

CITY OF MERCED
Planning Commission

Resolution #4165

WHEREAS, the Merced City Planning Commission at its regular meeting of, September 17, 2025, held a public hearing and considered **Vesting Tentative Subdivision Map #25-0003**, initiated by Paramjit Singh and Jaswinder Kaur, property owners. This application involves the subdivision of approximately 3.38 acres into 17 single-family lots ranging in size from approximately 6,200 square feet to approximately 14,579 square feet. The subject site is at 2500 E. Childs Avenue, generally located south of East Childs Avenue, approximately 500 feet east of Brimmer Road within a General Plan designation of Low Density Residential (LD) and a Zoning classification of Low Density Residential (R-1-6); also known as Assessor's Parcel Number 061-261-002; and,

WHEREAS, the Merced City Planning Commission concurs with Findings A through I of Staff Report #25-654; 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 California Environmental Quality Act Sections 15332 and 15183 regarding Environmental Review #25-0022, and approve Tentative Subdivision Map #25-0003, subject to the Conditions set forth in Exhibit A, and the Findings set forth in Exhibit B, attached hereto and incorporated herein by this reference.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

PLANNING COMMISSION RESOLUTION #4165

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September 17, 2025

Adopted this 17th day of September 2025

Chairperson, Planning Commission of
the City of Merced, California

ATTEST:

Secretary

Attachments:

Exhibit A – Conditions of Approval

Exhibit B – Findings and Considerations

Conditions of Approval
Planning Commission Resolution #4165
Vesting Tentative Subdivision Map # 25-0003

1. The proposed project shall be constructed/designed as shown on (Proposed Vesting Tentative Subdivision Map) - Attachment C of Staff Report #25-654, subject to conditioned changes.
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, Fire Code and Subdivision Map Act requirements as applied by the City Engineering and Fire Departments.
4. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply.
5. Community Facilities District (CFD) annexation is required for annual operating costs for police and fire services as well as storm drainage, public landscaping, street trees, streetlights, 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.
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. All dwellings shall be designed to include fire sprinklers as required by the California Fire Code.
9. 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.
10. The project shall comply with all requirements of the Merced Irrigation District (MID). The developer shall contact and work with MID to ensure all requirements are satisfactorily met.
11. Street names to be approved by City Engineer or designee.
12. The applicant or developer shall dedicate all necessary street right-of-way and easements as needed for irrigation, utilities, drainage, landscaping, and open space during the Final Map stage as required by the City Engineer or designee.

13. At the Final Map and Improvement Plan stage, all lots shall comply with Merced Zoning Ordinance Table 20.08-2 Development Standards for Single-Family Residential Zoning Districts for the R-1-5 Zone.
14. Plans shall meet current codes at the time of building permit application submittal. Building permit applications shall comply with the newest enacted California Building Codes. Plans shall be drawn by a licensed California design professional.
15. 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.
16. The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
17. Each lot shall provide 200 square feet of on-site parking for each unit.
18. All mechanical equipment shall be screened from public view.
19. Each lot within the subdivision shall be provided with one driveway. No residential driveways shall front on any arterial or collector street.
20. The project shall meet all standards required to comply with state and local requirements for connecting to the City's Municipal Storm Sewer System.
21. The applicant shall provide a minimum 36 inches of coverage between the top of the sewer line and the surface of the street, or as otherwise required by the City Engineer or designee.
22. The applicant shall work with the City's Water and Engineering Divisions to provide a plan showing how City water lines would be extended to serve the subdivision. If required, the water service lines may include a redundant water looped system. Details to be reviewed and approved by the City Engineer or designee.
23. 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).
24. All undeveloped areas shall be maintained free of weeds and debris.

25. 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) and any adopted amendments.
26. Sewer manholes shall be installed as required by the Engineering Department (if needed).
27. Traffic control signs, street markings, and striping shall be installed as directed by the City Engineer or designee.
28. The developer shall install appropriate street name signs and traffic control signs with locations, names, and types approved by the City Engineer or designee.
29. Dedication of all necessary easements will be made as shown on Vesting Tentative Subdivision Map #1336 or by Final Map if any changes are required by the City Engineer or designee.
30. The developer shall provide all utility services to each lot, including sanitary sewer, water, electric power, gas, telephone, and cable television. All new utilities are to be undergrounded.
31. Full public improvements shall be installed/repared if the permit value of the project exceeds \$100,000.00. Public improvements may include, but not be limited to, repairing/replacing the sidewalk, curb, gutter, and street corner ramp(s), so that they comply with ADA standards and other relevant City of Merced/State/Federal standards and regulations.
32. All public improvements shall be provided as required by the City Engineer. All improvements shall meet City Standards.
33. The 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 or designee.

