

CITY OF MERCED
Planning Commission

Resolution #4096

WHEREAS, the Merced City Planning Commission at its regular meeting of August 17, 2022, held a public hearing and considered **Vesting Tentative Subdivision Map #1321**, initiated by initiated by Valley Premier Land Group, on behalf of Long and Seng Thao, property owners. This application involves a request to subdivide approximately 41.6 acres of land into 146 single-family lots ranging in size from 4,500 square feet to 9,546 square feet. The project site is generally located south of Cardella Road (extended), west of Fahrens Creek. The site has a General Plan Designation of Low Density (LD) Residential and a Zoning designation of Planned Development (P-D) #50.; also known as Assessor's Parcel No. 206-030-007 and -008; and,

WHEREAS, the Merced City Planning Commission concurs with Findings/Considerations A through O of Staff Report #22-606 (Exhibit B); and,

WHEREAS, the Merced City Planning Commission concurs with the Findings for Tentative Subdivision Map Requirements in Merced Municipal Code Section 18.16.80, 18.16.90, and 18.16.100 as outlined in Exhibit B; and,

NOW THEREFORE, after reviewing the City's Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt a Categorical Exemption regarding Environmental Review #22-28 and approve Vesting Tentative Subdivision Map #1321, subject to the Conditions set forth in Exhibit A attached hereto and incorporated herein by this reference.

Upon motion by Commissioner CAMPER, seconded by Commissioner GREGGAINS, and carried by the following vote:

AYES: Commissioners Camper, Greggains, DeAnda, Delgadillo, White, Gonzalez, and Chairperson Harris

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

ATTACHMENT D

PLANNING COMMISSION RESOLUTION #4096

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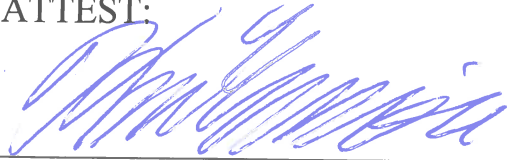
August 17, 2022

Adopted this 17th day of August 2022.



Chairperson, Planning Commission of
the City of Merced, California

ATTEST:



Secretary

Exhibits:

Exhibit A – Conditions of Approval

Exhibit B – Findings/Considerations

Conditions of Approval
Planning Commission Resolution #4096
Vesting Tentative Subdivision Map #1321

1. The proposed project shall be constructed/designed as shown on Exhibit 1 (Vesting Tentative Subdivision Map for “Long Property”)—Attachment C of Planning Commission Staff Report #22-606, except as modified by the conditions herein.
2. All conditions contained in Resolution #1175-Amended ("Standard Tentative Subdivision Map Conditions") shall apply.
3. The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as applied by the City Engineering Department.
4. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply.
5. The project shall comply with the applicable conditions set forth in Planning Resolution #2704 for Annexation and Pre-Zone #01-03 and #01-04, all applicable conditions of the Pre-Annexation Development Agreement for the Fahrens Creek North Annexation, including all applicable mitigation measures adopted for Initial Study #01-32 (refer to Attachment D of Planning Commission Staff Report #22-606).
6. The developer/applicant shall indemnify, protect, defend (with counsel selected by the City), and hold harmless the City, and any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project and the approvals granted herein. Furthermore, developer/applicant shall indemnify, protect, defend, and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against any governmental entity in which developer/applicant's project is subject to that other governmental entity's approval and a condition of such approval is that the City indemnify and defend (with counsel selected by the City) such governmental entity. City shall promptly notify the developer/applicant of

any claim, action, suits, or proceeding. Developer/applicant shall be responsible to immediately prefund the litigation cost of the City including, but not limited to, City's attorney's fees and costs. If any claim, action, suits, or proceeding is filed challenging this approval, the developer/applicant shall be required to execute a separate and formal defense, indemnification, and deposit agreement that meets the approval of the City Attorney and to provide all required deposits to fully fund the City's defense immediately but in no event later than five (5) days from that date of a demand to do so from City. In addition, the developer/applicant shall be required to satisfy any monetary obligations imposed on City by any order or judgment.

7. The developer/applicant shall construct and operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
8. Community Facilities District (CFD) formation is required for annual operating costs for police and fire services as well as storm drainage, public landscaping, street trees, street lights, parks and open space. CFD procedures shall be initiated before final map approval. Developer/Owner shall submit a request agreeing to such a procedure, waiving right to protest and post deposit as determined by the City Engineer to be sufficient to cover procedure costs and maintenance costs expected prior to first assessments being received.
9. A Site Plan Review Permit shall be obtained prior to construction to determine design standards for building heights, setbacks, lot coverage, etc. and architectural design.
10. The project shall comply with all requirements of the California Building Code and all flood requirements of the Federal Emergency Management Agency (FEMA), as well as the requirements for the California Urban Level of Flood Protection (CA 200-year flood).
11. All necessary documentation related to the construction of the residential uses shall be provided at the building permit stage.
12. The project shall comply with all the Post Construction Standards required to comply with state requirements for the City's Phase II MS-IV Permit (Municipal Separate Storm Sewer System).

13. Per Mitigation Measure F-2 of Initial Study #01-32 (Attachment D of Planning Commission Staff Report #22-606), the interior noise level for homes shall not exceed 45dB. In order to achieve this level, noise attenuation measures may be required. A noise study shall be provided prior to the issuance of any building permits for lots along Cardella Road and R Street.
14. Per Mitigation Measure F-5 of Initial Study #01-32 (Attachment D of Planning Commission Staff Report #22-606), all grading and construction activity shall be limited to daylight hours (between 7 a.m. and 7 p.m.).
15. Per Mitigation Measure E-1 of Initial Study #01-32 (Attachment D of Planning Commission Staff Report #22-606), a biological assessment by a qualified biologist registered to perform such assessments for vernal wetlands and related sensitive-type areas shall be provided prior to the issuance of a grading permit or any other work which may disturb the site.
16. As shown on VTSM #1321 (Attachment C of Planning Commission Staff Report #22-606), Outlot C is not a buildable lot. If the owner cannot come to an agreement with the adjacent property owner to combine this lot with Lot D from the Horizons at Compass Pointe, Unit 2, to create buildable lots, the City shall only accept this lot if it is included in the CFD for maintenance purposes. If for some reason it cannot be included in the CFD, the property owner shall be responsible for all maintenance.
17. If the owner can come to an agreement with the owners of Lots D and E from the Horizons at Compass Pointe, Unit 2 subdivision to combine Lots D and E with Outlot C, a maximum of 5 additional lot may be added in the area at the corner of Evening Star Drive and Solstice Avenue without having to formally modify the tentative map.

Street Improvements & Infrastructure

Cardella Road

18. The developer shall dedicate 79 feet of right-of-way for Cardella Road (refer to Mitigation Measure M-3 of Initial Study #01-32 – Attachment D of Planning Commission Staff Report #22-606). This is equivalent to the half-width of Cardella Road (a divided arterial with a 148' ultimate right-of-way).
19. The intersection of Cardella Road and R Street shall be designed to meet the standards for an expanded intersection of a major arterial (R Street) and a Divided Arterial (Cardella Road) as shown in Figure 4.28 of the *Merced Vision 2030 General Plan*, unless otherwise approved by the City Engineer.

20. The full width of Cardella Road is not required to be constructed with this development. The collector equivalent (74-foot width) shall be constructed providing two travel lanes (one in each direction) as well as all other standard improvements including, but not limited to, sidewalk, curb, gutter, street lights, and landscaping on the south side of Cardella Road along the project frontage.
21. A 7-foot-tall concrete block wall shall be constructed along the full frontage of Cardella Road and R Street. In addition to the typical park strip, a minimum 10-foot-wide landscape strip shall be provided between the back of the sidewalk and the block wall. The block wall shall be placed in the public right-of-way, not an easement.

R Street

22. The developer shall dedicate sufficient right-of-way to provide an ultimate width of 143 feet for R Street. R Street shall be constructed with full improvements along the full length of the project frontage. Partial reimbursement through the Public Facilities Financing Plan (PFFP) for the construction of R Street is available per City Administrative Policy A-32.
23. Modifications to the existing street south of Lehigh Drive may be necessary as determined by the City Engineer to eliminate the turn pocket at the current terminus of R Street.
24. A traffic signal will be installed at the intersection of R Street and Cardella Road in the future. This project shall install interim traffic control measures including, but not limited to, a left-turn pocket from R Street onto Cardella Road, stop signs, paving, and striping as required by the City Engineer.
25. A median shall be installed in R Street per City Standards. Right turn movements from R Street onto Monaco Drive would be allowed with a break ("worm") in the median.
26. R Street shall be constructed to match the existing street south of Lehigh Drive with a concrete block wall and landscape strip behind the sidewalk, as well as a park strip between the curb and the sidewalk. The wall and landscape strip shall be located within the public right-of-way and not placed in an easement.
27. A traffic signal is required at the intersection of R Street and Lehigh Drive unless otherwise determined by the City Engineer. The developer may propose an alternative to the traffic signal. All alternative designs shall be supported by a traffic analysis or other documentation as required by the City Engineer. The traffic analysis shall be performed by a consultant approved

by the City. The scope of work shall be approved by the City. The City Engineer shall make the final determination on whether the traffic signal or other alternative is required based on the information provided.

28. No homes shall face R Street or Cardella Road. Lots fronting R Street and Cardella Road shall not have vehicular access to R Street or Cardella Road. Abutters rights to these roads shall be relinquished with the final map.

Lehigh Drive & Monaco Drive

29. Lehigh Drive shall have a 94-foot right-of-way (74-feet, plus 10-foot-wide landscape strips on each side). This includes a 6-foot-tall concrete block wall and 10-foot-wide landscape strip behind the sidewalk, as well as a park strip between the sidewalk and street. The landscape strip and wall shall be placed in the right-of-way, not in an easement.
30. Monaco Drive shall have a 74-foot right-of-way and shall be constructed to include two travel lanes, a 7.5-foot-wide park strip, a 5-foot-wide sidewalk, a 6-foot-tall block wall, and a 5-foot-wide landscape strip between the wall and the back of sidewalk. The landscape strip and the block wall shall be placed in the City right-of-way, not in an easement. The 5-foot-wide landscape strip behind the sidewalk shall be planted with drought tolerant plants. Vines may be planted on the wall. The landscaping should include shrubs and other plants, and if possible, small trees.
31. No homes shall front Lehigh Drive or Monaco Drive. All abutters rights to these streets shall be relinquished with the final map. No vehicular access shall be allowed from any lot onto these streets.

