

**CITY OF MERCED  
Planning Commission**

**Resolution #1175 - AMENDED**

AMENDED Planning  
Commission on August 22, 2007

**WHEREAS**, the Merced City Planning Commission at its regular meeting of November 8, 2000, considered modification to Resolution #1175 (Tentative Subdivision Map Standard Conditions) to reflect recent revisions in procedures and code requirements.

**NOW, THEREFORE, BE IT RESOLVED** that the Merced City Planning Commission does approve the following conditions which shall hereafter be referred to and become a part of approval of each Tentative Subdivision Map in the City of Merced:

Amended  
and  
renumbered  
(see page 5)

1. ~~Improvement plans shall be submitted to the City Engineer for approval, prior to approval of the Final Map. Full public improvements shall be constructed. Improvements include, but are not necessarily limited to, streets; street lights; curb and gutter; sidewalks; handicap ramps; driveways; water, sewer and storm drainage systems; traffic signs and markings; survey monuments; utilities; pavement; grading; street trees; and any required landscaping.~~
2. ~~A preliminary soils report prepared by a Civil or Soils Engineer registered in this state shall be submitted to the City Engineer prior to approval of the improvement plans. The soils report shall include recommendations for the structural sections for streets and compaction and moisture controls for native soil beneath curb, gutter, street and sidewalk sections. The report shall also contain recommendations for engineered fill, building pads, footings, and soil bearing values and lateral pressures. A final soils report (or certificate of compliance with the preliminary soils report and its amendments and with City construction standards) shall be submitted to the City Engineer prior to recording a Notice of Completion.~~
3. ~~Developer shall make any and all arrangements for storm drainage directed into any non-City facilities, pay any and all costs incurred, and furnish evidence of same to the City prior to approval of improvement plans.~~
4. ~~The proposed subdivision and its improvements shall comply with all Merced Municipal Code and Subdivision Map Act requirements as well as conform to the appropriate sections of the legally applicable edition of the City of Merced publication entitled "Standard Designs for Common Engineering Structures" including any modifications, as required by the City Engineer.~~

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5. ~~Prior to approval of the Final Map, the subdivider shall:~~
  - a. ~~Enter into an agreement with the City to install all improvements in accordance with the improvement plans and conditionally approved tentative map;~~
  - b. ~~Furnish improvement securities in accordance with Section 66499 Et. Seq. of the Government Code (Subdivision Map Act);~~
  - c. ~~Pay all required inspection fees;~~
  - d. ~~Dedicate all street rights-of-way and all necessary easements and dedications as shown on said map or as otherwise required by the City Engineer, public utilities and other agencies, including but not necessarily limited to those needed for irrigation, utilities, drainage, landscaping, open space, and public facilities easements.~~
6. ~~The City Engineer shall have the authority to order any work done which is necessary or convenient for the protection and convenience of the public, during the construction of public improvements.~~
7. ~~All public improvements shall be completed within 12 months of the Final Map approval date by the Merced City Council. In the event that a time extension is requested by a developer, the City reserves the right to review the adequacy of improvement securities, inspection fees and the Subdivision Agreement, and may require additional improvement security, new condition(s), and/or inspection fees.~~
8. ~~Street names shall be as approved by staff prior to Final Map approval.~~
9. ~~Installation of appropriate street name signs, traffic control signs, and markings shall conform to the State Traffic Manual and the Manual of Uniform Traffic Control Devices (MUTCD). Locations, names and types of traffic control devices shall be approved by the City Engineer.~~
10. ~~One temporary on-site subdivision sign (not to exceed 80 square feet) will be allowed for a period not to exceed six (6) months after filing of the Notice~~

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~~of Completion on the subdivision improvements, or two (2) years from the time the first building permit is issued, whichever time is less, subject to applicable provisions of Merced Municipal Code Sections 17.36.720 and 17.36.740.~~

