

Appendix C

UCP Update and
Policy Amendment

Appendix A
UCP Amendments
UCP Policy Conformity Analysis

University Community Plan Amendments

This document provides a summary of the amendments to the policies and basic diagrams for the University Community Plan. The policies in the existing UCP are a combination of development policies, environmental mitigation measures, and aspirational statements regarding the physical and social development of the University Community Area. A number of policies are included for the purpose of environmental mitigation and the policies referenced in the Program EIR are highlighted in yellow. Note that in a number of cases the numbering of these policies changed during the development of the plan and the reader is referred to the appropriate modified policy number in those cases.

The policies have been modified for a number of reasons. First, the existing UCP policies were built around the assumption that the UCP area would be a “New Town” with its own water, sewer, utilities, and separate social structure. Annexation of the project area to the City was not specifically contemplated 20 years ago, and a significant body of the policies address measures to address potential issues about traffic, water service, wastewater treatment. That situation has changed and annexation to the City in the near term is planned, with City water and sewer provided under and Out of Boundary Service Agreement (OBSA), or as a result of annexation. This direction changes many policies, including the provision and availability of recycled water on the project site, land use compatibility between treatment facilities and other land uses, and other factors.

Second, the policies have been changed because they are no longer necessary. Time has rendered many of them moot, and ordinances and regulations have been adopted by the State, County and City that now provide a regulatory framework that provides for energy conservation, air quality mitigation, storm drainage management, and other measures far beyond those imagined twenty years ago. Where this has occurred, the conformity analysis has recommended that these policies be deleted since implementation of a regulation or ordinance does not depend on the policy basis in a community plan.

Third, many of the policies relate to issues associated with development of the University Community in closer proximity to UC Merced. That is no longer the case and there are fewer issues to coordinate between UC Merced and University Community.

Finally, there are a number of social/aspirational policies that are vague, un-related to the physical development of the community, or are simply outside the regulatory or organizational capacity of the residents of the Plan Area. There are several policies that appear to direct the County to provide governance or oversight to other elected bodies that are outside of its jurisdiction. These “social” policies are recommended for deletion.

As a result of the above, there are policies that are recommended for complete deletion, other that are being retained and others that should be modified. Any changes or modifications to the policies is identified by underscored text in the response to the policy.

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Community Development

Land Use

1.0 To develop the diversity of land uses that support UC Merced and its induced population and businesses

LU 1.1

Accommodate a mix of land uses to support the UC Merced campus and its induced population growth that are economically feasible and supported by the marketplace. These may include housing, retail, offices, industrial, visitor-serving accommodations, entertainment, cultural, recreational, public/civic, institutional, education, and related uses. In particular, emphasize the attraction of businesses that uniquely capitalize upon the presence of the University, its education, innovation, and culture, which would not have otherwise been supported by the marketplace.

LU 1.2

Accommodate the development of a mix of land uses that sustains and supports the daily needs of residents living in the University Community and contributes to the sense of complete neighborhoods offering a variety of housing types, supporting convenience goods and services, job opportunities, schools, parks, and open spaces.

LU 1.3

Accommodate land uses that complement and enhance the local and regional economic vitality and are coordinated with the City of Merced and other major business centers. Uses that serve the region and are not uniquely related to the campus environment and economy, such as “big box” retail, and whose development would adversely impact the City and other areas shall be discouraged.

LU 1.4

Allow flexibility in uses and densities that may be accommodated over time to reflect the evolving characteristics, needs, and objectives of the marketplace, provided that the overall objectives for the form, character, relationships, and design quality of the University Community are maintained.

LU 1.5

Develop and implement open spaces as essential amenities that distinguish the University Community, provide recreational opportunities for residents, contribute economic value, serve as visual relief, and reflect the region’s distinct character.

LU 1.6

Permit and encourage the continuation of onsite agricultural uses as interim uses as the University Community lands are progressively developed.

2.0 To create a land use pattern that respects the site’s natural resources.

LU 2.1

Locate and design development to reflect the site’s natural topography and formations (refer to Topography policies).

LU 2.2

Locate and design development to capitalize upon viewsheds of UC Merced, Sierra, Lake Yosemite Regional Park, and adjoining urban and agricultural uses (refer to Viewshed policies).

LU 2.3

Site and design land uses to reflect and incorporate the property’s natural drainage courses, to the extent feasible in consideration of public safety and habitat preservation.

LU 2.4 (Revised and renumbered to Policies LU 4.3 and LU 4.4 below)

LU 2.5 (Deleted in Final Draft). This was related to sequential phasing of the project which was replaced by the requirement for sub-area Specific Plan with phasing.

LU 2.6 (Deleted in Final Draft). This was related to sequential phasing of the project which was replaced by the requirement for sub-area Specific Plan with phasing.

LU 2.7 (Deleted in Final Draft). This was related to sequential phasing of the project which was replaced by the requirement for sub-area Specific Plan with phasing.

LU 2.8 (Revised and renumbered to Policy LU 4.6 below.)

LU 2.9 (Revised and renumbered to Policy LU 4.8 below)

LU 2.10 (Revised and renumbered to Policy LU 4.9 below)

LU 2.11 (Deleted in Final Draft). This was related to sequential phasing of the project which was replaced by the requirement for sub-area Specific Plan with phasing.

LU 2.12 (Deleted in Final Draft). This was related to sequential phasing of the project which was replaced by the requirement for sub-area Specific Plan with phasing.

LU 2.13 (Deleted in Final Draft). This was related to sequential phasing of the project which was replaced by the requirement for sub-area Specific Plan with phasing.

3.0 To create an integrated pattern of commercial and business districts and residential neighborhoods that promotes community livability and vitality.

LU 3.1

Concentrate land uses to minimize impacts on natural environmental resources and agricultural uses, and maximize the efficiency of supporting infrastructure, community/ pedestrian activity, and transit use.

LU 3.2

Establish a land use pattern composed of distinct districts and neighborhoods differentiated by function, use, physical form and character, and design that are integrated into a cohesive, seamless, and definable community. Land use districts shall be organized around a core activity area that is directly linked and blends with and provides a continuous network of parklands, open spaces, and multi-modal transportation corridors. Each neighborhood/village shall contain a mix of housing units/densities that focus on a school, park, local retail, and other services. A business center shall be developed adjacent and relate to the Town Center and UC Merced campus. Figure _ is established as the land use plan and diagram for the UCP.

LU 3.3

Site and design land uses and buildings to maximize the Community's quality of life, including the establishment of pedestrian-oriented mixed-use districts and residential neighborhoods that reflect the traditional qualities of Merced, while providing opportunities for innovative and creative forms of development.

LU 3.4

Locate the highest residential densities within and adjacent to the Town Center and primary transit corridors and stations to support community activity and transit use. Encourage the development of housing that is suitable and affordable for UC Merced students, faculty, and staff in proximity and adjacent to the Town Center.

LU 3.6

Locate and design land uses to promote efficiency of access, reduce costs, and enhance livability by the sharing of recreation, community and public facilities, institutions and cultural attractions, activity areas, and transportation infrastructure.

LU 3.7 DeletedLU 3.8

Implement the County's agricultural buffer standards in Section 18.10.040 of the Merced Zoning Ordinance.

4.0 To establish a development program for the University Community that creates unified and cohesive patterns of urban use and development that capitalize upon the presence of UC Merced.

LU 4.1 Deleted

LU 4.2

Issuance of building and/or grading and excavation permits for development within the University Community shall be dependent upon prior issuance of applicable permits under the *Clean Water Act* and state and federal endangered species acts for resources impacted by that development in the University Community.

LU 4.3

Development in the University Community shall be phased to create complete, cohesive, and integrated districts and neighborhoods. This shall be accomplished through the preparation and adoption of specific plans for the UCP North/VST and the UCP South/Hunt subareas of the UCP. The location of each of these subareas is shown on Figure 1, the UCP Land Use Diagram. Each specific plan shall provide the opportunity for public review and comment. These boundaries and the number of Residential Villages within each of these subarea specific plans may be modified to reflect site conditions and land use development market projections at the time of the preparation of the Specific Plan, provided that the UCP's underlying goals, objectives, and policies for urban form, development character, and community and neighborhood identity are achieved.

LU 4.4

The number of housing units and mixed use, retail, office, and research and development building square feet to be accommodated in the University Community and each of its subareas shall not significantly exceed the totals shown in Table 1 without formal amendment of the UCP, except for density bonuses allowed under State and local density bonus statutes. The acreage for parklands, open spaces, and schools are generalized estimates based on the Conceptual and Illustrative Land Use Diagrams and may vary to reflect subsequent detailed site planning. The actual number and location of schools shall be based on student generation from development.. The development allocations to each subarea shall be fixed, except that minor modifications may be made without amendment of the UCP. Development allocations may be transferred among the two specific plan subareas by mutual agreement of the County and the respective property owners of the specific plan areas; provided that the cumulative total is not exceeded, nor shall the development levels be reduced to a level that jeopardizes the ability to fund Community infrastructure, public services, and environmental mitigation. The Specific Plans shall be consistent with the UCP, in accordance with the requirements of the California Government Code (Section 65450 *et seq.*).

Table 1

UCP Buildout and Development Capacity

Land Use	VST			Hunt			Total		
	Net Acres	Commercial (SF)	Housing Units	Net Acres	Commercial (SF)	Housing Units	Net Acres	Commercial (SF)	Housing Units
Local Commercial	19.1	273,650	-	15.0	250,000	-	34.1	523,650	
Office/Hotel	10.6	275,000	-	9.0	140,000	-	19.6	415,000	
Mixed Use Commercial	15.3	307,500	-	-	-	-	15.3	307,500	
Business Park	-	-	-	-	-	-	-		-
Parks/Open Space/Canal	99.7	-	-	148.0	-	-	247.7		-
School	14.5	-	-	80.0	-	-	94.5		-
MF Residential	72.3	-	2,100	75.0	-	1,794	147.3		3,894
SF Residential	263.6	-	1,757	560.0	-	4,029	823.6		5,786
Major Roads	69.8	-	-	131.3	-	-	201.1		-
Minor Roads	89.2	-	-	168.8	-	-	257.9		-
Total	654.0	856,150	3,857	1,187.0	390,000	5,823	1,841.0	1,246,150	9,680

LU 4.5

Specific Plans prepared for University Community sub-areas shall meet fundamental objectives for the establishment of a community that supports the development of UC Merced. To this end, the Specific Plans and their phasing program shall demonstrate that they:

- Are fully consistent with applicable policies of the Merced County General Plan and UCP.
- Employ site planning, architectural and landscape design, and amenities that exhibit the quality and character that contributes to a distinct, cohesive, livable, sustainable, and quality place consistent with the UCP’s objectives and design guidelines, which, in turn, serves as a model for development in the San Joaquin Valley.
- Structure and organize land uses, building locations, and open spaces to establish a consistent and unified urban pattern and scale of mixed use districts, residential neighborhoods, and open spaces throughout the entirety of the University Community, which is consistent with and complements development on the UC Merced campus.
- Support the economic vitality and success of the campus and student supporting uses. .
- Locate, design, and size transportation and utility infrastructure improvements to achieve an integrated and consistent community-wide system and services.
- Adequately fund the development of supporting infrastructure and services that are related to their needs and do not impose an undue financial burden on the UCP properties or on other County or City properties.

- Provide for development in a manner that supports the conservation of productive agricultural and other open space lands consistent with the policies of the Merced County General Plan and the Local Agency Formation Commission (LAFCO); provided, however, that the productive agriculture lands intended for conservation are located outside of the UCP area.
- Provide for the phased and concurrent development of land uses, infrastructure, and public services that is orderly, results in cohesive, complete, and economically viable neighborhoods and districts, and is linked to and does not adversely impact the integrity of surrounding land uses, open spaces, and agricultural lands.
- The content of each specific plan shall be consistent with the requirements for the content of UCP specific plans identified in Policy Imp 5.1.

LU 4.6

Require that the distribution and location of land uses within each specific plan area conform to the UCP policies for land use mix and urban form defined in this element. Land use delineations depicted in the UCP Land Use Diagram may be modified provided that the principles for land use organization, inter-relationships, and densities are maintained.

LU 4.7

As part of the approval process for each Specific Plan, the County shall consider the timing of the proposed development in consideration of the extent and timing of campus development and campus growth projections in the current LRDP or LRDP EIR for UC Merced.

LU 4.8

Extend infrastructure and related services and utilities to each specific plan area that is necessary to support planned development. Such services and improvements shall be limited to the planned development area except where they are necessary to serve the University Community and UC Merced independently or jointly.

LU 4.9

Use the approved Specific Urban Development Boundary (SUDP) as the Urban Limit Line for the UCP area. This Urban Limit Line delineates the maximum extent of urban development and urban services. The SUDP may be modified by the Board of Supervisors and Merced Local Agency Formation Commission (LAFCo) through a revision of the UCP and subject to all applicable goals, objectives, and policies of the County General Plan.

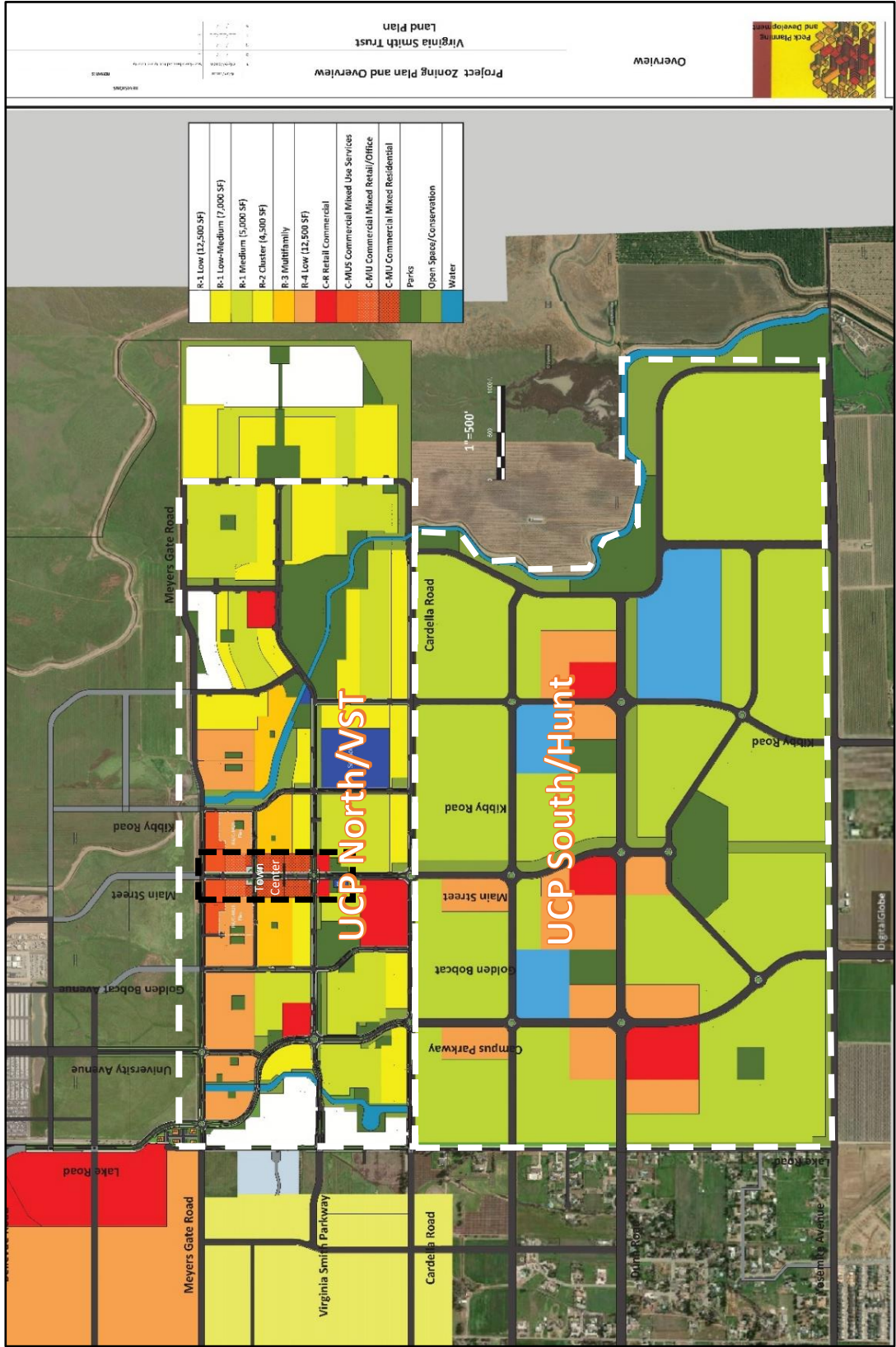


Figure 1 Amended UCP Land Use Diagram

5.0 To develop the University Community Town Center as the symbolic and functional center of the University Community that is directly linked to surrounding Residential Villages.

LU 5.1

The boundaries of the Town Center are shown in Figure 1. Within this area there shall be a mix of uses developed in the University Community Town Center that reinforce its role as the primary business and shared activity center for the community and campus. Representative uses may include community and campus-serving retail commercial, personal services, financial institutions, offices, entertainment, hotels/motels, civic, cultural (library, museum, etc.), food service/grocery stores, housing, and similar uses that are supportable in the marketplace.

LU 5.2

Encourage the development of buildings and sites that contain a mix of uses, including the vertical integration of housing with retail, office, civic, or other uses. In order to achieve this policy, a mix of land use zones are specified for the Town Center, including a Commercial Mixed Use-Services (C-MUS) zone that will include offices, institutional uses, and visitor facilities; a Commercial Mixed Use (C-MU) zone for retail and office uses; and, a Commercial-Residential Mixed Use (C-MUR) zone that accommodates uses in the C-MU zone with upper floor residential uses. Higher density (R-3 and R-4) residential zones are also provided in and adjacent to the Town Center.

LU 5.3

Integrate public uses (e.g., day and senior care facilities, community meeting rooms, recreation facilities, libraries, police and fire facilities, health facilities, and so on) with other uses in the Town Center.

LU 5.4 Deleted

LU 5.5

Promote the development of housing units for UC Merced students, faculty, and staff in and around the Town Center.

LU 5.6

Encourage the development of senior housing within the Town Center.

LU 5.7

Develop a multi-modal transportation center that serves both the community and the campus at the earliest feasible date to lessen automobile dependence. Work with the UC in the siting and design of this facility to ensure its compatibility with adjoining uses and the transportation network and facilities.

LU 5.8

Develop the Town Center with the highest densities in the University Community to reinforce its role as the “heart” of the community and foster pedestrian and transit use, according to the following standards:

- C-MU retail and office uses (free-standing): Minimum floor area ratio (FAR) of 0.75 and maximum of 3.0 (one to six stories).
- C-MUR mixed Use Town Center (housing/retail or office): Minimum FAR of 0.75 and maximum 3.0.
- C-MUS Mixed uses zone for services, institutional uses and visitor oriented uses with a minimum FAR of 0.40 and maximum of 1.0 for retail or office components (three to six stories).
- Parking in the Town Center may be one space per 500 square feet. Parking requirements elsewhere in the UCP shall be per the City of Merced zoning ordinance.
- Residential: An average range of 8 to 35 units per net acre . Individual sites may be developed at lesser densities provided that the average density for the Town Center planning area is achieved.

LU 5.9

Increased densities and building heights may be permitted to reflect uses of special merit that further functional, economic, and design objectives for the Town Center, provided that they complement and are consistent with adjoining uses. In no case shall densities below the defined minimums be permitted.

LU 5.10

Integrate the Town Center’s land uses into a cohesive urban pattern that provides the sense of complete and identifiable place. Establish an urban form that ties together individual parcels and uses into a cohesive whole, addressing the location and massing of buildings, architecture, landscape, connective pedestrian paths and walkways, streets and transit, use of key landmarks, and similar elements.

LU 5.11

Allow three development typologies in the Town Center: a) mixed use structures that integrate housing with ground level retail, office, cultural, or other use; b) independent commercial, office, and other non-residential use; and (c) independent housing. Each development type shall be integrated into a cohesive urban pattern, in accordance with other policies in this section. To the extent practical, these development typologies shall be grouped, emphasizing the concentration of mixed structures along primary pedestrian streets. . Their precise location shall be established by a Development Plan for the UCP North/VST subarea.

LU 5.12 DeletedLU 5.13

Design sites and buildings that are constructed in the early phases of the Town Center’s development to facilitate intensification, to create commercial uses that will attract residential uses to the Town Center and/or adaptive re-use to achieve the intended long-term scale and

intensity of building and activity. For example, parking lots may be developed as interim uses that may be replaced by higher density buildings coupled with the development of shared use parking structures.

LU 5.14

Require that buildings be located to front onto public sidewalks and plazas forming a semi-continuous “building wall” (with parking located to the rear or in structures with ground level retail uses), that the ground floor of buildings be restricted to uses that have a high level of customer activity, and that buildings be designed to open onto the sidewalk/plaza and provoke visual interest (e.g., visual transparency, façade modulation/fenestration, etc.).

LU 5.15

Incorporate a Town Square to serve as the centerpiece of the Town Center and it shall be designed to accommodate events, celebrations, outdoor performances, community meetings, and similar functions.

LU 5.16

Develop and design public streetscapes to enhance pedestrian activity including the integration of landscape, street furniture, signage, lighting, public art, distinctive paving materials, and other amenities. **LU 5.17 Deleted**

LU 5.18

Develop shared parking facilities in lieu of separate parking for each site/use in the Town Center.

