use Diagram</u>



Merced County
Farm Bureau

RECEIVED
JAN 10 2011
CITY OF MERCED
PLANNING DEPT.

January 10, 2011

City of Merced
678 W 18th Street
Merced, Ca 95340

Re: MCFB's comments on the General Plan Update

Mayor Spriggs:

Merced County Farm Bureau (MCFB) is a nonprofit organization made up of farmers and ranchers throughout the county. We exist for the purpose of improving the ability of individuals engaged in production agriculture to utilize California resources to produce food and fiber in the most profitable, efficient and responsible manner possible. As the city continues to work through the General Plan Update, MCFB would like to submit our official comments for the record.

MCFB's Land Use Committee has reviewed the Draft Environmental Impact Report (EIR), met with city staff as well as submitted official comments to make sure agriculture's voice is heard in the public process. One concern not previously addressed is that MCFB would like the City Council and staff to seriously consider the mitigation measures for loss of agriculture land.

The ag section of the Draft EIR fails to mention any possibilities for ag mitigation when land is converted from ag zoned land to residential zoned land. Stanislaus County although covering a larger jurisdiction proves to have a legally sound purpose and intent which we believe City Council and staff should seriously look at including in our ag section of the Draft EIR which states:

> *The purpose of the Farmland Mitigation Program (FMP) is to aid in mitigating the loss of farmland resulting from residential development in the unincorporated areas of Stanislaus County by requiring the permanent protection of farmland based on a 1:1 ratio to the amount of farmland converted. The FMP is designed to utilize agricultural conservation easements granted in perpetuity as a means of minimizing the loss of farmland. (Stanislaus County Farmland Mitigation Program Guidelines)*

As an organization we are not here to hinder the possibility of businesses and job growth within the city limits or countywide, and we applaud staff for their willingness to follow the California Partnership's higher density numbers and placing focus on smart growth. Likewise, we urge the

ATTACHMENT E1

(209) 723-3001 - FAX (209) 722-3814 - 646 South Highway 59 - P.O. Box 1232 - Merced, CA 95341
E-mail: mcfb@pacbell.net

Council and staff to sincerely look at the ag mitigation option for the city's update to the General Plan as there are no current conservation tools in the books.

Thank you for your time and we look forward to further conversations on this matter.

Sincerely,

Amanda Carvajal
Executive Director

Agenda Item: 5D
Meeting Date: 12-06-10

December 6, 2010

Mayor Spriggs
Members of the City Council
Members of the Planning Commission

I am unable to attend the Joint Session of the Council and Planning Commission tonight due to a prior commitment.

First, I would respectfully request consideration of postponing the adoption of the Proposed General Plan.

We have yet to meet population numbers planned for in the Vision 2015, as one example of my concerns.

Second, since the closing of Castle Airforce Base in 1995, Merced has floundered in achieving a vision for its future, that vision should drive future General Planning. We can, should, and must look at how the Valley has become "Commuterville" due to the buildout and over priced homes in the Bay and Los Angeles, forcing people into the Valley, raising home prices along the way. While demand was there initially, this last building orgy was driven mostly by speculation.

I would hate to see this City I grew up in and served for all these years believe residential construction is a cash cow for the general fund.

Instead, we should look at each home in our future, with its massive roof as an energy farm. While ag is the biggest industry now, alternatives to energy production and consumption should be reflected in our future planning, both residential and commercial.

The era of following the past into the future is dead. We must realize that dependence on fossil fuel sources is ending and the the quest for newer, cleaner and better forms of energy is an on-going search around the world and Merced could be the center.

All energy, after all, is from the Sun. In using fossil fuels, we are using trapped sunlight stored underground as part of the evolution of the Planet. It is almost gone…the Sun will be around for so much longer!

Postpone the adoption of a new General Plan for at least two years. Plan for using our acres of rooftops as "solar farms" for current and future building. Involve the Public as much as possible in forging a new vision of what Merced has, what it has been and what it can be as it relates to the General Plan….as George Harrison wrote in one of his songs: "If you don't know where you are going, any road will take you there."

Using our land are the most important decisions you make as elected and appointed officials. Treat our future accordingly.

Jim Sanders

ATTACHMENT E2

DERREL'S mini STORAGE, INC.

CORPORATE OFFICE: 3265 W. ASHLAN AVE., FRESNO, CA 93722 (559) 224-9900 FAX: (559) 224-1884

RECEIVED
FEB 15 2011
CITY OF MERCED
PLANNING DEPT.

February 14, 2011

David Gonzalves, Director of Development Services
City of Merced
678 West 18th Street
Merced, California 95340

Subject: Retain APN 057-200-076 Land Use Designation as Regional Commercial

Dear Mr. Gonzalves,

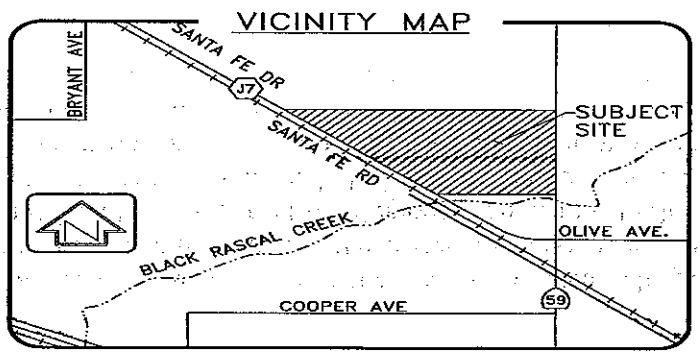
I represent Ridenour Enterprises, Inc., doing business as Derrel's Mini Storage, Inc. We own the Derrel's Mini Storage facility located at 2425 North Sante Fe Drive within the City's "Growth Boundary." Our storage facility occupies about one-third of APN 057-200-076. The balance of our land is approximately forty-acres and is undeveloped.

The City's current General Plan Land Use exhibit shows our parcel designated as Regional Commercial, and we wish to keep it that way. I understand that the City is in the process of working on a 2030 General Plan and is proposing to change the designation of our property from Regional Commercial to Business Park. We are opposed to changing the designation from Regional Commercial. If the City allows the site to remain Regional Commercial, we will file an application for annexation into the City of Merced with the intent of developing the site as a regional shopping center. During a meeting with Bill Nicholson and Dave Gilbert of Merced County Development Services, both told me that the County doesn't have the ability to serve our site with sewer and water, and both were supportive of our goal to annex to the City of Merced.

Your consideration is appreciated. Please feel free to call my cell at (559) 269-0844.

Sincerely,

Paul Ridenour
Sr. Vice President, Development and Construction



ATTACHMENT E3

December 6, 2010

RECEIVED
DEC - 6 2010
CITY OF MERCED
PLANNING DEPT.

City of Merced
678 West 18th Street
Merced, California 95340

We are writing this letter to request that our property on Yosemite Ave.(APN:238-010-001-000), be considered into the Merced City General Plan .

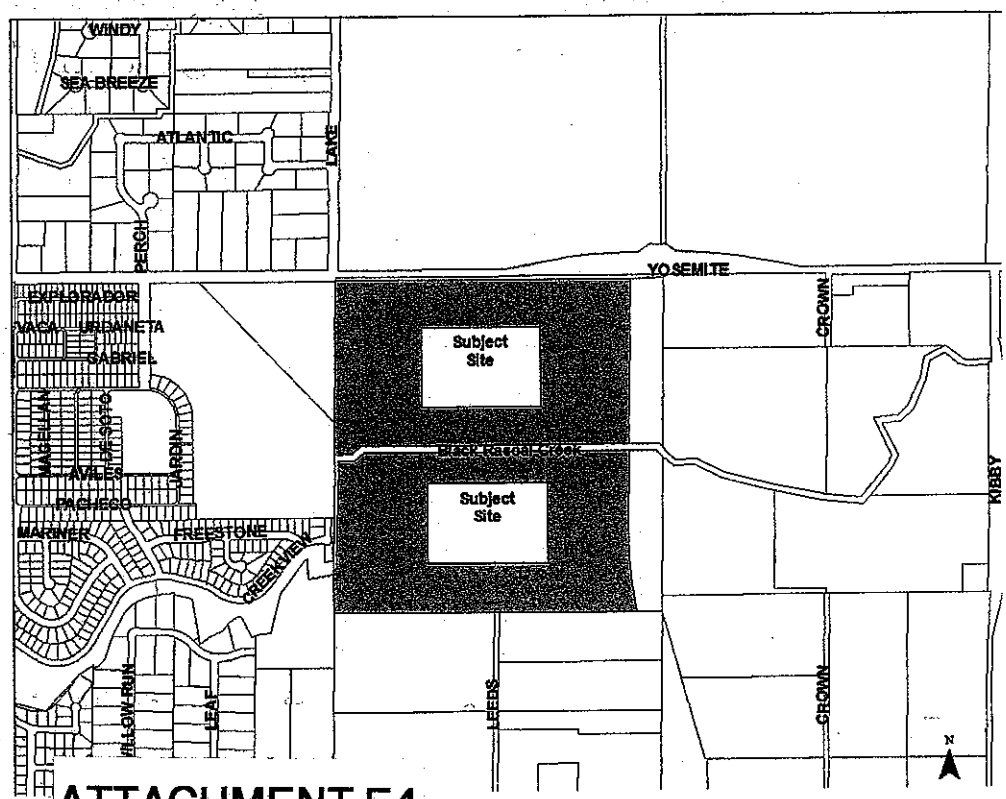
It is extremely important that the city of Merced include our property because the cities boundary needs to be large enough to accommodate approximately 20 years of growth. Our property is directly south east of Lake Road at Yosemite Avenue. This is a major intersection considering its relation to UC Merced and the City of Merced. Our property also borders the south end of the proposed Campus Community.

The increase in traffic near the property has already made farming difficult. Additionally, with the proposed Campus Parkway, farming this particular piece of property will be less efficient.

We appreciate your careful consideration of our property into the city of Merced, General Plan Update.

Sincerely,

David and Carolyn Rogina



ATTACHMENT E4

RECEIVED
DEC - 7 2010
CITY OF MERCED
PLANNING DEPT.

December 6, 2010

City of Merced
678 West 18th Street
Merced, California 95340

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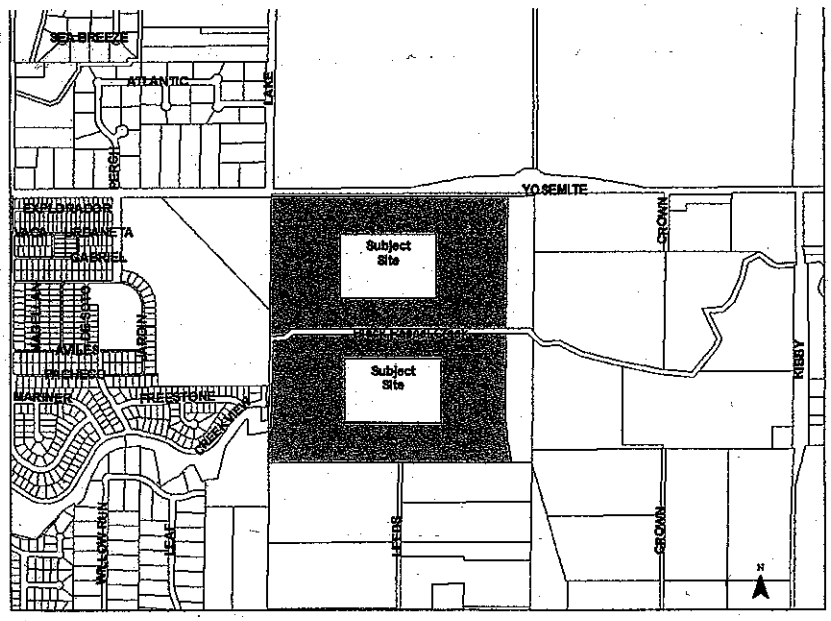
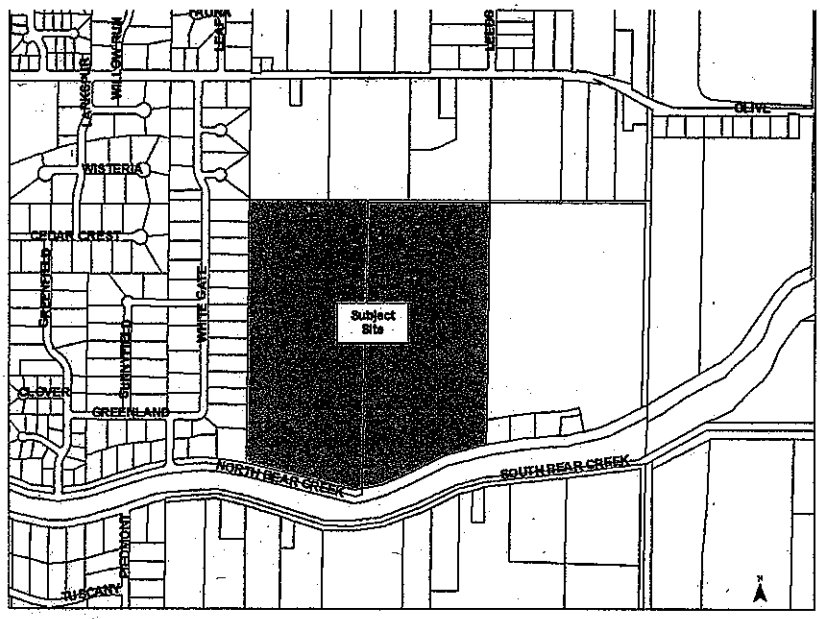
Sincerely,

RA Sano Farms



Fahrens Park Plaza



May 4, 2010

David Gonzalves

City of Merced
678 West 18th Street
Merced, CA 95340

Subject: Sphere of influence

Dear Dave,

I know that the City is presently working on the general plan Amendment. As you are aware the current North/South line bisects our Bear Creek Ranch property rendering it in Limbo and worthless.

I would respectfully like to request that the sphere of influence line be moved over to McKee Rd North to Olive Ave. The Whitegate community doesn't want to be annexed and would fight such a proposal. In addition it would free our property to be developed within the County.

Lou had submitted to the County to develop our site back in 1998. He respectfully withdrew the application pending the selection of the "Campus Parkway" Location.

Lou has yielded to the community's best interest and would appreciate some help with this project now as it is twelve years later.

Your mindful consideration would be greatly appreciated.

RECEIVED
MAY - 4 2010
CITY OF MERCED
PLANNING DEPT.

Sincerely,

John B Hinchey

Director of Real Estate
LJ Steiner LLC

209-480-5158

c.c. Duane Andrews
Golden Valley Engineering

ATTACHMENT E5

Merced Gateway, LLC
133 Old Wards Ferry Rd. Ste. G
Sonora, CA 95370
(209) 533-3333

City of Merced
678 West 18th Street
Merced, CA 95340

City of Merced General Plan Update

December 3, 2010

Dear Councilmen:

Merced Gateway, LLC would like to thank you for the opportunity to comment on the draft General Plan Update for the City of Merced as it relates to the property we own consisting of the approximately seventy (70) acres APN 061-250-013 (Lots 173, 175, 228-30 part of the Map of Merced Colony 1910) located just east of the Mission Avenue/Campus Parkway interchange. The subject property is presently divided by Campus Parkway which is now currently being constructed with approximately fifty (50) acres to the north and twenty (20) acres to the south. The site currently has Regional Commercial (RC) and High Density Residential (HDR) land use designations with about 75 % listed as RC and the northernmost 25% being HDR. The property is presently zoned Central Commercial and R-3.

We have submitted specific questions regarding the draft plan and are awaiting the City's response to them. We have met with planning staff and have been told to expect those responses in the next 2-3 months. In the meantime, our primary concern relates to the proposed circulation as indicated within the document. Specifically, the Circulation Plan shows an extension of Parsons across the property to the east and a new road (presumably Pluim Ave.) to the south.

Given the history of the Campus Parkway and its relationship to this property, we understood that the Parsons connection east to Coffee Road south would be adequate circulation infrastructure to accommodate the City's growth plan as indicated in the current General Plan. Since this is now forecast to change, we would respectfully ask your Council to direct staff and your consultant to qualify the necessity of this road work.

If it is found that this road segment is indeed warranted, we would argue that this road would provide a regional benefit and should be added to the City's transportation improvement program such that it could be subject to reimbursement or mitigation fee credit. From our perspective, failing to do so would represent an additional and significant taking of land over and above that which was negotiated as part of the Campus Parkway acquisition. It is simply not fair or appropriate for the City to, in effect, utilize collector road segments for regional benefits without

providing a mechanism for the costs of those roads to be shared amongst the beneficiaries in the community.

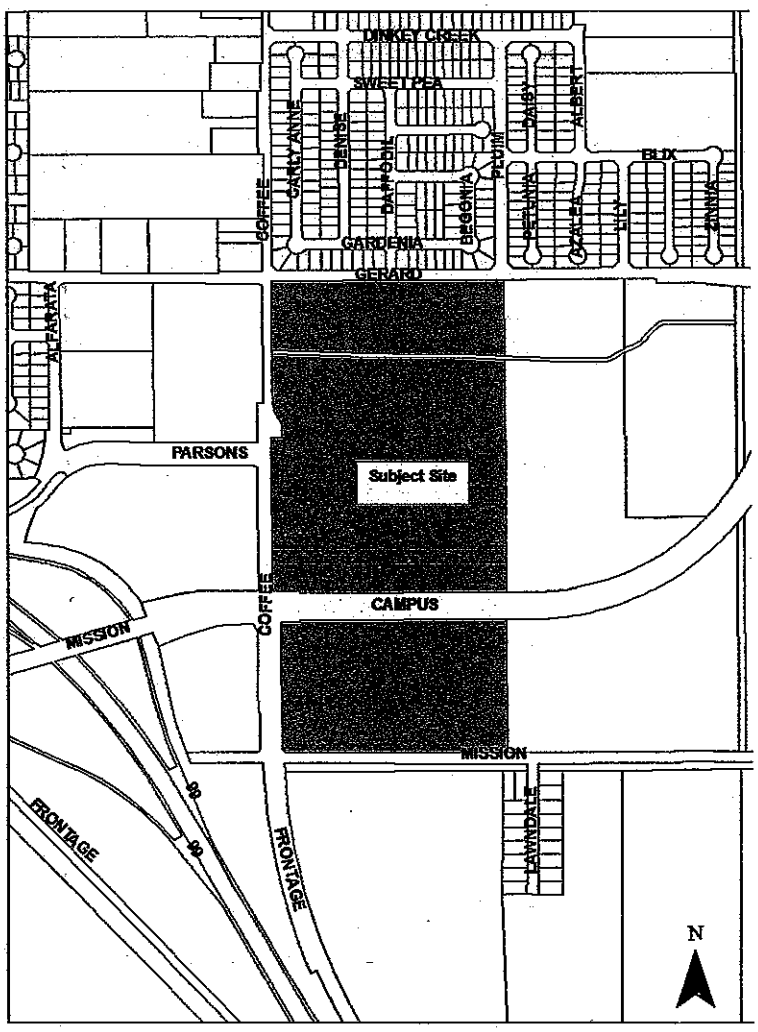
If there is no warrant, then we would ask that this road segment be eliminated from the Circulation Plan.

Our second area of concern is with respect to how this plan addresses housing. Given the Council's recent findings that there is an over abundance (10-11 times) of zoning to accommodate its housing needs (both existing & subject to annexation), we would like ensure that this document reflects those conclusions for consistency. In addition, we would respectfully ask you to direct staff and your consultant to modify land use designations in areas such as ours to more accurately convey future growth needs. Along those lines, we would offer to work with staff to develop more suitable zoning for this area as part of this update process.

Thank you again for your time and consideration of this matter. Please do not hesitate to discuss with us any questions that you may have regarding this letter, and know that we are available to meet with you at your convenience.

Sincerely,

Jim Todd
Member
jim@calgolddevelopment.com



Lucas, Terri

RECEIVED
JUL 20 2011
CITY OF MERCED
PLANNING DEPT.

From: J Sanders [jdsndrs@yahoo.com]
Sent: Wednesday, July 20, 2011 4:21 PM
To: Lucas, Terri
Subject: Comments re: General Plan Update

Chairman Amey and Members of the Planning Commission:

As one of the former Council Members who worked with the community and Staff to come up with what is now before you as the General Plan Update, I ask you to consider the following:

Beginning with the Vision 2015 Plan, Merced has been fed population statistics that have proven to be faulty. As we studied an enlarged footprint for the future of Merced, we anticipated the population of the State and the Valley to double within twenty years.

With the State Economy on life support, as is our own City economy the population estimates in the 2015 Plan have not come close to being met. This would be one reason I would request you consider taking no action on the proposed General Plan update and instead, wait at least another two years before retiring the 2015 Plan.

Second, our primary population and future economic driver is UC Merced. While bringing more than 1,000 students and staff each year, we are also in no position to offer many jobs to the graduates. This will be true, I believe, for the next five to seven years. The focus of our Planning Efforts should be to bring along the UC Community, and use existing land and the existing footprint until we no longer have housing and commercial vacancies as high as they are now.

I urge you to deny adoption of the proposed General Plan Update. Merced needs to get its economy going within the existing plan, using proper planning procedures, including perhaps an improved noticing process when commercial zoning could impact existing or zoned residential uses.

Thank you for your attention to my concerns and placing these comments in the Record.

Jim Sanders
Former Merced City Council Member
224 E. 21st Street
Merced, CA 95340
* * * * * * * * * * * *
This electronic communication contains information which may be confidential. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you should notify the sender named above and delete this communication from your computer. You are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of said information is strictly prohibited.

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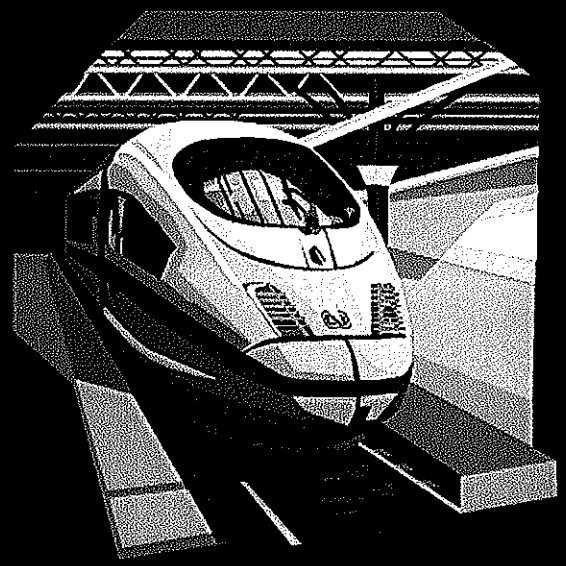
OF 7-20-2011 (DATE)

ATTACHMENT 8A

What does the future look like?



Model projects
create a

in farmland.

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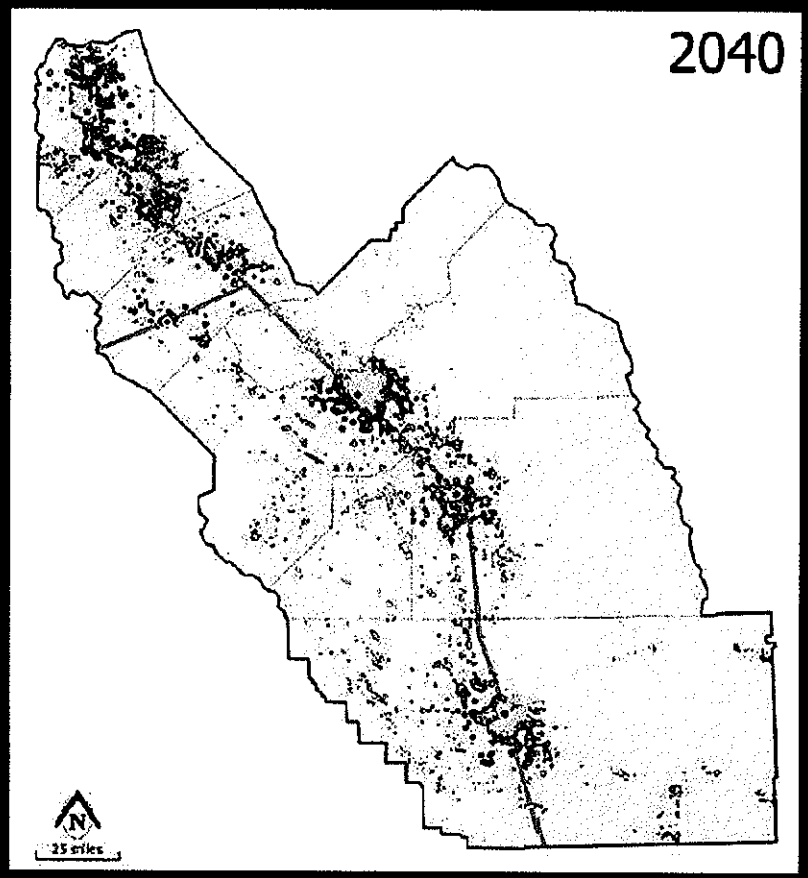
OF 7-20-2011 (DATE)
Jean Okuye

ATTACHMENT 8B

What does the future look like?



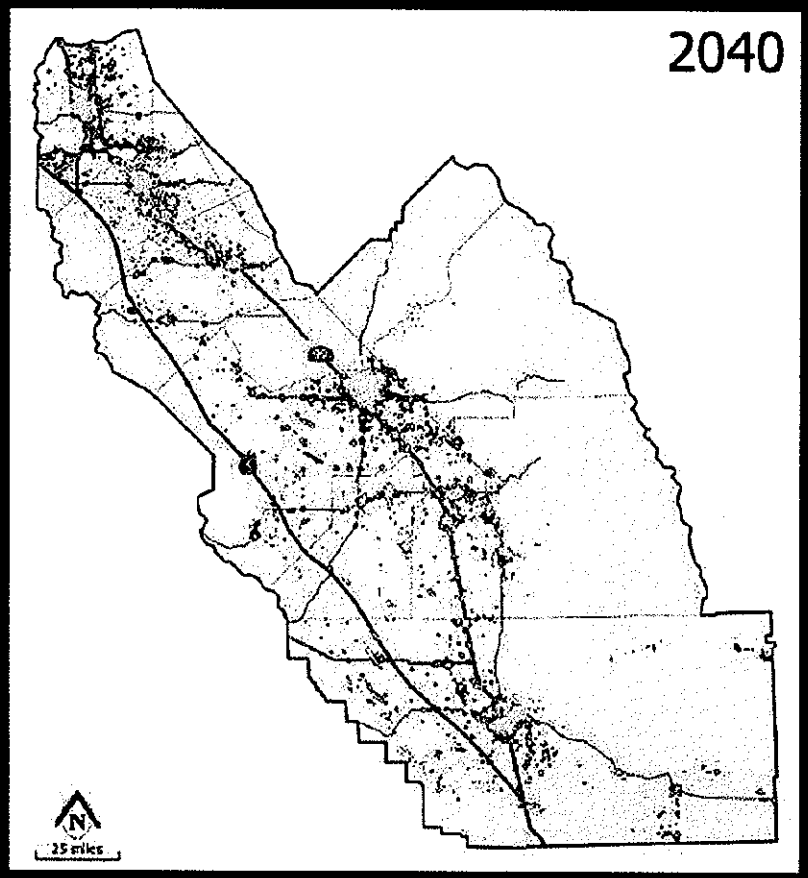
High Speed Rail model assumes clustering of development within 20 mile radius of station sites.

What does the future look like?

This type of growth creates a 26% reduction in farmland.

Continuous urbanization along Highway 99.

What does the future look like?



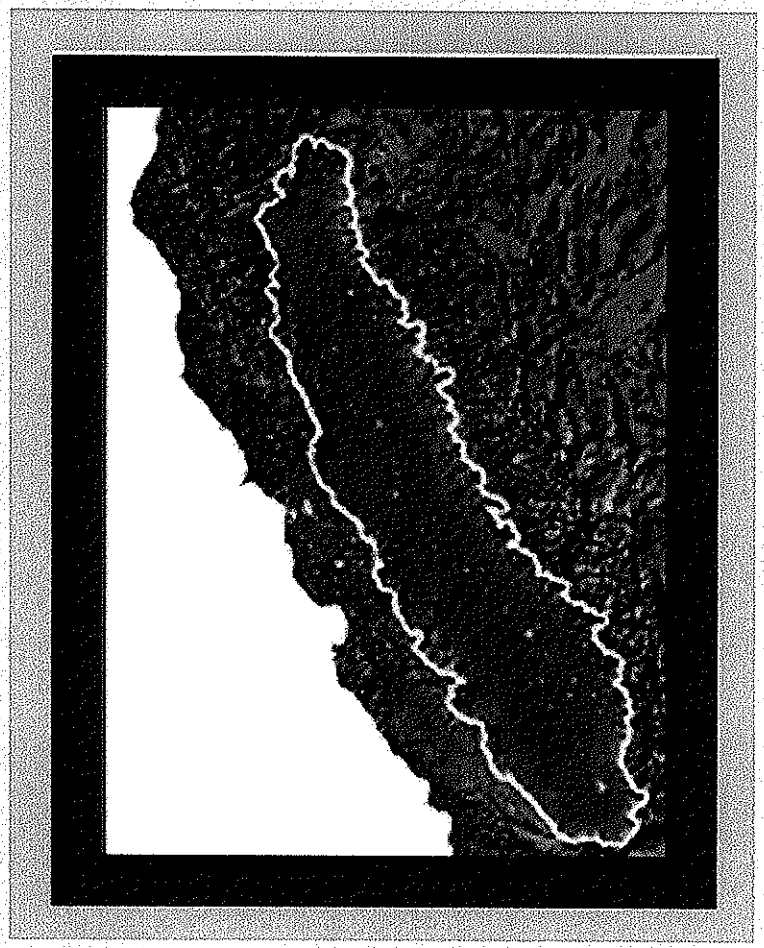
Automobile oriented managed growth model assumes development follows investments in new infrastructure.

Valley Land Alliance

Our Mission is to Educate and Build Alliances to protect our uniquely productive California Central Valley farmland.

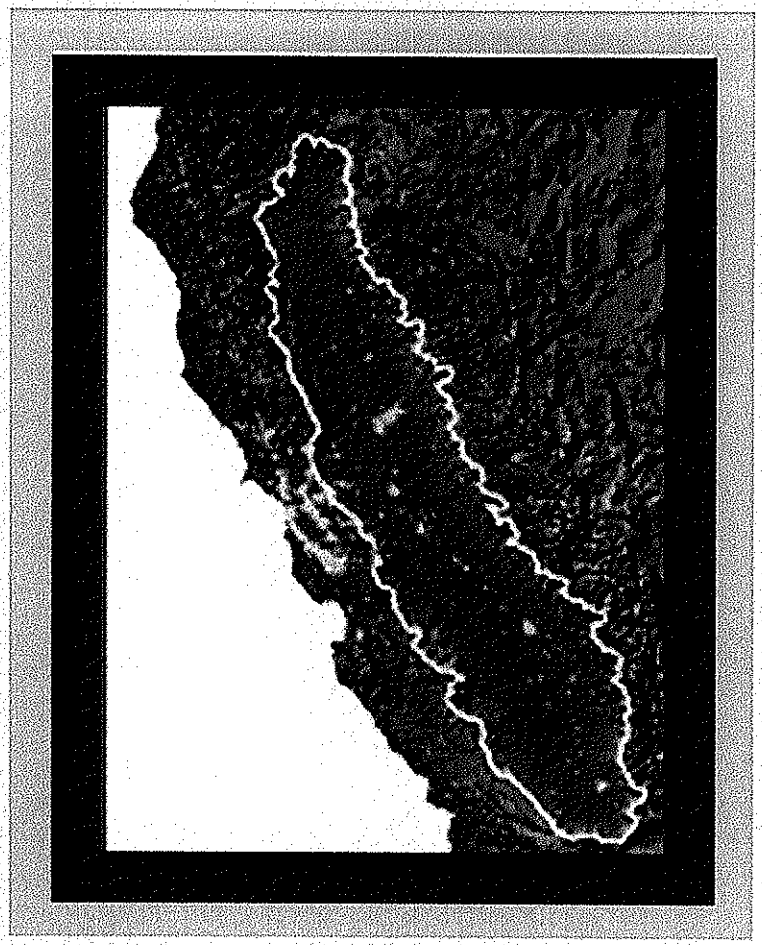
How have our cities grown since 1925?

1925



Source: "Assessment of U
Growth in the Central Vall
United States Geological
Service and Great Valley
Center (2000).

How have our cities grown since 1925?



1925

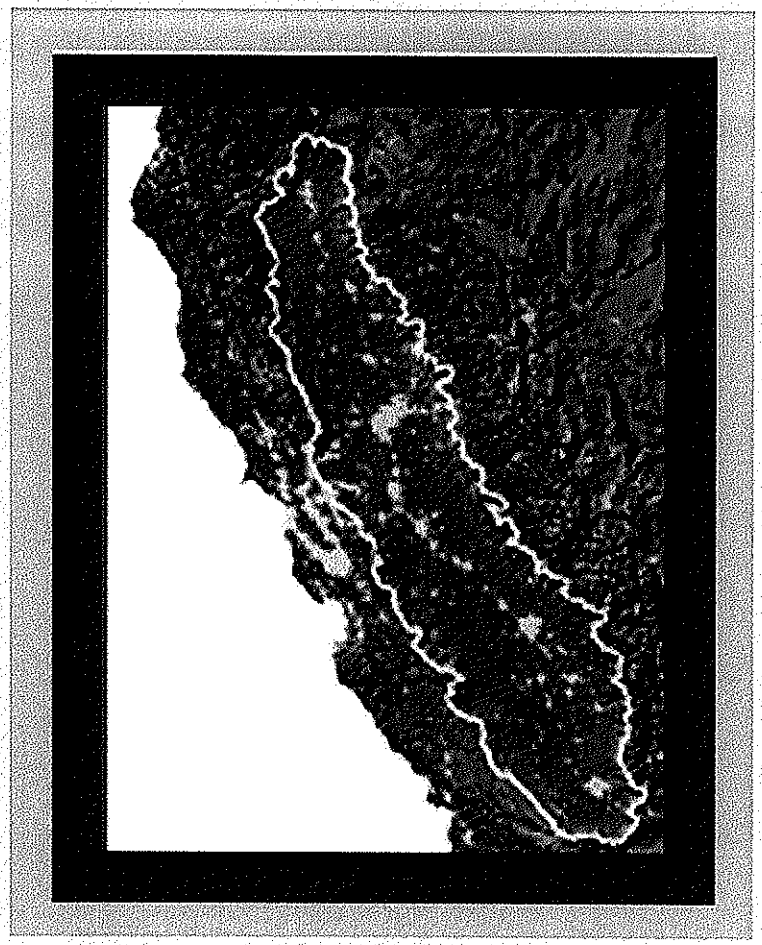
1940

1954

1964

Source: "Assessment of U
Growth in the Central Valle
United States Geological
Service and Great Valley
Center (2000).

How have our cities grown since 1925?



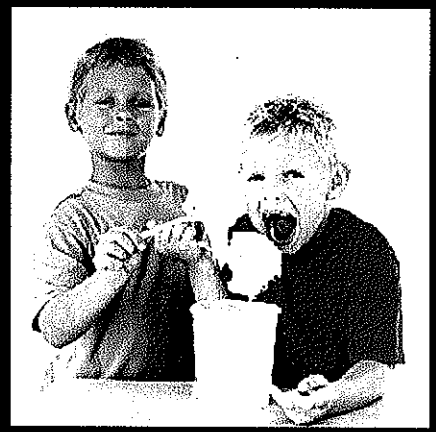
1925
1940
1954
1964
1975
1996

Source: "Assessment of U
Growth in the Central Valle
United States Geological
Service and Great Valley
Center (2000).

Why should I care about the Central Valley?

3) One out of every four bites that Americans eat comes directly from the Central Valley.

4) The Valley grows 300 crops for the nation to eat.



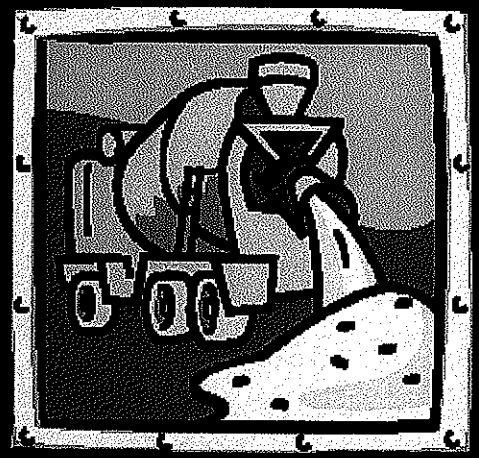
Why should I care about the Central Valley?

5) Agriculture supports 30% of the jobs in the Central Valley.

6) It has 69% of the state's cropland and generates about 58% of total farm market value.

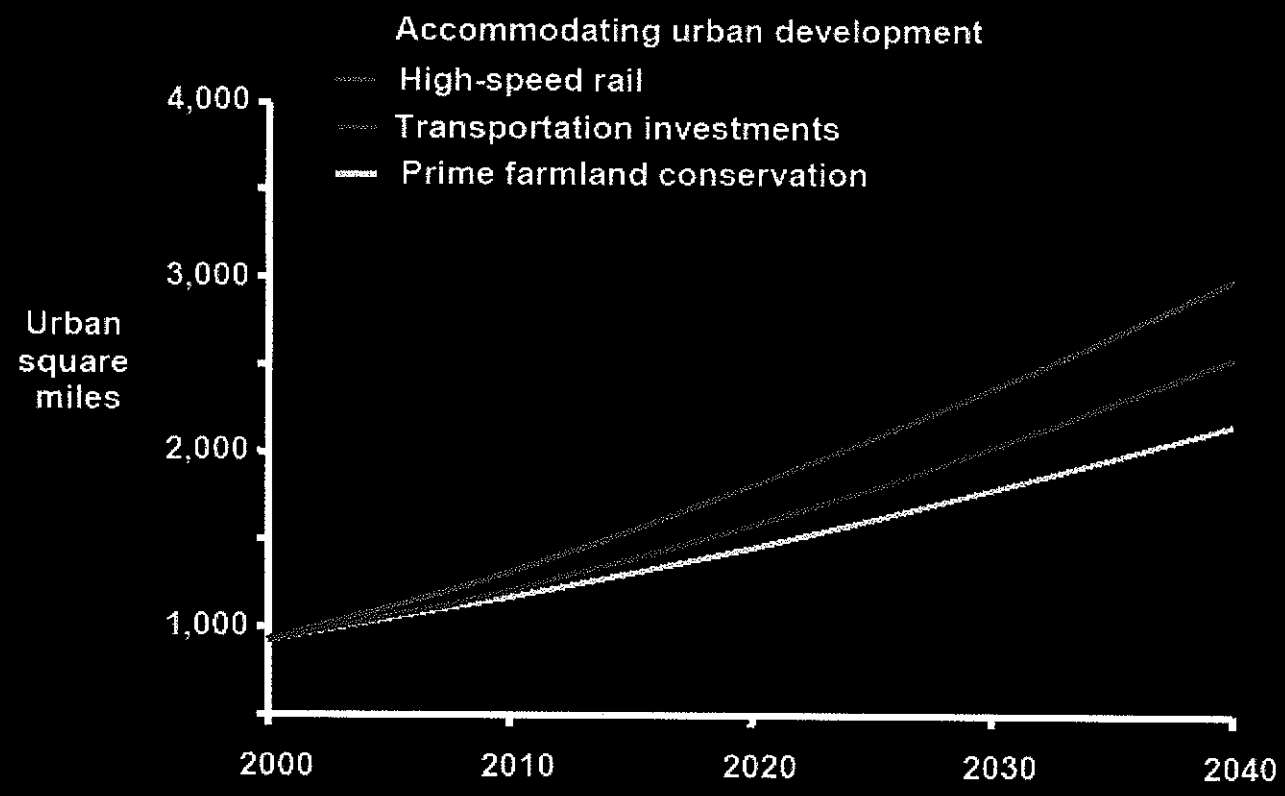
So what's going on?

The Valley is being paved over.

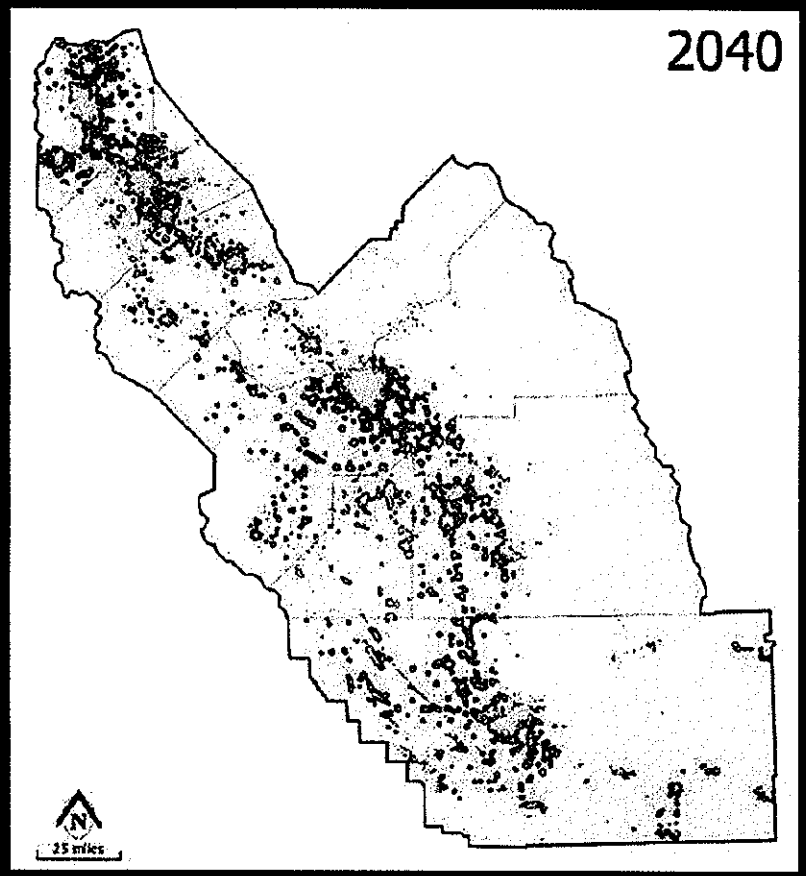


By 2040, 900,000 acres of farmland will be gone to urbanization and another 2 million compromised by close proximity to urbanized areas.

What does the future look like?



What does the future look like?



"Accommodating urban development" model assumes development patterns of the past 60 years continue for the next 40.

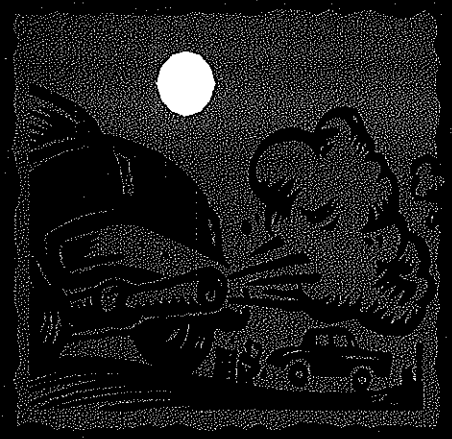
How does it effect me?

More houses means more cars. More cars means more traffic jams.

More cars means more pollution.

How does it effect me?

Air Quality



The valley is a trap for smog. It gets caught and can't escape.

According the Asthma Coalition, 1 in 5 Central Valley children are diagnosed with asthma.

How does it effect me?

The air quality of the San Joaquin Basin does not meet federal and state quality standards. It's one of the most polluted regions in the nation.

The Valley is among the 10 smoggiest regions in the nation.

How does it effect me?

Valley residents pay $1,000 a year annually in the costs associated air pollution (premature deaths, asthma attacks, absences form work and school, and bronchitis).

Great Valley Center

Merced ranks as the 7th most ozone polluted cities in the U.S.

More Information available at:

Urban Development Futures
in the San Joaquin Valley

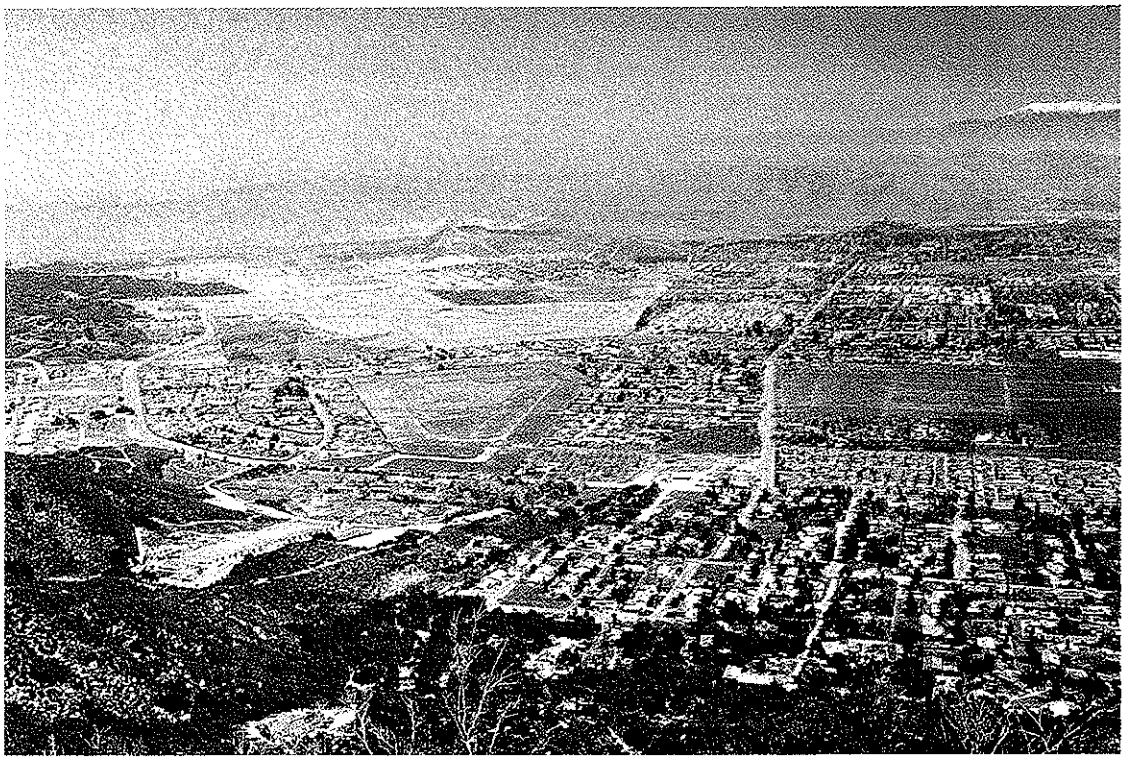
http://www.ppic.org/main/publication.asp?i=341

Population Projections
www.dof.ca.gov

Agricultural Production Figures
www.cdfa.ca.gov

Paving Paradise:

A New Perspective on California Farmland Conversion



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Jean Okuye

American Farmland Trust

Edward Thompson, Jr.
AFT California Director
November 2007

ATTACHMENT 8C

American Farmland Trust

Paving Paradise: A New Perspective on California Farmland Conversion

Edward Thompson, Jr., AFT California Director
November 2007

alifornia is the leading agricultural state in America and one of the most important food production regions in the world – a food growing paradise. It is also the fastest-growing state, adding more than 400 thousand new residents per year. Between 1990 and 2004, the period covered by this report, over a half million acres of California's farmland were paved over, converted to urban uses. As long as the state's population continues to increase, the tide of development will not abate and the Golden State will continue to lose farmland to urban development. Given this state of affairs, the challenge for California is to assure that the best farmland remains available for agriculture and that urban development doesn't convert any more land than is truly necessary to accommodate its expanding population and economy. This challenge is made more difficult by the fact that most of the state's cities, where more than 90% of the population lives, are located in the midst of California's most productive farmland, generally in valleys and on coastal plains where the soil is deep, water is relatively abundant and the climate is mild. But it is a challenge we must successfully meet, if California is to continue to feed itself and the world.

The first step toward preserving California's best farmland is to understand what is happening to it and where. That is the purpose of this report. It contains the latest data and analysis of farmland conversion trends throughout the state of California. Its focus is the irreversible conversion of farmland to urban uses such as residential, commercial and industrial development. It does not document the conversion of farmland to other non-agricultural uses, for example, wildlife preserves, which also puts pressure on the food-producing resource base, but serves broader environmental goals that Californians support. Nor does it address changes in agricultural uses, for example, from cropland to grazing or vice versa. Data on these trends are available from the Farmland Mapping & Monitoring Program (FMMP) of the California Resources Agency, Department of Conservation, Division of Land Resource Protection, which is the source of all the land use data in this report, the contribution of which is gratefully acknowledged. Historic population data used in this report are from the U.S. Bureau of Census, while population forecasts are from the Demographic Research Unit of the California Department of Finance.

Source Data Links

Farmland Mapping & Monitoring Program	www.consrv.ca.gov/dlrp/FMMP/index.htm
Demographic Research Unit	http://www.dof.ca.gov/Research/Research.asp
U.S. Bureau of Census	http://www.census.gov/

How to Use This Report

This report is designed as an interactive information resource that will enable readers to extract data for their own purposes and, indeed, to conduct additional analysis of farmland trends. (We don't pretend to have all the answers and are eager to hear about insights you may glean from the wealth of data we have collected and organized.) The report consists of this Word document containing the Major Findings (below) and an Excel file that contains spreadsheets with statewide, regional and county-level data and analysis of farmland trends for the period 1990-2004, which is the longest and most recent period for which we have reliable, comprehensive data for the entire state of California. Both documents are also available as downloadable, printable pdf files at www.farmland.org/california. The text and spreadsheets are copyrighted by AFT, but advance permission to use anything in the report is granted so long as appropriate credit is given in any derivative work or publication, e.g., "Data and Analysis from A New Perspective on California Farmland Conversion, © 2007 American Farmland Trust."

Data Spreadsheet Contents

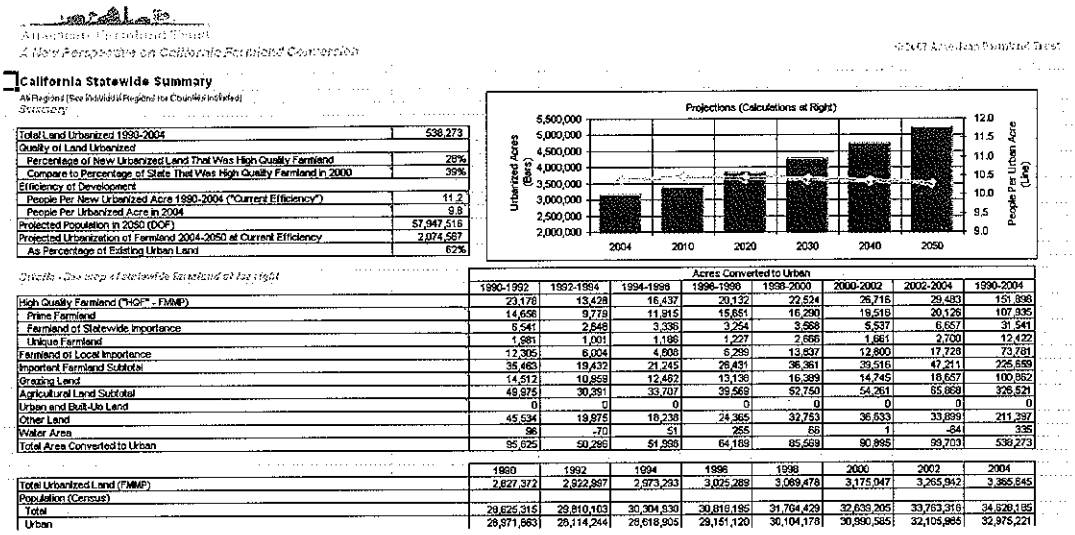
The Excel file includes 12 spreadsheets, listed below with descriptions of what each contains.

Guide to Data	Explains the layout of all spreadsheets.
State-Regional Land Profile	Existing total amount of land, agricultural land and high quality farmland in each of 7 regions of the state as of 2004.
Regions-All Counties	Summary data on major farmland conversion trends for the period 1990-2004: total land converted, agricultural land converted, quality of land converted and efficiency of land development for all regions and all counties mapped by FMMP. This sheet is especially helpful for comparing jurisdictions by re-sorting the data.
State-Top 10 Ag Counties	Summary and detailed data on farmland conversion trends 1990-2004, including every agricultural land classification, and projections of land conversion to 2050, for the state as a whole and for the top 10 producing agricultural counties,* plus a map of the state's agricultural land in 2000. Top 10 data are below the statewide data.
Northern Counties	Summary and detailed data on farmland conversion trends 1990-2004, including every agricultural land classification, and projections of land conversion to 2050, for each county within each region of the state. Individual counties can be viewed by scrolling down from the regional summary at the top. Rural residential data includes land devoted to urban and "ranchette" development in 2002 and 2004 for 4 counties in the San Joaquin Valley.
Bay Area	
Sierra Foothills	
Sacramento Valley	
San Joaquin Valley	
San Joaquin Rural Residential	
Central Coast	
Southern California	

* In order, the Top 10 counties are: Fresno, Tulare, Kern, Monterey, Merced, Stanislaus, San Joaquin, San Diego, Kings and Imperial, based on 2002 farm gate value of agricultural product sales according to U.S. Census of Agriculture.

Explanation of Data and Analysis in Statewide and Regional Spreadsheets

All the spreadsheets in this file, except the State-Regional Land Profile and Regions-All Counties, use the same format shown below.



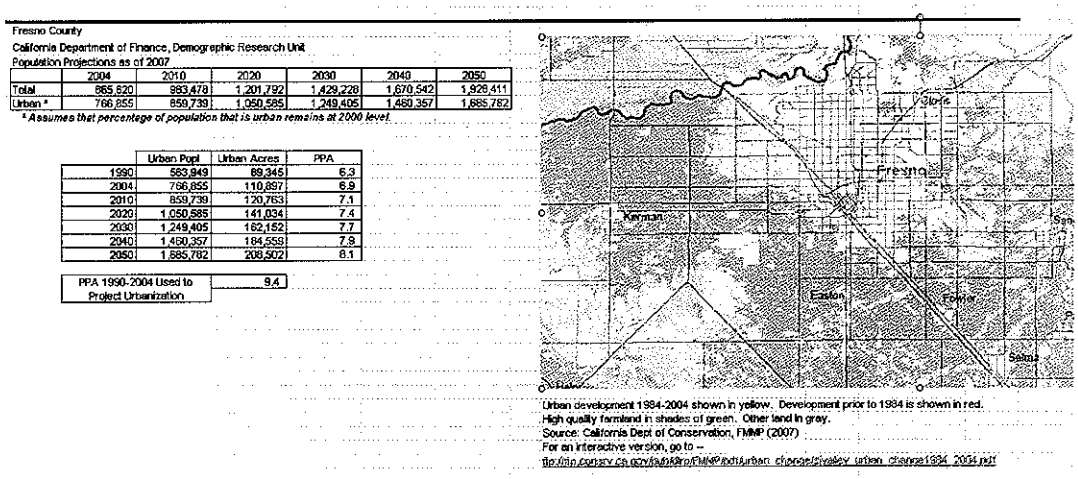
California Statewide Summary

Total Land Urbanized 1990-2004	538,273
Quality of Land Urbanized	
Percentage of New Urbanized Land That Was High Quality Farmland	28%
Compare to Percentage of State That Was High Quality Farmland in 2000	39%
Efficiency of Development	
People Per New Urbanized Acre 1990-2004 ("Current Efficiency")	11.2
People Per Urbanized Acre in 2004	9.8
Projected Population in 2050 (DOF)	57,947,519
Projected Urbanization of Farmland 2004-2050 at Current Efficiency	2,074,587
As Percentage of Existing Urban Land	62%

	Acres Converted to Urban								
	1990-1992	1992-1994	1994-1996	1996-1998	1998-2000	2000-2002	2002-2004	1990-2004
High Quality Farmland ("HQF" - FMMP)	23,176	13,428	16,437	20,132	22,524	26,716	29,483	151,896
Prime Farmland	14,656	9,779	11,915	15,651	16,290	19,518	20,126	107,935
Farmland of Statewide Importance	5,541	2,848	3,336	3,254	3,568	5,537	6,657	31,541
Unique Farmland	1,981	1,001	1,186	1,227	2,666	1,661	2,700	12,422
Farmland of Local Importance	12,305	6,004	4,808	6,299	13,837	12,800	17,728	73,781
Important Farmland Subtotal	35,483	19,432	21,245	26,431	36,361	39,516	47,211	225,689
Grazing Land	14,512	10,859	12,462	13,138	16,389	14,745	18,657	100,862
Agricultural Land Subtotal	49,975	30,291	33,707	39,569	52,750	54,261	65,868	326,521
Urban and Built-Up Land	0	0	0	0	0	0	0	0
Other Land	45,534	19,875	18,238	24,365	32,753	36,533	33,899	211,297
Water Area	96	-70	51	255	66	1	-84	335
Total Area Converted to Urban	95,625	50,296	51,996	64,189	85,569	90,895	99,703	538,273

	1990	1992	1994	1996	1998	2000	2002	2004
Total Urbanized Land (FMMP)	2,827,372	2,922,897	2,973,293	3,025,289	3,069,478	3,175,047	3,265,942	3,365,645
Population (Census)								
Total	28,625,315	29,810,103	30,304,830	30,816,185	31,764,429	32,639,205	33,763,316	34,628,185
Urban	28,971,663	28,114,244	28,618,905	29,151,120	30,104,178	30,990,585	32,105,965	32,975,221

The top left of the initially visible screen contains summary data. Below that is detailed, biennial data on each type of agricultural, urban and other land. The official definitions of each type of land appear as a pop-up when you put the cursor over the cell containing the name of the type of land. Below the farmland data are population and urban land data, again in biennial increments. At the top right of the visible screen is a graph showing the projected loss of land through 2050 (note that the charts use different scales) and the change in development efficiency on which it is based. Alternative scenarios can be tested and graphed by changing the number of people per urban acre in the cell labeled "PPA 1990-2004 Used to Project Urbanization." (Be sure to change it back.) To the right of the visible screen (illustrated below) are the data used to project land conversion and, for counties where it is available, a map portraying all land types as of 2004 and the land developed 1990-2004. An interactive map of the region in which the county is located, enabling one to zoom in on specific areas, can be accessed by clicking on the active link below the map.



Fresno County

California Department of Finance, Demographic Research Unit

Population Projections as of 2007

	2004	2010	2020	2030	2040	2050
Total	865,820	983,478	1,201,792	1,429,228	1,670,542	1,926,411
Urban *	766,855	859,739	1,050,585	1,249,405	1,460,357	1,685,782

** Assumes that percentage of population that is urban remains at 2000 level.*

	Urban Popl	Urban Acres	PPA
1990	563,949	89,345	6.3
2004	766,855	110,897	6.9
2010	859,739	120,763	7.1
2020	1,050,585	141,034	7.4
2030	1,249,405	162,152	7.7
2040	1,460,357	184,559	7.9
2050	1,685,782	208,502	8.1

PPA 1990-2004 Used to Project Urbanization	9.4

Urban development 1984-2004 shown in yellow. Development prior to 1984 is shown in red.
High quality farmland in shades of green. Other land in grey.
Source: California Dept of Conservation, FMMP (2007)
For an interactive version, go to --
ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/urban_change/fresno_urban_change1984_2004.pdf

Cover photo of the Inland Empire by G. Donald Bain
Courtesy of the Geo-Images Project/UC Berkeley

Key Issues

The total amount of land urbanized or otherwise developed for non-agricultural use is only one measure of the potential impact of conversion on California agriculture. The quality of land urbanized and the efficiency of development are both key issues that shed more light on the subject. The impact of land conversion on agricultural production capacity is greater (other things being equal) when the quality of the land developed is higher and/or the efficiency of development is lower.

In California, the **quality of land** from an agricultural perspective, is attributable to the fertility of its soils, the availability of irrigation water and micro-climates that are uniquely suited for the production of specific crops (e.g., citrus). All of these are to some extent captured in the FMMP definitions of various categories of land. In general, the higher the percentage of land developed that was "high quality farmland" (our shorthand term for prime farmland, unique farmland and farmland of statewide importance), the greater the impact on agriculture. A comparison of the percentage of land developed that was high quality farmland with the percentage of all remaining non-urban land in the jurisdiction that is high quality farmland sheds additional light on this issue by suggesting the extent to which the available options for developing less productive land are being pursued. The maps of actual development patterns against the backdrop of the various types of remaining farmland help identify potential alternatives for future growth on less productive land.

The **efficiency of development** is another key issue – perhaps the most important, given that city-centered growth in California will almost inevitably convert high quality farmland, placing a premium on not wasting it. This report measures the efficiency of development with the ratio of the number of people in an urbanized area to the number of acres of land occupied by all of the urban uses that serve them, from residences to shopping and schools, workplaces and roads; in short the entire urban "footprint." The result is reported as "people per urban acre" or "PPA." (There is an unknown, but almost certainly very small, degree of error in this calculation because the area defined as urbanized by FMMP does not precisely match the definition of urban areas used by the U.S. Census Bureau. Especially for comparative purposes, we are confident that our calculations are accurate enough.)

The number of people per urban acre in any given year shows what is actually on the ground. The PPA trend for the period 1990-2004 indicates how efficiently – or, in most cases, inefficiently – land is being developed right now. Generally speaking, the efficiency trend is more encouraging (higher PPA) than the efficiency of the development that exists on the ground today. But, lest this give a false impression, notice that it takes a significantly larger PPA trend to increase the PPA by a smaller amount from one year to the next. For example, in the Top 10 agricultural counties, it took a PPA of 8.2 between 1990 and 2004 to increase the PPA from 7.2 in 1990 to 7.4 in 2004. You can also observe this relationship in the data and graphs showing projections of future growth.

The efficiency of development calculation does not include rural residential development ("**ranchettes**"), for which data exist only for four San Joaquin Valley Counties. If all rural residential development were included, the overall efficiency of development in terms of the ratio of people to land converted to nonagricultural uses would be lower. In the four counties for which we have data, including ranchettes in the calculation reduces the current (2004) development efficiency 15% from 6.6 to 5.6 people per acre.

However, the spread of ranchettes is troublesome for reasons that go beyond the inefficient conversion of land. They tend to make agricultural production more difficult and expensive with demands that routine agricultural practices be curtailed or modified to protect the health and security of new neighbors. And they create an additional market demand for rural land that in many regions is inflating its price to a level above what commercial agriculture can pay and still remain economically viable. In this sense, ranchettes are like the bow wave created ahead of a ship; long before the ship itself hits, anything in its path will be swamped by the wave.

It is important to look at each of these three key issues – the quality of farmland being converted, the efficiency of its conversion and the spread of rural ranchettes – to get a full appreciation of how farmland conversion is steadily eroding California's agricultural capacity.

Acknowledgments

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[Turn to the next page for Major Findings]

American Farmland Trust

Paving Paradise: A New Perspective on California Farmland Conversion

Summary

ne sixth of all the land developed in California since the Gold Rush was developed between 1990 and 2004. Urban development is disproportionately targeting the state's best farmland and is very inefficient, consuming an acre of land for every 9.4 people. In the state's most important agricultural regions, a larger percentage of high quality farmland is being developed, and development is less efficient, than in the state as a whole. Rural "ranchettes," the most inefficient kind of development, may account for a quarter of all the land devoted to developed uses in the Central Valley, the state's premier agricultural area. Though development efficiency is increasing, it is not happening fast enough to prevent the conversion of 2.1 million more acres of California land – much of it farmland – by 2050.

To conserve farmland, California communities – for local governments have the most control over land use -- must do three things:

- *Direct growth away from the highest quality farmland toward less productive land*
- *Develop land as efficiently as possible so as not to waste what we must convert*
- *Avoid rural ranchette development that fuels land speculation and drives up land costs*

This report offers a new perspective on how well California is meeting these objectives.

Total Land Urbanized

We are developing land for urban uses in California at an unprecedented rate. Between 1990 and 2004 – the period for which we have the most reliable data for the entire state – 538,273 acres of land were developed for urban uses. (Fig. 1) This represents one out of every 6 acres developed for urban uses in California since the Gold Rush. During the 1990-2004 period, the 38,448-acre annual rate of development was nearly twice as high as the 20,052-acre average for all years from 1849 to 1990. Rapid population growth, of course, is driving this trend. But the inefficiency of development in terms of the number of acres developed per person (below) is a strong contributing factor.

Fig. 1
Total Acres Urbanized 1990-2004 By Region

Southern California	220,033
San Joaquin Valley	115,196
Bay Area	74,473
Central Coast	44,358
Sierra Foothills	34,269
Sacramento Valley	33,849
Northern Counties	16,095
Statewide	538,273

Fig. 2
Total Acres Urbanized 1990-2004
Top 10 Counties

Riverside	70,150
San Diego*	50,978
San Bernardino	49,301
Kern*	30,111
Orange	30,086
Placer	22,643
Fresno*	21,552
San Joaquin*	19,676
Contra Costa	18,052
Sacramento	15,080

* Indicates top 10 agriculture producer among California counties.

Most of the land developed for urban purposes from 1990 to 2004 was more or less contiguous to existing cities and other settlements. (Refer to the maps in the regional spreadsheets.) Though this may represent "orderly" growth, there is a downside that cannot be ignored. Because most of California's cities are located in the midst of the best farmland, *city-centered growth inevitably targets high quality farmland. This, in turn, places a premium on developing land efficiently*, so as to minimize the amount of land removed from agriculture for each new mouth to feed. These issues are explored in greater detail below.

Quality of Land Urbanized

Almost two-thirds (61%) of all the land urbanized in California from 1990 to 2004 – 326,521 acres – was agricultural land. (Fig. 3) In the most important agricultural regions, however, nearly three-quarters of all land developed was agricultural land. Moreover, it is likely that an even higher percentage of the total land developed was at one time used for agricultural purposes. This is because some of the rest of the land developed was formerly what the state Department of Conservation classifies as "other" land, including land that was once farmed but has been idled for a number of years in anticipation of being developed. Regrettably, the state does not quantify this transitional phenomenon, leaving a significant gap in our understanding of what is happening to California's agricultural resources.

Fig. 3
Agricultural Land Urbanized 1990-2004
By Region

	Acres	As Pct of All Land Urbanized
Southern California	105,583	48%
San Joaquin Valley	70,231	74%
Bay Area	56,341	76%
Sacramento Valley	24,852	73%
Central Coast	24,757	56%
Sierra Foothills	22,574	66%
Northern Counties	6,764	42%
Statewide	326,521	61%

Not all agricultural land is equally important for food production. Farmland that has more fertile soils and more reliable water supplies tends to produce consistently higher crop yields at lower cost. This is the land agriculture can least afford to lose. In this report, we refer to this land as "high quality farmland," and it includes lands classified by the state as prime farmland, unique farmland and farmland of statewide importance. (See the notes included in the spreadsheets. When you place the cursor over the red triangle in the corner of a cell containing a land type, e.g., "Prime farmland," the official state definition will appear.)

Between 1990 and 2004, a total of 151,898 acres, or 28% of all land developed and 47% of the agricultural land developed, was high quality farmland. For comparison, in 2000 only about 22% of the approximately 40 million acres of California land mapped by FMMP was high quality farmland. High quality farmland accounts for only 9% of the state's total of about 101 million acres, much of which is desert and mountainous areas that are unsuitable for development. Thus, *high quality farmland is being disproportionately selected for development* in comparison to both its share of all land in the state and of the land suited for development. Again, this is largely because most California cities are located in the midst of high quality farmland, where our agrarian ancestors settled precisely because of the fecundity of the land.

Fig. 4
High Quality Farmland Urbanized 1990-2004 by Region (Acres)

	Acres	As Pct of All Land Urbanized
San Joaquin Valley	70,231	61%
Southern California	37,883	17%
Bay Area	17,057	23%
Central Coast	12,933	29%
Sacramento Valley	11,521	34%
Northern Counties	1,272	8%
Sierra Foothills	1,001	3%
Statewide	151,898	28%

The loss of high quality farmland for development is most worrisome in the San Joaquin Valley, the state's leading agricultural region that accounts for 55% of the state's total agricultural sales. This valley lost almost twice as much high quality farmland to urbanization than any other region between 1990 and 2004, and almost half the state's total loss of high quality farmland. (Fig. 4) Six of its eight counties, all of which are among the state's top 10 agricultural producers, were also among the top 10 in total acreage of high quality farmland developed. (Fig. 5) Sixty-one percent of all land developed in the San Joaquin Valley between 1990 and 2004 was high quality farmland, the greatest percentage of any region in the state by far. (Fig. 4) In half of the eight San Joaquin Valley counties, more than 70% of all the land developed was high quality farmland. (Fig. 6 below)

Fig. 5
Most High Quality Farmland Urbanized 1990-2004 Top 10 Counties (Acres)

San Joaquin*	14,888
Riverside	14,551
Fresno*	12,524
Kern*	12,025
Stanislaus*	10,189
Tulare*	8,758
San Bernardino	7,379
Orange	6,533
Santa Clara	6,233
Kings*	5,170

* Indicates top 10 agriculture producer among California counties.

Even more so than on a statewide basis, development is disproportionately claiming high quality farmland in the San Joaquin Valley. The ratio of the percentage of development on high quality farmland (61%) to the percentage of high quality farmland in the region (40%) is 1.5, indicating that development is 1 ½ times more likely to consume high quality farmland than less productive land.

In the more populous coastal regions, where little high quality farmland remains and the less productive land in the hills is often unsuitable or unavailable for development, high quality farmland is 2.5 to 3 times as likely to be urbanized as other land. Particularly troublesome is the pattern in Monterey County, which includes the nation's "salad bowl," the uniquely productive Salinas Valley. There development was 4 times as likely to consume high quality farmland as other land, despite the fact that almost 90 percent of the county is not high quality farmland.

Fig. 6
High Quality Farmland as Percentage of All Land Urbanized 1990-2004
Top 10 Counties

Stanislaus*	83%
Kings*	78%
San Joaquin*	76%
Imperial*	74%
Tulare*	71%
Merced*	63%
Fresno*	58%
Sutter	57%
San Benito	50%
Yolo	50%

* Indicates top 10 agriculture producer among California counties.

The main reason why high quality farmland is being disproportionately selected for urban developed is that most of California's cities are – or were – located in the midst of high quality farmland, which is generally found in the level bottomland valleys of the state. They are located there, of course, primarily because many began as market towns and shipping points for agricultural products from the surrounding farms, which themselves grew up on the most fertile, well-watered land. Because state and local land use policies have favored city-centered growth to make it easier and cheaper to service new development, the expansion of cities has disproportionately consumed high quality farmland.

Inefficiency of Development

City-centered growth, with its disproportionate impact on high quality farmland, places a high premium on developing the land efficiently, consuming less acreage per person (for all urban uses, including commercial and civic as well as residential). Today, however, *development in California is generally very inefficient*, particularly in its premier agricultural areas.

Fig. 7
Development Efficiency
By Region

	Per Per Urban Acre	
	1990-2004	In 2004
Sacramento Valley	12.3	6.3
Southern California*	11.0	8.0
Bay Area*	10.3	7.8
San Joaquin Valley	8.1	6.5
Central Coast	7.6	7.2
Sierra Foothills	5.2	4.0
Northern Counties	2.6	2.6
Statewide	9.4	7.2

* Figures are with and without Los Angeles and San Franciso Counties

As of 2004, there were only 7.2 people per urbanized acre on average in the state (omitting Los Angeles, which skews the analysis because it is far denser than other areas but has relatively little agriculture left). (Fig. 7) This does not include "ranchette" development, non-farm residences on very large rural lots, which are discussed below. There are even fewer people per urban acre in the state's most important agricultural areas. In the San Joaquin Valley, there were only 6.5 people per urban acre in 2004, while in the Sacramento

Valley it was 6.3 people per urban acre. In the top 10 agricultural counties, there were 7.4 people per urban acre in 2004, but if one excludes San Diego County, which accounts for half the population in these counties, the ratio falls to only 6.4.

The current development trend (1990-2004) shows the same pattern, with the state's major agricultural areas lagging behind the state as a whole in efficiency. (Fig. 7) In the San Joaquin Valley, new development between 1990 and 2004 consumed an acre for only 8.1 people, about 15% less efficient than for the state. (Imagine two four-person touch football teams playing on the gridiron in the Rose Bowl and you get an idea of how spread-out this is.) In the Sacramento Valley, new development consumed an acre for only 5.5 people outside of Sacramento County itself, which is among the state's leaders in the efficiency of new development. On the Central Coast, the people per acre developed ratio 1990-2004 was only 6.8 if one excludes San Mateo County, which during this period had the highest efficiency ratio of any county in the state except Los Angeles. On the whole, the top 10 agricultural counties consumed an acre of land for every 8.2 new residents 1900-2004. Only one top 10 agricultural county, Stanislaus, was among the 10 leading counties in terms of development efficiency. (Fig. 8)

Fig. 8
Development Efficiency 1990-2004
Top Ten Counties*

	People Per Urban Acre
San Mateo	27.4
Sacramento	20.6
Orange	19.1
Alameda	15.7
Santa Clara	13.4
Contra Costa	11.4
Stanislaus	10.8
San Bernardino	10.4
Riverside	9.9
San Benito	9.5

* Excluding Los Angeles (78.9) and San Francisco (NA) Counties

The trend in development efficiency is positive. Statewide, from 1990 to 2004, an acre of land was urbanized for every 9.4 people. (Fig. 7) (Again, this omits Los Angeles County, which skews the analysis because the efficiency of new development there was 5 times the statewide average. LA has gotten the message – about a half century too late to save its agriculture, which as recently at 1960 led the nation in total farm production.) But this was enough to increase the current people per urban acre only 6% from 6.8 in 1990 to 7.2 in 2004. (Fig. 9) If this slow rate of improvement continues, another 2.1 million acres of California land will be urbanized by 2050. (See Projections below) Development efficiency in the premier agricultural areas appears to be

Fig. 9
Development Efficiency
Improvement from 1990 to 2004
By Region

	People Per Urban Acre		Percent
	1990	2004	Improvement
Sierra Foothills	3.4	4.0	17%
Sacramento Valley	5.5	6.3	15%
San Joaquin Valley	6.1	6.5	8%
Bay Area	7.5	7.8	4%
Southern California	14.2	14.4	1%
Central Coast	7.2	7.2	0.7%
Northern Counties	2.6	2.6	0.5%
Statewide*	6.8	7.2	6%

* Does not include Los Angeles or San Francisco Counties.

increasing somewhat faster than in the state as a whole. But this may be due, at least in part, to the relatively low development efficiency in these areas, which would tend to magnify any percentage improvement.

Rural Ranchettes

The most inefficient – indeed, from an agricultural standpoint, downright wasteful – type of development is what are commonly called "ranchettes." These are country estates, hobby farms and other rural residential uses on very large lots up to 40 acres. Some of these properties may be devoted to production agriculture, for example, under lease to commercial growers. But typically they are residential in character, are too small or hemmed-in to be farmed for profit – as well as too expensive for commercial growers to afford – and, thus, have or all practical purposes been permanently removed from the state's agricultural land base. A 1990 American Farmland Trust study found that ranchettes in the Central Valley averaged about 5 acres in size, which, if one assumes 3 people per household (a good general average in this region), would mean that ranchette development efficiency is only 0.6 people per acre – roughly one-tenth the "efficiency" of urban development in the Valley.

Fig. 10
Ranchette Development
In The San Joaquin Valley by 2004

	Urban Acres 2004	Ranchette Acres 2004	Ranchettes as Pct of All Developed Land
Stanislaus	61,171	6,623	10%
Merced	34,943	8,122	19%
Madera	24,975	27,106	52%
Fresno	110,897	38,690	26%
Total	231,986	80,543	26%

Despite their proliferation, reliable data on rural ranchettes in California are limited. The state Department of Conservation has mapped and compiled statistics on ranchettes in only four counties in the San Joaquin Valley: Stanislaus, Merced, Madera and Fresno. (The Farmland Mapping & Monitoring Program has apparently been limited in its ability to map more areas by budget constraints.) But what these data show is that *rural ranchette development is very troublesome – perhaps more so than urban development.*

In the four San Joaquin Valley counties mapped, ranchettes – and only those from 1.5 to 10 acres – comprised fully 26% of all land devoted to non-agricultural development in 2004. (Fig. 10) That is, one out of four acres of developed land was devoted to housing roughly 1.5% of the total population of those counties. New ranchettes established between 2002 and 2004 (the only period for which we have data) comprised 18% of all land developed for non-agricultural purposes, an improvement but still representing a very large amount of land accommodating very few people.

Projections of Future Development

Statewide, there were about 3.4 million acres of urban land in 2004. *If we continue to develop as much land per person as during 1990-2004, California will urbanize close to another 2.1 million acres of land by 2050 – not counting additional land lost to ranchettes.* (Fig. 11) Forty percent or about 800,000 acres of this will occur in the Top 10 agricultural counties – some of which may no longer qualify for the top 10. The San Joaquin Valley, the state's foremost agricultural region, will experience by far the largest percentage increase in urbanization. Almost as much land will be urbanized in the San Joaquin as in all of Southern California. By contrast, from 1990 to 2004, almost twice as much land was urbanized in Southern California as in the San Joaquin Valley. The fears of those who worry that the San Joaquin could become the next LA appear to be justified – unless the state's premier agricultural region grows "smarter" than in the recent past.

Fig. 11
Projected Urbanization of Land by 2050
At Current Development Efficiency
By Region

	Acres	Pct Increase
Southern California	710,038	53%
San Joaquin Valley	628,068	127%
Bay Area	233,671	35%
Sacramento Valley	192,978	84%
Central Coast	148,680	40%
Sierra Foothills	90,751	84%
Northern Counties	61,380	75%
Statewide	2,074,567	62%

Observations

California is not performing very well at any of the three key indicators of farmland conservation. Urban development is targeting the state's best farmland, which surrounds most of its cities. Few alternatives are being pursued – for example, urban infill or new towns on less productive land -- though they exist in almost every locality. New development is consuming far more land per person than is necessary comfortably to accommodate our needs, not just for housing, but for commercial and civic land uses as well. Community plans call for increasing urban densities, but the actual decisions of officials belie these good intentions. Meanwhile, rural ranchettes continue to proliferate, inflating farmland prices and conflicting with agriculture. While some progress is being made at increasing the efficiency of development, it isn't enough to make much of a difference in the amount of land that will be paved over within the next generation.