34. Minor modifications to the development standards (as determined by the Director of Development Services), may be reviewed and approved through a Minor Use Permit.
35. Grading and construction activity shall be limited to daylight hours (between 7:00 A.M. and 7 P.M.).
36. 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 Sewer System).
37. The developer shall work with the City Engineering Department to relocate the power poles near East Childs Avenue, as required by the City Engineer.
38. The developer shall work with the City Engineering Department and Merced Irrigation District to underground the existing canal along East Childs Avenue.
39. The developer shall work with the City Engineering Department to create a plan to adequately handle storm drainage at this site, as required by the City Engineer.
40. The developer shall abandon the temporary access easements near the Rye Street cul-de-sac.
41. The developer shall connect this development to the water main near East Childs Avenue.
42. The developer shall install a minimum 6-foot-tall block wall at the northern edge of lots 1 and 17 along East Childs Avenue.
43. The developer shall work with the City Engineering Department to straighten out and extend the Rye Street cul-de-sac to East Childs Avenue and remove any remnants of the prior cul-de-sac.
44. The applicant shall abandon and destroy its septic and well system and connect to City utilities if not already connected.
45. Any crossings over or under the Merced Irrigation District easement shall require an encroachment agreement.
46. The developer shall adhere to any relevant agreements or guidelines as required by Merced Irrigation District.
47. The northern watermain point of connection on East Childs Avenue shall be required to cross above the MID pipeline along East Childs Avenue.

Details to be worked out during the building permit stage, as required by the City Engineer.

Findings and Considerations
Planning Commission Resolution #4165
Vesting Tentative Subdivision Map #25-0003

FINDINGS/CONSIDERATIONS:

General Plan Compliance and Policies Related to This Application

- A) The proposed project complies with the General Plan designation of Low Density Residential (LD). The proposed density is about 5.1 units per acre, which is within the allowed General Plan density range of 2 to 6 units per acre.

The proposed Tentative Subdivision Map, with conditions of approval, will help achieve the following General Plan land use policies:

L-1.5 Protect existing neighborhoods from incompatible developments.

L-1.6 Continue to pursue quality single-family residential development.

L-1.8 Create livable and identifiable residential neighborhoods.

Traffic/Circulation

- B) It is anticipated that the project as proposed would generate approximately 162.69 Average Daily Trips (ADT) based on an average daily rate of 9.57 trips per dwelling unit. The primary vehicle access point into the subdivision would be from East Childs Avenue (one access point) and Dinkey Creek Avenue (one access point) utilizing Rye Street. The traffic generated by this subdivision should not exceed the current and projected capacity for the surrounding street system as the subdivision is being designed to accommodate the proposed density of housing.

The interior road within the subdivision is Rye Street, which runs north/south from East Childs Avenue to Dinkey Creek Avenue. As shown on the proposed Vesting Tentative Subdivision Map, this project would expand the Rye Street north towards East Childs Avenue. This would allow access to the new lots from East Childs Avenue as well as Dinkey Creek Avenue.

Public Improvements/City Services

- C) The developer would be required to install all streets, utilities, and other improvements within the subdivision and around the subdivision to be up to City Standards (Conditions #27, #28, and #31).

Each lot would be required to pay fees for sewer and water connections at the building permit stage. In addition, 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 #36).

Building Design

- D) The developer has not submitted building designs at this time. The homes shall be required to comply with the City's minimum design standards for single-family homes as required under Merced Municipal Code Section 20.46.020 Design Standards for Single-Family Dwellings and Mobile Homes.

Site Design

- E) The design of this project works well with the surrounding area and integrates the existing nearby single-family dwelling into the design.

The lot standards shall comply with Merced Zoning Ordinance Table 20.08-3 Development Standards for Single-Family Residential Zoning Districts for the R-1-5 Zoning District.

The table below shows the mixture of lot sizes in the subdivision.

Number of Lots	Lot Size (S.F)
15	6,200
1	8,391
1	14,579

Landscaping

- F) 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 #25).

For any landscaping within public right-of-way, the work shall be reviewed by the City prior to installation (Condition #23). The landscaping within this area would be maintained by the Community Facilities District (Condition #5).

Neighborhood Impact/Interface

- G) The proposed subdivision would add additional homes to the area, but the use is consistent with the General Plan designation and Zoning classification for this site. There are single-family subdivisions to the south and southwest of the site, as well as larger lot single-family homes and agricultural land uses to the north and east.

Public hearing notices were published in a qualifying newspaper and mailed to property owners within 300 feet of the subject site

Staff did not receive public comments from property owners at the time this report was prepared.

Land Use/Density Issues

- H) The proposed subdivision would provide a density of about 5.1 dwelling units per acre. This density is within the allowable density for the Low Density Residential (LD) General Plan designation, which allows between 2 and 6 units per acre.

Environmental Clearance

- I) Planning staff has conducted an environmental review of the project 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.