LU 5.19

Design internal local streets to emphasize pedestrian activity and slow traffic using such techniques as narrow streets, angled parking, traffic circles, landscaped “bulb outs,” alleys, and comparable techniques. Sidewalks shall be a minimum of 10 feet wide, and shall be developed in accordance with the Development Plan in the UCP North/VST specific plan.

LU 5.20

Promote the use of high quality and distinctive architecture that considers the region’s history, landscape, and materials.

LU 5.21

Encourage the development of consistent architectural theme for buildings in the Town Center.

LU 5.22

Design structures in the C-MUR zone that integrate housing with commercial, office, and other uses. Protect residents from adverse impacts of the non-residential use such as noise, odors, vibration, and lighting. Housing units should be designed to maximize their daylighting and air circulation.

6.0 To establish a business services center that provides opportunities to attract and incubate new businesses that benefit from the presence of the intellectual capital and research of UC

Merced, is integrated with the Community Town Center and Campus Core, and provides job opportunities for local residents.

LU 6.1

Accommodate the development of a University-related Commercial Mixed Use center that contains areas for offices, institutional uses, and UC visitor facilities.

LU 6.2

Encourage the development of buildings and facilities that can accommodate new businesses, business startups, and business incubators.

LU 6.3 Deleted

LU 6.4 Deleted

LU 6.5 Deleted

LU 6.6 Deleted

LU 6.7 Deleted

LU 6.8

Develop a network of streets, sidewalks, bicycle trails, infrastructure, and open spaces that connect with and continue the basic pattern established in UC Merced's LRDP .

LU 6.9

Promote the use of high quality and distinctive architecture that is reflective of adjoining University and considers the region's history, landscape, and materials.

7.0 To establish distinct neighborhoods that integrate parks, schools, services, and comparable uses that fully support the needs of a resident and are designed to achieve a high level of livability and quality.

LU 7.1

Integrate a mix of housing types within each Residential Village with supporting schools, parks, retail, and other uses that support local needs.

LU 7.2

Within each Village, accommodate a resident population of a 3,500-7,500 or of sufficient size to support local parks, neighborhood shopping, and local services

LU 7.3

Distribute the mix of single and multi-family units among the Residential Villages to meet and reflect resident needs, market conditions, innovation, and creativity provided that the character

and quality of the village is maintained and basic requirements for the development of a mix of units to meet the needs of a spectrum of resident income demographics are met.

LU 7.4

Encourage the development of various forms and densities of housing units including single family detached on “traditional” lots, “small” lots, zero lot line and cluster lots; attached or common wall units, apartments, townhomes, condominiums, co-housing, duplexes, triplexes, quadplexes, and so on.

LU 7.5

Encourage the development of Accessory Dwelling Units (ADUs) in conformance with the City of Merced’s ADU ordinance and regulations.

LU 7.6

Prioritize the development of student housing in the early phases of the UCP North/VST specific plan, and within walking or bicycling distance of the UC Merced campus.

LU 7.7

Allow for the development of innovative housing forms and building materials that may emerge during the buildout of the Community Plan, contingent on their compatibility with adjacent uses and achievement of other Land Use objectives and policies. Consider modifications of building and subdivision codes, where appropriate, that would facilitate the development of affordable units, while maintaining the public health and safety. Work closely with the University and potential developers to develop new housing prototypes that increase affordability.

LU 7.8

Provide opportunities for the development of housing types to meet the special needs of students and others attracted to a “University environment” (e.g., co-housing, higher density units, sustainable building materials, group quarters, etc.).

LU 7.9

Accommodate local-serving commercial, services, small restaurants/cafes, public/civic meeting facilities, libraries, cultural facilities, parks, schools, religious facilities, public plazas, and comparable uses as the physical, functional, and symbolic focal point of neighborhood identity and activity and supportable by the market.

LU 7.10

Allow for the development of mixed-use structures that integrate housing with retail, offices, community, and other uses.

LU 7.11

Accommodate a mix of residential densities, ranging from 2.5 units per gross acre to 30 units per gross acre, with single-family detached units at an average of 4.7 units per gross acre and multi-family units at an average of 24 units per gross acre. Densities may be varied within and

transferred among the Residential Villages, provided that the cumulative number of permitted units in the Community is not exceeded and any reduction does not jeopardize the financing and implementation of infrastructure, services, and environmental mitigation or otherwise frustrate the goals and policies of the UCP. In order to achieve this policy, the following residential use zones are established:

- R-1-12,500 (Low Density Residential). Lots with a minimum net site area of 12,500 square feet for single family detached units at a density of 2 to 3.5 dwelling units per net acre. This zone is intended for larger homes with larger lots. This lot type should be used as a transitional land use from the County Rural Residential area west of Lake Road, and on the perimeter of each specific plan subarea that abuts agricultural and open space properties. It is expected that homes in this residential and use zone will be 2,500 square feet to 5,000 square feet in size. Maximum coverage in this zone is 40%, with a maximum FAR of 0.50.
- R-1-7,000 (Low-Medium Density Residential). Lots with a minimum net site area of 7,000 square feet for single family detached units at a density of 4.25 to 6.5 dwelling units per net acre. This zone is intended for larger homes on medium sized. This lot type should be used in each residential village. Maximum coverage in this zone is 40%, with a maximum FAR of 0.50.
- R-1-5 (Medium Density Residential). Lots with a minimum net size of 5,000 square feet for single family detached units 5.75 to 8.75 dwelling units per net acre. This zone is intended for single family detached units with dedicated individual driveways or in a “cluster” forward with shared/common driveways. It is expected that homes in this land use zone will range in size from 2,250 square feet to 3,500 square feet in size. Maximum coverage in this zone is 50%, with a maximum FAR of 0.50 for “cluster” units. Maximum coverage for traditional lots is 50%.
- R-2 (Cluster Residential). These lots are 3,750 to 5,000 square foot lots arranged in clusters of 2, 4, 6 and 8 units and may be used for duplexes, triplexes, four-plexes and for single family detached units. The intention is that the predominant share of these units will be used for single family detached units with common driveways in a “Bungalow Court” or “Pocket Neighborhood” arrangement. This zone is intended to accommodate a range of dwelling unit size from 1,400 square feet to 2,000 square feet at density of 8 to ten units per net acre. Maximum coverage in this zone is 60%, with a maximum FAR of 0.65 for “cluster” units. These units are also intended to be used along UCP collector roadways where they can front on to the roadway, and/or can integrate live/work and home office uses.
- R-3 (Medium High Residential). This zone is for multi-family development such as apartments, higher density triplex/fourplex units and condominiums at a density of 16 to 20 units per net acre with dwelling sizes ranging from 950 square feet to 1,500 square feet. The intention is that the predominant share of these units will be used for attached townhome developments in a master planned setting with common parking, recreation and community features. Unit may be for rent or for sale. Maximum coverage in this zone is 60%, with a maximum FAR of 0.75.

- R-4 (High Residential). This zone is for multi-family development such as student and family rental apartments a densities ranging from 25 to 30 units per net acre with dwelling sizes ranging from 650 square feet to 1,100 square feet. The intention is that these sites will be for stacked flat apartment units in a master planned setting with common parking, recreation and community features. Units may be for rent or for sale. Maximum coverage in this zone is 65%, with a maximum FAR of 1.00.

LU 7.12

Establish minimum and maximum lot size limits for each Residential Village. Each Residential Village shall contain a mix of lots, including lots larger than 7,000 square feet. Use natural and man-made open spaces as transitions between Residential Villages.

LU 7.13

Accommodate convenience commercial and neighborhood commercial businesses in commercial and/or office uses Village Commercial Centers (VCC) ranging in acreage from 3.5 to 7.5 acres and shopping center ranging in size from 50,000 square feet to 75,000 square feet. Typically these centers will have FARs of 0.2 to 0.35, and will serve one Residential Village Larger business to serve weekly and monthly shopping needs for each subarea shall be located in Community Commercial Centers (CC). These Community Commercial Centers shall be located at the intersection major transportation thoroughfares in conformance with the Land Use Diagram on sites ranging in size from 12 to 15 acres, and in shopping centers ranging in size from 135,000 to 200,000 square feet. At least one Community Commercial shopping site shall be designate for each subarea to accommodate a major full-line grocery, drug store, hardware store, restaurants, gas stations, and other uses.

LU 7.14

Accommodate mixed use structures that integrate housing and retail/office uses in the C-MUR zone in the Town Center.

LU 7.15

Integrate housing, parks, schools, commercial, public, and other uses into a cohesive urban pattern that provides the sense of a complete and identifiable neighborhood, in accordance with other policies in this section of the Plan. Establish an urban form that ties together individual parcels and uses into a cohesive whole, addressing the location and massing of buildings, architecture, landscape, connective pedestrian paths and walkways, use of key landmarks, and similar elements.

LU 7.16

Require the development of neighborhoods that integrate a diversity of housing types and densities.

LU 7.17

Prohibit the over-concentration of multi-family units by limiting the number units in any one project to 350. Multifamily projects shall be separated by natural and man-made open spaces, roadways, or other features.

LU 7.18

Site and design development to enhance neighborhood quality of life by:

- Establishing a pattern of blocks that are no longer than 500 feet with pedestrian access points, or which promote access and neighborhood activity.
- Minimizing the width of streets to slow traffic while maintaining acceptable fire protection and traffic flows.
- Integration of a diversity of housing types within a neighborhood and on individual blocks, ensuring their compatibility with adjoining units
- Use of variable setbacks and parcel sizes to accommodate diverse housing types.
- Physically and visually relating the unit to the street frontage
- Locating and designing garages to minimize their visual dominance from the street, including the usage of common driveways.
- Incorporating sidewalks and parkways to foster pedestrian activity
- Promoting architectural diversity
- Other appropriate techniques.

LU 7.19

Design the Village Commercial Center as the focal point of neighborhoods. Designing structures to enhance pedestrian activity , integrating community meeting facilities and plazas for public gatherings, constructing streetscape improvements, and locating them near higher density housing.

LU 7.20

Locate Village Commercial Centers within walking distance of all homes within the village/neighborhood, connected by a network of trails and pedestrian paths.

LU 7.21

Support the development of public uses that offer the opportunity for the sharing of facilities such as the integration of school play fields and athletic facilities with public parks, multipurpose auditoriums that serve multiple schools and libraries and multi-purpose facilities that serve both schools and the general public.

LU 7.22

Promote the use of high quality and distinctive architecture that considers the region's history, landscape, and materials. In particular, the Village Commercial Centers should be designed to

convey distinctive architectural qualities that distinguish them from typical suburban commercial centers.

LU 7.23

Design structures that integrate housing with commercial, office, and other uses to protect residents from adverse impacts of the non-residential use such as noise, odors, vibration, and lighting. Parking and access to the different uses should be separated and secured. Housing units should be designed to maximize their daylighting and air circulation.

LU 7.24

Establish landscaped buffers and setbacks adjacent to major transportation corridors to protect adjoining residential neighborhoods from vehicular noise and traffic. Housing may be set back from the buffer with vehicular access from rear alleys or streets or located to face the interior of a neighborhood with their backyards located along the corridor and buffer. Where there are potential roadway noise impacts, the interior floor plans of residential units that are adjacent to major transportation corridors shall be arranged to place home offices, garages, kitchens and non-sleeping and living areas closest to the roadway. The use of walls along the transportation corridor should not be used, unless there is no feasible alternative that effectively protects the housing.

8.0 To integrate public uses into the development fabric of the Community.

LU 8.1

Integrate schools, libraries, cultural facilities, parks, civic, and similar public uses into the Town Center and Residential Village Neighborhood Centers to maximize their accessibility by local residents and recognize their contribution to community and neighborhood identity.

LU 8.2 Deleted

LU 8.3

Locate schools and parks adjacent to one another to facilitate the sharing of play and athletic fields.

LU 8.4

Integrate public libraries and community multipurpose facilities with schools, where feasible.

9.0 To develop an open space system that sustains natural resources, protects the community from natural hazards, offers opportunities for recreation, and serves as an amenity that heightens the quality and livability of the University Community.

LU 9.1

Design open spaces as amenities that contribute to the quality of life, image, and economic value of the University Community.

LU 9.2

Develop open spaces for the purposes of passive recreation, habitat preservation, education and research, flood control/public safety, and similar functions.

LU 9.3

Use natural drainages, trails, recreation areas, and similar techniques to link the University Community's land use districts and open space elements, to the UC Merced campus, to Lake Yosemite Regional Park, and to surrounding open spaces.

LU 9.4

Develop a continuous greenbelt corridor/park system as the centerpiece of the University Community ("Village Green/Central Park"), which will be linked with each Village Center and Community open spaces by a network of connecting trails. Accommodate parklands and open spaces within the greenbelt system that provide residents with a diversity of open space experiences, ranging from active urban spaces to passive open lands. This may encompass landscaped urban squares, neighborhood and community-serving parks, mini-parks, linear greenways, landscaped hiking and bikeway trails, and similar elements. At a minimum, parks shall be developed at an overall community plan area standard of 6 acres per 1,000 residents. The minimum park area within any one specific plan subarea shall be five acres per 1,000 residents.

LU 9.5

Design the "Village Green" as an organizational element for the siting and design of development, such as the orientation and linkage of multi-family housing and commercial uses to the park (e.g., restaurants "opening" onto the park).

LU 9.6

Require that the acquisition and development of neighborhood, community and community sports parks be funded equitably by all developments within the University Community area

LU 9.7

Integrate the Fairfield canal into the University Community's open space network, preserving and protecting their primary function as a conduit of agricultural water, consistent with the requirements and to the satisfaction of the Merced Irrigation District (MID).

LU 9.8

Design any uses, landscape, trails, and significant improvements located in proximity to MID canals to protect the physical integrity of the canals, levees, and related water conveyance systems by compliance with the setbacks provided for in Policy S 2.2. To further enhance and protect UCP waterways, areas adjacent to Fairfield Canal and Cottonwood Creek shall conform with the following design guidelines.

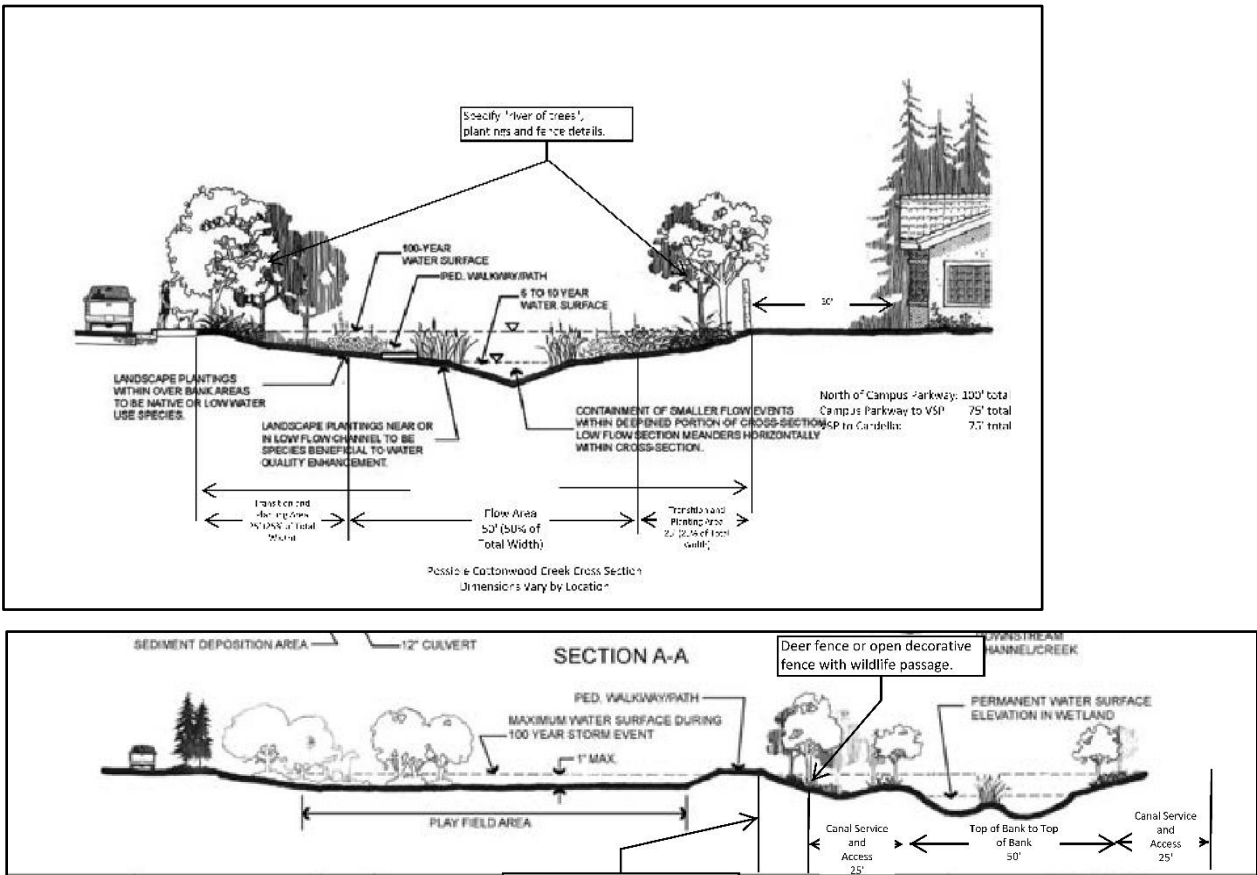


Figure 2 Waterway Landscaping and Buffering

LU 9.9

Incorporate barriers, such as fencing, and other elements to ensure public safety and to prevent public access to the canal, to the satisfaction of MID. Collaborate with the MID in the use of landscape, fencing, and other elements that assure a high level of public safety and visual quality that complements the open space system.

LU 9.10 Deleted

10.0 To develop buildings, sites, and public places whose design contributes to the sense of community identity, quality, and livability and reflects the history, landscapes, and character of the Merced region.

LU 10.1

Establish a program of streetscape improvements that distinguish and uniquely identify the Town Center, Residential Villages, neighborhoods, and transportation corridors. This may be accomplished through entry identification, signage, landscape, street furniture, public art, lighting, banners, and other design elements.

LU 10.2

Develop a pattern of landscape that differentiates between public places, streetscapes and private development throughout the Community's business districts, and residential neighborhoods. Require the use of landscape materials that reflect the region, are drought-tolerant, and native species, to the extent feasible.

LU 10.3

Encourage the planting of trees along sidewalks and in parks, civic facilities, public plazas, and parking lots that provide an extensive canopy and shade in the summer, and are deciduous to facilitate solar access in the winter, as feasible and appropriate.

LU 10.4

Promote architectural diversity and interest creating consistency through building location, massing, scale, height, materials, fenestration, modulation, signage, lighting, and comparable elements, rather than a specific design idiom or style.

LU 10.5

Encourage the development of an architectural styles that are reflective of the history, landscape, and materials of Merced, the Central Valley, and Sierra foothills.

LU 10.6

Consider the use of building and landscape materials that reflect the region's history such as stone, aggregate, and wood.

LU 10.7

Promote architectural design of unique merit and quality, particularly in the Town Center, Village Commercial Centers and public buildings, while ensuring their compatibility with the overall quality and character of the Community.

11.0 To develop sites and buildings in a manner that minimizes the depletion of non-renewable resources.

LU 11.1

Locate and design development in consideration of the University Community's climatic conditions. Examples of techniques that may be considered include:

- Orientation, configuration, and massing of buildings and public spaces to provide shelter from wind and temperature extremes and capitalize upon opportunities to use sustainable energy systems (solar, wind, other)
- Use of architectural elements to reduce the impacts of temperature extremes (overhangs, arcades, recessed windows, etc.)
- Use of building materials that promote energy efficiency by minimizing heat gain and loss
- Use of landscape to provide shelter and relief from heat in the summer and solar access in the winter (e.g., deciduous trees such as sycamores).

LU 11.2

LU 11.3

Promote the use of grading techniques and roof-drainage systems that capture rainwater on site and facilitate its use for landscape irrigation and water amenities.

LU 11.4

LU 11.5

LU 11.6

Housing

1.0 To provide adequate sites for housing in the University Community.

H 1.1

Designate sufficient sites for housing development in the University Community's Residential Villages i in accordance with the development program in Table 2.

H 1.2

Allow for flexibility in the mix of housing units to be accommodated to reflect market and affordability needs as those needs evolve during the buildout of the University Community.

H 1.3

Develop housing to meet the needs of students, faculty, staff, and guest facilities for University visitors on the campus and in the University Community.

H 1.4 Deleted

H 1.5

Expand infrastructure as needed to support anticipated residential development and ensure the proper integration of all services.

H 1.6 Deleted

H 1.7

Ensure that the Community's housing capacity is sufficient to support the employment generated by UC Merced, businesses, and industries and correlate the mix of units to their income levels, offering a variety of rental and ownership opportunities.

2.0 To provide a diversity of housing types to meet the needs of the University Community's residents.

H 2.1

Foster the development of a variety of housing types to serve the needs of residents in consideration of household size, age, incomes, special needs, cultures, and other relevant factors.

These may encompass affordable, single-family detached and attached residences, multi-family rental and ownership units, condominium, co-housing, cooperatives, live/work, second units, senior, intergenerational housing, units integrated with nonresidential uses, student housing, and similar units. A range of housing units to support a diversity of household sizes and incomes shall be accommodated in each Residential Village (as specified by Land Use policies).

H 2.2

Promote mixed-use developments that integrate a mix of housing types and housing with commercial (office or retail), institutional, and public uses. The latter may consist of sites on which more one use is located (horizontal integration) or buildings in which housing is located on floors above non-residential uses (vertical integration). The development of mixed-use buildings shall be emphasized in the Town Center and encouraged in the Residential Village Centers.