Given its relentless population growth and the apparent inevitability of city-centered growth, the key to saving farmland in California is to develop less land per person. It will take a concerted and sustained effort to promote urban infill, to increase residential densities and commercial floor-to-area ratios, to reduce the amount of land devoted to roads and parking lots, and to curb the spread of ranchettes. But the task is not as daunting as it might first appear. *If the state as a whole develops as efficiently as Sacramento County or the Bay Area did from 1990 to 2004, a million acres of California land could be saved within the next generation.*

That is the challenge that emerges from this new perspective on farmland conversion in California. The longer we wait to embrace it by taking effective action, the more difficult it will be to achieve the goal of securing the land resources on which California's unparalleled agriculture depends.

Summary Table from Database Spreadsheet

American Farmland Trust
A New Perspective on California Farmland Conversion

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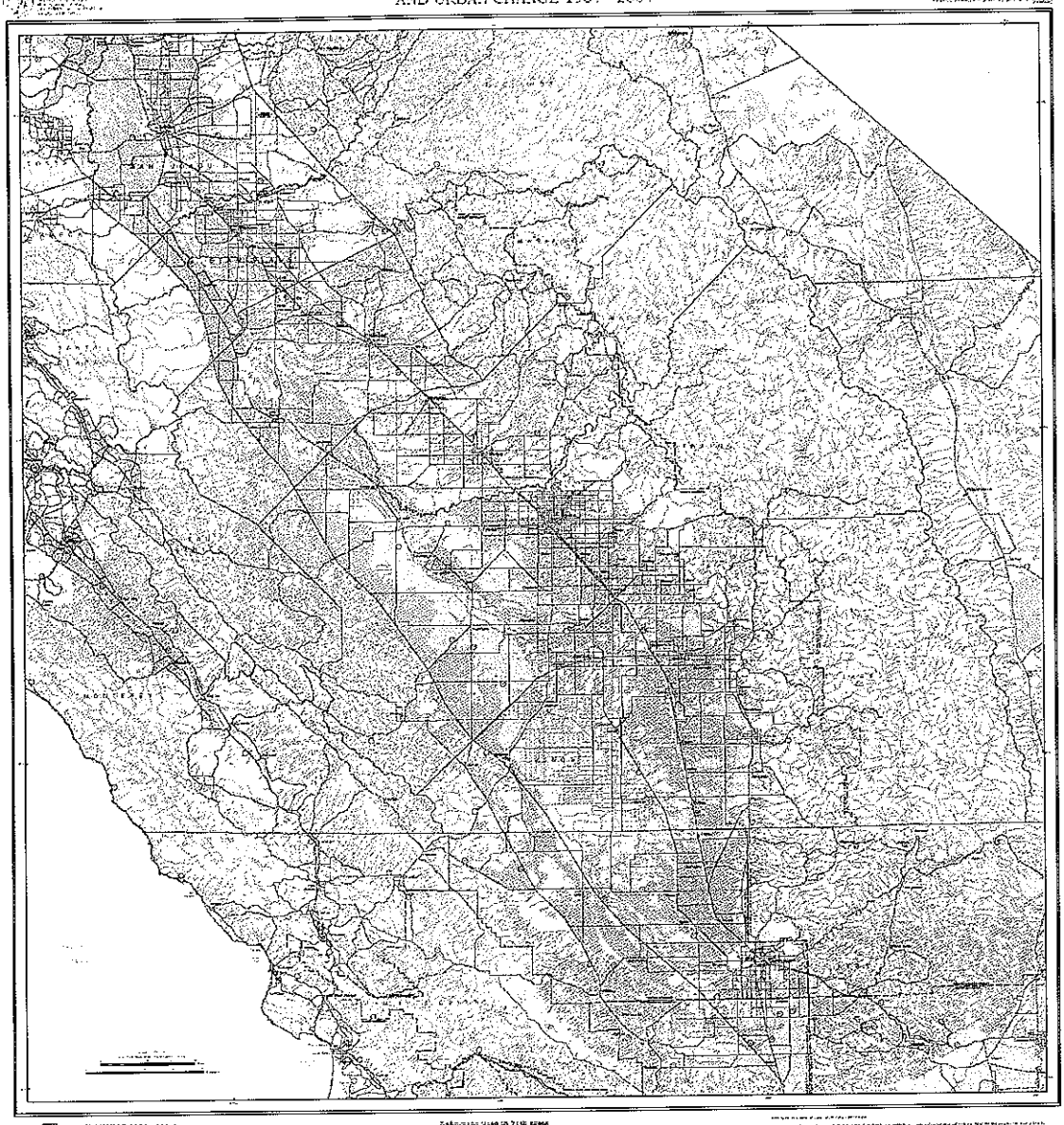
Regions & All Counties: Comparative Summary Data

		Market Value of Agricultural Production 2002 ($ Million)	Total Urbanized Land 2004 (Acres)	Total Land Urbanized 1980-2004 (Acres)	Average Annual Urbanization of Land (Acres)	Total Agricultural Land Urbanized 1980-2004	Total High Quality Farmland Urbanized 1980-2004	Percentage of Land Urbanized 1980-2004 That Was High Quality Farmland	Percentage of All Non-Urban Land in Region That Was High Quality Farmland 2000	People Per Urban Acre for New Development 1980-2004 (Current Efficiency)	People per Urban Acre 1980	People Per Urban Acre 2004	Percentage Increase in People Per Urban Acre 1980-2004	Projected Urbanization of Land 2004-2050
Bay Area	BA	$ 1,860	673,743	74,473	5,320	56,341	17,057	23%	8%	10.3	7.5	7.8	4%	233,671
Central Coast	CC	$ 6,960	370,633	44,358	3,168	24,757	12,933	29%	10%	7.6	7.2	7.2	0.7%	148,680
Southern California	SC	$ 5,141	1,347,356	220,033	15,717	105,583	37,883	17%	7%	15.1	14.2	14.4	1.1%	719,038
San Joaquin Valley	SJ	$ 21,079	494,695	115,196	8,228	85,550	70,231	61%	40%	8.1	6.1	6.5	8%	628,068
Northern Counties	NC	$ 554	81,518	16,095	1,150	6,764	1,272	8%	8%	2.6	2.6	2.6	0.5%	61,360
Sacramento Valley	SV	$ 2,332	289,755	33,849	2,418	24,852	11,521	34%	41%	12.3	5.5	6.3	15%	192,978
Sierra Foothills	SF	$ 123	107,945	34,269	2,448	22,674	1,001	3%	4%	5.2	3.4	4.0	17%	90,761
State		$ 38,049	3,365,645	538,273	38,448	326,521	151,898	28%	22%	11.2	9.5	9.8	3%	2,074,567
County	Region													
Alameda	BA	$ 44	144,326	11,276	805	8,657	1,907	17%	2%	15.7	9.5	10.0	5%	37,670
Contra Costa	BA	$ 87	147,441	18,052	1,289	15,668	4,552	25%	11%	11.4	6.1	6.7	11%	69,016
Marin	BA	$ 53	41,903	2,976	213	942	9	0%	0%	4.7	5.6	5.5	-1%	12,450
Napa	BA	$ 548	22,245	2,884	206	1,625	313	11%	11%	6.0	4.8	5.0	3%	16,676
Santa Clara	BA	$ 251	187,176	14,337	1,024	11,996	6,233	43%	4%	13.4	8.5	8.9	4%	68,993
Solano	BA	$ 239	57,717	11,620	830	8,706	2,218	19%	29%	6.4	7.0	6.9	-2%	59,920
Sonoma	BA	$ 638	72,936	13,328	952	8,747	1,825	14%	8%	6.5	5.4	5.6	4%	37,939
Monterey	CC	$ 3,273	54,293	6,964	640	5,469	3,904	44%	11%	6.3	6.9	6.8	-1%	32,327
San Benito	CC	$ 269	7,644	2,191	157	2,013	1,103	50%	5%	9.5	4.5	6.0	32%	7,031
San Luis Obispo	CC	$ 597	42,124	7,463	533	5,448	694	9%	7%	4.0	5.1	4.9	-4%	22,360
San Mateo	CC	$ 158	71,282	1,827	131	175	5	0%	2%	27.4	9.2	9.7	5%	4,333
Santa Barbara	CC	$ 998	62,026	5,401	386	2,575	1,605	30%	11%	6.3	6.2	6.2	0%	19,808
Santa Cruz	CC	$ 412	31,421	4,376	313	600	496	11%	9%	4.2	7.2	6.8	-6%	16,674
Ventura	CC	$ 1,253	101,841	14,134	1,010	8,477	5,126	36%	20%	9.1	7.4	7.6	3%	46,149
Lake	NC	$ 62	14,442	1,776	127	642	76	4%	3%	4.8	2.2	2.5	15%	4,801
Modoc	NC	$ 88	3,235	95	7	30	17	18%	14%	(5.1)	1.0	0.8	-17%	5,274
Shasta	NC	$ 84	35,524	6,352	597	1,591	397	5%	2%	3.4	3.6	3.5	-1%	30,971
Siskiyou	NC	$ 148	15,377	2,748	196	2,771	133	5%	12%	(0.8)	1.4	1.0	-28%	8,362
Tehama	NC	$ 172	12,940	3,124	223	1,730	649	21%	6%	2.7	2.4	2.4	3%	11,973
Imperial	SC	$ 1,286	26,357	5,962	426	5,111	4,391	74%	51%	7.4	4.3	5.0	16%	26,725
Los Angeles	SC	$ 278	163,435	13,556	968	5,039	1,274	9%	3%	78.9	58.6	60.3	3%	39,496
Orange	SC	$ 312	262,180	30,086	2,149	10,667	6,533	22%	3%	19.1	9.5	10.6	11%	52,414
Riverside	SC	$ 1,169	277,273	70,150	5,011	36,764	14,551	21%	12%	9.9	5.1	6.3	23%	268,784
San Bernardino	SC	$ 565	259,266	49,301	3,522	26,307	7,379	15%	3%	10.4	6.2	7.0	13%	156,782
San Diego	SC	$ 1,531	338,845	50,978	3,641	21,695	3,755	7%	4%	8.6	8.3	8.3	1%	174,837
Amador	SF	$ 28	7,926	1,478	106	1,478	273	18%	3%	1.5	1.8	1.8	-3%	8,250
El Dorado	SF	$ 26	30,670	6,895	493	3,947	124	2%	1%	5.5	3.1	3.7	17%	15,966
Nevada	SF	$ 9	17,168	3,253	232	436	67	2%	1%	3.8	3.1	3.2	4%	5,619
Placer	SF	$ 60	52,181	22,643	1,617	17,468	537	2%	9%	5.6	4.2	4.8	14%	61,217
Fresno	SJ	$ 4,640	110,897	21,552	1,539	16,867	12,524	58%	31%	9.4	6.3	6.9	10%	97,605
Kern	SJ	$ 3,457	94,604	30,111	2,151	13,535	12,025	40%	19%	6.2	7.3	6.9	-5%	194,514
Kings	SJ	$ 1,407	30,766	6,666	476	5,326	5,170	78%	67%	6.1	3.5	4.1	16%	29,562
Madera	SJ	$ 1,105	24,975	5,315	380	4,713	2,136	40%	41%	9.1	2.5	3.9	56%	19,312
Merced	SJ	$ 2,388	34,943	7,224	516	6,898	4,541	63%	43%	8.0	5.1	5.7	12%	42,636
San Joaquin	SJ	$ 1,743	83,409	19,676	1,405	17,748	14,888	76%	63%	8.7	6.6	7.1	7%	117,189
Stanislaus	SJ	$ 1,978	61,171	12,277	877	12,277	10,189	83%	41%	10.8	6.7	7.5	12%	57,930
Tulare	SJ	$ 4,361	53,928	12,375	884	9,407	8,758	71%	48%	7.2	5.8	6.1	6%	69,320
Butte	SV	$ 432	43,819	7,412	529	4,020	1,660	22%	27%	4.0	4.0	4.0	0%	46,899
Colusa	SV	$ 393	4,624	1,193	85	1,148	535	45%	45%	5.2	1.6	2.6	56%	1,829
Glenn	SV	$ 394	6,080	854	61	659	313	37%	31%	2.7	2.6	2.6	0%	7,622
Sacramento	SV	$ 349	165,629	15,080	1,077	11,728	4,502	30%	31%	20.6	6.7	8.0	19%	38,872
Sutter	SV	$ 299	12,581	3,453	247	2,864	1,973	57%	77%	6.8	5.7	6.0	5%	24,484
Yolo	SV	$ 332	28,511	4,514	322	3,670	2,247	50%	51%	9.0	5.3	5.9	11%	14,413
Yuba	SV	$ 133	28,511	1,343	96	763	291	22%	22%	1.6	1.6	1.6	0%	58,859

Sample Map from Database Spreadsheet

SAN JOAQUIN VALLEY IMPORTANT FARMLAND 2004
AND URBAN CHANGE 1984 - 2004*



Minor Subdivisions of Agricultural Land in Merced County

A Study of the Agricultural Resources and Potential Cumulative Impacts of Minor Subdivisions in Merced County

1998-2008

ATTACHMENT 8D

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Jean Okuye

Valley Land Alliance

June 2011

Minor Subdivisions of Agricultural Land in Merced County

A Study of the Agricultural Resources and Potential Cumulative Impacts of Minor Subdivisions in Merced County

1998-2008

Jeff Freitas

Valley Land Alliance

June 2011

Valley Land Alliance, June 2011

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About Valley Land Alliance: VLA is a non-profit grassroots organization and provided fiscal support for this study. VLA was founded in 2006 and is based in Merced County.

VLA's mission is to support and advance policies that:

- Ensure a safe, domestic food supply
- Protect our natural watersheds
- Ensure that farming and ranching remain economically viable and attract jobs that complement a dynamic agricultural economy
- Advocate that future development incorporates and pays for infrastructure, such as: roads, sewage, reliable water, police, fire, and schools
- Support growth that is compact and maximizes density within existing city boundaries

About the Author: Jeff Freitas earned his B.A. in Civil Engineering from California Polytechnic State University, San Luis Obispo and is a resident of Merced County.

Executive Summary

Minor Subdivisions and Cumulative Effects

Between 1998-2008, Merced County bypassed CEQA environmental review for over 250 Minor Subdivisions of Agricultural-zoned land by citing CEQA's General Rule Exemption. It was argued that Minor Subdivisions - which are used to divide a parcel of land - had no perceivable effect on the environment, nor any cumulative impacts when considering multiple Minor Subdivisions.

Valley Land Alliance (VLA) and Merced County Farm Bureau were among the local organizations who voiced concerns that substantative evidence was necessary to justify the exemption of these projects from environmental review. In response, Merced County compiled the *Qualitative Compilation of all Minor Subdivision Activity over the past 10 Years 1998-2008,* and concluded that no cumulative effects were demonstrated.

In this independent study conducted between 2009-2010, VLA reviewed each Minor Subdivision application file submitted between 1998-2008 and reviewed related studies by other organizations. VLA found that a potential for cumulative effects of Minor Subdivisions in fact does exist, and that the approach and assumptions made in Merced County's *Qualitative Compilation* were flawed.

Therefore, VLA argues that the Qualitative Compilation does not provide sufficient evidence to legally justify the continued use of the General Rule Exemption as applied by Merced County officials in the past, nor does it merit use as supporting evidence for the CEQA general rule exemption or planning decisions in general.

Included in this study is a summary of findings related to Minor Subdivisions in Merced County, the broader topics of land use, agriculture and public records access.

It is VLA's recommendation that Merced County be more proactive in conducting environmental analysis and be more forthright with maps and data during public meetings and review of potential impacts by projects subject to CEQA.

Summary of Findings

Agriculture and Resources

1. 40% of Merced County land is defined by Merced County land use codes as "recreational" or "foothill pasture, not viable for intensive agriculture". However, Merced County Planning Department's Qualitative Analysis claimed 93% of its land is "suitable and viable for production".

2. According to Merced County land use codes, only .55 million acres are available for production agriculture. However, Merced County Planning Department's Qualitative Analysis claimed that 1.18 million acres are "suitable and viable for production".

3. Only 17% (218,000 acres) of the total land in Merced County sustains 100% of our edible fruits, vegetables, nuts & grains.

4. 83% of groundwater pumping in Merced County is by private, unregulated wells. Groundwater levels dropped 15ft on average over the last two years 2008-2010.

Minor Subdivisions

5. VLA found 349 recorded subdivision maps, 58,891 acres divided and 847 parcels created by minor subdivisions, 1998-2008.

6. Minor Subdivision activity appeared to correlate closely with high real estate values. However, Merced County Planning Department conluded the motive for most requests was family planning purposes.

7. After the planning staff recommendations to deny minor subdivision applications increased, new recommendation procedures were implemented and staff denial recommendations were reduced dramatically.

8. Ranchette parcels converted from agricultural yield an increase in land value and tax-revenue, but result in a deficit for the county.

9. Each Minor Subdivision has the potential to result in the development of at least four new dwelling units.

10. 50% of minor subdivisions were sold to a different surname. However, the Merced County Planning Department stated only 4.3% were for sale and concluded the motive for most requests was family planning purposes.

11. VLA maintains that a 10-year scope is not sufficient to observe dwelling unit impacts.

Exemption Use, Records Access

12. Over 90% of responding California counties <u>do not</u> use the CEQA General Rule Exemption, or use it only for rare circumstances.

13. Merced County's current two-hour "viewing time" limit is not legal.

14. Other counties do not restrict viewing time for accessing public records.

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Introduction

Cause for Concern: Depletion of Agricultural Resources

At first glance Merced County appears to have plentiful amounts of open space and agricultural land. However, our most valuable farmland is not as abundant as most believe. Also, local farmland viability is threatened by urban sprawl, groundwater overdraft, intensive production and rising production costs due to global resource depletion. Of course, these issues aren't unique to Merced County:

> *"Must it not then be acknowledged by an attentive examiner of the histories of mankind, that in every age and in every State in which man has existed, or does now exist*
> *That the increase of population is necessarily limited by the means of subsistence, That population does invariably increase when the means of subsistence increase, and,*
> *That the superior power of population is repressed, and the actual population kept equal to the means of subsistence, by misery and vice."*
>
> – Thomas Robert Malthus. An Essay on the Principle of Population, 1798

Growing population, resource depletion and degrading agricultural land threaten the stability of both global markets and local food supplies. For example, since 1960, a third of global cropland has been abandoned because it has been degraded beyond use. Meanwhile, China's food imports have been steadily increasing and they are projected to increase to 200 million tons of grain by 2030, which would require most of the world's food exports. (Schade, 2010)

Since the advent of the Green Revolution, the global population has nearly tripled from nearly 2.5 billion to 7 billion people between 1950 – 2010. The global population is now projected to increase to 9.2 billion people by 2050. (Mórrígan, 2010) However, the "success" of the Green Revolution is primarily due to its increased use of non-renewable fossil fuel resources for fertilizers, pesticides, and irrigation to raise crops. As a result, industrial agriculture -and the survival of billions of people- is dependent on non-renewable resources which are now entering a critical state of decline.

The imminent decline of global oil supplies will have devastating effects on agriculture production. Global production of crude oil has plateaued since 2005 (U.S. EIA, 2011) and is expected to

decline in the near future. The U.S. Joint Forces Command of the U.S. Department of Defense warned in 2010, "By 2012, surplus oil production capacity could entirely disappear, and as early as 2015, the shortfall in output could reach nearly 10 million barrels per day. The implications for future conflict are ominous." (U.S. JFC, 2010) Essential fertilizer components are also nearing depletion. For example, the U.S. is projected to deplete its phosporus reserves within 30 years. (USGS, 2009)

In California, more than 1.3 million acres of agricultural land were converted to nonagricultural purposes since 1982. This represents an area larger in size than Merced County; or a rate of about one square mile every four days. The largest losses from agricultural land categories were from Prime Farmland and Grazing Land (559,743 and 386,525 acres, respectively). (Chernow, 2011)

Locally, groundwater supplies in the San Joaquin valley are dropping rapidly and threaten the viability of much of our agricultural land. The UC Irvine Hydrology and Climate Research Group testified before the U.S. House of Representatives Subcommittee on Water and Power that groundwater in the Sacramento-San Joaquin area is disappearing at a rate equivalent to losing Lake Mead, "the largest reservoir in the U.S.", roughly every five years. (Famiglietti, 2010)

With these concerns in mind, it is imperitive for our food security and the future of our society to identify and evaluate our agricultural resources in Merced County so that we may explore ways of acting locally, and in larger contexts, to protect our productive agricultural land, water resources, wetlands and air quality.

What Will I Learn From This Study?

This study is to determine if adverse consquences to our environment and resources were studied adequately by Merced County officials, particularly regarding Minor Subdivisions, although our concerns extend to long-term planning at all levels within Merced County and the greater San Joaquin Valley.

1.0 Merced County Background

1.1 Location and Population

Merced County is located between Sacramento and Fresno in the northern San Joaquin Valley of California. All zoned lands within the County consist of 1,268,629 acres or 1,982 square miles. The County has 1,182,492 acres or 1,848 square miles of agriculturally zoned, A-1 (General Agriculture) and A-2 (Exclusive Agriculture). The suitability and viability of this agriculturally-zoned land is discussed at length in the findings of this study in Section 8.3.

Merced County is home to 128,674 acres of wetlands - the largest wetland complex in California. The Grassland Ecological Area was established by the U.S. Fish and Wildlife Service for the purpose of designating an area in which public easements for wetland conservation were to be purchased. Approximately 51,000 acres are in public ownership in federal wildlife refuge, state wildlife areas and state parks. (Grassland, 2001)

The population of Merced County is 255,793 according to the 2010 U.S. Census Bureau. Between 2000-2010, Merced County's population grew by 21.4%, faster than the California average of 10.0%.

1.2 Agricultural Income

In 2009, raw Agricultural production in Merced County was more than a $2.46 billion industry before processing and value-added activities and is currently the main source of revenue in the region. (Robinson, 2009) Agriculture provides economic support for other industries including packing, processing, packaging, transporting and marketing agricultural products. (Norton, 2007) This effect is often quantified as an "economic mutiplier" -- a measurement of the ripple effect of agriculture. Assuming a multiplication factor of 2.23, taken from research specific to the San Joqauin Valley (Barker, et al., 2009) the raw goods produced and revenue generated through these additional industries in Merced County could be estimated at approximately $5.5 billion. *However, a brief tally of large agricultural entities in Merced County nearly exceeds Baker's academic estimate: Hilmar Cheese, $1 Billion; Foster Farms, $1 Billion; E & J Gallo, $1.5 Billion (some plants in Stanislaus County); Gemperle Farms, $600 million.*

1.3 1990 General Plan

The Merced County 1990 General Plan is the long-term policy document that guides land use, housing, transportation, infrastructure, community design, and other policy decisions for 20 years, 1990-2010.

The Agricultural Element of the General Plan acknowledges that the current 20 acre parcel size in the A-1 zone may not protect the County from rural "ranchette" development, and that parcels of 40 acres or greater are more likely to remain in active farming. (Section VII.B.4 of the Merced County General Plan Agricultural Element)

As of June 2011, Merced County is still in the process of updating their next General Plan which is slated to guide long-term policy to 2030. However, all instances of the General Plan in this report should be assumed to refer to the 1990 General Plan.

1.4 Farmland Conversion in Merced County

Between 1992-2008, over 101,860 acres of Important Farmland and 16,452 acres of Grazing Land have been converted to other uses. (CDC, 2011) *("Important Farmland" includes the farmland categories: Prime, Statewide Importance, Unique and Local Importance)* This figure represents 8.6% of Merced County's total acreage.

The 2006-2008 Farmland Conversion Report shows that Merced County's farmland-to-urban land conversion nearly came to a halt after the real estate decline, with only 200 acres converted to urban uses. In contrast, between 2002-2004 approximately 2,000 acres were converted over the same time span. However, the 2006-2008 report also shows a significant increase in conversion to vacant lands, potentially indicating intentions for urban conversion which were unsuccessful.

Throughout the San Joaquin Valley, the report also shows accelerating rates of farmland being "downgraded", or reclassified, to grazing land due to land idling or long term dryland farming. In many cases, high salinity or drought-related land retirement was a factor. (CDC, 2011)

2.0 Minor Subdivision Background

2.1 What is a Minor Subdivision?

A "minor subdivision" is the act of geographically splitting a parcel or multiple parcels of land, and assigning new ownership rights to that parcel, particularly the legal right to build more dwelling units. Merced County defines a Minor Subdivision as:

> *A Minor Subdivision is the division of any land into four or fewer parcels for the purpose of sale, lease, financing, or as a gift, except for leases of agricultural land for agricultural purposes. A Minor Subdivision requires approval of both a "Tentative Parcel Map" and a "Parcel Map". Minor Subdivisions are discretionary (public officials are not compelled to approve them) and may ultimately result in land uses that could have a significant effect on the environment. They are, therefore, subject to environmental review.*

2.2 Reasons for Studying Minor Subdivisions

The parcelization and paving of farmland has been shown by American Farmland Trust to endanger the viability and economic productivity of agricultural land in Merced County and throughout California. Although there are several macro-trends contributing to the decline of soil health and arable land, Valley Land Alliance chose to pursue the study of Minor Subdivisions in Merced County due to the alarming rate of land divisions which occurred during the housing boom of the 2000's leading up to the real estate market crash occuring from 2006-08.

2.3 The California Subdivision Map Act

The Subdivision Map Act states that legislative bodies of local agencies are responsible to regulate and control the design and improvements of subdivision development within their geographical boundaries. (California Government Code § 66411) These local agencies are responsible for reviewing maps of a proposed subdivision. A tentative map is required to be consistent with the existing general and/or specific plans. (§ 66473.5, 66474)

2.4 Minor Subdivision Restrictions

Restrictions on Minor Subdivision approvals in the California Government Code 66474.4(a):

- Cannot be currently under Williamson Act contract
- Cannot be less than 10 acres of prime agricultural land
- Cannot be less than 40 acres of not prime agricultural land

2.5 Rural Residential Developments, or "Ranchettes"

Rural residential development is the construction of occupied dwelling units not required by farmers and ranchers to work the land, but primarily for residential use by non-farmers. These developments are commonly referred to as "ranchettes" and have been shown to significantly contribute to urban sprawl and the economic decline of surrounding agricultural land, in part due to conversion of smaller parcels to less-productive 'hobby farms'.

3.0 CEQA Background

3.1 CEQA - The California Environmental Quality Act

At its core, the Califonia Environmental Quality Act (CEQA) is an informational statute designed to provide citizens access to information relating to the effects of a project on the environment. The intent of the statute is to increase the effective participation of the public in the environmental review process. CEQA (§ 15378) defines a "project" as:

> *The whole of an action, which has a potential for resulting in either direct physical change in the environment, or a reasonably forseeable indirect physical change in the environment, and that is any of the following:*
>
> *(1) An activity directly undertaken by any public agency including but not limited to public works construction and related activities, clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code (§ 65100-65700).*
>
> *(2) An activity undertaken by a person which is supported in whole or in part through public agency contracts, grants, subsidies, loans, or other forms of assisstance from one or more public agencies.*
>
> *(3) An activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.*

3.2 EIR - Environmental Impact Report

An Environmental Impact Report (EIR) is the fullest extent of environmental study which a project may be subjected to under CEQA. An EIR includes: an initial study, a detailed review of a proposed project, its potential adverse impacts upon the environment, measures that may avoid or reduce those impacts, and alternatives to the project.

An EIR does not require adherence to a predetermined environmental outcome. Rather, it requires decision makers to account for environmental values in their decisions and to justify those decisions in light of detailed environmental studies and public comments on the potential environmental impacts of the proposal. (Holder, 2004)

3.3 Initial Study

An initial study is a preliminary analysis of the environmental effects of a proposed project, generally prepared by the lead agency if a project is not exempt from CEQA. An initial study's basic purpose is to provide the lead agency with information to use as the basis for deciding whether to prepare a negative declaration, mitigated negative declaration, or an Environmental Impact Report. The scope of the initial study must include the "whole of an action" and must also consider every phase of project planning, implementation, and operation. (PCL, 2007)

3.4 Cumulative Effects

"Potential cumulative effects" are the incremental impacts that projects might have on the environment such as the pollution of air or water, or paving of productive agricultural land. CEQA requires assessment of potential cumulative impacts to determine if a project will require an EIR:

> *"The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably forseeable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over time." (Cal. Code Regs. Tit. 14 § 15355)*

CEQA also specifies that a cumulative effect:

> *"refers to two or more individual effects which, when considered together are considerable or which compound or increase other environmental impacts." (Cal. Code Regs. Tit. 14 §* 15355)

4.0 CEQA Exemptions

4.1 "Categorical" Exemptions

A number of "categorical" exemptions exist, which may be cited by a lead agency to bypass environmental review for a project if the agency determines that there is an applicable exemption in §15300-15333 of the CEQA Guidelines. Between 1998-2008, Merced County utilized the following exemptions to bypass minor subdivision CEQA review:

- ***§15301 Existing Facilities*** - *"Class I consists of the operation, repair, maintenence, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination."*

- ***§15305 Minor Alterations in Land Use Limitations*** - *"Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to (a) Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel; (b) Issuance of minor encroachment permits; (c) Reversion to acreage in accordance with the Subdivision Map Act."*

- ***§15315 Minor Land Divisions*** - *"Class 15 consists of the division of property in urbanized areas zoned for residential, commercial or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exeptions are requested, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.*

4.2 "General Rule" Exemption

The General Rule Exemption (GRE), also known as the "common sense exemption", allows an agency to exempt a project from review based on a general opinion that a project will not have any significant effects on the environment. The exemption is defined in the California Code Regs. Tit. 14 § 15061(b)(3)):

> ***§15061(b)(3) Review For Exemption*** - *"The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a siginificant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a siginificant effect on the environment, the activity is not subject to CEQA."*

4.3 Restrictions of the "General Rule" Exemption

The GRE only applies when environmental impacts can be regarded "*with certainty*" as non-existent. Rather than burden the public to demonstrate potential impacts, legal precedent requires that the County has the burden to demonstrate, with substantial evidence, that the activity falls within the exemptions provided for under CEQA. (Magan v, County of Kings (2002), 105 Cal. App. 4th 468, 475)

5.0 History of "General Rule Exemption" Use

5.1 Overview of Concern and Public Comments

Beginning in 2000, an escalating number of minor subdivision applications were submitted to divide parcels of land. In approximately 2004, organizations began to submit public comments to share their concerns about this rising phenomenon. Comments were submitted by Valley Land Alliance (VLA), Merced County Farm Bureau (MCFB), University of California Cooperative Extension (UCCE), Grassland Resource Conservation District (GRCD) and San Joaquin et al.

The CEQA General Rule Exemption was utilized to bypass environmental review in a number of these applications. On many occasions, legal precedents were cited by the public to show that the CEQA General Rule Exemption should not be used by Merced County's Hearing Officer, Planning Commission or Board of Supervisors without supporting evidence to demonstrate that a project had absolutely no significant effects on the environment. In addition, several reasonable arguments and legitimate questions were raised suggesting the potential for significant impacts of individual projects as well as cumulative effects of the many minor subdivisions being approved.

5.2 Legal Precedents Cited in Public Comments

A partial list of legal precedents cited by organizations in their comments:

- Davidon Homes v. City of San Jose (1997) 54 Cal.App.4th 106, 118

  "An agency may find a proposed project exempt under Section 15061(b)(3) only if its precise language clearly applies. Any possibility that the project might culminate in a significant adverse change removes it from this exemption. If a reasonable argument is made that suggests a project might have a significant impact, the agency must refute that argument to a certainty to rely on the exemption."

  "In the case of the common sense exemption... the agency's exemption determination is not supported by an implied finding by the Resources Agency that the project will not have a significant environmental impact. Without the benefit of such an implied finding, the agency must itself provide the support for its decision before the burden shifts to the challenger."

"Imposing the burden on members of the public in the first instance to prove a possibility for substantial adverse environmental impact would frustrate CEQA's fundamental purpose of ensuring that government officials make decisions with environmental consequences in mind."

"Moreover, the showing required of a party challenging an exemption under Guidelines Section 15061, subdivision (b)(3) is slight, since that exemption requires the agency to be certain that there is no possibility the project may cause significant impacts. If legitimate questions can be raised about whether the project might have a significant impact and there is any dispute about the possibility of such an impact, the agency cannot find with certainty that a project is exempt."

- Dunn-Edwards Corp. v. Bay Area Air Quality Mgmt. Dist. (1992) 9 Cal.App.4th 644
  "Also, when evidence is presented to a lead agency showing possibility of adverse impact, the agency cannot rely on the absence of supporting data, because the agency cannot say with certainty that there is no possibility of significant effect on the environment."

- Magan v, County of Kings (2002), 105 Cal. App. 4th 468, 475
  "the County has the burden to demonstrate, with substantial evidence, that the activity falls within the exemptions provided for under CEQA."

- CA Farm Bureau Fed. v. California Wildlife Conservation (2006) 143 Cal. App.4th 174
  An agency must meet the high burden of *"establishing the common sense exemption, i.e. that there is no possibility that the project may cause significant environmental impacts." The* court recognized that even seemingly benign actions such as habitat creation activities and acquisition of conservation easements will require review under CEQA when there are potentitially significant impacts.

5.3 Arguments for Cumulative Effects Cited in Public Comments

Below is a partial list of arguments submitted regarding potential effects and cumulative effects of various minor subdivision applications:

- Smaller parcels are less able to utilize the economies of scale available to larger parcels. Most parcels are too small to become viable economic units on their own.
- State regulations now create buffer zones around residences restricting the use of some common soil pesticides. Having homes adjacent to fields can significantly impair a farmer's ability to use soil fumigants to control pests and may result in a decline in the economic viability of land.
- Ariel applicators can no longer treat some parcels due to proximity of new homes.
- Smaller parcels make it more difficult to obtain grant funding for easement purchases.
- Rural residential development increases transportation impacts and costs for services such as fire and water.
- An American Farmland Trust study found that ranchettes in Merced County account for 8,122 acres, or 19% of all urban acreage.
- 67,487 acres of A-1, A-2 land in Merced County are threatened, at-risk, or already a ranchette. (Dunbar, 2000)
- 42,636 additional acres will be urbanized in Merced County between 2004-2050. (Thompson, 2007)
- A minimum of 79,050 additional acres is estimated to be urbanized in Merced County between 2000-2040. (Tietz, 2005)

The urbanized-acreage estimates, ranging between 42,636-79,050 acres are considered significant in the context of the edible crop acreages which are discussed in Section 8.3 on Page 37.

5.4 Public Request for Study of Cumulative Effects, Groundwater Basin

On multiple occasions, VLA and MCFB made public comments to request that a hydrological study be done for the Merced Groundwater Basin and that a study of Merced County's minor subdivision approvals from 1990 to today must to be performed in order for the County to assess cumulative impacts of these past project approvals.

5.5 Merced County Conducts Study, Finds No Cumulative Effects

In response to these assertions and to support its frequent use of the General Rule Exemption, Merced County staff conducted a study titled *"A Qualitative Compilation of All Minor Subdivision Activity Countywide in A-1 & A-2 Agriculture Zones Over the Past Ten Years (From January 1998 to March 2008)"*. The study includes findings based on acreage and parcel data provided by three private engineering firms and a field investigation conducted by Merced County staff.

The first two paragraphs of Merced County's conclusion stated:

- ***"Staff found that most requests for minor subdivision applications*** *over the past ten years were actually made by farmers that wished to divide their property* ***for family planning purposes in order to protect and preserve their family farm*** *from financial disaster and to pass the family farm on to the next generation."*

- *"Based on this qualitative compilation, it is* ***staff's opinion that there is no significant envionmental impact*** *from Minor Subdivision activity over the past ten years. Based on view that the* ***history has not produced significant large numbers of residential dwelling units*** *on agricultural lands other than those residences used to support agriculture production."*

Further details contained in the *Qualitative Compilation* are discussed in Section 6.3 on Page 19.

5.6 Public Disagrees with Merced County's *Qualitative Analysis*

VLA and Merced County Farm Bureau disagreed with Merced County's conclusions and chose to pursue an independent study, due to the following discrepencies:

- ***Applicant Intent: No Supporting Evidence***

  Merced County provided no supporting evidence to demonstrate "that most applications were made by farmers wishing to protect their property to pass on the family farm."

- ***Acreage Comparisons: Misleading Evidence***

  Merced County contrasted the acreage of Minor Subdivisions with all the A-1 and A-2 land in Merced County to show that long-term cumulative impacts were insignificant. VLA found this evidence to be misleading as the values provided included land that was designated specifically for wetlands, recreation and non-economically viable grazing.

- ***Groundwater Availability: No Supporting Evidence***

  Merced County did not include any information about groundwater, although several agencies have acknowledged that we are overdrafting our groundwater supplies. VLA found that many of the rural residential developments rely on well water.

- ***Recent Residential Activity: Insufficient Evidence***

  VLA evidence calls into question Merced County's conclusion that the number of new dwelling units resulting from Minor Subdivision applications processed between 1998-2008 was insignificant. VLA recommends at minimum a 20-year scope to sufficiently study these resulting dwelling units.

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6.0 Purpose, Scope and Related Studies

6.1 Purpose

The purpose of this study is to expand on the research compilation released by Merced County in order to provide an independent perspective on the cumulative impacts of Minor Subdivisions. In addition, this study compares Merced County with other counties across California regarding the use of Minor Subdivision CEQA exemptions and processing of public information requests.

In this report, answers were sought for the following questions:

1. *Can the impacts on agriculture and natural resources due to ranchette development from minor subdivisions be conducted with the information available?*
2. *How many splits resulted in new ranchette dwelling units?*
3. *What percentage of minor subdivision parcel splits resulted in a sale of one or more parcels to a new owner of a different surname?*
4. *Has Merced County's use of the General Rule Exemption (GRE) subverted the intent of CEQA, Merced County's General Plan and the Merced County Zoning Code?*
5. *How does Merced County's use of the GRE compare with other counties?*
6. *What public records protocols do other counties utilize?*
7. *Did Merced County adhere to California public records access rules?*

6.2 Scope

This report utilizes all reasonably available information on Minor Subdivision Parcel Splits in Merced County on Agriculture-zoned land (A1 and A2) between 1998-2008. Parcels zoned Agriculture Residential (A-R) were not considered for this report. A total of 353 minor subdivision application files were considered; sixteen potential application files were not included due to a lack of available information.

Building permits contained in the electronic database utilized by Merced County were not available for the purposes of this study. Therefore, our analysis does not include the total number of residences resulting from all Minor Subdivisions.

Instead, we provided a qualitative analysis based on satellite imagery dated 1998-2010 of the structures visibly constructed on substandard parcels. Although this method was unfortunately not as comprehensive as utilizing a database of building permits, the results appear to suggest that no method of observation is sufficient to predict the actual number of dwelling units which may result from Minor Subdivisions within the given time frame.

This report recognizes the substandard parcel "Minimum Parcel Size Exemptions" according to Chapter 18.02.03.C of the Merced County Zoning Code. However, it is the opinion of the authors that sufficient legal precedent exists to place the burden of proof on the County to provide truly sufficient evidence that each of these projects will not contribute to cumulative impacts, regardless of its ability to meet the Minimum Parcel Size Exemption criteria in the zoning code.

The only substandard parcels which were regarded as sufficiently legal in this report were those created by the conveyance of a financial security instrument, or a "financial parcel map waiver", due to the fact that we found no evidence that any of these parcels were sold to new owners or resulted in the possibility of a new dwelling unit.

6.3 Related Study - Merced County

A Qualitative Compilation of All Minor Subdivision Activity Countywide in A-1 and A-2 Agricultural Zones Over The Past Ten Years (January 1998 to March 2008)
By Merced County, October 8, 2008

Findings Include:

1. 1,182,492 acres or 1,848 square miles of Merced County are agriculturally zoned, A-1 and A-2. This zoning accounts for 93% or more of all acreage of all zoned districts in Merced County
2. A total of 267 Minor Subdivision maps were recorded on property zoned A-1 and A-2 from Jan. 1998 to March 2008 which resulted in 691 recorded parcels on 32, 573 acres.
3. There were 375 new parcels created compared to the 89,061 parcels that exist in Merced County. These new parcels prepresent 0.4 percent of all existing parcels (99.6 percent) in the past ten years.
4. Approximately 2.76 percent of all A-1 and A-2 property was subdivided or re-subdivided in the last ten years
5. A total of 66.4 percent (267 of 402) of all Minor Subdivisions were found to be located in A-1 and A-2 zones. Over 21 percent (110 of 512) of minor subdivision applications had expired, terminated, or were not recorded.
6. There were 97 residential dwelling units (including ADOMP's and granny units) that were constructed on parcels involved in Minor Subdivisions activity in the A-1 and A-2 zones over the past ten years.
7. The total annual number of new residential dwelling units averaged less than 10 (9.7) new homes per year from 691 resulting subdivided or re-subdivided parcels on 32,573 acres of the 267 recorded Minor Subdivision maps in the A-1 and A-2 zones.
8. Only six (6) of the 97 residential dwelling units are considered ranchette homes constructed on one or more substandard parcels (betwen 2 and 15 acres in size) and where the balance of the parcel remains fallow. Section VII, B.3.C of the General Plan Agricultural Element describes ranchettes as parcels which are too small for efficient farming, and which are taken out of agricultural production for construction of a single family home.
9. While 228 of the 291 recorded parcels (33%) in the past ten years are substandard parcels, over 91% of the parcels remained in agricultural production following division.

10. Only 30 of the 691 parcels (4.3 percent) are currently for sale.
11. Based on this ten year cumulative minor subdivision qualitative compilation analysis found in this staff report, nearly all Minor Subdivision applications in the A-1 and A-2 zones would qualify for a "Common Sense" exemption to the CEQA Guidelines under Section 15061(b)(3).

Conclusions Include:

- "most requests for minor subdivision applications over the past ten years were actually made by farmers that wished to divide their property for family planning purposes"
- "there is no significant environmental impact from Minor Subdivision activity over the past ten years."
- "a mere 97 new dwelling units (did not) constitute a significant negative impact"
- "Staff recommends the continuation of the practice"... "to restrict the number of dwelling units overall by placing a limit of two (2) dwelling units on each parcel as subdivided."

***Table 6.3.1* - Qualitative Compilation by Merced County**

Description	Total Acreage	Percent
Countywide A-1 zoned parcels	530,879	44.89%
Countywide A-2 zoned parcels	651,613	55.11%
Countywide combined (A-1 & A-2) parcels	1,182,492	100%
Subdivided acreage A-1 parcels (20 acre min.)	15,553	1.32%
Subdivided acreage A-2 parcels (160 acre min.)	17,020	1.44%
Total acreage subdivided	32,573	2.76

Engineering & Land Surveying Firms	GVE	BCA	FF&P	Others	Totals
Recorded Maps in the A-1 & A-2 zones	107	84	33	43	267
Percentage of Maps	40.07%	31.46%	12.36%	16.10%	100%
Existing antiquated legal lots included	56	45	15	17.5	133.5
Total Existing Parcels	134	99	40	53	326
Total acreage subdivided	14,283	7,764	4,590	5,936	32,573
Existing Average Parcel Size	106.59	78.42	114.76	112.01	99.92
Existing average parcel size	106.59	78.42	114.76	112.01	99.92
Additional parcels created	180	102	45	57	384
10 yrs or less of ownership recorded	133	66	72	54	325
Total MS parcels recorded	294	201	86	110	691
Average parcel size after recording	48.58	38.63	53.38	53.97	47.14
Existing Homes	127	110	36	41	314
New Homes	51	19	10	17	97
Total Resulting Homes	178	129	46	58	411

6.4 Related Study - American Farmland Trust

Ranchettes: The Subtle Sprawl
By American Farmland Trust, June 2000

Findings Include:

- A ranchette parcel removes more land from agriculture than any single higher density suburban dwelling.
- Merced County assessor has 1,956 parcels listed as ranchettes, totaling 7,538 acres.
- Developed rural parcels under five acres in size that were identified in this study are most likely to just have a homesite. Only 25 percent of acreage in the size group is assumed to still be in some form of production agriculture. Only 45 percent of the acreage of undeveloped parcels in this size group is estimated to have some production agriculture. The remaining acreage lies fallow awaiting homesites.
- The percentage of production agriculture on identified developed rural parcels increases to over 50 percent with parcels in the five-to-ten acre size group. These parcels are often located on good soil. An even higher percentage – 70 percent – of the acreage of this size group's undeveloped parcels is assumed to host production agriculture operations.
- As expected, the highest percentage of production ag operations are found in the 10 to 20 acre size category – even on developed parcels (those with homesites on them). In Merced County, for example, 20 acre splits are common in agricultural areas but they are farmed contiguously.

***Figure 6.4.1* - Urbanized Acreage and People-Per-Urban-Acre Projections**

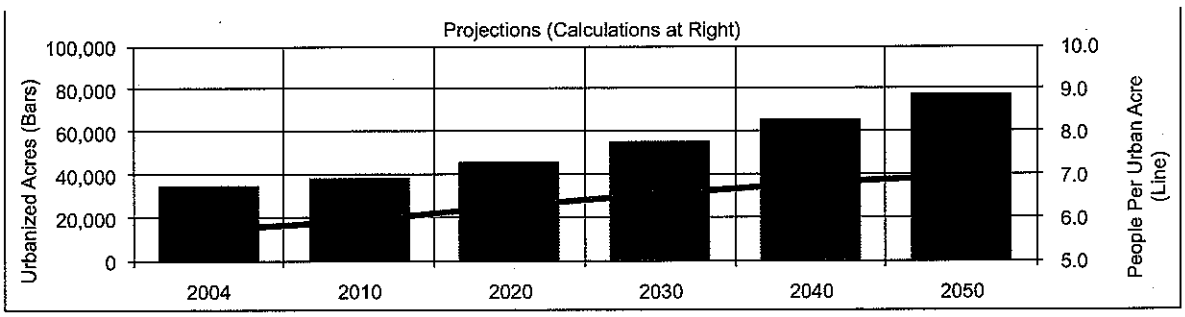


***Table 6.4.1* - Merced County Ranchettes and At-Risk Parcels (See Figure 9.4.1 on Pg. 46 for graph)**

(source: American Farmland Trust, June 2000)

Parcel Size (Acres)	Ranchette, Threatened, or At-Risk Agriculture?	Developed (D) or Undeveloped (U)?	Number of Parcels	Area of Parcels (Acres)	Total Assessed Value, Without Development (in Dollars)	Total Assessed Value, With Development (in Dollars)	Average Value Per Acre, Without Development (in Dollars)	Average Value Per Acre, With Development (in Dollars)	Avg. $/acre Total
<02	Ranchette	D	384	660	$ 9,803,633	$ 25,882,940	$ 14,843	$ 39,189	**$ 54,032**
<02	Ranchette	U	82	139	$ 1,488,921	$ 66,294	$ 10,750	$ 479	**$ 11,229**
<02	At-Risk Ag	D	11	19	$ 122,395	$ 521,087	$ 6,375	$ 27,140	**$ 33,515**
<02	At-Risk Ag	U	19	32	$ 94,494	$ 31,637	$ 2,953	$ 989	**$ 3,942**
<05	Ranchette	D	851	2,664	$ 25,267,245	$ 56,541,832	$ 9,486	$ 21,228	**$ 30,714**
<05	Ranchette	U	264	852	$ 8,893,356	$ 162,450	$ 10,436	$ 191	**$ 10,626**
<05	At-Risk Ag	D	215	857	$ 6,043,598	$ 13,419,285	$ 7,051	$ 15,656	**$ 22,707**
<05	At-Risk Ag	U	266	1,017	$ 3,903,470	$ 710,354	$ 3,840	$ 699	**$ 4,539**
<10	Ranchette	D	159	980	$ 6,597,297	$ 10,870,949	$ 6,729	$ 11,088	**$ 17,818**
<10	Ranchette	U	113	791	$ 8,948,765	$ 38,738	$ 11,311	$ 49	**$ 11,359**
<10	At-Risk Ag	D	568	4,486	$ 23,907,240	$ 41,523,725	$ 5,329	$ 9,256	**$ 14,585**
<10	At-Risk Ag	U	559	4,346	$ 13,837,140	$ 1,885,317	$ 3,184	$ 434	**$ 3,618**
10+	Ranchette	D	29	382	$ 1,576,460	$ 2,147,832	$ 4,124	$ 5,618	**$ 9,742**
10+	Ranchette	U	74	1,069	$ 15,805,317	$ 50,943	$ 14,786	$ 48	**$ 14,834**
10+	Threatened	D	1,395	23,393	$ 79,318,826	$ 104,393,068	$ 3,391	$ 4,463	**$ 7,853**
10+	Threatened	U	1,561	25,799	$ 70,694,221	$ 8,855,530	$ 2,740	$ 343	**$ 3,083**

See Figure 9.4.1 on Pg. 46 for graph)

6.5 Related Report - CA Dept. of Conservation

California Farmland Conversion Report 2006-2008
By California Department of Conservation, January 2011

Findings Include:

- (Between 1982-2008), more than 1.3 million acres of agricultural land in California were converted to nonagricultural purposes. This represents an area larger than Merced County; or a rate of about one square mile every four days.

- The largest losses from agricultural land categories were from Prime Farmland and Grazing Land (559,743 and 386,525 acres, respectively).

- Vacant or Disturbed Land increases were significantly larger in 2006-08 compared to 2004-06 (4,620 and 901 acres, respectively). These conversions were distributed primarily in Fresno, Kern, and Merced counties. To a large degree these were formerly farmed lands which were disturbed in preparation for residential subdivisions; but infrastructure was not completed due to the downturn in the real estate market.

- Urbanization's impact on irrigated farmland was somewhat less concentrated in the San Joaquin Valley ('Valley') counties in this update (Table 6.5.1, right). During the previous two updates, six Valley counties placed in the top ten ranks; while in 2008 Merced County dropped to less than 200 acres of direct irrigated farmland to urban conversion.

- Reclassifications to Grazing Land or Farmland of Local Importance due to land idling or long-term dryland farming have accelerated significantly in recent updates. Between 2006 and 2008, 220,453 acres were affected, a 42% increase over the prior cycle. The San Joaquin Valley experienced 66% of the long term land idling (Figure 6.5.1, below).

- Five of the eight Valley counties had 10,000 or more acres of this conversion type; Fresno, Kings, and Kern counties accounted for more than 75% of the loss. The Fresno County decrease, more than 56,000 acres, was particularly notable. These conversions are associated with salinity and drought related land retirement on the west side of the Valley. This is a trend which has the potential to continue; FMMP field analysts have flagged in excess of 108,000 acres in the three counties as being in dryland or fallow status for two update cycles.

***Figure 6.5.1* - Conversions Out of Irrigated Categories (2006-08, Acres)**

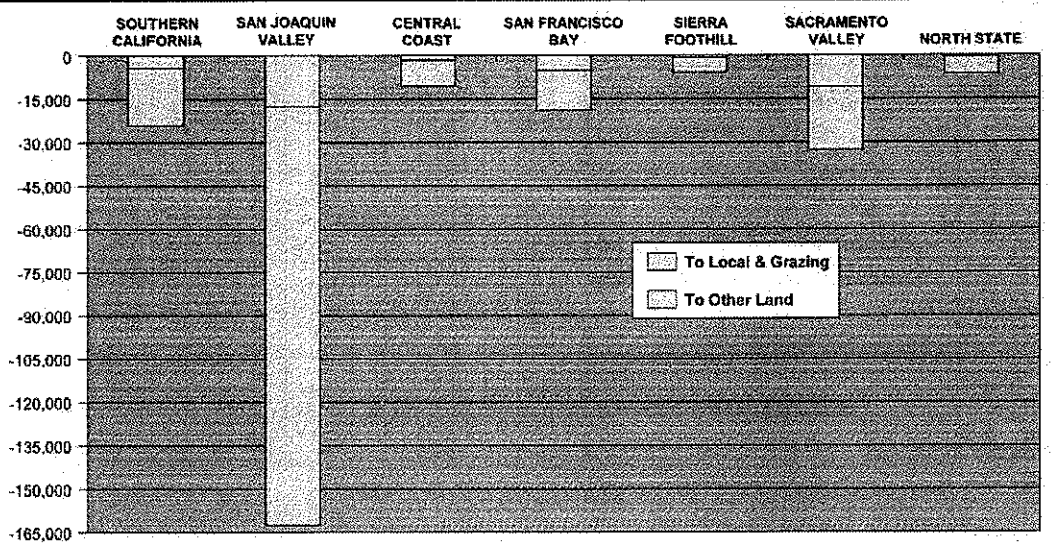


Table 6.5.1 - Merced County Land Use Conversion 1992-2008

DEPARTMENT OF CONSERVATION
Office of Land Conservation
Farmland Mapping and Monitoring Program

PART III Land Use Conversion from 1992 to 2008

	LAND USE CATEGORY	Total Converted To Another Use	Prime Farmland	Farmland of Statewide Importance	Unique Farmland	Farmland of Local Importance	Subtotal Important Farmland	Grazing Land	Total Agricultural Land	Urban and Built-Up Land	Other Land
92-94'	Important Farmland Subtotal	8,029	165	215	749	781	1,910	4,576	6,486	569	974
	Grazing Land	1,262	233	48	187	277	745	--	745	313	204
	AGRICULTURAL LAND SUBTOTAL	**9,291**	**398**	**263**	**936**	**1,058**	**2,655**	**4,576**	**7,231**	**882**	**1,178**
94-96'	Important Farmland Subtotal	6,492	430	68	294	1,937	2,729	1,812	4,541	554	1,397
	Grazing Land	3,209	725	344	518	1,255	2,842	--	2,842	285	82
	AGRICULTURAL LAND SUBTOTAL	**9,701**	**1,155**	**412**	**812**	**3,192**	**5,571**	**1,812**	**7,383**	**839**	**1,479**
96-98'	Important Farmland Subtotal	22,056	3,313	2,821	4,148	2,525	12,807	4,265	17,072	1,512	3,472
	Grazing Land	7,644	1,110	509	2,507	2,509	6,635	--	6,635	360	649
	AGRICULTURAL LAND SUBTOTAL	**29,700**	**4,423**	**3,330**	**6,655**	**5,034**	**19,442**	**4,265**	**23,707**	**1,872**	**4,121**
98-00'	Important Farmland Subtotal	15,082	798	1,148	2,948	3,601	8,495	3,900	12,395	971	1,716
	Grazing Land	3,445	298	318	2,264	132	3,012	--	3,012	49	384
	AGRICULTURAL LAND SUBTOTAL	**18,527**	**1,096**	**1,466**	**5,212**	**3,733**	**11,507**	**3,900**	**15,407**	**1,020**	**2,100**
00-02'	Important Farmland Subtotal	17,624	1,963	2,249	4,672	2,607	11,491	1,203	12,694	1,028	3,902
	Grazing Land	10,370	608	475	1,168	1,343	3,594	--	3,594	142	6,634
	AGRICULTURAL LAND SUBTOTAL	**27,994**	**2,571**	**2,724**	**5,840**	**3,950**	**15,085**	**1,203**	**16,288**	**1,170**	**10,536**
02-04'	Important Farmland Subtotal	18,305	298	450	1,684	11,817	14,249	123	14,372	1,677	2,256
	Grazing Land	4,856	249	418	1,855	1,863	4,385	--	4,385	137	334
	AGRICULTURAL LAND SUBTOTAL	**23,161**	**547**	**868**	**3,539**	**13,680**	**18,634**	**123**	**18,757**	**1,814**	**2,590**
04-06'	Important Farmland Subtotal	17,482	429	417	2,652	9,809	13,307	427	13,734	1,514	2,234
	Grazing Land	4,413	593	398	2,460	370	3,821	--	3,821	200	392
	AGRICULTURAL LAND SUBTOTAL	**21,895**	**1,022**	**815**	**5,112**	**10,179**	**17,128**	**427**	**17,555**	**1,714**	**2,626**
06-08'	Important Farmland Subtotal	12,275	329	159	329	8,835	9,652	146	9,798	396	2,081
	Grazing Land	2,593	245	196	1,355	390	2,186	--	2,186	248	159
	AGRICULTURAL LAND SUBTOTAL	**14,868**	**574**	**355**	**1,684**	**9,225**	**11,838**	**146**	**11,984**	**644**	**2,240**
98-08'	**1998-2008 SUBTOTAL**	**106,445**	**5,810**	**6,228**	**21,387**	**40,767**	**74,192**	**5,799**	**79,991**	**6,362**	**20,092**

Source: Summary Data for Merced County located at http://www.conservation.ca.gov/dlrp/fmmp/products/Pages/ReportsStatistics.aspx

6.6 Related Report - Merced County Ag Commissioner

2009 Annual Report on Agriculture
By Merced County Ag Commissioner, 2010

Findings Include:

- Despite an 18% decline in gross production value of Merced County's agricultural commodities, Merced County, surpassed a 2 billion dollar mark for the fifth consecutive year.
- For the third consecutive year Merced County suffered the effects of the drought on rangeland and the water rationing imposed by some of the water districts.

***Figure 6.6.1* - Merced County Agricultural Commodity Value History**

***Figure 6.6.2* - 2009 Top 12 Commodities**

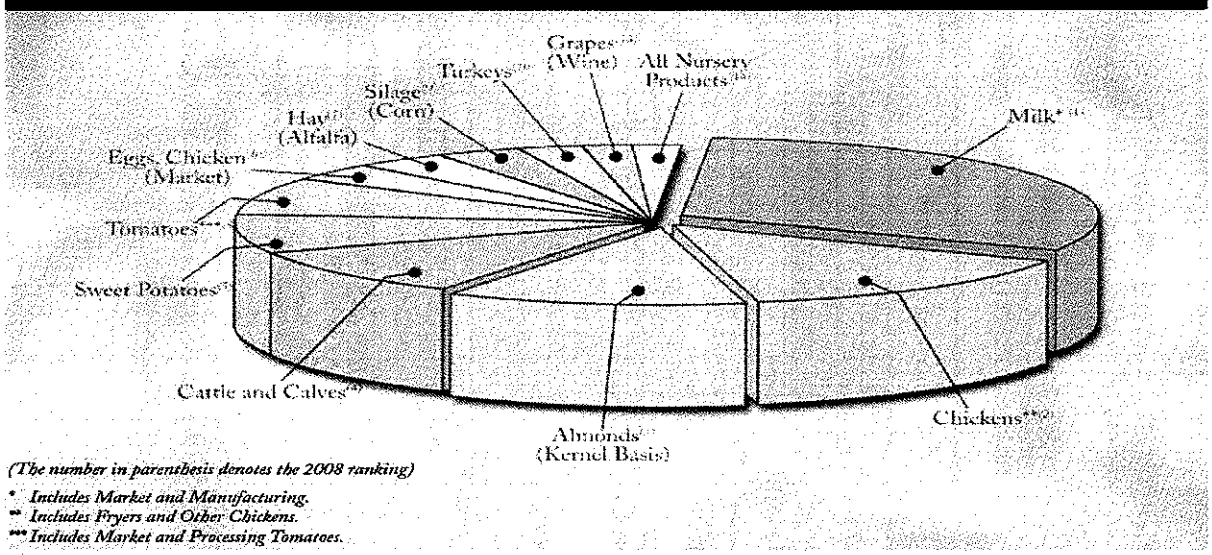


***Table 6.6.1* - Value and Acreage of Merced County Agricultural Sector**

	Acres	Total Value	Value/Acre	% Acreage	% Value
Vegetable Crops	**61,204**	**$395,809,000**	**$6,467**	**4.8**	**16.1**
Fruit and Nut Crops	**127,289**	**$388,459,000**	**$3,052**	**10.0**	**15.8**
Edible Field Crops	**30,000**	**$30,502,000**	**$1,017**	**2.4**	**1.2**
Beans (Dry Lima)	*2,259*	*$3,027,000*	*$1,340*	*0.2*	*0.1*
Corn (Grain)	*10,826*	*$11,973,000*	*$1,106*	*0.9*	*0.5*
Misc. Field Crops	*3,040*	*$1,326,000*	*$436*	*0.2*	*0.1*
Rice	*2,455*	*$3,439,000*	*$1,401*	*0.2*	*0.1*
Wheat	*11,420*	*$10,737,000*	*$940*	*0.9*	*0.4*
Other Crops and Livestock Feed	**355,297**	**$223,909,000**	**$630**	**28.0**	**9.1**
Barley	*3,185*	*$1,357,000*	*$426*	*0.3*	*0.1*
Cotton (Acala, Lint, Pima, Seed)	*23,385*	*$31,040,000*	*$1,327*	*1.8*	*1.3*
Hay (Alfalfa, Grain, Sudan)	*141,116*	*$85,504,000*	*$606*	*11.1*	*3.5*
Silage (Alfalfa, Corn, Other)	*176,191*	*$95,122,000*	*$540*	*13.9*	*3.9*
Straw	*N/A*	*$149,000*	*N/A*		
Wheat	*11,420*	*$10,737,000*	*$940*	*0.9*	*0.4*
Pasture	**600,547**	**$16,804,000**	**$28**	**47.3**	**0.7**
Pasture (Irrigated)	*30,719*	*$4,838,000*	*$157*	*2.4*	*0.2*
Pasture (Other)	*569,828*	*$11,966,000*	*$21*	*44.9*	*0.5*
Stubble (Pasture)	*N/A*	*$261,000*	*N/A*		
TOTAL CROPS & PASTURE	**1,174,337**	**$1,055,483,000**	**$899**	**92.6**	**42.9**
EDIBLES	*218,493*	*$814,770,000*	*$3,729*	*17.2*	*33.1*
NON-EDIBLES	*955,844*	*$240,713,000*	*$252*	*75.3*	*9.8*
TOTAL LIVESTOCK/PROD.	*N/A*	***$1,328,013,000***		*N/A*	***54.0***
LIVESTOCK (& POULTRY)	*N/A*	***$581,766,000***		*N/A*	*23.6*
LIVESTOCK PRODUCTS	*N/A*	***$746,247,000***		*N/A*	*30.3*
TOTAL AGRICULTURE (A1/A2)	***1,182,492***	***$2,460,475,000***		**93.2**	**100.0**
OTHER AG (BEES, AQUA, ETC.)	*N/A*	$76,979,000		*N/A*	3.1
TOTAL ACRES MERCED CO.	***1,268,629***			**100.0**	**100.0**

Table 6.6.1 is derived from the 2009 Annual Report on Agriculture.
See Figures 8.3.1, 8.3.2 & 8.3.3 on page 38 for visualization.

Note: Figure 6.6.2 on Pg. 25 (left) illustrates the high importance of Milk, Cattle and Chickens to the agricultural economy of Merced County. However, it is widely accepted that these operations are conducted on a relatively small quantities of land and partially rely on imported feed materials to produce their economic benefits. Therefore, for the purposes of evaluating the direct value of crop based agriculture these operations are omitted from our calculations regarding viable agricultural crop land.

7.0 VLA Research Process

7.1 Research Other Counties

7.2 Collect "Trak-It" Data

7.3 Coordinate Viewing Hours and Guidelines

7.4 Collect Information From Minor Subdivision Application Folders

7.5 Request Missing/Incomplete Data

7.6 Check APN Status and Ownership History

7.7 Assemble Electronic Database

7.8 Correlate with GIS Mapping

7.9 Physical Visitation of Substandard Parcels With Dwelling Units

7.10 Compare to Merced County's Qualitative Compilation

7.1 Research Other Counties

The planning departments of each of the 57 other counties in California were contacted in an effort to evaluate and compare their processing of Minor Subdivisions and procedural restirictions to view public information, with respect to the practices of Merced County. Each responding county planning department representative was asked a semi-structured set of questions including:

- *How many Minor Subdivisions does your planning department process annually?*
- *When processing Minor Subdivision applications, how often is the "general rule exemption" CEQA (§ 15061(b)3) utilized to exempt a project from environmental review?*
- *If not using the GRE, what alternative CEQA exemptions does your department utilize?*
- *What is your policy regarding public viewing of project files?*

7.2 Collect "Trak-It" Data

Merced County's Qualitative Compilation consisted of third-party records submitted from for-profit engineering firms who performed the work for the project. We sought a third-party perspective by reviewing each County file available in the County's Planning Department. We assembled a list of known Minor Subdivisions to facilitate our request for the physical folder files relating to each Agricultural Minor Subdivision between 2002-2008 (the years for which electronic records are available). For project files dated between 1998-2002, we relied solely on the planning department to disclose all applicable Minor Subdivision projects and to locate each application file.

7.3 Coordinate Viewing Hours and Guidelines

In response to our public records request, Planning Department Director Robert Lewis formalized a set of policies regarding the public viewing of project files during business hours. The policies included a two-hour restriction on the viewing of public records. Meetings to view public records were available by a one-day-per-week appointment to be scheduled one week in advance. VLA objected to these policies on the grounds that the Public Records Act explicitly states "Public records are open to inspection at all times during the office hours of the state or local agency" and "The guidelines and regulations adopted pursuant to this section shall not operate to limit the hours public records are open for inspection."

In the interest of time, VLA moved forward to view the public records under these policies, regardless of the infringement upon the legal rights of citizens. To compensate for the small amount of time available, VLA and MCFB brought in volunteers and staff to transcribe information from the public records to the questionnaire form pictured in Figure 7.4.1 on Page 30. Initially, Merced County limited our file access to fifteen files per session. This was later expanded to thirty available files per viewing session after a paid VLA lawyer consulted with County Counsel to pressure them to uphold the rights of public access.

7.4 Collect Information From Minor Subdivision Application Folders

During the two-hour time window provided, VLA and MCFB volunteers and staff transcribed information from each Minor Subdivision application to our in-house questionnaire form in Figure 7.4.1 on Pg. 30 (right).

Any additional information contained in the folder, such as public comments or planning department correspondence, was noted as extensively as time would allow. In most cases public comments were later scanned for our records.

7.5 Request Missing/Incomplete Data

Throughout the data collection process, it was clear to volunteers that records-keeping standards varied over time and were dependent on the planning staff who orginally compiled each application folder. It was not unusual to have at least some information that was not present in the folder. The data most commonly missing pertained to soil type, flood plain or water availability. For each of these categories, planning staff had information available on separate databases. This data was provided upon our request for particular minor subdivision applications on an individual basis.

Additional leads of entirely un-viewed files were obtained from Merced County's "Trak-It" system, the *Qualitative Compilation*, and other application files. These leads were provided to Merced County planning staff, who located the files where possible.

7.6 Check APN status and Ownership History

Each parcel APN was verfied against the public database located in the Assessor's office. In addition, we tracked the ownership history and noted the present value of each individual parcel of land, including development improvements.

Figure 7.4.1 **- Valley Land Aliance Public File Review Questionnaire**

Process

File No.: M504047 **Date of App.:** 4/18/04 **Date of Approval/Denial:** 9/18/04 **By:** HO

On the grounds: 15063(b)3 **Conditions:** WTF, 1 bldg only **Staff Recom.:** Approve/Difficulty/Deny

Parcel Info

Name: _____ **Supervisor District:** 4

APN: 105-050-044 **Acres Before:** 80 **Acres After.:** 20+20+20+20 OR 4 parcels of 20

Gen. Location: .25 miles South of Atwater-Jordan Rd. and .25 miles West of Central Ave. in Atwater area

Zoning: A-3 **Adjacent:** A-1, A-R, C **Use of Property Before:** Row crops, orchard, grazing, etc...

Split Type: M5, CB.C **Reason for Split Type:** Family planning, etc...

Details

Soil Notes: Prime, Statewide Importance, Unique **Flood Plain:** Yes, No, OR Merced River, Zone A

# of houses: 4 **Williamson Act:** Yes/ No **Water Availability:** CCID, MID, Deep wells, etc...

Engineering Co.: Golden Valley Engineering

Attachments

Public Comments: _____

Other Notes/Correspondence: _____

Attached Documents: _____

7.7 Assemble Electronic Database

Data was entered into a Microsoft Access database to perform calculations. Additionally, parcels were labeled red, orange, yellow, black or green based on the level of concern of VLA, with red representing the most concern, black being neutral and green being a positive impression of the handling of a particular application. Details of each label are as follows:

RED	*One or more new dwelling units was built after the minor subdivision was approved.*
ORANGE	*A sub-20 acre parcel created, strictly in violation of County Zoning Code or, the subdivision was approved against staff recommendation to deny the application.*
YELLOW	*The subdivision was approved against staff difficulty to recommend the application or, public comments were submitted recommending denial of the application.*
GREEN	*Application was denied or financial parcel waiver map was issued*
BLACK	*May contribute to cumulative effects, even if processed with appropriate procedures*

7.8 Correlate with GIS Mapping

Information from the electronic database was exported into an ArcGIS map of Merced County to present a birds-eye view of Minor Subdivision activity.

A layer of parcel information was obtained which contained a snapshot of all Merced County parcels at a time estimated to be approximately half-way between 1998-2008. Each parcel was identified with an APN number - a number used by the County Assessor's office to idenfity each individual parcel.

By retrieving the APN numbers before and after the approval of each minor subdivision, we were able to identify every minor subdivision regardless of the time it was split. Some parcels on our map correlated to minor subdivisions which had already been split, others correlated to parcels before they were split. **For this reason, it cannot be discerned simply from the map as to whether a parcel had been split at the time this parcel layer was created.** One must look at the full database which includes APN numbers, available by request from Valley Land Alliance.

The parcel layer also contained the use type and acreage of each individual parcel. The acreage for each use type was summed in order to calculate the total acreages for each use which are displayed alongside Map 8.2.1. on Page 36.

The farmland layer available did not have any acreage data available with it. VLA believes that a more skilled GIS user might have been able to discern the specific amount of each farmland type associated with each minor subdivision. Unfortunately, this calculation could not be performed for this report.

Therefore, the farmland acreages which are associated with minor subdivision parcel splits in Table 9.1.1 on Page 42 are a sum of the acreage of all parcels which have been described as containing a particular farmland type. For example, if a 20 acre parcel was identified as having Prime farmland and Statewide Importance farmland, then 20 acres were counted to the total of both. We acknowledge the flaw in this method but wanted to highlight the importance of a calculation such as this for the value of assessing our true agricultural resources. We believe a detailed assessment of this kind is warranted if a project threatens to pave Prime farmland.

7.9 Physical Visitation of Substandard Parcels With Dwelling Units

Physical visits were conducted for 30 new homes built on substandard parcels which had been subdivided between 1998-2008.

8.0 Findings - Agriculture and Resources

8.1 Land Available For Viable Agriculture

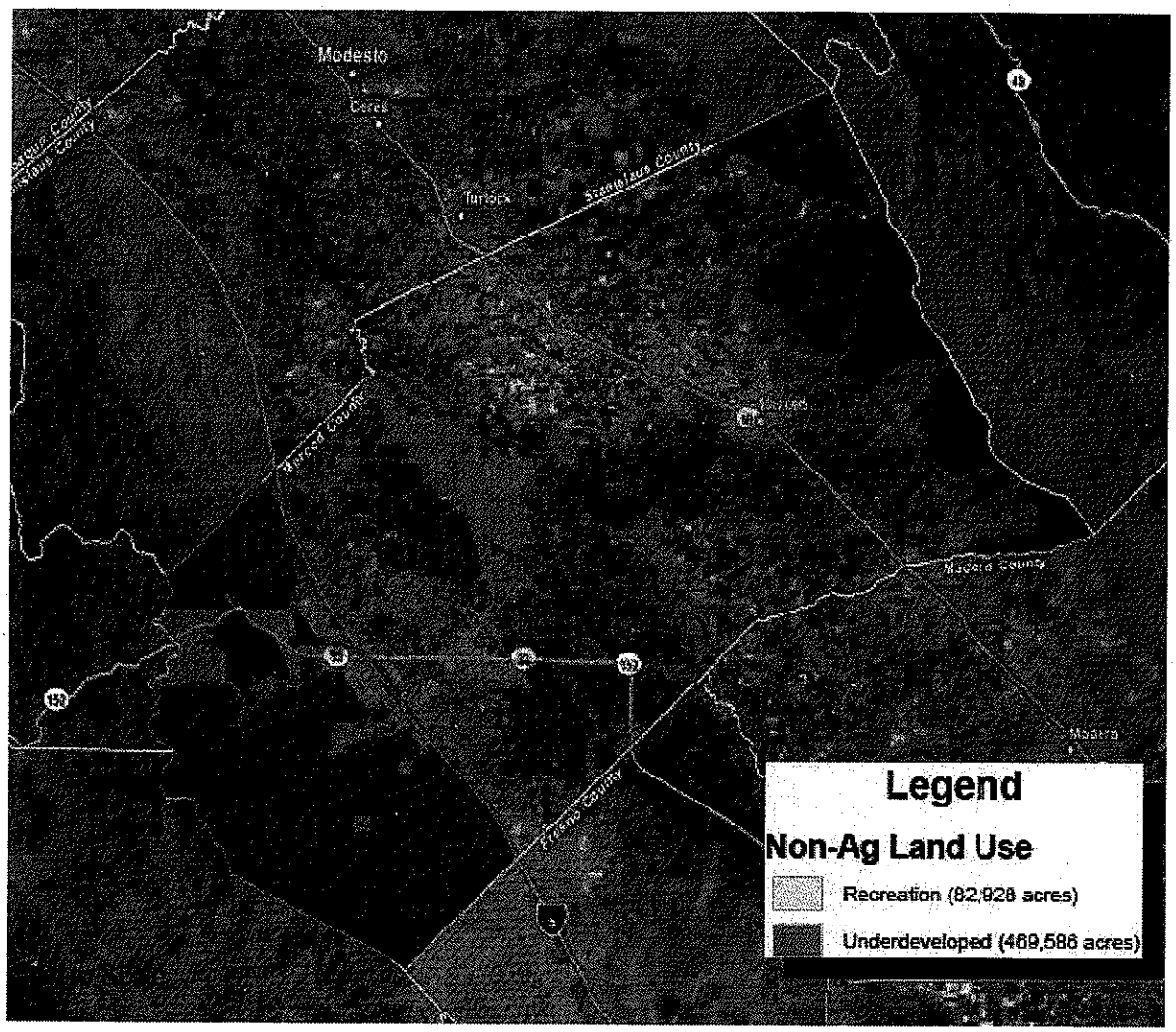
In Merced County's *Qualitative Analysis,* staff concluded that over 93% of Merced County's land was *"available for suitable and viable agriculture production"* because it was zoned as A-1 (General Agriculture) or A-2 (Exclusive Agriculture). However, the A-1 and A-2 zoning codes do not indicate the viability of land, its inherent value in perpetuity to the general public, nor the importance of the land's resources to supporting the local ecosystem. Merced County has provided no substantive data to prove the viability of the A-1 and A-2 zoned land. It is our belief that judging cumulative environmental impacts of projects based on this figure is erroneous and likely to be found illegal if judged in court.

Map 8.1.1 on page 34 depicts over 552,000 acres, or 40% of Merced County, which is not economically suitable or viable for intensive agriculture. The regions to the far East and West are most often left vacant or utilized only for low-density grazing. Meanwhile, the internal wetlands are reserved largely for parks and duck clubs. Despite the inability of this land to support intensive agriculture, it maintains an essential role as watershed.

According to CEQA, the cumulative impacts of a particular project cannot be disregarded based upon a subjective assumption that potential impacts will be a 'drop in the bucket' of a vast expanse of agricultural land. The economic data presented here, in absence of adequately detailed environmental studies, provides a sound basis for the disparity of land conditions within the A-1 and A-2 zones. The economic value of A-1 and A-2 land is derived from natural resources and is arguably subject to cumulative impacts from minor subdivision projects, based on further information provided in Section 8.3 on Page 37.

#1: 40% of Merced County land is defined by Merced County land use codes as "recreational" or "foothill pasture, not viable for intensive agriculture". However, Merced County Planning Department's Qualitative Analysis claimed 93% of its land is "suitable and viable for production".

Map 8.1.1 - Land Not Viable for Agriculture in Merced County



Merced County land use codes designate approximately 552,000 acres as Recreational (parks, wetlands and natural preserves) and Underdeveloped (vacant, foothill pasture not viable for intensive agriculture). Figure 8.3.1 on Pg. 38 depicts the low economic viability of pasture.

8.2 Land Use by Parcel "Use Name"

Examing parcels by use name provides a more accurate depiction of our available agricultural land than the methods utilized by Merced County. Rather than rely on a relatively artbitrary zoning code, a use code specifies the actual use of the property with more detail. For example, the duck club areas and wetland preserves are both zoned A-2, but would hardly be considered agricultural.

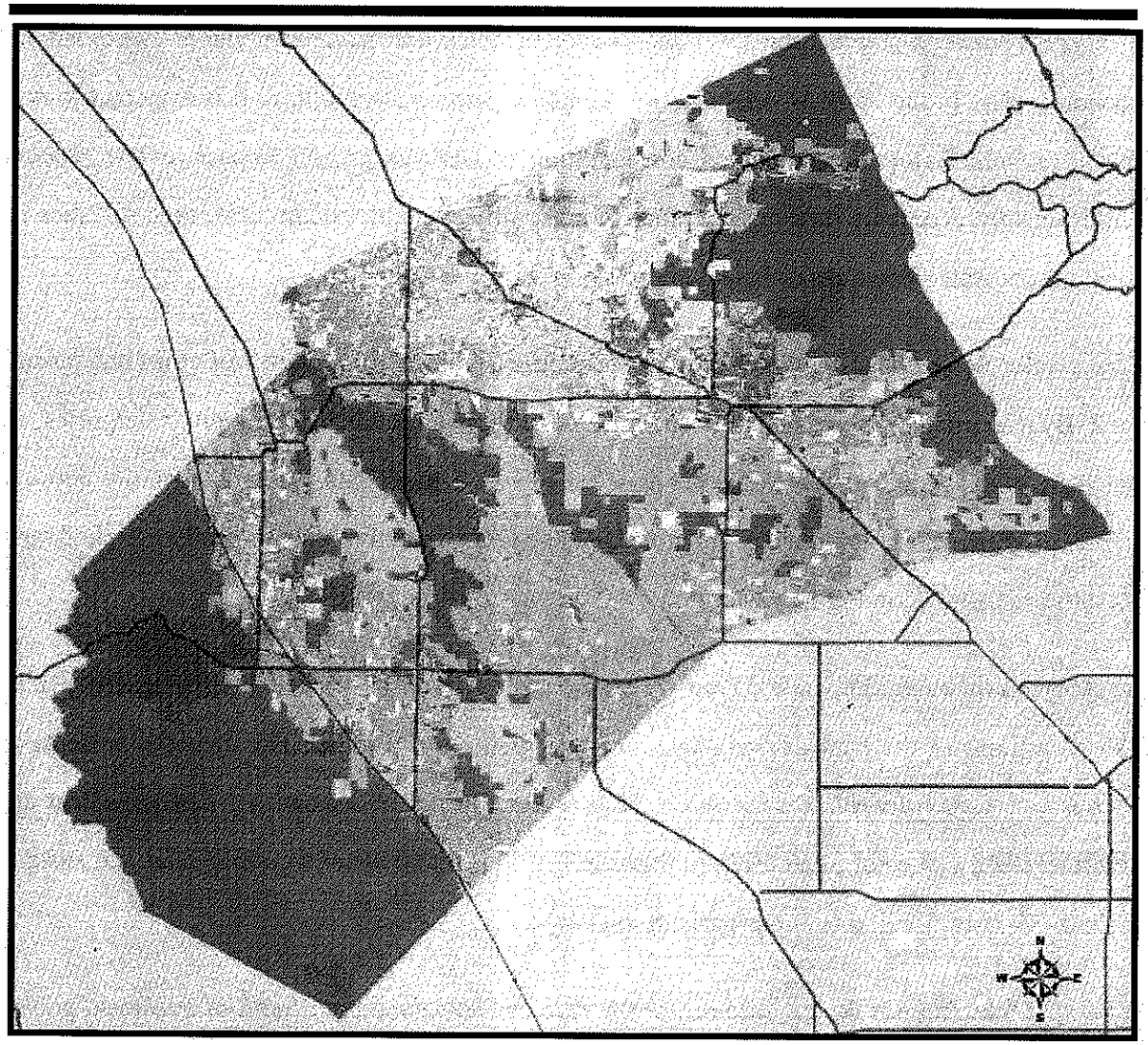
Table 8.2.1 displays the color-coded data provided in the parcel layer map represented in Map 8.2.1 on Page 36. (The map includes incorporated cities, but not proposed SUDPs such as Villages of Laguna San Luis.)

