

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA, APPROVING
SITE UTILIZATION PLAN REVISION #23 TO
PLANNED DEVELOPMENT (P-D) #16 CHANGING
THE LAND USE DESIGNATION FROM “SINGLE-
FAMILY RESIDENTIAL” TO “MULTI-FAMILY
RESIDENTIAL” FOR APPROXIMATELY 6.3 ACRES
OF LAND GENERALLY LOCATED ON THE SOUTH
SIDE OF DEVONWOOD DRIVE, BETWEEN
LOUGHBOROUGH DRIVE AND AUSTIN AVENUE**

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

SECTION 1. AMENDMENT TO CODE. The property described in Exhibit A and shown on the map at Exhibit B, attached hereto, and by reference made a part of this Ordinance, is hereby re-designated as shown on said Official Site Utilization Plan for Planned Development (P-D) #16 from “Single-Family Residential” to “Multi-Family Residential” as shown on Exhibit B.

SECTION 2. CHANGE OF MAP. The Director of Development Services is hereby directed to make the appropriate markings on the Official Site Utilization Plan for Planned Development #16 in conformance with this Ordinance and the provisions of Title 20 of the Merced Municipal Code.

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

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

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

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

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

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Merced on the ____ day of _____, 2021, and was passed and adopted at a regular meeting of said City Council held on the ____ day of _____, 2021, by the following called vote:

AYES: Council Members:

NOES: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

APPROVED:

Mayor

ATTEST:
STEPHANIE R. DIETZ, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

Kimberly Madaya 8/3/21
City Attorney Date

EXHIBIT A
LEGAL DESCRIPTION

“Lots 1-40; 104-124; Lot A; and Lot B” of that certain Map entitled “Highland Park Subdivision” recorded in Volume 77 at Page 40 of Merced County Records.

Also known as Assessor’s Parcel Numbers (APN’s): 058-470-001 thru -033; -035; -036; 058-480-001 thru -017; 058-480-034 thru -044.



Disclaimer: This document was prepared for general inquiries only. The City of Merced is not liable for errors or omissions that might occur. Official information concerning specific parcels should be obtained from recorded or adopted City documents.

**APPROVED LAND USE CHANGES
SITE UTILIZATION PLAN (SUP) REVISION
#23 TO PLANNED DEVELOPMENT (P-D) #16**



EXHIBIT B

**PLANNED DEVELOPMENT #16
SITE UTILIZATION PLAN REVISION #23
DEVONWOOD APARTMENTS**

DESIGN CATEGORY	DESIGN/DEVELOPMENT STANDARD
Density	24 to 26 dwelling units/acre for this project
Land Use	High Density Residential uses including all uses as shown in Table 20.08-1 for property Zoned R-4
Building Height	40 ft.
Setback Requirements	Setback from Devonwood Drive – 20 Ft. Setback from rear property line – 10 ft. for buildings up to 35 ft. in height; 1 additional foot setback for each additional 5 ft. in height. Setback from side property lines – 6 ft. for buildings up to 35 ft. in height; 1 additional foot setback for each additional 5 ft. in height.
Maximum Lot Coverage	65%
Distance Between Main Buildings	10 ft.
Building Design & Building Materials	All building designs and materials shall substantially comply with the elevations provided and approved with Site Utilization Plan Revision #23 for Planned Development (P-D) #16. Modifications may be approved by the Director of Development Services or referred to the Site Plan Review Committee.
Parking	As required by Section 20.38 of the City of Merced Zoning Ordinance, including bicycle parking. The Project may be eligible for all parking reductions allowed by Section 20.38. Compact Parking spaces are allowed for up to 25 percent of the required spaces, with a minimum width of 8.5 feet and a minimum depth of 16 feet.
Fencing	All fencing along the front of the project shall be of high-quality materials, such as wrought-iron or tubular steel. Side-yard fencing shall be wood or other material approved by the Director of Development Services. Pedestrian access shall be provided to Devonwood Drive and the Bike Path at the rear of the property.
Private Outdoor Space	Each ground floor unit shall be provided with a private outdoor usable space of a minimum of 8 feet by 5 feet. Each unit above the ground floor shall be provided with a usable outdoor balcony space of a minimum of 8 feet by 5 feet. Private outdoor space shall be screened with solid or near-solid fencing/railings. Materials shall be compatible with the building materials.

DESIGN CATEGORY	DESIGN/DEVELOPMENT STANDARD
General Design Standards as required by Section 20.46.030 of the City of Merced Zoning Ordinance	The Project shall comply with these requirements, except as permitted by other design standard approved by Site Utilization Plan Revision #23 to P-D #16.
Specific Design Standards as required by Section 20.46.040 of the City of Merced Zoning Ordinance	The Project shall comply with these requirements, except as permitted by other design standard approved by Site Utilization Plan Revision #23 to P-D #16.