H 2.3

Support the development of multi-family housing projects that contain a variety of unit sizes, including larger unit sizes for low /moderate income families. Multifamily housing units should be designed to accommodate the intended occupants.

H 2.4

Allow the development of live/work housing units to provide flexible workspace needs and meet changing consumer housing demands.

H 2.5

Support the use of increased densities and a variety of unit sizes to allow for different family size and composition, to better address current trends in housing demand.

H 2.6 Deleted

3.0 To provide adequate housing to meet the special needs of the University Community's population.

H 3.1

Promote the development of housing for students and seniors near the Town Center, transportation access points, and Residential Village Centers. Prioritize the location of student housing in proximity to UC Merced.

H 3.2

H 3.3

Work with local private and nonprofit developers (e.g., Merced College "Build-A-House" Project) to finance, design, and construct housing to meet special needs. Such projects might include, but are not limited to, senior housing, including congregate care facilities; housing for people with physical and mental disabilities; and housing for large families.

H 3.4 Deleted

4.0 To develop housing for higher income residents of the University Community.

H 4.1

Encourage development of high-quality housing by incorporating larger lot projects within the Residential Villages and “quality” townhomes in the Town Center, Residential Village Centers, and along park frontages.

5.0 To develop housing that is affordable to moderate-, low-, and very low-income households in the University Community.

H 5.1

Develop a Housing Program for each Specific Plan area that commits to the development of adequate affordable housing, facilitates access by low-income households, and promotes its long-term affordability to meet Community needs. The Program shall be consistent with the provisions of the County of Merced Housing Element in consideration of housing affordability in the greater Merced market. It shall be a condition of approval for the sub-area Specific Plans and include actions that may be undertaken by a diversity of entities including the County of Merced, the Housing Authority, other agencies, and private developers. A variety of elements may be incorporated including land use development strategies, production of affordable units by developers and other entities, contribution of in-lieu fees to a separate housing development entity, regulatory and programmatic approaches, and financial assistance to buyers and renters. Possible components of the Housing Program are defined in Policies 5.1.1 through 5.1.18 (below).

H 5.1.1

Develop a mix of single-family and multi-family, owner-occupied and rental units in each Residential Village (in accordance with Land Use policies). Vary the unit size, including smaller single-family detached, apartment, and townhome units.

H 5.1.2

Develop a variety of lot sizes to assure affordability, with specific attention to project with densities that qualify as affordable for lower income households as provide by State of County guidelines. This may reduce minimum lots sizes from current County standards.

H 5.1.3

The use of Accessory Dwelling Units should be encouraged, where lot sizes permit, as an option for affordable housing and to promote an integrated neighborhood. “Granny flats”/second units/accessory apartments allow elderly residents, students and low-income residents to live in moderate- and higher-income neighborhoods.

H 5.1.4

Encourage the development of live/work homes in residential neighborhoods provided that they are designed to complement adjoining housing and meet public health and safety requirements. The usage of these live/work and home office units is strongly encouraged along the UCP’s Collector roadways.

H 5.1.5

The development of affordable housing by project developers through:

- The use of “inclusionary zoning,” wherein the developer is required to produce a stipulated percentage of the total housing units for low- and very low-income households (120 percent and 80 percent of the County median household income, respectively);
- The provisions meet the require of the County Housing Element, City Housing Element, and the UCP.
- Provision of development density bonuses when specified minimums are exceeded; and/or

At a minimum, the developer shall be responsible for the provision of sufficient affordable units in proportion to the County’s RHNA allocation. In achieving these allocation, a sub-area Specific Plan may provide greater amounts of one type of housing for lesser amounts of other types of housing, to the satisfaction of the County. The County shall determine, at the time of specific plan approval, that the particular mix of uses meets this requirement.

H 5.1.6

Supporting and encouraging innovative efforts for the construction of affordable housing units in the University Community by private and non-profit developers, such as the Merced County Housing Coalition. An example program is the City of Merced and Merced College Partnership’s “Habitat Build a House” program that provides funding and technical assistance for residential development in which college students are responsible for construction.

H 5.1.7

Supporting UC Merced as a potential affordable housing provider or partner within the community for students and faculty. This may involve joint public/private development of affordable rental and ownership housing.

H 5.1.8

Incentives for the development of affordable housing units, which implement and, as appropriate, expand upon the County of Merced Housing Element’s programs. Examples of potential incentives to developers of projects that include below market rate units to be sold or rented to persons of low and moderate income include:

- *Density Bonuses.* To decrease the per-unit costs of the development, the County shall provide a density bonus for eligible projects in accordance with State Density Bonus Law and local statutes.
- *Development Related Inducements.* Waivers may be granted to affordable housing projects for permit fees or selected impact fees, fee deferment, fast track processing (priority review and permitting), allowing second floor residential above ground floor retail.

- *Fee Deferment.* To reduce the “carrying costs” of a project, the County could provide a deferment for payment of permit and development fees through the duration of the project’s construction loan. Fees would be due at the point when long-term financing for the development is secured or the project is sold. A maximum deferment period could also be set (e.g., two years).
- *Low interest Financing/Equity Sharing.* Developments that are deemed eligible could be provided low interest financing or even equity participation by the County through a Joint Development Agreement. Such projects might be required to meet stricter eligibility requirements (e.g., a higher percentage of units affordable to low- and moderate-income household).
- *Low-Income Housing Tax Credits (LIHTC).* This is a primary vehicle for production of affordable rental housing. Credits are used for the development of affordable housing for low-income families and the elderly for minimum 30 years. Some units can be permanently dedicated for low income. Housing credit is allocated for renters with incomes below 60 percent of the area median income.
- *Infrastructure Financing Assistance.* To reduce the “up-front” infrastructure improvement and development costs, the County could aid in developing alternative, long-term infrastructure financing. Such financing might include formation of a Mello-Roos or special assessment district to support a low-term, low interest revenue bond to fund infrastructure improvements. Bond interest and principal would be paid over time by homeowners in the assessment district. (Imp 3.3, 3.5, 6.4, 4.11)

H 5.1.9 Deleted

H 5.1.10

Actively seek state and federal Funds in coordination with other local agencies and jurisdictions, with private developers and/or with local lending institutions:

- Identify and apply for funding at the state and federal levels to finance the construction of new affordable housing in the University Community.
- Assist private and nonprofit individuals or organizations in applying for state and federal funds. Assistance may take the form the information referral, consultation regarding program applications, and/or lobbying by local officials on behalf of the applicant.
- Identify and apply for funding at the state and federal levels to help bridge the “affordability gap” between housing prices and household incomes in the County (e.g., assistance for first-time homebuyers).

H 5.1.11

Participate in programs that provide financial assistance for low- and moderate-income households to acquire adequate housing in the University Community, as defined by or in addition to those contained in the County General Plan Housing Element. Programs shall be directly correlated with the needs of the University Community and not adversely impact housing programs for other areas of the County. Examples of programs currently available include:

- *Down Payment and Loan Assistance.* Programs for first time homebuyers with low-interest loans for down payments and mortgages.
- *First-Time Homebuyer Mortgage and Counseling.* Programs specifically designed for low-and moderate-income homebuyers that include borrowing, budgeting, and housing maintenance training.
- *Mortgage Revenue Bonds.* Single-family and low- income rental housing bonds, also known as Mortgage Revenue Bonds, sold by state and local governments as tax-exempt bonds using the proceeds to finance discount mortgages. A typical MRB mortgage can save as much as \$100/month compared to a conventional mortgage. MRBs can also provide down payment and closing cost assistance.
- *Establish an Affordable Housing Community Fund.* Establish a County account under the title of “Affordable Housing Community Fund” to serve as the depository for monies designated for general use in affordable housing programs (project- specific monies excluded). The Fund shall be managed by the County’s Housing Program, with policy oversight and monitoring from the County’s Affordable Housing Task Force. Potential uses for funded monies shall include land acquisition for affordable housing, participation in affordable housing development projects, contributions to loan and rental assistance programs, low-interest financing for the construction of seconds units, and support for down payment assistance for first-time homebuyers.
- *Sweat Equity and Self-Help Enterprises.* Emphasizes ownership in housing by requiring a homebuyer to participate in the development and construction of housing, providing that such units comply with applicable codes and regulations and are designed to be compatible with adjoining residences. Can be implemented by a group of participants who collectively provide “sweat equity” in each other’s homes, assisting one another in the construction of their homes. (*Imp 4.11*)

H 5.1.12 Deleted

H 5.1.13

Establish a revolving loan pool to provide qualifying low- interest loans to first-time low- and moderate-income homebuyers. The loan pool would be operated as a self- sustaining funding source distinct from other County programs, with established guidelines setting forth terms and conditions for down payment loans. Such guidelines might include a percentage-of-buying-price or total dollar limit on loans and conditions for interest and principal re-payment (e.g., due after 20 years or at time of resale). Guidelines would be developed based on the dual goals of making the loan pool self-sustaining and lowering the financial burden on first-time low- and moderate-income homebuyers.

H 5.1.14

Require that affordable for-sale housing units that are subsidized by federal, state, County, or other public funds and non-profit housing corporations be owner-occupied and carry subsidy recapture provisions for a minimum time period (e.g., 20 years) with the level of subsidy determined at the time of construction as a percentage of development costs. For example, if a

subsidy of \$5,000 is provided towards a unit that costs \$50,000 to construct and that unit is sold in 25 years for a sum of \$500,000, the subsidizing entity shall receive \$50,000 from the sale to reinvest in new affordable housing development through an Affordable Housing Community Fund.

H 5.1.15

Require that affordable for-sale housing units that are subsidized by the County or use of other public funds be re-sold at affordable rates, to be determined by the County based on cost of living increases and inflation. The County shall encourage a similar program for affordable units for faculty, students, and/or staff developed by or in partnership with UC Merced.

H 5.1.16

Provide financial assistance to low- and very low-income households for the rental and purchase of affordable units as specified by Policies H 6.1 through H 6.3.

H 5.1.17 Deleted

H 5.1.18

6.0 To develop complete residential neighborhoods that contain the diversity of housing, school, parks, services, amenities, and other uses supporting the daily activities and needs of residents and are designed to enhance community socialization, as well as provide personal privacy.

H 6.1 Deleted

H 6.2 Deleted

H 6.3 Deleted

7.0 To locate and design housing and it's supporting infrastructure to minimize depletion of non-renewable natural resources, emphasizing energy and water conservation and the re-use of materials.

H 7.1

Promote the development of residential sites and buildings to conserve energy consumption through their location/orientation, building materials, architectural design, fixtures, landscape, and use of alternative sources.

H 7.2 Deleted

H 7.3 Deleted

Economic Development

1.0 To manage regional growth.

ED 1.1

Establish a cooperative planning program with the City of Merced to assure that appropriate and coordinated land use controls are consistently applied within the north Merced area, both in the City and the County.

ED 1.2

Maintain land uses surrounding the University Community in current General Plan designations and zoning.

ED 1.3

Limit access onto Lake Road and Campus Parkway to maintain functionality of the roadway.

ED 1.4

Design development activity in the University Community to minimize conflicts with surrounding agriculture and thus help sustain the agricultural economy of the County (refer to Area Plan-Agriculture policies).

ED 1.5

Designate commercial land uses in the University Community in proportion to demand generated by UC Merced and the University Community residents.

2.0 To establish a vibrant town center.

ED 2.1

Establish flexible, mixed-use planned development requirements for the Town Center that reflects the use and density policies of the Land Use section of the UCP.

ED 2.2

Concentrate and mass development in the Town Center.

ED 2.3

Establish minimum density requirements and use land banking to secure sites for which market demand may not exist in early phases of development, as specified by Land Use policy.

ED 2.4

Allow temporary interim uses of land banked sites to offset costs of holding the land for higher intensity uses.

ED 2.5

Seek public investments (from grants, etc.) in amenities and facilities in the Town Center that improve the area and lower costs to prospective builders and tenants.

3.0 To blend campus and community uses.

ED 3.1

ED 3.2

Locate University-serving commercial uses in close proximity to the campus.

ED 3.3

Identify roadway plan lines and specific connection points for roadways and pedestrian features which serve the University Community and UC Merced. This shall include, at a minimum, locations and street cross sections for Lake Road, Campus Parkway, University, Golden Bobcat Road, Main Street, Meyers Gate Road, Cardella Road and Kibby Road.

4.0 To establish quality of life amenities for the University Community

ED 4.1 Deleted

ED 4.2

Coordinate with the local school districts to provide timely and high-quality primary and secondary educational facilities. Linkages between the secondary schools and UC Merced should be promoted.

ED 4.3

Achieve a high standard for public landscaping throughout the University Community area and promote public art in public areas and rights-of-way.

ED 4.4

Include community centers and other cultural facilities in the Basic Improvement Program for the University Community.

ED 4.5

Ensure adequate provision and funding of public services at current service levels for services such as public safety and recreation, and so on.

5.0 To encourage the development of local-serving commercial uses that focus on the needs and demand of University Community residents and the campus' population.

ED 5.1

Limit the commercial floorspace to the amount needed to serve neighborhood shopping demand of the University Community residents, and UC Merced employees, and students.

ED 5.2

Limit large-scale, community-serving commercial uses to the Town Center and a Residential Village community commercial center in each of the specific plan sub-areas.

ED 5.3

6.0 To exclude the development of large format regional retail commercial uses in the University Community, sustaining other regional centers in the City of Merced and County.

ED 6.1 Deleted

ED 6.2

Limit commercial designations to the Town Center, Residential Village Commercial Centers and Community Commercial Centers; prohibit the development of strip commercial uses on individual shallow parcel depths along the major arterial roads within the University Community.

7.0 To provide a diverse mix of convenient and accessible housing to meet the needs of students, faculty, staff, and others induced by the presence of UC Merced.

ED 7.1

Promote and accommodate the development of a mix of housing units to serve the needs of students, faculty, staff, and other residents of the University Community. A component of “high end” executive housing should be developed in each Residential Village to meet campus and regional demand for such housing. The specific mix and types of units accommodated shall be considered at the time of the preparation of Specific Plans and considered in view of buyer preferences, technical innovations, and overall demand.

ED 7.2

Focus the development of multi-family housing near the campus, Town Center, and Residential Village Centers.

ED 7.3

Permit flexible building standards that encourage mixed- use development combining retail, office, and residential uses, live/work facilities, second units in single-family areas, and other innovative housing types and construction methods.

ED 7.4 Deleted

ED 7.5

Seek partnerships with public agencies, and non-profit housing developers to secure land and construct affordable housing in the University Community.

8.0 To optimize real estate value of the University Community with public and private investment

ED 8.1

Provide appropriate flexibility, through the plan amendment process, with regard to development timing, product type, and design in order to respond to changing market conditions.

ED 8.2

Secure sites and right-of-way for public improvements and amenities through planning designation, dedication, and acquisition early in the development process.

ED 8.3 Deleted

9.0 To apply public financing mechanisms and sources for development in the University Community.

ED 9.1

Allocate a proportional share of infrastructure costs to benefiting entities, including UC Merced and other regional development, as part of the impact fee and infrastructure reimbursement process.

ED 9.2

Seek grant funding for University Community infrastructure and facilities from outside sources, including state and federal government.

ED 9.3

Establish cooperative financing agreements with property owners, UC Merced, and special districts, the City of Merced, and participating developer(s).

ED 9.4

Establish special development impact fee ordinance(s) for the Community Plan area that reflect and internalize the net proportional share of infrastructure costs (roads, parks, schools, utilities, etc.) to new development in the Area. Developments in the UCP shall pay City infrastructure fees for roads, fire and police facilities, water and sewer (but not parks). The UCP impact fee shall include facilities that are impacted by the development of UCP properties, but not covered by the City’s Public Facilities Impact Fee. The UCP area shall include a separate parks and recreation fee.

ED 9.5

In cooperation with private developers, sponsor land secured financing districts and other development-based public financing mechanisms to fund basic infrastructure in the Community.

10.0 To optimize the timing and incidence of development costs.

ED 10.1

Phase infrastructure investments to match demand and need created by individual phases of development.

ED 10.2

Reserve land and development “pads” designated for uses that will be viable in later phases of development, such as a neighborhood commercial centers through zoning that prohibits development that is not consistent with the Development Plan.

ED 10.3

Maximize the use of existing facilities in early years, such as schools and certain utilities, which defer major up- front expenditures.

11.0 To create an institutional framework for the efficient governance of the University Community.

ED 11.1

Establish agreements with and obtain necessary permits from applicable federal and state regulatory agencies regarding mitigation of habitat loss and impacts upon threatened and endangered species.

ED 11.2

Utilize the University Community Program Environmental Impact Report (EIR) to define and focus subsequent environmental review of Specific Plans and development applications.

ED 11.3

Adopt a Specific Plan Ordinance defining the intent, contents, standards, and procedures for creating and administering site-specific planning and zoning within the Community Plan area. The Specific Plan Ordinance should specify that Specific Plans prepared and adopted pursuant to the Ordinance would be adopted as the zoning ordinance for the specified area.

ED 11.4

Assemble standard development conditions applicable to subdivision maps and/or development agreements. These standard conditions will implement Community Plan policy and other regulatory requirements associated with development of the University Community.

ED 11.5

Annexation to the City of Merced is the preferred method of providing services. Formation of a Community Services District or similar entity is strongly discouraged, and should only be used if the City of Merced is unable or unwilling to provide services and utilities. If annexation is not feasible, and subject to an Out of Boundary Services Agreement, the City of Merced may provide utility service and other public services, subject to a legally enforceable and non-revocable Consent to Annex.

ED 11.6

12.0 To foster an environment for business development in the University Community.

ED 12.1 Deleted

ED 12.2

Designate land in or near the Town Center for hotels and other facilities to support UC Merced operations and visitors.

ED 12.3 Deleted

Community Infrastructure and Services

Transportation

1.0 To ensure that the Community’s transportation infrastructure will adequately serve local and regional trips, provide appropriate connectivity, and minimize impacts to the transportation systems in the City of Merced and Merced County.

T 1.1

Designate a functionally classified system of principal transportation facilities that represents the major backbone circulation system needed to serve the Community Plan at acceptable levels of service, as shown in the UC Circulation Plan, with the features described in Table _ .

The Circulation Diagram is shown on Figure ____ to: :

- Support the development of Campus Parkway and underlying interconnected grid street system
- Provide access to and from UC Merced, that is interconnected with and prevents adverse impacts on the Community’s Town Center and Residential Villages
- Promote the use of public transportation and alternative modes
- Interfaces with the surrounding street network and development
- Provides access between the UCP sub areas.

The classified streets, their dimensions and features are described in Table ____.

T 1.2 Deleted

T 1.3

Reserve adequate rights-of-way to implement the designated circulation systems and designate access management restrictions for adjoining properties. The allocation of rights of way and improvement responsibility shall be established at the time of the first specific plan for facilities that are shared between adjacent land uses, such as Cardella Road and Meyers Gate Road.