Street I

32. Street I shall have a 64-foot right-of-way and be constructed to include a park strip and vertical curb per City Standard ST-1.
33. Traffic calming measures shall be incorporated into the design of Street I. These measures shall be approved by the City Engineer and be included with the improvement plans for the subdivision. Small roundabouts similar to the design at Crescendo Avenue and Pleasant Lane/Court may be allowed.

Streets F, G , and H

34. All cul-de-sacs shall comply with the length, width, and turnaround requirements of Appendix D of the California Fire Code, as adopted in Merced Municipal Code Section 17.32.180. The cul-de-sacs shall have a minimum diameter of 96 feet. The open-ended cul-de-sacs proposed for Streets F, G, and H shall be reduced to allow only pedestrian traffic, not vehicular traffic, unless otherwise required by Table D103.4. If vehicular traffic is allowed, it shall only be for emergency vehicle access, with gates, knox boxes, and remote entry required.

Other

35. The 40-foot-wide right-of-way dedication generally located approximately 1,065 feet south of the northern property line shall be abandoned with the final map.
36. All street widths shall comply with City Standards. All turning radii shall comply with City Standards and applicable Fire Department Standards.
37. Fire hydrants shall be installed along street frontages to provide fire protection to the area. The hydrants shall meet all City of Merced standards and shall comply with all requirements of the City of Merced Fire Department. Final location of the fire hydrants shall be determined by the Fire Department.
38. Traffic control signs, street markings, and striping shall be as directed by the City Engineer.

Utilities

39. A 16-inch water line shall be installed in R Street, unless otherwise determined by the City Engineer. This line shall extend from its current terminus across the entire project frontage on R Street.
40. All utilities installed in R Street, Cardella Road, Monaco Drive, and Lehigh Drive shall extended across the entire project frontage as required by Merced Municipal Code Sections 15.08.110 and 15.40.030. All water lines shall be looped as required by the City Engineering Department.
41. Any oversizing of water and sewer lines shall be eligible for reimbursement or credit per Merced Municipal Code Sections 15.08.150 (Sewer) and 15.40.090 (Water). No reimbursement shall be given after the 10th anniversary of the date the water/sewer lines were accepted by the City.
42. A 10-foot-wide storm drain easement exists between proposed Lots 133 and 134. No structures shall encroach into the easement area. The Inspection

Services Department may require an additional setback from the easement area for any structures built on the lot.

43. The developer shall provide all utility services to each lot, including sanitary sewer, water, electric power, gas (if designed to use gas), telephone, and cable television. All new utilities are to be undergrounded, except on-ground transfer boxes for cable, telephone, and/or power, as necessary.
44. Developer shall provide storm drainage calculations as required by the City Engineer to confirm that the existing basin east of the project site has sufficient volume to serve this development.

Landscaping

45. All landscaping within the public right-of-way shall comply with state and local requirements for water conservation. All irrigation provided to street trees or other landscaping shall be provided with a drip irrigation or micro-spray system and shall comply with the City's Water Efficient Landscape Ordinance (MMC Section 20.36.030). Landscape plans for all public landscaping shall be provided with the Improvement Plans.
46. Prior to final inspection of any home, all front yards and side yards exposed to public view shall be provided with landscaping to include ground cover, trees, shrubs, and irrigation in accordance with Merced Municipal Code Section 20.36.050. Irrigation for all on-site landscaping shall be provided by a drip system or micro-spray system in accordance with the State's Emergency Regulation for Statewide Urban Water Conservation or any other state or City mandated water regulations dealing with the current drought conditions. All landscaping shall comply with the City's Water Efficient Landscape Ordinance (MMC Section 20.36.030).

Site Design

47. As required by Condition #9, a Site Plan Review permit is required to approve Design Standards. The Design Standards shall include those standards required by MMC Section 20.20.020 (M)(6).
48. Compliance with the "corner vision triangle" per MMC 20.30.030 is required for corner lots, and may result in the applicant constructing smaller homes on these lots or increasing the front yard setbacks.
49. Refuse containers shall be stored out of the public view. At the building permit stage, the site plans for each lot shall include a minimum 3-foot by 6-foot concrete pad located in the side yard or backyard for the storage of 3 refuse containers. A paved access to the street from this pad shall be provided.

50. In the northern portion of the subdivision, the driveway for Lots 1 and 48 shall be on Street A. The driveway for Lots 46 and 47 shall be at the southern edge of the lots to allow as much distance as possible from the intersection of Cardella Road and Street I. The driveways for Lot 29 shall face Street D and the driveways for Lots 30 and 31 shall be at the northern edge of the lots to allow as much distance as possible from the intersection of Street I and Monaco Drive.
51. In the southern portion of the subdivision the driveway for Lots 80, 93 94, 103, 104 112 and 116 shall face the cul-de-sac, not Street I. The driveways for Lots 145 and 146 shall be at the southern end of the lots to allow as much distance as possible from the intersection of Monaco Drive and Street I. The driveways for Lots 123 and 124 shall be at the northern edge of the lots to provide as distance as possible from the intersection of Lehigh Drive and Street I.
52. All mechanical equipment shall be screened from public view.

General Requirements

53. The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
54. The developer shall install appropriate street name signs and traffic control signs with locations, names, and types approved by the City Engineer.
55. Developer shall provide construction plans and calculations for all landscaping and public maintenance improvements. All such plans shall conform to City standards and meet approval of the City Engineer.
56. Dedication by Final Map of all necessary easements will be made as shown on Vesting Tentative Subdivision Map #1321 and as needed for irrigation, utilities, drainage, landscaping, open space, and access.

**Findings and Considerations
Planning Commission Resolution #4096
Vesting Tentative Subdivision Map #1321**

FINDINGS/CONSIDERATIONS:

General Plan Compliance and Policies Related to This Application

- A) The proposed project complies with the General Plan designation of Low Density (LD) Residential and the Zoning designation of Planned Development (P-D) #50.

The proposed subdivision would be constructed on 41.6 acres of vacant land. The gross density for the site, would be 3.5 units/acre. The Low Density (LD) Residential land use designation has a density range of 2 to 6 units per acre. Therefore, the proposed density is consistent with the land use designation.

The proposed subdivision would achieve the following General Plan Land Use Policies:

L-1.2 Encourage a diversity of building types, ownership, prices, designs, and site plans for residential areas throughout the City.

L-1.3 Encourage a diversity of lot sizes in residential subdivisions.

L-1.8 Create livable and identifiable residential neighborhoods.

Fahrens Creek Specific Plan Compliance

- B) The project site is located within the Fahrens Creek Specific Plan (FCSP). The FCSP shows this site with an R-1-5 land use designation. The R-1-5 designation in the FCSP is consistent with the Zoning designation of R-1-5 which requires a minimum lot size of 5,000 square feet. Although this subdivision proposes some lots below the minimum 5,000-square-foot lot size, the Planned Development Zoning allows some flexibility in the requirements for an R-1-5 designation. Finding L provides details on compliance with the Planned Development Standards and the ability to vary from the standard zoning requirements such as allowing a smaller lot size.

Zoning Code Compliance

- C) Zoning Ordinance Section 20.20.020(Q) requires that individual projects within a Planned Development obtain a Site Plan Review Permit to address conformance with the Site Utilization Plan for the Planned Development. In this case, because the Planned Development does not include development standards, the Site Plan Review will also address development standards for

this particular development. These standards will include setbacks, lot coverage, architecture, building height, etc. Condition #9 requires the developer to obtain a Site Plan Review Permit prior to construction of any homes.

Traffic/Circulation

- D) The proposed subdivision is located at the corner of two arterials – Cardella Road and R Street. Cardella Road is a major arterial and R Street is a divided arterial. The subdivision is also bisected by two east/west collector roads – Monaco Drive and Lehigh Drive.

According to the Institute of Traffic Engineers (ITE) Manual, a single-family home generates 9.57 trips per weekday. Based on the proposed 106 lots within this subdivision, a total of 1,397 trips per weekday would be generated.

Cardella Road and R Street

Cardella Road is a divided arterial that requires a 118-foot-right-of-way. However, the Engineering Department is currently updating their standards and will increase the right-of-way to 148 feet to avoid having public facilities within easements on private property. This development would be required to dedicate half of the right-of-way (74 feet). The developer would be required to construct two travel lanes and frontage improvements along their property frontage.

R Street is a major arterial that requires 128-foot-right-of-way. With the changes to the Engineering Standards, the right-of-way will increase to 158 feet wide. The City has already obtained 15 feet of the needed right-of-way, so the overall dedication needed to provide sufficient right-of-way is only 143 feet. Because Fahrens Creek is on the west side of R Street, the City is only able to obtain 15 feet of right-of-way from that side of the road. Therefore, this development would be required to dedicate the balance which is 143 feet.

The intersection of Cardella Road and R Street would eventually have a traffic signal. Traffic signals at the corner of two arterials are fully reimbursable by the City's Public Facilities Financing Plan (PFFP). Because the City does not have the right-of-way on the north side of Cardella Road (this property is still in the County), the exact location of the traffic signal is not clear. Until R Street extends further north, R Street will dead end at the intersection with Cardella Road. There will be a stop sign at the intersection which will function similar to the existing intersection of R Street and Pacific Drive. Therefore, this development is not required to install the traffic signal, but it

is required to dedicate the necessary right-of-way needed to accommodate the development's share of the land required for the future traffic signal. The signal would be put in either with future development to the north or as a City project in the future.

Monaco Drive

Monaco Drive is a collector street and would require a 74-foot right-of way. As a collector street, no houses should front this street to avoid conflicts with through traffic and vehicles exiting driveways. Condition #31 prohibits driveway access on Monaco Drive and requires the developer to relinquish the abutters rights to Monaco Drive. By relinquishing the abutters rights, the property would not longer have access to Monaco Drive. Monaco Drive would include a park strip, sidewalk, 5-foot-wide landscape strip, and concrete block wall.

Lehigh Drive

Lehigh Drive is also a collector street. However, in this area, Lehigh Drive has been constructed with a 94-foot-wide right-of-way. Therefore, to be consistent with the street section east of this site, Lehigh Drive is required to have a 94-foot right-of-way which would include a 10-foot-wide landscape strip behind the sidewalk (Condition #29).

Condition #31 also prohibits driveway access on Lehigh Drive and requires the developer to relinquish the abutters rights to Lehigh Drive.

