ORDINANCE NO.	
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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MERCED, CALIFORNIA, APPROVING SITE UTILIZATION PLAN REVISION #12 TO PLANNED DEVELOPMENT (P-D) #42 CHANGING THE LAND USE DESIGNATION FOR APPROXIMATELY 156 ACRES OF LAND WITHIN THE BELLEVUE RANCH MASTER DEVELOPMENT PLAN (BRMDP) AREA AND AMENDING TABLE 6.1 OF THE BRMDP

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

SECTION 1. AMENDMENT TO CODE. The property described in Exhibit A and shown on the map at Exhibit B, attached hereto, and by reference made a part of this Ordinance, is hereby re-designated as shown on said Official Site Utilization Plan for Planned Development (P-D) #42 as described on Exhibit C.

SECTION 2. CHANGE OF MAP. The Director of Development Services is hereby directed to make the appropriate markings on the Official Site Utilization Plan for Planned Development #42 in conformance with this Ordinance and the provisions of Title 20 of the Merced Municipal Code.

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

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

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

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

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

Council of passed and	f the City of M I adopted at a r	dinance was introdu ferced on the of regular meeting of s by the following cal	ay ofaid City Coun	, 2023, and	l was
AYI	ES:	Council Members:			
NOI	ES:	Council Members:			
ABS	STAIN:	Council Members:			
ABS	SENT:	Council Members:			
			APPROVED:	:	
ATTEST: D. SCOTT	MCBRIDE, C	CITY CLERK	N	Mayor	
BY:Assis	stant/Deputy C	City Clerk			
(SEAL)					
APPROVE	D AS TO FOR	RM:			
M	Attorney	11/30/2023			

# EXHIBIT A LEGAL DESCRIPTION

All or portions of the following:

### Bellevue Ranch West

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

Also, known as Assessor's Parcel Numbers: 224-300-005; -007; -008; -010; -011; -012; -013

## R Street Parcel

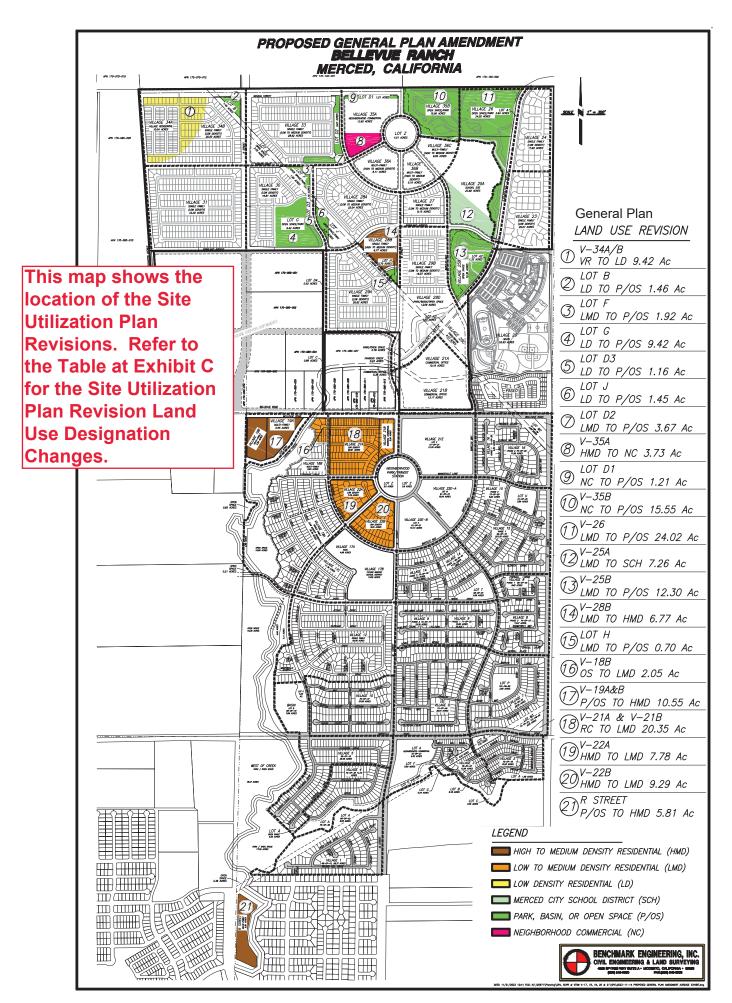
The southerly 5.81 acres, east of R Street of Parcel 2 as described in that Grant Deed recorded as Document No. 2004-047184 on July 20, 2004, of Merced County Records