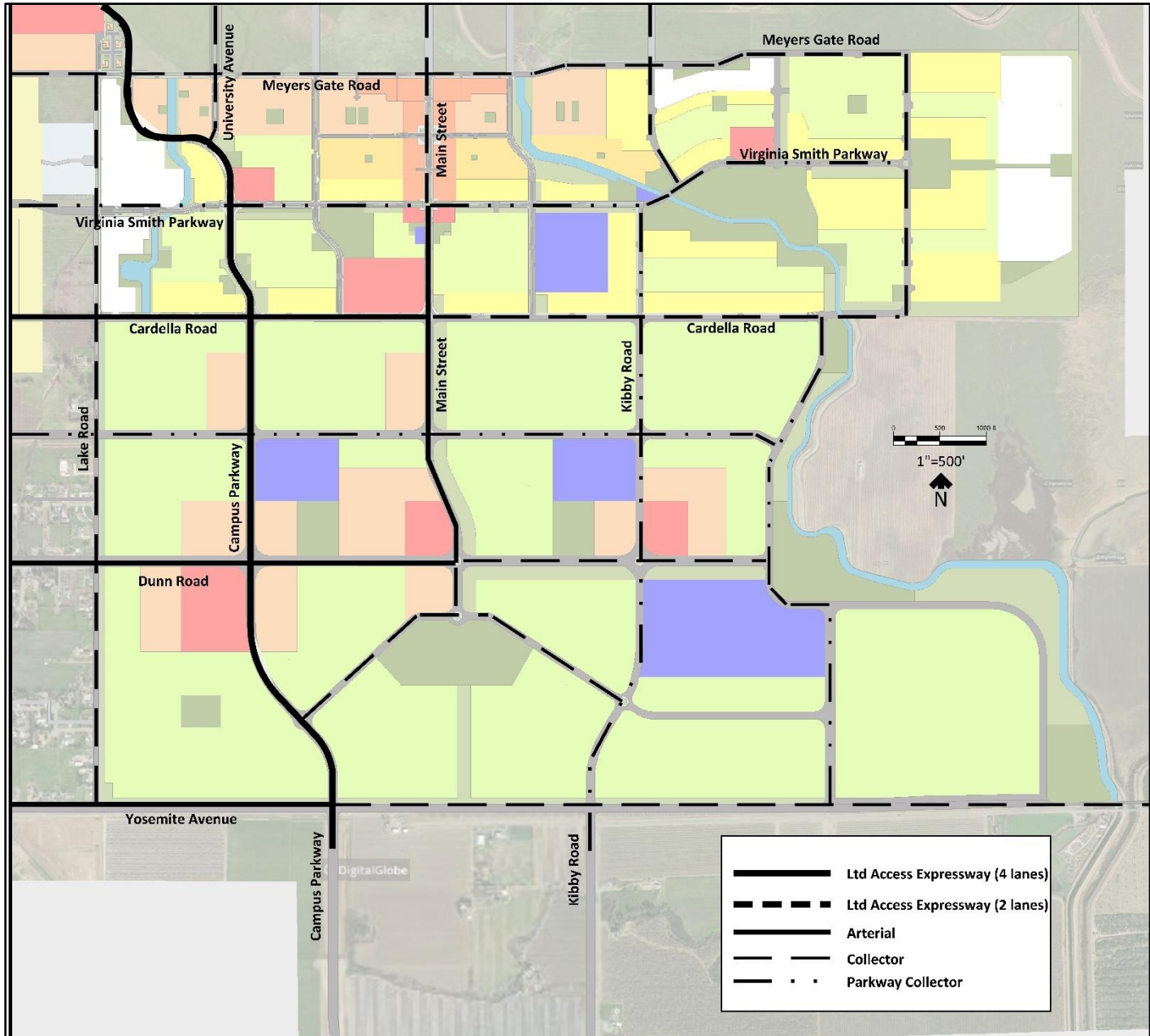


Figure 3 Circulation Diagram

Table 2

Roadway Classifications and Features

Roadway					Features						
Roadway	Location	Classification	Projected Volume	Proposed Direct Access Limits	2 Lanes	4 Lanes	On-Street Parking	Class I Bikeways	Class II	Class III	Class IV
Campus Parkway	North of Meyers Gate	Limited Access Expressway-2 Lane	16,200	Yes		X					X
Campus Parkway	Meyers Gate to Cardella	Limited Access Expressway-4 Lane	19,000	Yes		X					X
Campus Parkway	South of Cardella	Limited Access Expressway-4 Lane	21,300	Yes		X					X
University Avenue	North of Campus Parkway	Collector	7,500	Yes							X
Kibby Road	North of Yosemite	Parkway Collector		Yes							X
Dunn Road	West of Main Street	Arterial	10,000	Yes							X
Dunn Road	East of Main Street	Collector		Yes							X
Virginia Smith Parkway	East of Campus Parkway	Parkway Collector	7,500	Yes	X			X			X
Local Streets	R-1-12.5/R-1-7	Local		No	X		X			X	
Local Streets	R-1-5/R-2	Local		No	X		X			X	
Lake Road	Project Limits	Limited Access Collector	10,000	Yes	X			X	X		
Main Street	North of VS Parkway (C-MUR Zone)	Collector	8,500	No	X		X			X	X
Main Street	North of VS Parkway (C-MU Zone)	Collector	8,500	No			X			X	
Main Street	VS Parkway to Dunn Road	Arterial		Yes							X
Main Street	South of Dunn Road	Parkway Collector		Yes							X
Cardella	West of Main Street	Arterial		Yes		X					X
Cardella	East of Main Street	Collector	4,500	Yes	X						X
Meyers Gate Road	East of Lake Road	Collector	8,500	Yes	X						X

T 1.4

Promote the timely development of the principal circulation system so that the County’s level of service standards are not exceeded.

T 1.5

Ensure that regional transportation improvement programs keep pace with future needs, through coordination with the County, City, MCAG, and other regional agencies. Work with MCAG to augment the regional travel demand model to reflect the proposed land uses and circulation system within the Community area. The model will be used as a tool for evaluating and monitoring impacts of the Community Plan and future Specific Plans on the regional transportation system.

2.0 To create a network of secondary streets that provides for multiple routes between various origins and destinations to disperse rather than concentrate traffic, provide full bicycle accommodation, and access management strategies.

T 2.1

Design the Community’s street system in a grid (or curvilinear grid) pattern, to disperse traffic throughout the community and provide multiple connections to most destinations.

T 2.2

Discourage cul-de-sacs and other non-connecting street types where they are not necessary to comply with access management restrictions on major roadways. Where cul de sacs are used, adequate pedestrian, transit and bicycle access shall be provided to adjacent roadways.

3.0 To provide attractive streets compatible with adjoining land use activities and designed to serve a broad spectrum of travel modes as well as automobiles.

T 3.1

Define a set of street design standards that minimize paved area while ensuring safe and adequate access to the Community.

T 3.2

Specify flexible design standards for arterial and primary collector streets to accommodate the mix of travel modes that may develop over time.

T 3.3

Design roadways that are compatible with adjacent land uses, through choice of street width, median and landscaping treatment, parking provision, pedestrian/ bicycle accommodation, and access management strategies.

T 3.4

Accommodate a “transitional” roadway type in places where the Community borders rural areas to minimize conflicts between agricultural and urban users.

T 3.5

Protect the quality of residential areas by reducing or controlling traffic routing, volumes and speeds on local streets. Integrate traffic calming measures into street design, to enhance livability of neighborhoods. Examples of calming measures may include roundabouts, neckdowns, raised crosswalks, speed tables, and narrow or curving streets.

T 3.6

In addition to the County’s traditional vehicle level of service (LOS) standard, define a “Person LOS” standard to measure the travel characteristics of all modes, and apply it in conjunction with the existing County standard. To maintain fundamental consistency with adopted County General Plan policies, in no case would a roadway be designed to operate below the existing County minimum vehicle LOS standard. However, in those cases where improvements to walk, bicycle, or transit modes could be made without causing the traffic LOS to deteriorate below the County standard, such improvements would increase the Person LOS measure and would be encouraged.

4.0 To emphasize walking and the use of energy-efficient and low- and non-polluting forms of transportation, including bicycles.

T 4.1

Create a complete, interconnected bicycle and pedestrian circulation system that serves both commuter and recreational travel, and provides access to major destinations.

T 4.2

Work with UC Merced to establish convenient pedestrian and bicycle access routes to and through Campus.

T 4.3

Install amenities to serve bicyclists and pedestrians, such as secure and convenient bicycle parking and shaded seating areas at public facilities.

T 4.4 Deleted

T 4.5 Deleted

5.0 To encourage transit usage, with emphasis on energy- efficient, low-polluting forms of public transportation.

T 5.1

Promote and, where appropriate, participate in the development of high-frequency transit services that seamlessly connect major destinations, including the UC Merced campus. Encourage convenient transfers between transit and other modes of travel.

T 5.2

Work proactively with local and regional transit providers to coordinate transit service. Work with transit providers, the regional Air Pollution Control District, and public utility providers to encourage actions that reduce pollution from transit vehicles (such as purchasing vehicles that use alternative fuels, and providing fueling/ charging stations).

T 5.3

Establish transit stops in the UCP for regional transit connections serving the City of Merced, the rest of Merced County, and major interregional destinations.

T 5.4 Deleted

T 5.5

Establish development standards, such as inclusion of handicap-accessible bus stops and shelters, to make transit attractive. Require development to fund its fair share of necessary transit facilities.

T 5.6 Deleted

6.0 To balance the need for parking with the desire to limit automobile travel, and minimize parking intrusion in residential neighborhoods.

T 6.1

Discourage development of non-interconnected parking facilities that serve single parcels.

T 6.2 Deleted

T 6.3

Develop parking requirements that are consistent with the goals for increased use of alternative transportation modes, and that acknowledge shared parking opportunities.

T 6.4 Deleted

T 6.5

Provide priority parking for vanpools, carpools, and energy-efficient and low-pollution vehicles, including recharge stations for electric vehicles.

T 6.6 Deleted

T 6.7 Deleted

7.0 To encourage the use of transportation demand management (TDM) strategies to provide attractive, competitive alternatives to single-occupant auto travel and to assist in mitigating traffic impacts and maintaining a desired level of service on the circulation system.

T 7.1 Deleted

T 7.2 Deleted

T 7.3 Deleted

Promote ridesharing through public information and outreach.

T 7.4 Deleted

8.0 To ensure adequate coordination with neighboring jurisdictions and regional agencies to manage traffic growth on a regional level, and coordinate transit, bicycle and pedestrian systems and services.

T 8.1

Require all Specific Plans to include traffic and circulation studies that:

- Assess internal circulation system needs and develop a traffic circulation plan for the Specific Plan area
- Demonstrate consistency with the circulation policies of this Community Plan
- Identify regional transportation infrastructure connectivity requirements
- Identify specific traffic impacts related to the Specific Plan and improvement measures to mitigate these impacts.

T 8.2

Circulate all relevant traffic and circulation studies to neighboring jurisdictions that may be affected by the proposed development.

T 8.3

Establish funding mechanisms to fairly distribute the costs of required new off-site infrastructure.

Water

1.0 To develop water-related infrastructure systems that are adequate to meet the needs of the University Community.

IW 1.1

Ensure the provision of potable water infrastructure (wells and storage) to provide water supply to meet community needs.

IW 1.2

Require that an adequate water supply be demonstrated before approving new development.

IW 1.3

Require that a water distribution system (line pressure, pump stations, pipes, valves, connections, storage facilities, etc.) be designed, constructed, and operated in accordance with applicable standards.

IW 1.4

Ensure the provision of water systems that match appropriate water quality to water use requirements.

IW 1.5

Design potable water system to meet federal and state drinking water regulatory standards.

IW 1.6

Required that water supply wells be developed, constructed, and installed in accordance with the American Water Works Association (AWWA) Standards A-100 for Water Wells and the water well standards presented in applicable California Department of Water Resources Bulletins, or the most current standards at the time of development.

IW 1.7

Require that new water sources meet or exceed the DHS Title 22 regulation regarding water quality.

IW 1.8

Require that adequate capacity exists to treat the wastewater flows generated by development.

IW 1.9

Ensure the provision of adequate stormwater conveyance and storage infrastructure to accommodate planned development.

IW 1.10

Discourage the provision of on-site wastewater treatment and disposal. Onsite treatment and disposal of wastewater shall be considered only if the City of Merced is unable or unwilling to provide sewer service to the site.

IW 1.11 Deleted

IW 1.12

Reduce wastewater flows through water conservation, including the usage of EPA WaterSense fixtures and features. The UCP should install features to reduce water usage to 25 percent below the current five-year average water use by City of Merced residents. .

IW 1.13

Ensure the provision of stormwater conveyance and storage infrastructure to accommodate planned development.

IW 1.14

Ensure that the stormwater conveyance and storage system is designed consistent with Merced County and City of Merced standards.

IW 1.15

Require the reservation of right-of-way and easements for designated water-related infrastructure facilities as a condition of project approval.

2.0 To develop water-related infrastructure systems that are reliable.

IW 2.1

Ensure the provision of water-related infrastructure systems that allow operation under multiple demand scenarios and emergency conditions.

IW 2.2

Ensure the provision of reliable water supply sources to ensure availability during drought conditions.

IW 2.3

Ensure the provision of water supply, storage, and adequately sized pipelines to provide fire flows at any point within the Community to meet recommendations of the Insurance Services Office (ISO) and/or the County Engineer, while maintaining minimum pressures in accordance with requirements outlined in the California DHS/Waterworks Standards.

IW 2.4

Ensure the provision of reliable water and wastewater treatment processes, with appropriate backup systems.

IW 2.5

Comply with the water system design requirements specified in the City of Merced’s Water Master Plan and improvement standards.

3.0 To develop water-related infrastructure systems that are affordable to future residents, homeowners, and businesses.

IW 3.1 Deleted

IW 3.2 Deleted

IW 4.1

4.0 Water-related infrastructure systems that are integrated in order to achieve efficiency and sustainability.

IW 4.2

Require multiple use stormwater detention basins, including uses such as stormwater detention, water quality enhancement, recreation, wetland habitat, and species conservation.

IW 4.3

Require the creation of recharge basins for stormwater recharge to the aquifer system, where feasible.

IW 4.4 Deleted

IW 4.5 Deleted

IW 4.6 Deleted

IW 4.7

Ensure that where recreational uses are included in multiple use detention basins, they are designed to avoid inundation of playfields by more than one foot of water during the 10-year storm event, consistent with Merced County standards. .

IW 4.8 Deleted

5.0 To develop water-related infrastructure systems that achieve high levels of water conservation.

IW 5.1

Establish building system standards to achieve potable water usage that is 25 percent lower than the five year average for City of Merced residents.

IW 5.2

Require the use of best available technologies (BAT) for water conservation to achieve the 25 percent reduction target, including, but not limited to water- conserving toilets, showerheads, faucets, and water- conserving irrigation systems.

IW 5.3

IW 5.4 Deleted

IW 5.5 Deleted

IW 5.6 Deleted

IW 5.7 Deleted

IW 5.8 Deleted

IW 5.9

Require that grading plans be designed to reduce runoff by capturing rain waters on site and that avoid “crowning” techniques that force rain waters into community drainage facilities.

IW 5.10

Encourage the inclusion of rainwater “harvesting” (capture and storage) facilities in residential and non- residential development (including open space and recreational uses).

6.0 To develop water-related infrastructure systems that are highly efficient in the use of energy.

IW 6.1 Deleted

IW 6.2

Ensure the provision of wastewater conveyance and treatment system(s) that minimize energy use.

IW 6.3

Require the use of water supply and distribution and wastewater conveyance and treatment systems and equipment that, at a minimum, meets mandates for energy efficiency.

IW 6.4

Support the use of gravity flow in lieu of pumping in the design of wastewater and stormwater conveyance systems, wherever appropriate (i.e., align wastewater collection system to follow natural contours on site).

IW 6.5 Deleted

7.0 To develop water-related infrastructure systems that are cost efficient over the long-term.

IW 7.1 Deleted

IW 7.2 Deleted

IW 7.3 Deleted

IW 7.4 Deleted

8.0 To develop water-related infrastructure systems that protect the quality and quantity of surface and ground waters.

IW 8.1

Require that groundwater extraction does not result in localized groundwater drawdown that will substantially reduce the production rate of existing nearby wells to a level that would not support existing land uses beyond the reasonable life-cycle expectancy and long-term productivity of those wells in the absence of this project.

IW 8.2 Deleted

IW 8.3 Deleted

IW 8.4 Deleted

IW 8.5 Deleted

IW 8.6

Ensure that stormwater detention and groundwater recharge facilities are designed to avoid adverse impacts to groundwater.

IW 8.7

Ensure that stormwater conveyance and storage facilities are designed and constructed to ensure no net deterioration in stormwater quality.

IW 8.8

Ensure that water-related infrastructure is designed to support Merced Irrigation District local and/or regional groundwater recharge program(s).

IW 8.9

Require the application of Best Management Practices (BMPs) for stormwater quality.

IW 8.10 Deleted

9.0 To develop water-related infrastructure systems that enhance the natural environment.

IW 9.1

Encourage the design of stormwater conveyance and storage facilities to preserve, enhance, or create natural wetland habitats.

IW 9.2

Encourage the location of stormwater detention basins near existing or re-created stream corridors.

IW 9.3

Encourage the design of stormwater conveyance facilities that retain or re-construct portions of natural drainages to maintain stream velocities at or near pre-developed conditions.

IW 9.4

Encourage the preservation of natural floodplains in the design of water-related infrastructure in order to reduce infrastructure construction costs and potential flood hazards to structures.

IW 9.5

Encourage the design of stormwater storage facilities that maximize opportunities for intermittent shallow water impoundment during the wet season.

IW 9.6

Ensure the design of stormwater storage facilities that promote the growth of native vegetation.

IW 9.7 Deleted

IW 9.8

Encourage the inclusion of pedestrian, bicycle and equestrian paths through floodplain corridors to enhance circulation and recreational opportunities, as illustrated in Policy LU 9.8.

10.0 To develop water-related infrastructure that is flexible and incorporates innovative technology

IW 10.1

Ensure that long-term plans for the design and construction of water-related infrastructure include flexibility that allows for changes in technology, funding, and/or management.

IW 10.2

Ensure that water systems are designed to anticipate changes in the demand for water of different quality parameters.

CITY OF MERCED

11.0 To develop water-related infrastructure systems that complement adjacent and nearby systems.

IW 11.1

Require that the University Community water supply infrastructure system be consistent with regional water supply plans, particularly the Merced Water Master Plan.

IW 11.2

Require that groundwater wells be sited consistent with City of Merced operational strategy.

IW 11.3

Require that the University Community water supply strategy conforms to existing protocol for groundwater withdrawal and storage established by Merced Irrigation District and the City of Merced, and reflected in the Merced Water Supply Plan.

IW 11.4

Require that the groundwater well distribution conforms to the City of Merced well grid system.

IW 11.5

Ensure, if necessary, that the wastewater systems include a connection to a municipal wastewater treatment system for discharge of wastewater in excess of amounts recycled and used on site or for other beneficial uses.

IW 11.6

Ensure, if necessary, that the opportunity for on-site seasonal storage of treated effluent is provided and consistent with state and local guidelines.

IW 11.7

Ensure that water systems are designed to conform to local jurisdictional design standards, where such systems may be connected to the local jurisdiction.

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IW 11.8

IW 11.9 Deleted

MERCED IRRIGATION DISTRICT

IW 11.10

Ensure that the design of proposed stormwater conveyance and storage facilities is compatible with existing capacity restrictions of MID facilities.

IW 11.11

Ensure that stormwater systems that discharge to MID facilities are designed consistent with MID requirements and construction standards.

12.0 To develop water-related infrastructure systems that complement neighboring uses.

IW 12.1

Require that the design and construction of facilities avoid any interruption of irrigation water delivery to downstream users.

IW 12.2

Require that the Fairfield Canal and Dunn lateral continue to function to supply users downstream as needed until such time as alternate facilities are provided.

IW 12.3

Require that facilities that detain stormwater runoff are designed and constructed so that no adverse flooding impacts are created downstream.

IW 12.4

Ensure that new development provides stormwater detention sufficient to limit outflow to a level consistent with downstream limitations.

IW 12.9

Cluster above-ground infrastructure, as feasible, to minimize its visibility and impacts on adjoining land uses.

IW 12.5

For discharges to the MID facilities, limit the peak stormwater discharge to the available capacity at the time of discharge.

IW 12.6 Deleted

IW 12.7

Ensure that water-related infrastructure is designed to support local and/or regional groundwater recharge program(s).

IW 12.8

Locate and design above-ground infrastructure to be compatible with adjoining land uses through the use of screening, landscape, and aesthetic architectural design.

13.0 To develop water-related infrastructure systems that are well managed and operated.

IW 13.1 Deleted

IW 13.2

Ensure the establishment of water-related infrastructure management institutions specifically for the oversight and operation of an integrated water infrastructure system.

IW 13.3

Require the implementation of monitoring programs to ensure systems consistently comply with applicable potable water regulations.

IW 13.4 Deleted

IW 13.5

Require meters for all water connections.

IW 13.6

Require compliance with the National Pollution Discharge Elimination System Phase 2 program and monitoring of stormwater.

IW 13.7 Deleted

Energy—Electricity and Gas

1.0 To establish a coordinated approach for the development of a reliable supply of energy, which is flexible to take advantage of future technological advances.

IE 1.1 Deleted

IE 1.2 Deleted

IE 1.3 Deleted

IE 1.4 Deleted

IE 1.5 Deleted

IE 1.6 Deleted

2.0 To employ a holistic approach in the development of an energy system that would capitalize upon opportunities for combining, some building energy systems; and thereby, reducing the amount of energy needed.

IE 2.1

Encourage the development of shared utility systems (e.g., centralized heating, air conditioning, and ventilation systems could be used to serve more than one building).

3.0 To provide affordable and sustainable energy options through the more efficient use of energy coupled with the use of cost-effective renewable sources, such as sun, wind, and biomass.

IE 3.1 Deleted

IE 3.2 Deleted

IE 3.3 Deleted

IE 3.4 Deleted

IE 3.5 Deleted

IE 3.6 Deleted

IE 3.7 Deleted

IE 3.8 (Deleted and combined with other energy policies)

IE 3.9 (Deleted and combined with other energy policies)

4.0 To optimize passive energy designs in buildings in order to reduce the amount of energy required for the University Community.

IE 4.1

Require all new subdivisions to maximize, to the extent feasible, proper orientation of lots with regard to solar utilization.

IE 4.2

Require the use of architectural design elements that support natural heating and cooling of buildings (e.g., overhangs, ventilation by open windows, and light-colored materials for roofs and walls).

IE 4.3

Design and mass buildings and architectural forms to provide protection from heat, cold, and wind and thereby reduce energy use.

IE 4.4

Integrate landscape and water elements with building design to provide relief from heat (e.g., plant trees that provide a broad canopy for shade and require that shade trees be planted on the eastern, western, and southern exposures of buildings to reduce energy needs for cooling).

IE 4.5

Require that the type, area, and/or placement of windows in buildings ensure maximum natural light without causing a significant heat gain. (*Imp 2.5, 2.6*)

IE 4.6

Emphasize natural versus mechanical energy systems and those that depend upon, or facilitate the use of, non-fossil energy sources (e.g. solar, wind, geothermal wells, fuel cell technology, and cogeneration).

IE 4.7 Deleted

5.0 To visually integrate the energy systems into the natural and built environment.

IE 5.1

Energy systems are required to be visually integrated into the natural and built environment to the extent possible.

IE 5.2

Preclude the use of above ground wiring unless there is no feasible alternative.

IE 5.3

Screen utility facilities, such as electrical substations, with dense vegetation or architectural features.

Telecommunications

1.0 To creatively integrate the telecommunication facilities into the natural and built environment and to minimize the number of telecommunication facilities.

IT 1.0

To creatively integrate the telecommunication facilities into the natural and built environment and to minimize the number of telecommunication facilities.

IT 1.1

Implement the City of Merced develop design guidelines for wireless communication systems to visually integrate the systems into the natural and built environment.

IT 1.2

Encourage the minimization of the number of facilities through the shared use of sites and antennas by multiple providers.

IT 1.3

Encourage telecommunication providers to locate facilities on structures within the University Community and design the facilities to be compatible with the structure's architectural character.