The intersection of Lehigh Drive and R Street is at the ½ mile mark between Cardella Road and Yosemite Avenue. As such, the *Merced Vision 2030 General Plan* requires a traffic signal to allow left-hand turns. Because Lehigh is no longer planned to go across the creek and connect to the existing section of Lehigh Drive off of M Street, the developer feels a traffic signal may not be warranted at this intersection. Condition #27 allows the developer to suggest an alternative to the traffic signal. All alternatives must be supported by a traffic analysis. The traffic analysis and any alternatives to a traffic signal are subject to approval by the City Engineer (Condition #27).

Street I

Street I is a local street that would run the full length of the subdivision. Condition #32 requires Street I to have a 64-foot right-of-way to include a park strip and vertical curb. Condition #33 requires traffic calming measures to be incorporated into the design of Street I. Traffic calming measures may include a small round-about similar to the one installed at the intersection of

Crescendo Avenue and Pleasant Lane/Court near Dunn Road and Gardner Avenue (refer to Attachment E) or other measures approved by the City Engineer.

Streets F, G, and H

Streets F, G, and H as proposed have a 40-foot-wide open-ended cul-de-sac design to allow for an Emergency Vehicle Access (EVA). As proposed, the cul-de-sacs do not need to have an EVA. Therefore, Condition #34 requires the openings onto R Street be reduced to allow pedestrian traffic only.

Evening Star

Evening Star Drive was partially constructed with the subdivision to the southwest (Horizons at Compass Pointe, Unit 2). This subdivision would be required to construct the remainder of Evening Star Drive connecting it to Solstice Avenue.

Parking

- E) Each lot would be provided with a driveway that would lead to the garage for parking. Per the Zoning Ordinance, each home would be required to provide one space of off-street parking. The driveway would not count as the off-street parking to meet this requirement.

Public Improvements/City Services

- F) The developer would be required to install all streets, utilities, and other improvements within the subdivision. City water and sewer lines are available in this area to be extended to serve this subdivision. Each lot would be required to pay the required connection fees for sewer and water connections at the building permit stage. All utilities would be required to be extended across the full frontage of the project site as required by Merced Municipal Code (MMC) Sections 15.08.110 (sewer) and 15.40.030 (water).

Each lot within the subdivision would be required to meet the City's storm drainage and run-off requirements for the City's MS-IV permit (Condition #12). All storm water would ultimately be delivered to the storm drain basin constructed to west at the corner of Monaco Drive and Horizons Avenue.

The property will be annexed into the City's Community Facilities District (CFD) for Services (No. 3002-2) as required by Condition #8. The CFD covers costs related to police and fire, as well as maintenance of landscaping, streetlights, storm drains, etc.

Building Design

- G) The architecture and design standards will be reviewed by the Site Plan Review Committee prior to construction as required by MMC Section 20.20.020 (Q) (Condition #9). The homes shall comply with the Single-family Residential Development Standards as outlined in MMC Section 20.20.020 (M)(6) as detailed below:
- a. **Garages.** A minimum of 25 percent of garages fronting a street shall have recessed doors (by at least 1 foot) for dwelling units with the standard 20 foot setback. A minimum of 25 percent of the garages along a street shall have greater setbacks which are 5 feet greater than the minimum setback for the remainder of the dwelling unit. No three-car garages are allowed for lots 5,000 square feet or smaller, except on lots with alley access or lots exceeding 60 feet in width.
 - b. **Elevations.** Projects shall incorporate a variety of dwelling elevations. Varied setbacks, some two-story houses, front porches, bays and balconies are encouraged as ways of achieving variety; and windows, doors, non-recessed garage doors on the front elevation shall have raised trim in order to provide visual interest and relief.
 - c. **Neighborhood Compatibility.** Projects shall be designed to be compatible with adjacent single-family residential neighborhoods. The Director of Development Services shall consider the relationship of second-story windows, doors, and balconies with the privacy of neighbors, and may require that these features be redesigned or omitted from second-story rear walls.
 - d. **Landscaping.** Front yard shall contain landscaping, including trees, lawn, or other type of drought-tolerant groundcover, shrubs, and an irrigation system, to be installed prior to occupancy.

Site Design

- H) The northern portion of the subdivision between Cardella Road (extended) and Monaco Drive (extended) includes a north/south street (Street I) that will connect to the southern portion of the subdivision. The northern portion also includes a grid-type design that includes 4 east/west streets and one additional north/south street.

The southern portion of the subdivision includes the extension of Street I and

has four cul-de-sacs extending to the east from Street I. There would be six lots that would face Evening Star Drive.

No lots with frontage on Cardella Road, R Street, Monaco Drive, or Lehigh Drive shall have houses facing these streets or have vehicular access to these streets.

The proposed lots range in size from 4,500 to 9,546 square feet. Each lot would be connected by sidewalks throughout the subdivision. The table below shows the mixture of lot sizes in the subdivision.

Number of Lots	Lot Size (S.F)
26	4,500 to 4,994
77	5,000 to 5,992
24	6,050 to 6,995
19	7,090 to 9,546

A concrete block wall would be required along the project's Cardella Road and R Street frontage with a 10-foot-wide landscape strip (Condition #21) between the back of the sidewalk and the wall. A concrete block wall would also be constructed along Monaco Drive with a 5-foot-wide landscape strip and along Lehigh Drive with a 10-foot-wide landscape strip between the wall and sidewalk.

As described in Finding C, the specific design standards for each site will be established through the Site Plan Review permit process.

Landscaping

- I) Each lot within the subdivision shall be provided with front yard landscaping in compliance with Zoning Ordinance Section 20.36 – Landscaping. Section 20.36.050 requires all exterior setback areas, excluding areas required for access to the property to be landscaped (Condition #46).

As described above, landscape strips in addition to park strips would be provided along all arterial and collector roads. Street I would also have a park strip. The other local streets and cul-de-sacs would not have park strips.

Neighborhood Impact/Interface

- J) As shown on the location map at Attachment B of Planning Commission Staff Report #22-606, the site is adjacent to vacant land to the west, with the exception of the single-family homes along Evening Star Drive. To the east would be the extension of R Street and Fahrens Creek beyond that. To the north is vacant land currently not annexed into the City. To the south are single-family homes.

The construction of the proposed subdivision would increase in the number of units in the area which would result in more traffic. However, the additional traffic was anticipated with the General Plan and would not cause a major impact or reduce the level of service for the roads in the area.

Public hearing notices were sent to all property owners within 300 feet of the project site. At the time of this report, the City had not received any comments regarding this project.

Land Use/Density Issues

- K) As previously explained, the site is designated for Low Density Residential. Although the Fahrens Creek Specific Plan identifies this site as R-1-5 which would require a minimum lot size of 5,000 square feet, the Planned Development Zoning designation provides some flexibility in applying this standard. The majority of the lots are 5,000 square feet or greater. Given the amount of right-of-way dedication needed for streets, the developer has done a good job with maximizing the number of lots. As described in Finding D above, because of the creek, this site is required to dedicate 143 of right-of-way along the eastern property line for the extension of R Street. This large dedication along with the dedication needed for Cardella Road and the extra right-of-way required for Lehigh Drive reduced the buildable area of the site. Therefore, staff determined the reduction in some of the lots is acceptable and helps maintain the density at 3.5 units/acre. Given the need for housing, staff and the developer worked to maximize the number of lots while still maintaining the larger lot size for as many lots as possible. The smaller lots may provide a more affordable housing option.

Planned Development

- L) This site is located within Planned Development (P-D) #50. According to MMC Section 20.20.020 (A), the purpose of a Planned Development is to allow for high quality development that deviates from standards and

regulations applicable to other zoning districts. This section goes on to state that the P-D zoning district is intended to promote creativity in building design, flexibility in permitted land uses, and innovation in development concepts. The reduced lot sizes within the subdivision would be consistent with the purpose of the Planned Development zoning designation. The reduced lot sizes allow the number of lots to be maximized. Out of the 146 proposed lots, 26 are less than 5,000 square feet. The smallest of the lots would be 4,500 square feet. The table below shows the number of lots less than 5,000 square feet by the size of the lots. As shown, the major of these lots are 4,750 square feet or larger.

Number of Lots	Lot Size
2	4,500
7	4,680
5	4,750
6	4,860
6	4,920 o 4994

There were no development standards established for this Planned Development when it was established. Therefore, at the Site Plan Review stage, development standards for this subdivision will be established. This will allow staff to work with the developer to develop standards that work for their home product. The development standards would be based on the standards for the R-1-5 zone, but provide flexibility as needed for lot size, lot coverage, and setbacks. The standards would also incorporate the building design standards described in Finding G.

Horizons at Compass Pointe, Unit 2

- M) The subdivision to the south of Lehigh Drive, Horizons at Compass Pointe 2, was constructed in 2004. At that time, the intent was to include a portion of the subject site to connect Evening Star Drive and Solstice Avenue. At that time the developer did not own the land needed to make that connection, but the design was shown on their tentative map (Attachment F of Planning Commission Staff Report #22-606). Currently, there are two lots left over from the Horizons subdivision that are unbuildable – Lots D and E (refer to the map at Attachment G of Planning Commission Staff Report #22-606).

The proposed subdivision would include the continuation of Evening Star Drive with the connection to Solstice Avenue, but it leaves a small sliver

(Outlot C) that would be undevelopable (refer to Attachment C). However, if Outlot C were to be combined with Lot D from the Horizons subdivision, an additional 3 or 4 lots could be created. Additionally, if the remainder Lot E from the Horizons subdivision were added to the proposed subdivision, an additional lot may be able to be created.

Staff has met with the developer of this subdivision and the owners of the remaining Lots in the Horizons subdivision to introduce them and start the conversation between the parties to determine if they can work out a solution to this situation that would create more lots, eliminate vacant land, and be beneficial to all parties involved. The parties are currently working together, but no solution has been determined to date.

If the owners of the property can't work out an agreement to combine the lots, Outlot C would be unbuildable. The City does not want Outlot C to be dedicated to the City unless it is incorporated into the CFD for maintenance purposes. Condition #16 requires that Outlot C either be combined with the other lots or be included in the CFD for maintenance purposes. If the owners can reach an agreement and additional lots can be added to this map, Condition #17 allows the addition of up to 5 additional lots in this area without having to modify the tentative map.

Tentative Subdivision Map Requirements/Public Comments Received

- N) Per Merced Municipal Code (MMC) Section 18.16.080 – Information Required, a tentative subdivision map shall include all of the requirements shown at Attachment H of Planning Commission Staff Report #22-606. Said requirements include stating the location of the subject site, the name of the subdivision, and showing the layout of the proposed lots. MMC 18.16.090 – Required Statement requires the applicant to provide a statement that explicitly states any deviations from tentative subdivision map requirements, standard drawings, or Zoning laws. In this case, the applicant is not requesting any deviations from City Standards. MMC 18.16.100 - Public Hearing – Generally, requires a public hearing to review and approve a tentative subdivision map in conformance with the Subdivision Map Act.