Table 8.2.1 - Land Use by Parcel "Use Name"

Parcel Use Code	Parcels	Acres	Avg. Acres
Agriculture	7,668	390,461	50.9
Dairy	410	31,020	75.7
Duck Club	237	41,058	173.2
Government Land	2,495	134,697	53.9
Grazing	2,286	420,506	183.9
Industrial	314	3,361	10.7
Major Commercial	207	247	1.2
Minor Commercial	2,125	4,238	2.0
Miscellaneous	274	1,376	5.0
Mobile Home Park	8	51	6.4
Orchard	3,601	157,551	43.8
Poultry	53	4,631	87.4
Religious	219	348	1.6
Residential 1 DU	51,743	17,231	0.3
Residential 2-4 DU	2,354	1,111	0.5
Residential 5+ DU	540	726	1.3
Sand & Gravel	33	3,375	105.5
Utility/Railroad	541	3,125	5.8
Vacant	4,788	9,821	2.1
TOTAL	***79,895***	***1,224,734***	

#2: According to Merced County land use codes, only .55 million acres are available for production agriculture. However, Merced County Planning Department's Qualitative Analysis claimed that 1.18 million acres are "suitable and viable for production".

Map 8.2.1 - Land Use by Parcel "Use Name"



MERCED COUNTY PARCELS & ACREAGE BY USE TYPE

- Agriculture
- Dairy
- Duck Club
- Protected Areas
- Foothills and Grazing
- Industrial and Commercial
- Orchard
- Poultry
- Residential
- Vacant

8.3 Unequal Viability of Agricultural Land

To support our argument that some A-1 and A-2 zoned land is not "suitable or viable", we examined economic data in the *2009 Merced County Annual Report on Agriculture*. It is impotant to note that economic factors are not given consideration in CEQA's project impact review process. Unfortunately, economic statistics are much more readily available and accurate than statistics for local groundwater resources or land quality.

The *Annual Report on Agriculture* provides economic statistics for a variety of crops and pasture land. By averaging the acreage and financial value of these agricultual commodity catergories, we calculated the average annual value per acre in order to demonstrate the wide disparity between highly productive, econommically valuable land and less productive, economically marginal land. Results are depicted in Figures 8.3.1 and 8.3.2 on page 38.

VLA found that approximately 17% (~218,000 acres) of land in Merced County sustains 100% ($815 million) of the fruits, vegetables, nuts and grains we produce. This figure represents all of our edible, non-livestock agriculture. 28% (~355,000 acres) sustains our cotton, wheat and livestock feed valued at $220 million. Pasture is 47% (~600,000 acres) of our land and sustains only 0.7% ($16.8 million) of our agricultural value.

Note that these figures do not account for the value-added economic benefit of livestock, poultry and livestock products such as milk and eggs - operations typically located in concentrated areas. These figures are intended to simply highlight the land available for basic, edible agriculture and the sensitivity of this land to cumulative impacts.

#3: Only17% (218,000 acres) of the total land in Merced County sustains 100% of our edible fruits, vegetables, nuts & grains.

***Figure 8.3.1* - Average Value & Available Acreage of Merced County Agricultural Land**

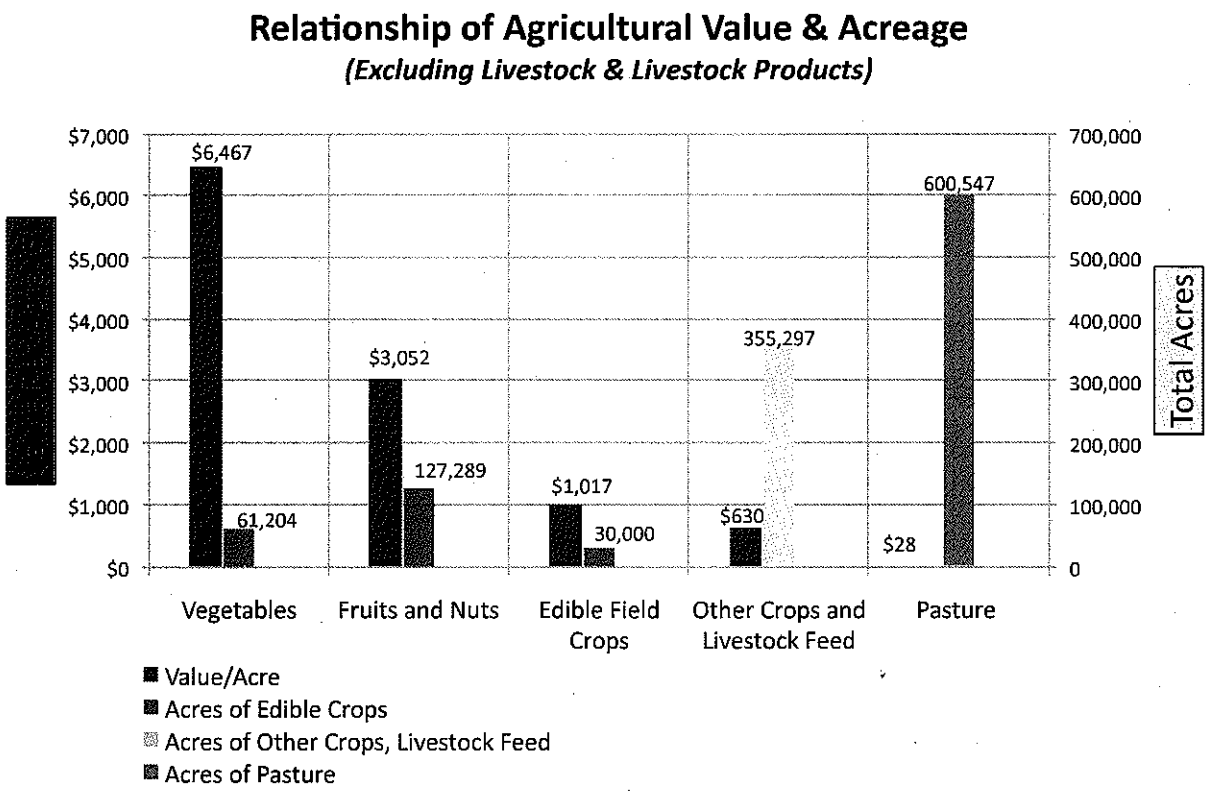


***Figure 8.3.2* - Annual Value of Agriculture**

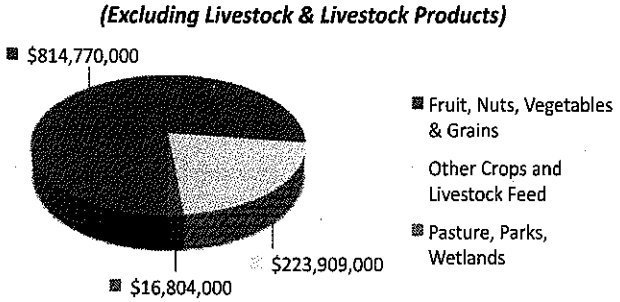
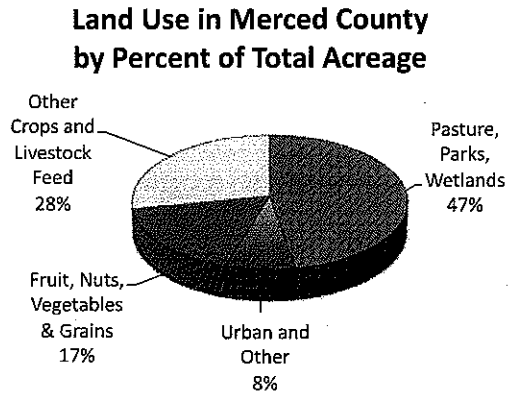


***Figure 8.3.3* - Land Use Percentages**



Calculations based on data in Merced County's 2009 Annual Report on Agriculture,

Corresponding data is located in Table 6.4.1 on Pg. 22 for reference.

8.4 Groundwater Supplies

According to testimony given by the UC Irvine Hydrology and Climate Research Group to the U.S. House of Representatives Subcommittee on Water and Power, the central valley is pumping groundwater at an unsustainable rate and lost the equivalent of "Lake Mead, the largest reservoir in the U.S." during 66 months (~5 years) between October 2003-March 2009, in the Sacramento-San Joaquin drainage area. (Famiglietti,2010)

If this depletion rate is maintained, no combination of additional water storage or transfer, in the form of dams or canals, could solve the greater central valley's water problem.

MID has acknowledged that 83% of Merced County's groundwater is pumped from private, unregulated wells (CH2M-Hill, 2001) and that groundwater levels within MID have dropped an average of 15 feet over the last two years between 2008-2010. (MAGPI 2010)

Merced Area Groundwater Pool Interests' (MAGPI) Merced Groundwater Basin Groundwater Management Plan estimates that the average daily urban water use is expected to increase from 35.6 Million Gallons Per Day (MGD) in 1996 to 108 MGD in 2030. If groundwater use remains the sole source of our urban water supply, it is estimated that 72 new wells must be constructed to adequately supply Atwater, Livingston, Merced and UC Merced. (MAGPI, 1997)

According to the *Merced Water Supply Plan* highly-significant annual declines in the groundwater elevation are predicted if a concerted mitigation effort is not performed. The core element of the recommended mitigation effort is the construction of groundwater recharge basins whose total surface acres would be roughly equivalent to 2-3 Yosemite Lakes, or 1,000-1,400 acres. The total cost of the recommended mitigation plan is estimated at $372 million. (CH2M-Hill, 2001)

MID is clear that once surface water is reallocated to urban uses, it can not replenish groundwater. Providing surface water for agricultural uses has an additional benefit of replenishing the groundwater supplies on which urban users depend. In the absence of a full mitigation plan, an allocation of only 50,000 acre-feet/year of surface water to non-agricultural uses would result in the depletion of groundwater according to the calculations depicted in Figure 8.4.1 on Page 40.

***Figure 8.4.1* - Groundwater Estimations Without Mitigation**

(CH2M-Hill, 2001)

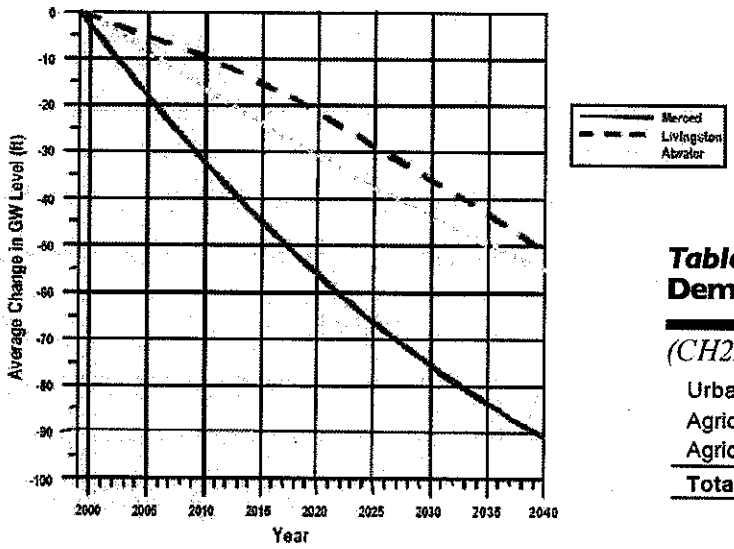


***Table 8.4.1* - Total Applied Water Demand Estimation (Ac-Ft, 2040)**

(CH2M-Hill, 2001)

Urban	118,000
Agriculture inside Merced ID	384,000
Agriculture outside Merced ID	658,000
Total	**1,160,000**[1]

Merced Irrigation District monitors static and high groundwater levels on a monthly basis from a total of 196 active wells within its irrigation boundaries. MID also monitors shallow monitoring wells, located at the section corners, to determine localized areas of high or perched groundwater table conditions. The City of Merced monitors water levels at more than 120 monitoring wells on a quarterly basis. (CH2M-Hill, 2001) VLA recommends that Merced County work directly with these agencies to better assess impacts of projects such as minor subdivisions.

According to the USGS, a full-fledged groundwater monitoring program is unlikely to ever be feasibly implemented and so it is imperitive that agencies cooperate to facilitate the mitigation programs recommended by MID.

#4: 83% of groundwater pumping in Merced County is by private, unregulated wells. Groundwater levels dropped 15ft on average over the last two years 2008-2010.

9.0 Findings - Minor Subdivisions

9.1 Recorded Minor Subdivisions and Resulting Parcels

82 more subdivision maps were recorded between January 1998 and March 2008 than were reported in Merced County's *Qualitative Analysis.* Also 26,318 more acres, an additional 45%, were divided than originally reported.The results are presented in Table 9.1.1 on Page 42.

Each minor subdivision was designated as containing farmland of various types, sometimes with multiple types being present on the same parcels. We present those figures here, both in parcels and in acreage, to provide some perspective on the amount of prime farmland that was involved in minor subdivision activity. The parcel numbers shown in Table 9.2.1 on Page 44 are an accurate tally of the number of parcels of various farmland types which were split in minor subdivisions. However, the acreage values are clearly inflated due to the fact that we could not specifiy which portions of acreage of individual parcels were specific to each individual farmland type.

Also, the difference between Merced County's analysis and VLA's analysis is not due to error on the part of Merced County. It is attributable to the method of study. In the interest of saving time, Merced County relied on an incomplete number of minor subdivision records kept electronically by the private engineering firms which handled them. VLA sought a more complete analysis by exacting the minor subdivision information from each of the stored application folders.

#5: VLA found 349 recorded subdivision maps, 58,891 acres divided and 847 parcels created by minor subdivisions, 1998-2008.

***Table 9.1.1* - Minor Subdivision Maps Recorded 1998-2008**

	VLA Analysis	Merced County Analysis	Difference
Maps Recorded	**349**	**267**	**82**
Original Parcels	**439**	**326**	**113**
Resulting Parcels	**847**	**591**	**256**
Prime Farmland	*598*		
Statewide Importance Farmland	*636*		
Local Importance Farmland	*71*		
Unique Importance Farmland	*127*		
Grazing Land	*112*		
Total Acres Divided	**58,891**	**32573**	**26318**
Prime Farmland	*32,027**		
Statewide Importance Farmland	*26,161**		
Local Importance Farmland	*14,520**		
Unique Importance Farmland	*17,501**		
Grazing Land	*28,908**		
Total New Dwelling Units	**97****	**97**	
New Substandard Dwelling Units	**30**	**6**	

* *Due to GIS mapping insufficiencies, we were unable to calculate the exact number of acreage split on each type of farmland. The numbers provided are merely for a proportional perspective of the acreage split under each farmland type. For example, a 20 acre parcel labeled "Prime Farmland" and "Statewide Farmland" was totaled as 20 acres for each designation. However, in reality, the 20 acres should be split amongst "Prime" and "Statewide" designations based on an detailed assessment of each parcel.*

** *VLA couldn't discern the total of new dwelling units with the information available. The figure presented here is from Merced County's Qualiative Analysis. The methodology used to find this*

9.2 Correlation with Real Estate Values

VLA was able to discern 353 Minor Subdivision applications which were processed between 1998-2008. Figure 9.2.1 on Page 44 depicts the applications processed on a year-by-year basis. Comparing Figure 9.2.1 and Figure 9.2.2 on Page 44, there is a troublesome correlation between the total number of Minor Subdivisions processed each year and the value of real estate over the same period of time. The peak in Minor Subdivision activity occurs just prior to the peak in real estate values, and quickly tapers off after real estate values subside. This strongly indicates that motives to apply for a minor subdivision were real estate based, not for family planning as indicated by Merced County.

#6: Minor Subdivision activity appeared to correlate closely with high real estate values. However, Merced County Planning Department conluded the motive for most requests was family planning purposes.

9.3 Planning Staff Recommendation Trends

Figure 9.3.1 on Page 44 shows the number of minor subdivisions which were approved or denied, with recommendations for approval, difficulty, or denial by Merced County planning staff.

VLA would like to note that staff recommendations for denial sharply increased in 2004, but were ignored. That same year a new policy was introduced in which, rather than recommend denial, the staff would simply say that they had "difficulty" to recommend a project. Greater transparency in how this policy was developed seems warranted in the eyes of the public as it appears to be a process which might stifle dissenting opinions of staff.

#7: After the planning staff recommendations to deny minor subdivision applications increased, new recommendation procedures were implemented and staff denial recommendations were reduced dramatically.

***Figure 9.2.1* - Minor Subdivisions Processed Annually by Merced County**

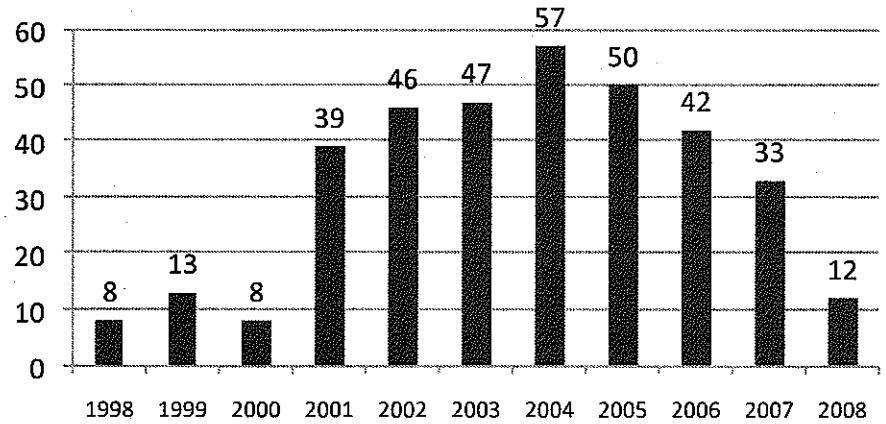


***Figure 9.2.2* - Average Real Estate Values in Merced County 1998-2008**

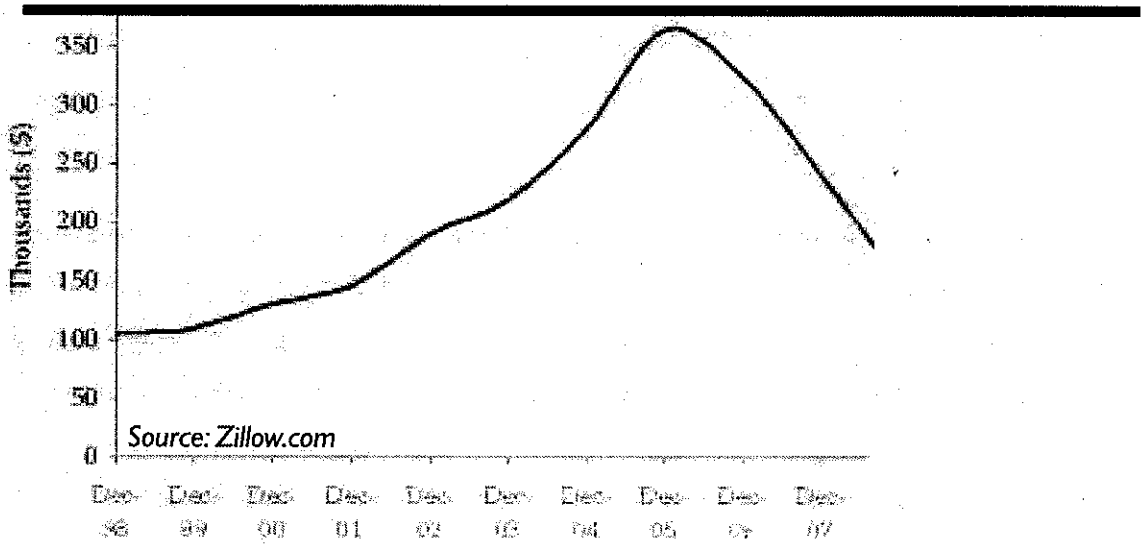
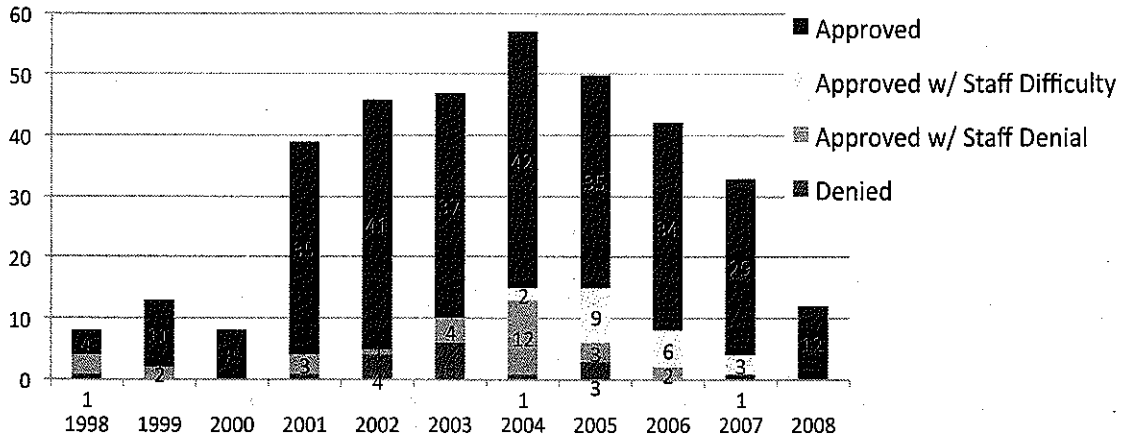


***Figure 9.3.1* - Minor Subdivisions As Approved by Merced County**



9.4 Minor Subdivisions Increase Land Value, Tax-Revenue Income

Ranchette parcels provide Merced County with significantly higher property tax revenues than agriculture parcels, as shown in Figure 9.4.1 on Page 46 (right). This figure is derived from data collected in *Ranchettes: The Subtle Sprawl* from Table 6.4.1 on Page 22.

In the Northern San Joaquin Valley (consisting of San Joaquin, Stanislaus, and Merced Counties) **the average tax revenue per-parcel increased approximately 300%** when an agricultural parcel was converted to a developed ranchette.

However, despite an increase in tax revenue, a converted ranchette parcel does not yield a net increase in taxpayer funds. The expenditures to provide services ultimately outweigh the perceived benefits of tax revenue income. The average annual net revenue per acre of urban land in the county was purported to be a deficit of $418.97, in 2001. See Table 9.4.1 on Pg. 46, right. (Grassland, 2001)

#8: Ranchette parcels converted from agricultural yield an increase in land value and tax-revenue, but result in a deficit for the county.

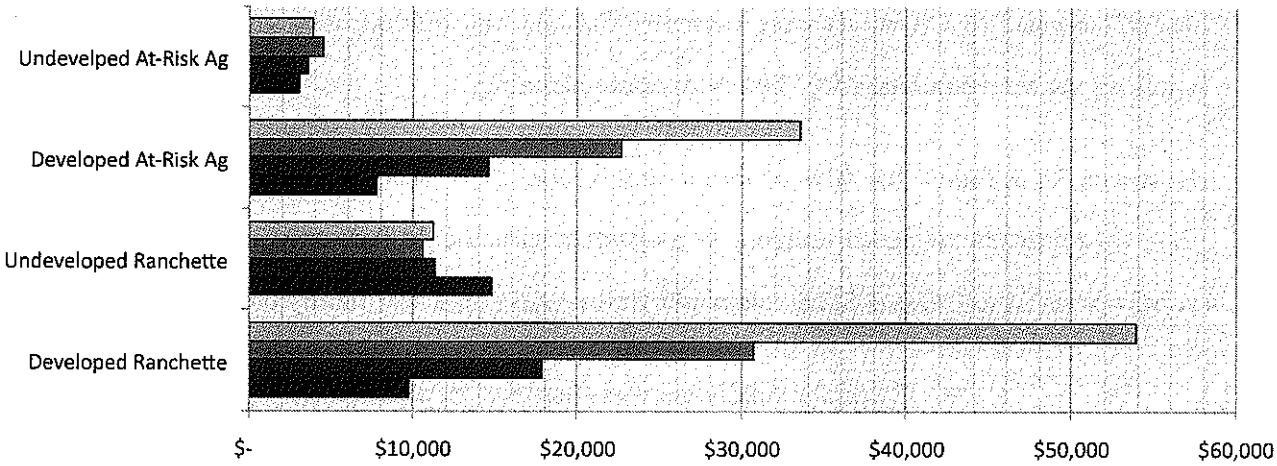
9.5 Minor Subdivisions Increase Housing Development Potential

Under current law, a property owner is entitled to construct up to four dwelling units per parcel with an over-the-counter permit from Merced County. Therefore, a Minor Subdivision of a parcel provides direct potential for increased construction of new dwelling units. (For example, a 15+ dwelling unit project - which would typically be characterized as a "Major Subdivision" - is also possible by splitting two rural parcels which would result in four rural parcels and rights to construct 16 homes.)

#9: Each Minor Subdivision has the potential to result in the development of at least four new dwelling units.

Figure 9.4.1 - Average Value Per Acre in Merced County

Derived from Table 6.4.1 - Ranchettes: The Subtle Sprawl - American Farmland Trust



	Developed Ranchette	Undeveloped Ranchette	Developed At-Risk Ag	Undevelped At-Risk Ag
<2 acres	$54,032	$11,229	$33,515	$3,942
<5 acres	$30,714	$10,626	$22,707	$4,539
<10 acres	$17,818	$11,359	$14,585	$3,618
10+ acres	$9,742	$14,834	$7,853	$3,083

Table 9.4.1 - Economic Impact of Land Use Types

(on Local Government Existing Revenue vs. Cost by Land Use)

	Agriculture	Wetlands	Cities Only	All Urban	County	Co Urban	All Merced
Revenue ($1000's)	$12,194	$272	$86,125	$279,874	$206,215	193749	$292,340
Cost ($1000's)	$3,562	$160	$84,274	$289,442	$208,890	205168	$293,164
Net Revenue	$8,632	$112	$1,851	($9,568)	($2,675)	($11,419)	($824)
Revenue/Co st Ratio	3.42	1.7	1.02	0.97	0.99	0.94	1
Area (ac)	1,162,000	129,000	22,875	50,130	1,162,000	27255	1,184,875
Population			125,232	198,522	198,522	73290	323,754
Net Revenue per capita			$14.78	($48.20)	($13.47)	($155.81)	($2.55)
Net Revenue per acre	$7.43	$0.87	$80.92	($190.86)	($2.30)	($418.97)	($0.70)

Source: Grassland Water District, Land Use and Economic Study, 2001

9.6 Minor Subdivisions Resulting in Real Estate For Sale

In their *Qualitative Compilation,* Merced County Planning Department found that only 30 of the 691 parcels (4.3 percent) were currently for sale. In addition, they concluded that most applications were submitted for "family or estate planning."

However, VLA found that 50% of minor subdivisions (174 of 353) resulted in a sale of land to at least one new owner to someone of a different surname. In fact, only 36 of the 174 minor subdivisions which were sold had claimed that they were split for "family or estate planning".

- 111 minor subdivisions resulted in 1 new owner.
- 52 minor subdivisions resulted in 2 new owners.
- 8 minor subdivisions resulted in 3 new owners.
- 1 minor subdivision resulted in 4 new owners.
- 1 minor subdivision resulted in 5 new owners.
- 1 minor subdivision resulted in 7 new owners.

Therefore, VLA believes it is reasonable to assume that most applicants did in fact divide their land with the intent of raising the resale value of their property.

#10: 50% of minor subdivisions were sold to a different surname. However, the Merced County Planning Department stated only 4.3% were for sale and concluded most were for family planning purposes.

9.7 Evidence of Resulting Dwelling Units Takes Years

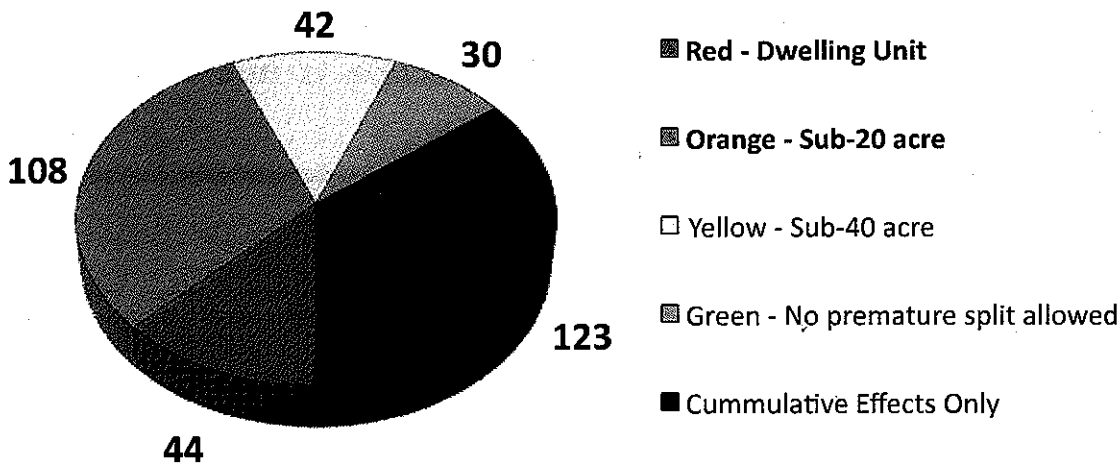
Merced County concluded that because new residential units averaged less than 10 homes per year, that they were not sufficient to create a cumulative impact. However, VLA believes their methodology to be insufficient because they simply averaged the number of dwelling units over all ten years of recorded minor subdivision activity. VLA found 30, rather than 6, residential dwelling units on substandard parcels between 2 and 15 acres in size. The majority were built prior to 2003. Most future dwelling units are not built immediately following the land division.

#11: VLA maintains that a 10-year scope is not sufficient to observe dwelling unit impacts.

9.8 Minor Subdivision Maps

The maps on pages 50-56 depict all Minor Subdivisions processed between 1998-2009, for which VLA was able to obtain sufficient information to properly locate its parcel. In addition, each Minor Subdivision is color-coded according to the criteria provided below:

***Figure 9.8.1* - Classification of Minor Subdivisions by Resulting Effects**

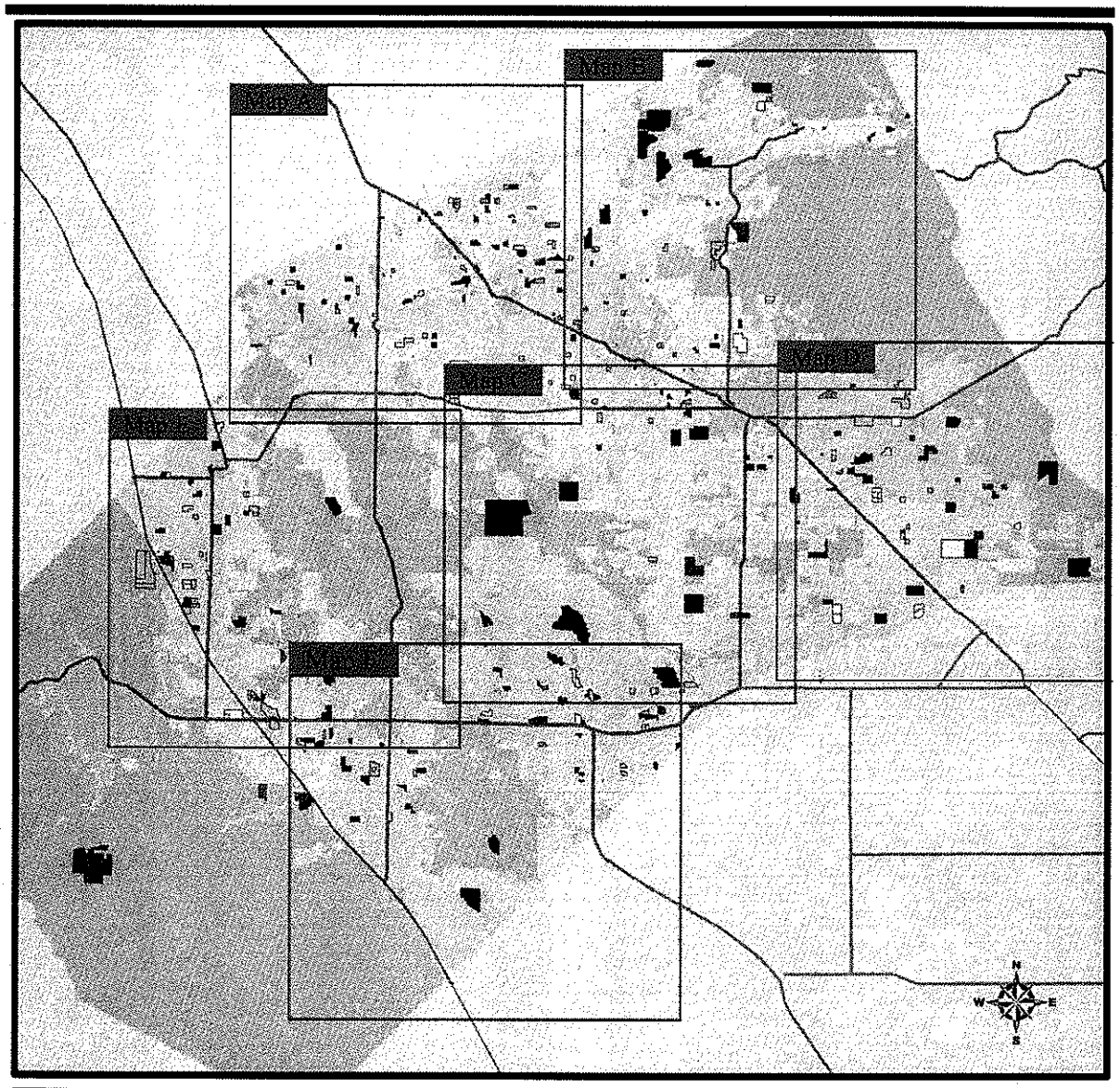


Each minor subdivision is assigned a color based on criteria designated by Valley Land Alliance to signify whether an application approval adhered to standards of practice and/or potentially impacted agricultural resources or the natural environment based on citizen opinion.

The specific criteria are as follows:

RED	*One or more new dwelling units was built after the minor subdivision was approved. Public comments may have been submitted recommending denial of the application.*
ORANGE	*A sub-20 acre parcel created, strictly in violation of County Zoning Code The subdivision was approved against staff recommendation to deny the application. Public comments may have been submitted recommending denial of the application.*
YELLOW	*The subdivision was approved against staff difficulty to recommend the application, or public comments were submitted recommending denial of the application.*
GREEN	*A financial parcel waiver map prevented premature splitting of the property.*
BLACK	*Minor subdivision was not individually impactful, but may contribute cumulative effects*

***Map 9.8.2* - Overview of Minor Subdivisions Countywide 1998-2008**



MERCED COUNTY MINOR SUBDIVISIONS 1998-2008

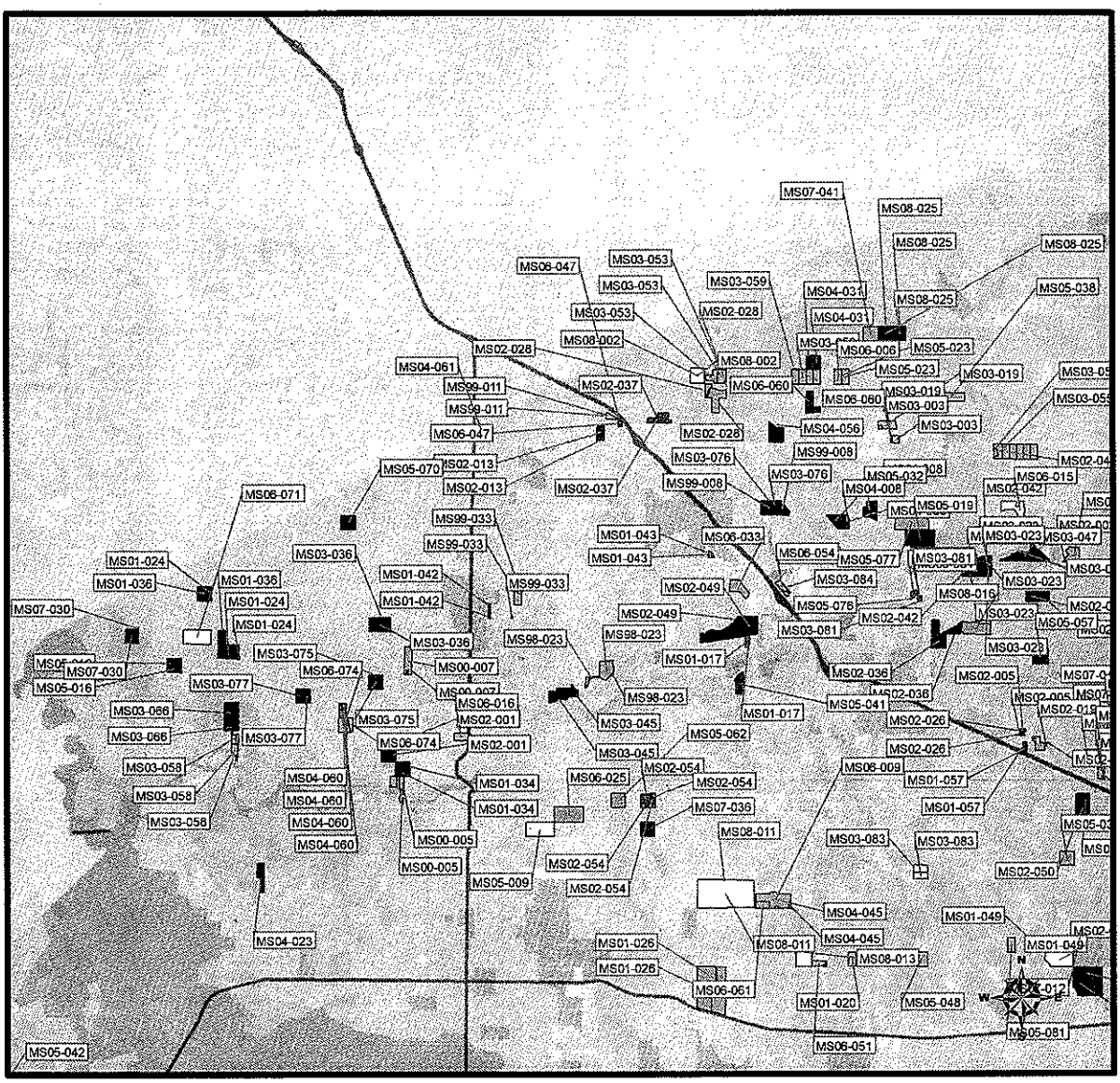
FARMLAND MAP BY TYPE

- PRIME
- STATEWIDE IMPORTANCE
- LOCAL IMPORTANCE
- UNIQUE
- OTHER
- WATER
- PROTECTED AREAS, FOOTHILLS AND URBAN

MINOR SUBDIVISION ASSESSMENT

- NEW DWELLING UNIT
- SUB-20 AC PARCEL OR AGAINST STAFF RECOMMENDATION TO DENY
- APPROVED AGAINST STAFF "DIFFICULTY" OR PUBLIC COMMENTS TO DENY
- CONTRIBUTES TO CUMULATIVE ENVIRONMENTAL EFFECTS
- APPLICATION DENIED OR APPROVED WITH FINANCIAL PARCEL MAP WAIVER

Map 9.8.3 - Minor Subdivisions Map A



MERCED COUNTY MINOR SUBDIVISIONS - MAP A

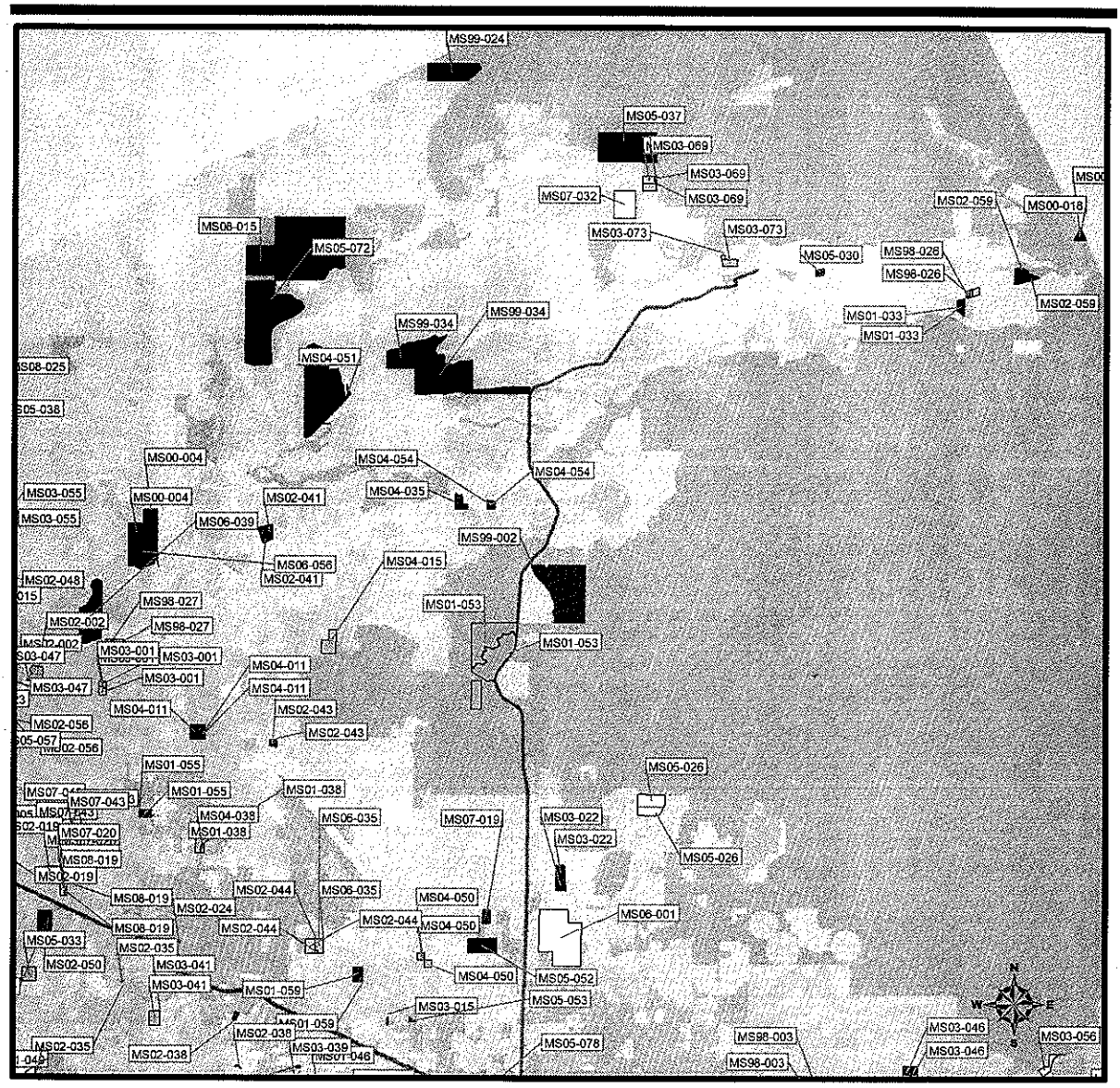
FARMLAND MAP BY TYPE

- PRIME
- STATEWIDE IMPORTANCE
- LOCAL IMPORTANCE
- UNIQUE
- OTHER
- WATER
- PROTECTED AREAS, FOOTHILLS AND URBAN

MINOR SUBDIVISION ASSESSMENT

- NEW DWELLING UNIT
- SUB-20 AC PARCEL OR AGAINST STAFF RECOMMENDATION TO DENY
- APPROVED AGAINST STAFF "DIFFICULTY" OR PUBLIC COMMENTS TO DENY
- CONTRIBUTES TO CUMULATIVE ENVIRONMENTAL EFFECTS
- APPLICATION DENIED OR APPROVED WITH FINANCIAL PARCEL MAP WAIVER

Map 9.8.4 - Minor Subdivisions Map B



MERCED COUNTY MINOR SUBDIVISIONS - MAP B

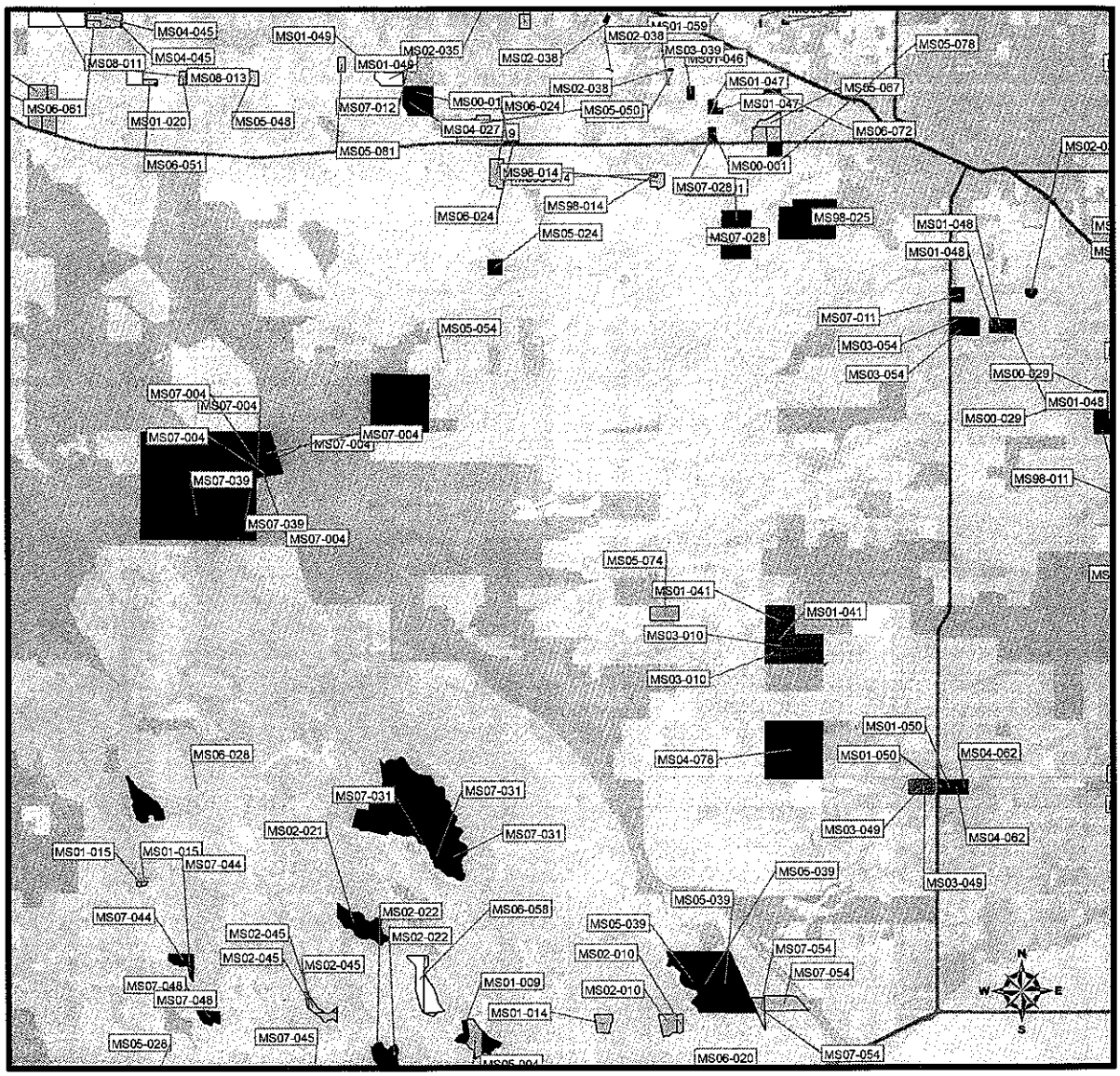
FARMLAND MAP BY TYPE

- PRIME
- STATEWIDE IMPORTANCE
- LOCAL IMPORTANCE
- UNIQUE
- OTHER
- WATER
- PROTECTED AREAS, FOOTHILLS AND URBAN

MINOR SUBDIVISION ASSESSMENT

- NEW DWELLING UNIT
- SUB-20 AC PARCEL OR AGAINST STAFF RECOMMENDATION TO DENY
- APPROVED AGAINST STAFF "DIFFICULTY" OR PUBLIC COMMENTS TO DENY
- CONTRIBUTES TO CUMULATIVE ENVIRONMENTAL EFFECTS
- APPLICATION DENIED OR APPROVED WITH FINANCIAL PARCEL MAP WAIVER

Map 9.8.5 - Minor Subdivisions Map C



MERCED COUNTY MINOR SUBDIVISIONS - MAP C

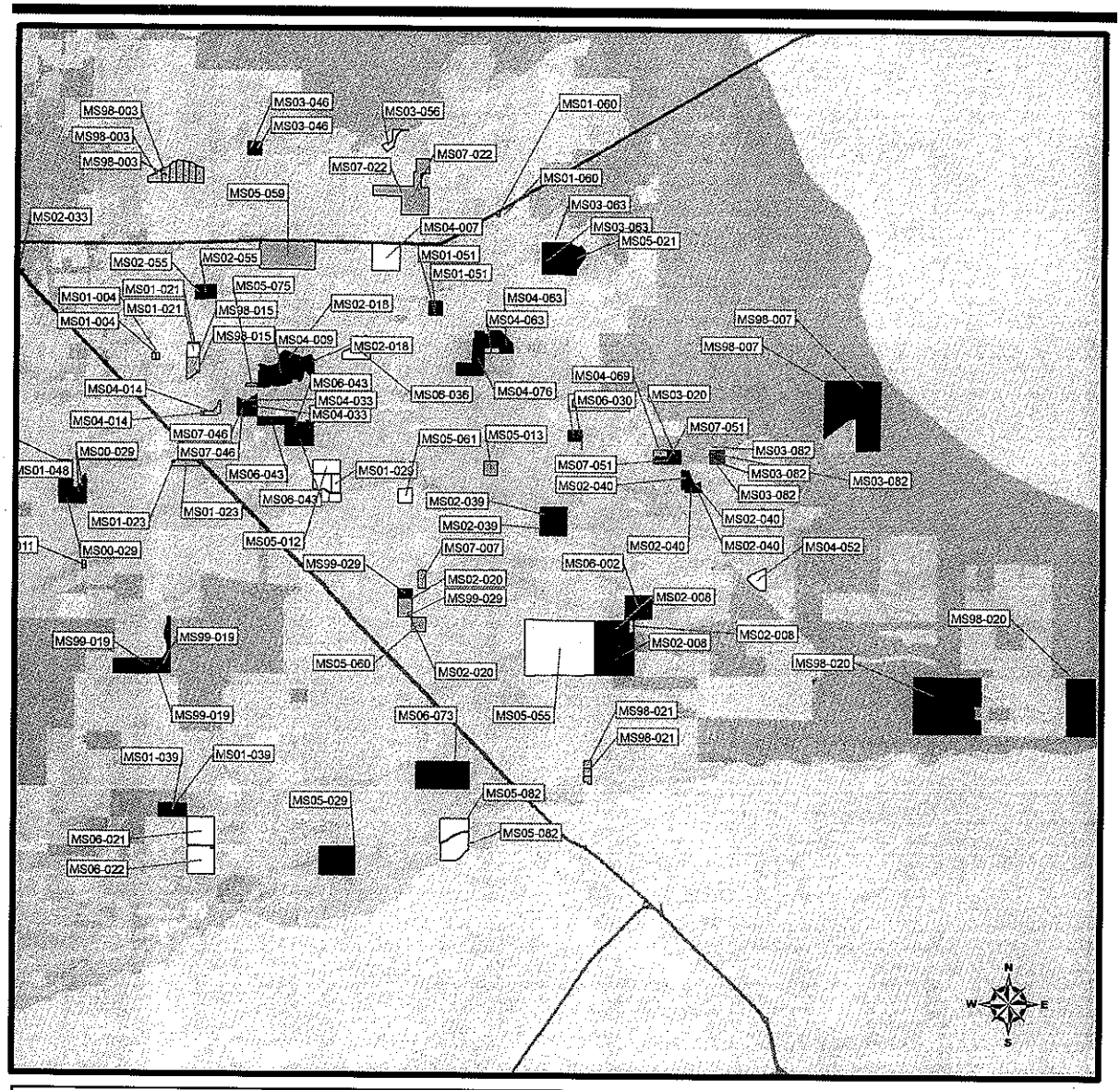
FARMLAND MAP BY TYPE

- PRIME
- STATEWIDE IMPORTANCE
- LOCAL IMPORTANCE
- UNIQUE
- OTHER
- WATER
- PROTECTED AREAS, FOOTHILLS AND URBAN

MINOR SUBDIVISION ASSESSMENT

- NEW DWELLING UNIT
- SUB-20 AC PARCEL OR AGAINST STAFF RECOMMENDATION TO DENY
- APPROVED AGAINST STAFF "DIFFICULTY" OR PUBLIC COMMENTS TO DENY
- CONTRIBUTES TO CUMULATIVE ENVIRONMENTAL EFFECTS
- APPLICATION DENIED OR APPROVED WITH FINANCIAL PARCEL MAP WAIVER

Map 9.8.6 - Minor Subdivisions Map D



MERCED COUNTY MINOR SUBDIVISIONS - MAP D

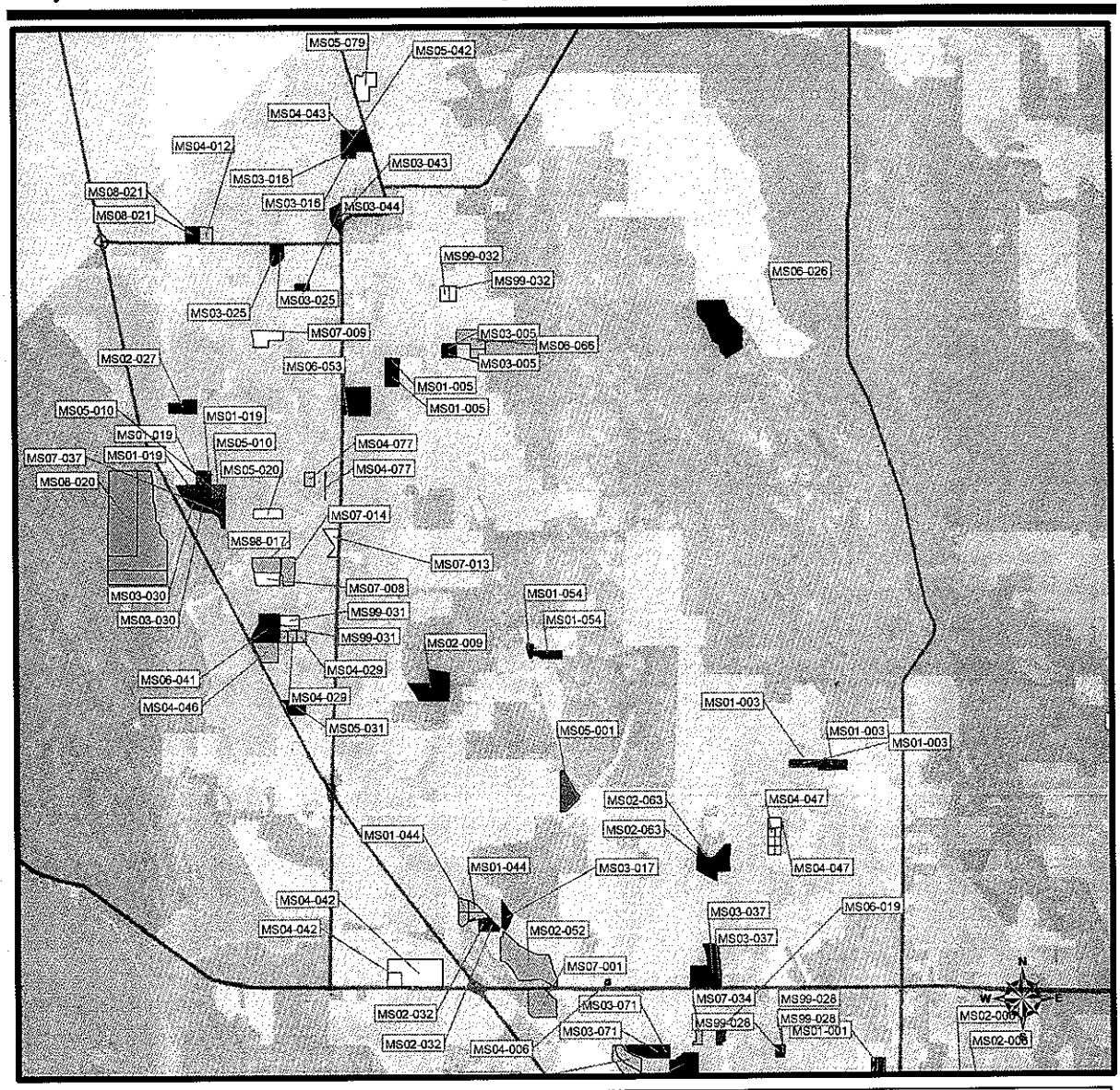
FARMLAND MAP BY TYPE

- PRIME
- STATEWIDE IMPORTANCE
- LOCAL IMPORTANCE
- UNIQUE
- OTHER
- WATER
- PROTECTED AREAS, FOOTHILLS AND URBAN

MINOR SUBDIVISION ASSESSMENT

- NEW DWELLING UNIT
- SUB-20 AC PARCEL OR AGAINST STAFF RECOMMENDATION TO DENY
- APPROVED AGAINST STAFF "DIFFICULTY" OR PUBLIC COMMENTS TO DENY
- CONTRIBUTES TO CUMULATIVE ENVIRONMENTAL EFFECTS
- APPLICATION DENIED OR APPROVED WITH FINANCIAL PARCEL MAP WAIVER

Map 9.8.7 - Minor Subdivisions Map E



MERCED COUNTY MINOR SUBDIVISIONS - MAP E

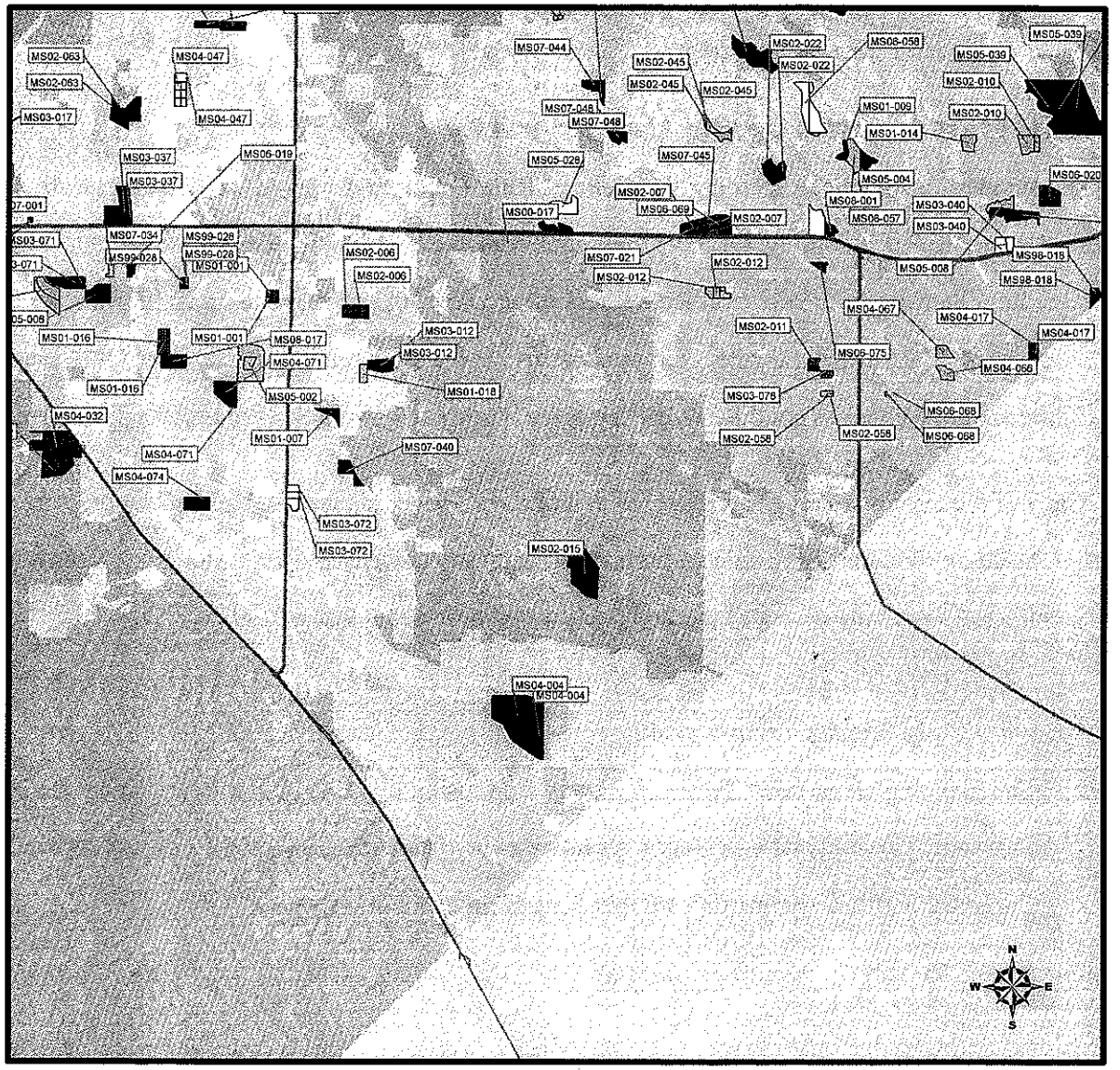
FARMLAND MAP BY TYPE

- PRIME
- STATEWIDE IMPORTANCE
- LOCAL IMPORTANCE
- UNIQUE
- OTHER
- WATER
- PROTECTED AREAS, FOOTHILLS AND URBAN

MINOR SUBDIVISION ASSESSMENT

- NEW DWELLING UNIT
- SUB-20 AC PARCEL OR AGAINST STAFF RECOMMENDATION TO DENY
- APPROVED AGAINST STAFF "DIFFICULTY" OR PUBLIC COMMENTS TO DENY
- CONTRIBUTES TO CUMULATIVE ENVIRONMENTAL EFFECTS
- APPLICATION DENIED OR APPROVED WITH FINANCIAL PARCEL MAP WAIVER

Map 9.8.8 - Minor Subdivisions Map F



MERCED COUNTY MINOR SUBDIVISIONS - MAP F

FARMLAND MAP BY TYPE

- PRIME
- STATEWIDE IMPORTANCE
- LOCAL IMPORTANCE
- UNIQUE
- OTHER
- WATER
- PROTECTED AREAS, FOOTHILLS AND URBAN

MINOR SUBDIVISION ASSESSMENT

- NEW DWELLING UNIT
- SUB-20 AC PARCEL OR AGAINST STAFF RECOMMENDATION TO DENY
- APPROVED AGAINST STAFF "DIFFICULTY" OR PUBLIC COMMENTS TO DENY
- CONTRIBUTES TO CUMULATIVE ENVIRONMENTAL EFFECTS
- APPLICATION DENIED OR APPROVED WITH FINANCIAL PARCEL MAP WAIVER

10.0 Findings - Exemption Use, Records Access

8.3.1 Most Counties Do Not Use General Rule Exemption

The standard of practice regarding the General Rule Exemption for most counties in California is to steer clear of it entirely. Of the 57 counties contacted, 36 counties responded to our inquiry regarding their use of the General Rule Exemption. Over 90% of responding California counties do not use CEQA's general rule exemption or use it only for rare circumstances. Only Fresno, Tulare and Inyo counties continue to use the general rule exemption. See Figure 10.1.1 on Page 58.

Many of the replies we received mirrored that of Zack Wood, planner at Alpine County:

> "That one sounds pretty touchy. It's a hard one to say that any project is not going to have any effect. As a county planner I would have a tough time using that portion of CEQA."

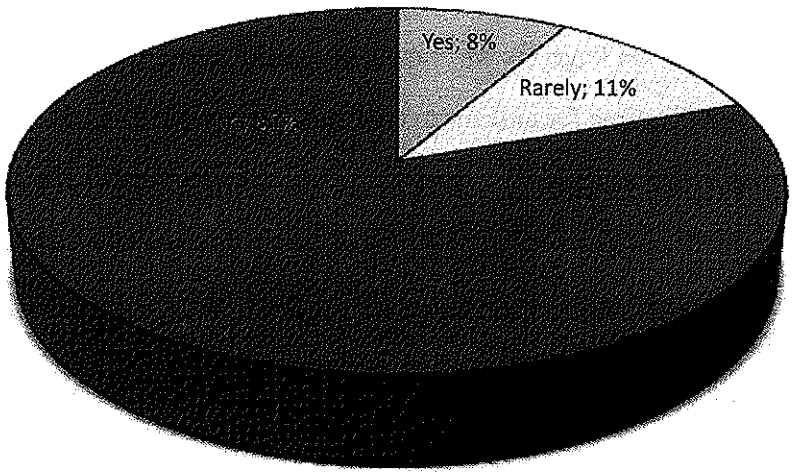
Adam Rush, of Riverside County, said:

> "The planning Department has cycled away from using this Exemption based on advice from our County Counsel and based upon recent case-law from the CA Court of Appeals and the CA Supreme Court that has invalidated this exemption in some instances."

#12: Over 90% of responding California counties *do not* use the CEQA General Rule Exemption, or use it only for rare circumstances.

Figure 10.1.1 - Use of General Rule Exemption By Counties in California

(36 of 57 counties responding, including all central valley counties)



Yes

Fresno
Merced
Tulare
Inyo

Rarely

Glenn
Plumas
Sacramento
Sutter

No

Alameda
Alpine
Amador
Calaveras
Colusa
Contra Costa
El Dorado
Humboldt
Kings
Lake
Lassen
Madera
Marin
Mariposa
Mendocino
Riverside
San Benito
San Bernadino
San Joaquin
San Mateo
Santa Clara
Santa Cruz
Siskiyou
Solano
Stanislaus
Tehama
Tuolumne
Ventura
Yolo

10.2 Merced County Public Records Policies are Illegal

Local government is required by California state law to make public records available at all times of the day during business hours. However, in response to our records request, Planning Department Director Robert Lewis formalized a set of policies in an interoffice memorandum dated February 23, 2009 shown in Figure 10.2.1 on Page 60. Mr. Lewis directed Merced County staff to impose an illegal 2 hr. maximum viewing time for citizens to have access to public files. Meetings to view public records were made available only by a two-hour, one-day-per-week appointment to be scheduled one week in advance. On the contrary, California Government Code states:

> *6253(a) Public records are open to inspection at all times during the office hours of the state or local agency...*
>
> *6253.4(a) Guidelines and regulations adopted pursuant to this section shall be consistent with all other sections of this chapter and shall reflect the intention of the Legislature to make the records accessible to the public....*
>
> *6253.4(b) The guidelines and regulations adopted pursuant to this section shall not operate to limit the hours public records are open for inspection as prescribed in Section 6253.*

#13: The County's current two-hour "viewing time" limit is not legal.

10.3 Other Counties Do Not Restrict Public Review Time

Of the 36 California counties we surveyed, not one had time limits on viewing public records. Many counties dealt with concerns of file theft in alternative ways, including: letting citizens view files at the front counter or a glass viewing room, having only one staff member present, having staff check periodically or video surveillance.

#14: Other counties do not restrict viewing time for accessing public records.

Figure 10.2.1 - Public Records Procedures Interoffice Memorandum

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

INTEROFFICE MEMORANDUM

Robert A. Lewis
Director

2222 "M" Street
Merced, CA 95340
(209) 385-7654
(209) 726-1710 Fax
www.co.merced.ca.us

Equal Opportunity Employer

Date: February 23, 2009

To: Department Staff

From: Robert A. Lewis, Development Services Director

Subject: Procedures for Public Records Act Requests with the department

California Public Records Act Procedure:

1. Any person wishing to view our public records must fill out a "Public Information Request (PRA) Form and Receipt" and submit it to the department as a formal request. This form is available at the department and on-line at the County Website.
2. The Department staff will gather the documents requested and respond to the formal request as soon as possible within the statutory 10-day time limit, to set an appointment for a specific date and time when review documents are available. Reviewers will be informed of documents which our Department does not have in our possession.
3. The appointment will be set for a maximum two (2) hour period in any one day, so as not to place an undue burden on limited staff resources. Multiple appointments may be made in advance for multiple document requests. Reviewers are encouraged to arrive on time as late arrival will be counted against the maximum two (2) hour period.
4. Reviewers will be restricted to viewing the public files only in the office area provided by County staff and shall be under supervision at all times during the entire review period.
5. Reviewers are not allowed to remove any documents from the public file, change the order of documents, or mark, bend, deface any record in the file.
6. Reviewers will be provided with "post-it" notes to "tag" each page to have copied, and will be charged at the Board adopted rate per page. Larger documents such as subdivision maps will be copied at our adopted copy rate depending on the size of the document and whether it is a black and white or color copy. Reviewers may bring their own copier with them and will not be charged for copies. However, reviewers and any associates are not permitted to handle and make copies of the tagged pages - this shall be performed by County staff at all times.
7. In most instances, copying can be completed once the reviewer is finished with their review or at the expiration of the allotted time period. The reviewer will be escorted to the front counter reception area to wait for copies to be completed. If the volume of documents to be copied is too large for immediate copying by County staff the reviewer will be asked to return the next business day to obtain the requested copies.
8. Payment for all copies shall be made before being released to the reviewer. County staff shall make a duplicate of all paper copies provided to the reviewer to complete the PRA record. The reviewer may request Portable Document Format (PDF) scans of files at no cost.

Conclusion

Minor Subdivisions Potentially Result in Cumulative Effects

In just 10 years, Minor Subdivisions divided 58,891 acres and created 847 parcels in agricultural land. Considering only 218,000 acres sustains all of our edible agriculture, this number certainly poses a significant risk to our local food supply.

After completing this study, VLA concludes that a potential for cumulative effects of Minor Subdivisions in fact does exist, and that the approach and assumptions made in Merced County's *Qualitative Compilation* are flawed. Therefore, the Qualitative Compilation does not provide sufficient evidence to legally justify the continued use of the General Rule Exemption as applied by Merced County officials in the past, nor does it merit use as supporting evidence for the CEQA general rule exemption or planning decisions in general.

It is our recommendation that Merced County be more proactive in conducting analysis of our agricultural land and be more forthright with maps and data during public meetings and review of potential impacts by projects subject to CEQA. It is also our recommendation that Merced County work closely with other agencies to regularly compile more comprehensive water resource data for use in making environmental assessments.

Merced County has a long way to go in assessing the true availability of resources and the sustainability of those resources into the future. With growing populations and diminishing resources, further education and action on behalf of our elected officials and the general public is essential to coping with the challenges we face.

Acknowledgements

Valley Land Alliance would like to acknowledge and thank all who contributed to this research. Funding was generously provided to Valley Land Alliance by the Rose Foundation, Silicon Valley Foundation, Merced County Community Foundation, and Valley Land Alliance members. Special thanks to Jeff Freitas who designed and compiled the study.

Summary of Findings

Agriculture and Resources

1. 40% of Merced County land is defined by Merced County land use codes as "recreational" or "foothill pasture, not viable for intensive agriculture". However, Merced County Planning Department's Qualitative Analysis claimed 93% of its land is "suitable and viable for production".

2. According to Merced County land use codes, only .55 million acres are available for production agriculture. However, Merced County Planning Department's Qualitative Analysis claimed that 1.18 million acres are "suitable and viable for production".

3. Only 17% (218,000 acres) of the total land in Merced County sustains 100% of our edible fruits, vegetables, nuts & grains.

4. 83% of groundwater pumping in Merced County is by private, unregulated wells. Groundwater levels dropped 15ft on average over the last two years 2008-2010.

Minor Subdivisions

5. VLA found 349 recorded subdivision maps, 58,891 acres divided and 847 parcels created by minor subdivisions, 1998-2008.

6. Minor Subdivision activity appeared to correlate closely with high real estate values. However, Merced County Planning Department conluded the motive for most requests was family planning purposes.

7. After the planning staff recommendations to deny minor subdivision applications increased, new recommendation procedures were implemented and staff denial recommendations were reduced dramatically.

8. Ranchette parcels converted from agricultural yield an increase in land value and tax-revenue, but result in a deficit for the county.

9. Each Minor Subdivision has the potential to result in the development of at least four new dwelling units.

10. 50% of minor subdivisions were sold to a different surname. However, the Merced County Planning Department stated only 4.3% were for sale and concluded the motive for most requests was family planning purposes.

11. VLA maintains that a 10-year scope is not sufficient to observe dwelling unit impacts.

Exemption Use, Records Access

12. Over 90% of responding California counties <u>do not</u> use the CEQA General Rule Exemption, or use it only for rare circumstances.

13. Merced County's current two-hour "viewing time" limit is not legal.

14. Other counties do not restrict viewing time for accessing public records.

Glossary

ADOMP

Additional Dwelling Occupancy Monitoring Permit. A permit enabling a second or third dwelling unit on the same parcel.

Board of Supervisors

A county's legislative body. Board members are elected by popular vote and are responsible for enacting ordinances, imposing taxes, making appropriations, and establishing county policy. The board adopts the general plan, zoning, and subdivision regulations.

The "Brown Act"

The Ralph M. Brown Open Meeting Act (commencing with Government Code Section 54950) requires cities and counties to provide advance public notice of hearings and meetings of their councils, boards, and other bodies. Meetings and hearings must be open to the public, with some exceptions.

CEQA

The Califonia Environmental Quality Act (CEQA) is a legal tool to provide information for citizens that need to have an opportunity to participate effectively in all steps of the environmental review process. In general, CEQA requires that all private and public projects be reviewed prior to approval for their potential adverse effects upon the environment. For exact text, see Public Resources Code Section 21000.

CEQA § 15061(b)(3) -

See General Rule Exemption on Page 65

Charter City

A city which has been incorporated under its own charter rather than under the general laws of the state. Charter cities have broader powers to enact land use regulations than do general law cities. All of California's largest cities are charter cities.

City Council

A city's legislative body. The elected city council is responsible for enacting ordinances, imposing taxes, making appropriations, establishing policy, and hiring some city officials. The council adopts the local general plan, zoning, and subdivision ordinance.

COG

Council of Governments. There are 25 COGs in California made up of elected officials from member cities and counties. COGs are regional agencies concerned primarily with transportation planning and housing; they do not directly regulate land use.

Community Plan

A portion of the local general plan that focuses on a particular area or community within the city or county. Community plans supplement the policies of the general plan.

Conditional Use Permit

Pursuant to the zoning ordinance, a conditional use permit (CUP) may authorize uses not routinely allowed on a particular site. CUPs require a public hearing and if approval is granted, are usually subject to the fulfillment of certain conditions by the developer. Approval of a CUP is not a change in zoning.

Development Fees

Fees charged to developers or builders as a prerequisite to construction or development approval. The most common are: (1) impact fees (such as parkland acquisition fees, school facilities fees, or street construction fees) related to funding public improvements which are necessitated in part or in whole by the development; (2) connection fees (such as water line fees) to cover the cost of installing public services to the development; (3) permit fees (such as building permits, grading permits, sign permits) for the administrative costs of processing development plans; and, (4) application fees (rezoning, CUP, variance, etc.) for administrative costs of reviewing and hearing development proposals.

Downzone

This term refers to the rezoning of land to a more restrictive or less intensive zone (for example, from multi- to single-family residential or from residential to agricultural).

EIR

Environmental Impact Report. A detailed review of a proposed project, its potential adverse impacts upon the environment, measures that may avoid or reduce those impacts, and alternatives to the project.

Final Map Subdivision

Final map subdivisions (also called tract maps or major subdivisions) are land divisions which create five or more lots. They must be consistent with the general plan and are generally subject to stricter requirements than parcel maps. Such requirements may include installing road improvements, the construction of drainage and sewer facilities, parkland dedications, and more.

General Plan

A statement of policies, including text and diagrams setting forth objectives, principles, standards, and plan proposals, for the future physical development of the city or county (see Government Code Sections 65300 et seq.).

General Rule Exemption

A Guideline within CEQA (§ 15061(b)(3)) which provides exemption from public review for a project where the following can be found: the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

"Granny" Housing

Typically, this refers to a second dwelling attached to or separate from the main residence that houses one or more elderly persons. California Government Code 65852.1 enables cities and counties to approve such units in single-family neighborhoods.

Hearing Officer

A Hearing Officer acts as a judge would in a courtroom hearing--except in this case, the atmosphere is much less formal. The Hearing Officer is present not only to decide the outcome of the hearing, but also to ensure that all parties receive a fair chance to present their cases. They will answer any questions you have about the hearing process and will also question the parties and witnesses as they give their testimony. About ten days after the hearing ends, parties will receive the Hearing Officer's written decision by U.S. Mail. This decision will either affirm, modify, or set aside the Deputy's Decision that is the basis of the appeal.