IT 1.4

Require that any freestanding towers or antenna used for telecommunications be designed at a high level of architectural quality that complements the Community's buildings and landscapes.

2.0 To ensure objective standards for the provision of telecommunication services and require that the plan be flexible and able to take advantage of future technological advances.

IT 2.1

Establish standards and guidelines for the accommodation of communication facilities that are flexible to account for the rapidly changing nature of the industry.

IT 2.2

Ensure the timely and proper removal of unused telecommunication facilities.

3.0 To ensure that all Community neighborhoods and districts are connected by digital infrastructure.

IT 3.1

Install a telecommunications network that interconnects all residents with each other, the Internet, local schools, UC Merced, libraries, government, health facilities, and other institutions to provide opportunities for communication, education, cultural enrichment, recreation, information, and socialization.

IT 3.2

Require new homes and businesses to incorporate conduits using state-of-the-art technology to provide easy telecommunications access and adequate capacity to allow for efficient retrofitting.

4.0 Through the application of long-term planning and priorities to the communication and information systems, a coordinated approach can be developed for the supply of these services to the University Community and would lessen the impacts resulting from numerous providers trying to gain market share.

IT 4.1 Deleted

IT 4.2 Deleted

Solid Waste

1.0 To provide an adequate and orderly system for the collection services and adequate pre-collection storage facilities and disposal of solid waste to meet the demands of the University Community.

ISW 1.1 Deleted

ISW 1.2 Deleted

ISW 1.3 Deleted

2.0 To sustain source reduction, waste minimization, recycling and composting programs that meet or exceed the state-mandated levels reduction established in the *California Integrated Waste Management Act of 1989 (AB 939)*.

ISW 2.1 Deleted

ISW 2.2 Deleted

ISW 2.3 Deleted

ISW 2.4

Support programs that promote home composting.

ISW 2.5 Deleted

ISW 2.6 Deleted

ISW 2.7 Deleted

Public Services

Education

PE 1.1

Designate sufficient lands for school sites within the University Community planning area to meet locally generated student demand.

PE 1.2

Require that developers consult with applicable school districts during the formulation of a sub-area Specific Plan to mutually confirm the number of public school age children to be generated by the proposed development, school site and facility needs, and a program and responsibilities for site acquisition, facility development, and funding. The program shall be incorporated into the sub-area Specific Plans and Development Agreements, which shall be reviewed and approved by the County.

PE 1.3 Deleted

PE 1.4

Condition the approval of new development within the University Community upon the requirement that school impact fees shall be paid to the applicable school districts consistent with state law, or as may be voluntarily negotiated by project developers with the school districts.

PE 1.5 Deleted

PE 1.6 Deleted

PE 1.7

Promote the development of a magnet high school within the University Community to serve the local residents and the greater region.

PE 1.8

Phase development within the University Community concurrently with the funding and/or availability of school facilities required to serve the development needs and requirements of the residents within the Community, or as otherwise agreed upon by the County and school districts in an approved sub-area Specific Plan and implementing Development Agreements.

2.0 To support the development of UC Merced.

PE 2.1 Deleted

PE 2.2

Encourage the development of a “university laboratory school” on the UC campus for University Community students.

PE 2.3

Encourage local industry and businesses to donate services or funds towards programs and/or scholarships for local youth for UC Merced.

3.0 Establish schools as focal points of neighborhood identity.

PE 3.1

Schools should be integrated with uses that serve both students and neighborhood residents including public parks, multi- purpose facilities, libraries, auditoriums, gymnasiums/ athletic facilities, and similar uses. These may be physically sited on a common site, where facilities are shared, or in proximity to one another. The design, size, and configuration of schools shall be in accordance with the standards and requirements of the local school districts.

PE 3.2

Locate preschool and day-care facilities in appropriate areas within neighborhood villages, possibly within or directly adjacent to local commercial facilities.

PE 3.3

Encourage the school districts to site buildings and design the campuses to promote continuity with the development fabric of the adjacent residential uses. Avoid the establishment of an isolated, “walled” school environment.

PE 3.4

Establish walkways, bicycle paths, greenways, and other elements that link school sites with surrounding uses.

4.0 To create a sustainable approach to new building construction and maintenance.

PE 4.1 Deleted

PE 4.2 Deleted

PE 4.3 Deleted

PE 4.4 Deleted

5.0 To support life-long educational opportunities for the University Community’s residents through UC Merced, Merced College, Cal State Stanislaus, and other institutions and private entities.

Libraries and Cultural Facilities

PLC 1.1 Deleted

PLC 1.2

Develop library facilities that serve the University Community, as identified in sub-area Specific Plans, which may include:

- One or more freestanding facilities for library services
- Shared library facilities with area schools
- Library facilities integrated with multi-purpose community/cultural facilities
- Shared library facilities with UC Merced
- Library facilities incorporated within commercial/ retail development

PLC 1.3 Deleted

PLC 2.1

Encourage the development of library facilities that can be jointly used by public schools and community residents.

PLC 2.2

Work with UC library system to explore opportunities for the sharing/linkage of library resources including facilities, staffing, and circulation materials. Promote access to the UC library system by Merced’s residents.

PLC 3.1

Install new technology, such as a fiber optic network, for telecommunication services to connect University Community housing and other neighborhood facilities with local libraries and, as feasible, the UC library system.

PLC 3.2

Encourage the development of “information access” kiosks in public spaces and the Community Recreation Center

PLC 3.3

Support innovative methods (as they emerge) of delivering library services at the neighborhood level to promote community education and provide a focus for community activity and cultural development.

PLC 4.1 Deleted

PLC 4.2 Deleted

PLC 4.3

Encourage local artists to contribute artistically to the design of Community facilities and public art.

PLC 5.1

PLC 5.2 Deleted

PLC 5.3

Promote the development of a museum or educational facility that documents the history, culture, and landscape of the Merced region, including the agricultural industry and critical plant and animal resources. This may be accomplished in collaboration with UC Merced.

PLC 5.4 Deleted

PLC 5.5 Deleted

Police and Fire

PS 1.1

Establish and maintain adequate funding for police and fire services and facilities in the University Community.

PS 1.2

Identify a site for police facility and fire station facilities in the University Community, based on need, phasing, and timing. Deleted

PS 1.3 Deleted

PS 1.4

Work with appropriate policing authorities to establish community and neighborhood safety and crime prevention programs (e.g. neighborhood watch).

PS 1.5

Work closely with UC Merced towards crime prevention specific to student/community conflicts.

PS 2.1

Require that Specific Plans incorporate site designs that help ensure maximum visibility and security for entrances, pathways, streets and sidewalks, corridors, public and private open space, and for parking lots and parking structures.

PS 2.2

Require the incorporation of appropriate lighting that provides adequate exterior illumination around commercial, business center, public, parking, and multi-family structures.

PS 3.1

Ensure that fire facilities and personnel are expanded to serve the needs of the estimated 30,000 residents of the University Community and to maintain a travel response time that is consistent with City of Merced Public Facility policies.

PS 3.2

Include a fire station site in the University Community, and located and phased to maintain a travel response that is consistent with City policies. Interim facilities may be established pending development of a permanent fire station.

PS 3.3

Provide an adequate level of water-related infrastructure in development for use in event of fire.

Response: The project's water system has been designed to comply with the reserve, storage, pressure and fire flow requirements established by the City, Water Master Plan and ISO.

PS 3.4

Coordinate development of fire personnel and facilities with the UC fire protection programs, finding shared opportunities when possible.

PS 3.5

Implement brush clearing and other fire prevention programs in the University Community in conformance with the City's Local Hazard Mitigation programs.

Health Care and Social Programs

PHS 1.1 Deleted

PHS 1.2

Locate any health care facilities that are developed in the Community in the Town Center and, secondarily, in the Village Commercial Centers to maximize access by local residents and interface with other public uses.

PHS 1.3 Deleted

PHS 1.4 Deleted

PHS 2.1 Deleted

PHS 2.2

Locate social provider facilities in the Town Center and, secondarily, in the Residential Village Centers to maximize access by local residents and interface with other public facilities.

PHS 2.3 Deleted

PHS 2.4

Include community gardens in University Community parks. (*Imp 3.5, 5.10*)

Youth and Senior Services

PYS 1.1

Work with youth and senior program providers to develop facilities within the University Community. These should be located in the Town Center and Residential Village Centers to maximize access by local residents and benefit from the presence of other public and community uses. Opportunities to consolidate or share facilities with other service providers, schools, parks, and other organizations should be pursued for efficiency and to minimize costs.

PYS 1.2 Deleted

PYS 1.3 Deleted

PYS 1.4 Deleted

PYS 1.5

Encourage major employers in the University Community to provide day care facilities on site or in a location that is conveniently accessible by their employees.

PYS 1.6

Promote the development of day-care facilities in the Town Center and Residential Village Commercial Centers.

PYS 2.1 Deleted

PYS 2.2 Deleted

PYS 2.3 Deleted

PYS 3.1 Deleted

PYS 3.2 Deleted

Parks and Recreation

PP 1.1

Provide sufficient parkland to meet the recreational needs of the University Community's residents by providing park area in the University Community at an overall rate of 6 acres per 1,000 population in the University Community and a minimum of 5 acres per 1,000 population in any single component specific plan area. These park areas shall be developed as mini-parks, community and/or neighborhood parks that contain sports fields and facilities, picnic areas, swimming pools, multi-purpose gymnasiums/buildings, picnic areas, and similar improvements that meet the active recreational needs of the residents.

PP 1.2

Require that a comprehensive parks and recreation component be defined in each sub-area Specific Plan that includes: :

- Park types, design guidelines, landscape standards, and appropriate programming for park facilities based on user demand assessments and community input

- Identifies the location of mini, neighborhood, and community park sites in accordance with service standards
- Integrates neighborhood parks with neighborhood centers and schools
- Links park facilities through an integrated trail network
- Defines programming needs for park sites consistent with demographic trends in the University Community.

PP 1.3

Require the offer of dedication of neighborhood and community park sites in future phases of development, as a condition of approval of Tentative Maps. Actual dedication of parks shall be upon filing of final maps for the phase in which the parks are located, or upon completion of the improvements.

PP 1.4

Require that planned sites for park facilities be developed as part of an interconnected open space system ..

PP 1.5 Deleted

PP 1.6

Provide park facilities programmed with active recreational facilities, including athletic facilities, such as multi-purpose fields, ball fields, multi-purpose courts, and other facilities oriented towards youth leagues and team sports to address needs in the University Community.

PP 2.1

Require that large-scale commercial developments, such as the proposed Town Center integrate common open space facilities.

PP 2.2

Support the creation of community gardens in University Community parks.

PP 3.1

Create a continuous system of connected open space and recreation areas throughout the University Community. This will integrate active and passive parklands, man-made and natural open space areas The Land Use Diagram shows the location of open space areas in the University Community. The precise location of this system and their relationship with adjacent properties shall be defined by each sub-area Specific Plan.

PP 4.2

Provide open space buffers in areas where urban development abuts sensitive natural resource areas (wetlands, vernal pools, and grasslands) and agricultural lands.

PP 5.1

Require the siting of park facilities next to school sites. Sites shall be defined by the sub-area Specific Plans.

PP 5.2

Require use agreements between school jurisdiction and park jurisdictions, addressing time and nature of use for recreation facilities, liabilities, and other issues.

PP 5.3

Design storm drainage basins to accommodate both passive and active recreational uses during the dry periods (refer to Water-Related Infrastructure policies).

PP 5.4

Develop passive recreational facilities in natural resource conservation areas, e.g., nature interpretation, bird watching information, and similar amenities.

PP 5.5

Each sub-area shall contain at least one Community Recreation Center which shall include community facilities, such as community centers, auditoriums, day care centers, seniors' facilities.

PP 5.6 Deleted

PP 6.1

Require that a comprehensive network of pedestrian paths be established linking each portion of the University Community, including the Town Center, UC Merced, Residential Village neighborhoods and centers, schools, and parks.

PP 6.2

Require each phase of new development in the University Community to connect with the planned trail facilities. Locations and improvements are illustrated in the Land Use Diagram.

PP 6.3

Encourage infrastructure rights-of-way or easements to be designed and developed to accommodate trails where feasible and where compatible with the intended primary use.

PP 6.4

Encourage the development of trail facilities in greenway or conservation corridor areas.

PP 6.5

Require that new trail facilities provide connections with existing and planned regional trail facilities and those planned by the UC on the university campus.

PP 7.1

The specific plan for each sub-area shall contain a recreation demand analysis in order to match park siting and program characteristics with the needs of Community residents. A parks matrix shall be provided that shows the features to be included in the specific plan park.

PP 7.2

Create park facilities programmed with facilities for all age groups, including children and youth, teens, university students, and adults.

PP 7.3 Deleted

Environmental Resources

Plant and Animal Resources

PA 1.1

Require that direct and indirect effects to wetland habitats be minimized through the promotion of environmentally sensitive project siting and design, to the maximum extent practicable.

PA 1.2

Obtain the appropriate regulatory approvals prior to the initiation of project construction.

PA 1.3 Deleted

PA 1.4

Ensure the protection of off-site adjacent wetland habitats with hydrological connections to on-site properties..

PA 1.5

Require monitoring, cleanup, and maintenance of preserved wetland habitats within and adjacent to the University Community, as necessary.

PA 1.6

Require the development of a habitat mitigation plan for each sub-area Specific Plan, acceptable to the USACOE, USFWS, and CDFG, that achieves *no net loss of wetland function and values* by meeting established ratios for wetland enhancement/restoration and on- and off-site compensation for the loss of wetland functions and values.

PA 2.1

Encourage the retention of annual grasslands to the maximum extent feasible through the promotion of environmentally sensitive project siting and design.

PA 2.2

Incorporate natural and man-made open space corridors into the Community Plan that allow the movement of wildlife through the Community Plan Area, to the extent feasible.

PA 2.3

Ensure the development of a habitat mitigation plan to provide off-site compensation for the loss of annual grassland functions within the University Community that is acceptable to the USFWS, CDFG and other relevant agencies.

PA 3.1

Incorporate large interconnected open space corridors throughout the Community Plan area.

PA 3.2

Utilize native vegetation in local landscaping to the maximum extent feasible.

PA 3.3

Create water features in parks and storm drainage facilities, where feasible, to provide resting areas for migrating waterfowl and shorebirds.

PA 3.4

Ensure the protection of wildlife and sensitive habitats through establishment of programs to control feral pet populations.

PA 3.5

Provide public environmental educational programs to inform the public about the natural resources of the region, including information about cohabitation with wildlife populations that are common in urban areas.

PA 3.6

Conduct botanical surveys to establish baseline conditions for Specific Plan applications consistent with the prevailing *CNPS Botanical Survey Guidelines*.

Agriculture

A 1.1

Encourage agricultural production as an interim use to occur within the University Community planning area, for as long as possible, during development of the site. Provide for appropriate setbacks from the interim agricultural uses to the habitable residential structures.

A 1.2

Enforce the County of Merced’s Right-to-Farm Ordinance for the University Community that requires nonagricultural residents be made aware of local agricultural operations, their practices, and the potential agriculturally related impacts. This may be accomplished through its inclusion in the distribution of annual property tax bills, escrow papers upon sale or lease execution, Title Reports issued at the time of close of any escrow, Department of Real Estate White Papers, or similar documents.

A 1.3

Provide materials such as brochures and pamphlets to all future residents of the University Community informing them that agricultural activities within and adjacent to the University Community will create inconveniences or discomfort arising from the use of agricultural chemicals, such as fertilizers and pesticides; and from plowing, spraying, and burning dust, smoke, noise and odor.

A 2.1

Participate in a regional agricultural mitigation program that may be established by the County of Merced and the City of Merced for the full mitigation of the loss of agricultural lands in the Merced area. In the event that such a program is not adopted prior to approval of any sub-area specific plan, require implementation of such measures that would achieve the equivalent protection of comparable farmland at a ratio of 1:1 for Important Farmland converted with the subject specific plan area; examples of measures include acquisition of conservation easements, payment of in-lieu fees to the County (or an appropriate third party designated by the County) that would protect such lands through fee title, easement, or other measures.

A 2.2 (Revised and renumbered to Policy A 1.2)

A 2.3 (Revised and renumbered to Policy A 2.1 to establish a regional ag conservation easement program)

A 3.1

Establish a 100-foot open space buffer from the property line to nearest habitable residential structure along the edges of the University Community planning area abutting non-agricultural open space lands. This buffer may accommodate passive uses such as open space, parks, trails or natural preserves.

A 3.2 (Revised and renumbered to Policy LU 9.1)

A 3.3 (Revised and renumbered to Policy LU 9.1)

A 4.1 (Revised and renumbered to Policy A 3.1)

Cultural Resources

C 1.1

Require that an appropriate archaeological survey be conducted for all onsite and offsite areas affected by development. These shall be conducted concurrent with the preparation of the CEQA documents for sub-area Specific Plan.

C 1.2

Require that, prior to ground disturbance, developers shall notify contractors that they are required to watch for potential archaeological sites and artifacts and to notify the County of Merced immediately upon any find. Evidence of potential archaeological sites and artifacts includes, but is not limited to, aboriginal or historic skeletal remains, chipped stone, ground-stone, shell and bone artifacts, concentrations of fire cracked rock, shell, bone and historic features such as privies, trash pits or concentrations, and building foundations.

C 1.3

Require that, should a previously unidentified cultural resource be discovered during grading, trenching, or other on-site earthwork, construction activity be stopped within 100 feet of the identified materials until a professional archaeologist certified by the Registry of

Professional Archaeologists RDA), and the County of Merced evaluates the significance of the find and suggest appropriate mitigation(s), as determined necessary.

C 2.1

Require that, prior to construction, construction personnel shall be informed of the potential for encountering significant paleontological resources. All construction personnel shall be informed of the need to stop work in the vicinity of a potential discovery until a qualified paleontologist has been provide the opportunity to assess the significance of the find and implement appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed of the requirement that unauthorized collection of fossil resources is prohibited.

Topography

TO 1.1

Require that the development of the University Community site reflect the character of its underlying topography, retaining basic forms, contours, and elevations.

TO 1.2

Require that the University Community site be graded to ensure appropriate and continuous transitions with adjoining properties. Abrupt changes of topography and the use of retaining walls shall be discouraged.

TO 1.3

Require that development be located and designed to mimic the natural topography in areas characterized by topographic diversity and preclude the use of extensive flat pads and cut-and-fill slopes, providing that this does not result in extraordinary costs that impact financial feasibility.

TO 1.4

Retain natural drainages for storm drainage, detention, recreation, and open space, except where modifications may be necessary to accommodate cohesive transportation and utility infrastructure.

Viewsheds

V 1.1

Locate and design principal transportation corridors to provide public views of the Sierra Nevada and, where appropriate, the UC Merced campus core.

V 1.2

Incorporate plazas and squares at the confluence and termination of streets and pedestrian paths, in the principal Community activity centers (Town Center and Residential Village Neighborhood Centers), and other public places and design them to provide views of the Sierra Nevada, surrounding grasslands, and, where appropriate, the UC Merced campus core.

V 1.3

Locate and design sites and buildings to serve as visual landmarks within the University Community (e.g., siting of buildings and parks as visual termini of streets, neighborhood areas, etc.; use of towers and other architectural elements; and so on).

V 1.4

Design principal entry corridors to the University Community as landscaped amenities that provide view of the Town Center, UC Merced campus core, Sierra Nevada, and other visual assets.

V 2.1

Require that outdoor lighting fixtures be located and designed to minimize ambient levels of illumination and glare, while providing adequate illumination for public safety. The specific plans for each sub-area shall integrate recommendations from the International Dark Sky Association (IDA), and shall implement IDA standards for Community-Friendly Outdoor Sports Lighting. **V 2.2**

Require that outdoor lighting fixtures be located and designed to prevent spillover and impacts on adjoining properties (e.g., use of fixtures that cast their illumination downward and in a contained area).

V 2.3

Require that buildings in the University Community minimize the use of surface materials and glazing that are highly reflective of sunlight and nighttime outdoor lighting and/or place such materials in locations that will not impact adjoining uses.

V 2.4

Establish standards to minimize the levels of illumination of outdoor signs in the University Community.

Air Quality

AQ 1.1

Determine air quality effects of projects using analysis methods and significance criteria recommended by the SJVUAPCD. This would help to ensure impacts identified during CEQA review are consistently and fairly mitigated with feasible, implementable, and cost-effective strategies.

AQ 1.2

Work with the City of Merced and other jurisdictions and agencies to address cross-jurisdictional and regional transportation and air quality issues. Encourage staff planners to participate in activities of neighboring jurisdictions and regional agencies. The aim would be to examine congestion in other jurisdictions caused by University Community projects, effects of projects on viability of regional transit and pedestrian-oriented projects, progress of jurisdictions to construct segments of regional bikeway plans, proposed land use or circulation changes that would alter traffic flow or increase urban sprawl in jurisdictions.

AQ 2.1

Integrate planning efforts by considering air quality when planning land use and transportation systems and considering air quality and mobility when reviewing any proposed change to the land use pattern.

AQ 2.2

Develop *asystem of* grid streets and “flexible corridors” that provide travel-mode options and that encourage bicyclists, pedestrians, and traffic calming.

AQ 2.3

Establish land use pattern, densities, and pedestrian- enhanced infrastructure, in accordance with Land Use policies, to encourage the use of alternative transportation modes and reduce the length and number of motor vehicle trips. These encompass policies to manage the density and intensity of development; develop a planned “heart” of the community, parklands, pedestrian- oriented mixed use districts, neighborhood convenience commercial, neighborhood schools, and centralized large- scale commercial and office uses in village centers with appropriate transportation services; as well as compact and orderly outward expansion of contiguous development and infrastructure through “land use phasing” and urban limit lines.