- ~~11. The developer shall notify new purchasers of any assessment obligations that are to be re-spread within the subdivision, special districts, fees, or maintenance assessment obligations prior to sale.~~
- ~~12. All utility services shall be provided to each lot. Utility services include, but are not necessarily limited to, sanitary sewer, domestic water, fire protection water, electric power, gas, telephone and cable television. All new utilities are to be underground.~~
- ~~13. Final Map approval may be subject to reasonable requirements that may be received from any utility and/or other agencies~~
- ~~14. For a dwelling on any given lot within the subdivision, all required on and off-site improvements, including streets trees, permanent utilities, public access, and frontage improvements, shall be completed prior to the issuance of a certificate of occupancy.~~
- ~~15. Developer shall coordinate and, if necessary, pay for the relocation of existing public utilities as required.~~
- ~~16. Valley gutters shall not cross collector or higher order streets. Valley gutters on local streets may be approved by the Merced City Planning Commission on a case-by-case basis.~~
- ~~17. The proposed subdivision shall annex to an existing Merced City Maintenance District or shall form a new maintenance district, simultaneously with approval of the Final Map. The developer shall pay all costs of formation of, or annexation to, a maintenance district. The developer shall also pay for the first two years of maintenance cost created by any particular phase of development.~~
- ~~18. Notwithstanding the above, all construction and improvements shall be in accordance with zoning, building and all other applicable codes, ordinances, standards, and policies of the City of Merced.~~

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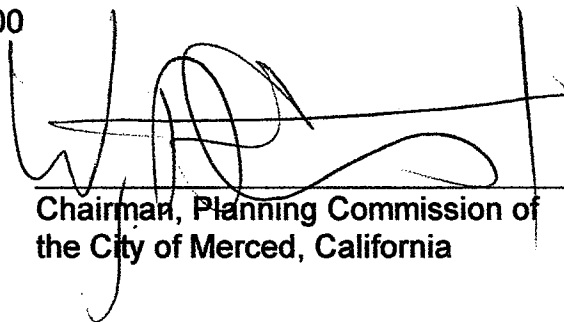
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Upon motion by Commissioner LOPEZ, seconded by Commissioner POLLARD, and carried by the following vote:

AYES: Commissioners Lopez, Pollard, Burr, Osorio, Love and  
Chairman Eisenhart  
NOES: None  
ABSENT: Commissioner Riordan

Adopted this 8<sup>th</sup> day of November, 2000



Chairman, Planning Commission of  
the City of Merced, California

ATTEST:



Secretary

tl/P.RES.#1175 - Amended

August 22, 2007: At their regularly scheduled meeting of August 22, 2007, the Planning Commission considered amendments to the Standard Conditions for Tentative Subdivision Maps.

M/S SHANKLAND-ACHESON, and carried by the following vote, to adopt a Categorical Exemption regarding Environmental Review #07-29, and approve amendments to the Standard Conditions as follows:

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1. Improvement plans shall be submitted to the City Engineer for approval, prior to approval of the Final Map. Full public improvements shall be constructed. Improvements include, but are not necessarily limited to, streets; street lights; curb and gutter; sidewalks; handicap ramps; driveways; water, sewer and storm drainage systems; traffic signs and markings; survey monuments; utilities; pavement; grading; street trees; and any required landscaping.
2. The developer/applicant shall indemnify, protect, defend, 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, or proceedings 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. City shall promptly notify the developer/applicant of any claim, action, or proceeding. City shall further cooperate fully in the defense of the action. Should the City fail to either promptly notify or cooperate fully, the developer/applicant shall not thereafter be responsible to indemnify, defend, protect, or hold harmless the City, any agency or instrumentality thereof, or any of its officers, officials, employees, or agents.
3. 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.
4. A preliminary soils report prepared by a Civil or Soils Engineer registered in this state shall be submitted to the City Engineer prior to approval of the improvement plans. The soils report shall include recommendations for the structural sections for streets and compaction and moisture controls for native soil beneath curb, gutter, street and sidewalk sections. The report shall also contain recommendations for engineered fill, building pads, footings, and soil bearing values and lateral pressures. A final soils report (or certificate of compliance with the preliminary soils report and its amendments and with City construction standards) shall be submitted to the City Engineer prior to recording a Notice of Completion.
5. Developer shall make any and all arrangements for storm drainage directed into any non-City facilities, pay any and all costs incurred, and