Impact Fees

See Development Fees on Page 64

Infrastructure

A general term describing public and quasi-public utilities and facilities such as roads, bridges, sewers and sewer plants, water lines, power lines, fire stations, etc.

Initial Study

Pursuant to CEQA, an analysis of a project's potential environmental effects and their relative significance. An initial study is preliminary to deciding whether to prepare a negative declaration or an EIR.

LAFCO

Local Agency Formation Commission. The Cortese-Knox Act (commencing with Government Code Section 56000) establishes a LAFCO made up of elected officials of the county, cities, and, in some cases, special districts in each county. The 57 LAFCOs establish spheres of influence for all the cities and special districts within the county. They also consider incorporation and annexation proposals.

Lead Agency

The public agency which has the principle responsibility for carrying out or approving a project which may have a significant impact on the environment. Cal Pub Resources Code § 21067.

Minor Subdivision

An administrative approval process that allows an owner to split a parcel into 2-6 smaller parcels, all of which can have up to 4 homes constructed on them (actual conditions vary by county).

Mitigation Measure

The California Environmental Quality Act requires that when an adverse environmental impact or potential impact is identified, measures must be proposed that will eliminate, avoid, rectify, compensate for or reduce those environmental effects.

Negative Declaration

When a project is not exempt from CEQA and will not have a significant adverse effect upon the environment a negative declaration must be prepared. The negative declaration is an informational document that describes the reasons why the project will not have a significant effect and proposes measures to completely mitigate or avoid any possible effects.

Parcel Map

A minor subdivision resulting in fewer than five lots. The city or county may approve a parcel map when it meets the requirements of the general plan and all applicable ordinances. The regulations governing the filing and processing of parcel maps are found in the state Subdivision Map Act and the local subdivision ordinance.

Planning Commission

A group of residents appointed by the city council or board of supervisors to consider land use planning matters. The commission's duties and powers are established by the local legislative body and might include hearing proposals to amend the general plan or rezone land, initiating planning studies (road alignments, identification of seismic hazards, etc.), and taking action on proposed subdivisions.

Planning Department

The purpose of the Planning and Community Development Department is to provide support to the Board of Supervisors (BOS) and facilitate various Commissions and Councils, which include:

- Planning Commission (PC)
- Airport Land Use Commission (ALUC)
- Local Agency Formation Commission (LAFCo)
- Several Municipal Advisory Councils (MAC's)

Support includes the physical planning and development, and related social-economic and environmental issues within the County. The Department is responsible for implementing policy decisions of the Board of Supervisors including the General Plan and the various Specific Urban Development Plans (SUDPs), which guide and influence the physical land use, quality of life, economic development, and protection of natural resources in many unincorporated townships and urban centers.

The Department implements the County's adopted land use policies through the administration and enforcement of zoning, conditional use permits, subdivisions, and other zoning code regulations, which includes the California Environmental Quality Act (CEQA) review and determination for most development projects in the County.

Ranchettes (or Ranchette Development)

Ranchette Development, as defined by Merced County, is a new residential dwelling unit on 2 to 20 acres of land where the majority of the remaining acreage remains fallow. Rural residential, or ranchette development is the construction of occupied dwelling units not required by farmers and ranchers to work the land, but primarily for residential use by non-farmers. These developments have been shown to significantly contribute to urban sprawl and the economic decline of surrounding agricultural land, in part due to conversion of smaller parcels to less-productive 'hobby farms'.

Subdivision types

There are two types of subdivisions: parcel maps, which are limited to divisions resulting in fewer than five lots (with certain exceptions), and subdivision maps (also called tract maps), which apply to divisions resulting in five or more lots. Applications for both types of land divisions must be submitted to the local government for consideration in accordance with the local subdivision ordinance and the Subdivision Map Act.

School Impact Fees

Proposition 13 put a limit on property taxes and thereby limited the main source of funding for new school facilities. California law allows school districts to impose fees on new developments to offset their impacts on area schools.

Setback

A minimum distance required by zoning to be maintained between two structures or between a structure and property lines.

Specific Plan

A plan addressing land use distribution, open space availability, infrastructure, and infrastructure financing for a portion of the community. Specific plans put the provisions of the local general plan into action (see Government Code Sections 65450 et seq.).

Tentative Map

The map or drawing illustrating a subdivision proposal. The city or county will approve or deny the proposed subdivision based upon the design depicted by the tentative map. A subdivision is not complete until the conditions of approval imposed upon the tentative map have been satisfied and a final map has been certified by the city or county and recorded with the county recorder.

Variance

A limited waiver from the property development standards of the zoning ordinance. Variance requests are subject to public hearing. Variances do not allow a change in land use.

Zoning

Local codes regulating the use and development of property. The zoning ordinance divides the city or county into land use districts or "zones", represented on zoning maps, and specifies the allowable uses within each of those zones. It establishes development standards for each zone, such as minimum lot size, maximum height of structures, building setbacks, and yard size.

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Database of Minor Subdivisions of Agricultural Land in Merced County

1998-2008

FILE	RISK	RELATED_FILES	APPLIED_DATE	RULING_DATE	RULING	SUP_DIST	RUL_BY	CEQA_EXMPT	CONDITIONS	STAFF_REC	SPLIT_REASON	APPLICANT_USE	#NEW_OWN	2010_OWNERS	DATES_SOLD	ACRE_SOLD	NEW_DWELL_UNITS	EXSTG_DWELL_UNITS
MS98-003	Orange		12/4/97	4/6/98	Apprvd	2	HO	15301		Deny	Create parcels for financing, replanting, irrigation, transfer to family member	Almonds, to be replanted	0	N/A		0		0
MS98-007	N/A		3/4/98	5/26/98	Apprvd	4	HO	15301	RTF	Approv	Sell 315 acre parcel	Pasture, gravel mining	2	Simons Johnny & Debra acq'd. 019 (156.22ac); Jaxon Enterprises Corp acq'd. 022 (471.32ac)	9/22/2005; 5/15/2005	627	0	1
MS98-011	Orange		7/4/98	2/2/99	Apprvd	5	BOS	Neg Dec	RTF	Deny	Divide homesite from larger parcel, retain parcel with 2 existing homes and sell	Row crops	1	Turner Tracey C acq'd. 024 (28.88ac); Pedrozo Theodore A & Margaret M kept 025 (3.78ac)	6/22/2009; 1/12/2006	29	0	2
MS98-014	Orange		7/13/98	8/4/98	Denied	4	PC	15061	RTF	Deny, can't make findings	To divide 5 acre homesite from 19.1 acre parcel and combine	Open ground	0	Barnes Bruce G and Margaret Anne kept 016 (34.2ac); Pereira John A & Mary F kept 017 (5ac)		0	0	1
MS98-015	Orange	MS 95-020, PLA 98-015	7/15/98	11/15/99	Apprvd	1	HO	15301	RTF	Approv	Divide off 1.35 acres from 23.43 acre parcel and combine the balance to Northern parcel	Orchard	1	Kahlon Manraj S acq'd. 053 (45.04ac)	6/28/2004	45	0	1
MS98-017	Orange		7/22/98	10/20/98	Apprvd	4	HO	15301		Approv	To sell off 1 parcel	Row crops	1	Saaranzin Maxine B Trustee kept 065 (83.05ac); Iyer P B MD & Sharon Wallace acq'd. 080-082 (21ac; <1ac; <1ac)	6/26/2006; 12/31/2003; 12/31/2008;	23	0	1
MS98-018	N/A		8/4/98	9/18/98	Apprvd	5	HO	15305		Approv	Protect 20 acre homesite	Row crops	3	Dodson Charles C & Laura K kept 009 (<1ac); Gamboni John J acq'd. 015 (13.5ac); Moreno Armando P & Perez Magalena acq'd. 016 (20ac);	6/08/2006; 11/20/1998; 12/31/2002;	34	0	2
MS98-020	N/A		8/10/98	9/7/99	Apprvd	1		15061					3	Flynn William J Co-Trustee acq'd. 014 (321ac); California Conservation Holdings LLC acq'd. 015, 017, 018 (253.5ac: 160ac: 160ac); Moffett Creek Ranch Partnership acq'd. 016 (160ac)	6/19/1996; 6/30/2009; 4/4/2006;	911	0	0
MS98-021	Orange		8/29/98	2/23/99	Apprvd	1	BOS	Neg Dec		Approv	To build a food processing plant	Open & Figs	1	Gonella Neil Trustee acq'd. 052 (12ac)	4/15/2003	12	0	0
MS98-023	Orange	ZV98-009	9/17/98	12/16/98	Apprvd	4	PC	Neg Dec	RTF	Approv, Neg Dec	To create a parcel with a homesite on it	Almonds	0	N/A		0	0	1
MS98-025	N/A			1/11/99	Apprvd	1	HO	15061		Approv	Sell farm and retain existing residence	Rice farming	1	Koda Ross K Trustee acq'd. 015 (378.8ac); Kissack kept 016 (20ac)	10/3/2005	378		
MS98-026	Orange		11/3/98	4/28/99	Apprvd	4	PC	15061	RTF	Approv	For family members	Tailings & 'A 1 Bait & Tackle'	4	Cambell Deanna R acq'd. 054 (2.36ac); McDaniel James Elmer & Betty Jean acq'd. 055 (2.47ac); Mello Diana acq'd. 056 (4.07ac); Danel Michael Daniel & Marlene Defatima acq'd. 057 (9.35ac)	2/13/2007; 11/26/2002; 2/13/2004;	18	0	0
MS98-027	Orange		11/10/98	9/21/99	Apprvd	4	BOS	Neg Dec	RTF	Deny, use 'financing parcel'	Deed to son - estate planning	Orchard	0	N/A		0	0	1
MS99-002	[illegible]		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		[illegible]		
MS99-008	[illegible]		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS99-011	Orange	ZV99-004	4/8/99	10/13/99	Apprvd	4	PC	Neg Dec	RTF	Deny	To divide homesite off and eventually sell remaining land for highway	Pasture	2	Trejo Oscar J & Teresa J acq'd. 042 (11.07ac); Mendonca Alvin J acq'd. 043 (1.79ac)	10/8/2004; 8/21/2002	13	0	1
MS99-012	N/A		4/1/99	7/12/99	Apprvd	4	HO	15305		Approv	To sell 1 parcel, develop other 2 intensive blueberry farming	Blueberries & pasture	0	N/A		0		2
MS99-019	[illegible]	ZV99-005	[illegible]	[illegible]	Apprvd	[illegible]	[illegible]	[illegible]	RTF	Approv	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		
MS99-024			9/21/99	12/13/99	Apprvd	4	HO	15061		Approv	Transfer of property	Almond orchard	1	Oliveira Manuel & Mary Lou Co-Trustee acq'd. 005 (<1ac);	2/11/2003;	0	0	0
MS99-028	N/A		10/8/99	2/9/00	Apprvd	5	PC	Neg Dec	RTF	Approv	Legalize an existing illegal land division.	Row crops	1	Nelson Malcolm and Antonia R kept 034 (1.24ac); Hostetler Ranches LLC acq'd. 035 (21.84ac)	N/A; 10/28/1998	21	0	
MS99-029	N/A		8/13/99	12/13/99	Apprvd	1	HO	15061		Approv	Family division. 1 in family wants to purchase all eventually.	Row crops	2	Grossman David W & Desiree J acq'd. 021 (25.86ac); Bailey Betty Trustee kept 022 (4ac); Slate Larry W & Shireen I acq'd. 023 (48.64ac)	9/13/2005; 12/20/2005; 9/13/2005	76	0	1
MS99-031	Yellow		12/15/99	3/20/00	Apprvd	5	HO	15305		Approv	Divide off homesite for sale	Row crops	2	Moitozo Stephen A & Denise M acq'd. (19.68ac); Subramanian Uma & T S acq'd. 045 (39.84ac)	4/28/2000; 7/14/2000	60		1
MS99-032	Yellow		12/16/99	3/20/00	Apprvd	5	HO	15305		Approv	Family estate planning to divide the property into two parcels	Corn/oats	2	Lopez Antonio S acq'd. 028 (19.95ac); Nunes John & Florie acq'd. 029 (27.4ac)	8/15/2000; 1/15/2002	47	3	
MS99-033	Orange			6/27/00	Apprvd	4	BOS	Neg Dec		Deny	To retain existing dwelling	Row crops / almonds	0	N/A	10/17/2007;	0	0	1
MS99-034	N/A			3/20/00	Apprvd	4	HO	15061		Approv		Three dairies	2	Fagundes Fred & Deborah acq'd. 047 & 010 (474.3ac; 121.97ac); Fagundes Ralph M & Vicki L acq'd. 052 (418.52ac)	9/11/2001; 9/11/2001; 12/31/2001	1767	0	
MS00-001	[illegible]		[illegible]	[illegible]	Apprvd	[illegible]	[illegible]	[illegible]		Approv	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS00-004	N/A		12/6/99	10/17/00	Apprvd	3	PC	15061		Approv	To sell dairy site portion to family member w/ appropriate safeguards for dairy waste on	Dairy, hay, row crops	2	Fischer Kenneth J & Johanna L Trustees acq'd. 029 (59.88ac); Gravelstone Ranch LLC acq'd. 036 (102.33ac)	7/10/2003;	156	0	
MS00-005	Orange	ZV00-003	2/10/00	5/24/00	Apprvd	4	PC	15305	RTF	Approv	Estate planning. Divide bottom land from top production land	Row crops	2	Sahlman M kept 026, 027 (10.72ac, 10.41ac); Vierra Frank L & Arlene M acq'd. 028, 029 (16.69ac, 3.3ac)	12/11/2008; 12/11/2003; 6/21/2005;	28	1	1
MS00-007	Orange		2/7/00	5/31/00	Apprvd	4	HO	15305		Approv	Sam Baballe to retain home site, convey remainder to Nyland	Vineyard/almonds	1	Medeiros Laura acq'd. 073 (1.45ac);	10/23/2003;	1	0	1
MS00-017	[illegible]		[illegible]	[illegible]	Apprvd	[illegible]	[illegible]	[illegible]		Approv	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS00-018	[illegible]		[illegible]	[illegible]	Apprvd	[illegible]	[illegible]	[illegible]		Approv	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS00-019	N/A			4/13/00	Apprvd	3	HO	15061		Approv	Establish intensive farming operations on the resulting parcels.	Almond orchards and open	2	T&L Partnership acq'd. 039 (61.1ac); Horta Jon Mark & Tara L acq'd. 040-042 (23.54ac, 23.5ac, 23.5ac); Priest Terrence Michael & Peggy Flanagan acq'd. 043 (23.07ac)	4/27/2001; 4/27/2001; 4/27/2001;	155	0	
MS00-029	N/A		12/5/00	5/24/01	Apprvd	1	HO	15305	RTF	Approv	Create homesite parcel, divide 163.8 acres into 2 parcels	Pasture & Row crops	0	N/A		0	0	0
MS01-001	Orange		3/12/01	5/23/01	Apprvd	5	PC	15061	RTF	Approv	Distribute property based on count judgement	Row crops	2	Waggle Toni M acq'd. 055 (6.01ac); Waggle Toni Marie Mogliolo Trustee kept 056 (12.58ac); Sheets O Ray Trustee acq'd. 057 (18.68ac)	1/19/2007; 10/14/2008; 4/26/2004	25	0	3
MS01-003	[illegible]		[illegible]	[illegible]	Apprvd	[illegible]	[illegible]	[illegible]		None	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS01-004	Orange		2/6/01	4/11/01	Apprvd		PC	15061	ROW, RTW	None	To recreate two antiquated lots that were previously combined by a merger	Landscaping and open ground	2	Harris Donald L & Kathie R acq'd. 055 (4.79ac); Hausmann Michel & Karen acq'd. 056 (4.79ac)	12/22/2006; 8/17/2007	10	2	1

FILE	LOCATION	SOIL	AC	ZONE	ADJ_ZONE	ORIG_NUM_PRCLS	RECRD_NUM_PRCLS	P1	P2	P3	P4	P5	FLOOD_ZN	WILL_ACT	WATER	ENGR	PUBLIC_COMMENT	NOTES
MS98-003	E. South Bear Creek Dr., Kibby Rd.	Prime	154.23	A-1	A-1	1	7	25	25	25	31.24	24	Central Merced - Zone A	No	Well	GVE		
MS98-007	E. side of S. White Rock Rd., 1.5 mi North of E. Le Grand Rd.	Grazing	475	A-2	A-2	1	2	160	315				No		N/A	BCA	Public works - 5' right of way	
MS98-011	W. Side of S. Healy Rd. and corner of Whitegate Dr.	Prime	32.7	A-1	A-1	1	2	6	26.7				Central Merced - Zone A	N/A		GVE	UC Extension Letter (9/98)	Sub-20ac parcel against the general plan. Supervisor O'Banion recused himself -- look in minutes. Discussed convey/combine.
MS98-014	W. Brooks Rd. & N. Buhach Rd.	Statewide Importance, Unique	39.6	A-1	A-1	1	2	5	34.6				Central Merced - Zone A	No		GVE		Great minutes. Staff report - owner lived in house for 4 yrs.
MS98-015	W. side of S. Orchard Dr., 1390 ft. from N. side of E. McHenry Rd., Merced	Prime	45	A-1	A-1	2	2	1.35	22.08				Central Merced - Zone A	No		BCA	Ag commissioner: "effect on surrounding farming operations"	
MS98-017	Butts Rd. & Whitworth, Gustine	Prime	150	A-1	A-1	1	4	85	65				No	N/A		BCA		
MS98-018	Island Rd. & Emory Ave., Dos Palos	Prime	134.4	A-1	A-1	1	2	20	114.4				No	N/A	Well	GVE		
MS98-020	Marguerite Rd. & Baxter Rd., Le Grand area	Grazing	1232	A-2	A-2	2	5	160	160	160	337		No	N/A		GVE	Read comments Pg. 2, not subject to provisions in CEQA. Form 115 - Determined	IMPORTANT REPORT -- check recordings on 6 parcels. How do parcels record conditions, restrictions = bureau of land management
MS98-021	S. Minturn Rd. & E. Harvey-Petit Rd., Le Grand	Other, Prime, Unique	33.2	A-2	A-2	1	3	10.3	10.9	12			No	N/A		GVE		
MS98-023	E. Side of N. Griffith Ave., corner of S. side of W. Geer Rd.	Statewide Importance	18	A-1	A-1	1	2	42	6				No	N/A	TID	GVE	UC Extension opposed due to small parcel sizes	
MS98-025	SW corner of Thornton and Bailey Roads, Merced area	Statewide Importance, Unique	400	A-1	A_1	1	2	20	380				No	No	MID	BCA		
MS98-026	N. side of E. Merced Falls Rd., 3 2/3 mi, E. side of N. Le Grange Rd., Snelling	Other	18	A-2	A-2	1	4	2.32	2.68	3.58	9.48		No	No		BCA		Sub-20ac parcels against the law.
MS98-027	E. side of N. West Lane, corner of S. side of W. Meadows Dr.	Other, Prime, Unique	50	A-1	A-1	1	2	15	35				No	No	MID	GVE	Planning Commissioner Moyer: substandard parcels that exist in vicinity were	
MS99-002	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS99-008	S. side of W. El Capitan Way, 420 ft. W. corner @ S. side of N. Gratton Ave.	Prime	40	A-1	A-1	2	3	20	20				No	N/A	[illegible]	[illegible]	[illegible]	[illegible]
MS99-011	Clayser & Griffith, Turlock	Statewide Importance	13.2	A-1	A-1	1	2	11	2.2				No	N/A		GVE		Sub-20ac parcel approved against staff recommendation.
MS99-012	E. side of N. Montgomery St., 700 ft. N. of Hwy 59	Prime	80.9	A-1	A-1	1	0	25	25	30.9			No	N/A	N/A -- Riparian	GVE	Letter to MAC from planning dept. (5/10/99) Did MAC respond?	"Within 6 years of approval will develop 2 parcels into blueberries if he didn't he must combine 2 parcels = 55.9 acres"
MS99-019	Hwy 99 & E. Sandy Mush, Merced	Other	[illegible]	A-1	A-1	2	[illegible]	[illegible]	4				[illegible]	N/A		[illegible]		[illegible]
MS99-024	N. W. Los Cerritos, corner of E. N. Olsen Rd.	Grazing, Statewide Importance	1279.65	A-1	A-1	4	1	384.75	191.9	199	160	345.3	No	N/A		Mid-Valley Engineers		Stanislaus Co. referral to CEQA exempt consultation
MS99-028	S. Ortigalita Rd., S. corner of W. Pioneer Rd.	Prime	21.56	A-1	A-1	1	2	1.24	20.32				No	No		BCA		
MS99-029	E. Buchanan Hollow Rd., 1/4 mi S. of Plainsburg Rd.	Statewide Importance	80.31	A-1	A-1	1	3	26.77	26.77	26.77			Central Merced - Zone A	No	Well	GVE		
MS99-031	E. side of S. Whitworth Rd., 2800 feet South of W. Husman Rd.	Prime	59.6	A-1	A-1	1	2	20	39.6				No	No		BCA		
MS99-032	N. side of W. Gun Club Rd., corner of W. side of S. Azevedo Rd.	Prime, Unique	47.46	A-1	A-1	1	2	27.46	20				No	No		GVE		
MS99-033	S. West American Ave.	Prime, Statewide Importance	19.54	A-1	A-1	1	2	2.36	17.18					No		GVE		Approved against staff recommendation.
MS99-034	NW corner of Turlock Rd. and Cox Ferry Rd., Snelling area	Grazing, Other, Prime	1767.1	A-1	A-1	4	4	747.34	596.24	361.51	62.01					GVE		
MS00-001	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]				[illegible]	[illegible]		[illegible]		
MS00-004	S. side of W. Oakdale Rd., 2mi W. of Shaffer Rd.	Other, Prime, Statewide Importance	467	A-2	A-2	2	4	53.88	413.12				No	No		GVE		
MS00-005	South W. Riverside Ave., 530 ft. W. of Columbus Ave.	Prime, Statewide Importance	27.6	A-1	A-1	2	4	11.3	16.3				Merced River -- Zone A	No	Well	GVE		Sub-20ac parcels created. Ag commissioner opposed "neg effect on surrounding ag uses because small parcels"
MS00-007	S. side of W. Geer Ave., corner of W. side of N. Columbus	Statewide Importance	38.2	A-1	A-1	2	2	1.45	36.75							BCA		Sub-20ac parcel created.
MS00-017	[illegible]	Prime	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS00-018	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS00-019	NW corner of Moran and Central Avenues, Atwater area	Grazing, Statewide Importance, Unique	155.14	A-1	A-1	1	5	23.53	23.5	23.35	23.65	61.1		No	MID	GVE		
MS00-029	NW corner of McNamara Rd. & Healy Rd. in El Nido area	Local Importance, Prime, Statewide Importance	163.8	A-1	A-1	1	2	20	143.8				Central Merced - Zone A			GVE		
MS01-001	N. Corner of Middle Rd and E. side of S. Plow Camp Rd.	Prime, Unique	39.98	A-1	A-1	2	3	6.29	13.51	20.18			No			GVE		Sub-20ac Parcels created -- 1902 lots created in 1978 property division (PD2733)... See file
MS01-003	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]				[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS01-004	E. Vassar Ave. and Miles Ave.	Statewide Importance	9.7	A-1	A-1	1	2	4.85	4.85				Central Merced - Zone A	No		BCA		Sold to new owners. Comm. Tanner questioned the intention of previous app to combine the lots. Nic explained ant. sub. & by combining lots

FILE	RISK	RELATED_FILES	APPLIED_DATE	RULING_DATE	RULING	SUP_DIST	RUL_BY	CEQA_EXMPT	CONDITIONS	STAFF_REC	SPLIT_REASON	APPLICANT_USE	#NEW_OWN	2010_OWNERS	DATES_SOLD	ACRE_SOLD	NEW_DWELL_UNITS	EXSTG_DWELL_UNITS
MS01-005	N/A		1/8/01	4/9/01	Apprvd	4	HO	15305		Approv	Buyer needs 20 acres for hay compressing facility, and 2nd parcel is for buyer who wants	Row crops	2	Labar Enterprises kept 027 (39.18ac); Olesen Alan & Graciela acq'd. 028 (19.41ac); Iddings Timothy F acq'd. 029 (19.31ac)	8/9/2001; 6/6/2002; 2/25/2005;	39	0	2
MS01-007	N/A		2/9/01	5/21/01	Apprvd	1	HO	15061		Approv	Estate planning	Row crops	0	N/A	4/14/2003; 4/14/2003	0	0	1
MS01-009	N/A		2/20/01	5/21/01	Apprvd	5	HO	15061		Approv	Divide a family interest	Row crops	1	Perry Albert E & Linda J acq'd. 027 (29ac); Bradac Eva M Trustee kept 029 & 030 (3.28ac, 74.44ac);	7/2/2003; 8/22/2007; 8/22/2007	29	0	2
MS01-014	Orange		7/9/01	7/16/01	Apprvd	5	HO	15061		Approv	Future sale/transfer to multiple heirs	Row crops	0	N/A		0		0
MS01-015	Orange		3/19/01	6/13/01	Apprvd	5	PC	15061	RTF	None	Very small parcel and hard to farm. Only property on that side of paved road, hard to access	Gen Ag	0	De Rouvray Amy Sheldon Lawrence Loriot Trustee c/o Steven E Lawrence acq'd. 042 (3.97ac); Lawrence Steven Ernest Trustee acq'd. 043 (3.97ac)	4/30/2002; 4/30/2002	0	0	0
MS01-016	Red		4/4/01	8/21/01	Apprvd	5	HO	15305		Approv	To divide and sell 1 parcel to pay off debts	Orchard	2	[illegible]	[illegible]	40	[illegible]	[illegible]
MS01-017	Green	ZV01-006	4/9/01	7/10/02	Denied	4	PC	15061		None	No reason given	Open land	0	N/A			0	3
MS01-018	Orange		4/21/01	7/25/03	Apprvd	5	HO	15305	Wetlands delineation	Deny	Sell off parcel	Pasture, row crops	0	N/A	8/15/2007, 11/29/2007; 6/23/06,	48	0	0
MS01-019	Red	MS01-037	4/21/01	7/9/01	Apprvd	5	HO	15305		Approv	To create tillable agricultural properties to allow grazing and irrigation practices	Orchards and row crops	2	[illegible]	[illegible]	222	-	-
MS01-020	Orange		4/23/01	8/22/01	Apprvd	1	PC	15305	RTF	None	To sell 17 acres to an adjoining parcel		1	Madrid Frank & Alice N acq'd. 069 (2.09ac); Jantz Jason K & Karen S acq'd. 070 (37.07ac)	7/30/2009; 6/17/2009	39	0	2
MS01-021	Yellow		5/22/01	8/20/01	Apprvd	2	HO	15305	No grading near creek	Approv	Estate purposes - distribute property to daughter and for son to build house	Rice, pasture	1	Bradley Chad acq'd. 66% of 057 (18.57ac); Bradley Chad acq'd. 058 (18.54ac), then returned to Charles and Rita Bradley, then sold to Kahlon Rajinderpal S	12/11/2007; 10/27/2003,5/6/2005	39	0	0
MS01-023	Orange	ZV01-008	6/8/01	8/22/01	Apprvd	1	PC	15061	ROW, RTF	Approv	Change for antiquated	Row crops	0	N/A		0	0	2
MS01-024	N/A		6/25/01	8/20/01	Apprvd	4	HO	15305	RTF	Approv	Sale of piece to family	Row Crops	1	Vierra Anthony L & Marie F acq'd. 036 (51.16ac); Darren & Charlene Borrelli acq'd. 037 (24.96ac)	12/31/2009; 6/14/2002	51	0	1
MS01-026	Orange		7/9/01	4/8/02	Apprvd	1	PC	Neg Dec	RTF	Deny	Subdivision	Ag. Farming	1	Stillwater Ranch		53	0	3
MS01-029	Yellow		7/6/01	3/27/02	Apprvd	1	PC	15061		Approv	Divide for sale	Walnuts/Almonds	4	Double B Dairy acq'd. 045 (55.82ac); Muratore Frank J & Jeanette M Trustees acq'd. 046 (33.28ac); Impressive Asia Inc acq'd. 047 (20.24ac), Langum Jerald R & Carrie M acq'd. 048 (37.85ac);	9/25/2007; 1/31/2006; 2/3/2006;	149	0	1
MS01-033	N/A		8/1/01	12/19/01	Apprvd	4	PC	15061		Approv	Save home & family cemetary	Orchards	0	N/A		0	0	3
MS01-034	N/A		8/1/01	9/24/01	Apprvd	4	PC	15305		None	To transfer title on 1/2 to family member	Row crops - almonds	1	Vierra Anthony L & Marie F Trustees acq'd. 032 & 033 (19.54ac, 18.63ac)	12/31/2009	40	0	1
MS01-036	N/A	ZV01-012	8/9/01	1/9/02	Apprvd	4	PC	15061		None	Separate 1.3 acres from 36.7	Oats & Corn	1	Ahlem Farms Partnership acq'd. 033 & 034 (1.39ac, 36.4ac)	3/10/2008; 3/10/2008	37	0	1
MS01-038	Orange	ZV01-013	8/13/01	12/12/01	Apprvd	4	PC	15061		None	Divide off 4 acre homesite	Orchard	0	N/A		0	0	2
MS01-039	N/A		8/29/01	12/10/01	Apprvd	5	HO	15061		Approv	Property to sell off	Ag pasture	0	N/A		0	0	0
MS01-041	Red		9/16/01	12/10/02	Apprvd	1	PC	15061		Approv	Sell off parcel	Row crops - pasture	2	[illegible]	[illegible]	41	2	0
MS01-042	Red		9/16/01	2/5/02	Apprvd	1	PC	15061	None	None	Buy a house	Orchard	1	Dias Family		3	1	1
MS01-043	Orange		9/10/01	1/9/02	Apprvd	4	PC	15061		Approv	To divide parcel w/ 3 homes separating one home on 1.5ac to offer for sale.	2 homes and mobile homes	2	Perez Juan & Margarita acq'd. 012 (3.42ac); Marmolejo Samuel A acq'd. 013 (1.45ac)	8/1/2006; 6/3/2002	5	0	2
MS01-044	Orange		9/13/01	12/1/01	Apprvd	5	HO	15061	Read staff report B-8	Approv	Estate planning, wants to put in walnuts	Dry Pasture	0	N/A		0	0	0
MS01-046	N/A		10/2/01	1/9/02	Apprvd	3	PC	15061		Approv	Re-subdivide two existing lots conforming to elev. Differences in properties	Almonds	2	Fudepa Investments LLC acq'd. 035 (18.17ac)	7/16/2002; 7/16/2002; 7/31/2009;	19	0	1
MS01-047	Red		10/3/01	2/5/02	Apprvd	2	PC	15061		None	Sell off parcel	Dry Farm [illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	0
MS01-048	Red		10/3/01	2/5/02	Apprvd	2	PC				Sell off parcel - [illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS01-049	Yellow		1/1/01	2/11/02	Apprvd	4	HO	15061		Approv	Establish Ostrich operation & sell	Former dairy	1	Gabriel Garcia Jr	6/24/2003	73	0	0
MS01-050	N/A		2/11/02		Apprvd	1	HO	15061		Approv	Estate planning	Row crops	2	Zarate Lorenzo & Maria acq'd. 069 (19.59ac); Prasad Rajendra & Amita acq'd. 071 (20.11ac)	1/18/2006; 06/23/2006	41	0	1
MS01-051	Red		2/12/01	2/7/02	Apprvd	1	PC	15061			Take a house out of the [illegible] [illegible]	[illegible]	[illegible]	N/A	3/20/2006; 3/20/2006	0		
MS01-053	Orange	Maj Sub 98-005	11/12/99	1/22/02	Apprvd	4	HO	15305		Approv	Family planning	Rangeland	0	N/A		0		0
MS01-054	N/A		12/13/01	2/13/02	Apprvd	5	PC				Family Plan	Pasture	2	Vogt Bruce L Jr & Linda M Trustees acq'd. 068 (7.17ac); Howard Richard & Sandra acq'd. 069 (44.47ac)	6/10/2008; 5/16/2002	51	0	1
MS01-055	Red		2/7/01	2/7/02	Apprvd	[illegible]	PC	15061		None	Sell off [illegible] from [illegible] parcel	Orchard [illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS01-057	Red	ZV01-024 Kelly Roe	2/7/01	2/7/02	Apprvd	[illegible]	PC	15061		Deny	[illegible]	[illegible]	[illegible]	N/A		0	0	0
MS01-059	Red	ZV01-024	2/7/01	2/7/02	Apprvd	[illegible]	PC	15061	RTF	None	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS01-060	Orange	ZV01-025	10/4/01	2/27/02	Apprvd	1	PC	15061		None	Legalize two parcels by zone variance	Open	0	N/A	1/1/1900	0	0	2

FILE	LOCATION	SOIL	AC	ZONE	ADJ_ZONE	ORIG_NUM_PRCLS	RECRD_NUM_PRCLS	P1	P2	P3	P4	P5	FLOOD_ZN	WILL_ACT	WATER	ENGR	PUBLIC_COMMENT	NOTES
MS01-005	Pfitzer Rd. & Hunt, Gustine	Other, Prime, Statewide Importance	80	A-1	A-1	1	3	20	20	40			No					
MS01-007	Almond Ave. & Hwy 165, Los Banos	Local Importance	41	A-1	A-1	1	2	20	21				No	No	CCID	BCA		
MS01-009	S. side of Hutchins Ave. & E. of Lux Ave, Dos Palos	Prime	152	A-1	A-1	2	3	122.9	29.1				No		San Luis Canal Co.	BCA		A sub-20 parcel created. 028 SPLIT AGAIN to 029, 030
MS01-014	Hutchins Ave. and corner of Indiana Rd., Dos Palos	Prime	54	A-1	A-1	1	2	28	26				San Joaquin River -					Avg. parcel size in .5 mi radius = 106 acres
MS01-015	S. side of W. Bisignani Rd., corner of E. side of S. Hereford Rd.	Prime	8	A-1	A-1	1	2	4	4				No			BCA		Sub-20ac parcels created.
MS01-016	[illegible]	Prime	62.8	A-1	A-1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	No			BCA		Property [illegible]
MS01-017	N. Sycamore St. & W. Oak, Delhi	Local Importance	9.6	A-1	A-1	1	1	6.25	3.35				No	No	TID	None		Denied by planning commission. Pulled application on 12/12/01, resumitted 4/9/02
MS01-018	Cotton Rd. and Terceira, Los Banos	Statewide Importance	48	A-1	A-1	1	0	22.55	24.81					No		GVE		Approved against staff recommendation
MS01-019	S. side of W. Chiquita Rd., 1000 feet W. of [illegible]	Grazing, Prime, Statewide Importance	22.82	A-1	A-1	1	2	15.5	10.4	[illegible]	[illegible]	[illegible]	No	No		GVE		
MS01-020	N. side of W. White Crane Rd., 1330 feet W. of N. Lincoln Blvd.	Statewide Importance	19.7	A-1	A-1	1	2	2.7	17				No			GVE		Sub-20ac parcels created/sold in 2000. Adjacent parcel is farmland
MS01-021	S. Orchard Dr., Merced area	Statewide Importance	40	A-1	A-1	1	2	20	20				Central Merced - Zone A	No	MID	GVE	MID - canal bank raised concern, no legal access. Owner needs property access	Son was going to build house, but then parents regained ownership and sold it.
MS01-023	Thrift Rd & Llagard Rd	Prime	29	A-1	A-1	1	2	1	27				Central Merced - Zone A	No	MID	FP&P		
MS01-024	Faith Home Rd., Hilmar	Statewide Importance	75.8	A-1	A-1	1	2	25	47				No	No	TID	BCA		
MS01-026	N. side of Hwy 140 & E. Corner of Howard, Livingston	Prime	247.5	A-1	A-1	1	6	53	20	20	20	20	No	No	MID	FP&P		Staff: Inconsistent with GP.
MS01-029	NW corner of E. Le Grand Rd. & Athlone Rd.	Prime, Statewide Importance	148.9	A-1	A-1	1	4	56.2	34.3	20	38.4		Central Merced - Zone A	No	MID	BCA		Staff: creating parcels significantly less than average
MS01-033	S. side of E. Merced Falls Rd., 4 mi E. of La Grange Rd. 559, Snelling area	Prime	20	A-2	A-2	1	1	3.4	16.5				No	No	MID	Mike Smith		Family Home & Cemetary
MS01-034	W. side of N. Columbus Ave. & N. side of Riverside Ave.	Statewide Importance	40	A-1	A-1	1	2	20	20				No	Yes	TID	GVE		
MS01-036	N. Prairie Flower Rd. & American Ave.	Grazing, Statewide Importance, Unique	36.7	A-1	A-1	1	2	36.7	1.3				No	No	TID	BCA		Creates sub-20ac parcel due to canal.
MS01-038	W. Gertrude Ave. & N. Winton Way, Winton	Prime	24	A-1	A-1	1	1	20	4				No	No	MID	None		Creates sub-20ac parcel. Has not yet been split.
MS01-039	S. Ivy Ave. & E. Roosevelt, El Nido	Grazing	163	A-1	A-1	1	1	72.7	70	20			No	Yes	None	None		Still not split.Wants one parcel to be airstrip. Groundwater in this area very poor. High levels of salt.
MS01-041	[illegible] Rd. & Combs Rd., El Nido	Grazing, Unique	[illegible]	A-1	A-1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	No		[illegible]	GVE	[illegible]	[illegible]
MS01-042	[illegible]	Prime, Statewide Importance	[illegible]	A-1	A-1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	No	No	[illegible]	None		[illegible]
MS01-043	N. side of W. August Rd., 630 feet E. of N. Hinton Ave.	Statewide Importance	4.55	A-1	A-1	1	2	1.5	3.05				No	No		GVE		Sub-20ac parcel created
MS01-044	W. of Moraga, N. of W. Hwy 152, Los Banos	Grazing, Wetlands	94	A-1	A-1	1	4	23.5	23.5	23.5	23.5			No	Well, San Luis Water District available	GVE		If has Almonds, then property has wetlands and riparian woodland
MS01-046	S. side of W. Elliot Ave., 2000 feet, E. Buhach Rd.	Prime, Statewide Importance	40	A-1	A-1	2	2	21.16	18.42				No		MID	GVE		
MS01-047	[illegible]	Prime, Statewide Importance	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		
MS01-048	[illegible]	Prime, Statewide Importance	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]			[illegible]		[illegible]
MS01-049	NW White Crane Rd., corner of E. Cressey Way	Statewide Importance	72.9	A-1	A-1	1	1	25.9	47				No	No	MID	BCA		Approved by HO, then rejected by code compliance due to violations 10/10/02. Property has much junk (cars, inoperable mobile home).
MS01-050	E. Roosevelt Rd. & Hwy 59	Prime	41	A-1	A-1	1	2	19.59	20.11				No		El Nido Water District	BCA		2 20's sold to 2 new owners. new barn only
MS01-051	[illegible]	Prime	[illegible]	A-1	A-1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	No	No	[illegible]	FP&P		[illegible]
MS01-053	Hwy 59 & Oakdale Rd., Winton	Unique	2089	A-2	A-1, A-2	2	0						No		Deep wells	FP&P	Citizens opposed	Should have been a negative declaration. Neg. Dec. on Major Sub #98-005, 3/24/99.
MS01-054	East side of S. Ingomar Grade, S. side of Hearst Rd.	Grazing, Statewide Importance	50.9	A-2	A-2	1	2	23.7	7.2	20			No			BCA		Sub-20ac sold to new owner. No minutes or staff report
MS01-055	[illegible]	Prime	[illegible]	A-1	A-1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	No	No	[illegible]	[illegible]		[illegible]
MS01-057	[illegible]	Prime	[illegible]	A-1	A-1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		[illegible]	[illegible]		[illegible]
MS01-059	[illegible]	Prime, Statewide Importance	[illegible]	A-1	A-1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	No		[illegible]	[illegible]		[illegible]
MS01-060	S. side of E. Hwy 140 & 500 ft. E. of Hayden Rd.	Local Importance	6.1	A-1	A-1	1	1	3.1	3				No			GVE		Sub-20ac parcel against general plan, no staff report included.

FILE	RISK	RELATED_FILES	APPLIED_DATE	RULING_DATE	RULING	SUP_DIST	RUL_BY	CEQA_EXMPT	CONDITIONS	STAFF_REC	SPLIT_REASON	APPLICANT_USE	#NEW_OWN	2010_OWNERS	DATES_SOLD	ACRE_SOLD	NEW_DWELL_UNITS	EXSTG_DWELL_UNITS
MS02-001	N/A		12/31/01	3/11/02	Apprvd	4	HO	15061	ROW	Approv	to allow future option of sale of one parcel	Row Crops	2	Avilla, Russell S acq'd. 004 (19.07ac); Strickler, Ronald W & Karen A acq'd. 005 (20ac)	1/7/2009, 2/18/2003, respectively	40	0	1
MS02-002	Orange	ZV02-001	12/26/01	4/24/02	Apprvd	4	PC	15061	RTF	None	Sell 1 acre w/ home	Almond Orchard	1	Metcalf, Troyce J & Toni acq'd. 051 (1ac), Morimoto maintains 052 (47ac)	5/12/2003	1	0	1
MS02-004	N/A	MS04-043	1/25/02	8/12/02	Apprvd	5	PC	15061		Approv	Want to retire from farming, but maintain long-term residence	Row Crops	1	J&R Farms A Partnership acq'd. 044 (a subsequent combination of 040 & 041 in 2004) and also acq'd. 042 immediately.	11/21/2003	113	0	1
MS02-005	Green	ZV02-004	2/7/02	[illegible]	Apprvd	4	[illegible]	[illegible]		None	Build another home	Row Crops	[illegible]	[illegible]	1/6/2000; 12/6/2007	[illegible]	[illegible]	[illegible]
MS02-006	N/A		2/18/02	07/09/02	Apprvd	[illegible]	PC	15061		Approv	Split family land	Row crops	[illegible]	N/A		0	[illegible]	[illegible]
MS02-007	Green	MS07-045, PLA06-013	2/13/02	8/12/02	Apprvd	5	HO	15305	RTF	Approv	To create financing parcel to refinance home	Ag	0	N/A	7/20/2006; 12/30/2008; 12/30/2008	0	0	1
MS02-008	N/A		2/21/02	3/25/02	Apprvd	1	PC	15061		Approv		Almond Row Crops	2	Le Grand Almond Orchard #1 A Partnership, acq'd. 074 (157.99ac $941,999); Robson, Robert W & Sharleen G Trustees acq'd. 075 (251.21ac $1,336,002)	12/22/2009, 5/1/07 respectively	409	0	1
MS02-009	N/A		3/19/02	4/22/02	Apprvd	5	HO	15061		Approv	Sell for fish farmer	Rangeland	1	021 SPLIT AGAIN; Mueller Robert H & M Joanne acq'd. 022 (61ac)	10/09/2002	61	0	0
MS02-010	Orange	PLA02-007	3/20/02	4/22/02	Apprvd	5	HO	15061		Deny	Settle family estate	Row crops	1	Willis Wendy acq'd. 031 (20ac); Carlucci David E acq'd. 032 (66ac)	2/27/2003; 3/31/2003	56	0	
MS02-011	N/A		3/25/02	7/11/02	Apprvd	5	PC	15061		[illegible]	[illegible]	Row crops	[illegible]	[illegible]		[illegible]	[illegible]	[illegible]
MS02-012	Orange	ZV02-008	3/26/02	8/20/02	Apprvd	5	BOS	15061		None	Get rid of antiquated lots and re-subdivide to more useful parcels	Row Crops and Hay	2	Ngo Le & Tamee acq'd. 038 (17.13ac); Handy Kim Lien Thi & Dana Douglas acq'd. 039 (17.15ac); Cipriani Albert kept 040 & 041 (17.81ac & 4.12ac)	8/14/2005; 3/19/2003; 3/19/2003	34	0	0
MS02-013	N/A		4/4/02	07/09/02	Apprvd	[illegible]	PC	15061	[illegible]	Approv	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS02-015	N/A	ZV02-010	5/10/02	8/28/02	Apprvd	5	PC	15305			Owner no longer able to care for large parcel	Duck club	1	Sorensen Miles & Gina acq'd. 010 (172.03ac); Griffiths Robert A acq'd. 011 (96.39ac)	8/15/2008; 4/10/2003	172	0	0
MS02-018	N/A	MS04-009 (025 split in '04)	5/28/02	7/22/02	Apprvd	1	HO		MID easement	Approv	Gift from father to split off dairy operation	Dairy, row crops	0	Borba John & Nila kept 024 (54.91ac); 025 (224ac) split in '04 - see MS04-009		0	0	0
MS02-019	Orange	ZV02-012	5/17/02	10/22/02	Apprvd	4	BOS	15061	RTF	None	To add 2 homes	Orchard	0	N/A		0	0	1
MS02-020	Orange		5/23/02	8/12/02	Apprvd	1	PC	15061		Approv	Retain 4 acres & sell to neighbors	Pasture, row crops	1	Bailey Betty Trustee kept 022 (4ac); Slate Larry W & Shireen acq'd. 023 (48.64ac)	1/4/2006; 4/28/2008	49	0	1
MS02-021	N/A		5/30/02	8/12/02	Apprvd	5	HO	15061		Approv	Separate undivided interest	Row crops	0	Carlucci David Eugene kept 029 (47.8ac); Carlucci Sanna acq'd. 030 (62.3ac)	5/14/2004; 9/27/2005	177	0	0
MS02-022	N/A		5/30/02	8/12/02	Apprvd	5	HO	15061	No structures	Approv	Settle undivided interest between two owners	Ag, row crops	0	Carlucci Ty Richard acq'd. 021 (75.06ac); Carlucci David kept 022 (19.85ac)	1/10/2006; 1/10/2006	0	0	0
MS02-024	N/A		7/8/02	07/09/02	Apprvd	[illegible]	PC	15061	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	3/7/2003; 3/7/2003	[illegible]	[illegible]	[illegible]
MS02-026	N/A	ZV02-013	7/14/02	7/21/02	Apprvd	[illegible]	PC	15061	None	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS02-027	N/A		6/25/02	8/26/02	Apprvd	5	HO	15061		None	Separate undivided interest	Row crops	0	Carrol Daniel G & Bonnie E Co-Trustees acq'd. 045 & 046 (67.4ac)	6/6/2006	67	0	1
MS02-028	Orange	ZV02-015, VM03-003	7/1/02	11/20/02	Apprvd	4	PC	15061	RTF	None	To split house from acreage	Row crops	2	Grewal Harjit S acq'd. 001 (9.71ac); Dickey Randall C & Caroline Jean acq'd. 003 (49.1ac)	5/1/2003; 5/1/2003	59	0	1
MS02-032	N/A		7/31/02	10/21/02	Apprvd	5	HO	15061				Orchard	[illegible]	[illegible]	9/14/2007; 9/14/2007	[illegible]	[illegible]	[illegible]
MS02-033	N/A	ZV02-017	8/5/02	9/11/02	Apprvd	3	PC	15061		None	To correct mistake on a property line, to put 2 houses on each site.	Row crops	0	N/A		0	0	0
MS02-035	Green	ZV02-019	8/2/02	10/23/02	Denied	3	PC	15061		None	Property too small to farm, will sell other parcels	Residential/ Orchard	0	N/A		0	0	1
MS02-036	N/A		8/14/02	9/23/02	Apprvd	4	HO	15061		Approv	Family planning	Almonds, row crops	1	Takahashi Kevin Y & Theresa L Trustees acq'd. 012 & 013 (19.85ac, 38.31ac); Sano Robert Steven & Alice Takae Trustees acq'd. 014 (20ac)	5/1/2002; 5/1/2002; 11/18/2009;	20	0	3
MS02-037	Green	ZV 02-021	8/12/02	3/18/03	Denied	3	PC	15061	Removal of travel trailer	None	Divide 33 acres into 2 parcels. 3.1 acres & 29.9 acres. (smaller parcel will go to my son)	Horses	0	N/A		0	0	2
MS02-038	N/A		8/13/02	10/7/02	Apprvd	[illegible]	[illegible]	15061		Approv	[illegible]	Row crops	[illegible]	[illegible]	3/7/2003; 3/7/2003	[illegible]	[illegible]	[illegible]
MS02-039	N/A		8/14/02	10/7/02	Apprvd	1	HO	15305		Approv	Family planning	Row crops	0	Hall Lloyd & Donna Co-Trustees acq'd. 010, 011, & 012 (20ac; 57.79ac; 77.85ac);	3/19/2003; 3/19/2003; 3/19/2003	0	0	1
MS02-040	N/A		8/14/02	10/18/02	Apprvd	1	HO	15061		Approv	Inheritance Purposes	Almonds	0	SticklesGlenn H & Deborah L Trustees acq'd. 078 & 079 (20.24ac; 2.96ac)	11/3/2009	0	0	1
MS02-041	N/A		8/14/02	07/09/02	Apprvd	[illegible]	PC	15061		Approv	Family planning	[illegible]	[illegible]	N/A		0	[illegible]	[illegible]
MS02-042	N/A	ZV02-023	8/14/02	7/9/02	Apprvd	4	HO	15061	[illegible]	Approv	[illegible]	[illegible]	[illegible]	N/A		0	[illegible]	[illegible]
MS02-043	N/A	ZV02-024	8/14/02	07/09/02	Apprvd	[illegible]	PC	15061	[illegible]	None	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS02-044	Orange	ZV02-025	9/30/02	2/6/03	Apprvd	3	PC	15061		None	Remove home from large parcel and sell large parcel	Orchard	1	Arzamendi Gary & Laurie A acq'd. 043 (1.48ac); Sietsema Allen G Sr Trustee kept 044 (25.5ac)	10/24/2003; 8/19/2003	1	0	1
MS02-045	Orange	ZV02-026	8/26/02	10/23/02	Apprvd	5	PC	15061			Keep small parcel, sell the 56 acre parcel to farmer	row crops	1	Fagundes Dairy acq'd. 015 & 028 & 039 & 018 (7ac & 20ac & 3.59 & 27.61);	2/28/2006	58	0	0
MS02-048	Orange	MS03-055	8/19/02	11/18/02	Apprvd	4	HO	15061		Approv	Estate planing & parcel for almond huller	Almonds	5	Engelhart Gamaliel split 044 (25.5ac); Lincoln Strawberry Associates - 045 (19.57ac); Valadez Martin & Julia Reynoso De - 046 (19.57ac); Ray Jesse H & Kathleen A - 047 (19.57ac); Flores Socorro C & Anita M - 048 (19.57ac); [illegible]	1/26/2004; 2/6/2004; 3/7/2003;	100	0	1

FILE	LOCATION	SOIL	AC	ZONE	ADJ_ZONE	ORIG_NUM_PRCLS	RECRD_NUM_PRCLS	P1	P2	P3	P4	P5	FLOOD_ZN	WILL_ACT	WATER	ENGR	PUBLIC_COMMENT	NOTES
MS02-001	Kilroy & Turner, Hilmar	Statewide Importance	40	A-1	A-1	1	2	20	20				No	No	TID	GVE	N/A	
MS02-002	N. Palm Ave. and 417 ft. E. Santa Fe Dr., Cressey	Prime	48	A-1	A-1,A-B	2	2	1	47				No		Well	GVE	Applicant stated: "site would be better off blending in with urban area of Cressey more,	Staff: "Is it legal to have 2 remainder parcels?"... "The existence of a home is difficult to find as a special circumstance."
MS02-004	S. Barnhauer Rd. & corner of E. Jensen Rd., Gustine	Prime, Statewide Importance	113	A-1	A-1	1	3	40	34.9	38.1			No	No	CCID	Mike Smith		MS04-043 C&C - 040(37.96ac) & 041(34.29) combined to create 044 (71.07ac, $225,417)
MS02-005	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS02-006	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS02-007	S. Cozzi Rd. & Hwy 152, Dos Palos	Prime	102.74	A-1	A-1	1	4	2.85	97.14				No	No		None		Financial Parcel
MS02-008	12685 Buchanan Hollow Rd., and East corner of S. Minterm Rd.	Grazing, Prime, Unique	417	A-2	A-1,A-2	1	2	164.75	252.25				Central Merced - Zone A	No	Le Grand - Athlone	GVE		Minutes say CEQA Exempt 15061(b)3 but staff report says 15305(a) (Minor alterations in land use limitation)
MS02-009		Grazing	162.6	A-1	A-1	1	2	101.67	60.95				No	No	CCID	GVE	owns 200 acres to East & wants to go under wildlife easement	To sell portion to fish farmer. No average parcel size noted. 02033 Admin Permit application for fish farm expansion
MS02-010	Hutchins & Willis	Class II	86	A-1	A-1	1	2	20	66				San Joaquin River -		CCID	BCA	Some issues on road radius - small parcels	1 parcel sold to 1 new owners. Ag commissioner asked for copy
MS02-011	[illegible]	Prime	[illegible]	A-1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	No	[illegible]	[illegible]	[illegible]	[illegible]
MS02-012	S. side of W. Denton & Leak Rd., corner of E. side of S. Cozzi Rd., Dos Palos	Prime	55	A-1	A-1	1	4	17.6	17.6	17.7	3.8		No	No	Private	GVE	Staff letter written with Farm Bureau	Staff correspondence: An antiquated subdivision is not a "physical hardship" and other than the ditch around parcel 4, there are no physical
MS02-013	W. Henderson, Hilmar & Gerrit Ave.	Prime, Statewide Importance	[illegible]	[illegible]	[illegible]	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	No	No	TID	[illegible]	[illegible]	[illegible]
MS02-015	Wild Duck Rd. & Mallard, Dos Palos	Grazing	268	A-2	A-2	1	2	98	170				No	No		BCA	Levee divides property - used as lotline. Ag Commissioner recommends owner lease or	Has federal easement for duck club, needed variance from 160 requirement
MS02-018	1640 S. Arboleda between Mission & McHenry	Prime	280	A-1	A-1	1	2	54	226				Merced River - Zone A	No	MID	Grinder Land Surveying	Applicant only. Fire Dept. wanted water storage. MID easement, nutrient	226ac parcel split in '04 to family
MS02-019	W. Cressey Way - S. of Liberty	Prime, Statewide Importance	22.6	A-1	A-1	1	3	1	1.59	20			No	No	MID	GVE	Neighbors Complained, County Ag Commissioner Opposed.	This is their 5th MS. Appealed to a
MS02-020	N. Buchanan Hollow, W. Plainsburg	Statewide Importance	52.6	A-1	A-1	1	2	4	48.6				Merced River - Zone A	No	Well	FP&P		Sub20ac parcel against general plan.
MS02-021	W. Henry Miller & Carlucci, Dos Palos	Prime	177.7	A-1	A-1	2	2	47.81	124.9				No	No		Robert Hart		
MS02-022	N. of W. Arroya Rd., .5 mi W. of S. San Juan Rd., Dos Palos	Prime	95.8	A-1	A-1	1	2	20	75.8				No	No	Santa Rita Water District	Stoddard & Assoc.	None	
MS02-024	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS02-026	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS02-027	NE corner of Snyder Rd. and Orchard Rd., Gustine area	Prime	67.4	A-1	A-1	1	2	28.7	38.7						CCID			
MS02-028	N Harding Rd. and Vincent Rd., Winton	Prime	59	A-1	A-1	1	2	49	9.5				No	No		BCA	None	Sub-20ac parcel created
MS02-032	W. side of S. Merced Ave., S. side of [illegible]	Grazing, Statewide Importance	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	No	No	Well	MID Engineering	[illegible]	[illegible]
MS02-033	E. Vassar Ave. & S. Tyler Rd., Merced	Other, Statewide Importance	38.5	A-1	A-1	1	1	15.5	23				Central Merced - Zone A	No		Mike Smith		Actual Parcel only 19.5 and remapped --- not split
MS02-035	Bert Crane Rd. & W. Bell Dr., Atwater area	Prime	5.04	A-1	A-1	1	1	1.66	1.66	1.66			No	No	Well	Mike Smith	Need to have a variance	
MS02-036	W. Eucalyptus & N. Dwight Way, Livingston	Prime, Statewide Importance	78	A-1	A-1	1	3	20	38	20			No	No	MID	BCA		
MS02-037	E. side of N. Merced Ave., 1720' N. of W. Bradbury Rd.	Statewide Importance	33	A-1	A-1	1	1	3.1	29.9				No	No	TID	Mike Smith		
MS02-038	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS02-039	Le Grand	Prime	155.6	A-1	A-1	1	3	20	57.8	77.8			Central Merced - Zone A	Yes	MID	FP&P		Put in family trust
MS02-040	Fresno Rd. & Jordan Rd., Le Grand	Prime	74.9	A-1	A-1	1	2	20	33.7	21.2			No	Yes	Well	FP&P		
MS02-041	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS02-042	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS02-043	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS02-044	W. Avenue Two & N. Buhach Rd., Winton	Prime, Statewide Importance	27	A-1	A-1	1	2	1.72	25.28				Central Merced - AH-166	No	MID	GVE		Sub-20ac parcel created and sold
MS02-045	West on Callucci Rd, 1 mi South of Henry Miller	Prime, Statewide Importance	59	A-1	A-1	3	4	2.98	56.02				No	No	Private Well	GVE		Created a sub-20ac parcel
MS02-048	W. Bradbury Rd. & Santa Fe, Ballico	Prime	128.21	A-1	A-1	1	6	27.81	20.08	20.08	20.08	20.08	No	No	Wells	GVE	None	044 SPLIT AGAIN, SOLD many 20ac and sub-20ac parcels

FILE	RISK	RELATED_FILES	APPLIED_DATE	RULING_DATE	RULING	SUP_DIST	RUL_BY	CEQA_EXMPT	CONDITIONS	STAFF_REC	SPLIT_REASON	APPLICANT_USE	#NEW_OWN	2010_OWNERS	DATES_SOLD	ACRE_SOLD	NEW_DWELL_UNITS	EXSTG_DWELL_UNITS
MS02-049	N/A		8/26/02	11/18/02	Apprvd	4	HO	15061	ROW, TID		Estate planning	Orchards/S.P	2	Johnston Dorothy J acq'd. 046 (20.04ac); Blue Lupin Ranch LLC acq'd. 047 (136.8ac)	8/7/2003; 12/29/2005	157	0	1
MS02-050	N/A		8/12/02	11/18/02	Apprvd	3	HO	15061	N/A	Approv	family planning & reorganization	Almonds & Vineyard	2	Jimenez Alfonso & Irma acq'd. 006 (19.33ac); Dole Packaged Foods LLC acq'd. (38.45ac)	10/31/2005; 10/22/2007	58	0	
MS02-052	Orange		9/11/02	11/20/02	Apprvd	5	PC	15061	RTF	None	Estate planning	Ag	1	TAS 141 Properties LLC (all parcels)	4/26/2007	318	0	2
MS02-054	Green		10/7/02	3/19/03	Denied	4	PC	15061		Deny	Divided already by MID Canal	Row Crops	1	Ignacio & Lilia Fuentes	9/30/2008	16	0	
MS02-055	N/A		10/10/02	1/6/03	Apprvd	3	HO	15061	No discharge into MID	Approv	Separate into parcel for family home & one parcel for farming	Row crops	0	N/A		0	0	1
MS02-056	N/A		10/10/02	1/6/03	Apprvd	4	HO	15061	No drainage to MID, ROW		Divide Family Interest	Almonds	1	Gonzalez Manuel & Sandra acq'd. 067 & 068 (20.35ac & 20.39ac);	10/24/2005; 8/27/2004	41	0	3
MS02-058	Orange	20048003 1291; ZV02-030	10/23/02	3/18/03	Denied	5	BOS	15061		None	To divide 18.67 acres into two parcels of 9.35 acres each, along the irrigation line	Alfalfa & Oats	0	N/A		0	0	1
MS02-059	N/A	ZV02-031			Withdrwn			15061		None	Create 4 homesites	Dredge Tailings	0	N/A		0	0	1
MS02-060	Green	ZV02-032	11/4/02	9/22/04	Denied	5	PC	Initial Study	RTF	Deny	Create viable parcels for sale	Foothill Pastures	1	FAI - FH197 LLC c/o Financial Advantage	10/31/2008	197	0	0
MS02-063	N/A		12/16/02	3/10/03	Apprvd	5	HO	15305	RTF	Approv	Home sites for kids	Row crops	0	N/A		0	0	1
MS03-001	Orange		3/28/03	5/12/03	Apprvd	4	HO	15305		Approv	To allow financing of some major property improvements	Pasture	0	N/A		0	0	0
MS03-003	Orange	ZV03-001	3/28/03	6/24/03	Denied	4	BOS	15061	RTF	Deny	Divide for sale	Grapes	0	N/A		0	0	1
MS03-005	N/A		3/28/03	4/21/03	Apprvd	5	HO	15315	RTF	Approv	Building home on back of property	Row Crops	1	Cordeiro Kevin E & Janet L acq'd. 032 & 033 (19.47ac & 17.05)	11/27/2006	37	0	1
MS03-010	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	Approv	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS03-011	Green		1/22/03	5/12/03	Apprvd		HO	15305	Foreclosure required for a separate legal	Approv	Allow financing of some major property improvements	Pasture	0	N/A		0	0	0
MS03-012	N/A		3/28/03		Withdrwn	5		Initial Study		Deny	Estate planning	Pasture	0	N/A		0	0	
MS03-015	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS03-016	Green		3/28/03	5/27/03	Apprvd	5	PC	15305	RTF	Approv	Parcel map waiver used as a security instrument for financing an agricultural operation or	Agricultural	0	N/A		0	0	0
MS03-017	N/A		3/28/03	5/27/03	Apprvd	5	HO	15315	RTF	None	to sell 1 parcel	Row crops	0	N/A		0	0	1
MS03-019	Orange		4/3/03	5/27/03	Apprvd	4	PC	15315	RTF	Approv	Divide 2 acre homesite and combine remaining portion to be farmed.	Orchard, 2 houses	1	Dahlgren James E & Jill K acq'd. 071 (1.89ac); Spycher Hartley & Joanne Co-Trustees kept 072 (21.65ac)	4/3/06; 5/11/2004	2	1	1
MS03-020	N/A		4/4/03	5/27/03	Apprvd	4	HO	15315	RTF	Approv	To create parcels for sale	Foothill Pasture and barn	2	Alvarez Jesus & Martha acq'd. 045 (19.55ac); Richards Ronald L & Linda J acq'd. 050 (19.39ac)	3/17/2005; 6/16/2005	39	0	
MS03-022	N/A		4/10/03	7/24/03	Apprvd	3	HO	15061		Approv	Estate planning	Grazing	0	N/A		0	0	1
MS03-023	N/A		4/11/03	5/27/03	Apprvd	4	HO	15315			Estate planning	Orchard	1	Silveira Robert L & Bispo-Silveira Maria C acq'd. 064 (62.52ac)	11/6/2003	63	0	
MS03-025	N/A		4/15/03	7/9/03	Apprvd	4	HO	15315			To legalize parcels that were found to be originally illegally split -- 20 acres to remain in	Field crops	0	Wilkinson Joan N acq'd. 068 & 069 (31.07ac; 19.74ac)	1/12/2004; 1/12/2004	0	0	
MS03-030	N/A		4/24/03	10/7/03	Apprvd	5	BOS	15315	RTF	Approv	Business planning and possible homes	Orchard	0	N/A			0	
MS03-035	Orange		5/9/03	7/20/04	Apprvd	5	BOS		None	Deny	Better ability to finance operation	Apricots	1	Barzor Los Banos LLC acq'd. 031-035 (20ac; 20ac; 20ac; 26.25ac; 26.25ac);	1/5/2009	113	0	
MS03-036	N/A		5/12/03	6/23/03	Apprvd	4	HO	15315	30 feet of right of way	Approv	Clauss buying land from McCullough	Orchard	0	N/A			0	
MS03-037	N/A	MS03-057	5/14/03	6/9/03	Apprvd	5	PC	15315	RTF	Approv	Future Merced College campus	Agriculture crops	2	Merced Community College District acq'd. 045-048 (20.02ac; 39.57ac; 40.41ac; 20ac); Pacheco Partners LLC acq'd. 049 (70.37ac)	12/30/2003; (049) 12/28/2004	190	0	0
MS03-039			5/22/03	9/23/03	Denied	3	BOS						0	N/A		0	0	
MS03-040	Yellow		5/22/03	8/11/03	Apprvd	5	HO	15315	RTF	Approv	To divide 66 acres into (2) 20's and (1) 26	Row crops	0	N/A		0	0	2
MS03-041	Orange		5/23/03	7/21/03	Apprvd	4	HO	15315	RTF, ROW	Approv	Convey and combine to create 4.4 ac homesite and sell 46.3 acres to adjoining property	Almonds	1	D & S Farms acquired 011 (29.7ac) -- parcel as is since '89	1/30/2003	0	0	1
MS03-043	Green	ZV03-007	6/10/03	8/27/03	Denied	4	PC	15270		Deny	Legalize a parcel created through grant deed	Orchards, 1 house	0	N/A		0	0	1
MS03-044	N/A		6/11/03	10/22/03	Apprvd	4	PC	15061	RTF	Approv	Estate planning	Row crops	0	N/A		0	0	0
MS03-045	N/A		6/11/03	11/19/03	Apprvd	4	PC	15061	RTF	Approv	None	Almond orchard	2	Barnard Jeff A Trustee acq'd. 068 (27.94ac); Duarte Jorge F & Grace A acq'd. 069 (25.67ac)	6/10/2004; 4/15/2008	44	0	2
MS03-046	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS03-047	N/A		6/17/03	9/24/03	Apprvd	4	HO	15061	RTF	Approv	divide land for each of three partners	Almonds, 2 homes	3	Alvarez Alexandro V & Angela acq'd. 041 (20ac); Valencia Javier acq'd. 042 (25.2ac); Valencia Pedro A & Lenice L acq'd. 043 (34ac)	1/20/2004; 11/15/2005; 1/20/2004	79	0	2

FILE	LOCATION	SOIL	AC	ZONE	ADJ_ZONE	ORIG_NUM_PRCLS	RECRD_NUM_PRCLS	P1	P2	P3	P4	P5	FLOOD_ZN	WILL_ACT	WATER	ENGR	PUBLIC_COMMENT	NOTES
MS02-049	S of Bloss Ave and Sycamore, Delhi	Prime, Statewide Importance	100.99	A-1	A-1	1	2	20.01	80.98				No	Yes	TID	GVE	N/A	
MS02-050	East Side of N. Steinberg Rd and corner of South side of W. Westside Rd.	Prime, Statewide Importance	60.45	A-1	A-1	1	2	20.99	39.46				No	Yes	MID	GVE	N/A	
MS02-052	E. Moraga & Hwy 152, Los Banos	Grazing, Prime, Statewide Importance, Unique	318	A-1	A-1	1	15	21.49	20.08	17.78	20	20	No	No	Delta Mendota Canal	GVE	Planning Dept. concerned about long-term effects on Ag.	Redistributed to family, sold to LLC. 15 parcels.
MS02-054	Corner of N.-7, S. of W. Westside Blvd.	Statewide Importance		A-1	A-1	1	1	15.5										
MS02-055	West side of S. Orchard Dr.	Prime	40	A-1	A-1	1	3	20	20				Central Merced - Zone A	No	MID	FP&P		Split 40ac into 20's. Ag land division form not completed
MS02-056	Menedes Ave & Cressey Way	Prime, Statewide Importance	41.4	A-1	A-1	1	2	21.23	20.17				No	No	MID	BCA	MID, Public Works, Larry Bowers only comment @ hearing	
MS02-058	S. side of W. Eucalyptus Ave., corner of W. side of S. Reynolds Ave., Dos Palos area	Prime	18.67	A-1	A-1	1	2	9.35	9.35				No	No	CCID	Mike Smith		Denied, later split into 14 & 4.
MS02-059		Other	46.4	A-2	A-2	1	1	10	10	14.35	12.07		No	No	MID	BCA	Neighbors Jon Grant Kelsey, Horace Kelsey, and Bernard Wade, all opposed.	Staff: No physical circumstances that warrant special priveleges
MS02-060	S. Bonita Rd., W. Billie Wright, Western Merced County	Unique	197	A-2	A-2	1	1	52	74	67.3			No	No	None	GVE		Many staff responses pertain to protection of ag land. Kit Fox area
MS02-063	W. Ingomar & Volta	Prime, Statewide Importance, Unique	205.8	A-1	A-1	1	3	1	1	203.8			No	No	CCID	BCA		
MS03-001	E. side of N. West Lane, S. of the corner of W. Palm Ave., Winton area	Prime	20	A-1	A-1	1	1	1	18.61				No	Yes	Private Well	GVE		Williamson Act issues, No conditional Certificate of Compliance nor Parcel Map
MS03-003	W. Bradbury Rd & N Pepper St., Livingston	Prime, Statewide Importance	11	A-1	A-1	1	2	1.7	9.3				No	No	Part TID, Part None	BCA		Denied, but split anyway
MS03-005	Taglio and Azevedo Rds, Gustine	Prime, Statewide Importance	40	A-1	A-1	1	2	20	20				No	No	CCID	Mike Smith	N/A	
MS03-010	[illegible]																	
MS03-011	E. side of N. West Lane, corner S. of W. Palm Ave., Winton area	Prime	20	A-1	A-1	1	1	1	18.61				No			GVE		
MS03-012	East of Teceira Rd. approx. 1/4 mi North of Cotton Rd., Los Banos area	Statewide Importance, Unique	66	A-1	A-1	1	1	26	20	20				No	CCID	Mike Smith	Grassland Water (Mike & Tom Miller) indicate that future homes on the Coelho property	Initial Study requested... applicant never followed up.
MS03-015	[illegible]																	
MS03-016	E. side of Jensen Rd., 1/2 mi. N. of North Ave., Gustine area	Local Importance, Statewide Importance	20	A-1	A-1	1	2	20										Fin. Parcel paid off, reinstated orig. parcel
MS03-017	Moaga Ave. and Henry Miller, Los Banos near Santa Nella	Prime, Statewide Importance	42	A-1	A-1	1	2	20	22				No	No	CCID	BCA	N/A	Split 40 into 20's... Staff: "low potential for non-ag development based on limited capacity of Moraga Rd & relative infeasibility of providing
MS03-019	NE corner of N. Pepper St. and W. Bradbury Rd., Ballico area	Local Importance	22	A-1	A-1	1	2	18	2					Yes	TID	GVE		
MS03-020	W. of Fresno Rd. and 1,950 feet N. of Hainline Ave., north of the Le Grand SUDP	Grazing	117	A-1/A-2	A-1/A-2	1	2	20	20	77				No	Partially MID			
MS03-022	E. side of W. Breeze Ave, 1650 feet from N. side of W. Bellvue Rd., Atwater area	Local Importance	43.1	A-1	A-1	1	2	20	23.1				No	No	Well	FP&P		
MS03-023	SW of the intersection of the Livingston-Cressey Rd. and Sultana Dr. in the Cressey area	Prime, Statewide Importance	62.52	A-1	A-1	1	1	28	34.52					No	MID			No split resulted, but still eligible to be split.
MS03-025	South of Sullivan Rd. and West of Whitworth Rd., Gustine area	Prime	102.8	A-1	A-1	1	2	31.4	20	54.4				No	CCID	John Copelance	N/A	
MS03-030	1/2 mi S. of Cottonwood Rd., approximately 1 1/2 mi W. of Wentworth Rd. in the Gustine area	Statewide Importance, Unique	89.5	A-1	A-1	1	3	34.99	25.47	29				No	CCID	GVE		
MS03-035	Volta Rd. at Pioneer Rd.	Prime, Unique	138	A-1	A-1	2	5	20	20	20	26.67	26.25		No	CCID	BCA	Maxwell Norton	(5) ~20ac's sold to LLC. Larry Bowers stated that the bank wants the property divided for loans for improvements. David Coney noted problems
MS03-036	Bloss & Tegner Rd., Hilmar area	Statewide Importance	78.6	A-1	A-1	1	1	1	77.6					Yes	TID	Gregg – Turlock		Parcel intact.
MS03-037	N. side of Hwy 152, 2,930 feet east of South Ramos Road and 1,500 feet west of the Los Banos city limit	Prime, Statewide Importance	190.37	A-1	A-1	1	5	120	70.37				No	No	Unknown (not stated in staff report, asked	P/A Design Resources	Falls under Los Banos Airport Compatibility Zone C	Parcels donated to Merced College for tax reasons
MS03-039		Other, Prime				1	1											
MS03-040	N. side of W. Hwy 152, 2150 ft from corner of E. side of S. Indiana Ave.	Prime	66	A-1	A-1	1	3	20	20	26			San Joaquin River	No		BCA		
MS03-041	Sunset at Hull, Atwater	Prime	90	A-1	A-1	1	1	4.4	46.3				No	Yes	MID	GVE		C&C 15.9 adjoining to create a 46.3 and 4.4 acre home
MS03-043	W. side of Jensen Ave. and Hwy 33, West of South Ave., Gustine area	Prime	45	A-1	A-1	2	1	40.8	4.2					No				Combined with 063080028 (40.8ac) to make legal parcel
MS03-044	W. Gun Club Rd., corner of S. Whitworth Rd., Gustine	Prime	65.3	A-1	A-1	1	3	25.3	20	20			Yes	No		Mike Smith		20ac parcel against GP goals
MS03-045	W. Williams, corner of N. Griffith, Hilmar	Statewide Importance	50	A-1	A-1	1	2	29.13	20.87				No	No	TID	None		
MS03-046	[illegible]																	
MS03-047	NW corner of Livingston-Cressey Rd. and Cressey Way in the Ballico area	Prime, Statewide Importance	87.8	A-1	A-1	1	3	23	30.1	34.7				No		Alfred L. Alvarez		