Also known as a portion of Assessors' Parcel Number 230-001-012

### Bellevue Ranch North

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

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



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

				Proposed Site
Village/Lot	Acres	Current General Plan Land Use Designation	Proposed General Plan Land Use Designation	Utilization Plan Designation
		Bellevue Ranch West (BRW)	est (BRW)	
			Low-Medium Density	Single-family, including duplexes,
18B	2.05	Park/Open Space	Residential	and townhomes
			High Medium Density	:
19A & 19B	10.55	Park/Open Space	Residential	Multi-family
				Single-family,
		Regional/Community	Low Medium Density	including duplexes,
21A & 21B	20.35	Commercial	Residential	and townhomes
				Single-family,
		High Medium Density	Low Medium Density	including duplexes,
22A	7.78	Residential	Residential	and townhomes
				Single-family,
		High Medium Density	Low Medium Density	including duplexes,
22B	9.29	Residential	Residential	and townhomes
R Street				
Multi-			High Medium Density	
Family	5.81	Park/Open Space	Residential	Multi-family
		Bellevue Ranch North (BRN)	orth (BRN)	
		School/Low Medium		
25A	7.26	Density Residential	School	School
		Low Medium Density		
25B	12.30	Residential	Park/Open Space	Park/Open Space

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

		Current General Plan	Proposed General Plan	Proposed Site Utilization Plan
Village/Lot	Acres	Land Use Designation	Land Use Designation	Designation
		Low Medium Density		
26	24.02	Residential	Park/Open Space	Park/Open Space
		Low Medium Density	High Medium Density	
28B	6.77	Residential	Residential	Multi-family
Lot B	1.46	Low Density Residential	Park/Open Space	Park/Open Space
Lot D1	1.21	Neighborhood Commercial	Park/Open Space	Park/Open Space
		Low-Medium Density		
Lot D2	3.67	Residential	Park/Open Space	Park/Open Space
Lot D3	1.16	Low Density Residential	Park/Open Space	Park/Open Space
Lot F	1.92	Low Density Residential	Park/Open Space	Park/Open Space
Lot G	9.42	Low Density Residential	Park/Open Space	Park/Open Space
		Low-Medium Density		
Lot H	.70	Residential	Park/Open Space	Park/Open Space
Lot J	1.45	Low Density Residential	Park/Open Space	Park/Open Space
				Single-family,
				including duplexes and
				townhomes or Multi-
34A & B	9.42	Village Residential	Low Density Residential	family (Reconfigured)
		High-Medium Density	Neighborhood	Neighborhood
35A	3.73	Residential	Commercial	Commercial
35B	15.55	Neighborhood Commercial	Park/Open Space	Park/Open Space

# 7

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

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

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

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

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

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

Color Coding of Responsible Areas:

Red Bold=Bellevue Ranch East Improvements (Crosswinds)

<u>Green Bold Underlined =North Merced Major Roadway Improvement Impact Fee</u>
<u>Blue Underlined=Bellevue Ranch West Improvements (Woodside)</u>

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

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

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

0.1		Table 6.1—Major Infras		
Sub- Phase (Village)	Contiguous Improvements	Non-Contiguous Improvements	Interior Improvements	Villages Able to Construct out of sequence with this sub-phase
BIIP I	None	<ul> <li>M St (Barclay Rd. to Lehigh)(1/2 street)</li> <li>M St Cottonwood Creek Bridge (1/2 Street)</li> <li>Well Site (G St/ Cardella Rd)</li> </ul>	<ul> <li>BIIP I Collectors</li> <li>Sewer, Drain and Water</li> <li>Detention Basins DB-P, T and U</li> <li>Storm Drain and Sewer Pump Stations Outfalls</li> </ul>	• Village 15, 16, 8A, 14 and 9
8A	None	None	V-8A streets and utilities	Concurrent with BIIP I
15	None	Fire Station     Dedication	• Village-15 streets and utilities	Concurrent with BIIP I
1	M St: Lehigh to Cottonwood Ck (1/2 Street)     M St: Cottonwood Bridge (1/2	M St: Cottonwood Ck to Cardella Rd intersection (1/2 street)	V-1 streets and utilities	• None  Note: Sub-Phase (Village) 1 is not dependent on Sub- Phases BBIP I, 8A, and 15.
	street) and bike crossing			
9	None	None	V-9 streets and utilities	<ul><li>Concurrent with BIIP I</li></ul>
3	<ul> <li>Cardella         Road: M St to         Bancroft Dr         (1/2 street)</li> <li>Cottonwood         Ck bike         path/imp.</li> <li>Cardella Rd         (Bancroft Dr         to G St) (1/2         street)</li> </ul>	Cardella Rd/Bancroft     Signal (as part of the development of the commercial site).	<ul> <li>V-3 streets and utilities</li> <li>V-11 drainage basin</li> </ul>	• Village 2  Note: Sub-Phase (Village) 3 is not dependent on Sub-Phases BBIP I, 8A, 9, and 15.
2	• Cottonwood Ck bike path/improve ments	None	V-2 streets and utilities	• Concurrent with Village 3
5	<ul> <li>Cardella: (M St to Round Hill Dr (Freemark)) (4 lanes total)</li> <li>Well site (Cardella Rd/Fahrens</li> <li>Ck.)</li> </ul>	None	V-5 streets and utilities	Note: Sub-Phase (Village) 5 is not dependent on Sub-Phases BBIP I, 8A, 15 and 9.
14	None	None	Village-14 streets     and utilities	• Concurrent with BIIP I