- furnish evidence of same to the City prior to approval of improvement plans.
6. The proposed subdivision and its improvements shall comply with all Merced Municipal Code and Subdivision Map Act requirements as well as conform to the appropriate sections of the legally applicable edition of the City of Merced publication entitled “Standard Designs for Common Engineering Structures” including any modifications, as required by the City Engineer.
  7. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply.
  8. Prior to approval of the Final Map, the sub-divider shall:
    - a. Enter into an agreement with the City to install all improvements in accordance with the improvement plans and conditionally approved tentative map;
    - b. Furnish improvement securities in accordance with Section 66499 Et. Seq. of the Government Code (Subdivision Map Act);
    - c. Pay all required inspection fees;
    - d. Dedicate all street rights-of-way and all necessary easements and dedications as shown on said map or as otherwise required by the City Engineer, public utilities and other agencies, including but not necessarily limited to those needed for irrigation, utilities, drainage, landscaping, open space, and public facilities easements.
  9. The City Engineer shall have the authority to order any work done which is necessary or convenient for the protection and convenience of the public, during the construction of public improvements.
  10. All public improvements shall be completed within 12 months of the Final Map approval date by the Merced City Council. In the event that a time extension is requested by a developer, the City reserves the right to review the adequacy of improvement securities, inspection fees and the Subdivision Agreement, and may require additional improvement security, new condition(s), and/or inspection fees.
  11. Street names shall be approved by the City Engineer.
  12. Installation of appropriate street name signs, traffic control signs, and markings shall conform to the State Traffic Manual and the Manual of Uniform Traffic Control Devices (MUTCD). Locations, names and types of traffic control devices shall be approved by the City Engineer.

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13. Storm drainage shall comply with City of Merced storm drainage standards and be compatible with the City's Storm Drainage Master Plan, Phase II Storm Drainage regulations and all other applicable City, State, and Federal requirements. The developer shall demonstrate that the development will function as part of a Regional Drainage System that is efficiently designed to include several properties. Developer shall pay its pro-rata share of regional system items, such as pump station, discharge facilities, and certain conveyance facilities.
14. One temporary on-site subdivision sign (not to exceed 80 square feet) will be allowed for a period not to exceed six (6) months after filing of the Notice of Completion on the subdivision improvements, or two (2) years from the time the first building permit is issued, whichever time is less, subject to applicable provisions of Merced Municipal Code Sections 17.36.720 and 17.36.740.
15. 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 petition and deposit agreement agreeing to such a procedure, waiving right to protest and post deposit as determined by the City Finance Director to be sufficient to cover procedure cost and maintenance costs expected prior to first assessments being received. (Note: Applicant has submitted a petition and deposit for initiation of CFD.) The developer shall notify new purchasers of any assessment obligations that are to be re-spread within the subdivision, special districts, fees, or maintenance assessment obligations prior to sale.
16. All utility services shall be provided to each lot. Utility services include, but are not necessarily limited to, sanitary sewer, domestic water, fire protection water, electric power, gas, telephone and cable television. All new utilities are to be underground.
17. Refuse containers shall be stored out of site of the general public, including those homes located on the private driveways. A concrete pad (3 x 6 foot minimum) shall be installed in the side or back yard of each unit to house refuse containers.
18. Final Map approval may be subject to reasonable requirements that may be received from any utility and/or other agencies
19. For a dwelling on any given lot within the subdivision, all required on and off-site improvements, including streets trees, permanent utilities, public access, and frontage improvements, shall be completed prior to the issuance of a certificate of occupancy.

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20. Developer shall coordinate and, if necessary, pay for the relocation of existing public utilities as required.
21. Valley gutters shall not cross collector or higher order streets. Valley gutters on local streets may be approved by the Merced City Planning Commission on a case-by-case basis.
22. The proposed subdivision shall annex to an existing Merced City Maintenance District or shall form a new maintenance district, simultaneously with approval of the Final Map. The developer shall pay all costs of formation of, or annexation to, a maintenance district. The developer shall also pay for the first two years of maintenance cost created by any particular phase of development.
23. Notwithstanding the above, all construction and improvements shall be in accordance with zoning, building and all other applicable codes, ordinances, standards, and policies of the City of Merced.

AYES: Commissioners Shankland, McCoy, Amey, Cervantes, Williams, Acheson, and Chairperson Ward

NOES: None

ABSENT: None