FILE	RISK	RELATED_FILES	APPLIED_DATE	RULING_DATE	RULING	SUP_DIST	RULE_BY	CEQA_EXMPT	CONDITIONS	STAFF_REC	SPLIT_REASON	APPLICANT_USE	#NEW_OWN	2010_OWNERS	DATES_SOLD	ACRE_SOLD	NEW_DWELL_UNITS	EXSTG_DWELL_UNITS
MS03-049	Green		7/3/03	10/8/03	Denied	1	BOS	15061		Approv	Parcels for sale or distribution to L&N farming partnership	Agricultural		Paramjit Singh	10/16/2009		0	
MS03-053	Orange		7/29/03	10/8/03	Apprvd	4	PC	15061	RTF	Deny, prev. subdivision	Create two parcels	Orchard	0	Samra Gurdip S & Preet K acq'd. 067 & 068 (20ac & 22.86ac)	12/29/2003	0	0	2
MS03-054	N/A		8/5/03	10/22/03	Apprvd	1	PC	15061		Approv	Family planning to sell	Row Crops	0	N/A		0	0	1
MS03-055	Orange	MS02-048	8/6/03	10/6/03	Apprvd	4	HO	15315	RTF	Approv	Divide off an almond huller facility as its own separate parcel.	Almond Huller and Orchard	1	Driscoll Strawberry & Associates Inc acq'd. 051 (20ac)	2/6/2004	20	0	1
MS03-056	Yellow	MS97-012 (PM83-41),	8/6/03	1/14/04	Apprvd	1	PC	15061	RTF	Approv	Divide interest in property between 3 owners, family planning	Row crops, foothill pastures	2	Fay Frank L & Jennifer L acq'd. 015 (34.15ac); Patel Sunit R & Nita S Trustees acq'd. 016 (26.12ac)	5/25/2005; 5/11/2009	61	0	0
MS03-057	N/A	MS03-037	8/6/03	12/17/03	Apprvd	5	PC	15061	RTF	Approv	Future Merced College campus	Agriculture crops	2	Merced Community College District acq'd. 045-048 (20.02ac; 39.57ac; 40.41ac; 20ac); Pacheco Partners LLC acq'd. 049 (70.37ac)	12/30/2003; (049) 12/28/2004	190	0	0
MS03-058	Orange		8/7/03	11/17/03	Apprvd	4	PC	15061	RTF	Deny, not lived 10+ years	To retain homesite and sell remainder to an adjoining property owner (Azevedo)	Row crops	1	Bettencourt Manuel & Diane Trustees kept 029 (4.82ac); Vierra Anthony L & Marie F Trustees acq'd. 030 (24.6ac)	12/30/2003; 2/1/2010	26	0	1
MS03-059	Orange		8/7/03	10/8/03	Apprvd	4	PC	15061	RTF	Deny, only (3) 27a parcels	Owner desires to split into (4) 20 acre parcels, per zoning regulations.	Vineyard, fallow	0	N/A	5/16/2007;	0	0	1
MS03-062	Orange		8/29/03	12/15/03	Apprvd	4		15305		Approv			1	Vierra Frank Leroy & Arlene Marie kept 031 (32.6ac); Betschart Jack & Lisa acq'd. 032 (2ac)	2/9/2009; 3/6/2006	2	1	1
MS03-063	N/A		9/3/03	1/12/04	Apprvd	4	HO	15315	RTF	Approv	Separate farm operations for financial planning (to sell)	Fish farm	1	Stillman Thomas B & Joyce C Trustees kept 034 (40ac); Alkema Robert Ralph & Anna Marie Co-Trustees acq'd. 035 (36.28ac)	7/23/2004; 7/23/2004	36	0	0
MS03-066	N/A		9/24/03	12/17/03	Apprvd	4	PC	15061	RTF	Approv	Financial and family planning	Heffer Ranch	0	N/A		0	0	1
MS03-069	Orange		10/15/03	6/14/04	Apprvd	4	HO	15061		Deny	Land divisions to match zoning for area	Day Pasture	0	N/A		0	0	0
MS03-071	N/A		10/29/03	1/28/04	Apprvd	5	PC	15061	RTF	Approv	Sell parcels but retain homesite	Row crops	1	Zaghi Nasser acq'd. 027 (20ac)		20	0	1
MS03-072	Yellow		11/4/03	1/14/04	Apprvd	5	PC	15061	RTF	Approv w/ modifications	Estate planning	Crops (alfalfa)	0	N/A	12/19/2005	0	0	0
MS03-073	Orange		10/4/03	4/26/04	Apprvd	4	PC	15061		None	Divide facility from larger parcel	Blueberry Processing Plant	1	Deutsch Bank National Trust acq'd. 054 & 055 (3.45ac & 21.7ac)	8/13/2008	25	0	3
MS03-075	[illegible]	[illegible]	11/10/03	2/9/04	[illegible]	[illegible]	[illegible]	[illegible]	RTF	Approv	[illegible]	[illegible]	[illegible]	N/A	[illegible]	[illegible]	[illegible]	[illegible]
MS03-076	[illegible]	[illegible]	11/10/03	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		Approv	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS03-077	N/A		11/12/03	11/12/03	Apprvd	4	PC	15061	RTF	Approv	Divide family interest	Row Crops	1	Fernandes Duarte M & Mary S Trustees acq'd. 039 (18.55ac)	6/30/2008	19	0	1
MS03-078	Green		11/14/03	5/22/04	Apprvd	5	HO	15305	RTF	Approv	Financing	Agricultural	0	N/A			0	1
MS03-081	Green	ZV03-011	11/24/03	3/10/04	Denied	4	PC	15270	RTF	Deny	Align with MID boundary.	Ag	0	N/A		0	0	2
MS03-082	Green		12/10/03	3/10/04	Denied	4	PC	15270		None	To split west area into 3-20 acre parcles to increase value	Grazing	0	N/A		0	0	0
MS03-083	Yellow	ZV04-006	12/11/03	5/26/04	Apprvd	4	PC	15061	RTF	Approv	None given	Almonds and Grapes	2	Frago Zenon M & Debra A acq'd. 074 (19.38ac); Rodriguez Santos L & Asension A Trustees acq'd. 075 (18.54ac)	12/29/2004; 11/03/2006	39	0	1
MS03-084	Orange	AA-03-129	12/11/03	2/9/04	Apprvd	1	HO	15061		Approv	Create parcel to accommodate Sweet Potato processing facilities	Open Land, Ag Facility	1	California Fresh Farms Inc acq'd. 032 (3.7ac); 033 SPLIT AGAIN	11/03/2004	4	0	0
MS04-004	N/A	PLA04-019	2/11/04	6/21/04	Apprvd	5	HO	15061	RTF	Approv	To maintain consistency with water district boundaries and financial planning of farming	Row crops	0	N/A		0	0	0
MS04-006	[illegible]	[illegible]	2/11/04	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	Deny	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS04-007	Yellow		2/17/04	10/19/04	Apprvd	1	BOS	15061	RTF	Approv	To allow greater options for development to a more intensive use (ie Almonds)	Row crops	0	Tierras Schlies LP c/o Christopher P Schlies acq'd. 067 thru 071 (30ac, 30ac, 30.16ac, 31.23ac, 31.23ac)	12/28/2006	0	0	0
MS04-008	[illegible]	[illegible]	2/18/04	4/27/04	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	Approv	[illegible]	[illegible]	[illegible]	N/A	[illegible]	[illegible]	[illegible]	[illegible]
MS04-009	N/A		2/24/04	6/9/04	Apprvd	1	PC	15061	RTF, ROW	Approv	Create new homesite and new farm land ownership	Row crops	0	Borba John Jr Life Estate acq'd. 026 (26ac); Borba Todd & Monica acq'd. (25ac); John Borba Jr Trustee acq'd. 028 (173.1ac)	7/10/2006; 7/10/2006; 7/10/2006	0	0	2
MS04-011	[illegible]	[illegible]	3/10/04	4/26/04	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	Approv	[illegible]	[illegible]	[illegible]	N/A		[illegible]	[illegible]	[illegible]
MS04-012	Orange		3/12/04	7/20/04	Apprvd	4	BOS	15061	RTF	Deny	Estate planning	Row crops	2	Gonzalez David Jr acq'd. 042 (20ac); EAT Title holder acq'd. 043 (20ac)	1/4/2006; 7/15/2005	40	0	1
MS04-014	Orange		3/17/04	8/9/04	Apprvd	1	HO	15061	RTF	Approv	Create small parcel with house to retire on and combine remaining land with adjacent	Figs	1	Coronado Ramiro G & Ernestine P kept 087 (2.43ac); Barroso D & G Family Farms acq'd. 088 (21.52ac)	7/30/2007; 12/7/2007	22	0	1
MS04-015	Orange		3/17/04	7/23/04	Apprvd	4	BOS	15061	RTF	Deny	Financial	Almond Orchard	0	N/A		0	0	0
MS04-017	N/A		3/30/04	6/23/04	Apprvd	5	PC	15061	RTF	Approv	Sell portion to granddaughter	Row crops	1	Winters Lien C acq'd. 012 & 013 (20ac; 19.83ac)	2/20/2007; 2/20/2007	40	0	0
MS04-023	N/A		4/12/04	7/14/04	Apprvd	4	PC	15061	RTF	Deny	Financing construction of home by selling 30 acre parcel	Row crops	0	N/A	11/16/2005	0	0	3
MS04-027	Orange		4/16/04	11/16/04	Apprvd	1	BOS	15061		Deny	Estate planning	Row crops	0	N/A		0	0	0
MS04-029	Orange		5/4/04	7/14/04	Apprvd	5	PC	15061		Deny	Financial diversity	Orchard	0	N/A	3/18/2005; 3/18/2005; 3/18/2005	0	0	1

FILE	LOCATION	SOIL	AC	ZONE	ADJ_ZONE	ORIG_NUM_PRCLS	RECRD_NUM_PRCLS	P1	P2	P3	P4	P5	FLOOD_ZN	WILL_ACT	WATER	ENGR	PUBLIC_COMMENT	NOTES
MS03-049	S. side of Roosevelt Rd., 370 feet W. of Hwy 59, immediately W. of El Nido SUDP	Prime	70.32	A-1	A-1	1	1	30.32	20	20				Yes				
MS03-053	N. side of W. Harding Rd., 810 feet, E. side of N. Vincent Rd.	Prime	44	A-1	A-1	1	2	20	24				No	No		FP&P		Staff: "Potential to be reduced to a 'hobby farm'."
MS03-054	Reilly, corner of S. Hwy 59, Merced	Statewide Importance	97.3	A-1	A-1	1	3	34	31	31			Central Merced - Zone A	No	MID			
MS03-055	W. Bradbury, corner of N. Santa Fe, Ballico	Prime, Statewide Importance	26.42	A-1	A-1	1	2	6.42	20				No		TID	GVE		Sub-20ac parcel against general plan.
MS03-056	1500 ft. W. of Plainsburg Rd.	Grazing, Prime	60.6	A-1	A-1	1	2	31.46	28.8				Central Merced - Zone A	No	MID	GVE	Steve Tinetti, neighboring property in support. Kim Rozima, neighbor stated she	Sold to new owners. Revised from 3 to 2 parcels. Opposition fax not present. Staff note: "few residences in area".
MS03-057	W. Hwy 152	Prime, Statewide Importance	190	A-1	A-1	1	5	20	40.4	39.6	20		No	No	Unknown (not stated in staff report, asked	P/A Design Resources	Falls under Los Banos Airport Compatibility Zone C	Parcels donated to Merced College for tax reasons
MS03-058	W. side of N. Faith Home Rd., corner of N & S side of W. Turner Ave.	Grazing, Prime	35.86	A-1	A-1	1	2	71.58	4.53				Merced River - Zone A	No	TID	GVE		Sub-20ac parcel created, rest sold.
MS03-059	N. side of W. Harding Rd., corner of W. side of N. Cortez Rd.	Statewide Importance	80	A-1	A-1	1	4	20	20	20	20		No	No	TID	Aspen Survey Co.		Approved against staff recommendation.
MS03-062	W. of Tegner Rd, 1000 ft. S of Turner Rd., Hilmar area	Prime, Statewide Importance	36.4	A-1	A-1	1	2	32.6	2					Yes				Sub-20ac created and sold.
MS03-063	Childs & Burchell, Le Grand	Local Importance	76.3	A-1	A-1	1	2	40	36.26				No	No	Not irrigated – natural water drainage	BCA		Property next door in easement
MS03-066	N. Faith Home, corner of W. Swenson, Hilmar	Prime	77.7	A-1	A-1	1	2	20	56				Merced River - Zone A	Yes	Well & TID	BCA		
MS03-069	N. side of E. Figmund Ave., corner of W. side of N. Fielos Rd.	Grazing	80	A-1	A-1, A-2	1	2	20	20				No	No		FP&P		Staff recomm Denial, 20ac parcels against GP goals
MS03-071	S. side of W. Pioneer Rd. and corner of W. side of S. Canyon Rd.	Grazing, Prime, Unique	100	A-1	A-1	1	4	20	20	32.31	23.77		No	No	CCID	GVE		
MS03-072	Mercy Springs Rd. & Charlesten Rd., Los Banos	Prime	70	A-1	A-1	1	3	20	20	30			No	Yes	CCID	Unknown (asked Planning		Planning Dept. recommends 2 parcels instead of 3
MS03-073	E. side of N. Montgomery St., 2080 ft from corner of N. side of Hwy 59	Prime	25.4	A-1	A-1	1	2	3.38	22.02							GVE		creates a sub-20ac parcel, sold to bank
MS03-075	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		
MS03-076	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		
MS03-077	N. side of W. Crane Ave., corner of E. side of N. Washington Rd.	Statewide Importance	40	A-1	A-1	1	2	20	20				Merced River - Zone A	No		BCA	Rod Nylen asked for conditions regarding 1000 ft. setback.	
MS03-078	Corner of Eucalyptus Avenue and Reynolds Avenue, Dos Palos area.	Prime		A-1	A-1	1	1	18.6										Was not split. Additional criteria requires that the existing parcel be at least 20 gross acres prior to division. This parcel is <20 acres.
MS03-081	W. Livingston-Cressey Rd. & W. Eucalyptus, Livingston	Statewide Importance	9	A-1	A-1	1	1	1.73	7.27				No	No	MID	FP&P	Staff: Elevation change is slight, and not a hindrance to the property owner. Further	Denied, see Pg 11 of electronic records.
MS03-082	N. side of E. Jordan Rd. & corner of E. side of S. Fresno Rd.	Grazing, Prime, Unique	60	A-1	A-1, A-2	1	1	20	20	20			No	No	MID	David Heinrichs	Don Clinton (applicant), Sarah Westfall (very opposed neighbor) who requested	swestfall@mpcsd.org, also Alice Westfall dwestfall1@mindspring.com
MS03-083	W. Dwight, corner of W. Sunset, Livingston	Prime	38.6	A-1	A-1	1	2	20	18.91				No	No		Mike Smith		2 parcels sold to new owners, no reason given for split.
MS03-084	N. Side of W. Collier Rd., E. side of N. Hwy 99	Statewide Importance	18.5	A-1	A-1	1	2	14.5	4				No	No		GVE		Sub-20ac parcels, 033 split again.
MS04-004	Eagle Field Rd., corner of Hwy 5, SW of Los Banos	Prime, Statewide Importance	649.65	A-2	A-2	1	2	97	307	245.65			No	No	SLWD	Steve Sloan for William Sloan		
MS04-006	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		[illegible]
MS04-007	N. Side of E. Childs Ave., .5 mi from corner of W. side of N. Plainsburg Rd.	Prime, Unique	153.3	A-1	A-1	1	5	30	30	30.16	32.05	31.09	Central Merced - Zone A	No	MID	GVE	Maxwell Norton, Phil Favier - Pres. Of Farm Bureau, Karen Bandoni - Pres. Of CWA, Diana	Public comments, sub-40ac parcels.
MS04-008	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS04-009	Arboleda at McHenry Rd.	Local Importance, Prime	224.1	A-1	A-1	1	3	25	26	172.8			Central Merced - Zone A	No	MID	Gary Grinder		Property actually split to family. "The use of property for dairy irrigation requires it to be considered as part of a dairy, effectively
MS04-011	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		
MS04-012	N. Hwy 140 and Schmidt Rd., Merced	Prime	40.6	A-1	A-1	1	2	20.3	20.3				No	No	CCID	BCA	Farm Bureau	Approved & split against staff recommendation to deny and public comment. To move trucking business into Merced. Probably for a parking lot
MS04-014	N. side of E. Mariposa Way, corner of E. side of S. Pioneer Rd.	Prime, Statewide Importance	19.6	A-1	A-1	1	2	17.1	2.5				Central Merced - Zone A	No	MID	FP&P		Sub-20ac parcels against general plan.
MS04-015	W. Shaw & E. Buhach Rd., Winton	Prime	52.9	A-1	A-1	1	2	32.9	20				No	No	Well	FP&P		Approved against staff and PC recommendation. Issues w/ road access to parcels. In 1984 there was a C&C with a 5.9 acre parcel. This would re-
MS04-017	SW Cnr of W. Mint Rd & S Julip Ave.	Prime	41	A-1	A-1	1	2	20.5	20.5				No	No	CCID	BCA		
MS04-023	NW of 2nd Ave and Keaton Rd., Stevinson area	Prime	39.4	A-1	A-1	1	1	8.6	30.8				No	No	Merquin Water District	Mike Smith		Zoning Variance 04005 – Joe Lewis
MS04-027	E. side of Bert Crane Rd., 1280 ft. S. of Hwy 140, Atwater area	Prime	72.3	A-1	A-1	1	3	32.3	20	20			Central Merced - Zone A	No	Not in irrigation district, flood	FP&P	Maxwell Norton did not recommend splitting because of Ranchettes	Approved against staff recommendation for denial. Denied at PC because it does not meet Ag goals for General Plan (will have to get BS
MS04-029	E. of Whitworth Rd., 4/5 mi N. of Husman Rd., Gustine area	Prime, Statewide Importance	60	A-1	A-1	1	3	20	20	20			No	Yes	Wells - Formerly CCID	BCA		Approved against staff recommendation for denial. Taken off CCID as of 5/13/09, must rely on well or surface water

FILE	RISK	RELATED_FILES	APPLIED_DATE	RULING_DATE	RULING	SUP_DIST	RUL_BY	CEQA_EXMPT	CONDITIONS	STAFF_REC	SPLIT_REASON	APPLICANT_USE	#NEW_OWN	2010_OWNERS	DATES_SOLD	ACRE_SOLD	NEW_DWELL_UNITS	EXSTG_DWELL_UNITS
MS04-031	[illegible]		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS04-032	[illegible]		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS04-033	N/A		5/18/04	8/23/04	Apprvd	1	HO	15061	MID gate for irrigation, RTF	Approv	Family planning & ag-related financing	Row crops	0	N/A	3/4/2005; 8/25/2006	0	0	0
MS04-035	[illegible]		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS04-038	Orange		6/25/04	8/25/04	Apprvd	4	PC	15061	RTF	Deny		Residence/Shop, Orchard	0	N/A	10/19/2005; 10/19/2005		0	1
MS04-042	Yellow		7/14/04	10/12/04	Apprvd	5	PC		RTF	Approv	Possible split along zoning lines?	Existing fruit stand	2	Pinnacle Pointe LLC acq'd. 063 (40ac); Telegan Sonta Nella LLC acq'd. 064 (261.25ac)	12/14/2004; 9/2/2005	341	0	
MS04-043	N/A		7/15/04	9/7/04	Apprvd	4	HO	15061		Approv	Retain homesite and create new single parcel	Row crops	1	J & R Farms A Partnership acq'd. 044 (71.07ac)	6/6/2005	71	0	1
MS04-045	Orange		7/23/04	10/12/04	Apprvd	1	HO	15061	RTF	Approv	Home site split & convey/combine	Row crops	0	N/A	11/19/2007; 12/11/2006; 12/11/2006;	0	0	1
MS04-046	Orange		7/27/04	10/26/04	Apprvd	5	PC	15061	RTF	Deny	Long term financial consideration	Cherry orchards and fallow,	0	N/A		0	0	1
MS04-047	Yellow		8/10/04	11/3/04	Apprvd	5	PC	15061	RTF	Approv	Financial flexability and Ag redevelopment	Row Crops	0	N/A		0	0	0
MS04-050	Orange		8/23/04	11/1/04	Apprvd	3	HO	15061		Approv	Create a financial parcel to allow daughter and son-in-law to build a single family home.	Row crops	1	Presto Patrick A & Cardella-Presto Lisa acq'd. 065 (1ac); Cardella David A & Jeanette L Trustees kept 066 (19ac)	2/4/2005; 1/26/2005	1	0	1
MS04-051	N/A		8/24/04	10/13/04	Apprvd	4	HO	15061	RTF		Sliver of land near entrance being redrawn to parcel. Too many previous PLA's to permit	Residential	1	Jantz Jesse & Barbara acq'd. 057 (6.51ac); Gemperle Egg Packing Co kept 058 (523.99ac)	11/18/2009	7	0	1
MS04-052	Yellow		8/24/04	11/3/04	Apprvd	1	PC		RTF	Approv	Estate planning for future property distribution	Almond Orchard	1	Mendez Gilberto Frias acq'd. 082 (26.92ac); Jon Schmidt W kept 083 (26.92ac)	9/28/2007; 2/6/2007	27	0	1
MS04-054	N/A	ZV04-008	9/9/04	11/3/04	Apprvd	4		15061	RTF	None	Legalize parcels	Almonds	1	Ruiz Bertha acq'd. 032 (12.06ac);	3/11/2005	12	0	1
MS04-056	N/A		9/23/04	4/13/05	Apprvd	4	PC	15061	RTF	Approv	Planning purposes - remain in ag	Row Crops	0	N/A			0	1
MS04-060	Green	ZV04-010	10/15/04		Denied	4	BOS	15270		Deny	Better use, orchard needs to be replaced.	Orchard	1	Stacey Bare		16	0	1
MS04-061	Orange	ZV04-011	10/15/05	1/25/06	Apprvd	4	PC	15061	RTF	Deny	Golf Range on 1 parcel, and produce store on 3 acres	Golf Range	1	Lander Ave Turlock LLC acq'd. 047 (9.91ac); Warnke Eileen T acq'd. 048 (2.91ac)	7/29/2009; 3/29/2007	10	0	2
MS04-062	N/A		10/15/04	12/1/04	Apprvd	1	PC	15061	RTF	Approv	Family planning	Row crops	1	Placencia Ismael & Carmen acq'd. 073 (20ac) & 074 (20ac)	6/23/2006; 2/14/2006; 2/14/2006	40	0	1
MS04-063	N/A		10/15/04	12/13/04	Apprvd	1	PC	15061	RTF	Approv	Moving property line between parcels 1 & 2 so his residence will be on #1 which he plans on	Row crops	0	N/A	4/5/2006	0	0	1
MS04-066	Orange		10/29/04	11/16/05	Apprvd	5	PC	15061	RTF	Difficult	None given	Row crops	0	N/A		0	0	0
MS04-067	Orange		10/29/04	11/16/05	Apprvd	5	PC	15061	RTF	Difficult	Estate planning / family distribution	Row crops	0	N/A		0	0	0
MS04-069	Orange		11/15/04	4/12/05	Apprvd	1	BOS	15061		Deny			0	N/A	6/16/2005	0	0	0
MS04-071	N/A	MS05-002	11/23/04	12/21/05	Apprvd	5	PC	Initial Study			Create 20 acre parcels for estate planning	Row crops	0	N/A	11/24/2009	0	0	1
MS04-074	N/A		12/15/04	2/23/05	Apprvd	5	?	15061	RTF	Approv	Almond plant expansion	Almond plant	0	N/A	4/1/2008	0	0	1
MS04-076	N/A		12/23/04	2/9/05	Apprvd	1	PC	15061	RTF	Approv	Family planning	Row crops	0	N/A	6/18/2007;	0	0	1
MS04-077	Orange		12/27/04	2/23/05	Apprvd	5	PC	15061	RTF	Deny, location of dairy	Estate planning (intent for sale to J.B. Filippo & Sons)	Walnut orchard	1	Sanfilippo John B & Son Inc. acq'd. 055 & 056 (28.67ac; 28.88ac)	12/29/2005	58	0	1
MS04-078	N/A		12/27/04	2/22/05	Apprvd	1	HO	15061	RTF, ROW	Approv	Property is jointly owned (N&M Montague, M&J Montague, E&N Silva) want to take individual title		1	Montague Norman W & Marry A Trustees kept 052 & 053 (162.18ac; 162.01ac); Silva Edward J & Nancy A Trustees acq'd. 054 (320.13ac)	5/23/2006; 5/23/2006; 4/16/2008	320	0	0
MS05-001	Green		1/13/05	6/14/05	Denied	5	BOS	15270		Deny	None	Pasture	0	N/A		0	0	0
MS05-002	Orange		1/18/05	12/21/05	Apprvd	5	PC				Estate planning	Row crops	0	N/A	12/2/2009	0	0	0
MS05-004	Yellow		1/26/05	4/27/05	Apprvd	5	PC	15061	RTF	Approv	Family planning/estate planning	Row crops	1	Nickel Family LLC acq'd. 052-056(22.5ac; 20ac; 20ac; 20ac; 20ac);	12/10/2009	103	0	0
MS05-006	N/A		2/3/05	4/11/05	Apprvd	5	HO	15061	RTF	Approv	Family planning	Orchard, row crops	0	Silva Trinite M Trustee acq'd. 036 (50.45ac); Silva Manuel V Trustee kept 037 (50.45ac)	9/14/2006; 9/14/2006	0	0	2
MS05-007	N/A	PLA 05-015	2/3/05	5/23/05	Apprvd	5	PC	15061	RTF	Approv	Financial/Family	Row crops	1	Catrina Albert J & Roberta Sue Trustees kept 011 (53.3ac); Malorino Lewis W Trustee acq'd. 014 (40ac)	9/7/2006; 2/25/2009	40	0	0
MS05-008	Orange	MS06,010, MS 05-046	2/8/05	6/6/05	Apprvd	5	HO	15061	RTF	Approv	Home site for daughter	Row crops	1	Jones Stanley & Lana Sue acq'd. 013 (5ac); Catrina Albert J & Roberta Sue Trustees acq'd. 014 (46.15ac);	3/20/2007; 1/10/2007	5	0	2
MS05-009	Yellow		2/17/05	3/23/05	Apprvd	4	PC	15061	RTF	Difficult, small parcels,	Divide property	Orchard, vacant	2	Coehlo Michael & Judith kept 042 & 043 (19.75ac, 20ac); Machado Paul M acq'd. 044 (20ac); Romero Patrick R & Cynthia A acq'd. 045 (20ac)	8/18/2005; 8/18/2005; 11/9/3006;	40	0	0
MS05-010	Green		2/23/05	6/28/05	Denied	5	PC	15061		Difficult	Separation of house & friends	Half horses, half almond trees	0	N/A		0	0	1
MS05-012	Yellow		3/11/05	6/22/05	Apprvd	1	PC	15061	RTF	Approv	Possibly sale of portion and help in financing.	Almond Orchard	1	Double B Dairy A Partnership acq'd. 050-052 (21.5ac; 26.98ac; 26.98ac)	9/25/2007; 9/25/2007; 9/25/2007	76	0	0

FILE	LOCATION	SOIL	AC	ZONE	ADJ_ZONE	ORIG_NUM_PRCLS	RECRD_AUM_PRCLS	P1	P2	P3	P4	P5	FLOOD_ZN	WILL_ACT	WATER	ENGR	PUBLIC COMMENT	NOTES
MS04-031	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS04-032	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS04-033	NW corner of Mariposa Way and Arbolea Drive	Grazing, Prime	68	A-1	A-1	1	2	35.05	33.24				Central Merced - Zone A	No	MID	BCA		
MS04-035	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS04-038	North side of W. Gertrude Ave, 1800 feet East of N. Winton Way	Prime	4.3	A-1	A-1, A-R	1	2	1	3.3				No	No	MID	Mike Smith	Owner cites past splits as justification	Approved against staff recommendation for denial. Sub-20ac parcels below minimum, zoning variance req'd
MS04-042	Corner of North side of W. Hwy 152 and East S. Hillsdale Ave.	Statewide Importance	301	A-1	A-1	1	2	40	261					No	San Luis Water District			Staff comments parcel size < than surrounding. Possibly breaking off HIC zoning
MS04-043	Corner of South side of W. Baumbauer Rd. and East side of South Jensen Rd.	Prime, Statewide Importance	34.3	A-1	A-1	2	1	71.1	1.2				No	No	CCID	Mike Smith		Actually combined to larger parcel.
MS04-045	N. side of W. Atwater-Jordan Rd., .25 mi from E. side of N. Washington Blvd.	Local Importance, Prime, Statewide Importance	78	A-1	A-1	1	3	1.73	19.58	27.95	28.44		No	Yes	MID	BCA		Sub-20ac parcels against GP goals.
MS04-046	W. of N. Whitworth Rd., 4/5 mi N. of Hilman Rd., Gustine	Prime	87.1	A-1	A-1	1	3	31.49	22.45	31.74			No	Yes	Well	BCA		Approved against staff rec. Denied 5-0 at 9/8/04 PC meeting. Approved on 10/26/04 with only 3 BOS present
MS04-047	S. Badger Flat Rd. & S. Henry Miller Rd.	Local Importance	90.2	A-1	A-1, A-2	2	7	22.3	22.5	22.6	22.8		No	No	Wells, CCID available	Thompson-Hysell	LB school district OPPOSES until an agreement w/ applicant for full mitigation.	Splits 90ac into 20's. Within LB city GP designated area as Ag -- not in urban growth line or service area
MS04-050	N. side of W. Cardella Rd., .25mi E. side of N. Franklin Rd.	Prime, Statewide Importance	20	A-1	A-1	1	2	1	19				No	No	MID	FP&P		Financial parcel map waiver was sold. Paper parcel only. 005130032 is real parcel #
MS04-051	?	Prime, Statewide Importance		A-1	A-1	2	2							Yes	MID	BCA		Only a very small addition for road access to Balswick's property. Not a big deal. Properties orginally created by PLA's, to finish property line
MS04-052	E. side of S. Santa Fe Ave., 1325 ft W. of S. Clausen Rd., Le Grand	Prime, Unique	55	A-1	A-1	1	2	27.35	27.35				Central Merced - Zone A	No	Le Grand-Athlone Water District	GVE	Staff notes proposed parcels could be turned into "hobby farms" but believe this is	Duane Andrews: "no intent to build or sell homes on property - purpose is estate planning". Scott Porter (on Le Grand Rd., North
MS04-054	Youd, and corner of N. Hwy 59, Winton	Other	160	A-1	A-1	1	1	12.1					No	No		BCA		No split, just legalizing parcel.
MS04-056	14826 W Bradbury Rd., Delhi. North of Bradbury, E of Sycamore St.	Statewide Importance	40	A-1	A-1	1	1	20	20				No	No	Well, TID available	GVE		Prior application and split CUP 215, PD 961. Check Parcel Map PMS-46.
MS04-060	S. side of W. Crane Ave., 665 feet from W. side of N. Tegner Rd., Hilmar	Statewide Importance	18	A-1	A-1	1	1	4.8	13.2				Merced River Zone A	No	TID	BCA	PC Mtg 2/9/05: Kirsten Reinking, applicant, stated that she "is going to rent the	by BOS. Staff report: the variance will decrease the property's potential for agricultural production and use by further dividing it into
MS04-061	E. of N. Lander & N. of W. Bradbury, Turlock	Statewide Importance	13	A-1	A-1	1	2	10	3				No	No	Well	Mike Smith		Sub 20 parcels, split against staff recommendation
MS04-062	S. side of E. Roosevelt Rd., .25 mi East of S. Hwy 59, El Nido	Prime, Statewide Importance	42	A-1	A-1	1	2	20	20.98				No	No	El Nido Irr. District	BCA		
MS04-063	E. side of S. Morley Ave. & corner of S. side of E. Mission Ave.	Prime, Statewide Importance	88.41	A-1	A-1	2	5	21.2	21.2	21.2	24.3		Central Merced - Zone A	No	MID	BCA		
MS04-066	N. side of W. Eucalyptus Rd., 75 feet from W. side of S. Indiana Ave.	Prime, Statewide Importance	75	A-1	A-1	1	2	20	20	35			No	No	CCID	GVE		Approved against staff difficulty. Left 1 intervening parcel betwn MS04-067, to keep from being a Major Sub.
MS04-067	E. side of S. Esther Ave. & 580 ft. from S. side of W. Elva Rd.	Prime, Statewide Importance	40	A-1	A-1	1	2	20	20				No	No	CCID	GVE		Approved against staff difficulty. Left 1 intervening parcel betwn MS04-067, to keep from being a Major Sub.
MS04-069	Cunningham Rd., 2,000 ft N. of Hainline Ave., Le Grand area	Grazing		A-1, A-2	A-1, A-2	1	1	20	79.3					No	None			
MS04-071	NE corner of Cotton Rd. & Center Ave., & SW corner of Cotton Rd. & Center Ave., Los Banos	Prime	111.8	A-1	A-1	1	1	22.35	22.35	22.35	22.35	22.35	No	No	CCID	Stoddard & Associates		No new parcels created.
MS04-074	E. side of S. Ortigalita Rd. & S. side of W. Charleston Rd.	Prime	78.9	A-1	A-1	2	3	20	20	38.85			No	No	San Luis Water District	Land surveyor, Robert C.		
MS04-076	South side of E. Mission Ave., .75 mi from corner of E. side of Plainsburg Rd.	Prime	142	A-1	A-1	1	3	20	20	101.9			Central Merced - Zone A	No	MID	BCA		
MS04-077	S. side of W. Cottonwood Rd. & W. side of S. Hwy 33, Gustine	Prime	57.8	A-1	A-1	1	2	28.8	29				No	Yes	CCID	FP&P	Alan & Shirley Santos - neighbors concerned about commercial venture	Staff report: Any new single family residence is restricted within 1,000 ft. of existing animal confinement facility.
MS04-078	Chamberlain and corner of Combs Rd., El Nido	Prime, Unique	970	A-1	A-1	1	3	323	161	162	324		Yes	No	Lonetree Mutual Water Co.	CA Construction Surveying		Went to HO since all parcels are over 160 & being subdivided for separate ownership
MS05-001	S. Ingomar Grade & W. Henry Miller Rd.	Grazing, Statewide Importance	86.1	A-1	A-1	1	1	26	20	20	20		No	No	None	Mike Smith		
MS05-002	N. side of W. Cotton Rd., E. Center Ave.	Prime	229	A-1	A-1	2	9	20	20	20	20	20	No	No	CCID	Bob Hart, Stoddard	Farm Bureau letter, LB Unified School District Letter, Ag Natural Resources Letter,	Should be Major Sub. Check this file carefully.
MS05-004	N.E. corner of San Juan Rd. & Hwy 152, Dos Palos	Prime, Statewide Importance	105.22	A-1	A-1	1	5	25.22	20	20	20	20	No	No	San Luis Canal Co.	GVE	GVE, Robin Pinto - concern for new homes, MCFB - asked for denial due to parcelization of	Avg. parcel size 40.23 though 1000/1450 acres is 40 or greater. Staff recommended (3) 35 acre parcels.
MS05-006	E. of Canyon Rd., S. of Pioneer Rd.	Prime	102.7	A-1	A-1	1	2	51.3	51.4				No		Well	BCA		No minutes.
MS05-007	W. side of Wills Rd., S. side of Catrina St., Dos Palos area	Prime	96.64	A-1	A-1	3	3	54.64	42				San Joaquin River	No	CCID	BCA		
MS05-008	W. Catrina St. & Indiana Rd, Dos Palos area	Prime	53.17	A-1	A-1	1	1	48.17	5				San Joaquin River	No	CCID	BCA		Financial Parcel Map Waiver
MS05-009	E. side of N. Van Clief Rd., S. side of W. Westside Blvd.	Prime, Statewide Importance	80.66	A-1	A-1	1	4	20.66	20	20	20		No	No	MID	BCA		Approved against staff recommendation.
MS05-010	.25 mi S. side of Cottonwood Rd., 1 mi. from W. side of Whitworth Rd.	Unique	40	A-1	A-1	1	1	20	20				No	No	CCID	Stephen Anderson	Joe Silva opposed. Worried about dust/traffic.	Staff: Going into Williamson act would not constitute satisfactory mitigation.
MS05-012	N.W. Worden Ave. & S. Athlone Rd., Le Grand area	Prime	79	A-1	A-1	1	3	23	28	28			Central Merced - Zone A	No	MID	GVE	Farm Bureau opposed: water issues	

FILE	RISK	RELATED_FILES	APPLIED_DATE	RULING_DATE	RULING	SUP_DIST	RUL_BY	CEQA_EXMPT	CONDITIONS	STAFF_REC	SPLIT_REASON	APPLICANT_USE	#NEW_OWN	2010_OWNERS	DATES_SOLD	ACRE_SOLD	NEW_DWELL_UNITS	EXSTG_DWELL_UNITS
MS05-013	Orange		3/11/05	5/23/05	Apprvd	1	HO	15061	RTF	Approv	To divide homesite from 40 acres & combine w/ adjoining 40 acre parcel	Almonds	1	Hadley Martin M & Constance M Trustees acq'd. 053 (19.82ac); Sperling Judith A James C Trustees acq'd. 054 (19.82ac)	11/4/2009; 2/9/2009	20	0	4
MS05-016	N/A		3/16/05	8/23/05	Apprvd	4	BOS	15061		Deny		Open ag land	1	Acedo David & Shirley acq'd. 040 (18.49ac); Ahlem William R Jr & Carolyn Scott kept 041 (19.47ac)	3/31/2006; 12/30/2005	18	0	
MS05-019	N/A		3/17/05	5/23/05	Apprvd	4	HO	15061	RTF	Approv	Divide family interest	Orchard, row crops	0	N/A	6/13/2006	0	0	2
MS05-020	Yellow		3/21/05	6/22/05	Apprvd	5	PC	15061	RTF	Difficult	Estate planning	Orchard	2	Iyer Pattabiraman Balam & Sharon Wallace acq'd. 078 (19.52ac); Nojaba Michael & Reyhaneh acq'd. 079 (31.47ac)	7/26/2006; 1/20/2006	51	0	0
MS05-021	N/A		3/22/05	10/4/05	Apprvd	1	BOS	Mit Neg Dec		None	Farm, Financial, and Family planning	Fish Farm/ Dry Cropland	0	N/A	8/17/2007	0	0	1
MS05-023	Orange		3/30/05	6/22/05	Apprvd	4	PC	15061	ROW, RTF	Approv	Estate planning purposes (originally C&C)	Almonds	0	Narita Haruko Trustee acq'd. 076 & 077 (2.19ac; 37.21ac)	10/18/2006	0	0	1
MS05-024	N/A		4/5/05		Apprvd	1					Divide 40 acres	Pasture, residence, row crops	2	Brigham Investments LLC acq'd. 032 (19.78ac); Brigham John acq'd. 033 (19.78ac)	5/22/2007	40	0	1
MS05-026	Yellow		4/15/05		Apprvd	2	HO	15061		Difficult	Sale	Open pasture	0	Diane Bartlett	4/18/2008; 4/18/2008	0	0	1
MS05-028	Yellow		5/4/05	6/22/05	Apprvd	5	PC	15061	RTF	Approv	Divide along field break, financial planning	Row crops	0	N/A	1/10/2007; 1/10/2007	0	0	0
MS05-029	N/A		5/4/05	12/8/05	Apprvd	1	PC	15061	RTF	None	To sell to family members	Row crops	0	N/A	1/23/2009	0	0	0
MS05-030	Red		5/12/05	11/22/06	Apprvd	4	BOS	Initial Study			To split 20 acres into 2 parcels	[illegible]	0	N/A	[illegible]	[illegible]	[illegible]	[illegible]
MS05-031	N/A	MS04-046	5/23/05	7/13/05	Apprvd	5	PC	15061	RTF	Difficult	Financial planning	Almonds, peaches	0	N/A	1/9/2007	0	0	0
MS05-032	Red		5/25/05	7/27/05	Apprvd	4	HO	15061	RTF	Approv	Family planning	Orchard	0	N/A	8/18/2006	0	0	0
MS05-033	Orange		5/25/05	7/11/05	Apprvd	4	HO		RTF	Approv	Divide homesite from 20 acre, combine remainder with adjoining parcel	Corn	1	Jansen Alan Wayne & Kathleen M kept 031 (1.85ac); Soares Jose & Teresa Trustees acq'd. 032 (36ac)	11/7/2005; 8/23/2006	36	0	2
MS05-037	N/A		6/10/05	7/25/06	Apprvd	4	BOS	Mit Neg Dec		None	Create Apiary farm	Grazing	2	Robsion Jim O & Ruth L acq'd. 012 (20ac); Price Maxine acq'd. 044 & 045 (120.45ac; 188.26ac)	9/5/2007; 10/6/2008; 10/6/2008	329	0	1
MS05-038	Orange	PLA 284, CC96-006	6/16/05	12/7/05	Apprvd	4	PC	15061	RTF, no more houses	Difficult	2 parcels for family members	Ag orchard with old, vacant labor	2	Rai Kulvinder K acq'd. 007 (23.79ac); Rai Kulvinder Singh & Gurdev K acq'd. 008 (20.28ac)	7/23/2009; 9/8/2006	44	0	9
MS05-039	N/A		6/24/05	6/12/06	Apprvd	5	HO	15061		Approv	To divide out composting site	Row crops	0	N/A		0	0	0
MS05-041	Green		7/7/05	9/12/05	Apprvd	4	HO	15061		None	Finance major home improvements	Almonds	0	N/A	10/3/2005	0	0	1
MS05-042	Green		7/7/05	8/22/05	Apprvd	4	HO	15061	RTF	Approv	Finance building of single residence on 2 acres	Alfalfa	0	N/A		0	0	0
MS05-046	Orange	MS06-010, MS05-008	7/25/05	9/14/05	Apprvd	5	PC	15061		Approv	Financial parcel for daughter	Row crops	1	Jones Stanley & Lana Sue acq'd. 013 (5ac); Catrina Albert J & Roberta Sue Trustees acq'd. 014 (46.15ac)	3/20/2007; 1/10/2007	5	0	2
MS05-048	Orange		8/10/05	9/26/05	Apprvd	4	PC	15061	RTF	Approv	Home site, convey & combine to self	Almond Orchard	1	Bottin Jesse L & Bernice G kept 071 (4.44ac); Rice Justin Brent & Shwolop Halina Maria acq'd. 072 (34.16ac)	8/31/2007; 4/30/2008	34	0	1
MS05-050	Orange		8/12/05	9/26/05	Apprvd	4	HO	15061		Approv	Financial parcel	Row crops	2	Pariscot Carolyn K & Michael A kept 044 (43.07ac); Reyes Robert & Cynthia acq'd. 044 (1ac); Cook Julie Ann & Estan Robert acq'd. 046 (1ac)	2/7/2006; 12/5/2006; 7/18/2006	2	0	2
MS05-052	N/A		8/18/05	11/16/05	Apprvd	3	PC	15061	Driveway Easement, Right to aviate, RTF,	None, formerly (4) 20a	To re-establish old conforming subdivision lots	Row Crops	0	Hagerman Mae Ana Trustee acq'd. 083, 084, 085, 086(18.64ac,19.55ac, 19.55ac, 19.54ac)	1/8/2007	0	0	1
MS05-053	N/A	GPA05-007 zone change	8/19/05	10/26/05	Apprvd	3	BOS	15315		Approv	Make 2 home sites	Vacant, drainage basin	3	Crain David L & Diane L acq'd. 030 (1.03ac); Vang Koungla acq'd. 031 (1.21ac); County of Merced acq'd. 032 (1.43ac)	3/06/2008; 10/30/2008; 5/7/2009	4	0	0
MS05-054	N/A		8/23/05	11/14/06	Apprvd	1	HO	15061	RTF	Approv	To divide extremely large acreages	Rangeland	0	Grissom Family Land & Cattle LP acq'd. 013 (957.91ac)	1/15/2010	0	0	3
MS05-055	Yellow		9/1/05	11/16/05	Apprvd	1	PC	15061	RTF	Difficult	Family and financial planning	Row Crops, Hay	0	Double G Farms LP acq'd. 009-011,013-017 (40ac each); Giampaoli Gary D & Julie S Trustees kept 012 (23.61ac)	5/15/2007	0	0	1
MS05-057	Red		9/6/05	12/7/05	Apprvd	4	HO	15061	RTF	Approv	Family financial planning	Orchard	0	Cone Harold Jr & Cone Carol Trustees acq'd. 040 (2.2ac; 19.41ac)	5/28/2008	0	0	2
MS05-059	Orange	MS3586, CUP 3507, MOP 8131	9/8/05	12/7/05	Apprvd	1	PC	15061		Approv	None	Row crops, trucking storage	1	VGIE kept 059 (50.39ac); Bear Creek Ranch acq'd. 060-066 (35ac, 35ac, 35ac, 35ac, 35ac, 35ac, 33.99ac)	12/5/2006; 8/22/2008	209	0	1
MS05-060	Orange	MS07-017	9/8/05	9/13/06	Apprvd	1	PC	15061	RTF	Approv	Family Planning	Row Crops	1	Crider Mary Joy acq'd. 017 & 018 (19.62ac, 18.42ac) and recombined them to 020 (33.04ac)	9/19/2007	33	0	1
MS05-061	Yellow		9/9/05	11/16/05	Apprvd	1	PC	15061	RTF	Difficult, 3 parcels legal	Family & Financial Planning	Orchard	1	Alkema Robert Ralph & Anna Marie Trustees acq'd. 047 & 048 (19.36ac, 18.17ac);	1/04/2010	38	0	4
MS05-062	Orange		9/9/05	1/11/06	Apprvd	4	PC	15061	Irrigation Easement	Approv, with conditions,	Divide off 16 acres to finance an existing chicken ranch facility	Row crops, chicken ranch	1	Takhar Rajinder S & Anand S acq'd. 039 (20ac); Bailey Robert W & Randy S kept 040 (15.75ac)	6/26/2006; 5/24/2006	20	0	1
MS05-067	Orange		10/7/05	5/2/06	Apprvd	3	BOS	15061	RTF, Irr. Easement	Approv	To create 4 new parcels (90 acres into (4) 20 acres for ag use to allow flexibility in crop financing		0	Cuttone Frank J & Marsha L Trustees acq'd. 059-062 (25ac; 25.2ac; 19.25ac; 19.24ac)	7/31/2007	0	0	2
MS05-070	N/A		10/25/05	12/21/05	Apprvd	4	PC	15061	RTF, TID easement	Approv	To split into (2) 20's	Ag	0	N/A	4/17/2007	0	0	1
MS05-072	N/A	MM06-023	11/4/05	3/20/06	Apprvd	4	HO	15061		Approv	Match use	Dairy, open	0	N/A		0	0	
MS05-074	Orange		11/7/05	2/7/06	Apprvd	1	PC	15061	RTF	Deny	To allow sale of 1 parcel	Crops	0	N/A	7/10/2006	0	0	1
MS05-075	Orange	ZV05-003	11/14/05	12/19/06	Apprvd	1	PC	Mit Neg Dec	RTF	Deny	Have some priviledges as landowner of property	open land, almond orchard	3	Atkins Sharon acq'd. 016 (1.3ac); Whitfield Robert D & Fernanda M acq'd. 017 (1.31ac); Cordoza Michelle & Justin acq'd. 018 (1.31ac); Eisberg Clarence & Colleen kept 019 & 020 (1.31ac; 2.28ac);	6/16/2008; 5/7/2008; 8/25/2008;	4	0	0

FILE	LOCATION	SOIL	AC	ZONE	ADJ_ZONE	ORIG_NUM_PRCLS	RECRD_NUM_PRCLS	P1	P2	P3	P4	P5	FLOOD_ZN	WILL_ACT	WATER	ENGR	PUBLIC_COMMENT	NOTES
MS05-013	N. side of E. Gillette Rd. & E. side of S. Simonson Rd.	Prime	80	A-1	A-1	1	2	20	20				Central Merced - Zone A	Yes	Private Well and Septic	GVE		SPLIT NOT DONE AS SHOWN. (2) 20's instead of comb. & seperating home site.
MS05-016	Corner of West side of N. Mitchell Rd. and North side of W. Williams Ave.	Local Importance, Statewide Importance	40	A-1	A-1	1	2	20	20					Yes	TID, new irrigation channel	Northstar	Maxwell Norton letter advises decline	
MS05-019	SW South Ave, SW of N. Ballico Ave	Prime, Statewide Importance, Unique	279	A-1	A-1	1	2	89	104	86			Merced River - Zone A	No	Private wells	BCA		
MS05-020	Whitworth and Bunker Rd., Gustine	Prime	51	A-1	A-1	1	2	20	31				No	Yes	CCID	FP&P	Mr. Silva protested this application/MCFB premature parcelization – update GP	
MS05-021	N. side of Childs Ave, 750 ft E. of Burchell Ave., Planada area	Local Importance	157	A-1	A-1	3	1	20	20	20	20	40		No	MID	BCA		
MS05-023	Harding Rd at Cortez and Santa Fe, Turlock	Prime, Statewide Importance	40	A-1	A-1	1	2	2	37				No	No	Wells	FP&P	Farm Bureau: premature parcelization / water supply	Sub-20ac parcel created: 076 (2.19ac)
MS05-024	E. side of S. Bert Crane Rd., 2 miles from S. side of W. Hwy 140	Prime, Statewide Importance	40	A-1	A-1	1	2	20	20				Central Merced - Zone A	No	Well	BCA		
MS05-026	E. side of N. 'G' St., 650 ft. from N. side of Botterdam	Local Importance	109.68	A-1	A-1	1	2	40	69.68				No	No	MID	Gregory Land Surveying	City of Merced has no objection, but notes inconsistency with long term	
MS05-028	W. side of S. Box Car Rd., 2000 feet N. of Hwy 152	Prime	87.3	A-1	A-1	1	2	63.22	23.3				No	Yes	San Luis Canal Co.	BCA	Farm Bureau: Inconsistency w/ General Plan	
MS05-029	W. side of S. Road 11, .5 mi, N. side of E. Ave 26	Prime, Statewide Importance, Unique	196	A-1	A-1	1	5	38.3	38.3	38.3	38.3	42.3	No	No	Chowchilla Water District	BCA		
MS05-030	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS05-031	S. side of Romero Rd., E. Hwy 5, Gustine Area	Prime	52	A-1	A-1	1	2	26.41	26.11				No	No	Del Porto Water District	BCA		
MS05-032	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS05-033	S. side of W. Bell St., W. side of N. St. Stunberg Rd., Atwater	Prime	60	A-1	A-1	1	2	1.85	36				No			GVE	See HO minutes	Sub-20ac parcel created.
MS05-037	W. side of Fields Rd., 500 ft S. of Olsen Rd., Snelling area	Grazing, Local Importance		A-2	A-2	1	3	20	308					No	Well	FP&P		Deed restriction limits future divisions to no less than 160 acres
MS05-038	E. side of N. Newport Rd., .25 mi N. of W. Lombardy, Ballico	Prime, Statewide Importance	44	A-1	A-1	1	2	23.4	20.6				No	No	EID	Mike Smith		Approved against staff "difficulty"
MS05-039	W. side of Harmon Rd., 1.5 mi. N. of Hwy 152, Dos Palos	Prime	420	A-1	A-1	1	2	385	35				Merced River - Zone A	Yes	Private well system	RL Schafer & Associates		
MS05-041	W. Vinewood & N. Washington, Hilmar	Prime, Statewide Importance		A-1	A-1	1	2	29.8	1.21				Merced River - Zone A	Yes	Merced River / private well	GVE		Financing parcel map waiver.
MS05-042	E. of S. Jensen Rd., 2060' S. of W. Bambauer Rd.	Statewide Importance	20	A-1	A-1	1	1	18	2				No	No	CCID	FP&P		Financing parcel map waiver.
MS05-046	W. Catrina St & S. Inteana Rd., Dos Palos	Prime	52	A-1	A-1	1	2	5	46				San Joaquin River -	No	San Luis Water District	BCA		Sub-20ac parcel created. Split first then to have a C&C to end up with 1 large parcel and 1 small one for the home.
MS05-048	N. side of W. White Crane Rd. and corner of W. Side of N. Dwight Way	Statewide Importance	39.8	A-1	A-1	1	2	4.44	35.36				No	No	MID	BCA		Sub-20ac parcel created.
MS05-050	W. side of N. Bert Crane Rd., 135' N. of W. Hwy 140.	Prime	46.34	A-1	A-1	1	3	43.1	1	2			No	No	MID	BCA		(2) 1 acre financial parcels – SOLD
MS05-052	Tahoe at Thornton	Local Importance	77.6	A-1	A-1	1	4	20	20	20	20		No	No	Wells	GVE		
MS05-053	E. side of Franklin Rd., 200 ft. N. of W. Dan Ward	Local Importance	3.7	A-1	A-R	1	3	1.03	1.21	1.41				No		GVE		Changed A-1 to A-R. County sold to Hostetler, orginally for a fire station. County still retains 1.4 acre drainage basin. See Zoning Variance for
MS05-054	Ventura & Bert Crane, Atwater area	Grazing, Local Importance, Other, Prime, Statewide	5663	A-1, A-2	A-1, A-2	1	1	1305.5	2519	1339			Central Merced - Zone A	Yes	MID	GVE		
MS05-055	11121 E. Buchanan Hollow, Le Grand	Prime, Unique	351	A-1	A-1, A-2	1	9	40	40	40	23.03	41.62	Zone A	No	Wells	GVE	No minutes.	Staff report had concerns re: avg. parcel size. Staff note: "Why not a major subdivisions w/ so many parcels?"
MS05-057	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS05-059	E. side of N. Arboleda Dr. and corner N. side of E. Childs Ave.	Other, Prime	295.6	A-1	A-1	1	8	51.13	35	35	35	35	No	No	MID	GVE		Staff note: "Why is this a MINOR subdivision?"
MS05-060	E. Buchanan & Hollow, Plainsburg	Statewide Importance	38	A-1	A-1	1	1	20.8	20.8				Central Merced - Zone A	No	Le Grand - Athlone	David Heinrichs		Split 40 into 20's- recombined & Sac parcel created
MS05-061	N. of E. LeGrand Rd. & 1350 ft. W. of S. Plainsburg	Unique	77	A-1	A-1	1	2	20	20	20	20		Yes	Yes	Deep well	BCA		Split against staff recommendation.
MS05-062	S. side of W. Westside Blvd., 1350 ft West of North Weir Ave., Livingston	Other, Statewide Importance	38.96	A-1	A-1	1	2	23.13	15.83				No	No	MID	GVE		Sub-20ac parcel against general plan.
MS05-067	N. side of W. Hwy 140 & 1350 ft. from W. side of N. Franklin Rd.	Prime, Statewide Importance	88.7	A-1	A-1	3	4	20	20	26.42	26.42		Central Merced - Zone A	No	MID	GVE	Gene Berrera stated division to sell/develop. Luis Bandoni asked why property is already	More public comments: Luis Bandoni, Les McCabe, MAC, Jean Okaye, McSwain Municipal Advisory Council recommended denial. Richard
MS05-070	N. side of W. Short Ave. and corner of West side of N. Tegner Rd., Hilmar	Statewide Importance	38.2	A-1	A-1	1	3	19.56	18.66				No	No	TID	GVE		
MS05-072		Grazing, Local Importance, Other, Prime, Statewide	1708	A-2	A-2	7	0	391.83	556.04	167.24	168.49	161.66		Yes		GVE		
MS05-074	S.E. corner of W. Sandy Mush Rd. & S. Lone Tree Rd.	Prime, Statewide Importance	78.5	A-1	A-1	1	2	38.34	37.29				Merced River - Zone A	Yes	Private well & Septic Stormwater	GVE		*7 of 12 (59%) existing surrounding parcels over 80 acres. 13% between 0-40 acres.
MS05-075	NW corner of Arboleda Dr. and McHenry Rd.	Prime	8	A-1	A-1	1	5	1.35	1.35	1.35	1.35	2.6	Central Merced - Zone A	No		Joe Ovatt	Eisberg says he recently purchased property	Several Sub-20parcels created/SOLD. Mit Neg Dec not in file. See letter from Dept. Water resources.

FILE	RISK	RELATED_FILES	APPLIED_DATE	RULING_DATE	RULING	SUP_DIST	RULE	CEQA_EXMPT	CONDITIONS	STAFF_REC	SPLIT_REASON	APPLICANT_USE	#NEW_OWN	2010_OWNERS	DATES_SOLD	ACRE_SOLD	NEW_DWELL_UNITS	EXSTG_DWELL_UNITS
MS05-076	Green	ZV05-004	11/14/05	3/22/06	Denied	4	PC	15061	RTF	None	To sell other parcel	Homesite	0	N/A		0	0	1
MS05-077	Orange		11/18/05	1/25/06	Apprvd	4	PC	15061	RTF, ROW	Deny	Family Planning	Almonds	1	Split amongst family then Braulio P & Maria R Medina acq'd. 021 (26.86ac); Silbestre & Angela Espinosa acq'd. 022 (26.87ac)	10/23/2007; 12/22/2008	27	0	0
MS05-078	N/A		11/29/05	2/8/06	Apprvd	3	HO	15061		Approv	Build houses for family	Row crops, pasture	1	Kingston Cody & Kristi acq'd. 086 (19.55ac); Silva Faustino & Kathy kept 087 (23.6ac); Plagenza Nadine K acq'd. 088 (39.09ac)	7/12/2006; 7/12/2006; 8/15/2006	59	0	2
MS05-079	Yellow		11/29/05	4/12/06	Apprvd	4	PC	15061	RTF	Approv	For family planning	Ag - unspecified	0	Dana Eugene A & Mary E Trustees acq'd. 018-021 (20ac, 21.58ac, 21.58ac, 25.06ac)	3/27/2007	0	0	2
MS05-081	Orange		12/12/05	2/21/06	Apprvd	4	HO	15061	RTF	Approv	Convey & Combine to Self	Buildings & almonds	0	N/A		0	0	1
MS05-082	Yellow		12/21/05	2/22/06	Apprvd	1	PC	15061	RTF, Agg Base weather access to	Difficult	Real estate planning purposes	Almond Orchard/Row Crops	0	N/A	5/21/2008	0	0	1
MS06-001	Yellow		1/4/06	5/31/06	Apprvd	1	HO	15315		None	Family purposes only - future annex into city for future development.	Grazing, wetlands, pools, crops	0	N/A	1/26/2007	0	0	0
MS06-002	[illegible]		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS06-006	Orange		1/20/06	3/20/06	Apprvd	4	HO	15061	RTF	Approv	Divide off 2.19 from an existing 20 acre parcel, C&C remaining 17.81 with adjacent 20 acres	Almonds	0	N/A	10/18/2006; 10/18/2006	0	0	1
MS06-009	N/A	MS04-046 C&C'd 76.73a	1/30/06	3/22/06	Apprvd	1	PC	15061	RTF	Approv	Business planning	Row crops	0	N/A	12/11/2006	0	0	2
MS06-010	Orange	MS05-046, MS05-008	1/7/06	4/24/06	Apprvd	5	HO	15061	RTF	None	Convey & comine to self	Row crops	1	Jones Stanley & Lana Sue acq'd. 013 (5ac); Catrina Albert J & Roberta Sue Trustees acq'd. 014 (46.15ac)		5	0	2
MS06-015	Yellow		3/9/06	7/11/06	Apprvd	4	PC	15061			Divide 50 acre parcel into 2 parcels	Orchard	1	Uhrhammer Properties A Partnership acq'd. 052 & 053 (18.89ac; 30.5ac)	3/2/2007; 3/2/2007	49	0	1
MS06-016	Orange		3/15/06	6/26/06	Apprvd	4	HO	15061	RTF	Approv	Convey & Combine to Self	Row crops	2	Alvarado Jesus Rojas acq'd. 015 (1.07ac); Wickstrom Vernon D & Mary A acq'd. 016 (18.23ac)	5/15/2009; 1/10/2007	19	0	1
MS06-019	Green		4/17/06	7/10/06	Apprvd	5	PC	15061		Approv	Parcel map waiver, build new home	Row crops	0	N/A	3/14/2007; 8/16/2006	0	0	1
MS06-020	Green		4/18/06	6/26/06	Apprvd	5	PC	15061		Approv	Financing a single family residence on property located on East side	Row crops	0	N/A	8/16/2006; 8/16/2006	0	0	1
MS06-021	Yellow		4/24/06	10/13/06	Apprvd	1	PC	15061	RTF	Difficult	Family planning, estate plan	Row crops	0	N/A	1/29/2009; 1/29/2009	0	0	1
MS06-022	Yellow	PLA05-055 (withdrawn) 4/24/06	4/25/06	10/13/06	Apprvd	1	PC	15061	RTF	Difficult	Family planning, estate plan	Row crops	0	Bliss-Analla Molly acq'd. 075 (20ac); Bliss Michael Trustee acq'd. 076 (132.4ac)	1/29/2009; 1/29/2009	0	0	1
MS06-024	Green		5/12/06	8/17/06	Apprvd	4	HO	15061		Approv	1 acre financing parcel for new homesite	Row crops, hay	0	N/A	4/25/2007; 4/25/2007	0	0	1
MS06-025	Orange		5/15/06	8/23/06	Apprvd	4	PC	15061		Deny	Financial planning purposes	Orchard	2	Espinola Manuel G & Teresina B Trustees acq'd. 048 (20ac); Dehmel Suzanne Ellen Solvin Trustee acq'd. 049-051 (20ac; 17.41ac; 20ac)	7/10/2008; 1/5/2009; 1/5/2009;	77	0	1
MS06-026	N/A		5/23/06	7/24/06	Apprvd	5	HO	15061	RTF	Approv	To create 2 parcels, one for each brother.	Duck club	0	N/A	10/15/2009; 10/15/2009	0	0	14
MS06-028	N/A		6/2/06	8/23/06	Apprvd	5	PC	15061	Irrigation easement, RTF	Approv	Split for 20 acre homesite	Alfalfa	0	N/A	6/28/2007; 6/28/2007	0	0	0
MS06-030	Green	CUP2891, PLA98(PM 45-18),	6/13/06	8/21/06	Apprvd	1	HO	15061		Approv	To create a 1 acre financing parcel	Walnuts, fruit trees, vacant	0	N/A	12/18/2006; 11/9/2006	0	0	2
MS06-033	Orange	MS06-034 concurrent	7/12/06	9/13/06	Apprvd	4	PC	15061	RTF	Approv	1st of 2 steps to create a legal 3.6 acre parcel through a C&C to self with MS06-034	Almond	0	N/A	9/11/2008; 9/19/2008	0	0	1
MS06-034	Yellow		7/12/06	12/4/06	Apprvd	4	HO	15061	RTF	Approv	Hold 3.6 acres, C&C 16.4 to adjacent parcel of same owner	Farming	0	N/A		0	0	1
MS06-035	Orange		7/17/06	10/10/06	Apprvd	3	BOS	15061		None	Annex to city, financing purposes	Almonds	1	Sietsema Allen G Sr. Trustees aquired 044 (25.5ac)	8/19/2003	26	0	0
MS06-036	Yellow		7/24/06	3/28/07	Apprvd	1	PC	15061	RTF	Difficult	Estate planning or financing	Row crops	0	N/A	9/21/2007	0	0	1
MS06-039	N/A		7/28/06	2/14/07	Apprvd	4	HO	15061	RTF	Difficult, staff concerned	Splitting off the dairy, divide bottom 'farm ground' from upper land w/ 1 house	Row crops, dairy, vineyard	0	Meadow-Parkview LP c/o Henry J & Adrianne M Te Velde acq'd. 023 (175.82ac); Te Velde Henry J & Adrianne M Trustees acq'd. 024 (29.06ac)	4/2/2009	176	0	1
MS06-041	N/A	MS07-008, 013, 014	8/8/06	11/22/07	Apprvd	5	PC	15315	Separate H20 meters	Difficult, small parcels	Financial planning along existing fields	Chermes, almonds, walnuts	0	N/A	12/31/2008	0	0	0
MS06-043	N/A		8/18/06	2/14/07	Apprvd	1	PC	15061	RTF		Divide 182.4 acres into 4 parcels and remainder	Existing nursery, residences	1	Kamangar Artikas kept 039-042 (18.53ac; 19.23ac; 19.23ac; 66.66); Tavares Henry A & Margaret A acq'd. 043 (60ac)	8/6/2009; 1/27/2010	60	0	4
MS06-045	Yellow		8/23/06	3/14/07	Apprvd	5	HO	15061	RTF	Approv	Authorize new M.S. expectation of existing M.S.	Row crops	0	N/A	6/11/2007	0	0	
MS06-047	N/A	ZV06-010	8/25/06	1/24/07	Apprvd	4	PC	15315	RTF	Approv	To authorize/validate an illegally split parcel with no authenticating deed	Home & horse stall barn	0	N/A		0	0	0
MS06-051	Orange		9/11/06	11/15/06	Apprvd	1	PC	15061	RTF, ROW	Deny, zone variance	Better land use		0	N/A	3/11/2009	0	0	0
MS06-053	N/A		9/12/06	12/4/06	Apprvd	5	BOS	15061	RTF	Approv	Estate planning	Row crops	0	N/A	9/10/2007	0	0	1
MS06-054	Orange	MS03-084	9/12/06	12/2/06	Apprvd	1		15061		Approv	Light industrial development	Sweet Potatoes	1	Michiels John T & Melissa A Trustees c/o Lomarey Inc acq'd. 035 (10.06ac)	7/29/2008	10	0	0
MS06-055	Green		9/18/06	12/6/06	Apprvd	5		15061	RTF	Approv	Parcel map waiver all 11 parcels larger than 160 acres.	Range land	0	N/A	10/26/2007	0	0	
MS06-056	N/A	ZC99007, MS00004	9/27/06	1/8/07	Apprvd	4	HO	15061	RTF	Approv	Divide bluff & lake from farm land	Row crops, orchards, lake, river	1	Te Velde Henry J & Adrianne M Trustees kept 035 (57.67ac); Gravelstone Ranch acq'd. 036 (102.33ac)		102	0	0

FILE	LOCATION	SOIL	AC	ZONE	ADJ_ZONE	ORIG_NUM_PRCLS	RECRD_NUM_PRCLS	P1	P2	P3	P4	P5	FLOOD_ZN	WILL_ACT	WATER	ENGR	PUBLIC_COMMENT	NOTES
MS05-076	W. Livingston-Cressey Rd. & W. Eucalyptus, Livingston	Local Importance, Other, Statewide Importance	7.8	A-1	A-1	1	1	1.54	6.26				Merced River - Zone A	No	None	Mike Smith		Denied by PC. Analysis on variance hardship: original purpose is not to divide and sell for alternate homesite
MS05-077	W. South Ave. at N. Pepper, Ballico	Statewide Importance	53.06	A-1	A-1	1	2	26.53	26.53				No	Yes	Wells, TID available	BCA		Approved against staff denial
MS05-078	N. side of Wardrobe Ave. and E. of Gurr Rd., Merced	Prime, Statewide Importance	100.62	A-1	A-1	2	3	40.28	20.12	40.22			Yes	No	MID	BCA		Sold to new owners. Within Airport compatibility zone
MS05-079	Southeast of Canal School Rd. and Preston Rd.	Prime, Statewide Importance	89	A-1	A-1	1	4	22.8	22.8	23	20		No	No	CCID	FP&P	Negative comment letter: Marylou Lilemoen, 28391 Preston Rd., Newman Ca,	Staff concerns that 20 acre parcel cannot sustain productive Ag.
MS05-081	S. side of W. Rose Ave., 1950 feet from W. side of N. Cressey Way	Other, Prime	36.7	A-1	A-1	1	2	36.7	2.5				No	No		Kevin Bronson, Draftsman		
MS05-082	W. side of S. Vista Ave., 1 mile South of E. Cross Rd.	Prime, Unique	220.4	A-1	A-1	1	2	20	200.4				No	No	Wells, Chowchilla Water District	FP&P		Approved against staff "difficulty".
MS06-001	745 W. Bellevue Rd., Merced. West side of future R.St. (E of Hwy 59) extension and South side of Bellevue.	Grazing, Local Importance	128.13	A-1	A-1	1	4	45.02	45.02	38.09			Zone X	No	Outside MID	Mid Valley	None	Applicant is developer, but Reinero says "for family purposes only". Project Summary: "will remain in production for several years in future"
MS06-002	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS06-006	N. side of W. Harding Rd., 1350 ft from corner, E. side of Cortez Ave., Turlock	Prime, Statewide Importance	20	A-1	A-1	1	2	37.21	2.19				No	No		FP&P		Sub-20ac parcel created.
MS06-009	Washing Blvd. & Atwater Jordan Rd., Livingston area	Prime	76.73	A-1	A-1	1	3	19.58	27.95	28.44			No	Yes	MID	BCA		Many prior apps. No new homes but unnecessarily reduced lot size of ag land.
MS06-010	W. Catrina St. & S. Indiana Rd.	Prime	26	A-1	A-1	1	2	5	46				San Joaquin River -	No	Santa Rita Water District	BCA		Sub-20ac parcel created. MS05-046 now split 2.5 & combine 26+23.5=49.5
MS06-015	SW corner of El Capitan	Statewide Importance	50.5	A-1	A-1	1	2	20	30.5				Merced River - Zone A	No	TID	BCA	Farm Bureau	Appealed
MS06-016	5895 N. Lander, Hilmar	Statewide Importance	39.4	A-1	A-1	1	2	1.15	38.25				No	Yes	TID	BCA		Sub-20ac parcel created. C&C to self in ag preserve. "Ranchettes" mentioned as in staff report, but "in case of present application, plan.
MS06-019	N. side of W. Pioneer Rd., 4400 ft. from E. side of S. Volta Rd.	Other, Prime	51.2	A-1	A-1	1	2	1.21	50				No	No	CCID	BCA		Financial Parcel Map Waiver
MS06-020	E. side of S. Willis Rd., 700 ft. from N. side of W. Catrina St., Dos Palos	Prime	97.3	A-1	A-1	1	2	89.6	2.21				San Joaquin River -	Yes	CCID	BCA		Financial Parcel Map Waiver
MS06-021	SE corner of Roosevelt Rd. and Ivy Ave., El Nido	Prime, Statewide Importance	154.8	A-1	A-1	1	2	20	134.77				No	Yes	Chowchilla Water District	GVE		Approved against staff difficulty.
MS06-022	SE corner of Roosevelt Rd.	Prime, Statewide Importance, Unique	152.4	A-1	A-1	1	2	20	132.44				No	Yes	Chowchilla Water District	GVE		Approved against staff difficulty. 8 acres w/in 1,000 ft. of dairy, additional homes. Must be outside of buffer unless dairy owner gives
MS06-024	N. of W. Hwy 140, corner of W. N. Hull Ave.	Prime	20	A-1	A-1	1	2	16.6	1				No	No	MID	GVE		Jeff Fugelsang says 18.02.03(c)(2)(b) can't be used anymore. "when the parcel is used as security instrument for financing on a single
MS06-025	West side of Griffith Ave. and North side of Longview	Statewide Importance	80	A-1	A-1	1	4	20	20	20	20		No	Yes	MID	FP&P		Approved against staff denial
MS06-026	South side of Gun Club Rd. and 2 miles East of Santa Fe Grade in Gustine area	Grazing	326	A-2	A-2	1	2	163	139				San Joaquin River -	No	Flood Irr. Easement	FP&P		
MS06-028	W. Palazzo Rd./S. Hereford Rd.	Prime	148	A-1	A-1	2	2	90.1	19.46				San Joaquin River -	Yes	Santa Rita Water District	FP&P		Parcel size staff discussion.
MS06-030	760 ft North of Savanna Rd	Prime	29.7	A-1	A-1	1	2	28.56	1.14				Central Merced - Zone A	No	MID	BCA		1 acre Financial Parcel Map Waiver
MS06-033	East side of N. Palm St., 2200' W. Bloss Ave.	Prime	40	A-1	A-1	1	2	35.27	3.34				No	Yes	TID	Paul Gregory	Complaint by neighbor - Alicia Cochrane	No minutes, Staff recommendation
MS06-034	E. side of N. Palm St., 2200 ft, N. side of W. Bloss Ave. -- 8534 Palm St.	Statewide Importance	40	A-1	A-1	1	0	3.6	36.4				No	Yes	Well, MID	Paul Gregory		2nd of 2-step split including MS06-033
MS06-035	North side of Avenue Two and 1050 ft East of Buhach Rd. in Atwater area	Prime, Statewide Importance	70.8	A-1	A-1	1	1	20.8	49.5				AH-165	No	MID	O'Dell		Intention to develop residential
MS06-036	West side of Whelan Rd and 650 ft South of Mission Ave in Merced area	Prime	103	A-1	A-1	1	5	21.11	20	20.01	20	20	No	No	MID	GVE		Approved against staff difficulty.
MS06-039	North side of W. Meadow Dr., 200 ft. from W. side of N. West Lane	Other, Prime, Unique	207	A-1	A-1	1	2	30	177				No	Yes	MID	GVE		
MS06-041	W. side of S. Whitworth Rd. & S. side of W. Butts Rd., Gustine area	Statewide Importance	123.91	A-1	A-1	1	4	34.2	33.88	33.16	30.77		No	No	Del Puerto Water District (state	BCA	DWR: "may encroach on State Adopted Plan of Flood Control."	No minutes
MS06-043	SE corner of Mariposa Way & Arboleda Dr.	Prime, Unique	182	A-1	A-1	1	5	20	20	20	62.4	60	Central Merced - Zone A	No	MID	Mike Smith		
MS06-045	NE corner of Snyder Rd. & Orchard Rd. in the Gustine area	Prime	67.4	A-1	A-1	1	2	39.29	28.13				Yes	No	CCID	Stoddard	Marten Miller of Homestead Farms, neighbor opposed	
MS06-047	11380 North Early Dawn Road, East side, Turlock area	Other	7.04	A-1	A-1	1	1	4.74	2.3				No	No	TID	GVE	Howard Boardman c/o Public Works	A rural residential parcel next to 99 freeway.
MS06-051	N.E. corner of White Crane Rd. & Robin Ave., Livingston	Prime	27.7	A-1	A-1	2	2	22.92	3.1				No	No	MID	Larry Bowers	George Yemetz said he could not use for agriculture because he would have to sink	Sub20ac parcel against the general plan. No minutes
MS06-053	SE corner of Hwy 33 and Pfitzer Rd. in Gustine	Prime	159	A-1	A-1	3	5	20.79	20.37	20.09	75.58	22.52	No	Yes	Main canal	GVE		
MS06-054	East side of Pinewood St., 500 ft North of Colber Rd., Delhi.	Local Importance	14	A-1	A-1	1	2	9.11	5.05				No	No	TID	GVE		Sub-20acre parcels created.
MS06-055	S. side of Billy Wright Rd., 4 mi W. of Jim Negra Rd., Los Banos area	Grazing	3698.5	A-2	A-2	7	1						No					Consolidating 22 parcels to 11 parcels
MS06-056	.5 miles South of Oakdale Rd. and 1.67 miles West of Shaffer Rd. in Winton area	Other, Prime, Statewide Importance	151.8	A-1	A-1	1	2	65.53	86.28				Merced River - Zone A	Yes		GVE		Prior: ZC99007, MS00004

FILE	RISK	RELATED_FILES	APPLIED_DATE	RULING_DATE	RULING	SUP_DIST	RULBY	CEQA_EXMPT	CONDITIONS	STAFF_REC	SPLIT_REASON	APPLICANT_USE	#NEW_OWN	2010_OWNERS	DATES_SOLD	ACRE_SOLD	NEW_DWELL_UNITS	EXSTG_DWELL_UNITS
MS06-057	Orange	MS07-015	9/29/06	11/13/06	Apprvd	5	HO	15061	Access easement, ROW, MID, RTF	Approv	Split into 2 lots, then C/C one 5 acre and one 118 acre. Reason: family planning, to divide for	Row crops	0	N/A		0	0	1
MS06-058	Yellow		10/2/06	12/4/06	Apprvd	5	HO	15061	RTF	Approv	Create a 20 acre parcel for homesite w/out encumbering entire parcel, create parcels that	Row crops	0	N/A	11/29/2007	0	0	0
MS06-060	Green		10/6/06	4/9/07	Apprvd	4					create 2.06 financing parcel (not a legal parcel) to finance a residence from 35.41 acre parce		0	N/A	12/24/2007	0	0	0
MS06-061	Orange		10/17/06	12/4/06	Apprvd	1	HO	15061	Based on MS06-009	Approv	Divide off a 1 acre homesite from existing 19 acre parcel and to convey and combine the	Orchard, chicken ranch, row	0	N/A	12/11/2006	0	0	3
MS06-066	Orange	ZC96-006, MS95-031 (PM 86-	10/19/06	5/5/07	Apprvd	5	BOS	15061	RTF, ROW	Approv	Pending sale of parcel 3.		0	Anthenien Linda L acq'd. 034 & 035 (18.6ac; 19.1ac); Anthenian Dale C & Carrie J kept 037-040 (24.65ac; 91.9ac; 39.23ac; 14.04ac)	8/15/2008; 8/15/2008; 7/14/2008;	0	0	1
MS06-068	Orange		10/24/06	1/10/07	Apprvd	5	PC	15061		Approv	To vary from minimum A-1 parcel size and validate two parcels illegally split by deed	Legalize 2 parcels split by deed	1	Mora Esperancza Perez acq'd. 041 (1ac)	3/4/2009	1	0	2
MS06-069	Orange	MS02-007, MS-07-045, PLA06	11/21/06	1/24/07	Apprvd	5	PC	15061	RTF	Difficult	Reconfigure two existing parcels into three parcels for family planning	Row crops	0	N/A	7/20/2006; 12/30/2008; 12/30/2008	0	0	2
MS06-071	Yellow		1/28/06	1/22/07	Apprvd	4							1	Hillmar Oaks LLC acq'd. 042 & 043 (39.25ac; 39.26ac)	6/18/2008	79	0	
MS06-072	[illegible]		[illegible]	[illegible]	[illegible]						[illegible]			[illegible]	[illegible]			
MS06-073	N/A		11/28/06	1/22/07	Apprvd	1	HO	15061	RTF	Approv	Followup w/ C&C creating 5 acres	Orchard	0	N/A	5/7/2007	0	0	2
MS06-074	Orange		11/29/06	1/22/07	Apprvd	4	HO	15061	RTF	Approv	Divide off a 1.17 acre parcel from an existing 38 acre parcel and to convey and combine the	Row crops	2	Oliveira Diane acq'd. 042 (1.05ac); B-6 Dairy LP acq'd. 043 (36.6ac)	6/14/2007; 2/29/2008	38	0	2
MS06-075	N/A		12/15/06	2/28/07	Apprvd	5		15061			Validate 2 parcels split illegally		1	Castle Jonathan kept 077 (2ac); Maiorino Joeseph J & Robin L acq'd. 048 (21.85ac)	9/14/2007; 12/31/2007	22	0	0
MS07-001	Orange		1/9/07	3/28/07	Apprvd	5	PC	15061		None	Provide financing for development of vacant property.	Vacant	1	Lee Ji Chung & Hui-Hsun Ning Trustees aquired 030-032 (50.24ac; 40ac; 50ac)	11/30/2007	140	0	0
MS07-003	N/A		1/9/07	3/14/07	Apprvd	1	PC	15061			Future homesite		1	Hadley Martin M & Constance M Trustees kept 053 (19.82ac); Sperling Judith A & James C Trustees acq'd. 054 (19.82ac)	11/04/2009, 2/9/2009	20	0	3
MS07-004	N/A		1/10/07	3/12/07	Apprvd	5	HO	15061		Approv	None given	Row crops	1	Merced Falls Ranch LLC acq'd. 004 (173ac)	7/28/2009	173	0	0
MS07-007	Orange		1/18/07	4/9/07	Apprvd	1	HO	15061			Create a financial parcel for a single family residence so owner's son can build a home	Orchard	0	N/A	8/15/2008	0	0	0
MS07-008	Yellow	MS07-013, 014; ; MS06-041	3/2/07	4/25/07	Apprvd	5	PC	15061	RTF	Difficult	Financial Stability	Orchards	0	N/A	12/31/2008	0	0	0
MS07-009	Yellow	MS07-008, 013, 014; ; MS06-041	3/2/07	4/25/07	Apprvd	5	PC	15061	RTF	Difficult, small parcels	Financial Stability	Orchards	0	N/A	1/2/2009; 12/31/2008	0	0	1
MS07-011	N/A	CUP07-005, MS06-063	3/1/07	5/23/07	Apprvd	1	PC	15061	Construct in 2 years, RTF, ROW	Approv	Specific substandard for agricultural related use (for office storage & sales)	Row crops	0	N/A			0	0
MS07-012	Yellow		3/8/07	6/13/07	Apprvd	4	PC	15061		Difficult	Separating for divorce	Fallow/residences	1	Enriquez Nancy acq'd. 055 (20.12ac); Tafoya Jaime acq'd. 056 (20.13ac)	4/30/2008; 4/30/2008	40	0	0
MS07-013	Yellow	MS07-008, 014; MS06-041	3/9/07	6/26/07	Apprvd	5	BOS	15061	RTF		Financial Stability	Almonds	0	N/A	1/2/2009	0	0	1
MS07-014	Orange	MS07-008, 013; MS06-041	3/9/07	6/26/07	Apprvd	5	BOS	15061	RTF		Divide for financial security	Almonds	0	N/A	1/2/2009	0	0	0
MS07-015	Orange	MS06-057	3/15/07	5/21/07	Apprvd	5	HO	15061			Cut out homesite	Row crops	0	N/A	8/22/2007	0	0	
MS07-017	Orange	MS05-060	3/21/07	5/21/07	Apprvd	1	HO	15061			For self, homesite	Row crops	1	Crider Mary Joy acq'd. 019 & 020 (6ac; 33.04ac)	9/19/2007	38	0	1
MS07-019	Green		4/19/07	6/25/07	Apprvd	3	HO	15061	RTF	Approv	Financing parcel for major improvements on an existing single family residence	Grazing	0	N/A	12/03/2007	0	0	1
MS07-020	Orange		4/23/07	6/25/07	Apprvd	4	HO	15061	RTF	Approv	New home site, rest will stay the same.	Peach orchard	0	N/A	11/6/2007	0	0	2
MS07-021	N/A		5/3/07	8/22/07	Apprvd	5	PC	15061		None	Parcel map for ranch operation & financial planning	Row crops	0	N/A	12/30/2008	0	0	0
MS07-022	Orange		5/3/07	11/20/07	Apprvd	1	PC	15061		None	Economic viability	Almonds	0	N/A	12/20/2002	0	0	0
MS07-028	N/A		6/18/07	8/8/07	Apprvd	1	PC	15061			To sell (adjacent to dairy)	Row crops	1	Machado Todd A & Rebecca C kept 017 & 018 (20ac; 84.02ac); Oliveira Manuel V & Maria B acq'd. 019 (156.84ac)	11/10/2007; 11/10/2007; 11/10/2007	157	0	
MS07-029	Orange		6/21/07	7/23/07	Apprvd	4	HO	15061			For self, homesite	Row crops, open space	1	Gasaway Kenneth V & Maria K kept 023 (4.56ac); May Todd L & Valerie J acq'd. 024 (34.7ac)	12/14/2007; 1/10/2008	35	0	1
MS07-030			6/21/07	10/14/07	Apprvd	4							0	Morris Rose S & William Stephen Trustees acq'd. 034 (40ac)	10/20/2005	0	0	
MS07-031	N/A		6/27/07	8/6/07	Apprvd	5	HO	15061		Approv	Parcel map waiver, divide family interest	Row crops	1	Bowles Philip E kept 018 & 007 (45.7ac; 572.5ac); Lawrence John Mark Trustee acq'd. 019 & 008 (215.8ac; 248.4ac)	7/24/2009	464	0	0
MS07-032	Yellow		7/3/07	12/19/07	Apprvd	4	PC	Initial Study		Approv, Initial Study	Future estate planning purposes, financing and flexibility	Vineyard, planning almonds	0	N/A	8/10/2009	0	0	1
MS07-034	Orange	ZV07-002	7/17/07	10/24/07	Apprvd	5	PC	15061		Approv	To vary from the minimum A-1 parcel size of 20 acres, to re-divide a 31.75 Acre parcel into 2	Apricot Orchard	0	N/A	10/3/2008	0	0	1
MS07-035	N/A		7/31/07		Wthdrwn	4		15061			To provide economic viability in smaller allowable parcel	Young almond orchard	0	N/A		0	0	1
MS07-036	N/A		8/13/07	10/22/07	Apprvd	4	HO	15061	RTF	Approv	To divide off a 2.15 acre homesite parcel and convey the remaining 17.85 acres to an	Almonds	0	N/A	10/2/2008	0	0	1