Per the California Environmental Quality Act, a public hearing notice was mailed to property owners within 300 feet of the subject site and published in a qualifying newspaper, Merced County Times, three weeks prior to this meeting. In addition, staff reached out to local utility companies, local school districts, and other relevant government agencies to solicit comments. At the time this report was prepared, staff had received comments the Merced

Irrigation District (MID) stating this area is outside of their District Boundary and could not be served by MID. No other comments have been received.

Environmental Clearance

- O) Planning staff has conducted an environmental review of the project (Environmental Review #22-28) in accordance with the requirements of the California Environmental Quality Act (CEQA), and a Categorical Exemption (i.e., no further environmental review is needed) is being recommended (Attachment I of Planning Commission Staff Report #22-606).

VESTING TENTATIVE TRACT MAP

IN THE CITY OF MERCED
MERCED COUNTY, CALIFORNIA
PREPARED ON JULY 27, 2022
SHEET 1 OF 2

LEGAL DESCRIPTION

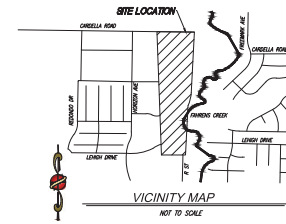
REAL PROPERTY IN THE CITY OF MERCED, COUNTY OF MERCED, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

LOTS 1, 14 AND 15, ACCORDING TO MAP ENTITLED "MAP OF BARNELL'S MERGED TRACT", RECORDED NOVEMBER 14, 1913, VOLUME 4 OF OFFICIAL PLATS, PAGE 14, MERCED COUNTY RECORDS.

EXCEPTING FROM LOT 15, THE INTEREST CONVEYED TO THE CITY OF MERCED RECORDED OF OFFICIAL RECORDS AS INSTRUMENT NO. 2003-030-000, MERCED COUNTY RECORDS.

APNs: 206-030-007-000 (LOTS 1 and 14) and 206-030-008-000 (LOT 15)

LEGEND	
---	PROPOSED ROAD CENTERLINES
---	PROPOSED PARCEL LINES
---	PROPERTY BOUNDARY
---	PROPOSED EASEMENT
---	EXISTING PARCEL LINES
---	EXISTING TREE
---	EXISTING FENCE
---	PROPOSED STREET LIGHT (TENTATIVE LOCATION)
---	PROPOSED FIRE HYDRANT (TENTATIVE LOCATION)



SITE INFORMATION

OWNER: LONG THAO AND SENG THAO
700 W. BLAKE AVE. #1
MERCED, CA 95348

APN: 206-030-007, 206-030-008

SUBDIVISOR: VALLEY PREMIER LAND GROUP (VPLG)
1244 O STREET
FRESNO, CA 93721

ENGINEER: PRECISION CIVIL ENGINEERING, INC.
1244 O STREET
FRESNO, CA 93721
(559) 449-4500

SITE LOCATION: SOUTH OF CARDELLA ROAD AND WEST OF FAIRBANKS CREEK
MERCED, CA

ZONING: P-D (DQ) - PLANNED DEVELOPMENT

EXISTING LAND USE: VACANT

PLANNED LAND USE: LD - LOW DENSITY RESIDENTIAL (2.0 TO 6.0 DU/AC)

PROPOSED LAND USE DESIGNATION: 146 LOTS, SINGLE - FAMILY RESIDENTIAL SUBDIVISION

TOTAL NUMBER OF LOTS: 146

ADJACENT LOT AREA: 42,899 SF

OUTLOTS: OUTLOT A WILL BE DEDICATED TO THE CITY OF MERCED FOR PUBLIC OPENSPACE AND UTILITY PURPOSES.
OUTLOT B WILL BE DEDICATED TO THE CITY OF MERCED FOR PUBLIC OPENSPACE PURPOSES.
OUTLOT C WILL BE DEDICATED TO THE CITY OF MERCED FOR PUBLIC OPENSPACE PURPOSES UNLESS OTHERWISE DETERMINED BY AGREEMENT AND/OR CONDITIONS.

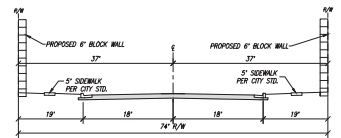
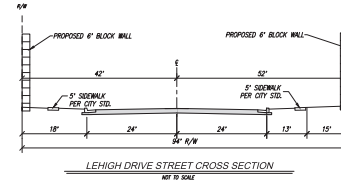
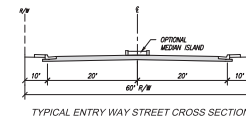
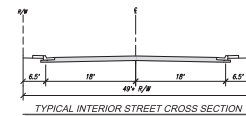
SITE ACREAGE: GROSS: 2.361 ACRES (INCLUDES ROW TO BE ABANDONED)
NET: 2.302 ACRES

DENSITY: 4.75 LOTS PER ACRE

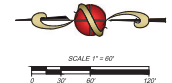
NOTES

1. THERE ARE NO EXISTING STRUCTURES ON-SITE.
2. ALL BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE ZONING REGULATIONS.
3. ALL UTILITY SERVICES ARE PROPOSED TO BE PROVIDED BY THE FOLLOWING AGENCIES:
SEWER: CITY OF MERCED
WATER: CITY OF MERCED
FIRE PROTECTION: CITY OF MERCED
GAS: PG&E
PHONE: P&E
TELEPHONE: CABLE
WASTE DISPOSAL: CITY OF MERCED
4. PROPOSED STREET IMPROVEMENTS SHALL BE INSTALLED IN CONFORMANCE WITH CITY OF MERCED STANDARDS.
5. ALL PUBLIC UTILITIES (POLE, TELEPHONE, CABLE, WATER AND SEWER) SHALL BE INSTALLED.
6. ALL IMPROVEMENTS PROPOSED: SEWER, WATER, STORM DRAIN, CURB, GUTTER, STREETLIGHTS, SIDEWALK, AND PERMANENT PAVEMENT SHALL BE CONSTRUCTED TO CITY STANDARDS.
7. THIS TRACT IS NOT WITHIN 200 FEET OF ANY HAZARDOUS WASTE OR DEPOSITORY.
8. STREET LIGHT AND FIRE HYDRANT LOCATIONS ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY. ACTUAL LOCATIONS TO BE APPROVED ON IMPROVEMENT DRAWINGS BY PUBLIC WORKS ENGINEERING DEPARTMENT.
9. A STREET CROSS SECTION TO BE CONSTRUCTED CONSISTENT WITH EXISTING R STREET DIRECTLY ADJACENT ON SOUTHERN BORDER.

MATCHLINE - SEE SHEET 2

MONACO DRIVE STREET CROSS SECTION
NOT TO SCALETYPICAL ENTRY WAY STREET CROSS SECTION
NOT TO SCALETYPICAL INTERIOR STREET CROSS SECTION
NOT TO SCALE

*STREET WIDTH MAY BE UP TO 50' WIDE DEPENDING ON STANDARD OR MODIFIED CURB



PREPARED BY:

PRECISION CIVIL ENGINEERING, INC.

1234 "O" STREET, FRESNO, CA 93721 PH: (559) 449-4500 FAX: (559) 449-4515

PLANNING • SURVEYING • CIVIL ENGINEERING
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TEL: 559-449-4500 FAX: 559-449-4515
WWW.PRECISIONINC.COM

PRECISION CIVIL ENGINEERING, INC.

PROJECT TITLE: LONG PROPERTY
SHEET DESCRIPTION: VESTING TENTATIVE TRACT MAP
CITY OF: MERCED

PREPARED FOR: VALLEY PREMIER LAND GROUP (VPLG)
1244 O STREET
FRESNO, CA 93721

REVISIONS

DRAWN BY: SS
CHECKED BY: DY
DATE: 7/27/2022

SHEET NUMBER:
1 OF 2

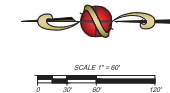
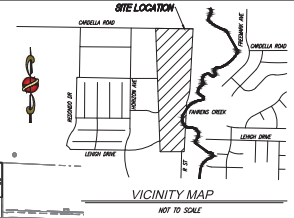
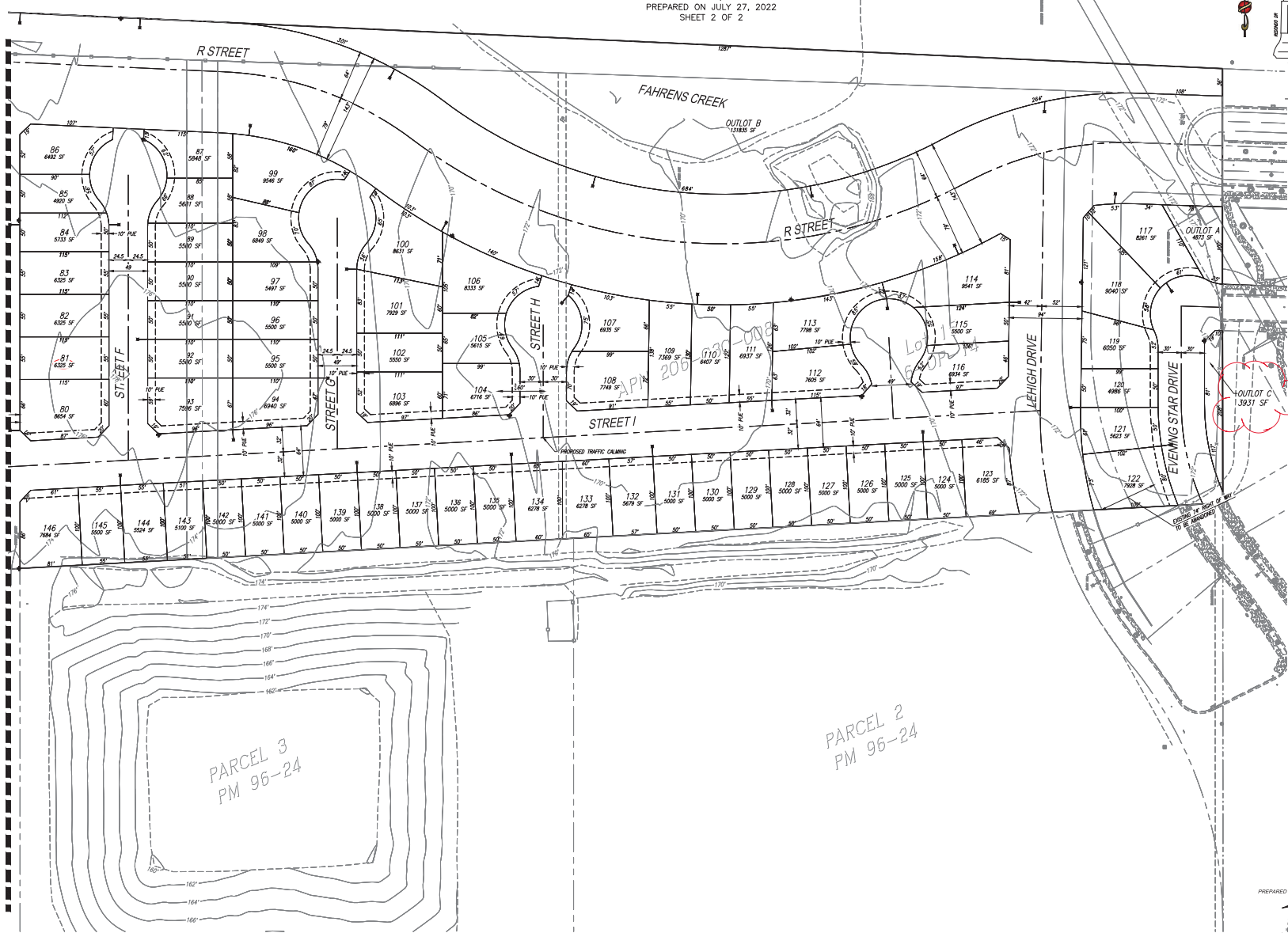
JOB NUMBER:
21-061