AQ 2.4

Design streetscapes, housing, and village centers to improve access by pedestrians and bicyclists. Land Use policies provide a structure that maximizes pedestrian activity and transit use.

AQ 2.5

Implement a transportation infrastructure that provides opportunity for reduced trip lengths and minimized new trips while anticipating a multi-modal system in accordance with Transportation policies. This should include internal and regional public transit systems, supporting transit infrastructure and amenities (shelters, benches, bus turnouts, route signs, park and ride lots, and so on), multi-modal connections to regional transportation system (airports and passenger rail facilities), a comprehensive system of bikeways, required bicycle storage and parking at appropriate sites, and infrastructure for telecommunication facilities.

AQ 2.6

Require the installation of electrical outlets in residential, commercial, and industrial buildings to support the use of low emission landscape and property maintenance equipment.

AQ 2.7

Comply with SJVUAPCD published guidelines and mitigation measures for analyzing and mitigating air quality impacts related to development of the University Community.

AQ 3.1

Adequately separate or buffer sensitive uses from sources of odors and dust. Require new point sources of pollution, including sources of odors and dust, to be located an adequate distance from sensitive receptors.

AQ 4.1

Implement energy conservation policies defined in the Energy policy section of the University Community Plan.

AQ 5.1

Implement measures to reduce dust and particulates created during construction activities including limiting traffic on unpaved roads, installing erosion control measures to prevent silt runoff onto public roads, use of wheel washers for construction vehicles, installation of wind-breaks, suspension of excavation and grading during high winds, and similar techniques.

AQ 5.2

Promote the use of alternative fuel construction equipment, where feasible, and the use of low emission on-site stationary equipment. (*Imp 2.7*)

AQ 5.3

Limit the hours of operation of heavy-duty construction equipment and the amount of construction equipment in use at any time.

AQ 5.4

Curtail construction activities during periods of high ambient air pollution concentration.

AQ 6.1

Require the installation of low emitting, EPA-certified wood-burning appliances, natural gas fireplaces, or pellet stoves in residential developments when such heating units are incorporated in any development.

AQ 7.1

Identify opportunities for and encourage the procurement and use of alternative fuel vehicle fleets by large employers in the University Community and UC Merced. Collaborate with UC Merced on an alternative fuel vehicle shuttle system servicing the campus, the University Community, and the City of Merced.

Surface Water and Groundwater Quality

W 1.1

Implement Integrated Water Infrastructure policies for the management of stormwater, urban, and agricultural runoff, manufacturing and other urban use pollutants, the re-use of treated wastewater, urban and agricultural pesticides, construction practices, and other functions of the University Community that do not substantially reduce the quantity or quality of surface waters or the groundwater supply and meet regional, state, and federal standards.

Public Safety

Geology and Soils

S 1.1

Require that a site-specific soil and geotechnical investigation be performed prior to development for individual construction projects to determine the classification and engineering capabilities and constraints of the soil at each building site. The standards used during the site investigation shall be, at minimum, the California Building Standards Code, and any other applicable professional standards and Uniform Codes.

S 1.2

Require development applications to include a report detailing the types of soil and locations, erosion potential or soil engineering constraints/opportunities, and erosion control options. Mitigation plans must address methods to be used during all phases of site development, implementation, and operation.

S 1.3

Make site-specific soil and geotechnical information available to the public, developers, and consultants.

S 1.4 (Deleted. This policy required a separate University Community Grading and Geotechnical Standards Manual. The County already has adequate standards.)

S 2.1

Ensure that the structural integrity of the on-site irrigation canals is adequate to support any additional water flows contributed by the University Community, and any improvements within the irrigation canal channels such as storm drainage outfall structures, bridges, and other improvements. A qualified engineer should perform structural stability investigations, and make recommendations regarding reinforcement options. This should be completed in concert with the stormwater drainage system design.

S 2.2

Significant structural improvements (substantial added fill, structures, etc.) should not occur that will result in additional horizontal, vertical or lateral structural loads on MID facilities. This setback is equal to a 35 degree upward angle emanating from the nearest canal bottom edge to the existing ground surface. Improvements without significant load-bearing properties such as sidewalks, bike paths, and cuts and fills less than 5' feet in depth may be allowed within this special setback, but outside of the easement. This setback may be greater or lesser as determined by a structural engineer or geologist based on an assessment of soils and special measures to control lateral and vertical pressure (such as deepened footings and retaining walls).

S 2.3

Work with MID to identify appropriate landscape and development plans for MID canal corridors through the University Community, in order to ensure the long-term operational viability

of the canals as irrigation water conveyance facilities. In particular, ensure that trees and other landscaping do not diminish the structural integrity of the canal levees and do not interfere with regular operation and maintenance.

S 3.1

Conduct a preliminary site investigation in accordance with ASTM Standard Practice E 1527-00 (or the most current site assessment standard) by an environmental professional to determine the potential for on- and off- site hazardous materials contamination, prior to site preparation and construction activities.

S 3.2

If, during the preliminary site investigation, or during construction activities following completion of the site investigation, evidence of hazardous materials contamination is observed or suspected through either obvious or implied measures (i.e., stained or odorous soil, or oily or discolored water), construction activities shall cease in the affected area and an environmental professional shall assess the situation. If necessary, the environmental professional shall prepare a sampling plan to collect soil and/or groundwater samples to determine whether or not the site has been adversely affected by past activities. The samples shall be analyzed for the contaminants determined to be a potential health concern by the environmental professional. Depending on the nature of the contamination (if any), the Merced County Division of Environmental Health and appropriate federal and state agencies shall be notified.

S 4.1 Deleted

S 4.2

S 5.1

Implement brush clearing and other fire suppression programs in adjacent lands, thereby reducing the possibility for the encroachment of wildland fires onto inhabited areas (consistent with maintenance programs for important plant and animal habitats).

S 5.2

Encourage the use of non-combustible roofing materials within 200 feet from an area designated a very high hazard severity zone.

S 5.3

Prohibit the planting of “highly combustible” landscape materials, such as pines or eucalyptus trees, along the University Community’s border within a very high severity zone for brush fires.

Noise

N 1.1

Design and construct new noise-generating land uses in a manner that does not cause excessive exterior or interior noise for noise-sensitive land uses. The exterior noise standard for noise-sensitive land uses is 60 dBA Ldn and the interior noise standard for residential

structures and other noise-sensitive land uses is 45 dBA Ldn; provided, however, that residential uses within and immediate adjacent to the Town Center shall be considered commercial mixed uses for the purposes of determining noise compatibility. Noise reduction features shall be included in the design of any land use that has noise sources affecting residential land uses. These noise reduction features shall include structure design and layout, site planning, and other measures; block walls and barriers (including berms) shall only be used where such measures are deemed infeasible or ineffective.

N 1.2

Minimize transportation noise by the development of a grid street pattern with “flexible corridors” that disperses local traffic and minimizes the need for major corridors carrying high volumes of traffic at high speeds and by integrating traffic calming measures into neighborhood street design.

N 2.1

Use the Land Use Compatibility Guidelines of the County of City of Merced Noise Element to determine the acceptability of a noise environment for proposed residential uses and specify the level of analysis and design features necessary to provide appropriate noise insulation.

N 2.2

N 2.3

N 2.4

Provide noise protection for residences in mixed use projects that integrate housing with retail, office, or other non-residential use, including the use of construction techniques that prevent adverse noise transmission between differing uses or tenants located in the same structure or site.

N 2.5

Identify a County agency or department for the coordination of noise control efforts.

N 2.6

Manage noise from construction activities by:

- Limiting the hours of construction activities that generate noise, when adjacent to housing and other “sensitive” uses. Typically, construction is limited to the hours of 7:00 a.m. to 10:00 p.m., weekdays and Saturday, and prohibited on Sundays and holidays.
- Requiring that all construction vehicles or equipment, fixed or stationary, be equipped with properly operating and maintained mufflers
- Requiring that construction vehicle staging areas be located as far as practical from existing residential uses
- Requiring that construction vehicle trips be routed as far as practical from existing residential uses

N 2.7 Deleted

N 3.1

N 3.2

Require that educational, recreational, and commercial land uses (including educational campuses, parks, stadiums, and public event facilities) be designed in such a manner that:

- Vehicle access points are located away from noise sensitive uses
- Loading and shipping facilities and noise generating equipment are concealed or located away from noise sensitive uses
- Parking areas and structures are located away from noise sensitive uses
- Structural building materials are incorporated to mitigate sound transmission
- Use of outside speakers and amplifiers is minimized
- Interior spaces are configured to minimize sound amplification and transmission.

N 3.3

Require that facilities used for active recreation in the University Community that are likely to draw cheering crowds, elicit loud play, or have amplified game announcements be located in parks or at locations away from noise-sensitive uses.

N 3.4

Locate uses in the vicinity of the UC Merced campus that are consistent with the noise levels generated by campus recreational, central plant, or other noise-generating uses.

Aviation Safety

AS 1.1 Deleted

Area Plan

Agriculture

AA 1.1 Deleted

AA 1.2

Facilitate a farmers' market in the University Community, in coordination with the Merced County Agricultural Commissioner's Office. .

AA 1.3 Deleted

AA 2.1

Establish the University Community boundary as an urban limit line, outside of which no urban uses will be permitted in agricultural areas.

AA 2.2

Design and develop infrastructure to serve development within the University Community boundary, except where necessary for joint use by the Community and UC Merced and to provide connections to regional systems.

AA 2.3 (Revised to include regional ag conservation easement in Policy A 2.1)

AA 2.4 (Revised and renumbered to Policy AA 2.2)

Lake Yosemite

ALY 1.1 Deleted

ALY 1.2 Deleted

ALY 1.3 Deleted

ALY 2.1 Deleted

ALY 2.2 Deleted

Developers of the University Community shall participate in the development of additional parkland adjacent to Lake Yosemite through the payment of a supplemental impact fee if one is established within the County. .

ALY 2.3 Deleted

ALY 2.4 Deleted

ALY 2.5 Deleted

ALY 2.6 Deleted

ALY 3.1 Deleted

ALY 3.2

Work with the City of Merced to establish recreation fees to apply to all new development, including the University Community, to support the expansion of Lake Yosemite Regional Park.

ALY 3.3

ALY 3.4 (Revised and Renumbered to Policy ALY 3.3)

Relationship to the City of Merced

ARM 1.1 Deleted

ARM 1.2 Deleted

ARM 1.3 Deleted

ARM 1.4

The County and City shall work together to provide water and wastewater infrastructure to the University Community, and should consider the potential for provision of urban water and wastewater infrastructure to the intervening County Rural Residential area.

ARM 2.1 Deleted

ARM 2.2

Collaborate with the City of Merced in implementing agricultural protection policies described in the Land Use policies in the UCP.

ARM 3.1 Deleted

ARM 4.1

Enter into agreements with the City of Merced to provide interim police, fire, library, and other services to the University Community during the initial stages of development and ensure that sufficient resource capacities and funding are created to support local services. *(Imp 3.3)*

ARM 5.1

Work with the City of Merced to develop a well-designed street signage and monuments/landmarks program that will be commonly used throughout the University Community, City of Merced, and adjoining areas that provides clear information regarding major destinations and travel routes (“wayfinding”).

ARM 5.2

Work with the City of Merced in establishing a unified transit system that connects the University Community with key destinations in the City.

[Relationship to Vicinity Land Uses](#)

AV 1.1 Deleted

AV 1.2 Deleted

[Relationship to UC Merced](#)

ARUC 1.1

The County shall, consistent with state statutes, make available drafts of specific plans for public review and comment, which shall include the opportunity for UC Merced to comment regarding their compatibility with the campus LRDP.

ARUC 1.2

Amendments to the UCP shall not frustrate the goals, objectives, policies, and programs of the campus LRDP, and amendment to the LRDP shall consider and support the development objectives of the University Community.

ARUC 1.3

The County shall review proposed amendments to the LRDP, prior to consideration by the Board of Regents, to ensure their compatibility with the University Community Plan goals, objectives, policies, and programs.

ARUC 1.4

The County shall secure the cooperation of UC Merced to assure that any amendments to the UC Merced LRDP not frustrate the goals, objectives, policies, and programs of the University Community Plan.

ARUC 1.5

In recognition of possible significant changes in UC Merced's academic and research programs, the County shall periodically review the UCP in response to changes to the UC Merced LRDP.

Implementation

Imp 1.0 Merced County General Plan

The University Community Plan shall be adopted as an integral chapter of the County of Merced General Plan, consistent with the California Government Code §65300 *et seq.* The UCP’s policies are intended to supplement and be consistent with countywide General Plan goals, objectives, policies, and programs that are applicable to the University Community. Adoption of the UCP will modify the County General Plan Land Use Diagram by applying a “Multiple Use—Urban Development” to the University Community planning area. Concurrent with adoption of the UCP, all corresponding policies and graphics related to the University shall be amended to be consistent with the amended UCP.

Any future amendments to the Merced County General Plan shall be evaluated for their applicability to the University Community to ensure that the unique role of the University Community is recognized and not in conflict with the amendment. Updates of the County General Plan Housing Element’s Five-Year Action Plan shall consider the appropriate contribution of the University Community in meeting Countywide fair share housing obligations for that time period. These shall reflect provisions for affordable housing made in any Specific Plan and/or Development Agreement approved for the University Community.

Imp 2.0 University Community Plan

All land development, infrastructure improvements, public services, capital budgeting, and resource conservation programs in the University Community shall be consistent with the UCP as amended. Specific land use entitlements and actions shall be defined in Specific Plans to be prepared for the Community’s planning sub-areas (see below), which must be found to be consistent with the UCP.

In accordance with §65400 of the Government Code, the Board of Supervisors shall provide, as a part of its mandatory review of the County General Plan, an annual report to the State of California Office of Planning and Research and the Department of Housing and Community Development on the status of the Community Plan (and implementing Specific Plans) and progress in meeting the County’s share of regional housing needs.

The County Board of Supervisors may amend the UCP a maximum of four times during any calendar year in accordance with Government Code §65358. This limitation does not apply to amendments for a single development of residential units for which at least 25 percent of the total units will be occupied by or available to persons and families of low or moderate income.

At a minimum, the County shall undertake a comprehensive review of the UCP at least once each 10 years to ensure that it accounts for prevailing physical, market and fiscal economic, and social conditions and issues, the needs and visions of community residents, legislation and court decisions, and state-of-the-art planning, design, and community development processes. This review should assess the effectiveness, feasibility, and continued relevance of the Plan’s existing goals, objectives, policies, and implementation programs. Those that remain valid

should be retained and supplemented where necessary. The UCP should also be comprehensively reviewed concurrent with any substantive revisions of the UC Merced UCP.

Any UCP amendments would be subject to public input and environmental review.

Imp 3.0 California Environmental Quality Act (CEQA)

A Supplemental Environmental Impact Report (EIR) has been prepared for the UCP amendment and will be certified for the University Community Plan in accordance with the procedural and substantive requirements of the *California Environmental Quality Act (CEQA)*. Most of the measures that have been identified to mitigate the impacts of the development of the University Community are incorporated as policies of the UCP.

The Program EIR is written to the level of specificity of the UCP's goals, objectives, policies, and programs. It shall be used as the basis for the preparation of Project-level CEQA documents for sub-area Specific Plans, in which the analyses would be tiered from those defined in the Program EIR. Following the certification of an environmental document for a Specific Plan, any residential development project in the University Community that is consistent with the adopted Specific Plan shall be exempt from further CEQA review, as specified in California Government Code §65457.

Imp 4.0 Community Master Plans and Infrastructure Plans

Each specific plan will establish the precise locations, development standards, and implementation procedures (governance, funding, etc.) for the backbone elements of UCP infrastructure and public services that will serve the specific plan area.

Imp 5.0 Planning Subarea Specific Plans

Specific Plans shall be prepared for each sub-acre, including, at minimum the UCP North/VST and UCP South/Hunt properties, the boundaries of which are shown on the UCP Land Use Diagram.

The Specific Plans for each sub-area shall be consistent with the Merced County General Plan, the City of Merced General Plan, and the UCP. Environmental documents shall be prepared for the Specific Plans in accordance with CEQA.

Imp 5.1 Specific Plan Studies and Content

Sub-area Specific Plans shall contain, at a minimum, the following components. It should be noted that this list is only intended as an overview of key elements that must be incorporated in the Specific Plans, as defined by UCP policies. It is not intended to serve as a comprehensive listing of all topics that must be addressed or studies to be undertaken. Authors of the Specific Plans must carefully review all UCP policies to ensure compliance with their requirements, and to consult with appropriate federal and state agencies.

1. Physical development plans including:

- a. Land use plan that depicts the uses to be accommodated by type, density, and/or other descriptive characteristics, consistent the allowable uses stipulated in Table 2 or as modified as described above.
 - b. Land division and parcelization plan.
 - c. Urban design and streetscape plan (landscape, sidewalk and crosswalk paving, street furniture, lighting, signage, public art, and other elements).
 - d. Transportation Improvement Plan (TIP) that defines local streets, and highways, transit facilities, truck routes, bikeways, pedestrian paths, and hiking trails, parking management, demand management, and other elements that are consistent with the community-wide Public Improvements.
 - e. Parking plan that identifies the location and types of facilities such as on site for each use and/or shared facilities.
 - f. Infrastructure services plan that defines the network of local integrated water (IWIMP), energy and telecommunications, and solid waste infrastructure systems that connect with backbone systems and any other local improvements and funding and governance methods.
 - g. Design and engineering plan for the protection of the MID canals, as appropriate.
 - h. Public services plan that prescribes the location and facilities for schools, police, fire, library, and civic uses and funding methods (refer to Imp 4.0).
 - i. Parks and recreation plan that prescribes park locations, improvements, and acquisition and funding methods .
 - j. Open space and habitat mitigation plan (refer to Imp 4.10). This may include park lands, trails, habitats to be preserved, restored, or newly developed on site. Specific Plans prepared for Residential Villages adjoining agricultural lands shall incorporate a landscaped buffer of adequate size to protect these lands.
2. Housing Program that stipulates the total number of units that shall be developed and affordable to very low, low, and moderate income households, the methods by which they shall be provided (fee waiver, inclusionary, in-lieu fee, bonus density, state or federal funding, etc.), the timing of their development, County or other agency purchase or rental financial assistance programs, and commitments for preserving the affordability of the units for a 10- to 20-year time period. The Housing Program shall be developed in collaboration with and approved by the County prior to the submittal of the final draft Specific Plan.
 3. Impact mitigation plan that identifies the amount of productive agricultural lands, wetlands, or other habitats (as defined by UCP policy) that will be lost or otherwise affected by development and the method(s) by which these impacts shall be mitigated (e.g., replacement of lost habitat, or other strategy as defined in Imp 4.10). The mitigation program shall be developed in collaboration with and approved by the County prior to the submittal

of the final draft Specific Plan. These requirements are not intended to supplant federal and state Clean Water Act or Endangered Species Act requirements.

4. Commitment for participation in:
 - a. The County Right-to-Farm Ordinance, that requires purchasers of property in the University Community to acknowledge the presence of continued agricultural activity in proximity to the University Community.
 - b. Environmental resource habitat mitigation program and/or Habitat Conservation Plan.
 - c. Mitigation program for the loss of agricultural lands in the north Merced area that may be established and adopted by the County of Merced and City of Merced. In the event that programs have not been adopted by the County and City prior to approval of any sub-area specific plan, the specific plan shall commit to the implementation of such measures that would achieve the equivalent protection of comparable farmland at a ratio of 1:1 for Important Farmland converted with the subject specific plan area. Examples of measures include acquisition of conservation easements, payment of in-lieu fees to the County (or an appropriate third party designated by the County) that would protect such lands through fee title, easement, or other measures.
5. Development regulations pertaining to each use to be developed in the Specific Plan sub-area that shall address permitted uses, Residential density (units per acre) and commercial and industrial intensity (floor area ratio), Building height, Lot coverage and property setbacks, Landscape, including standards for the use of sustainable plant materials (natives, drought tolerant, drip irrigation systems, and so on), Lighting, Signage, and parking and parking management including on-site showers for bicyclists (in activity centers). Sustainable development practices for site planning, building design, architecture, landscape, building fixtures, infrastructure improvements and other relevant elements, which shall include the establishment of energy and water conservation budgets and recycling goals.
6. Design guidelines for site layout, architecture, landscape, and grading and public streetscape improvements (paving materials, street furniture, trees and plantings, signage, lighting, public art, and other). These shall reflect the UCP's intentions, as expressed by policy, for the development of a "walkable" and "livable" community (e.g., siting of buildings, concentration and intermixing of development, pedestrian-oriented design, and so on) and the use of sustainable development practices (e.g., recapture of storm runoff on site, orientation and design of structures to reflect climatic conditions and minimize energy consumption, incorporation of solar and wind energy systems, use of native and drought-tolerant landscape, and so on).
7. Capital improvements plan that defines the costs and sources of funding for public infrastructure and services, consistent with the Public Improvement Plan (Imp 4.0).
8. Phasing plan that depicts the sequence of land use development, circulation, infrastructure, and public service improvements. Documentation shall be included that demonstrates that the phasing program results in cohesive neighborhoods and districts, is of a scale sufficient to assure economic viability, is financially feasible, is appropriately related

to the development of UC Merced and peripheral land uses, and does not impact the integrity of agricultural and natural resource lands not designated for development.