FILE	LOCATION	SOIL	AC	ZONE	ADJ_ZONE	ORIG_NUM_PRCLS	RECRD_NUM_PRCLS	P1	P2	P3	P4	P5	FLOOD_ZN	WILL_ACT	WATER	ENGR	PUBLIC_COMMENT	NOTES
MS06-057	South side of Hutchins Ave., .75 miles East of San Juan Rd.	Prime, Statewide Importance	123	A-1	A-1	1	2	77.73	44.77					No	Santa Rita Water District	BCA	N/A	Split again. 3 ac (Sub-20ac) parcel created. "proposed SD wouldn't adversely affect conservation of productive ag land or
MS06-058	South side of Henry Miller Ave. and Elgin Rd.	Prime	183.5	A-1	A-1	4	4	55.93	54.47	51.6	20		No	No	MID	GVE	A neighbor concerned about property being in wetland area	
MS06-060	NW corner of Cortez Ave. and Lombardy St.	Prime, Statewide Importance	35.43	A-1	A-1	1	2	31.22	2.06					Yes				Financing parcel created, maintained.
MS06-061	Washington Blvd. At Atwater Jordan Rd., Livingston area	Prime, Statewide Importance	41	A-1	A-1	2	2	1	39.54				Zone X	Yes	MID	BCA	MID is asking for an irrigation easement	Resulted in Sub-20ac parcel. Dependent on MS06009
MS06-066	East of Azevedo Rd, .25 miles North of Taglio Rd. in the Gustine area	Local Importance, Statewide Importance	117	A-1	A-1	2	6	37.1	39.9	39.6				No	CCID	John E Coplantz - Gustine	PC testimony stated need for CEQA, Walter Wall (County Counsel Rep) said no need for	Sub-20ac parcels against general plan.This app was appealed to BOS by grasslands water district: gustine gunclub; gustine land & cattle.
MS06-068	Eucalyptus Ave. and Center Ave., Dos Palos area	Prime	3	A-1	A-1	2	1	1.55	0.55	1			No					1ac parcel sold off.
MS06-069	NE of Hwy 152 and Cozzi Rd., in the Dos Palos area	Prime, Statewide Importance	99.7	A-1	A-1	3	3	67	20	2.64			Zone X	No	Santa Rita Water District, private wells	BCA		Sub-20ac parcel against general plan. 20ac parcel against GP goals. Staff notes parcels smaller than surrounding. No minutes included.
MS06-071	West of Prarie Flower Rd. and North of Williams Ave in the Hilmar area	Prime	79.2	A-1	A-1	1	2	39.6	39.6									Sold to LLC.
MS06-072	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MS06-073	SW corner of Vista Ave. & Cross Rd. in Merced area.	Prime, Unique	291.48	A-1	A-1	1	2	151.25	130					Yes	Chowchilla WD	GVE		Read chronology regarding 2nd residence (TRAK-IT SYSTEM)
MS06-074	Tegner and Turner Ave., Hilmar	Statewide Importance	72.77	A-1	A-1	1	2	1.17	71.6				Merced River - Zone A	Yes	TID	GVE		Sub-20ac parcel against the law. Prior applications: PLA 06050
MS06-075		Prime	79.2	A-1		1	2	24.1	55.1							GVE		
MS07-001	South side of Hwy 152 & 300 feet East of Billie Wright Rd. in Los Banos area.	Prime, Unique	140	A-1	A-1	1	3	50	40	50			No	No	Insufficient allocation from single			Insufficient water
MS07-003	.25 miles North of Gillette Rd. and East of Simonson Rd. in the Le Grand area	Prime	39.6	A-1	A-1	1	2	19.8	19.8									
MS07-004	North and South sides of Green House Road, 2 miles West of Dan McN...?	Grazing, Local Importance, Statewide Importance	3558.63	A-1	A-1	2	1						Central Merced - Zone A	No	Well and surface water	GVE		
MS07-007	W. side of S. Plainsburg Rd., corner of N. side of E. Voorhees Rd.	Statewide Importance	27.5	A-1	A-1	1	2	2.86	24.65				Central Merced - Zone A	No	Le Grande - Athalone Water District	FP&P		Sub-20ac parcel against general plan.
MS07-008	SW corner of Butts Rd. and Whitworth Rd. in Gustine area	Prime	63	A-1	A-1	1	3	21	21	21			No	No	Private Well	BCA	Maxine Saaranzin (mortage holder 069-190-066) concerned with split due to	Approved against staff difficulty.
MS07-009	SW corner of Jorgensen Rd. and Whitworth Rd. in the Gustine area	Prime	84.24	A-1	A-1	1	4	21	21	21	20.4		No	No	CCID	BCA		Approved against staff recommendation. Avg. surrounding parcel size = 72.52 acres
MS07-011	S Hwy 59 & Vassar Ave.	Statewide Importance	32.15	A-1	A-1	2	2	27.15	5				Central Merced - Zone A	No	MID, Private well	GVE	Air board letter, Maxwell Norton - no negative effects	Dev. Agreement w/ BOS 12/4/07. See also MS06 063 and CUP07-005
MS07-012	.25 miles South of Atwater-Jordan Rd. and .25 miles West of Central Ave. in Atwater area	Grazing, Local Importance, Prime	40	A-1	A-1	1	2	20	20				No	No	Well	BCA		Approved against staff recommendation. Irrigation easement required to water access to new parcel.
MS07-013	SW corner of Hwy 33 and Bunker Rd. in Gustine area	Prime	45	A-1	A-1	1	2	22.46	22.44				Zone D	No	CCID, Private Well	BCA	Diana WP (MCFB), Maureen McCorry (VLA), Melissa Kelly-Ortega, Tom Grave (MARG) in	Bill Nicholson comment & James Fincher states 15061(b)3 provides exemption of CEQA... can make no determination.
MS07-014	North side of Hunman Road and East of Whitworth Road in the Gustine area	Prime	72	A-1	A-1	1	3	24.14	24.07	24.07			No	No	Private Well	BCA	Diana WP (MCFB), Maureen McCorry (VLA), Tom Grave (MARG) in opposition. Larry	Originally denied 2-2 on 5/11/07, reconsidered on 6/26/07
MS07-015		Prime, Statewide Importance	78	A-1		2	2	74.44	3.28					No	San Luis Canal Company	GVE		Sub-20ac parcel against the general plan.
MS07-017	Plainsburg Rd. at Buchanan Hollow Rd., Le Grand area	Statewide Importance		A-1	A-1	1	2	5	33					No	Athlone Water District	FP&P		2nd MS, Sub-20ac parcel against general plan.
MS07-019	N. side of Bellevue Rd. & 1/4 mile E. of Thornton Rd., Merced area	Grazing, Local Importance	20	A-1	A-1	1	2	14.62	4.87				No	No		GVE		Financial Parcel Map Waiver
MS07-020	W. side of N. Central Ave., corner of N. side of W. Fruitland Ave.	Prime	20	A-1	A-1	1	2	18.05	1				No	No	MID	BCA		Sub-20ac parcel against the general plan.
MS07-021	W. side of Cozzi Road & N. side of Highway 152 in Dos Palos area	Prime, Statewide Importance	85.5	A-1	A-1	1	3	37.22	28.74	20			No	No	Santa Rita Water Dist.	BCA		
MS07-022	W side of Plainsburg Rd, 1/2 mi N of Hwy 140	Prime	266.02	A-1	A-1	1	1	59.74	50.27	51.16	51.16	50.27		No	MID		Many comments in opposition	MID: Overdraft groundwater conditions.
MS07-028	NE Corner of Gurr Rd. & Dickenson Ferry Rd.	Statewide Importance, Unique	264	A-1	A-1	1	3	20	87	157				No	MID	GVE		
MS07-029		Prime	20	A-1	A-1	2	2	5	35					No		FP&P		Sub-20ac parcel against general plan.
MS07-030	SW corner of American Ave. and Mitchell Rd. in Hilmar area	Local Importance, Statewide Importance	421.1	A-1	A-1	1	1											
MS07-031	terminus of Pick Anderson Road	Prime	1298.57	A-1	A-1, A-2	5	4	836.71	461.86				San Joaquin River -	Yes: 2000 0681-	Santa Rita Water District	BCA		
MS07-032	North side of E. Keyes Rd., East of Los Cerritos Rd., W side of N. Fields Rd.	Prime	115.46	A-1	A-1	1	5	34.32	20.57	20	20	20	No	No	MID	Mid Valley Engineering, Modesto	Emails included from Gabriele & PC staff	Staff report: "its approval could weaken the agricultural community in the Snelling area"
MS07-034	N. side of W. Pioneer Rd., 2150 ft. from E side of S. Canyon Rd.	Prime	31.75	A-1	A-1	1	2	29.75	2.04				No	No	CCID	BCA		Sub-20ac parcel against the general plan.
MS07-035	N of Olive Ave., .5 miles West of Arboleda Dr. in Merced area	Prime, Statewide Importance, Unique	103	A-1		1	1	32.12	23.76	23.76	23.76		Flood Zone AH	No	MID	Hawkins & Associates Engineering,		Staff report: Applicant has not responded to a follow-up letter from staff requesting clarification as to how the division will be
MS07-036	SE of N. Weir Ave, corner of W. Longview Ave.	Prime, Statewide Importance	40.19	A-1	A-1	1	2	2.23	36.2				No	No	MID	GVE		C&C is permitted by zoning code

FILE	RISK	RELATED_FILES	APPLIED_DATE	RULING_DATE	RULING	SUP_DIST	RUL_BY	CEQA_EXMPT	CONDITIONS	STAFF_REC	SPLIT_REASON	APPLICANT_USE	#NEW_OWN	2010_OWNERS	DATES_SOLD	ACRE_SOLD	NEW_DWELL_UNITS	EXSTG_DWELL_UNITS
MS07-037	Yellow	MS01-019	8/13/07	10/24/07	Apprvd	5	PC	15061		Approv	Divide ownership between brothers (property will continue to be farmed as one unit)	Orchard	0	N/A	9/11/2006	0	1	1
MS07-039	N/A		8/16/07	9/24/07	Apprvd	5		15061		Approv	Sale	Agriculture	1	Merced Falls Ranch LLC acq'd. 016-020 (375.9ac; 268.6ac; 322ac; 318.2ac; 635.8ac)	7/28/2009	1920	0	0
MS07-040	N/A		8/16/07	10/24/07	Apprvd	5							0	Pereira Antone & Madeline Trustees acq'd. 059 (45.79ac); Pereira Joseph & Josephine Co-Trustees acq'd. 060 (19.11ac)	6/5/2009	0	0	
MS07-041	Orange	MS07-053	8/31/07	11/28/07	Apprvd	4	PC	15061			For self, to divide a 40.30 acre parcel into two parcels of 20.15 acres each	Row crops	1	Kullar Harvinder S & Seetal K acq'd. 083 (19.47ac); Baba Franklin S & Mikala R Trustees acq'd. 084 (19.06ac)	10/03/2008	19	0	
MS07-042	N/A		9/4/07		Wthdrwn	1		Will. Act			To create a 5 acre home site and use the remaining 276 acres for agricultural use		0	N/A	5/7/2007	0	0	
MS07-043	Green	ZV07-004	9/6/07	12/19/07	Denied	4	PC	15270	RTF	Deny, or Initial Study	To vary from the minimum required A-1 zone 20 acre parcel size, and divide a 33.6 acre	Orchard, pasture	0	N/A		0	0	2
MS07-044	N/A		9/11/07	11/26/07	Apprvd	5	HO	15061	RTF	Approv	Sell 40 acre parcel to district and create parcel for undivided interest.	Row crops	1	McDonald Robert E kept 025 (50.61ac); Scott Freda Lavonne acq'd. 026 (68.97ac)	8/20/2008	69	0	1
MS07-045	Orange	MS02-007, MS-07-045; PLAD6	9/14/07	11/26/07	Apprvd	5	HO	15061		Approv	To create a 2.64 acre homesite parcel and Convey and Combine Parcel #1 and Parcel #3 into one	Row crops	0	N/A	12/30/2008	0	0	1
MS07-046	N/A	MS04-033	9/14/07	12/17/07	Apprvd	1	HO	15061	RTF	Approv	To section off a 3.1 acre homesite parcel from a 32.61 acre parcel, and to convey and	Almonds	0	N/A	8/25/2006	0	0	1
MS07-048	N/A		9/21/07	1/14/09	Apprvd	5	PC	15061	RTF, 1 dwelling unit max		6 Parcels (2 for each brother)	Row crops	0	N/A		0	0	
MS07-051	N/A		11/2/07	3/3/08	Wthdrwn	1		EIR Required			Financial planning	Seasonal crops	0	N/A	10/19/2007	0	0	2
MS07-052	Green		11/5/07	1/14/09	Apprvd	4	PC	15061	2 unit max, 40ft buffer, RTF		Financing diversification	Row crops (dry land oats and	0	N/A	8/17/2007	0	0	
MS07-053	N/A	MS07-041	11/5/07	1/7/08	Wthdrwn	4	HO	15061			For self, homesite (to section off a 5 acre homesite "parcel 1" for owner and C&C remaining 15.30	Row crops	1	Kullar Harvinder S & Seetal K acq'd. 083 (19.47ac); Baba Franklin S & Mikala R Trustees acq'd. 084 (19.06ac)	10/03/2008	19	0	
MS07-054	Orange	AA04-094 & 096 = oil and gas	11/9/07	3/12/08	Apprvd	5	PC	15061		Approv	To divide the land to coincide with traditional cropping patterns and bring two	Row crops (3 residences,	0	N/A	5/8/2003	0	0	3
MS08-001	N/A		1/9/08	3/12/08	Apprvd	5					To create a 1.15 acre financial parcel to finance home construction	Row crops (alfalfa)	0	N/A	3/9/2009	0	0	
MS08-002	Yellow		1/23/08	4/9/08	Apprvd	4					To split with parents, so they can build a house on each parcel and share debt burden as he begins	Row crops (Almonds)	1	Maldonado Rodrigo Sr & Catalina acq'd. 032 (39.8ac)	10/16/2009	40	0	
MS08-008	N/A		3/18/08		Wthdrwn	5						Row crops, wetlands	1	Merced Falls Ranch LLC acq'd. 016 & 017 (375.9ac; 268.6ac)	7/28/2009	644		
MS08-010	Yellow		4/21/08	1/14/09	Apprvd	1	PC	15061	1 dwelling unit max		5 Smaller parcels for "ag financing latitude"	Row crops (almonds)	1	Nijar Tarlochan S & Kiran Preet Trustees acq'd. 019 (240.8ac)	6/1/2007	241		
MS08-011	Yellow		4/24/08	1/14/09	Apprvd	4	PC	15061	RTF, 2 dwelling unit max		To sell 1 of the 5 parcels created		0	N/A	3/5/2008	0	0	
MS08-013	Yellow		5/7/08	7/23/08	Apprvd	1	PC	15061	RTF, 2 dwelling unit max		Inheritence/Estate	Row crops	1	Victor Jim L & Christina J Trustee acq'd. 015 & 016 (47ac; 38.92ac)	1/15/2010	86	0	
MS08-015	N/A		5/13/08	8/13/08	Apprvd	4	PC	15061	RTF		Reconfiguration to allow better use of existing access easement	Dairy, Orchard, Row crops	0	B & B Burroughs Ranches LP acq'd. 062 (183.93ac); Sierra Vista Dairy LP acq'd. 063-065 (8.83ac; 151.26ac; 172.18ac)	2/18/2009	0	0	
MS08-016	Orange		6/2/08	11/5/08	Apprvd	4	PC	15061	RTF, 2 dwelling unit max		To allow LFA to acquire 15 acres of neighboring land and combine with 7 acres into 22 acre parcel	Orchard	1	Minobe Shiro & Tomiye Trustees acq'd. 016 (47.63ac); Livingston Farmers acq'd. 017 & 018 (20.59ac; 2.5ac)	12/19/2008	48	0	
MS08-017	N/A		7/2/08	11/5/08	Apprvd	5	PC	15061	RTF, 2 dwelling unit max		Divide and sell, current leasee wishes to buy 1 parcel	Row crops/Residence	1	La Salvia Enterprises Inc acq'd. 030 (39.94ac); Teicheira Robert & Luneida Trustees acq'd. 031 (39.54ac)	2/6/2009	40	0	
MS08-019	Orange		7/15/08	11/5/08	Apprvd	4	PC	15061	RTF, new Williamson Act Contract		Create a homesite, and combine rest of 20 acres with a 40 acre	Orchard/Residence	1	Brantley Joseph F kept 005 (18.5ac); Dole Packaged Foods acq'd. 020 (40.37ac)	12/7/2006	59	0	
MS08-020	Orange		7/25/08	12/17/08	Apprvd	4	PC	15061	RTF, 1 dwelling unit max		Divide into sale-able parcels for son to purchase in pieces	Row crops	2	Ponetta Stephen D & Cheryl A Trustees acq'd. 031 (79ac); Jackson Land & Cattle LP acq'd. 067-069 (478ac; 481ac; 160ac)	8/8/2006; 2/16/2007; 2/16/2007;	1198		
MS08-021	N/A		7/25/08	1/14/09	Apprvd	4	PC	15061	RTF, 1 dwelling unit max		For inheritance and to build a house on one parcel		0	N/A	10/18/1991	0	0	
MS08-022	N/A		8/22/08	11/5/08	Apprvd	5	PC	15061			To ressurect MS05-039 (approved by HO), which had expired	Row crops/Composting	1	Menefee River Ranch Co. acq'd. 007 (400ac)	8/17/2005	400	0	
MS08-023	N/A		8/28/08	1/14/09	Apprvd	1	PC	15061	RTF, 1 dwelling unit max		An ag truck yard on 1 parcel, row crops on other	Row crops	0	N/A	12/05/2006	0	0	
MS08-025	N/A		11/13/08	1/14/09	Wthdrwn	4	PC	15061	RTF, 2 dwelling unit max		Inheritance	Row crops (orchard)	0	N/A		0	0	

FILE	LOCATION	SOIL	AC	ZONE	ADJ_ZONE	ORIG_NUM_PRCLS	RECRD_NUM_PRCLS	P1	P2	P3	P4	P5	FLOOD_ZN	WILL_ACT	WATER	ENGR	PUBLIC_COMMENT	NOTES
MS07-037	.5 miles South of Cottonwood Rd., 1 mile West of Whitmore Rd in Gustine area	Grazing, Prime, Statewide Importance	43.76	A-1	A-1	1	0	20.71	23.05				No	No	Del Puerto Water District	GVE	Maureen McCorry, VLA; Diana Westmoreland-Pedrozo, MCFB	
MS07-039	W. side of Green House Rd., 2 mi S. of Dan McNamara Rd.	Grazing	2842.5	A-2	A-2	4	5	268.6	519	390.8	1664.1		San Joaquin River -	No	Private	GVE		
MS07-040	NE corner Charleston Rd. & Jersey Rd. in Los Banos area	Prime, Statewide Importance	86.8			1	2	46.8	21.98	19.9								
MS07-041	SW corner of Linwood Road and Pepper Street in the Ballico area	Prime, Statewide Importance	40.3	A-1	A-1	1	2	20	15					No	Deep Well	GVE		
MS07-042	SW corner of Cross Rd. and Vista Ave., Merced	Prime, Unique				1	1						No	Yes		GVE		
MS07-043	E. side of N. Central Ave., 800 ft. from S. side of W. Almond Ave.	Prime	33.6	A-1	A-1	1	1	12	21.6				No	No	MID	Mike Smith		
MS07-044	South side of Henry Miller Ave., 300' E. of Box Car Rd., Los Banos area	Prime, Statewide Importance	160.6	A-1	A-1	1	2	40	51.51	69.09			No	No	Santa Rita Water District	Boyle		Less than 85.94 avg. acre surrounding parcels
MS07-045	E side of Cozzi Road & 70	Prime, Statewide Importance	69.67	A-1	A-1	1	2	67	2.64				No	No	Santa Rita Water District	BCA		Sub-20ac parcel against the law.
MS07-046	N. side of E. Mariposa Way, corner of W. side of S. Arboleda Dr.	Prime	32.61	A-1	A-1	1	1	3.1	29.51				Central Merced - Zone A	No	MID	BCA		
MS07-048		Prime, Statewide Importance	179.66	A-1	A-1	1	1	23.5	23.5	23.5	41	43		Yes	San Luis Canal Company	BCA		
MS07-051	S. Cunningham Rd., 1500' N. of E. Hainline Ave., Le Grand area	Other	38	A-1	A-1	1	1	18	20								Maxwell Norton (ANR), 2/22/08 letter by Bob King	
MS07-052		Prime, Statewide Importance, Unique	80	A-1	A-1	1	1	40	40					No	MID	GVE	Planada MAC	Financial parcel waiver map. Was not split.
MS07-053		Prime, Statewide Importance	262.6	A-1		1	2	59.74	50.27	51.16	51.46	50.27		No	Deep Well	GVE		
MS07-054	E. side of S. Harmon Rd., corner of N. side of Hwy 52	Statewide Importance, Unique	789	A-1	A-1	4	4	624	105	42	13	5	San Joaquin River -	Yes	Sierra Water District	FP&P	Maureen McCorry	Many issues, especially oil & gas
MS08-001		Prime	28.72	A-1	A-1	1	2	27.31	1					No	Could not find in report	GVE	Maureen McCorry	Financial Parcel Waiver
MS08-002		Prime, Statewide Importance	40	A-1	A-1	1	1	20	20					Yes	TID	GVE	Maureen McCorry	Was not split. Dairy within 1000 ft. required buffer (might limit Residential capability)
MS08-008		Grazing, Local Importance	1664.1	A-2	A-2	2	2	160	216	369.6	918.5			No	Deep wells	GVE	Maureen McCorry requested that the staff report contain the easement	Conservation easement prohibits topography alteration and new structures
MS08-010		Prime	240.8	A-1	A-1	1	1	40	40	40	40	40.8		No	MID	BCA	Serious concerns expressed by Planada Municipal Advisory Council	Additional Public comments in PC minutes by MARG, Farm Bureau, VLA, etc...
MS08-011		Prime, Statewide Importance	315.23	A-1	A-1	1	1	40.78	40.87	40	40.63	152.95		No	3 Deep Wells	GVE	Dept. of Fish & Game, Regional Water Quality Control Board, US Fish &	DOES NOT INCLUDE Comments from Fish & Game, Fish & Wildlife, Farm Bureau, and VLA
MS08-013		Prime, Statewide Importance	86.8	A-1	A-1	1	2	46.3	40.3					Yes	Deep wells & MID, Irrigation easements	BCA	Maureen McCorry	
MS08-015		Grazing, Statewide Importance, Unique	516.5	A-2	A-2	4	4	184	160	172.5				Yes	ESWD	Northstar	Maureen McCorry, regarding public process	
MS08-016		Prime, Statewide Importance	73.87	A-1	A-1	2	3	22	2.71	49.87				No	MID	GVE		Sub-20ac parcels against the law.
MS08-017		Prime	80	A-1	A-1	1	2	40	40					No	Deep wells, irrigation easements	FP&P		
MS08-019		Prime	60.97	A-1	A-1	2	2	2.18	58.79					Yes	MID	GVE		Sub-20ac parcel potential.
MS08-020		Prime	139.7	A-1	A-1	3	4	20	23	23	39.6	34.1		Yes	CCID	Robert Braden Consulting		Split intention to sell.
MS08-021		Prime	42	A-1	A-1	1	1	20	22					No	CCID	Boyle		
MS08-022	NE corner of 152 and Harmon Rd.	Prime, Statewide Importance	420	A-1	A-1	1	1	385	35					Yes				
MS08-023		Prime	53.37	A-1	A-1	1	1	33.36	20.01					No	MID	GVE	SJVAPCD & MID	Southern half is designated prime, Northern half is NOT DESIGNATED
MS08-025		Prime, Statewide Importance	80.18	A-2	A-2	1	1		40.87				Central Merced - Zone A	No	TID	GVE	TID	

Merced Gateway, LLC
133 Old Wards Ferry Rd. Ste. G
Sonora, CA 95370
(209) 533-3333

RECEIVED AT Planning Commission MEETING
OF 7-20-2011 (DATE)
Jim Todd

City of Merced – Planning Staff
678 West 18th Street
Merced, CA 95340

City of Merced General Plan Update – Planning Commission Hearing

July 20, 2011

To Whom It May Concern:

Merced Gateway, LLC would like to thank you for the opportunity to comment on the draft General Plan Update for the City of Merced as it relates to the property we own consisting of the approximately seventy (70) acres APN 061-250-013 (Lots 173, 175, 228-30 part of the Map of Merced Colony 1910) located just east of the Mission Avenue/Campus Parkway interchange. The subject property is presently divided by Campus Parkway which is now currently being constructed with approximately fifty (50) acres to the north and twenty (20) acres to the south. The site currently has Regional Commercial (RC) and High Density Residential (HDR) land use designations with about 75 % listed as RC and the northernmost 25% being HDR. The property is presently zoned Central Commercial and R-3.

We have reviewed the responses to comments provided to our previous letter of September 15, 2010 and would like to provide additional comments for the record.

Response 2B. This response cites general rationale for Parsons Road, but does not answer the question specifically as previously asked in relation to our property. Please explain the necessity for the Parsons Road segment to divide our property and provide the technical documentation that supports this warrant. What alternatives, if any, where considered to address the City's perceived need to create road circulation in this manner? Could it be accomplished in another manner that would not divide our property? Please note that we do not support this proposal as presented and have expressed this to the City Council in our letter dated December 3, 2010 which has gone without a response to date.

Response 2D. If the proposed Parsons Road segment "will not provide significant regional benefits", again we object to the necessity for such a taking.

Response 2G & 2I. The statement is made that the City is unaware of any such findings related to the overabundance of residential zoning. Yet, in the Walthen project's Initial Study that was approved by the Council last year, such was the rationale for allowing the proposed change in zoning to accommodate a commercial interest. We would like to have documentation

ATTACHMENT 8E

added to the record to support the statement "The commenter's property is not proposed for a land use change due, in part, to the limited amount of undeveloped high density residential land existing within the City" since this comment appears to be inconsistent with prior Council actions.

Thank you for the opportunity to provide these remarks. Please do not hesitate to discuss with us any questions that you may have regarding this letter, and know that we are available to meet with you at your convenience.

Sincerely,

Jim Todd
Member
jim@calgolddevelopment.com

Espinosa, Kim

Subject: FW: City of Merced General Plan Update - Yosemite Avenue Functional Classification and Proposed Cross Section
Attachments: Yosemite Avenue.pdf

From: Rough, Steven
To: Gonzalves, David
Cc: Steven Rough ; Jordan, Daryl
Sent: Fri Jul 22 14:04:58 2011
Subject: City of Merced General Plan Update - Yosemite Avenue Functional Classification and Proposed Cross Section

Dave,

As you know, Yosemite Church is concerned about the proposed cross section change of Yosemite Avenue included in the City of Merced General Plan Update. Several years ago, Yosemite Church dedicated right-of-way to the City of Merced to accommodate the existing 94' cross section.

The proposed 118' cross section will significantly impact the Yosemite Church site. In addition to losing a row of parking, we will once again need to relocate our landscaping along Yosemite Avenue that was disrupted with our previous dedication of right-of-way.

The curb to curb width for Yosemite Avenue seems to have been established by the development of the Moraga subdivision. It seems infeasible to make adjustments to a newly constructed roadway to accommodate the proposed 118' cross section.

I recommend the City of Merced designate the portion of Yosemite Avenue from Lake Road to Parsons/Gardner as a Special Arterial (which is an existing category in the proposed General Plan). In addition I recommend the cross section for this Special Arterial be designated to conform to the attached drawing. This drawing generally reflects the cross section in the plans for the Moraga subdivision.

Thank you for your help in resolving this matter.

Steve Rough
Chairman, Yosemite Church Facilities Ministry Team

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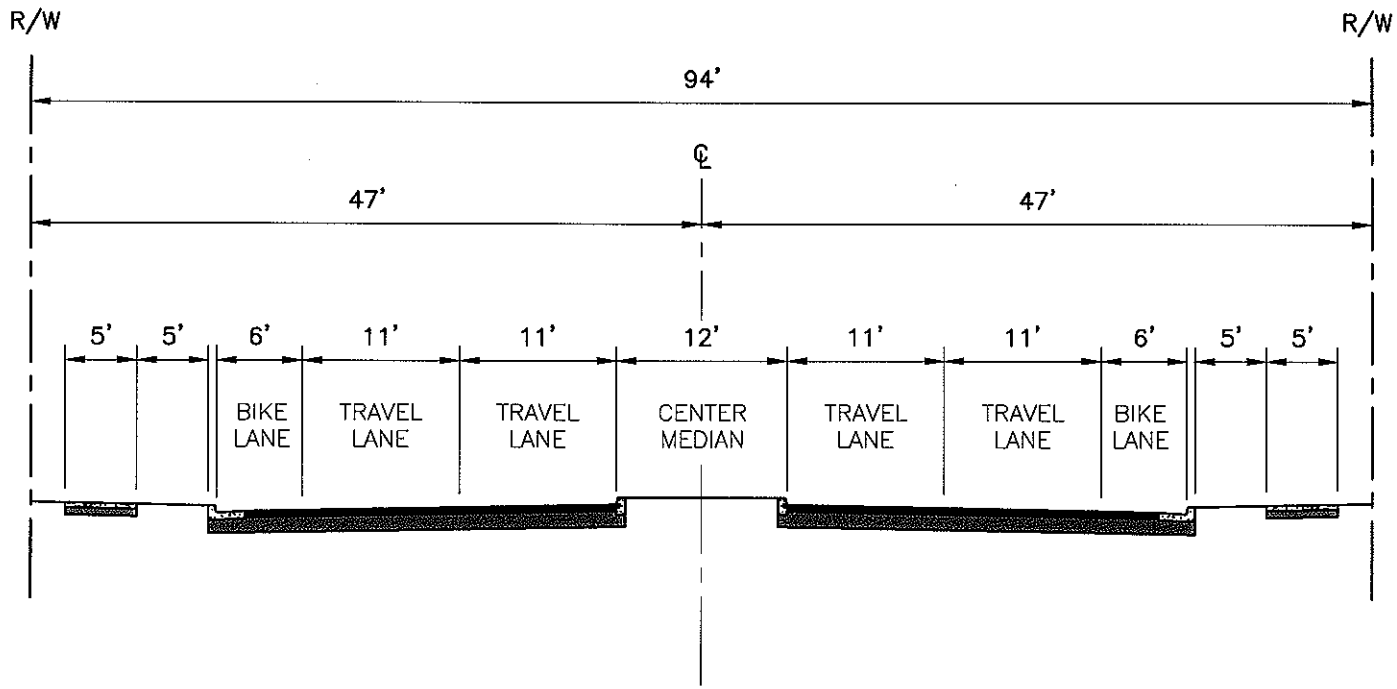

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NOTES:

1. THIS CROSS SECTION IS APPLICABLE FOR YOSEMITE AVENUE BETWEEN LAKE ROAD AND PARSONS/GARDNER.
2. ACTUAL RIGHT-OF-WAY WIDTHS MAY VARY TO REFLECT EXISTING ROADWAY IMPROVEMENTS ALREADY CONSTRUCTED IN GENERAL CONFORMANCE WITH THIS STANDARD.
3. ADDITIONAL RIGHT-OF-WAY MAY BE NECESSARY AT APPROACHES TO INTERSECTIONS TO ACCOMMODATE RIGHT TURN LANES.

N.T.S.

CITY OF MERCED

SPECIAL ARTERIAL - YOSEMITE AVENUE

PROPOSED

C:\temp\Yosemite Avenue.dwg

DRAFT: 7/21/2011

MERCED COUNTY

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

Paul A. Fillebrown
Interim Director

William R. Nicholson
Assistant Director

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Merced, CA 95340
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August 5, 2011

David Gonzalves, Development Services Director
City of Merced
678 West 18th Street
Merced, CA 95340

RE: Comments on the Final Environmental Impact Report for the Vision 2030 General Plan

Dear Mr. Gonzalves:

The County appreciates the detailed responses provided in the Final Environmental Impact Report (EIR) to the letter submitted by the County of Merced dated October 19, 2010. The specific modifications proposed to address Castle Airport are positive steps in helping the County protect and promote the future reuse of this important aviation resource in the region. Specifically, the proposed new Implementing Action No. 5.1.d under Safety Policy S-5.1 reflects the City's commitment to: "Work with the County of Merced on land use and master planning issues in the vicinity of Castle Airport and its Land Use Compatibility Zones." In return, the County commits to working with the City when the more detailed processing of the Castle Farms Community Plan and related environmental review is processed following the General Plan's adoption.

As you are aware, the County is finalizing the draft policies for our Merced County 2030 General Plan Update. In recent discussions before the Planning Commission and Board of Supervisors support for a agricultural mitigation policy that would apply equally to the County unincorporated communities as well as to City growth has been promoted. This policy is identified as Policy No. AG-2.2 in the current version of the General Plan identified as the "*Planning Commission Review Draft 2030 Merced County General Plan.*" To reflect the benefits of employment and revenue generating activities located on commercial and industrial properties, and as an encouragement for Cities to adopt similar agricultural mitigation policies, the County is considering applying a one to one acre mitigation requirement on urban residential projects which convert productive agricultural land, but exempting land designated commercial and industrial. The City's Final EIR, in response to the County's letter in Response 5.P. suggests adding Implementing Action UE-1.1.f wherein the City commits to working with the County and other cities within the county on a County-wide agricultural land preservation policy. The County is encouraged by this addition to the General Plan and looks forward to future cooperative discussions on this program.

Finally, the response to Comment 5.O. pertaining to adequate planning for future annexation of existing Rural Residential Centers north and east of the City indicates that future "private development projects and area specific plans" will provide the details on the location of public facilities and level of public services to be provided. The County would like to continue to reinforce that these Rural Residential Centers provide unique characteristics and challenges as the City grows towards the University Community and UC Merced Campus, and early coordination with the County, and joint outreach to these neighborhoods will be important to adequately plan for future urban expansion and annexation. The County remains willing to

coordinate with the City as plans are developed and community outreach is initiated.

This level of coordination will also be important as the City moves into the community plan drafting stage for the various community plan areas contained within the City's proposed growth area.

Again, thank you for the detailed responses to the County's comments on the Draft EIR, and we remain available to discuss the issues raised in the earlier letter and the coordinated planning efforts identified above.

Sincerely,

Paul Fillebrown,
Interim Director

cc: Larry T. Combs, County Executive Officer
James Fincher, County Counsel
Mark Hendrickson, Director, Commerce, Aviation, Economic Development

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PHYSICAL PLANNING, DESIGN & CONSTRUCTION

THOMAS E. LOLLINI
ASSOCIATE VICE CHANCELLOR

UNIVERSITY OF CALIFORNIA, MERCED
5200 North Lake Road
MERCED, CALIFORNIA 95343
(209) 228-4479
FAX: (209) 228-4468

August 16, 2011

VIA EMAIL AND OVERNIGHT SERVICE

Ms. Kim Espinosa
Planning Manager
City of Merced
Planning Department
678 West 18th Street
Merced, CA 95340

RE: Changes to City of Merced General Plan

Dear Ms. Espinosa:

The University of California, Merced (UC Merced or the University) appreciates the City's cooperation and responsiveness in making changes to the City of Merced Vision 2030 General Plan to accurately reflect the revised land use map of the UC Merced Campus and the associated University Community North. To assist the City in completing the revisions, the University has identified all places in the General Plan where these conforming changes are requested. That information is presented in the attached exhibits.

Sincerely,

Thomas E. Lollini, FAIA
Campus Architect and Associate Vice Chancellor
Physical Planning, Design and Construction
Encl: Exhibit 1- Proposed Modifications for City of Merced for Vision 2030 General Plan
CC: Director of Development Services David Gonzalves
City Attorney Greg Diaz
Vice Chancellor for Administration Mary E. Miller
Associate Chancellor Janet Young
University Counsel Elisabeth Gunther
Director of Governmental Relations Cori Lucero

ATTACHMENT 8H

Exhibit 1: Proposed Modifications for City of Merced Vision 2030 General Plan

Page/Figure	Change needed	Comment
Page I-V (Summary)	Change campus and University Community boundary	Use Figure 1 (attached) instead of Exhibit 1 to revise the boundaries of UC Merced and University Community
Figure 2.3, SUDP/SOI	Change campus and University Community boundary	Use Figure 1 (attached) to revise the boundaries
Figure 2.4a, General Plan Study Areas	Change campus and University Community boundary	Use Figure 1 (attached) to revise the boundaries
Figure 2.4b, Area of Interest	Change campus and University Community boundary	Use Figure 1 (attached) to revise the boundaries
Figure 3.1, Land Use Diagram	Change campus and University Community boundary Show land uses for UC Merced and University Community North	Use Figure 1 (attached) to revise boundaries Use Figure 2 (attached) to revise the land uses of the Campus and University Community North.
Figure 3.2, Proposed SOI/SUDP	Change Campus and University Community boundary.	Use Figure 1 (attached) to revise boundaries
Table 3.1, Merced Planned Land Use Summary	Revise the numbers in this table.	Use Tables 1 and 2 to revise the land use summary table. Table 1 below gives the major campus land uses and the acreage for each land use. Table 2 gives the land uses and acreages for University Community North.
Figure 3.5, Regional Enterprise Zone	Change Campus and University Community boundary.	Use Figure 1 (attached) to revise boundaries
Figure 3.6, Commercial and Industrial Corridors	Change Campus and University Community boundary.	Use Figure 1 (attached) to revise boundaries
Figure 3.9, Proposed Community Plans	Change Campus and University Community boundary. Also revise the label "UC Community Plan" on the graphic to "University	Use Figure 1 (attached) to revise the boundaries

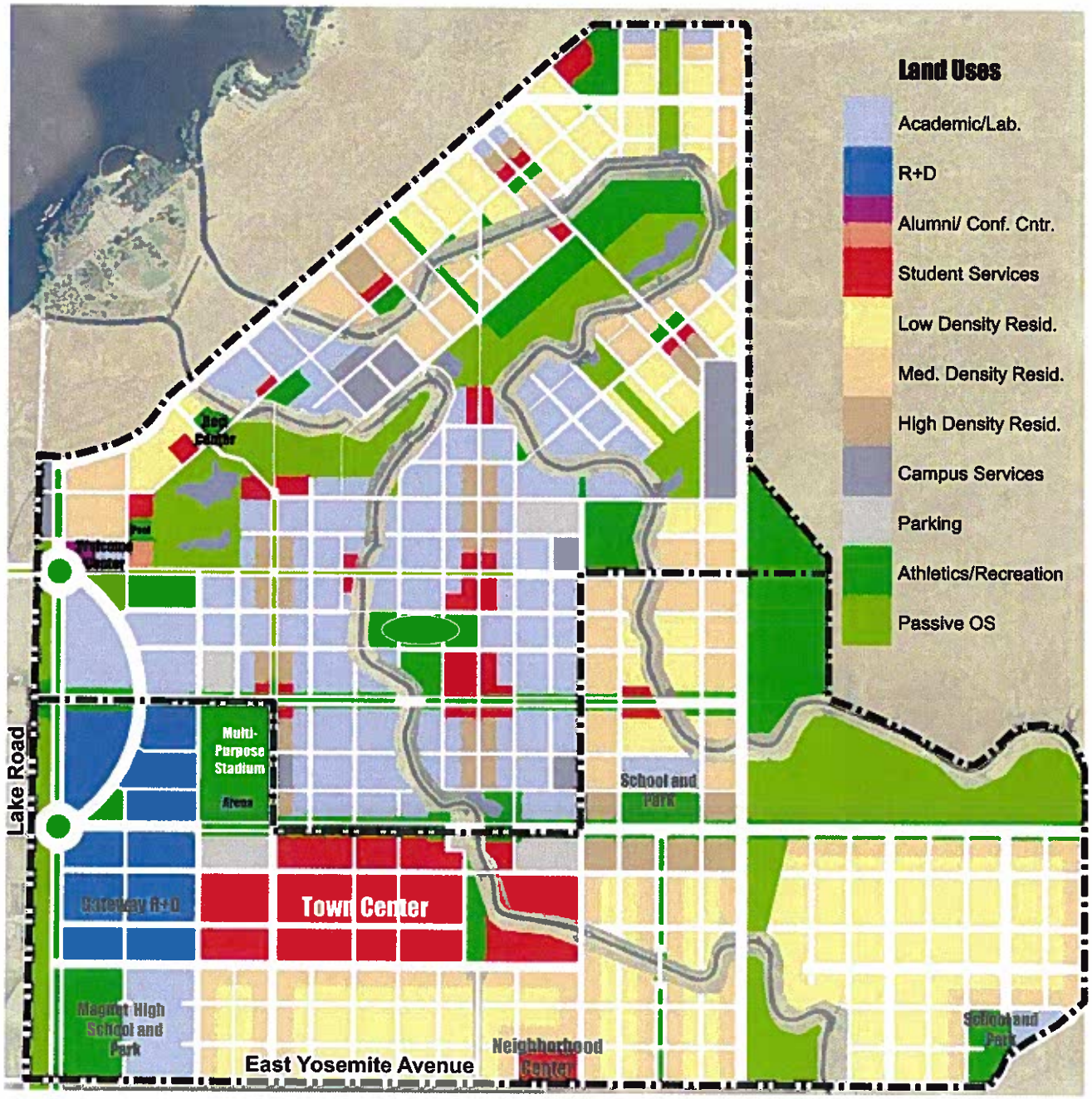
	Community Plan."	
Page 3-72	Revised the text in first full paragraph as follows: "Conceptual land use plans, prepared by the University Community Land Company and the Community South property owners are included in Section 3.10, *Appendix.*"	
Figure on page 3-89 (in Appendix 3.10)	Replace graphic.	Use Figure 2 (attached)
Figure 4.2, Major Regional Routes	Change Campus and University Community boundary.	Use Figure 1 (attached) to revise boundaries
Figure 4.7, M Street Transit Corridors	Change Campus and University Community boundary.	Use Figure 1 (attached) to revise boundaries
Figure 4.8, Railroads through Merced	Change Campus and University Community boundary.	Use Figure 1 (attached) to revise boundaries
Figure 4.9, Bicycle Transportation Plan	Change Campus and University Community boundary.	Use Figure 1 (attached) to revise boundaries
Figure 7.1, Parks and Open Space Master Plan	Change Campus and University Community boundary.	Use Figure 1 (attached) to revise boundaries
Figure 8.2, Planning Area Wetlands Inventory	Change Campus and University Community boundary.	Use Figure 1 (attached) to revise boundaries
Figure 8.4, Soil Compatibility Groups	Change Campus and University Community boundary.	Use Figure 1 (attached) to revise boundaries
Figure 8.5, Soil Association Map	Change Campus and University Community boundary.	Use Figure 1 (attached) to revise boundaries
Figure 8.6, Important Farmland Map	Change Campus and University Community boundary.	Use Figure 1 (attached) to revise boundaries
Figure 11.3, Dam Failure Inundation Areas	Change Campus and University Community boundary.	Use Figure 1 (attached) to revise boundaries
Figure 11.5, Flood Prone Areas	Change Campus and University Community boundary.	Use Figure 1 (attached) to revise boundaries
Figure 11.6, Fire Station Service Areas	Change Campus and University Community boundary.	Use Figure 1 (attached) to revise boundaries
Figure 11.9, Castle Airport Land Use Compatibility Zones	Change Campus and University Community boundary.	Use Figure 1 (attached) to revise boundaries
Figure 11.10, Police Districts	Change Campus and University Community boundary.	Use Figure 1 (attached) to revise boundaries

Table 1
Major Campus Land Uses

Land Use	Approximate Acreage
Campus	
Academic Core	200[1]
Academic/Laboratory	115
Research and Development	75
Alumni/Conference Center	10
Student Services	30
Student Housing	195
Campus Services	40
Parking	110
Athletics and Recreation	140
Passive Open Space	100
Total	**815**

Table 2
Major Land Uses in the 2009 University Community North

Land Use	Community North		Total
	Town Center	Residential Neighborhoods	
Single Family	45	330	375
Multi Family	4	10	14
Mixed Use	15		15
Retail	8	6	14
Office	5		5
Research and Development	71		71
Schools		43	43
Parks and Open Space	5	76	81
Shared Parking	9		9
Streets	52	154	206
Total Acres[7]	214	619	833



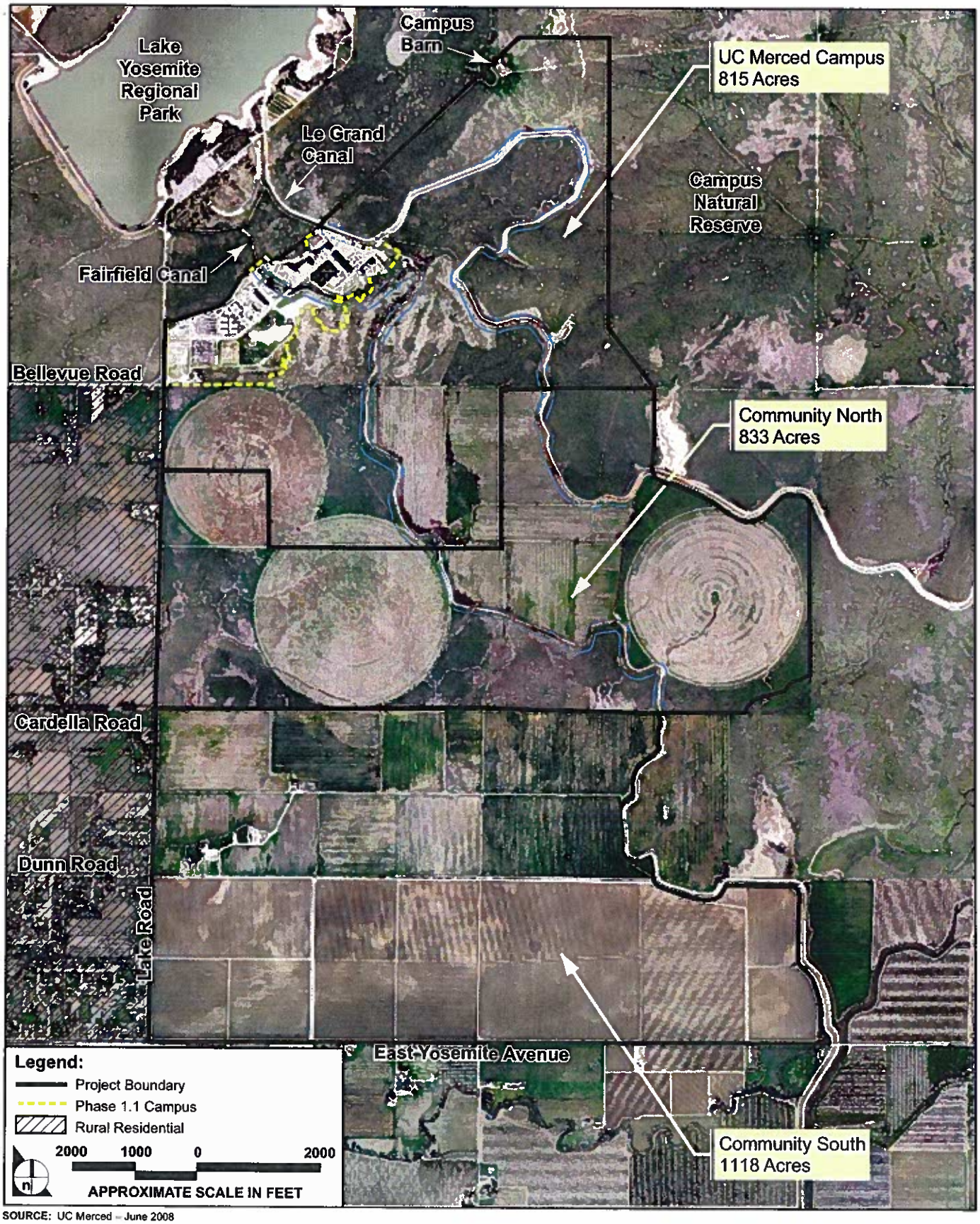
NOT TO SCALE

SOURCE: UC Merced – May 2008

FIGURE 2.0-4

2009 LRDP Campus Land Use Map

974-001-10/08



SOURCE: UC Merced – June 2008

FIGURE 2.0-2

Campus and University Community Planning Areas

974-001•10/08

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August 30, 2011

Honorable Mayor Bill Spriggs and City Council Members
City of Merced
678 West 18th Street
Merced, CA 95340

Re: General Plan Update

Honorable Mayor and Council Members,

I am writing to you both as a professional planner, and business owner with RRM Design Group, and also on behalf of the owners of Castle Farms who are working with Brookfield. I have worked in and around the Merced Area for over 20 years. My planning career spans over 30 years. I have seen many City and County General Plans and I can say with confidence that the City of Merced General Plan is an exceptional plan that reflects a vision for a quality community and provides the policy framework necessary to see it become reality. I know you, your staff, your consultant team, and the Planning Commission have worked hard to come to the point of having a finished product to adopt. I want to urge you to adopt the plan you have before you.

With the dramatic economic decline, comments have been made expressing concern over the size of General Plan's Planning Area boundaries. It is important to maintain the perspective that the General Plan is a long range planning document, not based upon economic market conditions (which are often just a snapshot in time), but driven by the vision for the City's desired form and character. The City's General Plan Planning Area Boundaries identify key growth areas that provide the opportunities necessary to keep the City well positioned for a variety of options for economic growth, which, now more than ever is critical. It isn't the ultimate size of the Planning Area that should be of concern, but rather the content of the policy framework in the General Plan that will guide future City growth. To that end, you can be confident in the updated plan before you.

As stakeholders affected by the General Plan Update we have been working with the City to assure compatibility with our future efforts. The owners support the updated General Plan policies requiring smart growth and the "village" concept. Land Use assumptions for the property show conformance with the City's village concept as well as compliance with the County's Airport Land Use Compatibility Plan. The Castle Farms property is a strategically important site to the City for a number of reasons:

1. The property being under single ownership control affords the opportunity to master plan a significant area (2,600 acres) as a single master planned expansion of the City. This provides a more cohesive, rationally planned expansion than smaller parcels will offer.
2. The scale of the Plan Area provides greater opportunity to absorb costs of critical citywide infrastructure improvements and be incrementally phased to provide the most economical project to match the market.
3. The site is relatively free of environmental constraints (e.g. no vernal pools, flood zones, etc.) that will restrict growth.
4. While it is actively farmed, the majority of the site does not contain Prime Agricultural Land Soils and is otherwise an isolated agricultural unit.

ATTACHMENT 8I

5. The site provides two miles of frontage for the future Atwater-Merced Expressway (AME) and the owners are cooperating to accommodate the full right-of-way along this frontage to help avoid environmental constraints (and costly mitigation) on the south side of the road alignment and minimize impacts to existing properties to the south.
6. Planning the full property as a unit will allow the City the opportunity to define the City edge in this northwestern corner.
7. Phasing of development within a master planned unit will result in better planned utilities, roadways, parks, and other public amenities.
8. The site is situated well to support public transit opportunities associated with the completion of the AME through appropriate densities and job generation.
9. The plan area is located outside the existing 100 year flood plain as well as the 200 year flood plain which recently became a new requirement to be met in the future.

The owners have a relationship with Brookfield who remains interested and confident in the future of Merced and sees this property as an important property to support the economic growth in the region poised to occur as a result of the presence of the University of California and the efforts of the County at the Castle Commerce Center.

Keeping your eye on the big picture when the immediate circumstances seem so unpromising is challenging and daunting. But as City leaders, you are in the position to see beyond the current circumstances and set in place the mechanisms to ensure when things get good again, the City is prepared to respond rather than react. Strong leadership in tough and challenging times will make the difference in just how good the good times are.

We urge the Council's support in certifying the EIR and adopting the General Plan update recommended to you by your Planning Commission.

Sincerely,
RRM DESIGN GROUP

John Wilbanks, AICP, CNU-A
Principal

cc: Gonzalo Rodriquez, Brookfield Land Company

DRAFT DRAFT

RESOLUTION NO. 2011-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MERCED, CALIFORNIA, APPROVING AND CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT FOR THE MERCED VISION 2030 GENERAL PLAN, MAKING FINDINGS AND DETERMINATIONS, ADOPTING A STATEMENT OF FACTS AND OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION MONITORING PROGRAM

WHEREAS, The City of Merced proposes to amend its General Plan as described in the "Merced Vision 2030 General Plan" (the "Project"); and,

WHEREAS, Opportunities for public input on the proposed Project have been provided through a public scoping meeting, which were open to user groups, public organizations, neighborhood organizations, neighborhood watch groups, homeowners associations, Merced residents, and all persons or entities interested in the proposed Project; and,

WHEREAS, The Planning Commission and City Council have held public hearings on the Environmental Impact Report and on the proposed Project; and,

WHEREAS, A public hearing was held by the City Council on September 19, 2011, to consider the proposed Project and a Final Environmental Impact Report under the provisions of the California Environmental Quality Act ("CEQA").

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. CEQA FINDINGS. The City Council makes the following findings pursuant to CEQA:

A. A Notice of Preparation was sent to all organizations and individuals who requested notice with the notice specifying the period during which comments would be

ATTACHMENT 9

received, the date, time, and place of the public scoping meetings on the Project, and Project information, including the Project description, location, and potential environmental effects; and,

B. The Notice of Preparation was also circulated for public review on or about July 17, 2008, and sent to every responsible, trustee, and public agency with jurisdiction over the resources affected by the Project on or about July 17, 2008; and,

C. Notice of Availability of the draft Environmental Impact Report was published in the *Merced County Times* on August 24, 2010, and both were circulated for public review on or about August 24, 2010, for a comment period ending on October 22, 2010, with the notice specifying the period during which comments would be received, a brief project description, and the address where a copy of the draft Environmental Impact Report and documents referenced in the draft Environmental Impact Report were available for review, and sent to every responsible, trustee, and public agency, including the State Clearinghouse, with jurisdiction over the resources affected by the Project on or about August 24, 2010, as well as filed with the City Clerk and posted in a public location at 678 West 18th Street on August 24, 2010, and a copy posted on the City's website for public review and download at www.cityofmerced.org; and,

D. Notice of Availability and the draft Environmental Impact Report were also sent to every responsible, trustee, and public agency, including the State Clearinghouse, with jurisdiction over the resources affected by the Project on or about August 24,2010, as well as filed with the City Clerk and posted in a public location at 678 West 18th Street on August 24, 2010; and,

E. Notice of Completion of the draft Environmental Impact Report was filed with the State Clearinghouse on or about August 24, 2010; and,

F. Comments and responses for the draft Environmental Impact Report were received by the City on or before October 22, 2010; and,

G. All actions required to be taken by applicable law related to the preparation, circulation, and review of the draft Environmental Impact Report have been taken; and,

H. Pursuant to applicable CEQA provisions and considering the public comments made, a Final Environmental Impact Report was prepared for this Project and posted on the City's website at www.cityofmerced.org; and,

I. The Planning Commission held a noticed public hearing on July 20, 2011, at which time all those desiring to present evidence or testimony were afforded the opportunity to do so; and,

J. Notice of the Planning Commission's public hearing was posted on the City's website at www.cityofmerced.org and published in the *Merced County Times* on June 30, 2011, as well as to all those individuals that had asked to be on the mailing list for the Project, and to every responsible, trustee, and public agency with jurisdiction over the resources affected by the Project; and,

K. The Planning Commission, after considering the public comments received, the evidence and testimony before it, and after exercising its independent judgment and review, recommended to the City Council to certify the Final Environmental Impact Report, adopt the Findings and Determinations, adopt the Statement of Facts and Overriding Considerations, adopt the Mitigation Monitoring Program, and amend the General Plan; and,

L. The City Council, after staff analysis of the same, independently reviewed and analyzed all reports and declarations which became a part of the record of this decision; and,

M. The City Council, in adopting the Final Environmental Impact Report under the provisions of CEQA, finds that adoption of the Project's EIR requires a mandatory finding of significance for those items identified in Section C of Exhibit "1," attached hereto and incorporated by reference herein; and,

N. The City Council finds that the following areas were reviewed in Section C of Exhibit "1," attached hereto and incorporated by reference herein: agricultural and forest resources (project and cumulative level), air quality (project and cumulative level), hydrology and water quality (cumulative level), public services: electricity and gas (cumulative level), transportation/traffic (project and cumulative level), and greenhouse gas emissions (project and cumulative level); and,

O. The City Council made its decision to adopt the Final Environmental Impact Report for this Project in light of the record as a whole as set forth in these findings; and,

P. The City Council, in certifying the Final Environmental Impact Report for this Project, of which these findings are a part, did so through the exercise of their independent judgment and review after finding substantial evidence, in light of the record as a whole, to support the adoption and certification of the Environmental Impact Report; and,

Q. The City Council has made its decision to certify the Final Environmental Impact Report in the light of all the testimony and evidence presented at or prior to the close of the noticed public hearing, including all letters, reports, comments, analyses, etc., which the City Council after review and comment by its staff critically reviewed, corrected, and augmented where necessary, as set forth in the record and procedural findings on this Project; and,

R. There is evidence in light of the record as a whole before the City that the Project would continue to have a significant impact on the environment after imposition of feasible mitigation measures or alternatives, and the potential environmental impacts will probably not be mitigated to a point where clearly no significant impact on the environment will occur. Therefore, a Statement of Facts and Overriding Considerations is required to be adopted if the Project is to be approved. Therefore, a Statement of Fact and Overriding Considerations is incorporated herein as set forth in Section E of Exhibit "1" hereto.

SECTION 2. CEQA—EIR CERTIFICATION. Based on the findings as set forth in Section 1 hereof and on the record of the public hearing, the City Council hereby certifies that the Final Environmental Impact Report, including the Errata Sheet, for the Project is an adequate and complete document prepared in compliance with the California Environmental Quality Act, as amended, and the State and local Guidelines promulgated there under. The City Council hereby adopts, certifies, and approves that document entitled "CEQA Findings of Fact and Statement of Overriding Considerations for the Merced Vision 2030 General Plan" identified as Exhibit "1," with page 2-2 of the Final Environmental Impact Report corrected to read "Letter 22 – Thomas C. Grave" (not Thomas Lollini as noted), attached hereto and incorporated herein by this reference.

SECTION 3. FEIR—CITY COUNCIL INDEPENDENT JUDGMENT AND REVIEW. The City Council further certifies that the Final Environmental Impact Report was presented to the City Council, which reviewed and considered the information contained in said Final Environmental Impact Report prior to deciding whether to approve the proposed Project. The Final Environmental Impact Report has been thoroughly reviewed and analyzed by the City's Staff, Planning Commission, and the City Council. The draft documents circulated for public review reflected the City's own independent judgment and the Final Environmental Impact Report as certified by this Resolution also reflects the independent judgment of the City Council.

SECTION 4. MITIGATION MEASURES ADOPTED. The City Council hereby certifies the Final Environmental Impact Report for the Project, and adopts the Mitigation Measures in said Final Environmental Impact Report as the

mitigation measures for this Project, and that it meets the requirements of and is in compliance with Public Resources Code Section 21081.6.

SECTION 5. CONSTRUCTION MITIGATION MEASURES. The Final Environmental Impact Report identified impacts related to the Project that would be less than significant when Project activities are in compliance with reasonable policies, rules and regulations related to applicable laws, but for which would be further reduced by additional recommended measures that would further benefit activities related to construction activities.

SECTION 6. TEMPORARY CONSTRUCTION IMPACTS. Adverse impacts during construction will be temporary and short-term. Complete mitigation of construction emissions would require the imposition of schedule requirements that would essentially render construction activities infeasible, especially given their temporary nature. Adherence to the San Joaquin Valley Air Quality Control District rules and regulations will substantially reduce adverse construction emissions to the extent that is reasonably feasible.

SECTION 7. ALL FEASIBLE MITIGATION ADOPTED. All lawful, feasible mitigation measures which are within the jurisdiction of the City, as identified in the Final Environmental Impact Report have been incorporated into the Project and represent the fullest extent to which the Project-related impacts can be reasonably avoided and/or substantially lessened.

SECTION 8. STATEMENT OF FACTS & OVERRIDING CONSIDERATIONS ADOPTED. Upon considering the Final Environmental Impact Report in conjunction with the findings contained in the records, and understanding that the proposed Project will have a significant effect on the environment after imposition of feasible mitigation measures or alternatives, the City Council finds that there are social, economic, and other benefits of the proposed Project that outweigh any unavoidable adverse environmental effects that may occur. Due to such overriding benefits and considerations and, because alternatives to the proposed Project identified in the Final Environmental Impact Report which might lessen these impacts are infeasible, cannot accomplish the basic objectives of this Project, and involve unacceptable adverse consequences, the City Council finds that any unavoidable adverse environmental impacts of the proposed Project are acceptable, and adopts the Statement of Facts and Overriding Considerations based on substantial evidence in the Final Environmental Impact Report and all evidence pertaining to the Project. This determination shall constitute a Statement of Facts and Overriding Considerations within the meaning of CEQA, as set forth in

Section E of Exhibit "1," attached hereto and incorporated herein by this reference, and is based on the following benefits identified in the Final Environmental Impact Report and the record of proceedings regarding the approval of the proposed Project.

SECTION 9. FILING OF NOTICE OF DETERMINATION. The City Council hereby directs the Director of Development Services to file a Notice of Determination within five (5) working days after approval of the Project, and file the required Department of Fish and Game Environmental Review Fee pertaining to the potential impact on fish and wildlife resources.

SECTION 10. MITIGATION MONITORING AND REPORTING PROGRAM ADOPTED. The City Council hereby adopts the Mitigation Monitoring Program associated with the Final Environmental Impact Report as set forth in Section 5 of the Final Environmental Impact Report (attached hereto as Exhibit 2), as the mitigation monitoring and reporting program for this Project, which have been adopted or made a condition of approval in order to mitigate or avoid significant environmental impacts. The City Council finds that said Mitigation Monitoring Program has been prepared in accordance with Public Resources Code Section 21081.6, and directs the Director of Development Services to oversee the implementation of the same.

SECTION 11. DIRECTION TO CITY MANAGER. The City Council hereby appoints the City Manager as its agent to conduct all negotiations, execute and submit all documents including, but not limited to, applications, agreements, payment requests and so on, which may be necessary for the Project or its environmental documentation.

SECTION 12. AVAILABILITY OF FEIR. The City Council shall make the Final Environmental Impact Report and other related materials that constitute the record of the proceedings upon which its decision is based available at the Merced Civic Center, 678 West 18th Street, Merced, California.

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PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the ____ day of _____ 2011, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

_____
Mayor

ATTEST:
CITY CLERK

BY:_____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

9/7/11
City Attorney Date

N:\SHARED\Attorney\Resolutions\2011\Planning\General Plan EIR Certification by City Council.doc

FINDINGS OF FACT
AND
STATEMENT OF OVERRIDING CONSIDERATIONS

FOR

CITY OF MERCED 2030 GENERAL PLAN

STATE CLEARINGHOUSE NUMBER 2008071069

CITY OF MERCED
PLANNING DIVISION
678 WEST 18TH STREET
MERCED, CALIFORNIA 95340

JULY 2011

EXHIBIT 1 OF ATTACHMENT 9

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Introduction

The Merced Vision 2030 General Plan Environmental Impact Report (DEIR) identified significant impacts associated with implementation of the General Plan (Project). Approval of a project with significant impacts requires that findings be made by the City pursuant to the California Environmental Quality Act (CEQA, California Public Resources Code sections 21000 et seq.), and State CEQA Guidelines (California Administrative Code, Title 14, Chapter 3) Section 15043, 15091, and 15093. Significant impacts of the Project would either: 1) be mitigated to a less than significant level pursuant to the mitigation measures identified in this DEIR; or 2) mitigation measures notwithstanding, have a residual significant impact that requires a Statement of Overriding Consideration.

The Lead Agency is responsible for the adequacy and objectivity of the EIR. The City of Merced, as Lead Agency, has subjected the Draft EIR (DEIR) and Final EIR (FEIR) to the agency's own review and analysis. The DEIR, FEIR, and the Findings of Fact reflect the independent judgment of the City of Merced.

Incorporation by Reference

The Merced Vision 2030 General Plan DEIR and FEIR (State Clearinghouse #2008071069) are hereby incorporated into these findings in their entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, the basis for determining the signficance of impacts, the comparative analysis of alternatives, and the reasons for approving the Project in spite of the potential for associated significant unavoidable adverse impacts.

Location and Custodian of Records

Pursuant to Public Resources Code section 21081.6 and California Code of Regulations, Title 14, Section 15091, the City of Merced is the custodian of the documents and other material that constitute the record of proceedings upon which the City's decision is based. Such documents and other material are located at:

City of Merced
Planning Division
678 West 18th Street
Merced, CA 95340

A. Findings Associated with Certification of the Environmental Impact Report

The City of Merced Planning Commission ("Planning Commission") and the City of Merced City Council ("City Council") declare and find as follows:

1. The Merced Vision 2030 General Plan Project (also referred to herein as "the Project") FEIR has been completed in compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. The FEIR consists of the following:

    a) The Draft Environmental Impact Report (DEIR);

    b) Comments and recommendations received on the DEIR;

    c) A list of persons, organizations and public agencies commenting on the DEIR;

    d) The response of the lead agency to significant environmental points raised in the review and circulation process;

    e) Any other information added by the lead agency.

2. The FEIR for the Project fulfills all of the necessary requirements of CEQA and the Guidelines issued thereunder. Pursuant to CEQA, the FEIR includes mitigation measures for each potentially significant environmental impact.

3. The FEIR has been presented to the Planning Commission and the City Council. The Planning Commission and City Council have reviewed and considered the information in the FEIR prior to taking action on the Project.

4. The Planning Commission and the City Council also find:

    a) The DEIR has been circulated in accordance with CEQA Guidelines (Section 15105) and the FEIR has been presented to the Planning Commission and the City Council, which have independently reviewed and analyzed the information contained therein prior to approving the Project;

    b) The FEIR reflects the independent judgment of the lead agency, the City of Merced;

    c) The Planning Commission and City Council further find that where more than one reason for approving the Project and rejecting specific mitigation measures or alternatives is given in its findings, the City would have granted the approval(s) on the basis of any one of those reasons.

B. Findings Associated with Specific Impacts and Mitigation Measures (14 CCR Section 15091)

The Planning Commission and the City Council hereby adopt and make the following findings relating to its adoption of the Project and the Final Environmental Impact Report. Having received, reviewed, and considered the entire record, both written and oral, relating to the Project and associated Environmental Impact Report, the Planning Commission and the City Council find as follows:

Aesthetics/Light and Glare

1. ***Impact 3.1-4:*** Create a new source of substantial light or glare that would adversely affect day or night views in the area. This is a **potentially significant** impact of project implementation.

The Planning Commission and the City Council find that as to such significant effect identified above:

[X] Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects thereof, as identified in the EIR.

The finding is based on the fact that City of Merced shall monitor the implementation of the following Project-specific mitigation measure:

MM 3.1-4 The following guidelines and standards will be followed in selecting and designing any outdoor lighting:

1. All outdoor lights including parking lot lights, landscaping, security, path and deck lights should be fully shielded, full cutoff luminaries.
2. Complete avoidance of all outdoor up-lighting for any purpose.
3. Avoidance of tree mounted lights unless they are fully shielded and pointing down towards the ground or shining into dense foliage. Ensure compliance over time.
4. Complete avoidance of up-lighting and unshielded lighting in water features such as fountains or ponds.

Finding: The City of Merced hereby finds that implementation of the migitation measure is feasible, and it is therefore adopted. The mitigation measure identified will reduce impacts relative to aesthetics/light and glare to a **less-than-significant** level.

Agricultural Resources

2. ***Impact 3.2-1*** Directly or indirectly result in conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland) to non-agricultural use. This is a **potentially significant** impact of project implementation.

Impact 3.2-2 Conflict with existing zoning for agricultural use, or a Williamson Act contract.

MM 3.2-1 The City will encourage property owners outside the City limits but within the SUDP/SOI to maintain their land in agricultural production until the land is converted to urban uses. The City will also work cooperatively with land trusts and other non-profit organizations to preserve agricultural land in the region. This may include the use of conservation easements. Infill development will be preferred and encouraged over fringe development. Sequential and contiguous development is also preferred and encouraged over leap-frog development.

Finding: The City of Merced hereby finds that implementation of the migitation measure is feasible, and it is therefore adopted. The mitigation measure will serve to reduce the severity of impacts to agricultural resources; however, this measure is not sufficient to fully mitigate this impact, as loss of agricultural land will still occur. Implementation of the proposed project will have a **significant and unavoidable** impact and will require a Statement of Overriding Considerations.

Air Quality

3. ***Impact 3.3-1:*** Construction activities associated with development under the Merced Vision 2030 General Plan would result in criteria pollutants, ozone precursors, and other pollutants. This is a **potentially significant** impact of project implementation.

The Planning Commission and the City Council find that as to such significant effect identified above:

[X] Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects thereof, as identified in the EIR.

The finding is based on the fact that City of Merced shall monitor the implementation of the following Project-specific mitigation measure:

MM 3.3-1a For any phase of construction in which an area greater than 22 acres, in accordance with Regulation VIII of the SJVAPCD, will be disturbed on any one day, the project developer(s) shall implement the following measures:

1. Basic fugitive dust control measures are required for all construction sites by SJVAPCD Regulation VIII.
2. Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.
3. Traffic speeds on unpaved roads shall be no greater than 15 mph.
4. Install wind breaks at windward side(s) of construction areas.

MM 3.3-1b To reduce emissions and thus reduce cumulative impacts, the City of Merced shall consider adoption of an ordinance requiring the following measures to be implemented in conjunction with construction projects within the City:

1. The idling time of all construction equipment used in the plan area shall not exceed ten minutes when practicable.
2. The hours of operation of heavy-duty equipment shall be minimized when practicable.
3. All equipment shall be properly tuned and maintained in accord with manufacturer's specifications when practicable.
4. When feasible, alternative fueled or electrical construction equipment shall be used at the project site.
5. The minimum practical engine size for construction equipment shall be used when practicable.
6. When feasible, electric carts or other smaller equipment shall be used at the project site.
7. Gasoline-powered equipment shall be equipped with catalytic converters when practicable.

Finding: The City of Merced hereby finds that implementation of the migitation measures are feasible, and it is therefore adopted. The mitigation measures will reduce any potential air impacts due to construction exhaust emissions to a **less-than-significant** level.

4. ***Impact 3.3-2:*** Development and operation under the General Plan would result in emissions of criteria pollutants, ozone precursors, and other pollutants caused by mobile source activity, area sources, and stationary sources. This is a **significant, cumulative** impact of project implementation.

The Planning Commission and the City Council find that as to such significant effect identified above:

[X] Changes or alterations have been required in, or incorporated into, the Project which would lessen the environmental effects thereof; however, there is no feasible way to avoid the significant impact as identified in the EIR. Specific benefits from the Project outweigh its unavoidable environmental effects as identified in the Statement of Overriding Considerations.

The finding is based on the fact that City of Merced shall monitor the implementation of the following Project-specific mitigation measure:

MM 3.3-2 The following BACT (Best Available Control Technology) installations and mitigation shall be considered for new discretionary permits, to the extent feasible as determined by the City:

- Trees shall be carefully selected and located to protect building(s) from energy consuming environmental conditions, and to shade paved areas when it will not interfere with any structures. Trees should be selected to shade paved areas that will shade 50% of the area within 15 years. Structural soil should be used under paved areas to improve tree growth.

- If transit service is available to a project site, development patterns and improvements shall be made to encourage its use. If transit service is not currently available, but is planned for the area in the future, easements shall be reserved to provide for future improvements such as bus turnouts, loading areas, route signs and shade structures.

- Multi-story parking facilities shall be considered instead of parking lots to reduce exposed concrete surface and save green space.

- Sidewalks and bikeways shall be installed throughout as much of any project as possible, in compliance with street standards, and shall be connected to any nearby existing and planned open space areas, parks, schools, residential areas, commercial areas, etc., to encourage walking and bicycling.

- Projects shall encourage as many clean alternative energy features as possible to promote energy self-sufficiency. Examples include (but are not limited to): photovoltaic cells, solar thermal electricity systems, small wind turbines, etc. Rebate and incentive programs are offered for alternative energy equipment.

As many energy-conserving features as possible shall be included in the individual projects. Energy conservation measures include both energy conservation through design and operational energy conservation. Examples include (but are not limited to):

- Increased energy efficiency (above California Title 24 Requirements)
- Energy efficient windows (double pane and/or Low-E)
- Use Low and No-VOC coatings and paints
- High-albedo (reflecting) roofing material
- Cool Paving. "Heat islands" created by development projects contribute to the reduced air quality in the valley by heating ozone precursors
- Radiant heat barrier
- Energy efficient lighting, appliances, heating and cooling systems
- Install solar water-heating system(s)
- Install photovoltaic cells
- Install geothermal heat pump system(s)
- Programmable thermostat(s) for all heating and cooling systems
- Awnings or other shading mechanism for windows
- Porch, patio and walkway overhangs
- Ceiling fans, whole house fans
- Utilize passive solar cooling and heating designs (e.g. natural convection, thermal flywheels)
- Utilize daylighting (natural lighting) systems such as skylights, light shelves, interior transom windows etc.

- Electrical outlets around the exterior of the unit(s) to encourage use of electric landscape maintenance equipment
- Bicycle parking facilities for patrons and employees in a covered secure area. Bike storage should be located within 50' of the project's entrance. Construct paths to connect the development to nearby bikeways or sidewalks
- On-site employee cafeterias or eating areas
- Low or non-polluting landscape maintenance equipment (e.g. electric lawn mowers, reel mowers, leaf vacuums, electric trimmers and edger's, etc.)
- Pre-wire the unit(s) with high speed modem connections/DSL and extra phone lines
- Natural gas fireplaces (instead of wood-burning fireplaces or heaters)
- Natural gas lines (if available) and electrical outlets in backyard or patio areas to encourage the use of gas and/or electric barbecues
- Low or non-polluting incentives items should be provided with each residential unit (such items could include electric lawn mowers, reel mowers, leaf vacuums, gas or electric barbecues, etc.)

Finding: The City of Merced hereby finds that implementation of the migitation measure is feasible, and it is therefore adopted. The above mitigation measure would be expected to reduce project emissions by one to five percent. However, buildout as proposed under the proposed project would produce stationary and mobile source operational emissions that would exceed San Joaquin Valley Air Pollution Control District thresholds. Implementation of the proposed project will have a **significant and unavoidable** impact and will require a Statement of Overriding Considerations.

Biological Resources

5. ***Impact 3.4-1:*** Result in substantial adverse impacts on candidate, special-status, or sensitive species. This is a **potentially significant** impact of project implementation.

The Planning Commission and the City Council find that as to such significant effect identified above:

[X] Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects thereof, as identified in the EIR.

The finding is based on the fact that City of Merced shall monitor the implementation of the following Project-specific mitigation measure:

MM 3.4-1a **Vernal Pools and Vernal Pool Associates**

To protect vernal pools and species associated with vernal pools including vernal pool smallscale, succulent owl's-clover, pincushion navarretia, Colusa grass, hairy Orcutt grass, spiny-sepaled button celery, San Joaquin Orcutt grass, Greene's tuctoria, Conservancy fairy shrimp, vernal pool fairy shrimp, Midvalley fairy shrimp, vernal pool tadpole shrimp, California linderiella, and Molestan blister beetle, surveys shall be conducted to determine the presence of vernal pools prior to or concurrent with application for annexation in areas identified as having potential habitat.

Surveys to detect vernal pools are most easily accomplished during the rainy season or during early spring when pools contain water, although surveys shall not be limited to a particular season or condition. If vernal pools are found to occur on a project site, the pools and a 100 foot-wide buffer around each pool or group of pools will be observed. If the vernal pools and buffer areas cannot be avoided, then the project proponent must consult with and obtain authorizations from, but not limited to, the California Department of Fish and Game, the United States Fish and Wildlife Service, the Army Corps of Engineers, and the State Water Resources Quality Control Board. Consultation and authorizations may require that additional surveys for special-status species be completed. Because there is a federal policy of no net loss of wetlands, mitigation to reduce losses and compensation to offset losses to vernal pools and associated special-status species will be required.