PARCEL 3
PM 102-46

CARDELLA ROAD

VESTING TENTATIVE TRACT MAP

IN THE CITY OF MERCED
MERCED COUNTY, CALIFORNIA
PREPARED ON JULY 27, 2022
SHEET 2 OF 2



PREPARED BY:
PRECISION CIVIL ENGINEERING, INC.

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PLANNING • SURVEYING • CIVIL ENGINEERING
1234 O STREET, FRESNO, CALIFORNIA 93721
TEL: 559-448-4300 FAX: 559-448-4515
WWW.PRECISIONINC.COM



PROJECT TITLE
LONG PROPERTY
SHEET DESCRIPTION
VESTING TENTATIVE TRACT MAP
CITY OF
MERCED

PREPARED FOR
VALLEY PREMIER LAND GROUP (VPLG)
1234 O STREET
FRESNO, CA 93721

REVISIONS

DRAWN BY: SS
CHECKED BY: DY
DATE: 7/27/2022

SHEET NUMBER:
2 OF 2
JOB NUMBER:
21-061

**EXPANDED INITIAL STUDY #01-32
for
FAHRENS CREEK NORTH ANNEXATION
TO THE CITY OF MERCED**

Mitigation Monitoring Program

MITIGATION MONITORING CONTENTS

This mitigation monitoring program includes a brief discussion of the legal basis and purpose of the mitigation monitoring program, a key to understanding the monitoring matrix, a discussion of noncompliance complaints, and the mitigation monitoring matrix itself.

LEGAL BASIS AND PURPOSE OF THE MITIGATION MONITORING PROGRAM

Public Resource Code (PRC) 21081.6 requires public agencies to adopt mitigation monitoring or reporting programs whenever certifying an environmental impact report or mitigated negative declaration. This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process.

The City of Merced has adopted its own "Mitigation Monitoring and Reporting Program" (MMC 19.28). The City's program was developed in accordance with the advisory publication, *Tracking CEQA Mitigation Measures*, from the Governor's Office of Planning and Research.

As required by MMC 19.28.050, the following findings are made:

- 1) The requirements of the adopted mitigation monitoring program for the Fahrens Creek NORTH Annexation shall run with the real property that is the subject of Annexation Application #00-31 to the City of Merced. Successive owners, heirs, and assigns of this real property are bound to comply with all of the requirements of the adopted program.
- 2) Prior to any lease, sale, transfer, or conveyance of any portion of the subject real property, the applicant shall provide a copy of the adopted program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

MITIGATION MONITORING PROCEDURES

In most cases, mitigation measures can be monitored through the City's construction plan approval/plan check process. When the approved project plans and specifications, with mitigation measures, are submitted to the City Development Services Department, a copy of the monitoring checklist will be attached to the submittal. The Fahrens Creek Annexation Mitigation Monitoring Checklist will be filled out upon project approval with mitigation measures required. As project plans and specifications are checked, compliance with each mitigation measure can be reviewed.

In instances where mitigation requires on-going monitoring, the Mitigation Monitoring Checklist will be used until monitoring is no longer necessary. The Development Services Department will be required to file periodic reports on how the implementation of various mitigation measures is progressing or is being maintained. Department staff may be required to conduct periodic inspections to assure compliance. In some instances, outside agencies and/or consultants may be required to conduct necessary periodic inspections as part of the mitigation monitoring program. Fees may be imposed per MMC 19.28.070 for the cost of implementing the monitoring program.

**ATTACHMENT A
Of
PLANNING COMMISSION RESOLUTION #2704**

GENERAL PLAN MITIGATION MEASURES

As a second tier environmental document, the *Expanded Initial Study for the Fahrens Creek NORTH Annexation to the City of Merced* incorporates some mitigation measures adopted as part of the *Merced Vision 2015 General Plan Program Environmental Impact Report* (SCH# 95082050), as mitigation for potential impacts of the Project. Therefore, following the Fahrens Creek NORTH Annexation Mitigation Monitoring Checklist (starting on page A-15) is a list of these relevant General Plan mitigation measures along with the General Plan Mitigation Monitoring Checklists (Forms A and B) to be used to verify that the General Plan mitigation measures have been met.

NONCOMPLIANCE COMPLAINTS

Any person or agency may file a complaint asserting noncompliance with the mitigation measures associated with the project. The complaint shall be directed to the City Planner in written form providing specific information on the asserted violation. The City Planner shall cause an investigation and determine the validity of the complaint. If noncompliance with a mitigation measure has occurred, the City Planner shall cause appropriate actions to remedy any violation. The complainant shall receive written confirmation indicating the results of the investigation or the final action corresponding to the particular noncompliance issue. Merced Municipal Code (MMC) Sections 19.28.080 and 19.28.090 outline the criminal penalties and civil and administrative remedies which may be incurred in the event of noncompliance. MMC 19.28.100 spells out the appeals procedures.

MONITORING MATRIX

The following pages provide a series of tables identifying the mitigation measures proposed specifically for the Fahrens Creek NORTH Annexation. The columns within the tables are defined as follows:

Mitigation Measure:	Summarizes the Mitigation Measure (referenced by number) identified in Expanded Initial Study #01-32.
Timing:	Identifies at what point in time or phase of the project that the mitigation measure will be completed.
Agency/Department Consultation:	This column references any public agency or City department with which coordination is required to satisfy the identified mitigation.
Verification:	These columns will be initiated and dated by the individual designated to verify adherence to the project specific mitigation.

Fahrens Creek NORTH Annexation Mitigation Monitoring Checklist

Project Name: _____
 File Number: _____
 Approval Date: _____
 Project Location: _____

Brief Project Description _____

The following environmental mitigation measures were incorporated into the Conditions of Approval for this project in order to mitigate identified environmental impacts to a level of insignificance. A completed and signed checklist for each mitigation measure indicates that this mitigation measure has been complied with and implemented, and fulfills the City of Merced's Mitigation Monitoring Requirements (MMC 19.28) with respect to Assembly Bill 3180 (Public Resources Code Section 21081.6).

<i>Mitigation Measure</i>		<i>Timing</i>	<i>Agency or Department Consultation</i>	<i>City Verification (date and initials)</i>
A. EARTH				
A-1	Grading and excavation shall be conducted according to City of Merced standards to reduce the effects of disruptions, displacement, compactions, and over-covering of soils.	<i>Building Permits</i>	<i>City Inspection Services, Engineering, & Public Works</i>	
A-2	The Project applicants shall prepare grading plans for individual projects for review and approval by the City of Merced Inspection Services, Engineering, and Public Works Departments prior to approval of building permits. The grading plans shall include the nature and extent of work proposed, phasing, and minimize the effects of disruptions, displacement, compaction, and over-covering of soils.	<i>Building Permits</i>	<i>City Inspection Services, Engineering, & Public Works</i>	
A-3	Prior to approval of any improvement or building plans, the City shall review plans for drainage and storm water run-off control systems and their component facilities, as required, to ensure that these systems are non-erosive in design.	<i>Tentative Map Building Permit</i>	<i>City Engineering & Public Works</i>	
A-4	Upon completion of construction, subsequent Projects shall re-vegetate all exposed soil surfaces within 30 days, or as otherwise approved by the City, to minimize potential topsoil erosion. Reasonable alternatives to re-vegetation may be employed, especially during peak high temperature periods, subject to the approval of the City.	<i>Certificate of Occupancy</i>	<i>City Inspection Services</i>	

<i>Mitigation Measure</i>	<i>Timing</i>	<i>Agency or Department Consultation</i>	<i>City Verification (date and initials)</i>
A-5 Projects under review shall be required to submit temporary erosion control plans for construction activities.	<i>Building Permits</i>	<i>City Inspection Services</i>	
A-6 Prior to the issuance of a building permit, the applicant shall design all structures according to the Uniform Building Code Seismic Section 3.	<i>Building permits</i>	<i>City Inspection Services</i>	
A-7 A soils report shall be prepared by a qualified soils or civil engineer, consistent with the provisions of the State Subdivision Map Act, prior to approval of a final subdivision map or building permit, if applicable as required by Merced Municipal Code.	<i>Final Maps</i>	<i>City Engineering & Public Works</i>	
A-8 Building plans shall be reviewed by a registered engineer specializing in geo-technical assessments to ensure that the soils can support the load.	<i>Building Permits</i>	<i>City Inspection Services, Engineering, & Public Works</i>	
B. AIR			
B-1 All active portions of construction sites, earthen access roads, and material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering shall occur at least twice a day with complete coverage, preferably in the late morning and after work is done for the day. Where feasible, reclaimed water shall be used.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-2 All clearing, grading, earth moving, or excavation activities shall cease during periods of winds greater than 20 miles per hour averaged over one hour.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-3 All material transported off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-4 The area disturbed by clearing, earth moving, or excavation activities shall be minimized at all times. This can be accomplished by mowing instead of disking for weed control and seeding and watering inactive portions of the construction site until grass is evident, if construction time frames warrant.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-5 Construction site vehicle speeds shall be limited to 15 miles per hour.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-6 If used, petroleum-based dust palliatives shall meet the road oil requirements of the District's rule regarding Cutback Asphalt Paving Materials.	<i>Building Permits</i>	<i>SJVUAPCD</i>	
B-7 Streets adjacent to the Project site shall be swept as needed to remove silt and/or mud that may have accumulated from construction activities. The streets are required to be wet prior to or in conjunction with rotary sweeping.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-8 All internal combustion engine-driven equipment shall be properly maintained and well tuned according to the manufacturer's	<i>Building Permits</i>	<i>City Inspection Services</i>	