9. Fiscal impact analysis that defines the full public costs associated with development and anticipated revenues.
10. Implementation programs that define the range of actions to carry out the Specific Plan that may include Development Agreements, development fees, County development review and approval processes, governance, and other appropriate programs.
11. Financing plan for public infrastructure and services, identifying costs, financing mechanisms, and projected revenue.
12. Findings that levels of development to be accommodated in the sub-area reflect the scale of planned and anticipated student enrollment, faculty, and programs of UC Merced, pertinent interagency agreements have been approved, pertinent environmental permits have been committed or approved, in accordance with prescribed procedures criteria specified for Policy LU -4.5 have been achieved.

Imp 5.2 Zoning Regulations and Building Codes

The Specific Plans shall serve as the zoning ordinances for each sub-area of the University Community. ,

Imp 6.0 Development Agreements and Subdivision Maps

Development Agreements shall be prepared as contractual agreements between the County and developers of the University Community sub-areas to provide assurances to each party regarding the uses to be entitled and rules of development. Development Agreements shall be adopted by the Board of Supervisors, in consideration of public comments, and be effective for a specified time period. Since the University Community will be developed over an extended time period, such agreements reduce the uncertainty of changing policies, rules and regulations, and conditions of approval that are likely to occur and which can impact development feasibility and quality. In accordance with Government Code §65865.2, the Agreements shall specify the permitted uses of the property, density and intensity of use, maximum height and size of proposed buildings, and provisions for the reservation or dedication of land for public purposes (schools, parks, and so on), consistent with the adopted UCP and related Specific Plans.

Imp 7.0 Engineering Review

Proposed development projects shall be reviewed for their compliance with applicable building code, subdivision, and other County engineering requirements and standards. At a minimum, this will encompass review of (1) infrastructure improvements consistent with the Public Facilities Plans , including transportation, potable water, wastewater, storm drainage,

electricity, natural gas, and telecommunications; (2) site grading and soils/geological stabilization; (3) building and foundation design for structural stability, fire codes, soils and geologic characteristics; and, 4) compliance with energy and water conservation budgets and environmental sustainability standards. Project applicants will be required to submit studies and analyses that are necessary for an adequate engineering review such as traffic impact studies, soils tests, and percolation test.

Where development or public improvements abut or otherwise impact the Merced Irrigation District (MID) canals and tributary facilities in the University Community, proposed grading and development plans shall be reviewed with MID to ensure that the structural integrity, functionality, and safety of the systems are maintained.

Imp 8.0 Design Review

Proposed development projects shall be reviewed for their consistency with the UCP and Specific Plan design and development standards and guidelines and applicable codes and regulations. Plans and designs may be reviewed and approved by the County Planning Director, the Planning Commission, or an appointed University Community Design Review Board. If the latter, its membership should consist of design professionals (architecture, landscape, urban design, and/or visual arts) and Community residents and businesspersons that would report their recommendations to the Planning Director and/or Planning Commission. Appeals would be submitted to the Board of Supervisors.

Imp 9.0 Interim Governance Structure

Initially, the County will serve as the governing body and may continue to play an important role in decision-making and public service provision over time. However, the County will need to establish an entity (i.e. a special district) that is responsible for overseeing and coordinating University Community-related infrastructure development and public services delivery.

Imp 9.1 Options and Mechanisms for Transition

Given that the form and structure of the governmental entities with jurisdiction over the University Community is likely to evolve over time, a transition plan will need to be developed. The Transition Plan will define the process through which new governing structures are adopted and developed. Options include continued operation as an unincorporated area of the County served by a special district, annexation to the City of Merced, and incorporation of an entirely new City.

Imp 9.2 Inter-Agency Coordination and Agreements

Success of the University Community depends in some measure upon the successful cooperation between the County of Merced and UC Merced. The proximity to the City of Merced and the need for coordination with other regulating agencies also create the need for a range of special agreements.

County and University of California Merced

CITY OF MERCED Deleted

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SCHOOL DISTRICTS Deleted

Transportation Infrastructure Deleted

Integrated Water Systems Deleted

Energy and Telecommunications Deleted

Police Sub-Station Deleted

Fire Station and Fire Fighting Equipment Deleted

Library Deleted

Schools Deleted

Parks and Community Facilities Deleted

Public Vehicle Fleet and Public Transit Deleted

Open Space and Habitat Conservation/Mitigation Deleted

Affordable Housing Deleted

Offsite Infrastructure Development Deleted

Infrastructure Phasing Deleted

Planning and Development Administration Deleted

Police Protection Deleted

Fire Protection Deleted

Integrated Water Utilities Deleted

Drainage, Landscape and Habitat Maintenance Deleted

Parks and Recreation Deleted

Library Deleted

Schools Deleted

Fiscal Analysis Deleted

University Community Plan

Policy Conformity Analysis

This document provides a summary of the conformance of the proposed VST Specific Plan to the adopted policies in the 2004 University Community Plan (UCP). The policies in the UCP are a combination of development policies, environmental mitigation measures, and aspirational statements regarding the physical and social development of the University Community Area. A number of policies are included for the purpose of environmental mitigation and the policies referenced in the Program EIR are highlighted in yellow. Note that in a number of cases the numbering of these policies changed during the development of the plan and the reader is referred to the appropriate modified policy number in those cases.

The conformance of the VST Specific Plan with the UCP is necessary to demonstrate General Plan conformity as the UCP policies are a part of the County General Plan. The conformity finding varies based on the current context and facts of each issue the policy is intended to address. It is noteworthy that the UCP policies are built around the assumption that the UCP area would be a “New Town” with its own water, sewer, utilities, and separate social structure. Annexation of the project area to the City was not specifically contemplated 20 years ago, and a significant body of the policies address measures to address potential issues about traffic, water service, wastewater treatment. That situation has changed and annexation to the City in the near term is planned, with City water and sewer provided under and Out of Boundary Service Agreement (OBSA), or as a result of annexation. This direction changes many policies, including the provision and availability of recycled water on the project site, land use compatibility between treatment facilities and other land uses, and other factors.

Many of the UCP policies seek to establish an environmentally progressive community with high conservation standards. Time has rendered many of them moot, and ordinances and regulations have been adopted by the State, County and City that now provide a regulatory framework that provides for energy conservation, air quality mitigation, storm drainage management, and other measures far beyond those imagined twenty years ago. Where this has occurred, the conformity analysis has recommended that these policies be deleted since implementation of a regulation or ordinance does not depend on the policy basis in a community plan.

Finally, there are a number of social/aspirational policies that are vague, un-related to the physical development of the community, or are simply outside the regulatory or organizational capacity of the residents of the Specific Plan. There are several policies that appear to direct the County to provide governance or oversight to other elected bodies that are outside of its jurisdiction. These “social” policies are recommended for deletion. There are also policies that are recommended for deletion that are relative gibberish and provide no decision making direction. Any changes or modifications to the policies is identified by underscored text in the response to the policy.

Overall, the project is found to meet and exceed the policies in the UCP, as amended.

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Community Development

Land Use

1.0 To develop the diversity of land uses that support UC Merced and its induced population and businesses

LU 1.1

Accommodate a mix of land uses to support the UC Merced campus and its induced population growth that are economically feasible and supported by the marketplace, designated as “Multiple Use Urban Development (MUUD)” (as shown on Figure 3). These may include housing, retail, offices, industrial, visitor-serving accommodations, entertainment, cultural, recreational, public/civic, institutional, education, and related uses. In particular, emphasize the attraction of businesses that uniquely capitalize upon the presence of the University, its education, innovation, and culture, which would not have otherwise been supported by the marketplace.

Response: The VST land plan provides a mix of residential units that are based on the income groups represented on the university (according to income and pay surveys reported by the State), capture of up to 50 percent of the additional student generation on campus as projected in the 2020 LRDP, the quantity and type of local-serving goods and services derived from the VST residences, and on-campus students and staff. Uses that are most appropriate elsewhere such as industrial (Atwater Castle Business Park, City Industrial Parks), regional retail (Gateway Business Park), and institutional/business parks (Bellevue Master Plan, downtown Merced) that are not directly associated with the UC or the UCP area are not included.

LU 1.2

Accommodate the development of a mix of land uses that sustains and supports the daily needs of residents living in the University Community and contributes to the sense of complete neighborhoods offering a variety of housing types, supporting convenience goods and services, job opportunities, schools, parks, and open spaces.

Response: The VST land plan provides a mix of residential units that are based on the income groups represented on the university (according to income and pay surveys reported by the State), capture of up to 50 percent of the additional student generation on campus as projected in the 2020 LRDP, the quantity and type of local-serving goods and services needed by the VST residences, and on-campus students and staff. Commercial uses include those that can be supported by the northern portion of UCP South, residents of the VST project itself, and on-campus UC staff and students, according to a market study.

LU 1.3

Accommodate land uses that complement and enhance the local and regional economic vitality and are coordinated with the City of Merced and other major business centers. Uses that serve the region and are not uniquely related to the campus environment and economy, such as “big box” retail, and whose development would adversely impact the City and other areas shall be discouraged.

Response: Larger scale industrial, business park or retail uses are not included in the project site. The maximum tenant size is expected to be 40,000-60,000 SF (MCOE charter school and grocery store in Community Commercial portion of the project).

LU 1.4

Allow flexibility in uses and densities that may be accommodated over time to reflect the evolving characteristics, needs, and objectives of the marketplace, provided that the overall objectives for the form, character, relationships, and design quality of the University Community are maintained.

Response: Flexibility is provided, but some specificity is included to ensure a broad range of housing for all economic segments.

LU 1.5

Develop and implement open spaces as essential amenities that distinguish the University Community, provide recreational opportunities for residents, contribute economic value, serve as visual relief, and reflect the region's distinct character.

Response: The VST project will include 87.6 acres of open space and parks. An integrated system of parks and trails is specified, including a linear park along Virginia Smith Parkway, and open space and parks along MID's Fairfield Canal.

LU 1.6

Permit and encourage continued agricultural uses as interim uses as the University Community lands are progressively developed.

Response: The onsite agricultural operations will be continued for the longest feasible period. Project phasing is from west to east to make sure that the existing ag operations are not separated by urban development. Development is also phased to include the Fairfield Canal and major city roads as a phasing lines to ensure separation of ag from urban uses. The phasing has also been structured so that the irrigation pond can remain functional for the longest feasible time period.

2.0 To create a land use pattern that respects the site's natural resources.

LU 2.1

Locate and design development to reflect the site's natural topography and formations (refer to Topography policies).

Response: Grading has been planned to follow topography.

LU 2.2

Locate and design development to capitalize upon viewsheds of UC Merced, Sierra, Lake Yosemite Regional Park, and adjoining urban and agricultural uses (refer to Viewshed policies).

Response: The referenced viewpoints are to the north and the east. Roads have been designed to provide unblocked vistas to the east and north. Lake Yosemite Regional Park is not visible from the project site.

LU 2.3

Site and design land uses to reflect and incorporate the property's natural drainage courses, to the extent feasible in consideration of public safety and habitat preservation.

Response: Cottonwood Creek is the principal drainage on the western portion of the property. It will be maintained in an open and enhanced form.

LU 2.4 (Revised and renumbered to Policies LU 4.3 and LU 4.4 below)

LU 2.5 (Deleted in Final Draft). This was related to sequential phasing of the project which was replaced by the requirement for sub-area Specific Plan with phasing.

LU 2.6 (Deleted in Final Draft). This was related to sequential phasing of the project which was replaced by the requirement for sub-area Specific Plan with phasing.

LU 2.7 (Deleted in Final Draft). This was related to sequential phasing of the project which was replaced by the requirement for sub-area Specific Plan with phasing.

LU 2.8 (Revised and renumbered to Policy LU 4.6 below.)

LU 2.9 (Revised and renumbered to Policy LU 4.8 below)

LU 2.10 (Revised and renumbered to Policy LU 4.9 below)

LU 2.11 (Deleted in Final Draft). This was related to sequential phasing of the project which was replaced by the requirement for sub-area Specific Plan with phasing.

LU 2.12 (Deleted in Final Draft). This was related to sequential phasing of the project which was replaced by the requirement for sub-area Specific Plan with phasing.

LU 2.13 (Deleted in Final Draft). This was related to sequential phasing of the project which was replaced by the requirement for sub-area Specific Plan with phasing.

3.0 To create an integrated pattern of commercial and business districts and residential neighborhoods that is integrated with the UC Merced and promotes community livability and vitality.

LU 3.1

Concentrate land uses to minimize impacts on natural environmental resources and agricultural uses, and maximize the efficiency of supporting infrastructure, community/ pedestrian activity, and transit use.

Response: Average density of the project is 6.5 dwelling units per gross project acre across the project's 595 non-commercial acres. Average single family density is 6.2 units per gross acre,

and the average density for multifamily units is 25 units per gross acre. This conforms with the UCP land use policies.

LU 3.2

Establish a land use pattern composed of distinct districts and neighborhoods differentiated by function, use, physical form and character, and design that are integrated into a cohesive, seamless, and definable community. Land use districts shall be organized around a core activity area that is directly linked and blends with the core activities of UC Merced and a continuous network of parklands, open spaces, and multi-modal transportation corridors (as conceptually illustrated in Figures 4 and 5). Distinct residential neighborhoods (“villages”) shall be oriented around the University Community Town Center that serves as the primary focal point of Community identity and Community- campus interaction. Each neighborhood/village shall contain a mix of housing units/densities that focus on a school, park, local retail, and other services. A business center shall be developed adjacent and relate to the Town Center and UC Merced campus.

Response: The 2004 UCP contemplated that the UCP Town Center would be developed adjacent to and within the UC Campus. With the modification of the land plan in 2009 LRDP and the 2020 LRDP, the UCP/VST Town Center is now physically separate and will function as a commercial center for the VST development. The Town Center includes a mixed use commercial/service area (C-MUS) zone for 275,000 square feet of building area that is adjacent to the UC property line that permits offices, hotels, governmental offices and other related uses; a transitional commercial/retail/office zone (C-MU) for 100,000 square feet of building area; a retail/office/residential mixed use zone (C-MUR) that includes approximately 200,000 square feet of building area from smaller office, restaurant, retail and commercial services and up to 108 second- and third-floor residential uses; and retail shopping centers ranging in size from two 50,000-SF Village Commercial centers to a 170,000 SF Community Commercial shopping center. The project is broken down into 160-acre villages, each with commercial services and a full range of housing from R-4 apartments to lower density single family units.

LU 3.3

Site and design land uses and buildings to maximize the Community’s quality of life, including the establishment of pedestrian-oriented mixed-use districts and residential neighborhoods that reflect the traditional qualities of Merced, while providing opportunities for innovative and creative forms of development.

Response: Shopping centers, parks and the Town Center are located to minimize their distance from any neighborhood to encourage ped and bike modes of transportation. The Town Center provides for mixed uses.

LU 3.4

Locate the highest development densities within and adjacent to the Town Center and primary transit corridors and stations to support community activity and transit use. Encourage the development of housing that is suitable and affordable for UC Merced students, faculty, and staff in proximity and adjacent to the Town Center.

Response: The higher density residential units are located on the northwestern one-quarter of the site, the area closest to the UC. The Town Center includes and is surrounded by R-3 and R-4 units, and includes 108 units in the Town Center area. Subareas 1C and 1D include the areas that are within 1,200 feet of the Town Center and which are adjacent to the Town Center. Within this area there are R-2 small lot cluster units (for sale and for rent), R-3 townhome units (for sale and for rent), R-4 apartments (with 40 percent of those units for student housing and 60 percent for family housing units), and single family detached units on 5,000 SF lots.

LU 3.5

Integrate the Community's land use patterns, urban form, transportation and infrastructure corridors, and open spaces with those of the UC Merced campus, promoting a seamless interaction of community and campus activities.

Response: Since the UC and UCP are no longer intertwined, this policy is moot or inapplicable. Suggest deletion.

LU 3.6

Locate and design land uses to promote efficiency of access, reduce costs, and enhance livability by the sharing of recreation, community and public facilities, institutions and cultural attractions, activity areas, and transportation infrastructure.

Response: All parks, recreation areas, public facilities and activity areas are publicly available and accessible. It is anticipated that the Clubhouse/Community park would be financially supported by VST residents through a Master Home Owners Association ("Master HOA") and will be accessible only to residents or registered guests. All other facilities will be publicly accessible and publicly maintained.

LU 3.7

Allow for and encourage creativity in the siting and design of land uses that take advantage of the innovation that can be stimulated in a University environment and offer choices for the Community's population, provided that they complement overall development patterns and densities and achieve objectives for a cohesive and high quality community.

Response: Huh??? Mairzy doats and dozy doats and little lambsy divey. Delete as this does not say anything worthwhile.

LU 3.8

Establish appropriate land use and open space transitions to reflect long-term development, agricultural, and conservation objectives for properties abutting the University Community.

Response: Adequate setbacks are provided to the Fairfield Canal corridor (See Policy S 2.2). A 200-foot setback is provided between habitable portion of a residential structure and "Agricultural Production" areas per Merced County Zoning Ordinance Section 18.10.040.

4.0 To establish a development program for the University Community that creates unified and cohesive patterns of urban use and development that capitalize upon the presence of UC Merced.

LU 4.1

Adoption of the UCP shall be dependent upon the prior adoption of The Long-Range Development Plan (LRDP) and approval of Phase I for UC Merced by the Regents of the University of California.

Response: Completed and no longer relevant. Delete.

LU 4.2

Issuance of building and/or grading and excavation permits for development within the University Community shall be dependent upon prior issuance of applicable permits under the *Clean Water Act* and state and federal endangered species acts for resources impacted by that development in the University Community.

Response: Yes, of course. VST and UC have secured incidental take permits and biological opinion for state and federal endangered species.

LU 4.3

Development in the University Community shall be phased to create complete, cohesive, and integrated districts and neighborhoods. This shall be accomplished through the preparation and adoption of Specific Plans for each planning sub-area, as conceptually shown on Figure 6, which shall provide the opportunity for public review and comment. These boundaries and the number of Residential Villages may be modified to reflect site conditions and land use development market projections at the time of the preparation of the Specific Plan, provided that the UCP's underlying goals, objectives, and policies for urban form, development character, and community and neighborhood identity are achieved.

Response: Figure 6 is no longer relevant since property north of Meyers Gate Road is under State ownership and is regulated by the LRDP. The VST property is the remaining portion of Residential Village 1 and Residential Village 2 and is the subject of the VST Specific Plan.

LU 4.4

The maximum amount of housing units and mixed use, retail, office, and research and development building square feet to be accommodated in the University Community shall not exceed the totals shown in Table 2 (right column). The acreage for parklands, open spaces, and schools are generalized estimates based on the Conceptual and Illustrative Land Use Diagrams (Figures 4 and 5) and may vary to reflect subsequent detailed site planning and actual school facility needs based on projected student generation from development. The latter shall be subject to negotiation between developers and jurisdictional School Districts. The development allocations among the Town Center and each Residential Village shown in Table 2 may vary to reflect the number of Villages to be developed or otherwise transferred among the five sub-areas provided that the cumulative amount of development in the Community is not exceeded, nor reduced

to a level that jeopardizes the ability to fund Community infrastructure, public services, and environmental mitigation. The Specific Plans shall be found to be consistent with the UCP, in accordance with the requirements of the California Government Code (Section 65450 *et seq.*).

Response: The referenced Table 2 will be amended to reflect the following development capacities for VST and the UCP:

Table 1 UCP Buildout

Land Use	VST			Hunt			Total		
	Net Acres	Commercial (SF)	Housing Units	Net Acres	Commercial (SF)	Housing Units	Net Acres	Commercial (SF)	Housing Units
Local Commercial	19.1	273,650	-	15.0	250,000	-	34.1	523,650	
Office/Hotel	10.6	275,000	-	9.0	140,000	-	19.6	415,000	
Mixed Use Commercial	15.3	307,500	-	-	-	-	15.3	307,500	
Business Park	-	-	-	-	-	-	-		-
Parks/Open Space/Canal	99.7	-	-	148.0	-	-	247.7		-
School	14.5	-	-	80.0	-	-	94.5		-
MF Residential	72.3	-	2,100	75.0	-	1,794	147.3		3,894
SF Residential	263.6	-	1,757	560.0	-	4,029	823.6		5,786
Major Roads	69.8	-	-	131.3	-	-	201.1		-
Minor Roads	89.2	-	-	168.8	-	-	257.9		-
Total	654.0	856,150	3,857	1,187.0	390,000	5,823	1,841.0	1,246,150	9,680

This would result in a 1,936-unit reduction in the number of housing units, and a decrease in total commercial and office space of 776,750 square feet. For the VST portion of the project in particular the number of dwelling units would be increased by 1,440 units and the amount of commercial and office square footage would increase approximately 709,000 square feet. There would be no change in the allocation of development capacity for the UCP South property.

LU 4.5

Specific Plans prepared for University Community sub-areas shall meet fundamental objectives for the establishment of a community that supports the development of UC Merced. To this end, the Specific Plans and their phasing program shall demonstrate that they:

- Are fully consistent with applicable policies of the Merced County General Plan and UCP.

Response: Yes, as amended.

- Employ site planning, architectural and landscape design, and amenities that exhibit the quality and character that contributes to a distinct, cohesive, livable, sustainable, and quality place consistent with the UCP’s objectives and design guidelines, which, in turn, serves as a model for development in the San Joaquin Valley.

Response: Yes.

- Structure and organize land uses, building locations, and open spaces to establish a consistent and unified urban pattern and scale of mixed use districts, residential neighborhoods, and open spaces throughout the entirety of the University Community, which is consistent with and complements development on the UC Merced campus.

Response: Yes. See response to comments elsewhere.

- Support the economic vitality and success of the campus and student supporting uses in the mixed-use Town Center and Research/Business Park.

