

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA, APPROVING
SITE UTILIZATION PLAN REVISION #6 TO
PLANNED DEVELOPMENT (P-D) #46 CHANGING
THE LAND USE DESIGNATION FROM “BUSINESS
PARK” (BP) TO “HIGH-MEDIUM DENSITY
RESIDENTIAL” (HMD) FOR 10.73 ACRES OF LAND
GENERALLY LOCATED ON THE WEST SIDE OF
SAN AUGUSTINE AVENUE AT PACIFIC DRIVE**

**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 from “Business Park” (BP) to “High-Medium Density Residential” (HMD).

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

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 4. 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 5. 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 _____, 2019, and was passed and adopted at a regular meeting of said City Council held on the ____ day of _____, 2019, by the following called vote:

AYES: Council Members:

NOES: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

APPROVED:

Mayor

ATTEST:
STEVE CARRIGAN, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

Shirley A. [Signature]
City Attorney Date

EXHIBIT A
LEGAL DESCRIPTION

Lot 123 of Sunrise at Compass Pointe, County of Merced, State of California, according to the Map thereof Recorded on September 18, 2001, in Volume 60 at Page 12, Official Records of Merced County.

APN: 206-050-017

EXHIBIT A

Site Utilization Plan Revision #6 to Planned Development (P-D) #46

Change the Site Utilization Plan designation
from
"Mini-Storage"
to
"Apartments"

HWY 59

SAN AUGUSTINE

PACIFIC

EL REDONDO

COMPASS
POINTE

YOSEMITE AVE

Subject Site

City Limit

N

EXHIBIT B