<i>Mitigation Measure</i>	<i>Timing</i>	<i>Agency or Department Consultation</i>	<i>City Verification (date and initials)</i>
specifications.			
B-9 When reasonably available and economically feasible, diesel powered or electric equipment shall be utilized in lieu of gasoline powered engines.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-10 Construction activities shall minimize obstruction of through traffic lanes adjacent to the site and a flag person shall be retained to maintain safety adjacent to existing roadways.	<i>Building Permits</i>	<i>City Inspection Services</i>	
B-11 Prior to issuance of a grading permit, the project will be required to comply with District Regulation VIII. Specifically, the rules that apply to this project are: Rule 8010 (Administrative Requirements) and Rule 8020 (Construction, Demolition, Excavation, and Extraction Activities). Additional rules that may apply to this project depending on construction practices employed are: Rule 8030 (Handling and Storage of Bulk Materials), Rule 8060 (Paved and Unpaved Roads), and Rule 8070 (Parking, Shipping, Receiving, Transfer, Fueling, and Service Areas).	<i>Building Permits</i>	<i>SJVUAPCD</i>	
B-12 At the discretion of the Director of Development Services, subsequent projects within the Project boundaries may be required to submit an air quality analysis to the City prior to construction. Such studies shall outline any impacts associated with specific processes or activities to be present on-site.	<i>Site Plan Approval</i>	<i>City Planning</i>	
(B-13) (General Plan 1-d) Development construction activity shall implement appropriate dust (PM10) suppression techniques as required by the SJVRAPCD.	<i>Building Permit/Construction</i>	<i>City Inspection Services</i>	
C. WATER			
C-1 Prior to approval of a Final Map or subsequent development projects, the applicant shall demonstrate to the City that storm drainage facilities are adequate to meet Project demands and that improvements are consistent with the <i>Merced County Critical Area Flooding and Drainage Plan</i> and any updates.	<i>Tentative Maps</i>	<i>City Engineering & Public Works</i>	
C-2 Prior to alteration or removal of the existing elevated YVRR roadbed in the eastern portion of the project area, the property owner shall demonstrate, through competent analysis acceptable to the City of Merced, what effect(s) removal of the roadbed will have on area flood waters delineated in the Special Flood Hazard Area identified on the east side of the roadbed, including impacts to other properties.	<i>Tentative Maps</i> <i>Building Permits</i> <i>Conditional Use Permits/Site Plan Approvals</i>	<i>City Engineering & Public Works</i>	

<i>Mitigation Measure</i>	<i>Timing</i>	<i>Agency or Department Consultation</i>	<i>City Verification (date and initials)</i>
C-3 Prior to approval of subsequent development projects, the applicants shall demonstrate to the City that temporary erosion control measures will be followed during construction.	Building Permits	City Inspection Services	
C-4 As individual projects are determined, the applicants shall provide detailed information to the City regarding projected water usage. The applicants shall provide all water system needs (including wells, water mains, etc.) for individual projects or pay equivalent fees to insure the construction of the necessary water infrastructure.	Building Permits/ Parcel Maps	City Engineering & Public Works	
C-5 Areas within 100-year flood plains will be required to comply with all pertinent provisions of the City's Flood Damage Prevention Ordinance (MMC 17.48) and all updates.	Building Permits	City Inspection Services & Engineering	
(C-6) (General Plan 2-a) When site-specific development proposals with direct discharge into the area's surface water system are submitted to the City for review and action, Best Management options should be evaluated to determine need and feasibility.	Subdivision maps/Parcel maps/ Building permits	Engineering	
(C-7) (General Plan 2-b) Water conservation policy of the City should be periodically reviewed to determine need, appropriateness, and feasibility of implementing conservation practices suggested in the Merced Water Supply Plan.	Subdivision maps/Parcel maps/ Conditional Use Permits	Engineering/Public Works/City Planning	
E. ANIMAL LIFE			
E-1 Under the Planned Development (P-D) prezone for the AREA X portion of the proposed annexation, the designation for the Official Site Utilization Plan (SUP) for the area will be A-1-20 or one house per 20 acre minimum size lot, generally consistent with the current County A-1 (agricultural) zoning. However, additional conditions shall be incorporated in the Official SUP to require a biological assessment by a qualified biologist registered to perform such assessments, for vernal wetlands and related sensitive-type areas, prior to any development approvals, including building permits, land leveling, road construction, lot splits, or any other physical or administrative changes or approvals within AREA X.	Land Leveling Permits/Road Construction Tentative Subdivi- sion Maps/Lot Splits Building Permits	City Planning Engineering City Inspection Services CA Dept of Fish & Game	
E-2 For any kind of development-related activity taking place in proximity to those portions of the Fahrens Creek corridor located within AREA X, with regard to the Giant Garter Snake: a) provide environmental awareness training to contractors or others doing work in this area; b) restrict construction along the Creek to only the snake's active season (May 1 through September 30, unless further evaluation provided in above adjusts these dates); and c) have qualified biologist conduct pre-	Final Maps Building Permits	City Planning CA Dept of Fish & Game	

<i>Mitigation Measure</i>		<i>Timing</i>	<i>Agency or Department Consultation</i>	<i>City Verification (date and initials)</i>
construction surveys 24 hours in advance of construction activities.				
F. NOISE				
F-1	A 6 foot or higher sound wall or earthen berm (or combination of both), or some other acceptable method for achieving comparable noise reduction, may need to be constructed to meet the City's outdoor noise level standards of DNL 60dB for new residential development adjacent to perimeter arterials (Cardella Road and "R" Street). Depending upon the DNLs and the acoustical shielding provided by the first row of buildings (if any), existing and new residential development located a greater distance from the perimeter arterials may require lower sound walls or a combination of sound attenuation measures. As an alternative to sound walls, new dwelling units may be oriented so that the outdoor use areas would be shielded by the building. As necessary detailed noise projections should be prepared to corroborate earlier noise studies/projections and actual height requirements for sound walls, prior to recordation of final maps for each phase of residential development falling within applicable noise zones.	<i>Final Maps Building Permits</i>	<i>City Planning</i>	
F-2	Project residential developments constructed within pertinent noise zones in proximity to Cardella Road and "R" Street would require sound-rated windows, as well as sound-rated exterior wall assemblies where necessary, or other acceptable methods of sound attenuation to achieve comparable noise reductions, to be consistent with the 45 dB interior noise level maximum.	<i>Final Maps Building Permits</i>	<i>City Planning</i>	
F-3	Trucks used for the development of Fahrens Creek NORTH will be required to use the City's designated truck routes, to be demonstrated by the project applicant through the submittal of a construction traffic plan to the City Engineer prior to the issuance of grading permits.		<i>City Planning City Inspection Services</i>	
F-4	All construction activity shall be conducted in accordance with City of Merced standards for times of operation.	<i>Building Permits</i>	<i>City Inspection Services</i>	
F-5	Grading and construction activity shall be limited to daylight hours (between 7 a.m. and 7 p.m.) in areas where noise sensitive receptors are located.	<i>Building Permits</i>	<i>City Inspection Services</i>	
F-6	In noise sensitive areas, construction equipment, compressors, and generators shall be fitted with heavy duty mufflers specifically designed to reduce noise impacts.	<i>Building Permits</i>	<i>City Inspection Services</i>	

<i>Mitigation Measure</i>		<i>Timing</i>	<i>Agency or Department Consultation</i>	<i>City Verification (date and initials)</i>
G. LIGHT AND GLARE				
G-1	The applicants shall utilize lighting fixtures of minimal wattage necessary to provide adequate lighting for security, industrial operations, and circulation. Light spill shall be controlled by baffles, cut-off lenses, and fixture height necessary to minimize spill-over onto adjacent properties. Prior to building permit approvals, lighting plans shall be submitted for review by the City which specifies lighting type, location, and methods for minimizing spill.	<i>Building Permits</i>	<i>City Planning</i>	
M. TRANSPORTATION /CIRCULATION				
M-1	The Project shall pay all fees as required under the City's Public Facilities Impact Fees (Chapter 17.62 of the Merced Municipal Code).	Certificate of Occupancy	City Planning & City Engineer	
M-2	The developer shall construct all collector, local, or cul-de-sac streets within the Project boundaries to their ultimate right-of-way with full frontage improvements as defined by the City of Merced Standard Designs for all Engineering Structures and the <i>Merced Vision 2015 General Plan</i> and any amendments thereto, including expanded landscape corridors along designated collector streets. This may include some contribution to the proposed Reverse Frontage Road North-South Collector to be located along the west boundary of AREA Z, based on projected level of usage or some other measurement of proportional share.	Tentative Maps/ Parcel Maps/ Site Plan Reviews	City Planning & Engineering	
M-3	The developer shall dedicate half the required right-of-way for all arterial and higher order streets adjacent to the Project boundaries as defined in the <i>Merced Vision 2015 General Plan</i> . This includes both Cardella Road and "R" Street (each adjacent to AREA X), as well as Cardella Road adjacent to AREA Y. Consistent with Mitigation Measure 7.b of the Merced Vision 2015 General Plan EIR, where the extent of right-of-way dedication exceeds the City's development standards for a collector street (currently 74 feet for a collector street located entirely within the Project and 37 feet for a collector abutting the Project), then the developer is eligible for reimbursements in accordance with the City's Public Facilities Impact Fee Ordinance and guidelines, unless a traffic study determines that the Project's traffic impacts require additional dedication.	Tentative Maps/Site Plan Reviews	City Planning & Engineering	
M-4	The developer shall construct the "collector equivalent" (74 feet) portion of the right-of-way, along with full frontage improvements along the Project boundaries and at least one travel lane in each direction, for all arterial and higher order streets within the Project boundaries. Consistent with Mitigation Measure 7.b of the Merced Vision 2015 General Plan EIR, where the extent of street improvements exceeds one-half of a "collector equivalent" street for a project fronting only one side of the street, the project is eligible for reimbursement for the cost of improvements exceeding the one-half "collector equivalent" in accordance with the City's Public Facilities Impact Fee Ordinance and guidelines, unless a traffic study determines that the Project's traffic impacts require additional improvements.	Tentative Maps/ Parcel Maps/ Site Plan Reviews	City Planning & Engineering	