Bellevue Ranch Master Development Plan Table 6.1—Major Infrastructure Phasing Clarification Memorandum - August 2008, Page 2

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

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Bellevue Ranch Master Development Plan Table 6.1—Major Infrastructure Phasing Clarification Memorandum - August 2008, Page 3								
Sub- Phase (Village)	Contiguous Improvements	Non-Contiguous Improvements	Interior Improvements	Villages Able to Construct out of sequence with this sub-phase				

10				
19	None Bellevue Road Frontage	<ul> <li>Franciscan Dr         (Arrow Wood)         (Freemark Ave to R         St)<sup>1,8</sup> 10</li> <li>Fahrens Creek Bridge at         Franciscan Dr (Arrow         Wood) 8 10</li> </ul>	V-19 streets and utilities	Concurrent with Village 17
Lot Q	None	• None	<ul> <li>Lot Q streets &amp; utilities</li> </ul>	Concurrent with BIIP II
22-East <sup>o</sup> (MFR)	• M Street (Barclay Drive to Bellevue Road) (2 lanes) on east side including Transit Circle w/ V- 21 segments	<ul> <li>Bellevue/G Signal<sup>1, 8</sup></li> <li>Bellevue Rd: M St to G St (3 lanes)<sup>8, 9</sup></li> </ul>	None	None
22-West (MFR)	M Street     (Barclay     Drive to     Bellevue     Road) (2     lanes) on     west side     including     Transit     Circle w/ V- 21 segments ** 8	<ul> <li>Well site (Bellevue/R St)<sup>7,8</sup></li> <li>Bellevue Rd: R St to M St (3 lanes)<sup>8,9</sup></li> </ul>	None	None
21 <sup>6</sup> (Comm)		<ul> <li>M &amp; Bellevue Signal<sup>2</sup> 11.</li> <li>G St: Bellevue to         Merced College (4         lanes total)<sup>3</sup> 10. or         <u>Measure V Funds</u></li> <li>G &amp; Foothill (Harvest)         Signal<sup>2</sup> 12</li> <li>Fahrens Creek Bridge         at Bellevue Rd(3         lanes)<sup>8</sup> 13</li> <li>Cardella Rd/Round Hill</li> </ul>	None	
		Dr (Freemark) signal (at time western portion of V-21 is developed.		

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

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

				Bellevue Ranch Master I Fable 6.1—Major Infras ification Memorandum	structure Phasing
30	•	R St: 2 lanes Fire Station	•	R St: 2 lanes ½ mile north of Bellevue to Bellevue Rd 10 R St: 2 lanes Bellevue to ½ mile south of Bellevue (4 lanes total) 10 R St Bellevue/Fahrens Creek Bridge: 2 lanes (4 lanes total) 13 R St/Collector St	V. 30 streets and utilities

		Traffic Signal (near Phases 13/18)	,
31	None	None	V. 31 streets and utilities
32	None	None	V. 32 streets and utilities
33	<ul><li>R St: 2 lanes</li><li>Old Lake Rd: 2 lanes</li></ul>	• Old Lake Rd: 2 lanes (in Phase 35)	V. 33 streets and utilities
34	None	None	V. 34 streets and utilities
35	None	None	V. 35 streets and utilities
36	None	None	V. 36 streets and utilities

#### Notes:

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

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

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

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