MM 3.4-1b **Special-Status Plants**

To protect special-status plants, the City shall ensure that a botanical survey be conducted for projects containing habitat suitable for special-status plant species. Surveys shall be conducted by a qualified biologist or botanist during the appropriate flowering season for the plants and shall be conducted prior to issuance of a grading or building permit for the project. If special-status plants are found to occur on the project site, the population of plants shall be avoided and protected. If avoidance and protection is not possible, then a qualified biologist will prepare a mitigation and monitoring plan for the affected species. The plan shall be submitted to the CDFG and/or the USFWS for review and comment. Details of the mitigation and monitoring plan shall include, but not be limited to:

- Removing and stockpiling topsoil with intact roots and seed bank in the disturbance area, and either replacing the soil in the same location after construction is complete or in a different location with suitable habitat; or

- Collect plants, seeds, and other propogules from the affected area prior to disturbance. After construction is complete, then the restored habitat will be replanted with propogules or cultivated nursery stock; or

MM 3.4-1c **Valley Elderberry Longhorn Beetle**

Until such time that the Valley elderberry longhorn beetle (VELB) is delisted as a federally threatened species, to protect the species, the project proponent shall ensure that a survey for elderberry bushes be conducted by a qualified biologist at each project site containing habitat suitable for VELB prior to the issuance of a grading permit or building permit. If elderberry bushes are found, the project proponent shall implement the measures recommended by the biologist, which shall contain the standardized measures adopted or otherwise authorized by the USFWS.

MM 3.4-1d **Burrowing Owls**

To protect burrowing owls on proposed projects where suitable habitat exists, the following shall be implemented:

To protect burrowing owls, preconstruction surveys shall be conducted by a qualified biologist at all project sites that contain grasslands, fallowed agricultural fields, or fallow fields along roadsides, railroad corridors, and other locations prior to grading. If, during a pre-construction survey, burrowing owls are found to be present, the project proponent shall implement the measures recommended by the biologist and include the standardized avoidance measures of CDFG.

MM 3.4-1e **Special-Status Birds**

To protect raptors and other special-status birds on proposed projects where suitable habitat exists, the following measures shall be implemented:

- Trees identified with occupied nests of special status birds which are scheduled to be removed because project implementation shall be removed only during the non-breeding season, or unless it is

determined by a qualified biologist that the nest is no longer occupied.

- Prior to construction, but not more than 14 days before grading, demolition, or site preparation activities, a qualified biologist shall conduct a preconstruction nesting survey to determine the presence of nesting raptors. Activities taking place outside of the breeding season (typically February 15 through August 31) do not require a survey. If active raptor nests are present within the construction zone or within 250-feet of the construction zone, temporary exclusion fencing shall be erected at a distance to be determined by a qualified raptor biologist in consultation with CDFG. Clearing and construction operations within this area shall be postponed until juveniles have fledged and there is no evidence of a second nesting attempt determined by the biologist.

- If nesting Swainson's hawks are observed during field surveys, then consultation with the CDFG regarding Swainson's hawk mitigation guidelines shall be required. The guidelines include, but are not limited to, buffers of up to one quarter mile, monitoring of the nest by a qualified biologist, and mitigation for the loss of foraging habitat.

- To avoid impacts to common and special-status migratory birds pursuant to the Migratory Bird Treaty Act and CDFG codes, a nesting survey shall be conducted prior to construction activities if the work is scheduled between February 15 and August 31. If migratory birds are identified nesting within the construction zone, a temporary buffer around the nest site will be designated by a qualified biologist in consultation with CDFG. No construction activity may occur within this buffer until a qualified biologist has determined that the young have fledged. A qualified biologist may modify the size of the buffer based on site conditions and the bird's apparent acclimation to human activities. If the buffer is modified, the biologist would be required to monitor stress levels of the nesting birds for at least one week after construction commences to ensure that project activities would not cause ite abandonment or loss of eggs or young. At any time the biologist shall have the right to implement a larger buffer if stress levels are elevated to the extent that could cause nest abandonment and/or loss of eggs or young.

MM 3.4-1f **Special-Status Amphibians**

To protect California tiger salamander and western spadefoot on proposed projects where suitable habitat exists, the following shall be implemented:

- To protect special-status amphibians, a project specific site assessment

report, including protocol-level surveys, when indicated, shall be prepared by a qualified and permitted biologist at all project sites that contain appropriate habitat. If this site assessment report reveals that special status amphibians are found to be present, the project proponent shall implement the measures recommended by the biologist and standardized measures adopted by the USFWS or the CDFG.

MM 3.4-1g **Special-Status Reptiles**

To protect western pond turtle and giant garter snake on proposed projects where suitable habitat exists, the following shall be implemented:

- To protect special-status reptiles, preconstruction surveys shall be conducted by a qualified biologist at all project sites that contain appropriate habitat. If, during a pre-construction survey, special-status reptiles are found to be present, the project proponent shall implement the measures recommended by the biologist and standardized measures adopted by the USFWS or the CDFG.

MM 3.4-1h **Special-Status Fish**

To protect special-status fish, including hardhead, on proposed projects where suitable habitat exists, the following shall be implemented:

- To protect special-status fish, a habitat assessment will be conducted to ascertain whether suitable habitat for special-status fish species is present. Should suitable habitat for special-status fish species (such as hardhead) be identified, the California Department of Fish and Game will be consulted to determine whether preconstruction surveys are warranted.

MM 3.4-1i **Special-Status Mammals**

To protect Merced kangaroo rat, western mastiff bat, western red bat, hoary bat, Yuma myotis, San Joaquin pocket mouse, American badger, and San Joaquin kit fox on proposed projects where suitable habitat exists, the following shall be implemented:

- To protect special-status mammals, a habitat assessment shall be conducted on each project site prior to construction to ascertain whether habitat suitable for supporting special status mammals exists on the project site. If suitable habitat is present, preconstruction surveys shall be conducted by a qualified biologist at all project sites

that contain appropriate habitat according to established standards or protocols of the CDFG or USFWS, if available for that species. If during the preconstruction survey, special-status mammals are found to be present, the project proponent shall implement the measures recommended by the biologist and measures adopted by the USFWS or the CDFG.

Finding: The City of Merced hereby finds that implementation of the migitation measures are feasible, and it is therefore adopted. The mitigation measures will reduce any potential biological impacts to a **less-than-significant** level.

6. ***Impact 3.4-2:*** Result in substantially adverse affect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFG or USFWS. This is a **potentially significant** impact of project implementation.

The Planning Commission and the City Council find that as to such significant effect identified above:

[X] Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects thereof, as identified in the EIR.

The finding is based on the fact that City of Merced shall monitor the implementation of the following Project-specific mitigation measure:

MM 3.4-2 **Streambed Alteration Agreement**

To minimize impacts to riparian habitat and other sensitive natural communities, the following the measures shall be implemented when streambed alterations are proposed:

- The project proponent shall have a qualified biologist map all riparian habitat, or other sensitive natural communities. To the extent feasible and practicable, all planned construction activity shall be designed to avoid direct effects on these areas.

- In those areas where complete avoidance is not possible, then all riparian habitat, or other sensitive natural communities, shall be mitigated on a “no-net-loss” basis in accordance with either CDFG regulations and/or a Section 1602 Streambed Alteration Agreement, if required. Habitat mitigation shall be replaced at a location and with methods acceptable to the CDFG.

Finding: The City of Merced hereby finds that implementation of the migitation

measure is feasible, and it is therefore adopted. The mitigation measure will reduce any potential biological impacts to a **less-than-significant** level.

7. ***Impact 3.4-3:*** Result in substantially adverse affect on federally protected wetlands through direct removal, filling, hydrological interruption, or other means. This is a **potentially significant** impact of project implementation.

The Planning Commission and the City Council find that as to such significant effect identified above:

[X] Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects thereof, as identified in the EIR.

The finding is based on the fact that City of Merced shall monitor the implementation of the following Project-specific mitigation measure:

MM 3.4-3a **Conduct a delineation of Waters of the U.S. and Wetlands (WOUS/Wetlands) and Obtain Permits.**

In order to determine if there are wetlands or waters of the U.S. on a proposed project site which fall under the U.S. Army Corps of Engineers (Corps) jurisdictional authority under Section 404 of the CWA, a delineation of the Waters of the U.S. and wetlands shall be performed and submitted to the Corps for verification prior to annexation.

A Section 404 permit and a Section 401 Water Quality Certification or Waiver of Waste Discharge shall be acquired from the Corps and the Regional Water Quality Control Board (RWQCB) and a Section 1602 Streambed Alteration Agreement from DFG respectively prior to the onset of construction related activities.

MM 3.4-3b Any jurisdictional waters that would be lost or disturbed due to implementation of any proposed project within the plan area shall be replaced or rehabilitated on a “no-net-loss” basis in accordance with the Corps’ and the RWQCB mitigation guidelines. Habitat restoration, rehabilitation, and/or replacement if required shall be at a location and by methods agreeable to the Corps, the RWQCB, and the City of Merced. The project applicant shall abide by the conditions of any executed permits.

Finding: The City of Merced hereby finds that implementation of the migitation measures are feasible, and it is therefore adopted. The mitigation measures will reduce any potential biological impacts to a **less-than-significant** level.

8. ***Impact 3.4-4*** Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. This is a **potentially significant** impact of project implementation.

The Planning commission and the City Council find that as to such significant effect identified above:

[X] Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects thereof, as identified in the EIR.

MM 3-4-4 See Mitigation Measure #3.4-1e.

Finding: The City of Merced hereby finds that implementation of the migitation measure is feasible, and it is therefore adopted. The mitigation measure will reduce any potential biological impacts to a **less-than-significant** level.

Noise

9 ***Impact 3.11-4:*** Proposed General Plan Buildout will result in construction activities which could contribute to vibration levels at building facades. This is a **potentially significant** impact of project implementation.

The Planning Commission and the City Council find that as to such significant effect identified above:

[X] Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects thereof, as identified in the EIR.

The finding is based on the fact that City of Merced shall monitor the implementation of the following Project-specific mitigation measures:

MM 3.11-4 Table 3.11-13 provides criteria for evaluating construction vibration impacts. If construction activities include the use of pile drivers or large vibratory compactors, an analysis of potential vibration impacts should be conducted. The vibration impacts should not exceed a peak particle velocity of 0.1 inches/second.

Table 3.11-13
Effects of Vibration on People and Buildings

Peak Particle Velocity inches/second	Peak Particle Velocity mm/second	Human Reaction	Effect on Buildings
0-.006	0.15	Imperceptible by people	Vibrations unlikely to cause damage of any type
.006-.02	0.5	Range of Threshold of perception	Vibrations unlikely to cause damage of any type
.08	2.0	Vibrations clearly perceptible	Recommended upper level of which ruins and ancient monuments should be subjected
0.1	2.54	Level at which continuous vibrations begin to annoy people	Virtually no risk of architectural damage to normal buildings
0.2	5.0	Vibrations annoying to people in buildings	Threshold at which there is a risk of architectural damage to normal dwellings
1.0	25.4		Architectural Damage
2.0	50.4		Structural Damage to Residential Buildings
6.0	151.0		Structural Damage to Commercial Buildings

Source: Survey of Earth-borne Vibrations due to Highway Construction and Highway Traffic, Caltrans 1976.

Finding: The City of Merced hereby finds that implementation of the migitation measure is feasible, and it is therefore adopted. The mitigation measures identified will reduce impacts relative to public services and facilities to a **less-than-significant** level.

Transportation/Traffic

10. ***Impact 3.15-1:*** Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system and/or exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways. This is a **potentially significant** impact of project implementation.

The Planning Commission and the City Council find that as to such significant effect identified above:

[X] Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects thereof, as identified in the EIR.

MM 3.15-1a Table 3.15-4 indicates the recommended number of travel lanes for several of the road segments analyzed to keep traffic levels-of-service at the City's preferred LOS "D" at General Plan buildout. Implementation of the following projects will permit the City to manage its traffic volumes at Level of Service "D", or better:

1. SR 59 from 16th to Olive (2 lanes to 6 lanes) Existing LOS=F / Future LOS=D

2. SR 59 from Olive to Yosemite (2 lanes to 6 lanes) Existing LOS=C+ / Future LOS=D

3. SR 59 from Yosemite to Cardella (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=D

4. SR 59 from Cardella to Bellevue (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=D

5. SR 59 from Bellevue to Old Lake (2 lanes to 6 lanes) Existing LOS=C+ / Future LOS=C

6. SR 59 from Old Lake to Castle Farms (2 lanes to 6 lanes) Existing LOS=C+ / Future LOS=D

7. "R" Street from Old Lake to Area of Influence Boundary (Future Extension 0 lanes to 2 lanes) Existing LOS= none / Future LOS=C+

8. "M" Street from Cardella to Bellevue (Future Extension 0 lanes to 4 lanes) Existing LOS=none / Future LOS = C+

9. "M" Street from Bellevue to Old Lake (Future Extension 0 lanes to 4 lanes) Existing LOS=none / Future LOS = C+

10. Martin Luther King Jr. Way/South SR 59 from Roduner to Mission (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=D

11. Martin Luther King Jr. Way/South SR 59 from Mission to Gerard (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=D

12. "G" Street from Yosemite to Cardella (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=C+

13. "G" Street from Cardella to Bellevue (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=D

14. "G" Street from Bellevue to Old Lake (2 lanes to 6 lanes) Existing LOS=C+ / Future LOS=D

15. "G" Street from Old Lake to Snelling (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=C

16. Parsons/Gardner from Childs to SR 140 (2 lanes to 4 lanes) Exiting LOS=D / Future LOS=D

17. Parsons/Gardner from Bear Creek to Olive (2 lanes to 4 lanes) Exiting LOS=C+ / Future LOS=D

18. Parsons/Gardner from Olive to Yosemite (2 lanes to 6 lanes) Exiting LOS=D / Future LOS=D

19. Parsons/Gardner from Yosemite to Cardella (2 lanes to 4 lanes) Exiting LOS=C+ / Future LOS=D

20. Parsons/Gardner from Cardella to Bellevue (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=D

21. Parsons/Gardner from Bellevue to Old Lake (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=C+

22. Parsons/Gardner from Old Lake to Golf Club (Future Extension 0 lanes to 2 lanes) Existing LOS= none / Future LOS=D

23. Campus Parkway SR 99/Mission to Childs (Future Extension 0 lanes to 6 lanes) Existing LOS= none / Future LOS=D

24. Campus Parkway from Childs to SR 140 (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=D

25. Campus Parkway from SR 140 to Olive (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=D

26. Campus Parkway from Olive to Yosemite (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=D

27. Campus Parkway from Yosemite to Cardella (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=D

28. Campus Parkway from Cardella to Bellevue (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=D

29. Tyler Road from Childs to Mission (Future Extension 0 lanes to 2 lanes) Existing LOS= none / Future LOS=D

30. Old Lake Road SR 59 to "R" Street (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=C+

31. Old Lake Road "R" Street to "M" Street (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=C

32. Old Lake Road "M" Street to "G" Street Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=C

33. Bellevue Road from Franklin to Thornton (2 lanes to 4 lane~~s~~ Divided Expressway Existing LOS=C+ / Future LOS= F

34. Bellevue Road (Atwater-Merced Expressway) from Thornton to SR 59 (2 lanes to 4 lane~~s~~ (Divided Expressway) Existing LOS=C+ / Future LOS=F

35. Bellevue Road from Parsons/Gardner to Campus Parkway (2 lanes to 6 lanes) Exiting LOS=C+ / Future LOS=D

36. Cardella Road from SR 59 to "R" Street (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=D

37. Cardella Road from "M" Street to "G" Street (2 lanes to 4 lanes) Existing LOS= C+ / Future LOS=D

38. Cardella Road from "G" Street to Parsons/Gardner (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=D

39. Cardella Road from Parsons/Gardner to Campus Parkway (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=D

40. Yosemite Avenue from Parsons/Gardner to Campus Parkway (2 lanes to 4 lanes) Existing LOS=D / Future LOS=D

41. Olive Avenue West of Hwy 59 (Santa Fe Avenue) (4 lanes to 6 lanes) Existing LOS=C+ / Future LOS=C

42. SR 99 from Atwater/Merced Expressway to Mariposa (4 lanes to 6 lanes through Merced) Existing LOS=C+ and D / Future LOS=C+ and D

43. Childs Avenue from SR 59 to Tyler (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=D

44. Childs Avenue from Parsons/Gardner to Coffee (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=D

45. Childs Avenue from Coffee to Campus Parkway (2 lanes to 4 lanes) Existing LOS=D / Future LOS=D

46. Childs Avenue from Campus Parkway to Tower (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=C+

47. Dickerson Ferry/Mission Avenue from Thornton to West Avenue (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=D

48. Dickerson Ferry/Mission Avenue from West Avenue to SR 59 (2 lanes to 6 lanes) Existing LOS=C+ / Future LOS=C+

49. Dickerson Ferry/Mission Avenue from SR 50 to Tyler (2 lanes to 6 lanes) Existing LOS=C+ / Future LOS=C+

50. Dickerson Ferry/Mission Avenue from SR 99 to Coffee (Future Campus Parkway)(2 lanes to 6 lanes) Existing LOS=C+ / Future LOS=C+

51. Dickerson Ferry/Mission Avenue from Tyler to Henry (2 lanes to 6 lanes) Existing LOS=C+ / Future LOS=D

52. Dickerson Ferry/Mission Avenue from Coffee to Tower (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=C+

53. Thornton from Dickerson Ferry/Mission to SR 140 (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=D

MM 3.15-1b Traffic studies shall be performed to satisfy the requirements of the California Environmental Quality Act (CEQA) for all proposed General Plan Amendments which intensify development, proposed specific plans, annexations, and other projects at the discretion of the Development Services Department. Future traffic studies shall generally conform to any guidelines established by the City. The studies shall be performed to

determine, at a minimum, opening-day impacts of proposed projects and as confirmation or revision of the General Plan. The studies shall address queue lengths and (at a minimum) peak-hour traffic signals warrants in addition to LOS and provide appropriate mitigations. At the discretion of the City, a complete warrant study in accordance with the most recent edition of the California Manual on Uniform Traffic Control Devices may be required to evaluate the need for traffic signals.

Finding: The City of Merced hereby finds that implementation of the migitation measures are feasible, and it is therefore adopted. The mitigation measures identified will reduce impacts relative to transportation and circulation, but not to a less-than-significant level in some instances. Implementation of the proposed project will have a **significant and unavoidable** impact and will require a Statement of Overriding Considerations.

Greenhouse Gas Emissions (Global Climate Change)

11. ***Impact 3.17-1:*** Development of the Project could potentially result in a cumulatively considerable incremental contribution to the significant cumulative impact of global climate change. This is a **significant, cumulatively considerable, and unavoidable** impact of project implementation.

The Planning Commission and the City Council find that as to such significant effect identified above:

[X] Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects thereof, as identified in the EIR.

The finding is based on the fact that City of Merced shall monitor the implementation of the following Project-specific mitigation measures:

MM 3.17-1a Per Sustainable Development Implementing Action SD 1.1.g of the Merced Vision 2030 General Plan, the City of Merced will work closely with the SJVAPCD to develop and implement uniform standards for determining "thresholds of significance" for greenhouse gas impacts for use in the City's CEQA review process. The SJVAPCD has issued its "Guidance for Valley Land Use Agencies in Addressing GHG Impacts for New Projects Under CEQA". The City will use the recommended threshold of Best Performance Measures and/or 29 percent below Business-As-Usual for new development with the City of Merced.

MM 3.17-1b Per Sustainable Development Implementing Action SD 1.1.g of the Merced Vision 2030 General Plan, and as required by recent changes in CEQA, the City shall address the issue of Climate Change and Greenhouse Gas Emissions in environmental documents prepared by the

City. Techniques and best practices for evaluation these issues are currently being developed by various government agencies and interest groups and the City will keep track of these developments and remain up-to-date in evaluation methods.

MM 3.17-1c Per Sustainable Development Policy SD 1.7 and Implementing Action SD 1.7.a of the Merced Vision 2030 General Plan, the City will develop a Climate Action Plan (CAP) that identifies greenhouse gas emissions within the City as well as ways to reduce those emissions. The Plan will parallel the requirements adopted by the California Air Resources Board specific to this issue. The City will include the following key items in the Plan:

- Inventory all known, or reasonably discoverable, sources of greenhouse gases in the City,
- Inventory the greenhouse gas emissions level in 1990, the current level, and that projected for the year 2020, and
- Set a target for the reduction of emissions attributable to the City's discretionary land use decisions and its own internal government operations.
- Within one year of adoption of the CAP, the City will complete a review of its existing policies and ordinances in order to ensure implementation of the CAP.

MM 3.17-1d Per Sustainable Development Implementing Action SD 1.7.c of the Merced Vision 2030 General Plan, the City shall consider the following measures for new development:

- When approving new development, require truck idling to be restricted during construction.
- Require new development to implement the following design features, where feasible, many of these features are included as draft Best Performance Measures established by the SJVAPCD for new development:

  1. Recycling:

     - Design locations for separate waste and recycling receptacles;
     - Reuse and recycle construction and demolition waste;
     - Recover by-product methane to generate electricity; and,

- Provide education and publicity about reducing waste and available recycling services.

2. Promote pedestrian, bicycle and transit modes of travel through informational programs and provision of amenities such as transit shelters, secure bicycle parking and attractive pedestrian pathways.

3. Large canopy trees should be carefully selected and located to protect the building(s) from energy consuming environmental conditions, and to shade 50% of paved areas within 15 years.

4. Encourage mixed-use and high-density development to reduce vehicle trips, promote alternatives to vehicle travel and promote efficient delivery of services and goods.

5. Impose measures to address the "urban heat island" effect by, e.g. requiring light-colored and reflective roofing materials and paint; light-colored roads and parking lots; shade trees in parking lots and shade trees on the south and west sides of new or renovated buildings.

6. Transportation and motor vehicle emission reduction:

   - Use low or zero-emission vehicles, including construction vehicles;
   - Create car sharing programs;
   - Create local “light vehicle” networks, such as neighborhood electric vehicle (NEV) systems;
   - Provide shuttle service to public transit;
   - During construction, post signs that restrict truck idling;
   - Set specific limits on idling time for commercial vehicles, including delivery and construction vehicles;
   - Coordinate controlled intersections so that traffic passes more efficiently through congested areas. Where signals are installed, require the use of Light Emitting Diode (LED) traffic lights; and,
   - Assess transportation impact fees on new development in order to facilitate and increase public transit service.

7. Water Use Efficiency:

   - Use of both potable and non-potable water to the maximum extent practicable; low flow appliances (i.e., toilets, dishwashers, shower heads, washing machines, etc.); automatic shut off valves for sinks in restrooms; drought resistant landscaping; “Save Water” signs near water faucets;

- Create water efficient landscapes;
- Use gray water. (Gray water is untreated household waste water from bathtubs, showers, bathroom wash facilities, and water from washing machines); and,
- Provide education about water conservation and available programs and incentives.

8. Energy Efficiency:

- Automated control system for heating/air conditioning and energy efficient appliances;
- Utilize lighting controls and energy-efficient lighting in buildings;
- Use light colored roof materials to reflect heat;
- Take advantage of shade (save healthy existing trees when feasible), prevailing winds, landscaping and sun screens to reduce energy use;
- Install solar panels on carports and over parking areas;
- Increase building energy efficiency percent beyond Title 24 requirements. In addition implement other green building design (i.e., natural daylighting and on-site renewable, electricity generation); and
- Require that projects use efficient lighting

Finding: The City of Merced hereby finds that implementation of the migitation measures are feasible, and they are therefore adopted. The above mitigation measures would be expected to reduce project greenhouse gas emissions. However, buildout as proposed under the proposed project would produce emissions that would exceed San Joaquin Valley Air Pollution Control District thresholds. Implementation of the proposed project will have a **significant and unavoidable** impact and will require a Statement of Overriding Considerations.

Findings Regarding Less Than Significant Environmental Impacts

The EIR identifies the thresholds of significant utilized to determine the impacts in the various resource categories. The EIR finds that there are less than significant environmental impacts requiring no mitigation in the following subject areas: Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Land Use and Planning, Mineral Resources, Population and Housing, Recreation, Public Services, and Utilities. The City is not required to adopt mitigation measures as part of the General Plan for impacts that are considered less than significant.

C. Findings Associated With Significant Cumulative Environmental Effects (14 CCR Section 15130)

1. ***Agriculture and Forest Resources*** **–** The Demographic Research Unit of the California Department of Finance forecasts that the Valley's population will more than double by the year 2040 to almost 10 million people. According to the American Farmland Trust, if the land use trends of the 1990s continue and population forecasts are accurate, the Central Valley can expect to lose another 882,000 acres of farmland to urbanization and ranchette development by the year 2040. This would represent a 111% increase, bringing the total area of developed land in the Valley to 1.68 million acres. Unless things change, a significant amount of the additional land lost to agriculture will be high quality farmland, of which there is now only 6.3 million acres in the region. The annual value production capacity permanently lost to development will reach $814 million by the year 2040. Between now and then, the cumulative loss of farm gate sales will be around $17.7 billion (both figures in 2000 dollars).

New development in conformance with the proposed General Plan would contribute to these cumulative impacts. The proposed General Plan's policies and standards described in Section 3.2 would delay, reduce and partially offset Merced's contribution to these cumulative impacts. However, even after mitigation, Merced's contribution to cumulative impacts on agricultural resources in the region would remain ***cumulatively significant***.

Finding: Mitigation Measure 3.2-1 will serve to reduce the severity of cumulative impacts to agricultural resources; however, this measure is not sufficient to fully mitigate this impact, as loss of agricultural land on a cumulative basis will still occur. Implementation of the proposed project will have a **significant and unavoidable** impact and will require a Statement of Overriding Considerations.

2. ***Air Quality*** **–** Cumulative air quality impacts were considered in terms of the various land uses proposed under the proposed General Plan and the traffic projections generated by the traffic model. Due to the existing and projected air quality issues in the San Joaquin Valley Air Basin, the proposed General Plan would contribute considerable to a ***significant and unavoidable cumulative*** air quality impact.

Finding: Mitigation Measure 3.3-2 would be expected to reduce the severity of cumulative impacts to air quality. However, buildout as proposed under the project would produce stationary and mobile source operational emissions that would exceed San Joaquin Valley Air Pollution Control District thresholds and would result in a cumulatively significant impact. Implementation of the proposed project will have a **significant and unavoidable** impact and will require a Statement of Overriding Considerations.

3. ***Hydrology and Water Quality* –** Regarding groundwater depletion and recharge, Merced is within the Merced Sub-basin which is, according to the California Department of Water Resources, being subjected to critical conditions of overdraft. Also, a Groundwater Impacts Analysis prepared by Brown and Caldwell for the City of Merced indicates that there is groundwater overdraft in the City's service area, and that the rate of overdraft will continue to increase with future urban development.

   Finding: Mitigation Measure 3.8-5 will serve to reduce the severity of cumulative impacts to groundwater depletion and recharge; however, this measure is not sufficient to fully mitigate this impact, as overdraft will continue to occur on a cumulative basis. Implementation of the proposed project will have a **significant and unavoidable** impact and will require a Statement of Overriding Considerations.

4. ***Public Services (Electricity and Gas)* –** Growth in the region will continue to require construction/expansion of utility infrastructure, and as noted in Section 3.13, without definitive plans, it cannot be determined at this time whether these potential impacts would be substantial and would therefore have to be characterized as significant and unavoidable. Similar to any other development in areas of new growth, the construction of any future required utility infrastructure could also result in a variety of environmental impacts (i.e., light/glare, noise, odors, traffic, etc.) that cannot be mitigated. Due to these uncertainties, potential impacts resulting from the construction and/or expansion of any required private utility infrastructure remain ***cumulatively significant and unavoidable***.

   Finding: Implementation of the proposed project will have a **significant and unavoidable** impact and will require a Statement of Overriding Considerations.

5. ***Transportation/Traffic* –** Cumulative traffic impacts of the proposed General Plan are more fully described in Section 3.15 Transportation/Traffic in Chapter Three of this Draft EIR. The traffic model used considered growth under the Draft General Plan in conjunction with the projected regional growth for Merced County. Therefore, the transportation analysis of the General Plan is inherently cumulative in nature, because the implementation of the proposed project would take place over many years and would occur in conjunction with other growth and development throughout the region.

   As identified in Chapter Three, the proposed project would result in substantial increase in vehicular traffic on roadways in the SUDP/SOI resulting in a significant and unavoidable impact. Because this analysis was based on a cumulative model, the project's incremental contribution to traffic impacts would be ***cumulatively considerable***.

   Finding: Mitigation Measure 3.15-1 will serve to reduce the severity of cumulative impacts to transportation/traffic; however, this measure is not sufficient to fully mitigate this impact, as traffic impacts will continue to occur on a cumulative basis. Implementation of the proposed project will have a **significant and unavoidable** impact and will require a Statement of Overriding Considerations.

6. ***Greenhouse Gas Emissions (Global Climate Change)*** **–** Policies of the proposed General Plan will reduce global climate change impacts; however, buildout under the proposed General Plan will nonetheless result in a substantial amount of GHG emissions contributing to global climate change. Because it cannot be determined to a reasonable degree of certainty that buildout under the proposed General Plan will not result in a cumulatively considerable incremental contribution to the significant cumulative impact of global climate change, the impacts of the proposed project on global climate change are a ***significant , unavoidable and cumulatively considerable*** impact.

Finding: Mitigation Measure 3.17-1 will serve to reduce the severity of cumulative impacts to global climate change; however, this measure is not sufficient to fully mitigate this impact, as impacts to global climate change will continue to occur on a cumulative basis. Implementation of the proposed project will have a **significant and unavoidable** impact and will require a Statement of Overriding Considerations.

D. Findings Supporting Rejection of Alternatives

CEQA and the CEQA Guidelines require that an EIR "[d]describe a range of reasonable alternatives to the Project, or to the location of the Project, which could feasibly obtain the basic objectives of the Project…" (CEQA Guidelines 15126(d)). The objectives of the Project are as follows:

Statement of Project Intent and Objectives

The *Merced Vision 2030 General Plan* is a long-range plan intended to guide growth and development of the City through the Year 2030. During this period, the population of the City of Merced Specific Urban Development Plan (SUDP)/Sphere of Influence (SOI) area is expected to more than double from its present (2010) level of 80,985 to over 155,000. The U.C. Merced (UCM) campus had an enrollment of approximately 2,700 full time students in 2008 with an expected population impact on the area of approximately 5,000 full time students by the year 2012.

By the year 2035, the UC Merced campus is expected to contribute approximately 37,135 people to the urban growth of the City's urban area; the urban population of Merced is expected to approach 200,000 people by 2035.

The *Merced Vision 2030 General Plan* aims to achieve the following guiding principles as well as many others. (A complete summary of the General Plan's goals and policies can be found in Table 2-2 of this Chapter):

- Expansion of the Sphere of Influence and City boundary with phasing of development to avoid premature conversion of agricultural land and to plan for cost-effective extension of municipal services.

- Foster compact and efficient development patterns.

- Connectivity between existing and planned urban areas. Examples include the northeast area toward UCM, the University Community, and South Merced.

- Merced as the single municipal service provider in the expanded sphere of influence.

- New development provides or pays its fair share of public services and facilities to avoid burdening existing city residents (in short, new growth pays for itself).

- Mixed-use, transit and pedestrian friendly urban villages in growth areas with direct access to commercial cores from surrounding neighborhoods.

- Commercial nodes in new growth areas to avoid the aesthetic and circulation issues associated with more common "strip commercial".

- Circulation: Recognition of the cost and importance of the arterial street system and protect capacity with access standards. Designs that encourage all modes of transportation.

- Build community quality. High community standards for Merced's services, infrastructure, and private development as a strategy for attracting business and industry and to benefit the City's residents.

- Planning well in advance for industrial/business park uses and for the infrastructure needed to support such development.

- A diversity of housing types and opportunities.

- Encouraging Sustainable and "Green" Development.

- Planning for the provision of infrastructure ahead of development.

- Maintaining Merced's high quality of life and keeping it a nice place to live.

- Encouraging new research parks and the use of new technologies.

- Protection of the Merced Regional Airport as an important community asset.

- Maintaining a quality educational environment for pre-school, K-12, and higher education.

- Maintaining our quality parks and recreation systems, including the bike path system.

- Encouraging a healthy community through improved medical facilities, air quality, parks & recreation opportunities, etc.

Intent

In broad terms, the *Merced Vision 2030 General Plan* is a strategy for accommodating population growth in a manner that minimizes adverse "physical" impacts of growth and development. "Physical" adverse impacts are within the purview of CEQA. Social and economic impacts are typically beyond the scope of CEQA, and this Program EIR, unless they will result in a "physical" impact (CEQA Guidelines Section 15131).

The *Merced Vision 2030 General Plan* relies on the concept of "sustainable development" as a means of accommodating expected future growth. In application, the term "sustainable development" in the City of Merced is defined in Chapter 8 of the *Merced Vision 2030 General Plan* and means accommodating growth and development without unnecessarily:

- Consuming valuable and limited agricultural soils,
- Contaminating or over-taxing water supplies,

- Destroying or diminishing the value of important wildlife habitat,
- Reducing air quality to a point where our quality of life is threatened,
- Consuming limited non-renewable energy resources, or
- Destroying cultural and historical resources.

Plan Objectives

The *Merced Vision 2030 General Plan* contains a comprehensive set of goals and policies that establish the planning philosophy that will direct future City growth. To achieve its purpose of providing for future population growth, the plan contains land use policies that provide adequate area for housing, employment and commercial activities. The plan also contains policies and standards for the provision of public services and infrastructure necessary to support future population growth.

Beyond the physical needs of future population growth, the plan contains design and open space provisions. These provisions provide an important element to the planning process. Future growth and development are expected to contribute to the overall well being of the community while preserving and enhancing the City's present quality of life.

From the standpoint of "sustainable growth," the *Merced Vision 2030 General Plan* contains provisions to ensure that future growth and development:

- Are directed away from concentrations of "prime" agricultural soils,

- Conserve water and do not over-tax or contaminate the region's water resources,

- Preserve and protect important area wildlife habitat,

- Promote development which minimizes adverse growth related impacts on the region's air quality,

- Conserve non-renewable energy resources, and,

- Preserve important area cultural and historic resources.

The CEQA Guidelines indicate that an EIR must "describe a range of reasonable alternatives to the project, or to the location of the project, which could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives" (Guidelines Sec. 15126.6[a]). Accordingly, the alternatives selected for review pursuant to this EIR focus on: (a) the specific General Plan policies pertaining to project site and (b) alternatives that could eliminate or reduce significant environmental impacts to a level of insignificance, consistent with the project objectives (i.e., the alternatives could impede to some degree the attainment of project

objectives, but still would enable the project to obtain its basic objectives). The alternatives analyzed in the following sections include:

- Existing General Plan (No Project) Alternative
- Reduced Project Area Alternative
- Concentrated Growth Alternative

According to the CEQA Guidelines, two primary provisions are necessary for an adequate alternative site analysis - feasibility and location. The EIR should consider alternate project locations if a significant project impact could be avoided or substantially lessened by moving the project to an alternate site. An alternative site for the proposed project would not be feasible because the project consists of the update of the City of Merced's General Plan. The project is, by definition, located in and around the City of Merced. Since the project consists of a plan update for a specific area, an alternative location for this project is not feasible.

A discussion of an infeasible alternative site would not meet the "rule of reason" under CEQA and this alternative was eliminated from further consideration in the EIR.

Based on all the information in the record, the City Council makes the following findings regarding the alternatives to the General Plan discussed in the EIR.

Alternative 1 – Existing General Plan (No Project) Alternative

1. Brief Description. The No Project Alternative is required under CEQA. Under the "No Project" or existing General Plan alternative, development would occur as allowed under the existing LAFCO approved SOI with the same General Plan Land Use map in effect (reference Figure 2-3). The land use designations established by the existing General Plan would accommodate a residential population ranging between 139,899 and 298,614 persons. Lands currently used or planned for longer term agricultural use would continue in that use with the associated impacts. Policies in the existing General Plan would remain the same and would not be updated to address current issues such as new flood regulations and greenhouse gas emissions.

   Such a scenario would potentially result in reduced impacts to agricultural resources, biology, cultural resources, geology and soils, hazards and hazardous materials, noise, public services, transportation and circulation, and utilities and service systems.

2. Findings. The City Council finds that the No Project Alternative is less desirable than the Project and rejects the No Project Alternative for the following reasons:

   a) The adoption of the No-Project/Existing General Plan Alternative would leave the City open for future growth that may not be compatible with the goals and objectives of the City. The No-Project/Existing General Plan Alternative fails to accomplish the

project objectives in the City's vision and has other potential environmental impacts resulting from its implementation.

b) Specific economic, legal, social, technological, or other considerations, as described in the Statement of Overriding Considerations, make infeasible this project alternative identified in the FEIR (Public Resources Code § 21081(a)(3), Guidelines § 15091(a)(3)).

Alternative 2 – Reduced Project Area Alternative

1. Brief Description. The Reduced Project Area Alternative would update the General Plan elements and policies, but would restrict growth to a smaller area. In this Alternative, the two Community Plan areas identified in the northwest and southwest corners of the 2030 Plan area are deleted from the proposed Project. This alternative was considered feasible because the City could grow at a slower pace than is being planned for. Further, the potential population under the proposed General Plan at buildout (between 152,063 and 328,956 persons) exceeds that projected for 2030 (116,800).

   The alternative would potentially create reduced impacts to agricultural resources, air quality, biological resources, cultural resources, geology and soils, global climate change hazards and hazardous materials, hydrology and water quality, noise, public services, transportation and circulation, and utilities and service systems. However, some impacts, such as air quality and agricultural resources would remain significant.

2. Findings. The City Council finds that the Reduced Project Area Alternative is less desirable than the Project and rejects the Alternative for the following reasons:

   a) Mitigation Measures incorporated into the Project, or otherwise being adopted by the City Council through the EIR, will substantially lessen or avoid most of the environmental effects of the Project, thereby diminishing or obviating the perceived mitigating or impact avoiding benefits of adopting the Reduced Area Alternative.

   b) Specific economic, legal social, technological, or other considerations, as described in the Statement of Overriding Considerations, make infeasible this project alternative identified in the FEIR (Public Resources Code § 21081(a)(3). Guidelines § 15091(a)(3).

   c) The Alternative would not accomplish all of the Project objectives.

Alternative 3 – Concentrated Growth Alternative

1. Brief Description. The Concentrated Growth Alternative assumes approximately the same number of residential units at buildout as the proposed General Plan, as well as the same goals, objectives, and policies. The density of residential development would increase to reduce the amount of land needed to provide the same growth capacity.

Residential land use densities near and within proposed village locations and Transit Oriented Development (TOD) corridors would be increased significantly (25-50%), and minimum densities would be imposed. As a result, more of the land in the Planning Area would be left in open space or agricultural use.

Such a scenario would potentially create reduced impacts related to aesthetics, agricultural resources, air quality, biological resources, cultural resources, global climate change, public services, transportation and circulation, and utilities and service systems. However, some impacts, such as air quality and agricultural responses would remain significant.

2. Findings. The City Council finds that the Concentrated Growth Alternative is less desirable than the Project and rejects the Alternative for the following reasons:

   a) Mitigation Measures incorporated into the Project, or otherwise being adopted by the City Council through the EIR, will substantially lessen or avoid most of the environmental effects of the Project, thereby diminishing or obviating the perceived mitigating or impact avoiding benefits of adopting the Concentrated Growth Alternative.

   b) Specific economic, legal, social, technological, or other considerations, as described in the Statement of Overriding Considerations, make infeasible this project alternative identified in the FEIR (Public Resources Code § 21081(a)(3), Guidelines § 15091(a)(3).

   c) The Alternative would not accomplish all of the Project objectives.

Conclusion Regarding Alternatives Not Chosen

In accordance with the *CEQA Guidelines*, a reasonable range of project alternatives have been evaluated for their comparative environmental superiority. Based on the analyses developed in this EIR, the Reduced Project Area Alternative is the environmentally superior alternative because it reduces more potential impacts than other alternatives relative to the proposed General Plan and serves to reduce the severity of three significant cumulative impacts (agriculture, air quality, and transportation/traffic). The No Project alternative (existing General Plan) is inferior to the proposed General Plan and other alternatives because it fails to achieve the objectives of the proposed General Plan.

A review of the foregoing alternatives reveals that the Project is the superior alternative for achieving the goals established for the Project and the City of Merced while minimizing impacts to the environment. For all of the reasons discussed above, each of the alternatives are not superior to the Project because they compromise one or more of the Project objectives. Accordingly, pursuant to CEQA Guidelines Section 15126.6, the City Council finds that the EIR has considered a reasonable range of alternatives to the Project and that such alternatives considered are not preferable to the Project as proposed.

E. Statement of Overriding Considerations

CEQA requires decision-makers to balance the benefits of the proposed project against its unavoidable environmental risks in determining whether to approve the project under consideration. If the benefits of the project outweight the unavoidable adverse effects, those effects may be considered "acceptable" (State CEQA Guidelines Section 15093[a]). However, CEQA requires the agency to explain, in writing, the specific reasons for considering a project acceptable when significant impacts are infeasible to mitigate. Such reasons must be based on substantial evidence in the EIR or elsewhere in the administrative record (State CEQA Guidelines Section 15093[b]). The agency's statement is referred to as a "Statement of Overriding Considerations".

In approving the Project which is evaluated in the Final Environmental Impact Report (FEIR), the City makes the following Statement of Overriding Considerations in support of its findings on the FEIR. The City Council has considered the information contained in the FEIR and has fully reviewed and considered the public testimony and record in this proceeding.

The City Council has carefully balanced the benefits of the Project against any adverse impacts identified in the EIR that could not be feasibly mitigated to a level of insignificance. Notwithstanding the identification and analysis of the impacts which are identified in the EIR as being significant and potentially significant which have not been eliminated, lessened, or mitigated to a level of insignificance, the City Council acting pursuant to Section 15093 of the State CEQA Guidelines, hereby determines that the benefits of the Project outweigh the unmitigated adverse impacts and should be approved. The EIR describes certain environmental impacts which cannot be avoided if the Project is implemented. In addition, the EIR describes certain potential impacts, which, although substantially mitigated or lessened, are not mitigated to a point of environmental insignificance. This Statement of Overriding Considerations applies specifically to those impacts found to be significant and unavoidable as set forth in the EIR and the public hearing records.

All of the significant impacts associated with the Project have been mitigated to a level of insignificance except for the following: agricultural and forest resources (project and cumulative level), air quality (project and cumulative level), hydrology and water quality (cumulative level), public services: electricty and gas (cumulative level), transportation/traffic (project and cumulative level), and greenhouse gas emissions (project and cumulative level).

Specific Findings

1. Project Benefits Outweigh Unavoidable Impacts. The unavoidable impacts of the Project are acceptable in light of the long-term economic, fiscal, social, environmental, land-use and other considerations set forth herein.

The Project will result in unavoidable environmental changes, some of which may be detrimental to the area's residents, businesses and the environment. These detrimental changes, however, are outweighed by the following Project benefits:

- Expansion of the Sphere of Influence and City boundary with phasing of development to avoid premature conversion of agricultural land and to plan for cost-effective extension of municipal services.
- Foster compact and efficient development patterns.
- Connectivity between existing and planned urban areas. Examples include the northeast area toward UCM, the University Community, and South Merced.
- Merced as the single municipal service provider in the expanded sphere of influence.
- New development provides or pays its fair share of public services and facilities to avoid burdening existing city residents (in short, new growth pays for itself).
- Mixed-use, transit and pedestrian friendly urban villages in growth areas with direct access to commercial cores from surrounding neighborhoods.
- Commercial nodes in new growth areas to avoid the aesthetic and circulation issues associated with more common "strip commercial".
- Circulation: Recognition of the cost and importance of the arterial street system and protect capacity with access standards. Designs that encourage all modes of transportation.
- Build community quality. High community standards for Merced's services, infrastructure, and private development as a strategy for attracting business and industry and to benefit the City's residents.
- Planning well in advance for industrial/business park uses and for the infrastructure needed to support such development.
- A diversity of housing types and opportunities.
- Encouraging Sustainable and "Green" Development.
- Planning for the provision of infrastructure ahead of development.
- Maintaining Merced's high quality of life and keeping it a nice place to live.
- Encouraging new research parks and the use of new technologies.
- Protection of the Merced Regional Airport as an important community asset.
- Maintaining a quality educational environment for pre-school, K-12, and higher education.
- Maintaining our quality parks and recreation systems, including the bike path system.
- Encouraging a healthy community through improved medical facilities, air quality, parks & recreation opportunities, etc.

Merced has limited capacity for growth, so these objectives would be applied toward existing development as much as toward new projects. The application of these objectives toward existing development would improve the City's impact on the environment by enhancing open spaces and parks and by encouraging alternative transportation modes. They would have beneficial effects on the economic and cultural conditions of the City.

2. Balance of Competing Goals. The City Council finds it is imperative to balance competing goals in approving the Project and the environmental documentation of the Project. Not every environmental concern has been fully satisfied because of the need to satisfy competing concerns to a certain extent. The City Council has chosen to accept certain significant environmental impacts because complete eradication of impacts would unduly compromise some other important economic, social, or other goals. The City Council finds and determines that the Project proposal and the supporting environmental documentation provide for a positive balance of the competing goals that the economic, fiscal, social, environmental, land-use and other benefits to be obtained by the Project outweigh any remaining environmental and related potential detriment of the Project.

Overriding Considerations

Based upon the objectives identified in the Project and EIR and through the extensive public participation, the City Council has determined that the Project should be approved and that any implementation of the Merced General Plan Update would have environmental, economic, and social benefits that outweigh the unavoidable adverse environmental impacts of the physical development of the City.

Upon balancing the environmental risks and countervailing economic, social and environmental benefits, the City concludes that the benefits which the City will derive from the implementation of the General Plan outweigh those environmental risks, due to the following overriding considerations:

- The General Plan Update is critical in achieving the City's economic development and job creation goals by fostering a positive climate for investment, providing a supply of land that is appropriately located and designated for desired uses, ensuring the readiness of physical conditions to support development.

- The General Plan Update promotes social equity be ensuring adequate housing for all income levels; providing open government that values public participation; promoting local goods and cultures; promoting community health through a safe circulation system with multi-modal transportation options; and providing parks and quality public services to all members of the community.

- Implementation of the General Plan Update will serve as a foundation in making land use decisions based on goals and polices related to land use, transportation routes, population growth and distribution, development, open space, resource preservation and utilization, air and water quality, noise impacts, safety issues and other related physical, social, and economic development factors.

- Implementation of the General Plan Update will comply with State requirements and, more importantly, will provide the City, its residents, land owners and businesses, staff and policy

makers and all stakeholders with a comprehensive, long-range policy guideline for future development.

- The City finds that this level of comprehensive planning is desirable and that it provides a more environmentally sustainable vision and development plan for the City than the previously adopted General Plan.

Based upon these land use and environmental considerations, the City Council has determined that any environmental detriment caused by the General Plan has been minimized to the extent feasible, and where not feasible, has been outweighed and counterbalanced by the significant economic, fiscal, social, environmental and land-use benefits to be generated to the City.

SECTION FIVE

MITIGATION MONITORING AND REPORTING PROGRAM

EXHIBIT 2 OF ATTACHMENT 9

SECTION FIVE
MITIGATION MONITORING AND REPORTING PROGRAM

Section 21081.6 of the California Environmental Quality Act (CEQA) requires a public agency to adopt a reporting or monitoring program in those cases where the public agency finds that changes or alterations have been required in, or incorporated into, a project, and that those changes mitigate or avoid a significant effect on the environment. A public agency may delegate the monitoring or reporting responsibilities to another public agency or private entity that accepts the delegation, but the lead agency remains responsible for ensuring that the mitigation measures have been implemented (CEQA Guidelines § 15097).

Table 5-1 identifies each mitigation measure identified in the Program Environmental Impact Report, and identifies the monitoring or reporting program, and timing for such efforts.

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Table 5-1
Mitigation Monitoring and Reporting Program (MMRP)

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
3.1 Aesthetics			
3.1-4	The following guidelines and standards will be followed in selecting and designing any outdoor lighting: 1. All outdoor lights including parking lot lights, landscaping, security, path and deck lights should be fully shielded, full cutoff luminaries. 2. Complete avoidance of all outdoor up-lighting for any purpose. 3. Avoidance of tree mounted lights unless they are fully shielded and pointing down towards the ground or shining into dense foliage. Ensure compliance over time. 4. Complete avoidance of up-lighting and unshielded lighting in water features such as fountains or ponds.	**Implementation:** City of Merced **Monitoring:** Planning Division	Ongoing / Prior to Approval of Discretionary Projects
3.2 Agriculture and Forest Resources			
3.2-1	The City will encourage property owners outside the City limits but within the SUDP/SOI to maintain their land in agricultural production until the land is converted to urban uses. The City will also work cooperatively with land trusts and other non-profit organizations to preserve agricultural land in the region. This may include the use of conservation easements. Infill development will be preferred and encouraged over fringe development. Sequential and contiguous development is also preferred and encouraged over leap-frog development.	**Implementation:** City of Merced **Monitoring:** Planning Division	Ongoing / Prior to Approval of Discretionary Projects
3.3 Air Quality			
3.3-1a	For any phase of construction in which an area greater than 22 acres, in accordance with Regulation VIII of the SJVAPCD, will be disturbed on any one day, the project developer(s) shall implement the following measures:	**Implementation:** City of Merced/SJVAPCD	Ongoing / Prior to Approval of Discretionary Projects

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
	1. Basic fugitive dust control measures are required for all construction sites by SJVAPCD Regulation VIII. 2. Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent. 3. Traffic speeds on unpaved roads shall be no greater than 15 mph. 4. Install wind breaks at windward side(s) of construction areas.	**Monitoring:** Planning Division	
3.3-1b	To reduce emissions and thus reduce cumulative impacts, the City of Merced shall consider adoption of an ordinance requiring the following measures to be implemented in conjunction with construction projects within the City: 1. The idling time of all construction equipment used in the plan area shall not exceed ten minutes when practicable. 2. The hours of operation of heavy-duty equipment shall be minimized when practicable. 3. All equipment shall be properly tuned and maintained in accord with manufacturer's specifications when practicable. 4. When feasible, alternative fueled or electrical construction equipment shall be used at the project site. 5. The minimum practical engine size for construction equipment shall be used when practicable. 6. When feasible, electric carts or other smaller equipment shall	**Implementation:** City of Merced/SJVAPCD **Monitoring:** Planning Division	Ongoing / Prior to Approval of Discretionary Projects

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
	be used at the project site. 7. Gasoline-powered equipment shall be equipped with catalytic converters when practicable.		
3.3-2	The following BACT (Best Available Control Technology) installations and mitigation shall be considered for new discretionary permits, to the extent feasible as determined by the City: • Trees shall be carefully selected and located to protect building(s) from energy consuming environmental conditions, and to shade paved areas when it will not interfere with any structures. Trees should be selected to shade paved areas that will shade 50% of the area within 15 years. Structural soil should be used under paved areas to improve tree growth. • If transit service is available to a project site, development patterns and improvements shall be made to encourage its use. If transit service is not currently available, but is planned for the area in the future, easements shall be reserved to provide for future improvements such as bus turnouts, loading areas, route signs and shade structures. • Multi-story parking facilities shall be considered instead of parking lots to reduce exposed concrete surface and save green space. • Sidewalks and bikeways shall be installed throughout as much of any project as possible, in compliance with street standards, and shall be connected to any nearby existing and planned open space areas, parks, schools, residential areas, commercial areas, etc., to encourage walking and bicycling.	**Implementation:** City of Merced/SJVAPCD **Monitoring:** Planning Division	Ongoing / Prior to Approval of Discretionary Projects

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
	• Projects shall encourage as many clean alternative energy features as possible to promote energy self-sufficiency. Examples include (but are not limited to): photovoltaic cells, solar thermal electricity systems, small wind turbines, etc. Rebate and incentive programs are offered for alternative energy equipment. As many energy-conserving features as possible shall be included in the individual projects. Energy conservation measures include both energy conservation through design and operational energy conservation. Examples include (but are not limited to): • Increased energy efficiency (above California Title 24 Requirements) • Energy efficient windows (double pane and/or Low-E) • Use Low and No-VOC coatings and paints • High-albedo (reflecting) roofing material • Cool Paving. "Heat islands" created by development projects contribute to the reduced air quality in the valley by heating ozone precursors • Radiant heat barrier • Energy efficient lighting, appliances, heating and cooling systems • Install solar water-heating system(s) • Install photovoltaic cells		

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
	• Install geothermal heat pump system(s) • Programmable thermostat(s) for all heating and cooling systems • Awnings or other shading mechanism for windows • Porch, patio and walkway overhangs • Ceiling fans, whole house fans • Utilize passive solar cooling and heating designs (e.g. natural convection, thermal flywheels) • Utilize daylighting (natural lighting) systems such as skylights, light shelves, interior transom windows etc. • Electrical outlets around the exterior of the unit(s) to encourage use of electric landscape maintenance equipment • Bicycle parking facilities for patrons and employees in a covered secure area. Bike storage should be located within 50' of the project's entrance. Construct paths to connect the development to nearby bikeways or sidewalks • On-site employee cafeterias or eating areas • Low or non-polluting landscape maintenance equipment (e.g. electric lawn mowers, reel mowers, leaf vacuums, electric trimmers and edger's, etc.) • Pre-wire the unit(s) with high speed modem connections/DSL and extra phone lines • Natural gas fireplaces (instead of wood-burning fireplaces or		

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
	heaters) • Natural gas lines (if available) and electrical outlets in backyard or patio areas to encourage the use of gas and/or electric barbecues • Low or non-polluting incentives items should be provided with each residential unit (such items could include electric lawn mowers, reel mowers, leaf vacuums, gas or electric barbecues, etc.)		
3.4 Biological Resources			
3.4-1a	**Vernal Pools and Vernal Pool Associates** To protect vernal pools and species associated with vernal pools including vernal pool smallscale, succulent owl's-clover, pincushion navarretia, Colusa grass, hairy Orcutt grass, spiny-sepaled button celery, San Joaquin Orcutt grass, Greene's tuctoria, Conservancy fairy shrimp, vernal pool fairy shrimp, Midvalley fairy shrimp, vernal pool tadpole shrimp, California linderiella, and Molestan blister beetle, surveys shall be conducted to determine the presence of vernal pools prior to or concurrent with application for annexation in areas identified as having potential habitat. Surveys to detect vernal pools are most easily accomplished during the rainy season or during early spring when pools contain water, although surveys shall not be limited to a particular season or condition. If vernal pools are found to occur on a project site, the pools and a 100 foot-wide buffer around each pool or group of pools will be observed. If the vernal pools and buffer areas cannot be avoided, then the project proponent must consult with and obtain authorizations from, but not limited to, the California Department of Fish and Game, the United States Fish and Wildlife Service, the Army Corps of Engineers, and the State Water Resources Quality	**Implementation:** City of Merced / USFWS / CDFG / ACOE / RWQCB **Monitoring:** Planning Division	Ongoing / Prior to Approval of Discretionary Projects

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
	Control Board. Consultation and authorizations may require that additional surveys for special-status species be completed. Because there is a federal policy of no net loss of wetlands, mitigation to reduce losses and compensation to offset losses to vernal pools and associated special-status species will be required.		
3.4-1b	**Special-Status Plants** To protect special-status plants, the City shall ensure that a botanical survey be conducted for projects containing habitat suitable for special-status plant species. Surveys shall be conducted by a qualified biologist or botanist during the appropriate flowering season for the plants and shall be conducted prior to issuance of a grading or building permit for the project. If special-status plants are found to occur on the project site, the population of plants shall be avoided and protected. If avoidance and protection is not possible, then a qualified biologist will prepare a mitigation and monitoring plan for the affected species. The plan shall be submitted to the CDFG and/or the USFWS for review and comment. Details of the mitigation and monitoring plan shall include, but not be limited to: • Removing and stockpiling topsoil with intact roots and seed bank in the disturbance area, and either replacing the soil in the same location after construction is complete or in a different location with suitable habitat; or • Collect plants, seeds, and other propogules from the affected area prior to disturbance. After construction is complete, then the restored habitat will be replanted with propogules or cultivated nursery stock; or	**Implementation:** City of Merced / USFWS / CDFG **Monitoring:** Planning Division	Ongoing / Prior to Approval of Discretionary Projects

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
3.4-1c	**Valley Elderberry Longhorn Beetle** Until such time that the Valley elderberry longhorn beetle (VELB) is delisted as a federally threatened species, to protect the species, the project proponent shall ensure that a survey for elderberry bushes be conducted by a qualified biologist at each project site containing habitat suitable for VELB prior to the issuance of a grading permit or building permit. If elderberry bushes are found, the project proponent shall implement the measures recommended by the biologist, which shall contain the standardized measures adopted or otherwise authorized by the USFWS.	**Implementation:** City of Merced / USFWS **Monitoring:** Planning Division	Ongoing / Prior to Approval of Discretionary Projects
3.4-1d	**Burrowing Owls** To protect burrowing owls on proposed projects where suitable habitat exists, the following shall be implemented: • To protect burrowing owls, preconstruction surveys shall be conducted by a qualified biologist at all project sites that contain grasslands, fallowed agricultural fields, or fallow fields along roadsides, railroad corridors, and other locations prior to grading. If, during a pre-construction survey, burrowing owls are found to be present, the project proponent shall implement the measures recommended by the biologist and include the standardized avoidance measures of CDFG.	**Implementation:** City of Merced / CDFG **Monitoring:** Planning Division	Ongoing / Prior to Approval of Discretionary Projects
3.4-1e	**Special-Status Birds** To protect raptors and other special-status birds on proposed projects where suitable habitat exists, the following measures shall be implemented: • Trees identified with occupied nests of special status birds which are scheduled to be removed because project	**Implementation:** City of Merced / CDFG **Monitoring:** Planning Division	Ongoing / Prior to Approval of Discretionary Projects

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
	implementation shall be removed only during the non-breeding season, or unless it is determined by a qualified biologist that the nest is no longer occupied. • Prior to construction, but not more than 14 days before grading, demolition, or site preparation activities, a qualified biologist shall conduct a preconstruction nesting survey to determine the presence of nesting raptors. Activities taking place outside of the breeding season (typically February 15 through August 31) do not require a survey. If active raptor nests are present within the construction zone or within 250-feet of the construction zone, temporary exclusion fencing shall be erected at a distance to be determined by a qualified raptor biologist in consultation with CDFG. Clearing and construction operations within this area shall be postponed until juveniles have fledged and there is no evidence of a second nesting attempt determined by the biologist. • If nesting Swainson's hawks are observed during field surveys, then consultation with the CDFG regarding Swainson's hawk mitigation guidelines shall be required. The guidelines include, but are not limited to, buffers of up to one quarter mile, monitoring of the nest by a qualified biologist, and mitigation for the loss of foraging habitat. • To avoid impacts to common and special-status migratory birds pursuant to the Migratory Bird Treaty Act and CDFG codes, a nesting survey shall be conducted prior to construction activities if the work is scheduled between February 15 and August 31. If migratory birds are identified nesting within the construction zone, a temporary buffer around the nest site will be designated by a qualified biologist in consultation with CDFG. No construction activity may occur within this buffer until a qualified biologist has determined that the young have		

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
	fledged. A qualified biologist may modify the size of the buffer based on site conditions and the bird's apparent acclimation to human activities. If the buffer is modified, the biologist would be required to monitor stress levels of the nesting birds for at least one week after construction commences to ensure that project activities would not cause ite abandonment or loss of eggs or young. At any time the biologist shall have the right to implement a larger buffer if stress levels are elevated to the extent that could cause nest abandonment and/or loss of eggs or young.		
3.4-1f	**Special-Status Amphibians** To protect California tiger salamander and western spadefoot on proposed projects where suitable habitat exists, the following shall be implemented: • To protect special-status amphibians, a project specific site assessment report, including protocol-level surveys, when indicated, shall be prepared by a qualified and permitted biologist at all project sites that contain appropriate habitat. If this site assessment report reveals that special status amphibians are found to be present, the project proponent shall implement the measures recommended by the biologist and standardized measures adopted by the USFWS or the CDFG.	**Implementation:** City of Merced / USFWS / CDFG **Monitoring:** Planning Division	Ongoing / Prior to Approval of Discretionary Projects
3.4-1g	**Special-Status Reptiles** To protect western pond turtle and giant garter snake on proposed projects where suitable habitat exists, the following shall be implemented: • To protect special-status reptiles, preconstruction surveys shall be conducted by a qualified biologist at all project sites that	**Implementation:** City of Merced / USFWS / CDFG **Monitoring:** Planning Division	Ongoing / Prior to Approval of Discretionary Projects

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
	contain appropriate habitat. If, during a pre-construction survey, special-status reptiles are found to be present, the project proponent shall implement the measures recommended by the biologist and standardized measures adopted by the USFWS or the CDFG.		
3.4-1h	**Special-Status Fish** To protect special-status fish, including hardhead, on proposed projects where suitable habitat exists, the following shall be implemented: • To protect special-status fish, a habitat assessment will be conducted to ascertain whether suitable habitat for special-status fish species is present. Should suitable habitat for special-status fish species (such as hardhead) be identified, the California Department of Fish and Game will be consulted to determine whether preconstruction surveys are warranted.	**Implementation:** City of Merced / CDFG **Monitoring:** Planning Division	Ongoing / Prior to Approval of Discretionary Projects
3.4-1i	**Special-Status Mammals** To protect Merced kangaroo rat, western mastiff bat, western red bat, hoary bat, Yuma myotis, San Joaquin pocket mouse, American badger, and San Joaquin kit fox on proposed projects where suitable habitat exists, the following shall be implemented: • To protect special-status mammals, a habitat assessment shall be conducted on each project site prior to construction to ascertain whether habitat suitable for supporting special status mammals exists on the project site. If suitable habitat is present, preconstruction surveys shall be conducted by a qualified biologist at all project sites that contain appropriate habitat according to established standards or protocols of the CDFG or USFWS, if available for that species. If during the	**Implementation:** City of Merced / USFWS / CDFG **Monitoring:** Planning Division	Ongoing / Prior to Approval of Discretionary Projects

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
	preconstruction survey, special-status mammals are found to be present, the project proponent shall implement the measures recommended by the biologist and measures adopted by the USFWS or the CDFG.		
3.4-2	**Streambed Alteration Agreement** To minimize impacts to riparian habitat and other sensitive natural communities, the following the measures shall be implemented when streambed alterations are proposed: • The project proponent shall have a qualified biologist map all riparian habitat, or other sensitive natural communities. To the extent feasible and practicable, all planned construction activity shall be designed to avoid direct effects on these areas. • In those areas where complete avoidance is not possible, then all riparian habitat, or other sensitive natural communities, shall be mitigated on a "no-net-loss" basis in accordance with either CDFG regulations and/or a Section 1602 Streambed Alteration Agreement, if required. Habitat mitigation shall be replaced at a location and with methods acceptable to the CDFG.	**Implementation:** City of Merced / CDFG **Monitoring:** Planning Division	Ongoing / Prior to Approval of Discretionary Projects
3.4-3a	**Conduct a delineation of Waters of the U.S. and Wetlands (WOUS/Wetlands) and Obtain Permits.** In order to determine if there are wetlands or waters of the U.S. on a proposed project site which fall under the U.S. Army Corps of Engineers (Corps) jurisdictional authority under Section 404 of the CWA, a delineation of the Waters of the U.S. and wetlands shall be performed and submitted to the Corps for verification prior to annexation.	**Implementation:** City of Merced / ACOE / RWQCB **Monitoring:** Planning Division	Ongoing / Prior to Approval of Discretionary Projects

<table>
<tr><th>Mitigation #</th><th>Mitigation Measure</th><th>Implementing Agency / Monitoring Agency</th><th>Timing</th></tr>
<tr><td></td><td>A Section 404 permit and a Section 401 Water Quality Certification or Waiver of Waste Discharge shall be acquired from the Corps and the Regional Water Quality Control Board (RWQCB) and a Section 1602 Streambed Alteration Agreement from DFG respectively prior to the onset of construction related activities.</td><td></td><td></td></tr>
<tr><td>3.4-3b</td><td>Any jurisdictional waters that would be lost or disturbed due to implementation of any proposed project within the plan area shall be replaced or rehabilitated on a “no-net-loss” basis in accordance with the Corps’ and the RWQCB mitigation guidelines. Habitat restoration, rehabilitation, and/or replacement if required shall be at a location and by methods agreeable to the Corps, the RWQCB, and the City of Merced. The project applicant shall abide by the conditions of any executed permits.</td><td>Implementation:
City of Merced / ACOE / RWQCB

Monitoring:
Planning Division</td><td>Ongoing / Prior to Approval of Discretionary Projects</td></tr>
<tr><td colspan="4">3.11 Noise</td></tr>
<tr><td>3.11-4</td><td>Table 3.11-13 provides criteria for evaluating construction vibration impacts. If construction activities include the use of pile drivers or large vibratory compactors, an analysis of potential vibration impacts should be conducted. The vibration impacts should not exceed a peak particle velocity of 0.1 inches/second.

Table 3.11-13
Effects of Vibration on People and Buildings
<table>
<tr><th>Peak Particle Velocity inches/second</th><th>Peak Particle Velocity mm/second</th><th>Human Reaction</th><th>Effect on Buildings</th></tr>
<tr><td>0-.006</td><td>0.15</td><td>Imperceptible by people</td><td>Vibrations unlikely to cause damage of any type</td></tr>
<tr><td>.006-.02</td><td>0.5</td><td>Range of Threshold of perception</td><td>Vibrations unlikely to cause damage of any type</td></tr>
<tr><td>.08</td><td>2.0</td><td>Vibrations clearly perceptible</td><td>Recommended upper level of which ruins and ancient monuments should be subjected</td></tr>
</table></td><td>Implementation:
City of Merced

Monitoring:
Planning Division</td><td>Ongoing / Prior to Approval of Discretionary Projects</td></tr>
</table>

<table>
<tr><th>Mitigation #</th><th>Mitigation Measure</th><th>Implementing Agency / Monitoring Agency</th><th>Timing</th></tr>
<tr><td></td><td>
<table>
<tr><td>0.1</td><td>2.54</td><td>Level at which continuous vibrations begin to annoy people</td><td>Virtually no risk of architectural damage to normal buildings</td></tr>
<tr><td>0.2</td><td>5.0</td><td>Vibrations annoying to people in buildings</td><td>Threshold at which there is a risk of architectural damage to normal dwellings</td></tr>
<tr><td>1.0</td><td>25.4</td><td></td><td>Architectural Damage</td></tr>
<tr><td>2.0</td><td>50.4</td><td></td><td>Structural Damage to Residential Buildings</td></tr>
<tr><td>6.0</td><td>151.0</td><td></td><td>Structural Damage to Commercial Buildings</td></tr>
</table>
Source: Survey of Earth-borne Vibrations due to Highway Construction and Highway Traffic, Caltrans 1976.
</td><td></td><td></td></tr>
<tr><td colspan="4">3.15 Transportation/Traffic</td></tr>
<tr><td>3.15-1a</td><td>Table 3.15-4 indicates the recommended number of travel lanes for several of the road segments analyzed to keep traffic levels-of-service at the City's preferred LOS "D" at General Plan buildout. Implementation of the following projects will permit the City to manage its traffic volumes at Level of Service "D", or better:

1. SR 59 from 16th to Olive (2 lanes to 6 lanes) Existing LOS=F / Future LOS=D

2. SR 59 from Olive to Yosemite (2 lanes to 6 lanes) Existing LOS=C+ / Future LOS=D

3. SR 59 from Yosemite to Cardella (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=D

4. SR 59 from Cardella to Bellevue (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=D

5. SR 59 from Bellevue to Old Lake (2 lanes to 6 lanes) Existing LOS=C+ / Future LOS=C</td><td>Implementation:
City of Merced

Monitoring:
Planning Division</td><td>As Appropriate</td></tr>
</table>

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
	6. SR 59 from Old Lake to Castle Farms (2 lanes to 6 lanes) Existing LOS=C+ / Future LOS=D 7. "R" Street from Old Lake to Area of Influence Boundary (Future Extension 0 lanes to 2 lanes) Existing LOS= none / Future LOS=C+ 8. "M" Street from Cardella to Bellevue (Future Extension 0 lanes to 4 lanes) Existing LOS=none / Future LOS = C+ 9. "M" Street from Bellevue to Old Lake (Future Extension 0 lanes to 4 lanes) Existing LOS=none / Future LOS = C+ 10. Martin Luther King Jr. Way/South SR 59 from Roduner to Mission (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=D 11. Martin Luther King Jr. Way/South SR 59 from Mission to Gerard (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=D 12. "G" Street from Yosemite to Cardella (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=C+ 13. "G" Street from Cardella to Bellevue (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=D 14. "G" Street from Bellevue to Old Lake (2 lanes to 6 lanes) Existing LOS=C+ / Future LOS=D 15. "G" Street from Old Lake to Snelling (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=C 16. Parsons/Gardner from Childs to SR 140 (2 lanes to 4 lanes) Exiting LOS=D / Future LOS=D		

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
	17. Parsons/Gardner from Bear Creek to Olive (2 lanes to 4 lanes) Exiting LOS=C+ / Future LOS=D 18. Parsons/Gardner from Olive to Yosemite (2 lanes to 6 lanes) Exiting LOS=D / Future LOS=D 19. Parsons/Gardner from Yosemite to Cardella (2 lanes to 4 lanes) Exiting LOS=C+ / Future LOS=D 20. Parsons/Gardner from Cardella to Bellevue (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=D 21. Parsons/Gardner from Bellevue to Old Lake (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=C+ 22. Parsons/Gardner from Old Lake to Golf Club (Future Extension 0 lanes to 2 lanes) Existing LOS= none / Future LOS=D 23. Campus Parkway SR 99/Mission to Childs (Future Extension 0 lanes to 6 lanes) Existing LOS= none / Future LOS=D 24. Campus Parkway from Childs to SR 140 (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=D 25. Campus Parkway from SR 140 to Olive (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=D 26. Campus Parkway from Olive to Yosemite (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=D 27. Campus Parkway from Yosemite to Cardella (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=D		

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
	28. Campus Parkway from Cardella to Bellevue (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=D 29. Tyler Road from Childs to Mission (Future Extension 0 lanes to 2 lanes) Existing LOS= none / Future LOS=D 30. Old Lake Road SR 59 to "R" Street (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=C+ 31. Old Lake Road "R" Street to "M" Street (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=C 32. Old Lake Road "M" Street to "G" Street Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=C 33. Bellevue Road from Franklin to Thornton (2 lanes to 4 lane~~s~~ Divided Expressway Existing LOS=C+ / Future LOS= F 34. Bellevue Road (Atwater-Merced Expressway) from Thornton to SR 59 (2 lanes to 4 lane~~s~~ (Divided Expressway) Existing LOS=C+ / Future LOS=F 35. Bellevue Road from Parsons/Gardner to Campus Parkway (2 lanes to 6 lanes) Exiting LOS=C+ / Future LOS=D 36. Cardella Road from SR 59 to "R" Street (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=D 37. Cardella Road from "M" Street to "G" Street (2 lanes to 4 lanes) Existing LOS= C+ / Future LOS=D 38. Cardella Road from "G" Street to Parsons/Gardner (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=D		

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
	39. Cardella Road from Parsons/Gardner to Campus Parkway (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=D 40. Yosemite Avenue from Parsons/Gardner to Campus Parkway (2 lanes to 4 lanes) Existing LOS=D / Future LOS=D 41. Olive Avenue West of Hwy 59 (Santa Fe Avenue) (4 lanes to 6 lanes) Existing LOS=C+ / Future LOS=C 42. SR 99 from Atwater/Merced Expressway to Mariposa (4 lanes to 6 lanes through Merced) Existing LOS=C+ and D / Future LOS=C+ and D 43. Childs Avenue from SR 59 to Tyler (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=D 44. Childs Avenue from Parsons/Gardner to Coffee (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=D 45. Childs Avenue from Coffee to Campus Parkway (2 lanes to 4 lanes) Existing LOS=D / Future LOS=D 46. Childs Avenue from Campus Parkway to Tower (Future Extension 0 lanes to 4 lanes) Existing LOS= none / Future LOS=C+ 47. Dickerson Ferry/Mission Avenue from Thornton to West Avenue (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=D 48. Dickerson Ferry/Mission Avenue from West Avenue to SR 59 (2 lanes to 6 lanes) Existing LOS=C+ / Future LOS=C+		

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
	49. Dickerson Ferry/Mission Avenue from SR 50 to Tyler (2 lanes to 6 lanes) Existing LOS=C+ / Future LOS=C+ 50. Dickerson Ferry/Mission Avenue from SR 99 to Coffee (Future Campus Parkway)(2 lanes to 6 lanes) Existing LOS=C+ / Future LOS=C+ 51. Dickerson Ferry/Mission Avenue from Tyler to Henry (2 lanes to 6 lanes) Existing LOS=C+ / Future LOS=D 52. Dickerson Ferry/Mission Avenue from Coffee to Tower (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=C+ 53. Thornton from Dickerson Ferry/Mission to SR 140 (2 lanes to 4 lanes) Existing LOS=C+ / Future LOS=D		
3.15-1b	Traffic studies shall be performed to satisfy the requirements of the California Environmental Quality Act (CEQA) for all proposed General Plan Amendments which intensify development, proposed specific plans, annexations, and other projects at the discretion of the Development Services Department. Future traffic studies shall generally conform to any guidelines established by the City. The studies shall be performed to determine, at a minimum, opening-day impacts of proposed projects and as confirmation or revision of the General Plan. The studies shall address queue lengths and (at a minimum) peak-hour traffic signals warrants in addition to LOS and provide appropriate mitigations. At the discretion of the City, a complete warrant study in accordance with the most recent edition of the California Manual on Uniform Traffic Control Devices may be required to evaluate the need for traffic signals.	**Implementation:** City of Merced **Monitoring:** Planning Division	Ongoing / Prior to Approval of Discretionary Projects

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
3.17 Greenhouse Gas Emissions (Global Climate Change)			
3.17-1a	Per Sustainable Development Implementing Action SD 1.1.g of the Merced Vision 2030 General Plan, the City of Merced will work closely with the SJVAPCD to develop and implement uniform standards for determining "thresholds of significance" for greenhouse gas impacts for use in the City's CEQA review process. The SJVAPCD has issued its "Guidance for Valley Land Use Agencies in Addressing GHG Impacts for New Projects Under CEQA". The City will use the recommended threshold of Best Performance Measures and/or 29 percent below Business-As-Usual for new development with the City of Merced.	**Implementation:** City of Merced **Monitoring:** Planning Division	Ongoing / Prior to Approval of Discretionary Projects
3.17-1b	Per Sustainable Development Implementing Action SD 1.1.g of the Merced Vision 2030 General Plan, and as required by recent changes in CEQA, the City shall address the issue of Climate Change and Greenhouse Gas Emissions in environmental documents prepared by the City. Techniques and best practices for evaluation these issues are currently being developed by various government agencies and interest groups and the City will keep track of these developments and endeavor to remain up-to-date in evaluation methods.	**Implementation:** City of Merced **Monitoring:** Planning Division	Ongoing / Prior to Approval of Discretionary Projects
3.17-1c	Per Sustainable Development Policy SD 1.7 and Implementing Action SD 1.7.a of the Merced Vision 2030 General Plan, the City will develop a Climate Action Plan (CAP) that identifies greenhouse gas emissions within the City as well as ways to reduce those emissions. The Plan will parallel the requirements adopted by the California Air Resources Board specific to this issue. The City will include the following key items in the Plan: • Inventory all known, or reasonably discoverable, sources of greenhouse gases in the City, • Inventory the greenhouse gas emissions level in 1990, the	**Implementation:** City of Merced **Monitoring:** Planning Division	Following adoption of the General Plan and General Plan EIR

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
	current level, and that projected for the year 2020, and • Set a target for the reduction of emissions attributable to the City's discretionary land use decisions and its own internal government operations. • Within one year of adoption of the CAP, the City should complete a review of its existing policies and ordinances in order to ensure implementation of the CAP.		
3.17-1d	Per Sustainable Development Implementing Action SD 1.7.c of the Merced Vision 2030 General Plan, the City shall consider the following measures for new development: • When approving new development, require truck idling to be restricted during construction. • Require new development to implement the following design features, where feasible, many of these features are included as draft Best Performance Measures established by the SJVAPCD for new development: 1. Recycling: ▪ Design locations for separate waste and recycling receptacles; ▪ Reuse and recycle construction and demolition waste; ▪ Recover by-product methane to generate electricity; and, ▪ Provide education and publicity about reducing waste and available recycling services. 2. Promote pedestrian, bicycle and transit modes of travel through informational programs and provision of	**Implementation:** City of Merced **Monitoring:** Planning Division	Ongoing / Prior to Approval of Discretionary Projects

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
	amenities such as transit shelters, secure bicycle parking and attractive pedestrian pathways. 3. Large canopy trees should be carefully selected and located to protect the building(s) from energy consuming environmental conditions, and to shade 50% of paved areas within 15 years. 4. Encourage mixed-use and high-density development to reduce vehicle trips, promote alternatives to vehicle travel and promote efficient delivery of services and goods. 5. Impose measures to address the "urban heat island" effect by, e.g. requiring light-colored and reflective roofing materials and paint; light-colored roads and parking lots; shade trees in parking lots and shade trees on the south and west sides of new or renovated buildings. 6. Transportation and motor vehicle emission reduction: ▪ Use low or zero-emission vehicles, including construction vehicles; ▪ Create car sharing programs; ▪ Create local “light vehicle” networks, such as neighborhood electric vehicle (NEV) systems; ▪ Provide shuttle service to public transit; ▪ During construction, post signs that restrict truck idling; ▪ Set specific limits on idling time for commercial		

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
	vehicles, including delivery and construction vehicles; ▪ Coordinate controlled intersections so that traffic passes more efficiently through congested areas. Where signals are installed, require the use of Light Emitting Diode (LED) traffic lights; and, ▪ Assess transportation impact fees on new development in order to facilitate and increase public transit service. 7. Water Use Efficiency: ▪ Use of both potable and non-potable water to the maximum extent practicable; low flow appliances (i.e., toilets, dishwashers, shower heads, washing machines, etc.); automatic shut off valves for sinks in restrooms; drought resistant landscaping; "Save Water" signs near water faucets; ▪ Create water efficient landscapes; ▪ Use gray water. (Gray water is untreated household waste water from bathtubs, showers, bathroom wash facilities, and water from washing machines); and, ▪ Provide education about water conservation and available programs and incentives. 8. Energy Efficiency: ▪ Automated control system for heating/air conditioning and energy efficient appliances; ▪ Utilize lighting controls and energy-efficient lighting		

Mitigation #	Mitigation Measure	Implementing Agency / Monitoring Agency	Timing
	in buildings; ▪ Use light colored roof materials to reflect heat; ▪ Take advantage of shade (save healthy existing trees when feasible), prevailing winds, landscaping and sun screens to reduce energy use; ▪ Install solar panels on carports and over parking areas; ▪ Increase building energy efficiency percent beyond Title 24 requirements. In addition implement other green building design ((i.e., natural daylighting and on-site renewable, electricity generation); and ▪ Require that projects use efficient lighting		

DRAFT DRAFT

RESOLUTION NO. 2011-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MERCED, CALIFORNIA, ADOPTING THE MERCED VISION 2030 GENERAL PLAN

THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. Having been considered by the City Council following a public hearing on September 19, 2011, the following elements of the General Plan of the City of Merced are hereby amended: Urban Expansion, Land Use, Transportation and Circulation, Public Services and Facilities, Urban Design, Open Space, Conservation, Recreation, Sustainable Development, Noise, and Safety.