<i>Mitigation Measure</i>	<i>Timing</i>	<i>Agency or Department Consultation</i>	<i>City Verification (date and initials)</i>
M-5 The owner of each adjacent corner within AREA Y shall be responsible for that portion of the cost of a traffic signal designated in the City of Merced Public Facilities Impact Fee structure, to City standards and the satisfaction of the City Engineer, at each quarter-mile/half-mile collector intersection with Cardella Road; the same circumstances apply for owners of each adjacent corner within AREA X as they relate to the intersection of Lehigh Drive (extended) with "R" Street, whenever warrants are met in the judgment of the City Engineer. In such a case, installation of an intersection traffic signal by one developer could even be required at any of these locations by the City Engineer prior to full build-out of adjacent properties, if warrants are met, subject to adopted reimbursement requirements. Security shall be determined at the time of first subdivision map or other discretionary action.	Tentative Maps/ Parcel Maps/ Site Plan Reviews	City Planning & Engineering	
(M-6) (General Plan 7a) Appropriate traffic studies shall be prepared for all development projects which can be expected to reduce a road segment or intersection level of service below "D." (Note: Studies are not anticipated, based upon current projections, but could be required in the event of future changes).	Tentative Maps/ Conditional Use Permit	Engineering	
(A-7) (General Plan 7b) The City shall require all development proposals to contribute, based on their proportionate share of impact, to circulation system improvements necessary to maintain at least a level of service "D" on all road segments and intersections impacted by the development project.	Tentative Maps/ Conditional Use Permit	Engineering/Planning/ Finance	
N. PUBLIC SERVICES			
FIRE			
N-1 The applicants shall be required to provide a level of accessibility and range-land management (firebreaks and/or diskings) for fire suppression that is acceptable to the City of Merced.	Tentative Maps/ Parcel Maps/ Building Permit	City Planning & Fire	
SCHOOLS			
N-2 Careful coordination is required between City, developer(s), and School District regarding phasing of infrastructure improvements within the general area, to achieve safe, adequate access for both school construction and operation.	Tentative Maps/ Parcel Maps/ Building Permits	Planning staff, City Engineer, and City School District	
N-3 Prior to the issuance of building permits, the applicant shall be responsible for the payment of school facility impact fees adopted by the Merced City School District and Merced Union High School District, consistent with the Merced City General Plan and State Law.	Building Permits	City School District and MUHSD	
(N-4) (General Plan 8-c) Site designs will need to be reviewed to assure that development does not hinder efficient and cost-effective public services delivery.	Tentative Maps/ Parcel Maps/ Conditional Use Permits	Planning staff, City Engineer, Planning staff, City Engineer, and City School District	

<i>Mitigation Measure</i>		<i>Timing</i>	<i>Agency or Department Consultation</i>	<i>City Verification (date and initials)</i>
(N-5)	(General Plan 8-d) Development projects will be required to pay public facilities impact fees as established by the City in accordance with the requirements of State law.	Building Permit	Planning Staff/Finance	
T.	CULTURAL RESOURCES			
T-1	If evidence of archaeological artifacts is discovered during construction, all operations within an area at and adjacent to the discovered site shall halt until a qualified archaeologist determines the extent of significance of the site.	Building Permits	City Inspection Services	
T-2	On-site preservation of a resource is the preferred alternative. Preserving a cultural deposit maintains the artifacts in context and may prevent inadvertent discovery of, or damage to, human burials. Preservation may be accomplished through a number of means such as capping or covering the site with a layer of soil, fencing the site area, and/or incorporation of the resource in a park area.	Building Permits	City Inspection Services	

Copies of This Form Distributed To:

City Council _____ City Manager _____ City Planner _____ Public Works Dir. _____ City Engineer _____ Fire Chief _____
 Police Chief _____ Leisure Serv. Dir. _____ County of Merced (Dept. _____) Other (List _____)
 Responsible Agency: (List _____)

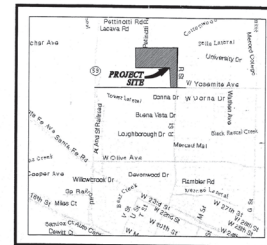
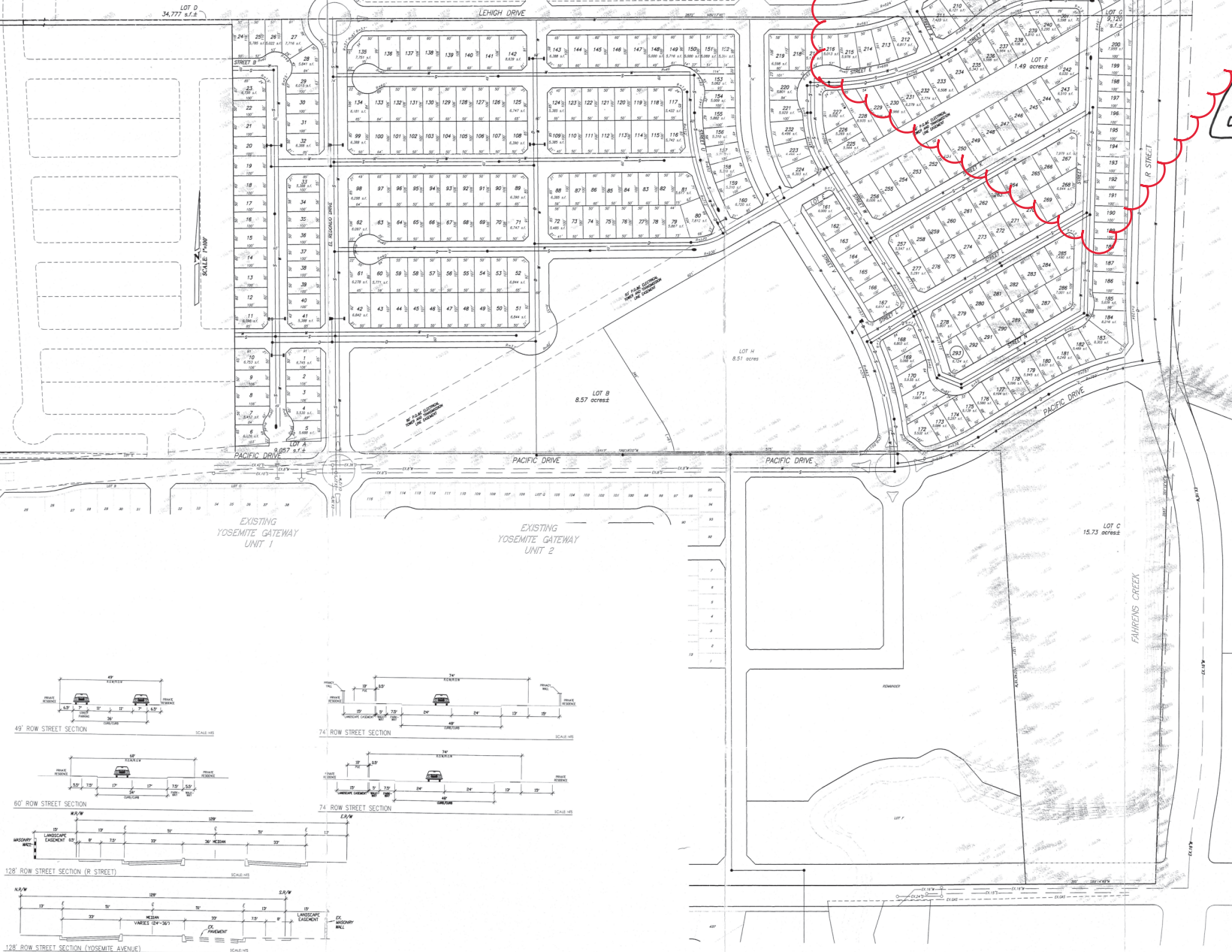
I hereby certify that I have inspected the project site and that the above information is true to the best of my knowledge.

Name: (Print) _____ Representing: (Agency/Firm) _____

Signature: _____ Date: _____

Intersection of Crescendo Avenue and Pleasant Lane/Court





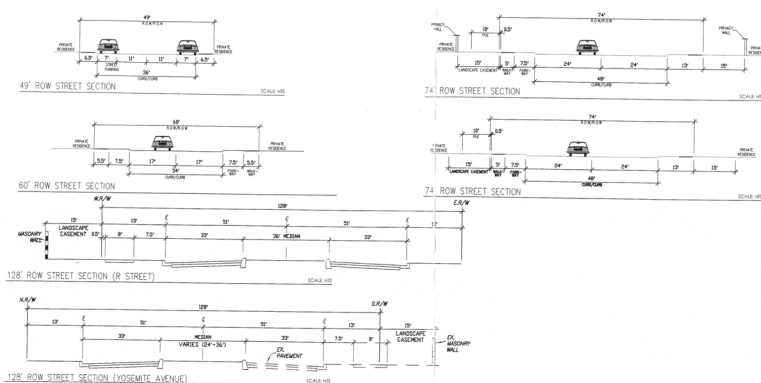
VICINITY MAP
N.T.S.

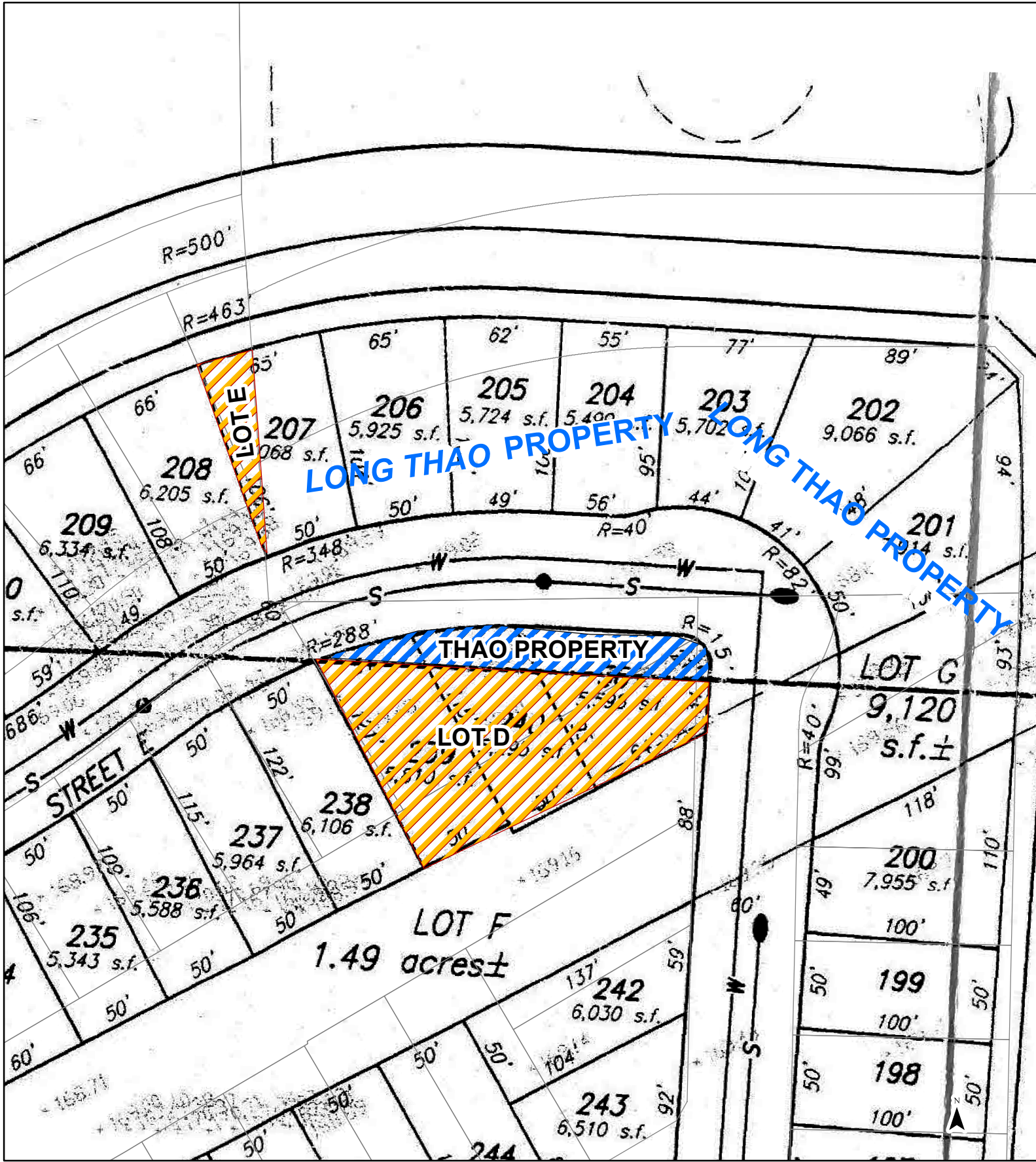
EXHIBIT 1

VESTING TENTATIVE
SUBDIVISION MAP
#1248 ("HORIZONS"
@ COMPASS POINTE"
PC, MTS. OF JUNE 4,
2003

- SUBMITTER'S STATEMENT**
1. THIS MAP IS A TENTATIVE SUBDIVISION MAP FOR THE PURPOSES OF THE SUBDIVISION MAP ACT.
 2. THE SUBMITTER HAS BEEN ADVISED BY THE COUNTY CLERK THAT THIS MAP IS A TENTATIVE SUBDIVISION MAP.
 3. THE SUBMITTER HAS BEEN ADVISED BY THE COUNTY CLERK THAT THIS MAP IS A TENTATIVE SUBDIVISION MAP.
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 15. THE SUBMITTER HAS BEEN ADVISED BY THE COUNTY CLERK THAT THIS MAP IS A TENTATIVE SUBDIVISION MAP.
 16. THE SUBMITTER HAS BEEN ADVISED BY THE COUNTY CLERK THAT THIS MAP IS A TENTATIVE SUBDIVISION MAP.

LOT SUMMARY
60'x100' - 80 LOTS
50'x100' - 204 LOTS
TOTAL - 293 LOTS





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.

Portion of Vesting Tentative
Subdivision Map #1248
Horizons at Compass Pointe



ATTACHMENT G

Merced Municipal Code
Tentative Subdivision Map
18.16.080 - Information required.

Every tentative map shall be clearly and legibly reproduced. The following information shall be shown on, or accompanying, the map:

1. A key or location map on which is shown the general area including adjacent property, subdivisions and roads;
2. The tract name, date, north point, scale and sufficient legal description to define location and boundaries of the proposed subdivision;
3. Name and address of recorded owner or owners;
4. Name and address of the subdivider;
5. Name and business address of the person who prepared the map;
6. Acreage of proposed subdivision to the nearest tenth of an acre;
7. Contours at six-inch intervals to determine the general slope of the land and the high and low point thereof;
8. The locations, names, widths, approximate radii of curves and grades of all existing and proposed roads, streets, highways, alleys and ways in and adjacent to the proposed subdivision or subdivision to be offered for dedication;
9. Proposed protective covenants;
10. Location and description of all easements;
11. Locations and size of all existing and proposed public utilities;
12. Proposed method of sewage and stormwater disposal;
13. Location and character of all existing and proposed public open space in and adjacent to the subdivision and a statement of intention with regard to park land dedication or payment of a fee in lieu thereof;
14. Lot layout, approximate dimensions and area in square feet of each irregular lot and lot numbers;
15. City limit lines occurring within the general vicinity of the subdivision;
16. Classification of lots as to intended land use, zone, and density;
17. Approximate bearings and distances to quarter-section bounds within the general vicinity of the subdivision;
18. Proposed public improvements;
19. Statement as to whether the subdivision is to be recorded in stages;
20. Existing use and ownership of land immediately adjacent to the subdivision;
21. Preliminary title report issued not more than sixty days prior to filing of the tentative map;

22. The outline of any existing buildings and indication of any to remain in place and their locations in relation to existing or proposed street and lot lines;
23. Location of all existing trees and indication of those proposed to remain in place, standing within the boundaries of the subdivision;
24. Location of all areas subject to inundation or storm water overflow, the location, width and direction of flow of all watercourses and indicate flood zone classification;
25. Elevations of sewers at proposed connection.

(Ord. 1533 § 1, 1984: Ord. 1358 § 3, 1980: Ord. 1342 § 2 (part), 1980: prior code § 25.32(c)).

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: _____

From: (Public Agency): _____

(Address)

Project Title: _____

Project Applicant: _____

Project Location - Specific: _____

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose and Beneficiaries of Project: _____

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

Exempt Status: **(check one):**

☐ Ministerial (Sec. 21080(b)(1); 15268);

☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));

☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

☒ Categorical Exemption. State type and section number: Section 15183

☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt: _____

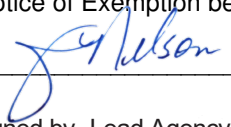
Lead Agency

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.

2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature:  Date: _____ Title: _____

Signed by Lead Agency

Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

**The California Environmental Quality Act
(CEQA) Section 15183 Findings:**

Application: Vesting Tentative Subdivision Map #1321 **Environmental Review** #22-28

Location: South of Cardella Road (extended), west of Fahrens Creek)

Assessor's Parcel Number: APN: 206-030-007 & -008

General Plan Designation: Low Density (LD) Residential **Zoning:** Planned Development P-D #50

State CEQA Guidelines Section 15183 (Public Resources Code §21083.3), provides that projects which are consistent with the development density established by a Community Plan, General Plan, or Zoning for which an environmental impact report (EIR) has been certified "shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site."

The *Merced Vision 2030 General Plan* and its associated EIR (SCH# 2008071069) were certified in January 2012. The document comprehensively examined the potential environmental impacts that may occur as a result of build-out of the 28,576-acre Merced SUDP/SOI. For those significant environmental impacts (Loss of Agricultural Soils and Air Quality) for which no mitigation measures were available, the City adopted a Statement of Overriding Considerations (City Council Resolution #2011-63). This document herein incorporates by reference the *Merced Vision 2030 General Plan*, the *General Plan Program EIR* (SCH# 2008071069), and Resolution #2011-63.

The following findings are made in compliance with CEQA Section 15183 – Project consistent with a Community Plan or Zoning.

In approving a project meeting the requirements of CEQA Section 15183, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

1. Is the project consistent with the General Plan and Zoning designations for the site (including density for residential developments)? Yes X No

If yes, please explain below. If no, the project does not qualify for this exemption.

Comment/Finding:

As indicated above, the General Plan designation for this site is Low Density (LD) Residential which allows 2 to 6 dwelling units per acre. The proposed tentative map would provide 4.82 units/acre (net) which is consistent with the General Plan.

The site is zoned Planned Development (P-D) #50 and has a residential land use designation. The project site is part of the Fahrens Creek North Specific Plan. The proposed tentative map is consistent with the Fahrens Creek Specific Plan and the zoning for the site.

2. Are there any impacts that weren't evaluated in the General Plan EIR that are peculiar to the project or the parcel on which the project would be located? Yes No X

If yes, an initial study or detailed analysis is necessary to determine if specific impacts will need to be mitigated.

If no, continue with CEQA Section 15183 Exemption.

Comment/Finding:

All potential impacts from this development were evaluated with the General Plan EIR. The site is consistent with the General Plan, Fahrens Creek North Specific Plan, and zoning and has no unique features that were not evaluated with the General Plan EIR.

3. Are there project specific impacts which the General Plan EIR failed to analyze as significant effects.

Yes _____ No X

If yes, an initial study or other detailed analysis is necessary to determine if the impacts are considered to be significant and if mitigation is required.

If no, continue with CEQA Section 15183 Exemption.

Comment/Finding:

The proposed tentative map would not result in any additional impacts that were not evaluated with the General Plan EIR.

4. Is there substantial new information which would result in more severe impacts than anticipated by the General Plan EIR?

Yes _____ No X

If yes, an initial study or other detailed analysis is necessary to determine if the impacts are considered to be significant and if mitigation is required.

If no, continue with CEQA Section 15183 Exemption.

Comment/Finding:

There is no new information as a result of the proposed tentative map that would result in more severe impacts. This tentative map is consistent with the General Plan density and circulation element and the land use designation for Planned Development (P-D) #50. All potential impacts were evaluated with the General Plan EIR.

On the basis of this evaluation, in accordance with the requirements of Section 15183 of the CEQA Guidelines:

- | | |
|-------------------------------------|--|
| ☐ | 1. It is found that subsequent negative declaration will need to be prepared. |
| ☐ | 2. It is found that an addendum Negative Declaration will need to be prepared. |
| ☐ | 3. That a subsequent EIR will need to be prepared. |
| ☒ | 4. No further documentation is required. |

Date: 7/6/22

Prepared By:



Julie Nelson,
Senior Planner

Prepare a notice of exemption using CEQA section 15183 based on this analysis.