SECTION 2. Said amendments and additions to the General Plan as described in Section 1 hereof shall read as set forth in Exhibit A attached hereto with changes as described in Exhibits B and C attached hereto.

SECTION 3. The *Merced Vision 2030 General Plan* Land Use Diagram (Figure 3.1 of Exhibit A) as divided into the seven sectors outlined in Exhibit D and with the changes as outlined in Exhibit C is hereby adopted.

At a regular meeting held on September 19, 2011, the City Council passed and adopted the *Merced Vision 2030 General Plan* Land Use Diagram by the following called vote:

Sector I – South of Highway 99 and Highway 140, East of R Street (south of Childs Ave) and Q Street (north of Childs Ave):

AYES:	Council Members:
NOES:	Council Members:
ABSTAIN:	Council Members: RAWLINGS
ABSENT:	Council Members:

Sector II – North of Highway 99 and Highway 140, East of Q Street, and South of North Bear Creek Drive from Q Street to Oleander Drive, South of Alexander Avenue from Oleander to McKee Road, and South of East Olive Avenue, East of McKee

ATTACHMENT 10

AYES:	Council Members:
NOES:	Council Members:
ABSTAIN:	Council Members: SPRIGGS
ABSENT:	Council Members:

Sector III – East of G Street and North of North Bear Creek Drive from G Street to Oleander Drive, North of Alexander Avenue from Oleander to McKee, and North of East Olive Avenue, East of McKee

AYES:	Council Members:
NOES:	Council Members:
ABSTAIN:	Council Members: CARLISLE
ABSENT:	Council Members:

Sector IV – North of Highway 99 between T Street and Q Street, North of North Bear Creek Drive from R Street to G Street, and North of Loughborough Drive from M Street to G Street

AYES:	Council Members:
NOES:	Council Members:
ABSTAIN:	Council Members: GABRIAULT-ACOSTA
ABSENT:	Council Members:

Sector V – South of Santa Fe Road/West Olive Avenue and West of R Street from Olive to North Bear Creek Drive, West of T Street from North Bear Creek Drive to Highway 99, and South of Highway 99, West of Q Street (from Highway 99 to Childs) and West of South Highway 59, South of Childs

AYES:	Council Members:
NOES:	Council Members:
ABSTAIN:	Council Members: BLAKE
ABSENT:	Council Members:

Sector VI – North of Santa Fe Road/West Olive Avenue from North Highway 59 to R Street, East of North Highway 59 from Olive to Buena Vista Drive, East of Sarasota Avenue from Buena Vista to El Redondo Drive, and East of San Augustine Ave, North of El Redondo

AYES:	Council Members:
NOES:	Council Members:
ABSTAIN:	Council Members: LOR
ABSENT:	Council Members:

Sector VII – North of Santa Fe Road/West Olive Avenue, West of North Highway from Olive to Buena Vista Drive, West of Sarasota Avenue from Buena Vista to El Redondo Drive, and West of San Augustine Ave, North of El Redondo

AYES:	Council Members:
NOES:	Council Members:
ABSTAIN:	Council Members: PEDROZO
ABSENT:	Council Members:

SECTION 4. The current General Plan, to the extent that it is consistent with Exhibit A, is hereby superseded.

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PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the ____ day of _____ 2011, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

_____
Mayor

ATTEST:
JOHN M. BRAMBLE, CITY CLERK

BY:_____
Assistant/Deputy City Clerk

(SEAL)

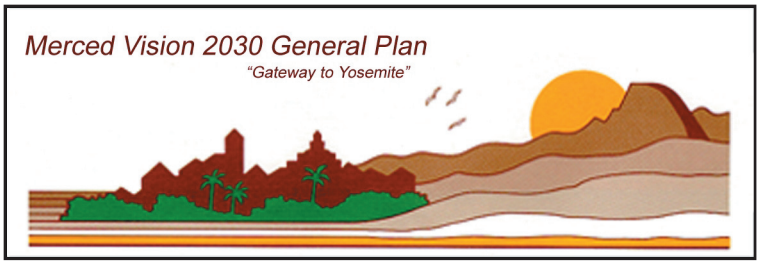
APPROVED AS TO FORM:

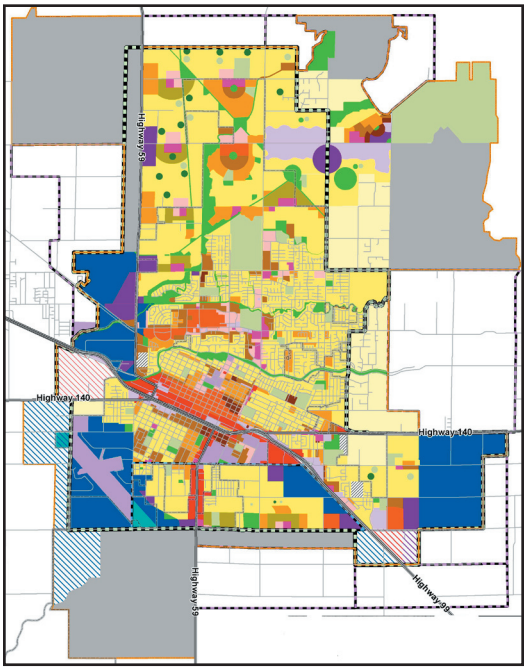
Ken Rydell 9/7/11
City Attorney Date

N:\SHARED\Attorney\Resolutions\2011\Planning\Adopting Merced Vision 2030 General Plan.doc

DRAFT

Merced Vision 2030 General Plan





August 2010

EXHIBIT A

MERCED VISION 2030 GENERAL PLAN

Proposed Changes Since August 2010 Public Review Draft

*(*Revised--9/1/2011)*

Abbreviations:

Pg	=	Page #
¶	=	Paragraph #
Col.	=	Column
R	=	Right Column
L	=	Left Column

Sources:

BAC	=	Bicycle Advisory Committee
BIA	=	Building Industry Association
CC	=	City Council
CL	=	Citizen Letter (Various)
CO	=	County Planning Staff
CS	=	City Staff (Planning, City Attorney, etc.)
EIR	=	Changes proposed in Final EIR for the General Plan
FC	=	Fire Chief (Appointed in 2011)
GP LU Map	=	General Plan Land Use Diagram (Fig. 3.1)
GPA	=	General Plan Amendment (approved since GP LU Map was drafted)
LF	=	LAFCO Staff
PC	=	Planning Commission
TYPO	=	Typographic Error
UC	=	University of California Staff

Entire Document

#	Pg.	¶	Col.	Change	Source
1	--	--	--	Various Figures, Maps, and Table throughout the General Plan document will be modified to reflect the 2009 UC Merced and University Community North boundaries as adopted by the UC Board of Regents in 2009. This will include changes to the Land Use Diagram and SUDP/SOI boundary for those areas only. See Exhibit 1 for the 2009 UC/UCP boundaries.	CS/UC

Executive Summary

#	Pg.	¶	Col.	Change	Source
2	I-ii	2	L	2nd sentence should read: "The seven required elements are land use, ~~transportation,~~ circulation, open space, conservation, housing, noise, and safety."	CS
3	I-ii	4	L	Last sentence should read: "It presents the general distribution of the uses of land within the City of Merced and its Specific Urban Development Plan/Sphere of Influence (SUDP/SOI), or growth boundary."	CS
4	I-v	1	R	1st sentence should read: "The *Merced Vision 2030~~5~~ General Plan* is organized…"	TYPO
5	I-xi	9	R	The italics should be removed from the entire sentence.	TYPO
6	II-xiii	--	--	Under Goal Area S-3: Flooding, Policy S-3.1 should read: "S-3.1—Implement Protective Measures for Areas in the City and the SUDP/SOI Within the 100-Year and 200-Year Floodplains." (Needs to match text on pg. 11-33).	CS

Chapter 1--Introduction

#	Pg.	¶	Col.	Change	Source
7	1-3	1	R	Text in 1st sentence noted in ALL CAPS "67 OPS.CAL.ATTY. GEN.75" should read "67.Ops.Cal.Att.Gen.75" instead.	CS

Chapter 2--Urban Expansion

#	Pg.	¶	Col	Change	Source
8	2-1	1	L	Last sentence should read: "County policies ~~that~~ also affect the rural and suburban areas immediately outside the City's incorporated limits."	CS
9	2-6	4	R	The 1st sentence of the 4th paragraph should read: "The Land Use Diagram will accommodate a population larger than what is projected in ***Table 2.1.a***, which reflects projections done by the Merced County Association of Governments in 2004, and includes the projected population for the City of Merced and its SUDP/SOI along with the UC Merced campus and University Community. MCAG provides separate population projections for the UC area, which are included in the City's SUDP/SOI numbers in Table 2.1. (The 2030 population number was subsequently reduced from 154, 961 to 137,779 by MCAG in July 2010 when new population projections were adopted. A 2035 population projection of 152,100 was also added. A new Table 2.1.b has been added to show the July 2010 population projections for both the City and UC Merced/University Community as well as Merced County.)"	CS

#	Pg.	¶	Col	Change	Source
10	2-7	--	--	Under Table 2.1.a, "City of Merced Population Projections (2000 to 2030)", which has been re-titled "Table 2.1.a, "the following should be added: "Source: Merced County Association of Governments, 2004"	CS
11	2-7	--	--	Under Table 2.1.a, a new Table 2.1.b, *"City of Merced Population Projections (2010-2035)"* should be added (see Exhibit 2).	CS
12	2-27	--	--	Implementing Action UE-1.2.c should read as follows: **"Continue to limit expansion of City utilities to only those areas within ~~an~~ the established urban boundary."**	CL
13	2-27	--	--	Under the explanation under Implementing Action UE-1.2.c, after the 3rd sentence, the following should be added: "If it is necessary for technical/economic reasons to allow utilities to cross unincorporated territory (i.e. water/sewer main extensions), actual access to such utility services will be restricted to those inside the City limits until such time as annexation occurs."	CL
14	2-27	--	--	Under the explanation for Implementing Action UE-1.2.d, the 2nd sentence should read as follows: "The highest densities should, in general, be directed toward central areas of the City and not along the urban fringes unless they are in Community Plan areas, where higher densities may be justified."	CL
15	2-29	--	--	Under Implementing Action UE-1.3.g, in the "explanation" section following the Action itself, should read: "a) Urban Expansion Policies—UE 1.1, UE 1.2, and UE 1.3.~~, and UE 1.7~~."	CS
16	2-33	--	--	In the explanation under Implementing Action UE-1.5.d, the following should be added after the 2nd sentence: "The City will consider establishing a 'Rural Residential' (R-R) zoning district, which can be used in these areas upon annexation. The R-R district would address standards for existing private wells and septic systems, the keeping of animals and livestock, the level of public improvements in such areas (i.e. the possible omission of sidewalks, etc.), and other issues that often arise when such developed areas are proposed for annexation."	CS

#	Pg.	¶	Col.	Change	Source
17	3-4	2	L	Text in the 3rd sentence noted in ALL CAPS "67 OPS.CAL.ATTY. GEN.75" should read "67.Ops.Cal.Att.Gen.75" instead.	CS
18	3-5	--	--	Table 2.1—Merced Planned Land Use Summary will be modified as shown in Exhibit 3	CS
19	3-6	1	R	In the 1st sentence, "*duplexes*" should NOT be italicized.	TYPO
20	3-9	2	L	The title above the 2nd paragraph should read: "P/G <u>or SCH</u> (Public/Government <u>or School).</u>"	CS
21	3-9	3	L	The 2nd sentence shall be revised to read: "OS-PK areas may be designated in areas containing public parks, golf courses, greens, commons, playgrounds, landscape areas and similar types of public and ~~public~~ <u>private</u> open spaces."	TYPO
22	3-13	2	L	Last sentence should read "The *City of Merced Housing Element* (Chapter 9) was ~~adopted~~ <u>last revised</u> in 2004 and will be updated in ~~2010~~ <u>2011</u>."	CS
23	3-19	--	--	Under Implementing Action L-1.4.b, the 1st sentence of the explanation under the Action should read: "In 2010, the City of Merced currently has a significant inventory of over ~~2,000~~ <u>2,500</u> lots, which are within approved subdivisions but have not yet been built on."	CS
24	3-19	--	--	Under Implementing Action L-1.4.b, the 2nd sentence of the explanation under the Action should read: "In addition, the City has significant numbers of foreclosed homes. ~~(i.e. Merced has for the last few years, consistently lead the nation in the number of foreclosures)~~." *{Note: The information in "( )" was somewhat misleading as the foreclosure stats refer to Merced County and not the City of Merced, so staff recommends deleting it since the first part of the sentence makes the point on its own.}*	CS
25	3-19	--	--	Under Implementing Action L-1.4.b, the 3rd sentence of the explanation under the Action should read: "The City should consider developing incentives to spur the development of these <u>undeveloped</u> lots, including reduced development fees for "in-fill" areas and <u>expedited processing of development applications for construction on "in-fill" lots</u> in addition to reviewing the City's current annexation policies to make sure such "in-fill" development is favored over new "Greenfield" development in outlying areas." *(The above was suggested by Commissioner Colby at the Joint PC/CC Study Session on 1/10/11. Not all of his suggested language was supported by the other members, but there seemed to be agreement on the additions above.)*	PC

#	Pg.	¶	Col	Change	Source
26	3-44	--	--	Under Implementing Action L-2.2.d, last sentence of explanation following the Action should read: "Special attention should be given to areas within the ~~northwestern~~ northeastern portion of the City as job centers for businesses seeking a location near UC Merced."	TYPO
27	3-53	--	--	Implementing Action L-2.9.a should read: **"Plan for job centers in the ~~northwestern~~ northeastern portion of the City capitalizing on the proximity of a research university, UC Merced."** 1st sentence of explanation under L-2.9.a should read: "As part of the development of the ~~northwestern~~ northeastern area, research and development campuses should be encouraged."	TYPO
28	3-53	--	--	After the last sentence of the explanation under Implementing Action L-2.9.a, the following should be added: "Business parks to accommodate research and development, technology, light industry, and business uses complimentary of the UC Merced Campus research could also be located on appropriately-designated properties along the Bellevue Corridor and other transportation corridors in the vicinity of the UC Merced Campus if the market exists for such uses."	CL
29	3-64	--	--	In the explanation under Implementing Action L-3.6.b, No. 2 should read: "2) Community Plans which include or are adjacent to established neighborhoods will address the needs of those ~~neighbor-hoods~~ neighborhoods and potential adverse impacts resulting from plan implementation."	TYPO
30	3-64	--	--	In the explanation under Implementing Action L-3.6.b, No. 4 should read: "4) Community Plan areas need connectivity with existing and planned urban areas. This includes all modes of transportation, including vehicles, bicycles, public transit, etc."	BAC
31	3-64	--	--	In the explanation under Implementing Action L-3.6.b, the last paragraph should read as follows: "The City ~~shall~~ may undertake the development of these Community Plans subsequent to the adoption of the General Plan or require developers to complete such plans. The costs of developing the plans may be assessed to those property owners, builders, and developers who will benefit from the plans as development takes place."	CS
32	3-66	2	L	The 1st sentence should read: "The 'Specific Plans' ~~do not necessarily conform with the requirements of~~ may or may not be a 'specific plan' as contemplated by Government Code Section 65450 *et seq*."	CS
33	3-69	2	L	1st sentence should read: "As envisioned in this plan, a 'Community Plan' may or may not ~~conform with~~ meet the requirements of a 'specific plan' contemplated by Government Code Section 65450 *et seq.* ~~for 'Specific Plans."~~	CS

#	Pg.	¶	Col	Change	Source
34	3-69	8	R	The 2nd sentence of No. 6 of "Community Plan Guiding Principles" should read: "These elements may include but not be limited to Land Use, Circulation (including all modes of transportation), Open Space, and infrastructure phasing."	BAC
35	3-71	1	L	The 1st and 2nd sentences should read: "The City ~~shall~~ may undertake the development of these Community Plans subsequent to the adoption of the General Plan or require developers to complete such plans. The costs of developing the plans may be assessed to those property owners, builders, and developers who will benefit from the plans as development takes place."	CS/CL
36	3-71	3	L	The 3rd paragraph shall read as follows: "Unlike the other Community Plans discussed in this Section, the University Community Plan (UCP) has already been adopted by Merced County. The City's 1997 Sphere of Influence ~~currently~~ includes the UC Merced Campus, although the Campus' footprint has been revised since 1997. ~~and t~~The City of Merced assumes implementation of ~~the~~ a Revised ~~University Community Plan~~ UCP at some future date."	UC/ EIR
37	3-71	2	R	The 2nd paragraph should read as follows: "In ~~2004~~ 2002, the Merced County Board of Supervisors adopted the ~~University Community Plan~~ UCP (also called a "Specific Urban Development Plan" or "SUDP") and associated environmental impact report for the development of an adjacent university community. In 2004, when the SUDP was adopted by the County of Merced, the ~~University Community Plan~~ UCP covered 2,133 acres and consisted of high-, medium-, and low-density housing; commercial buildings; buildings to house research and development; and parking, parks, schools, and open space."	UC/ EIR
38	3-71	3	R	The 1st sentence of the 3rd paragraph should read: "The 2004 ~~University Community Plan (~~UCP~~)~~ has been adopted as part of the Merced County General Plan and includes goals, objectives, policies, and implementation programs to address the development of the University Community. "	UC/ EIR

#	Pg.	¶	Col	Change	Source
39	3-71 & 3-72	4 & 1	R & L	The paragraph that follows the header "Current Revisions Under Consideration" should read as follows and the header should be modified to read "2009 Revisions": "After the 2002 adoption of the LRDP, UC Merced applied for a CWA Section 404 permit to fill approximately 86 acres of wetlands on the campus site. During discussions with various federal agencies, the University ~~is proposing~~ proposed an alternative to reduce the Campus' impacts on wetlands by reducing the size of the developed portion of the Campus from 910 acres to 810 acres and shifting the Campus boundary south into an area that was to be occupied by the University Community and shifting the Community boundary east. This proposed change brought about the need to revise the UC Merced LRDP and the University Community Plan, for which UC Merced officials prepared applications and an associated EIR, adopted by the University of California Board of Regents in 2009. ~~Now Merced County will review the proposed change to the University Community Plan based on principles and objectives of the University Community Plan adopted in 2004~~. After that adoption, the University Board of Regents had indicated that it intended to submit an application for a University Community Plan Update to Merced County, which has land use jurisdiction over the University Community. Although this application has not yet been submitted to the County, the City of Merced has chosen to acknowledge the revised 2009 boundaries for the University and the University Community North within the *Merced Vision 2030 General Plan* since the environmental impacts of those boundaries have been fully analyzed in UC's EIR, which involved the participation of the University, the County of Merced, and the City of Merced."	CS
40	3-73	2	L	After the 1st bullet under the heading "Economics/Market", the following paragraph should be added: "Project specific market studies may be provided by individual landowners in support of development proposals as an adjunct to and in support of the overall Bellevue Corridor market study. Individual landowners providing a "project" level market study showing support for planned land uses/activities may not be required to participate in the overall Bellevue Corridor market study after an evaluation of the project level study is completed by staff and deemed to be adequate to substitute for the overall Bellevue Corridor market study."	CL

#	Pg.	¶	Col	Change	Source
41	3-74	3	L	After the two bullets at the top of the page under "Character/Design," the following paragraph should be added under a new heading entitled "Timing": "Development projects may proceed in advance of the Bellevue Corridor Community Plan if all of the following findings can be made, as determined by the City Council upon recommendation by the Planning Commission: • There is an immediate or near term need for the facilities or uses proposed by the plan; • That the project is supportable by a project specific market study; • That the project is designed consistent with the "Urban Village Policies and Design Guidelines" as defined in Chapter 6 of the Merced Vision 2030 General Plan; • That the project is designed to be compatible with adjacent land uses as illustrated in the General Plan; and, • The owner consents that the development project, at the City's discretion, may be required to be consistent with the plans and specifications approved as part of the Bellevue Corridor Community Plan."	CL
42	3-89 to 3-97	--	--	The following note, which already appears on p. 3-89, shall appear on each subsequent page with a Conceptual Land Use Plan: "Note: Plans are included here for illustrative purposes only. These are, with the exception of the 2004 University Community Plan, NOT adopted plans and no land use entitlements are granted by including these plans here."	CS

Chapter 4--Transportation & Circulation

#	Pg.	¶	Col.	Change	Source
43	4-5	--	--	*Figure 4.1-Circulation Plan* should be modified to remove Kibby Road as a collector between Childs & Gerard per General Plan Amendment #06-01, approved on Sept. 28, 2009, and to change the designation for Yosemite Avenue, east of Parsons/Gardner to a "Special Arterial" with a right-of-way of 94 feet and a cross section as shown in added Figure 4.27f (see Item #60 below).	CS/CL
44	4-7	2	L	1st sentence should read: "It will be ~~extremely~~ important for the City to continue to work closely with Caltrans, the County, and MCAG in the future regarding several important regional circulation issues which are discussed in more detail later in this chapter:"	CS
45	4-22	3	R	Last sentence should read: "Construction efforts are anticipated to begin ~~by as early as 2011~~ within the next few years."	CS
46	4-26	1	L	The 3rd sentence should read: "Details of the existing and planned system are presented in the Merced Bicycle Plan, adopted in 2008 (Figure 4.9), an implementing action of the General Plan, which is updated every four years. The alignments shown are conceptual and subject to further refinement prior to actual construction."	BAC/ CL
47	4-27	2	R	The 2nd sentence is revised to read as follows: "The airport is the only ~~"regionally significant"~~ "General Aviation Airport" ~~airport~~ in the County according to criteria used by the ~~Civil Aeronautics Board~~ Federal Aviation Administration. A "General Aviation Airport" is one used for both private and commercial air transport."	CL
48	4-28	2	L	3rd and 4th sentences should read: "The subsidy ~~would expire~~ which was due to expire on August 31, 2010 ~~and at this time it is not known whether EAS would be~~ has since been renewed. If ~~not~~ the subsidy was ever eliminated, Merced would need to obtain alternative funding or seek other solutions in order to maintain this air service."	CS
49	4-56	--	--	After the 2nd sentence of the explanation under Implementing Action T-2.1.f, the following should be added: "The City/County Revenue Sharing Agreement could be one method of coordinating bicycle facility planning between the City, the County, and UC Merced."	BAC
50	4-57	--	--	After the 1st sentence of the explanation under Implementing Action T-2.2.f, the following should be added: "One such location could be the future Downtown High Speed Rail Station, where bike-friendly routes to the station and short/long term bike parking facilities could be incorporated into the station design to assist bicycle commuting."	BAC

#	Pg.	¶	Col.	Change	Source
51	4-59	--	--	After the 2nd sentence of the explanation under Implementing Action T-2.4.b, the following should be added: "The City should also pursue partnerships with local cycling advocacy groups, such as the Merced Bike Coalition and the UC Cycling Alliance, and local bike shops in efforts to promote cycling in Merced."	BAC
52	4-60	--	--	After the last sentence of the explanation under Implementing Action T-2.5.a, the following should be added: "Bicycle parking guidelines from the Association of Pedestrian and Bicycle Professionals (APBP) should be considered as a resource for developing such a bike parking ordinance. The City should also encourage employers to provide end-of-trip facilities, such as bike lockers, bike rooms, and shower facilities, to encourage bicycle commuting. "	BAC
53	4-60	--	--	The 1st sentence of the explanation under Implementing Action T-2.5.c should read: "Although the City does not operate the Bus system so it cannot mandate such, the City should encourage the transit provider to continue to provide ~~the provision of~~ bicycle racks on buses, which has proven to be an effective tool for promoting bicycle and transit use."	BAC
54	4-61	--	--	The 4th sentence of the explanation under Implementing Action T-2.6.a should read: "Coordinating bicycle planning with the University is, therefore, critical, and should be incorporated into the development of the University's Long Range Development Plan, the University Community Plan, the Regional Bike Plan, and Merced Bicycle Plan."	BAC
55	4-61	--	--	In the explanation under Implementing Action T-2.6.a, the 4th sentence should read: "The City should update the Bicycle Master Plan, an implementing action of the General Plan, every ~~five~~ four years to remain eligible for state funding."	BAC
56	4-61	--	--	The last sentence of the explanation under Implementing Action T-2.6.a should read: "The South Merced Community Plan, as an implementing action of the General Plan, also includes various bicycle-related improvements, which should be incorporated into the Bicycle Master Plan for implementation. Through the South Merced Community Plan and the Bicycle Master Plan, the City will focus on adding and improving bicycle facilities in South Merced for recreation and commuting.	BAC

#	Pg.	¶	Col.	Change	Source
57	4-66	--	--	Under Policy T-3.1, the following new Implementing Action T-3.1.d and its associated explanation should be added: **"3.1.d Work with the County of Merced on land use and master planning issues in the vicinity of Castle Airport and its Land Use Compatibility Zones."** "The City of Merced recognizes that Castle Airport is a County asset with the potential to generate job growth within the County of Merced. Merced County is currently in the process of developing a new Castle Airport Master Plan, which would outline Castle's proposed development over the next 20 years. Merced County has expressed an interest in expanding Castle's current role as mostly a general aviation airport (the County's website in 2011 indicates that general aviation uses are 99% of current operations) to include air cargo, military exercises, and commercial air service. If such a Master Plan was approved, the Land Use Compatibility Zones for Castle Airport would need to be modified to reflect those changes. If modified, Castle Airport's Land Use Compatibility Zones could affect development within the existing City and the proposed SUDP/SOI. (Long time residents will remember the significant noise impacts of Castle's military operations until Castle Air Force Base closed in 1995.) Therefore, the City wants to continue to work with the County on ensuring that any adopted Castle Airport Master Plan contains realistic aircraft operation projections that do not hinder both existing and future development within the City."	CS/CO
58	4-73	2	--	After the 3rd sentence of the 1st paragraph under "Expressways" section, the following should be added: "Expressways should be designed to include separated Class I bike paths if feasible to provide a safe avenue for bike commuters."	BAC
59	4-73	4	--	After the 4th sentence of the 3rd paragraph under "Expressways", the following should be added: "The Campus Parkway north of Yosemite Avenue has not yet been designed in detail and may require modified access spacing, right-of-way, and/or alignment. Standards for the design of Campus Parkway north of Yosemite Avenue will need to be defined in the University Community Plan and any subsequent modifications."	CL
60	4-83	--	--	A new cross-section (Figure 4.27f) for Yosemite Avenue, east of Parsons/Gardner will be added as shown in Exhibit 4.	CL
61	4-86 & 4-87	--	--	Add Note #3 as follows to Figures 4.28 and 4.29: "3. Bike lanes shall be added to the extent safe and feasible within the proposed right-of-way at these intersections."	BAC

#	Pg.	¶	Col.	Change	Source
62	5-2	3 1 2 3 4	L R R R R	The section under "Merced Fire Department" should be amended to read as follows: "The City of Merced Fire Department provides fire protection, rescue, and emergency medical services from five fire stations strategically located throughout the ~~urban area~~ City. The Department's ~~Central Fire Station and~~ Headquarters (Station 51) is located near the intersection of East 16th and G Streets. Station 52 is located at Merced Regional Airport on Falcon Way; Station 53 is on Loughborough Drive ~~behind~~ adjacent to the Merced Mall; Station 54 is on East 21st Street; and Station 55 is ~~near~~ at the intersection of Parsons and Silverado within Carpenter Park. The Fire Department call volume continues to increase on an annual basis. Some of the increase is a result of a larger population base, others significant factors that affect the call volume are socioeconomic factors and access to services. In 2010, the Department responded to 6325 incidents: 6% of which were to fires and 57% were emergency medical or rescue incidents. The remaining 37% of incidents were comprised of good intent calls, false alarms, service calls, and other special types of incidents. Fire Department personnel are typically assigned ~~on~~ to a three-shift ~~platoon~~ work schedule, which provides the City coverage 24 hours a day, seven days a week. The Department equipment includes ~~first line~~ engine companies ~~(carry and pump water)~~ (water, hose, and pump), and ladder companies (ladders, rescue tools, and rescue equipment), ~~reserve engines and ladder trucks, airport emergency vehicles,~~ aircraft rescue firefighting (ARFF) vehicle, medium rescue trailer, mass decontamination trailer, personnel rehabilitation unit, and other ~~miscellaneous~~ support vehicles. ~~Merced's fire protection system operates according to a central station concept. Under this concept, a central station can respond to calls from within its own service area or district, and can provide back-up response to other districts as well. From 1990 to 2010, response activity doubled. "~~ ~~"~~The Department is regularly evaluated and rated ~~under the auspices~~ of by the Insurance Services ~~Office~~ Organization (ISO). The ISO utilizes the Fire Protection Rating System (FPRS) to assess the Department and to provide a final score ~~, which.~~ The score defines the level of fire protection services on a scale of 1 to 10; with 1 representing the best level of protection and 10 indicating no protection at all. The Department's ~~2009~~ current rating is Class 2, which is considered to be well above average. ~~, despite manning levels~~	FC

				~~below national averages.~~ The Class 2 rating ~~helps keep the costs of~~ is used to determine the fire insurance premiums ~~low~~ for ~~City~~ businesses and residences within the City."	
63	5-4	1 2	L L	The above section under "Merced Fire Department" continues on the following page and should read as follows: "Fire stations are strategically located, fixed facilities that are developed to house personnel and equipment to provide the identified level of service to a specific geographic area or district. The ~~City's~~ Fire Department Facilities Master ~~Facilities~~ Plan is developed using the approach previously outlined and is used in the planning of stations ~~that will~~ to provide protection within a primary service area. The Department has a goal of maintaining a response time of four to six minutes for the first crew to arrive at a fire or medical emergency within an assigned district. This goal was chosen on the basis of proven factors affecting property damage and, more importantly, life. As the City continues to grow in population and area, the fire protection system will ~~have to change if it is~~ need to evolve to meet this response time standard. This would require the potential relocation of existing facilities and the development of new stations ~~two existing stations to be relocated and five new facilities~~ with personnel and equipment to be added to the system. ***Figure 5.1*** shows tentative fire station locations within the Area of Interest. ~~A fewer number of stations may needed to just serve the proposed SUDP/SOI."~~	FC
64	5-10	3	L	Last sentence should read: "The State of California has enacted legislation requiring communities to prepare flood damage control ordinances based on a 200-year event, ~~requiring~~ which may require the City to update this ordinance for certain areas of the City."	CS
65	5-12	--	--	Figure 5.4 incorrectly shows the "Franklin-Beachwood" area inside the City limits. The Figure will be modified to show the correct City limit boundary.	CS
66	5-13	3	L	The last sentence should read: "However, the City in recognizing ~~t~~ the importance of public education to the well-balanced community we desire…" (rest of sentence unchanged)	TYPO
67	5-14	1	R	The 2nd & 3rd sentences should read: "The first phase of the campus opened in Fall 2005 with 870 students. Development of the campus has advanced significantly with approximately ~~3,500~~ 4,300 attending the Fall 2010 session."	CS
68	5-17	3	L	The 2nd sentence should read: "The first phase of the hospital consists of an 8-story, 260,000-square-foot hospital with 185 beds, a power ~~plan~~ plant, a helipad, and approximately 950 parking spaces."	TYPO

#	Pg.	¶	Col.	Change	Source
69	5-24	--	--	Implementing Action P-1.3.f should read as follows: **"Consider changes to the Public Facilities Financing Plan and Public Facilities Impact Fee program, under applicable provisions of law, to reflect lower fees for "in-fill" development, transit-oriented development, and new development within the 2015 SUDP vs. areas being added to the SUDP/SOI in the *Merced Vision 2030 General Plan*."**	BIA/ CL
70	5-25	--	--	Implementing Action P-2.1.a should be amended to read as follows: "**Periodically review existing and potential station facilities, equipment and staffing levels ~~manpower~~ in light of protection service needs."**	FC
71	5-25	--	--	1st sentence of explanation under P-2.1.b should read: "Subject to the resource constraints of the City, fire stations should be located so that no development within the City is located outside of the primary response ~~areas~~ time objectives (4 to 6 minutes, at least 90 percent of the time) ~~of~~ for at least one fire station ~~within the resource constraints of the City~~."	CS/ FC
72	5-26	--	--	Implementing Action P-2.1.f and the explanation under it should be amended to read as follows: "**Provide fire facilities and related resources to support the Fire Department Facilities Master Plan and any subsequent updates ~~"central station concept"~~.** In order to maintain ~~above average~~ fire insurance ratings and to plan for additional stations, fire facilities should be provided and sited to support the ~~"central station concept" described in Section 5.2.1 of this chapter~~ current Fire Department Facilities Master Plan and any subsequent updates."	FC
73	5-26	--	--	The explanation under Implementing Action P-2.1.g should read as follows: "The City should continue participation in and support community level crime prevention programs such as the Neighborhood Watch, ~~and~~ VIP (Volunteer In Police), and Community Emergency Response Team (CERT) programs."	FC
74	5-32	--	--	Implementing Action P-5.1.d should read as follows: **"Installation or design of facilities necessary to provide services to development projects will be based on the full build-out scenario."**	BIA

#	Pg.	¶	Col.	Change	Source
75	5-36	--	--	The 2nd paragraph, 2nd sentence of the explanation under Implementing Action P-7.1.a should read as follows: "However, the City in recognizing the importance of public education to the well balanced community we desire, will look to those seeking entitlements from the City to be good trustees of the future and to go beyond the statutory minimums to address the impacts of their development on schools by entering into voluntary agreements with the relevant public school districts to the extent permitted by law."	BIA
76	5-44	--	--	The 1st sentence of the explanation under Implementing Action P-9.1.a should read: "The City would develop plans and standards for the installation of telecommunications infrastructure."	BIA
77	5-47	2	R	2nd sentence should read: "This fee program is administered by the Merced County Association of Governments and ~~all the~~ most cities in Merced County and the County participate."	CS

Chapter 6--Urban Design

#	Pg.	¶	Col.	Change	Source
78	6-11	--	--	The 1st sentence of the 2nd paragraph of the explanation under Implementing Action UD-1.1.f should read: "Similarly, light industrial uses should not generally be permitted in Villages except that those business park/research & development type uses may be appropriate in those Villages in the ~~northwestern~~ northeastern portion of the City near UC Merced."	TYPO

Chapter 7--Open Space, Conservation, & Recreation

#	Pg.	¶	Col.	Change	Source
79	7-13	4	L	1st sentence should read: "Two ~~Three~~ other sites of ~~significant~~ groundwater contamination are located on the former Castle Air Force Base property northwest of the City and the GE Kendall plant in the southeast portion of the City's planning area. ~~, and at the site of the former wood treatment facility in the Franklin Beachwood area west of the City.~~"	CS
80	7-31	--	--	In the explanation under Implementing Action OS-3.2.h, after the 2nd sentence, the following should be added: "Where feasible, bike paths should be designed so that at least one side is open to a public street. Situations where bike paths are located along the back sides of homes with limited visibility should be avoided as much as possible."	CL

Chapter 8--Sustainable Development

#	Pg.	¶	Col.	Change	Source
81	8-27	--	--	Periods need to be added to the end of the last sentences of the explanations under both Implementing Actions SD-1.3.e and SD-1.4.a.	TYPO
82	8-32	--	--	Section C-1 of Implementing Action SD-1.7.d should read: "1. The City shall ~~utilize~~ consider guidance from the Institute for Local Government…" (rest of sentence remains unchanged).	CS
83	8-31	--	--	Implementing Action SD-1.7.d should read as follows: **"In addition to the measures described in ~~SD-1.7.d~~ SD-1.7.c, … (rest of sentence remains the same)"**	TYPO
84	8-40	--	--	Implementing Action SD-3.2.d should read as follows: **"Encourage builders to develop "green" and/or LEED-Certified (or other similar programs) buildings."**	BIA
85	8-41	--	--	After the last sentence of the explanation under Implementing Action SD-4.2.b, the following should be added: "On December 6, 2010, the City Council adopted Resolution #2010-101 supporting the City of Merced becoming a Healthy Eating Active Living (HEAL) City."	CS

Chapter 9—Housing [Adopted Separately—May 16, 2011]

#	Pg.	¶	Col.	Change	Source
86	All			The Housing Element, adopted separately on May 16, 2011, will be incorporated into the final adopted General Plan document.	CS

Chapter 10--Noise

#	Pg.	¶	Col.	Change	Source
87	10-24	2	L	After the 1st sentence of the paragraph, the following should be added: "(Pepsi Beverage Co. subsequently closed the plant on December 8, 2010.)"	CS

#	Pg.	¶	Col	Change	Source
88	11-1	2	R	Section "11.1.2—City of Merced Emergency Response/Disaster Plan" should read as follows: "In ~~2003~~ 2011, the City of Merced updated its Emergency ~~Response/Disaster~~ Operations Plan ~~and a countywide plan was also adopted~~. ~~Both~~ The plan~~s~~ is ~~are~~ updated ~~as needed~~ on a regular basis to ~~respond to~~ meet the evolving emergency response needs and to address new hazards. The Plan addresses mitigation, planning, response, and recovery activities for various emergency situations. The Plan consists of: ~~1) general information; 2) initial response operations; 3) extended operations; and 4) recovery.~~ a) Purpose, scope, situations, and assumptions; b) concept of operations; c) organization and assignment of responsibility; d) direction, control, and coordination; e) information collection and dissemination; f) communications; g) administration, logistics, and finance; h) preparedness, training and exercises; i) plan development and maintenance; j) authorities; and k) supporting documents and annexes. The purpose of the plan is to provide emergency planning, organization, ~~and~~ response, mitigation, and recovery guidance. The Plan ~~deals~~ is compliant with the emergency management requirements of ~~through~~ the Standardized Emergency Management System (SEMS), the Incident Command System (ICS), and the National Incident Management System (NIMS). Further, the Plan supports law enforcement, ~~traffic~~ access control, fire, medical, rescue, ~~and radiological~~ hazardous materials, care and shelter, ~~and~~ support, and resources. The plan is designed to prepare the community for responding to an emergency situation in a highly organized and efficient manner ~~way so chaotic situations are avoided~~."	FC
89	11-16	5 1	L R	The 2nd and 3rd paragraphs under "Risk Factors and Mitigations" should read as follows: "Urban fire risks include personal safety practices, construction materials and methods, built-in fire protection systems, site planning, and overall land use. In order to mitigate the risk and impact of fire within Merced, the City ~~has adopted the concepts of Community Fire Protection Master Planning (C.F.P.M.P.)~~ uses a master planning process that identifies potential risks and/or hazards and then proposes methods to address those risks ~~As a system with many components, C.F.P.M.P. received a commitment from the City Council~~ This master planning process has been used since 1982 to provide fire protection planning with a goal of a "fire safe community." ~~As a system, C.F.P.M.P. states that~~ Fire protection planning requires involvement of all City agencies, individuals, and organizations that have input and support community health, safety, development, and stability."	FC

#	Pg.	¶	Col	Change	Source
90	11-16	3	R	The paragraph under "Personal Safety Practices" should read: "~~Merced's current~~ The number one cause of residential fires is cooking. Kitchen safety revolves mainly around an individual's safety practices. For this reason, the Fire Department has developed and is conducting several public education programs. These programs stress emphasis on children and senior citizens who have been identified by the National Fire Protection Agency as high-risk groups for fire death and injuries. Within the scope of the *Merced Vision 2030 General Plan*, the Fire Department will be committing resources toward educating the adult population about the risks of fire."	FC
91	11-16 11-17	4 1	R L	The paragraph under "Construction Materials, Methods, and Site Planning" should read: "The California Building Code and the California Fire Codes work together to regulate building construction and related items such as the care of vacant lots and the storage of flammable liquids. On average, each ~~Each~~ year, the Fire Department ~~and engine companies~~ conducts in excess of 4,000 inspections and eliminated approximately 8,000 Fire Code violations which could attribute to the cause and severity of a fire. The inspection program primarily targets the high and medium hazard occupancies identified in the ~~"Land Use"~~ "Hazards and Risks" section on the following pages. To provide effective fire prevention activities for low hazard ~~land uses~~ occupancies, the Fire Department conducts ~~year-round~~ seasonal hazard removal programs (primarily weed abatement)."	FC
92	11-17	3 4	L L	The 2nd and 3rd paragraphs under "Vacant Lots" should read: "The City of Merced ~~currently has a~~ employs a weed ~~control~~ abatement program, which requires ~~weed abatement during the year~~ property owners to eliminate flammable vegetation and rubbish from their properties. Each property within the City is ~~served annually~~ surveyed each spring ~~with~~ and notices are sent ~~for removal of weeds, etc.~~ to the owners of property that has been identified to pose a fire risk. Since inception of this program in 1992, grass or brush related fires within the City have ~~fallen dramatically~~ been greatly reduced. The City ~~Fire, Police, and Public Works Departments~~ also picks up abandoned vehicles, and a "Spring Clean-up" conducted annually allows people to have bulky refuse picked up at transfer stations without charge. Naturally, the use of built-in protection such as fire resistant materials and automatic sprinklers in all new structures ~~above that~~ as required by the Building and Fire Codes significantly reduces the risk of urban fires and may reduce the City's reliance upon fire suppression crews."	FC

#	Pg.	¶	Col	Change	Source
93	11-17 11-19	2 3 4 1 2	R R R L L	The "Land Use" section should be re-titled "Hazards and Risks" and should read as follows: "Merced has a variety of ~~land use~~ occupancy types. Some ~~Many~~ of these require tailored fire protection considerations. These ~~land uses~~ occupancies are included as follows: • Special Risk ~~High Hazard~~ Occupancies (schools, hospitals, nursing homes, and other high life hazard or large fire potential occupancies) • High Risk ~~Medium Hazard~~ Occupancies (apartments, offices, mercantile and industrial occupancies) • Medium Risk ~~Low Risk~~ Occupancies (one-, two-, or three-family dwellings and scattered small businesses) • Low Risk Occupancies ~~Rural Operations~~ (vehicles, vacant land, storage shed, and outbuildings ~~scattered dwellings, outbuildings, vacant lots~~) ~~Each of these land use types requires somewhat different fire suppression resources (e.g., emergency medical services, hazardous materials response, and heavy rescue).~~ ~~Merced's current policy~~ The Fire Department's response objective is to ~~provide~~ arrive at the scene of an emergency ~~response~~ within 4 to 6 minutes 90-percent of the time within the resource constraints of the City. ~~and~~ The Merced Fire Department also strives to provide adequate resources to ~~combat fires in these occupancies~~ mitigate emergency incidents within ~~the financial constraints of~~ the City. ~~The target of this response is to place a fire unit on scene at 90 percent of the incidents in five minutes.~~ Therefore, it is important that ~~those~~ industries using hazardous materials, large facilities, or ~~requiring special fire hazard considerations going into~~ special or high risk occupancies being developed in new areas of the City ~~not currently occupied by these types of businesses~~ be accompanied by additional fire department facilities, equipment, and/or personnel. The current ~~response practice provides for a~~ structure fire first-alarm assignment consists of ~~two pumpers~~ three engines, one ~~ladder~~ truck, ~~one mini pumper,~~ and ~~a~~ one chief officer ~~for all structure fires~~. The increased awareness and use of hazardous materials, and the need for heavy, confined space, and water rescue services,~~;~~ however, have led the Fire Department to develop programs to provide expanded services."	FC

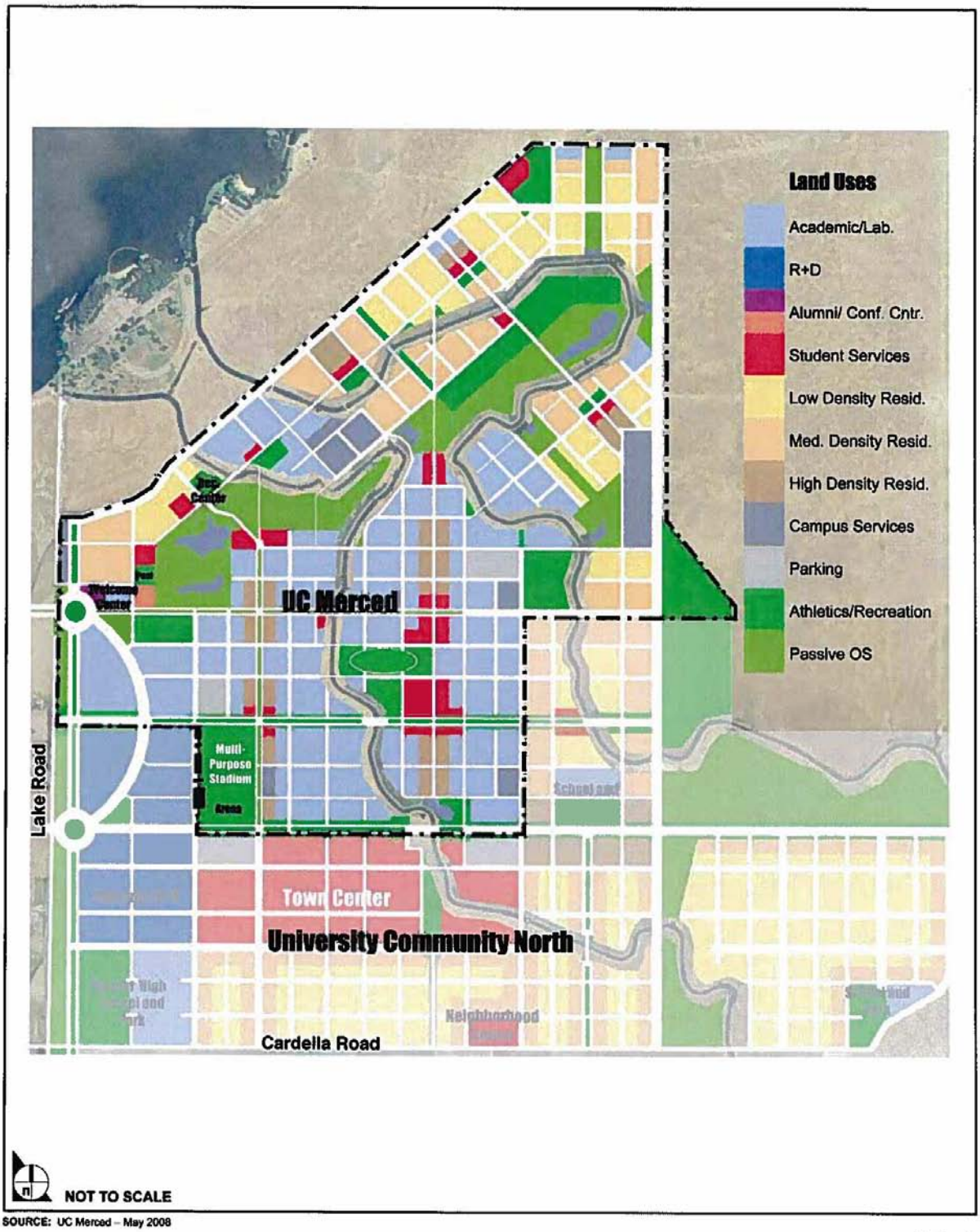
#	Pg.	¶	Col	Change	Source
94	11-19	3 4	L L	The "Wildland Fires" section should be re-titled "Wildland and Vegetation Fires" and should read as follows: "Wildland and vegetation fire hazards exist in ~~varying degrees over approximately 90 percent of~~ Merced County, mostly outside urban areas. The Valley's long, hot, dry summers and extensive vegetation ~~makes for~~ creates a fire season that extends from late spring to early fall. ~~Approximately fifty to~~ More than one hundred wildland fires can occur in Merced County ~~in any one year~~ on an annual basis. Irrigated agricultural land, however, is less susceptible to wildland fires than grazing areas. As the City has ~~increasingly~~ annexed large blocks of undeveloped land, the potential for wildland and vegetation fires ~~(mainly grassland fires)~~ within the City has increased. The City Fire Department ~~is typically called~~ responds to ~~6 to 10 significant grassland~~ 50-75 vegetation fires per year ~~which occur in County fringe areas adjacent to the City limits~~. The Fire Department is also frequently called to provide mutual aid to the Merced County Fire Department for ~~grassland~~ vegetation fires in the wider Merced area ~~due to increasingly strained fire fighting resources within the County over the last decade~~."	FC
95	11-19 11-21	2 3 1	R R L	The 1st and 2nd paragraphs under "Hazard Response—Urban and Wildland Fires: Access" should read as follows: "Access, as it relates to urban fires, is promoted or restricted based on three factors: (1) the geographical proximity of ~~the proper equipment~~ fire resources, (2) the location of physical boundaries in relationship to the station and fire, and (3) the road system. ~~The proximity of the proper equipment is discussed in the land use portion of the "Risks Factors and Mitigations" section of this chapter.~~ The location of the physical boundaries in relationship to the station and fire is addressed in a station service area plan (see ***Figure 11.6***) ~~that is found in the "Fire Department Service Level Report." The plan~~ Fire station location planning allows for the distribution of stations and resources to provide protection for areas geographically separated by physical boundaries, such as creeks and railways, and also protects against the elimination of all of the fire response resources by an earthquake, flood, or other disaster. A well-defined system of local streets and roads is also important to provide emergency access for firefighting equipment and evacuation routes for the public. The circulation system is a critical part of the Fire Department's ability to maintain a desired response time of four to six minutes ~~minute response time~~ to any area of the City, 90-percent of the time. To provide adequate access and room for firefighting operations, the National Fire Protection Association standards recommend minimum roadway widths of 28 feet with parking on one side only and 36 feet if parking is allowed on both sides. Provision of bridges over creeks and grade separated railroad crossings are also critical elements in meeting response times." (Note: the 3rd paragraph under this section remains the same.)	FC

#	Pg.	¶	Col	Change	Source
96	11-21	3	L	The 2nd sentence of the 1st paragraph under "Water Supply" should read: "This is especially important in large commercial and industrial ~~buildings~~ occupancies."	FC
97	11-21	4	L	The 2nd sentence of the 2nd paragraph under "Water Supply" should read: "In addition to providing water supplies for fire suppression ~~forces~~ operations, the effectiveness of automatic fire sprinkler systems is dependent upon the water service."	FC
98	11-21	2 3 4 5	R R R R	The "City of Merced Fire Department" section should read as follows: "As of ~~2009~~ 2011, the City of Merced Fire Department's ~~fire control equipment~~ resources consisted of five first-line engine companies ~~(carry and pump water)~~ ~~at five stations throughout the City~~, one ladder company (85 feet), two reserve engines, one reserve truck, technical rescue and mass decontamination trailers, and ~~several miscellaneous~~ command and support vehicles, that respond out of five fire stations within the City. The Fire Department personnel, as of ~~2009~~ 2011, totals ~~81~~ 64.5 personnel ~~employees~~, all of whom are paid professionals, ~~which~~ who provide City coverage 24 hours a day, seven days a week. The City of Merced Fire Department has a mutual aid agreement with the Atwater and Merced County Fire Departments. Moreover, the Fire Department is a member of the California Master Mutual Aid Plan. These ~~This~~ agreements enable the different jurisdictions to request aid from ~~another~~ each other when necessary. ~~At present,~~ The Merced Fire Department holds a Class II ISO rating. ~~This ration schedule~~ The Fire Protection Rating Schedule is used by the Insurance Service ~~Office~~ Organization (ISO) to measure a fire department's capabilities, which are used to establish insurance rates for commercial and residential properties. "	FC
99	11-22	3	R	The 3rd paragraph under "Evacuation Routes" should read: "The ~~*Merced City Emergency Plan*~~ *City of Merced Emergency Operations Plan* addresses various emergency situations ~~designates the Police Chief as~~ and identifies a Care and Shelter Branch Director ~~Evacuation Coordinator (in case of a wider emergency, the County Sheriff is designated)~~ who is responsible for supporting and coordinating the evacuation efforts in the field. At the time of an emergency, ~~the Evacuation Coordinator~~ the Care and Shelter Branch Director will evaluate the situation, access various routes ~~(many of which will have been planned out in advance)~~, determine the best routes, alert the public via radio and/or TV of evacuation routes and procedures, and coordinate the evacuation with state and local officials, such as the Highway Patrol, Caltrans, etc. Evacuation routes for most emergencies can be seen in ***Figure 11.8***."	FC

#	Pg.	¶	Col	Change	Source
100	11-22	2 3	R R	The "Hazard Response—Wildland and Vegetation Fires" should read as follows: "The City's response to fighting wildland and vegetation fires is much the same as the response to urban fires. Typically, the Fire Department will dispatch two ~~trucks~~ engines and one chief officer to ~~such~~ vegetation fires and evaluate whether there is a need for additional ~~apparatus~~ resources.~~,~~ ~~especially if there is a threat to nearby structures.~~ The Fire Department ~~is also in the process of redesigning their fire apparatus (adding larger water tanks, adding four-wheel drive, etc.)~~ needs to consider obtaining fire apparatus that are designed for off-road operations in order to better combat ~~grassland~~ vegetation fires, where water supply can be limited and off-road response may be necessary. Most wildland fires outside the City limits are responded to by Merced County or the California Department of Forestry and Fire Protection (~~CDF~~ CalFIRE) ~~although the City Fire Department is often called upon to provide mutual aid when needed~~. In order to prevent wildland fires before they start, the City's weed abatement program requires that flammable vegetation ~~on vacant lots~~ be plowed under or mowed down ~~if it is not irrigated agricultural land~~. The Police, Fire, and Inspection Services Departments combine to make sure that abandoned vehicles or building (potential fire hazards) are removed."	FC
101	11-26	1	R	The paragraph under "Hazard Response—Airport Ground Safety" should read: "Merced County's Airport Land Use Compatibility Plan calls for approach protection through land use restrictions in Zone A areas, a maximum occupancy level for commercial/ industrial uses, and density restrictions on residential uses in Zone C ~~Zones B1 and B2~~, and the retention of existing agricultural uses and the discouragement of residential land uses in Zones B1 and B2 ~~the entire referral area (Zones A, B1, B2, and C)~~."	CL
102	11-30	--	--	Under Policy S-1.1, add new Implementing Action 1.1.g as follows: **"1.1.g—Complete preparation and implementation (and updates as needed) of a Local Hazard Mitigation Plan for the City per the requirements of the Federal Emergency Management Agency (FEMA)."**	CS
103	11-33	--	--	The 1st sentence of the explanation after Implementing Action S-3.1.d should read: "In 2008, the State of California adopted new legislation that requires jurisdictions to prepare certain floodplain regulations based on the 200-year flood event, instead of the previously used 100-year flood event."	CS

#	Pg.	¶	Col	Change	Source
104	11-34	--	--	Implementing Action S-4.1.a should read as follows: "**Provide additional fire station locations as expansion of the City occurs in order to maintain a response <u>time</u> objective of 4 to 6 minutes citywide <u>90 percent of the time</u>, within the financial constraints of the City."**	FC
105	11-35	--	--	Implementing Action S-4.2.d should read as follows: **"Continue close collaboration between Inspection Services, Fire Prevention, and Fire Suppression support personnel to ensure public safety and improve construction safety through the building permit and life safety inspections process."** Replaces the following: **"~~Expand the inspection program to include the following recommendations by the Insurance Services Office:~~** **~~a. Perform fire prevention inspections of all buildings other than dwellings once a year, except hazardous occupancies which should be inspected twice a year.~~** **~~b. Establish a program of adequate reinspection of electrical wiring and equipment.~~** **~~c. Perform fire inspections on residential rental properties on a change in tenants."~~**	FC
106	11-36	--	--	Under Policy S-5.1, the following new Implementing Action S-5.1.d and its associated explanation should be added: **<u>"5.1.d Work with the County of Merced on land use and master planning issues in the vicinity of Castle Airport and its Land Use Compatibility Zones."</u>** <u>"The City of Merced recognizes that Castle Airport is a County asset with the potential to generate job growth within the County of Merced. Merced County is currently in the process of developing a new Castle Airport Master Plan, which would outline Castle's proposed development over the next 20 years. Merced County has expressed an interest in expanding Castle's current role as mostly a general aviation airport (the County's website in 2011 indicates that general aviation uses are 99% of current operations) to include air cargo, military exercises, and commercial air service. If such a Master Plan was approved, the Land Use Compatibility Zones for Castle Airport would need to be modified to reflect those changes. If modified, Castle Airport's Land Use Compatibility Zones could affect development within the existing City and the proposed SUDP/SOI. (Long time residents will remember the significant noise impacts of Castle's military operations until Castle Air Force Base closed in 1995.) Therefore, the City wants to continue to work with the County on ensuring that any adopted Castle Airport Master Plan contains realistic aircraft operation projections that do not hinder both existing and future development within the City."</u>	CS/CO

EXHIBIT 1



SOURCE: UC Merced – May 2008

FIGURE 2.0-4

2009 LRDP Campus Land Use Map

974-001-10/08

EXHIBIT 2

(Note: This entire table is new and will be inserted after Table 2.1.a on page 2-7.)

Table 2.1.b
City of Merced Population Projections (2010-2035)

Year	*City of Merced*	*UC Merced/ University Community*	*Merced + UC Merced/Univ. Community*	*County of Merced*	*Percentage of County (Merced & UC)*
2010	81,500	1,900	**83,400**	260,000	32.1%
2015	91,500	4,700	**96,200**	287,000	33.5%
2020	107,600	9,400	**117,000**	331,000	35.3%
2025	121,800	15,600	**137,400**	372,000	36.9%
2030	137,400	22,500	**159,900**	417,500	38.3%
2035	152,100	31,300	**183,400**	465,500	39.4%

Source: Merced County Association of Governments, July 2010

EXHIBIT 3

Table 3.1
Merced Planned Land Use Summary

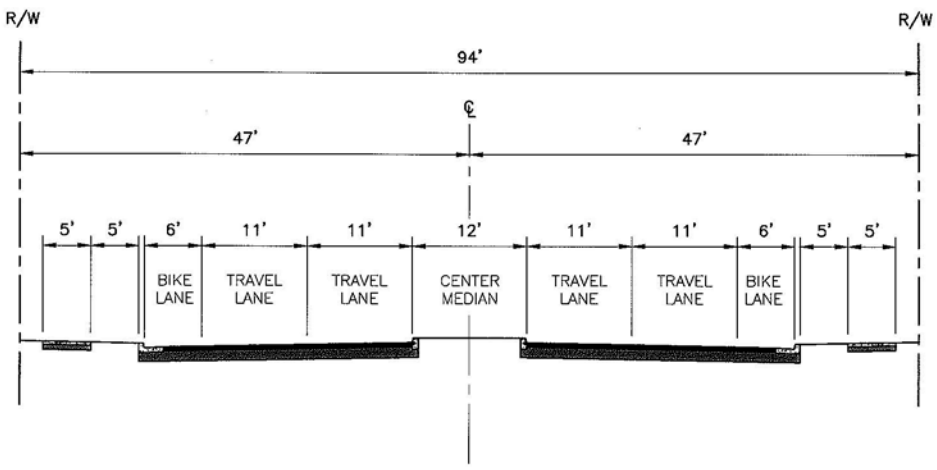
(2015 General Plan SUDP vs. 2030 General Plan SUDP/SOI)

	2015 GP SUDP		*2030 GP SUDP/SOI*		
Land Use Classification	*Acres*	*Percent of Total*	*Acres*	*Percent of Total*	*Percent Change*
RR (Rural Residential)	~~296~~ 280	~~1.44~~ 1.35	~~2,301~~ 2,285	~~6.88~~ 6.80	~~677~~ 816
AG (Agriculture)	~~114~~ 149	~~0.55~~ 0.72	~~114~~ 149	~~0.34~~ 0.45	0
Total Agricultural Residential	*~~410~~ 429*	*~~1.99~~ 2.07*	*~~2,415~~ 2,434*	*~~7.22~~ 7.25*	*~~489~~ 566*
LD (Low-Density Residential)	~~8,497~~ 7,792	~~41.25~~ 37.62	~~8,771~~ 8,066	~~26.21~~ 24.02	~~3~~ 3.5
LMD (Low-Medium Density)	~~1130~~ 1,209	~~5.49~~ 5.84	~~1,177~~ 1,256	~~3.52~~ 3.74	~~4~~ 3.8
Total Single-Family Residential	*~~9,627~~ 9,001*	*~~46.74~~ 43.46*	*~~9,948~~ 9,322*	*~~29.73~~ 27.76*	*~~3~~ 3.5*
HMD (High-Medium Density)	~~807~~ 775	~~3.92~~ 3.74	~~833~~ 800	~~2.49~~ 2.38	~~3~~ 3.2
HD (High Density Residential)	92	~~0.45~~ 0.44	116	~~0.35~~ 0.34	~~26~~ 25.5
RMH (Residential Mobile Home)	80	~~0.39~~ 0.38	~~80~~ 79	0.24	0
Total Multi-Family	*~~979~~ 947*	*~~4.75~~ 4.56*	*~~1,029~~ 995*	*~~3.08~~ 2.96*	*~~5~~ 5.1*
P/G (Public/Government)	~~538~~ 535	~~2.61~~ 2.59	~~578~~ 576	~~1.73~~ 1.71	~~7~~ 7.5
CO (Commercial Office)	~~474~~ 713	~~2.30~~ 3.44	~~474~~ 713	~~1.42~~ 2.12	0
Total Office	*~~1,012~~ 1,248*	*~~4.91~~ 6.03*	*~~1,052~~ 1,289*	*~~3.14~~ 3.83*	*~~4~~ 3.1*
IND (Industrial)	~~2,877~~ 2,542	~~13.97~~ 12.27	~~2,877~~ 2,542	~~8.60~~ 7.57	0
IND-R (Industrial Reserve)	150	0.73	1,223	~~3.65~~ 3.64	~~715~~ 813
Total Industrial	*~~3,027~~ 2,692*	*~~14.70~~ 13.00*	*~~4,100~~ 3,765*	*~~12.25~~ 11.21*	*~~35~~ 39.8*
BP (Business Park)	~~582~~ 631	~~2.83~~ 3.05	~~659~~ 709	~~1.97~~ 2.11	~~13~~ 12.2
BP-R (Business Park Reserve)	~~88~~ 328	~~0.43~~ 1.59	~~88~~ 328	~~0.26~~ 0.98	0
Total Business Park	*~~670~~ 959*	*~~3.25~~ 4.64*	*~~747~~ 1,037*	*~~2.23~~ 3.09*	*~~11~~ 8.0*
CG (General Commercial)	~~494~~ 566	~~2.40~~ 2.73	~~494~~ 566	~~1.48~~ 1.69	~~0~~
CN (Neighborhood Commercial)	~~252~~ 268	~~1.22~~ 1.30	~~275~~ 291	~~0.82~~ 0.87	~~9~~ 8.5
CT (Thoroughfare Commercial)	~~505~~ 219	~~2.45~~ 1.05	~~679~~ 392	~~2.03~~ 1.17	~~34~~ 79
RC (Regional/Community)	~~518~~ 706	~~2.51~~ 3.41	~~518~~ 707	~~1.55~~ 2.10	0
Total Commercial	*~~1,769~~ 1,759*	*~~8.59~~ 8.49*	*~~1,966~~ 1,956*	*~~5.88~~ 5.83*	*~~11~~*
OS-PK (Open Space/Park)	~~954~~ 870	~~4.63~~ 4.20	~~1,107~~ 1,022	~~3.31~~ 3.04	16
Total Open Space	*~~954~~ 870*	*~~4.63~~ 4.20*	*~~1,107~~ 1,022*	*~~3.31~~ 3.04*	*16*
Total School	*~~746~~ 731*	*~~3.62~~ 3.53*	*~~1,740~~ 1,725*	*~~5.20~~ 5.14*	*~~133~~ 236*
*Total Other Lands**	*~~1,404~~ 2,075*	*~~6.82~~ 10.02*	*~~1,244~~ 2,074*	*~~3.72~~ 6.18*	*~~-11~~ 0*
Community Plan Areas	*0*	*0.00*	*~~8,115~~ 7,957*	*~~24.25~~ 23.71*	*N/A*
TOTAL SUDP/SOI AREA	**~~20,598~~ 20,711**	**100.00**	**~~33,463~~ 33,576**	**100.00**	**62**

Note: Open Space Inventory for the 2030 SUDP/SOI includes arterial street rights-of-way
*"Other Lands" includes "Village Residential," "Residential Reserve," "Commercial Reserve," "Future School," "Future Park"
Source: Figure 3.1-Land Use Diagram as calculated by Quad Knopf, Inc., 2011

EXHIBIT 4

Figure 4.27f
Yosemite Avenue (East of Parsons/Gardner) Special Section



RECEIVED
JUL 22 2011
CITY OF MERCED
PLANNING DEPT.

NOTES:

1. THIS CROSS SECTION IS APPLICABLE FOR YOSEMITE AVENUE BETWEEN LAKE ROAD AND PARSONS/GARDNER.
2. ACTUAL RIGHT-OF-WAY WIDTHS MAY VARY TO REFLECT EXISTING ROADWAY IMPROVEMENTS ALREADY CONSTRUCTED IN GENERAL CONFORMANCE WITH THIS STANDARD.
3. ADDITIONAL RIGHT-OF-WAY MAY BE NECESSARY AT APPROACHES TO INTERSECTIONS TO ACCOMMODATE RIGHT TURN LANES.

N.T.S.

CITY OF MERCED

SPECIAL ARTERIAL - YOSEMITE AVENUE	PROPOSED

C:\temp\Yosemite Avenue.dwg

DRAFT: 7/21/2011

MERCED VISION 2030 GENERAL PLAN

Recommended Changes Since August 2010 Draft
(Modified 9/7/11)

Land Use Diagram

#	APN#	Location	Designation on Land Use Diagram (8/24/10)	Corrected Designation	Source
1	52-300-021 52-300-024 52-300-26 60-010-001 60-020-007 (UC 815 acres & Univ Comm North 833 acres)	Northeast and Southeast corners of Bellevue Rd & Lake Rd (UC Merced Campus & University Community)	School and Community Plan	Designations of School (SCH) and Community Plan (CP) remain but the boundaries change per Exhibit 1	The UC Board of Regents adopted an EIR for the revised boundaries for the UC Merced Campus & University Community North on March 25, 2009.
2	057-200-076 (40 acres)	West of Highway 59, north of Santa Fe Drive	Business Park (BP)	Regional/ Community Commercial (RC)	Property owner request to retain 1997 General Plan land use designation
3	052-230-083 (58 acres)	Southwest corner of G and Farmland	Low Density Residential (LD)	School (SCH)	GPA #07-02 11-15-2010 CC Res# 2010-89
4	224-212-001, -002, -003, -8, -009, -010, -012, -013 (1.7 acres)	Northeast corner of Bancroft and Cardella	Fire Station (PG)	Low Density Residential (LD)	GPA #08-03 8-2-2010 CC Res #2010-71
5	058-020-058 (2.5 acres)	Southeast corner of Hwy 59 & Buena Vista	Business Park (BP)	Neighborhood Commercial (CN)	GPA #09-01 5-18-2009 CC Res #2009-37
6	058-290-036 (1 acre)	South of Yosemite, east of R Street	Low Density Residential (LD)	Business Park (BP)	GPA #09-02 8-17-2009 CC Res #2009-60
7	231-010-009 (42 acres)	Southwest corner of Gardner and Cardella	Low Density Residential (LD)/Low Medium Density Residential (LMD)	Commercial/ Professional Office (CO) & Low Medium Density Residential (LMD)	GPA #09-03 11-16-2009 CC Res #2009-81

#	APN#	Location	Designation on Land Use Diagram (8/24/10)	Corrected Designation	Source
8	030-204-007, & -008 (15,000 SF)	Southwest corner of W 24th and G Streets	High Medium Density Residential (HMD)	General Commercial (CG)	GPA #10-01 3-15-2010 CC Res #2010-21
9	231-040-004, -005, -006 (11.5 acres)	Northeast corner of Yosemite & G	High Medium Density Residential (HMD)	Commercial/ Professional Office (CO)	GPA #10-02 8-2-2010 CC Res #2010-73
10	006-061-005 (14,000 SF)	North of Donna/East of G Street (PD #26)	Low Density Residential (LD)	Commercial/ Professional Office (CO)	GPA #10-04 11-15-2010 CC Res #2010-100
11	Not Applicable	Kibby Road (between Childs & Gerard Ave)	Collector Street shown from Childs to Gerard	Kibby Road has been vacated from Childs to Gerard	GPA #06-01/ Vacation #06-01 9-28-2009 CC Res #2009-69/ CC Res #2009-70
12	007-350-005, -006, & -007 (8.8 acres)	Southwest corner of West Olive Ave & G Street	Neighborhood Commercial (CN)	Regional/ Community Commercial (RC)	GPA #11-01 9-6-2011 CC Res #2011-59

Land Use Diagram
Sectors for Adoption

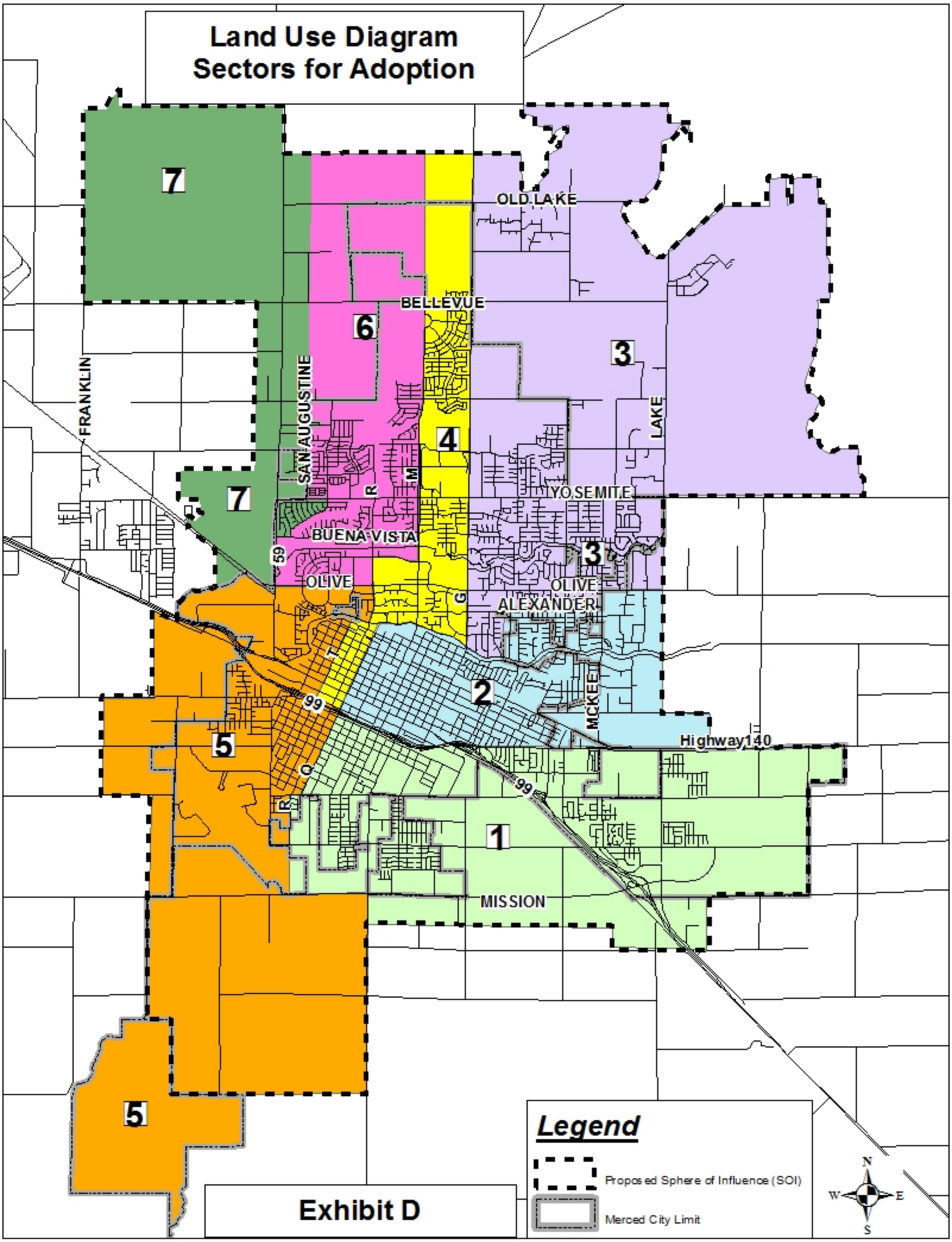


Exhibit D

RESOLUTION NO. 2011-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MERCED, CALIFORNIA, MAKING APPLICATION TO THE LOCAL AGENCY FORMATION COMMISSION FOR EXPANSION OF THE CITY'S SPHERE OF INFLUENCE

WHEREAS, The City Council of the City of Merced held a duly noticed public hearing on September 19, 2011, on the adoption of the Merced Vision 2030 General Plan and certification of its Environmental Impact Report (EIR), which includes a proposed expansion of the Sphere of Influence (SOI) as described in Exhibit A, attached hereto, and considered all information and testimony presented at said hearing; and,

WHEREAS, The City of Merced desires to expand its SOI consistent with its adoption of the Merced Vision 2030 General Plan and EIR certification.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. The City Manager is directed to prepare and the City Clerk is directed to submit to the Executive Officer of the Merced County Local Agency Formation Commission a request to expand the City's SOI pursuant to Government Code 56428, together with a certified copy of this Resolution.

SECTION 2. This action is taken based on the following findings:

A. An EIR has been prepared and considered prior to approval of the project.

B. A public hearing has been held and public testimony and comments heard, submitted and considered.

C. The proposal is not injurious to the public health, safety, or welfare.

D. The proposal, if approved, would be consistent with the City General Plan.

ATTACHMENT 11

E. The proposal is in compliance with the requirements of the Merced Municipal Code.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the ____ day of _____ 2011, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

_____
Mayor

ATTEST:
JOHN M. BRAMBLE, CITY CLERK

BY:_____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

9/7/11
City Attorney Date

N:\SHARED\Attorney\Resolutions\2011\Planning\Application to LAFCO Re SOI.doc

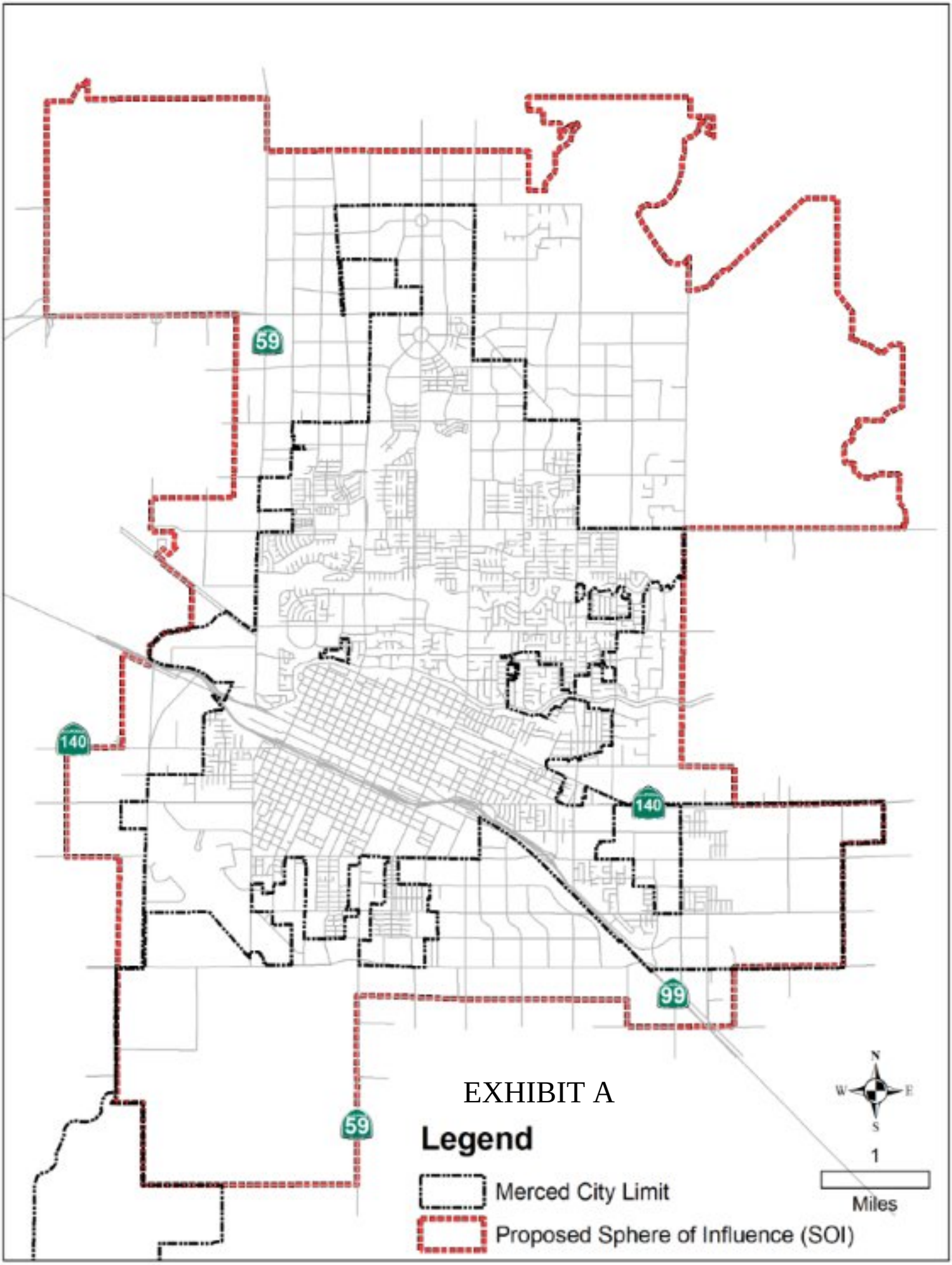

59
140
140
99
59
N
W
E
S
1
Miles
Legend
Merced City Limit
Proposed Sphere of Influence (SOI)

EXHIBIT A