Response: The type and quantity of uses in the Town Center and the Specific Plan's other commercial areas is based on expenditure patterns for VST residents, and UC staff and students. Business Park uses are provided for elsewhere (Bellevue Master Plan, downtown and onsite UC).

- Locate, design, and size transportation and utility infrastructure improvements to achieve an integrated and consistent community-wide system and services.

Response: Road sizes and capacities have been established based on projected traffic volumes considering buildout of the 2020 LRDP and buildout of the amended UCP.

- Adequately fund the development of supporting infrastructure and services that are related to their needs and do not impose an undue financial burden on other properties or uses within the University Community, other areas served by the University Community (as defined by the "Integrated Water Infrastructure" policies), or Merced County.

Response: The project will extend basic offsite infrastructure that may be eventually used by others. Where there are roads that are shared in common such as Meyers Gate Road and Cardella Road, VST will be responsible for constructing 2/3rds of those roadways for functional two-way traffic. VST will also pay its fair share of infrastructure costs that are shared by others (offsite roads, sewer, water, etc.)

- Provide for development in a manner that supports the conservation of productive agricultural and other open space lands consistent with the policies of the Merced County General Plan and the Local Agency Formation Commission (LAFCO).

Response: Adequate setbacks are provided to the Fairfield Canal corridor (See Policy S 2.2). A 200-foot set is provided to the habitable portions of residential structures and "Agricultural Production" areas per Merced County Zoning Ordinance Section 18.10.040. VST has participated in the conservation of ____ acres of land to offset the impacts of development.

- Provide for the phased and concurrent development of land uses, infrastructure, and public services that is orderly, results in cohesive, complete, and economically viable neighborhoods and districts, and is linked to and does not adversely impact the integrity of surrounding land uses, open spaces, and agricultural lands.

Response: Phasing and product mixes are designed to be completely balanced per each 160 acres of the development. All neighborhoods are linked internally and externally, including access to Lake Road, connections to UC that are consistent with its 2020 LRDP, bike and ped improvements throughout, and open-ended cul de sacs (where cul de sacs are necessary) that provide bike, ped and transit connections.

LU 4.6

Require that the distribution and location of land uses within each Community sub-area be defined by Specific Plans in accordance with the policies for land use mix and urban form defined in this element. Land use delineations depicted on Figure 4 may be modified provided that the principles for land use organization, inter-relationships, and densities are maintained. Specific Plans for areas abutting UC Merced shall incorporate land use and open space plans that reflect and are integrated with the pattern of uses developed and open spaces in abutting areas of UC Merced.

Response: Connections from the VST trail system are provided to the trails designated on the 2020 LRDP. Figure 4 of the 2004 UCP is un-intelligible and is inconsistent with other UCP graphics in a number of ways. The revised UCP land plan shown Figure 1 below will replace all land planning and circulation planning graphics.

LU 4.7

As part of the approval process for each Specific Plan, the County shall consider the timing of the proposed development in consideration of the extent and timing of campus development and campus growth projections in the current LRDP or LRDP EIR for UC Merced.

Response: Growth will occur over a 15-20 period based on the market absorption projected in the market analysis for the project. Full buildout of the 2020 UCP is projected to 2030.

LU 4.8

Extend infrastructure and related services and utilities to urbanizing areas within the University Community only following the adoption of an Infrastructure Master Plan and pursuant to its specification for such infrastructure and services. Such services and improvements shall be limited to the planned development area except where they are necessary to serve the University Community and UC Merced independently or jointly.

Response: An infrastructure master plan is provided in Chapter ____ of the Specific Plan. Oversizing of utilities has been provided, where required, to accommodate full buildout of the 2020 LRDP and the amended UCP development program.

LU 4.9

Establish an Urban Limit Line contiguous with the Community Plan boundary. This Urban Limit Line is intended to delineate the maximum extension of urban development and urban services.

The Urban Limit Line may be modified by the Board of Supervisors through a revision of the UCP and subject to all applicable goals, objectives, and policies of the County General Plan.

Response: Completed. The City's and LAFCO's SUDP is contiguous with the boundary of the amended UCP.

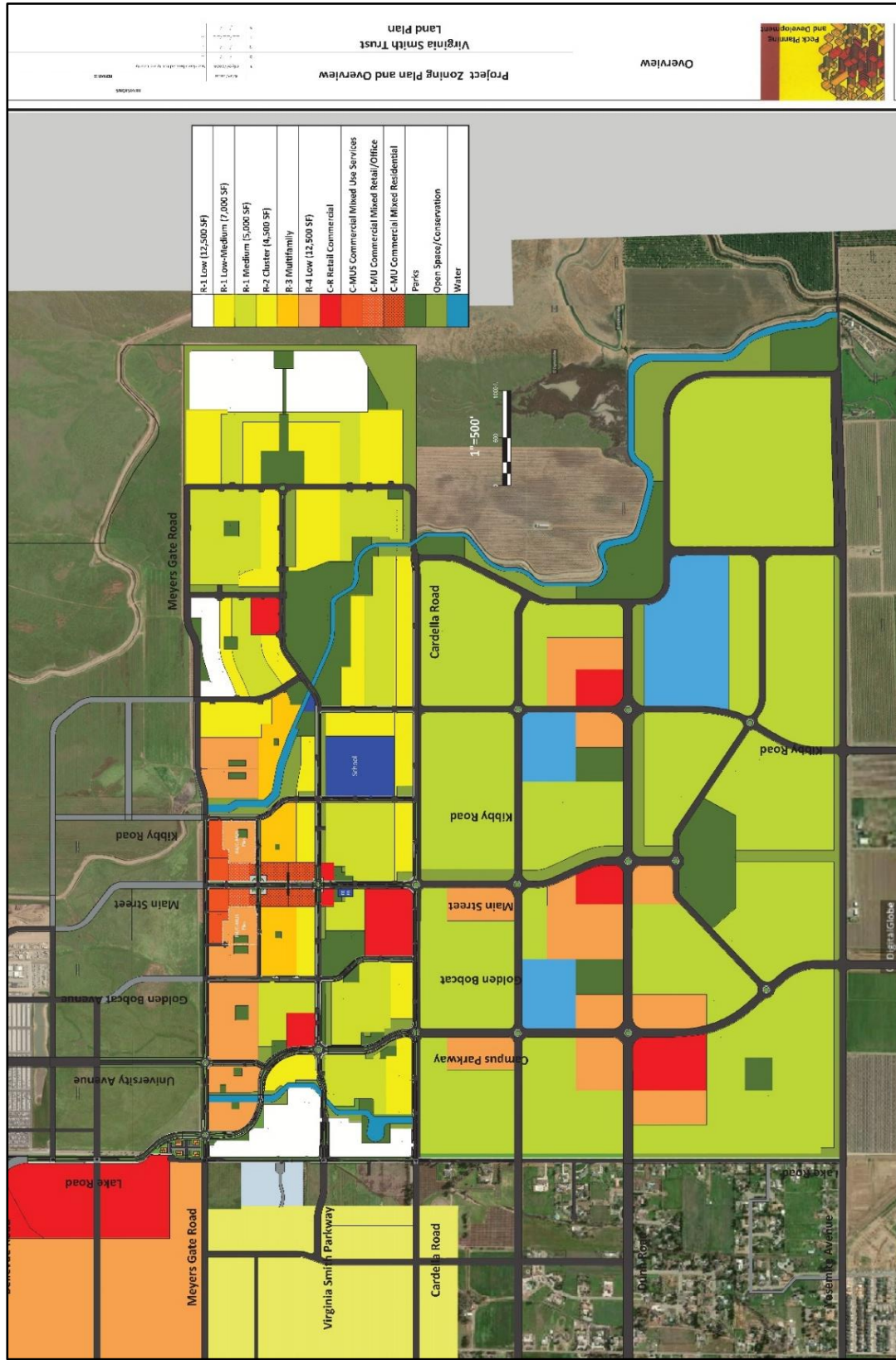


Figure 1 Amended UCP Land Use and Circulation

5.0 To develop the University Community Town Center as the symbolic and functional center of the University Community that is directly linked, and shares uses with the University campus core and linked to surrounding Residential Villages.

LU 5.1

Require that a mix of uses be developed in the University Community Town Center that reinforce its role as the primary business and shared activity center for the community and campus. Representative uses may include community and campus-serving retail commercial, personal services, financial institutions, offices, entertainment, hotels/motels, civic, cultural (library, museum, etc.), food service/grocery stores, housing, and similar uses that are supportable in the marketplace.

Response: The Town Center and the core of UC are now separated by one-half mile and the extent of the development portion of the 2020 LRDP indicates that the UC and Town Center will be one-fourth mile apart. Nevertheless, the size and the design of the Town Center and the retail centers in the VST project will allow for all of the uses referenced in Policy LU 5.1.

LU 5.2

Encourage the development of buildings and sites that contain a mix of uses, including the vertical integration of housing with retail, office, civic, or other uses.

Response: Town Center zone C-MUR provides for commercial/residential vertical mixed-use buildings. Although once very common, this housing and commercial type is unusual for Central Valley communities. The project's market study indicates that there is potential for this use if such buildings are preceded by established restaurants, retail and service uses (and that they are not developed concurrent with the residential units themselves).

LU 5.3

Integrate public uses (e.g., day and senior care facilities, community meeting rooms, recreation facilities, libraries, police and fire facilities, health facilities, and so on) with other uses in the Town Center.

Response: Per the use and design guidelines in the Specific Plan, these uses are encouraged in the Town Center.

LU 5.4

Collaborate with UC Merced to identify and promote the development of uses in or immediately adjacent to the Town Center that support and can be jointly used by the campus and community (e.g., conference facility, performance arts center, sports stadium, and recreation fields).

Response: The Town Center and the core of UC are now separated by one-half mile and the extent of the development portion of the 2020 LRDP indicates that the UC and Town Center will be one-fourth mile apart. It is probably unrealistic to assume sharing of the facilities. The referenced facilities are, however, open to the general public.

LU 5.5

Promote the development of housing units for UC Merced students, faculty, and staff in the Town Center to facilitate access between the campus and community.

Response: The higher density residential units are located on the northwestern one-quarter of the site, the area closest to the UC. The Town Center includes and is surrounded by R-3 and R-4 units, and includes 108 units in the Town Center area. Subareas 1C and 1D include the areas that are within 1,200 feet of the Town Center and which are adjacent to the Town Center. Within this area there are R-2 small lot cluster units (for sale and for rent), R-3 townhome units (for sale and for rent), R-4 apartments (with 40 percent of those units for student housing and 60 percent for family housing units), and single family detached units in 5,000 SF lots.

LU 5.6

Encourage the development of senior housing within the Town Center.

Response: Per the use and design guidelines in the Specific Plan, these uses are encouraged in the Town Center.

LU 5.7

Develop a multi-modal transportation center that serves both the community and the campus at the earliest feasible date to lessen automobile dependence. Work with the UC in the siting and design of this facility to ensure its compatibility with adjoining uses and the transportation network and facilities.

Response: The Town Center and the core of UC are now separated by one-half mile and the extent of the development portion of the 2020 LRDP indicates that the UC and Town Center will be one-fourth mile apart. It is probably unrealistic to assume sharing of the transit facilities. UC has developed a transit center. The project site will have at least three sets of defined bus stops.

LU 5.8

Develop the Town Center with the highest densities in the University Community to reinforce its role as the “heart” of the community and foster pedestrian and transit use, according to the following standards:

- Retail and office uses (free-standing): Minimum floor area ratio (FAR) of 0.4 and maximum of 3.0 (one to six stories).
- Mixed use (housing/retail or office): Minimum FAR of 1.5 and maximum 3.0, with a minimum FAR of 0.35 and maximum of 1.0 for retail or office components (three to six stories).

Response: The Town Center and the core of UC are now separated by one-half mile and the extent of the development portion of the 2020 LRDP indicates that the UC and Town Center will be one-fourth mile apart. The intensity and scale of development described in Policy LU 5.8 is infeasible and inappropriate outside of an “urban” setting like the UC campus. A minimum Floor Area Ratio (FAR) of 1.5 in the Town Center is considered impractical and unachievable given the reconfiguration and uncoupling of the VST/UCP properties with UCM. This level of development intensity would require structure parking (as it does in Downtown Merced), or a parking ratio that would be inadequate to serve the commercial uses. It is assumed for planning purposes that parking in the Town Center would be provided at a rate of 1 space per 500 square feet in the Town Center, 65% of that specified for shopping centers and more vehicle oriented commercial formats. The maximum theoretical development density that could be achieved at a 2 spaces/1,000 SF (1 space per 500 SF) and without structure parking would be 0.875 FAR, and the project proposes an FAR of 0.80 in the Town Center (including the upper floor residential units). The illustration below shows the maximum development without structure parking:

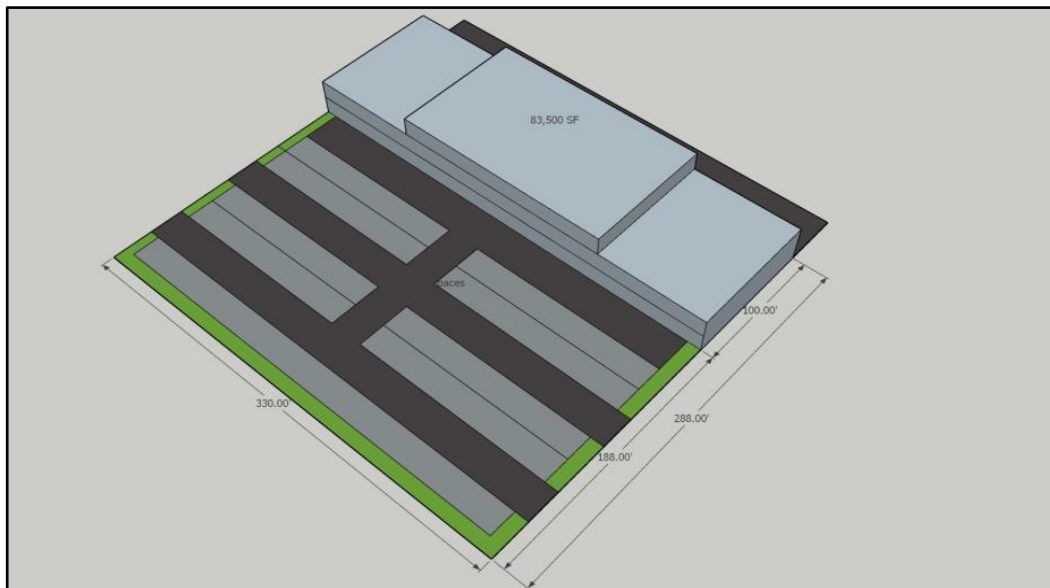


Figure 2 Town Center Buildout and Parking

This kind of retail format has its own challenges with market acceptance and tenant stability. These kinds of projects can be successful when there is an adjacent daytime institutional anchor such as a major health care facility, City Hall, County Building, etc. In this case, the VST Town Center would be a non-anchored retail strip. Commercial rents in Merced also are not high enough to support upper story construction, and as noted earlier, the market for office uses that can logically go on upper floors is weak at this location. The VST Specific Plan entitlements will Policy LU 5.8 to have a minimum FAR of 0.75, and will a parking requirement of 1 space per 500 square feet.

- Residential: An average range of 8 to 32 units per net acre (minimum height of two stories). Individual sites may be developed at lesser densities provided that the average density for the Town Center planning area is achieved.

Response: The Town Center Commercial area (C-MUR) has a density of 14.5 units per net acre, with residential units on a second, possibly third, floor. One floor of residential is assumed with the roof for storm drainage (green roof) and patio area. Within 1,200 feet of Main Street (the centerline of the Town Center), there are 475 R-4 units developed at 28 units per net acre; 600 R-3 units developed at 16.5 units per net acre; 63 R-2 cluster unit developed at 8.75 units per net acre; and 108 C-MUR vertical mixed use units in the commercial part of the Town Center. This totals about 1,250 dwelling units—one-third of the total project—that are within walking distance of the Town Center commercial area.

LU 5.9

Increased densities and building heights may be permitted to reflect uses of special merit that further functional, economic, and design objectives for the Town Center, provided that they complement and are consistent with adjoining uses and the UC Merced campus. In no case shall densities below the defined minimums be permitted.

Response: The Specific Plan design regulations call for development flexibility where warranted.

LU 5.10

Integrate the Town Center's land uses into a cohesive urban pattern that provides the sense of complete and identifiable place. Establish an urban form that ties together individual parcels and uses into a cohesive whole, addressing the location and massing of buildings, architecture, landscape, connective pedestrian paths and walkways, streets and transit, use of key landmarks, and similar elements.

Response: The Specific Plan achieves this.

LU 5.11

Allow three development typologies in the Town Center: a) mixed use structures that integrate housing with ground level retail, office, cultural, or other use; (b) independent commercial, office, and other non-residential use; and (c) independent housing. Each development type shall be integrated into a cohesive urban pattern, in accordance with other policies in this section. To the extent practical, these development typologies shall be grouped, emphasizing the concentration of mixed structures along primary pedestrian streets as depicted by the Illustrative Town Center Diagram (Figure 7, 8, 9, 10 and 11). Their precise location shall be established by a Specific Plan to be adopted by the County.

Response: The Town Center and the core of UC are now separated by one-half mile and the extent of the development portion of the 2020 LRDP indicates that the UC and Town Center will be one-fourth mile apart. This intensity and scale of development indicated by Policy LU 5.11 and Figures 7, 8, 9, 10 and 11 is infeasible and inappropriate outside of an "urban" setting like the UC campus. Figures 8-11 are from the first LRDP and have been superseded by several amendments, including the 2020 LRDP. Nevertheless, the VST project accommodates the

three Town Center development typologies with the C-MUR, C-MUS, C-R, and C-MU zoned commercial areas. R-3, R-4 and R-2 areas surrounding the Town Center will satisfy Policy LU 5.11.

LU 5.12

Work with UC Merced during the preparation of the Town Center Specific Plan to ensure the blending and continuity of uses, the street grid, and open spaces along the Town Center and campus core boundary.

Response: The Town Center and the core of UC are now separated by one-half mile and the extent of the development portion of the 2020 LRDP indicates that the UC and Town Center will be one-fourth mile apart at full buildout, and such close coordination is no longer necessary. UC planning staff were provided copies of the development plan early on and the location of trail connections and road connections have been established to provide continuity between the developments.

LU 5.13

Design sites and buildings that are constructed in the early phases of the Town Center's development to facilitate intensification and/or adaptive re-use to achieve the intended long-term scale and intensity of building and activity. For example, parking lots may be developed as interim uses that may be replaced by higher density buildings coupled with the development of shared use parking structures.

Response: Shared use parking structures are not feasible and are not included in the project plans. Early phases of the Town Center will include the C-MUS and C-MU areas to establish commercial and social activity that is necessary to support and attract the residential components that are included in the C-MUR areas of the Town Center.

LU 5.14

Require that buildings be located to front onto public sidewalks and plazas forming a semi-continuous "building wall" (with parking located to the rear or in structures with ground level retail uses), that the ground floor of buildings be restricted to uses that have a high level of customer activity, and that buildings be designed to open onto the sidewalk/plaza and provoke visual interest (e.g., visual transparency, façade modulation/fenestration, etc.).

Response: Chapter 4 of the Specific Plan species a "set-to" line for the C-MU and C-MUR zones with an allowance for no more than 5 feet of setback from the Main Street property line along no more than 25 percent of the frontage. Parking is located in the rear of the buildings, as well as on-street in the C-MUR zone. Some ground floor residential will be permitted for handicap accessible units.

LU 5.15

Incorporate a major public plaza/town square to serve as the centerpiece of community activity that shall be designed to accommodate events, celebrations, outdoor performances, community meetings, and similar functions.

Response: The Town Center includes a Town Square on the four corners of Main Street half-way between Meyers Gate Road and Virginia Smith Parkway as illustrated in the Development Diagram. This Town Square will include outdoor commercial activity areas and public spaces.

LU 5.16

Develop and design public streetscapes to enhance pedestrian activity including the integration of landscape, street furniture, signage, lighting, public art, distinctive paving materials, and other amenities. Local and/or campus artists should be involved in the design of streetscapes, in lieu of the exclusive use of traditional “catalogue” elements, to impart a distinctive character and enhance ownership by the community.

Response: The project includes the required streetscape elements. The project may or may not have the Town Center street furniture and details designed by local artists; however, professional architects and landscape architects have designed the details that are appropriate for the design approach and that are commercially available. Finally, the architecture for the project will be a combination of “Prairie” and “Contemporary” to recognize the modern/contemporary design of the UC Campus (and several buildings in downtown Merced), and the historic orientation of the community to Yosemite National Park and its architecture.

LU 5.17

Accommodate plazas, small parks, and open spaces that provide viewshed opportunities of the campus and landmark buildings from the Town Center.

Response: The referenced viewpoints are to the north and the east. Roads have been designed to provide unblocked vistas to the east and north. The Town Square provides for relief from a narrow Main Street commercial corridor.

LU 5.18

Develop shared parking facilities in lieu of separate parking for each site/use in the Town Center, including possible parking facilities to serve both community and campus uses.

Response: The Town Center and the core of UC are now separated by one-half mile and the extent of the development portion of the 2020 LRDP indicates that the UC and Town Center will be one-fourth mile apart, and sharing of parking facilities is not feasible or appropriate. The Town Center C-MU, C-MUR and C-2 areas have shared parking.

LU 5.19

Design internal local streets to emphasize pedestrian activity and slow traffic using such techniques as appropriate width, angled parking, traffic circles, landscaped “bulb outs,” alleys, and comparable techniques. A standard of a minimum of 15 feet shall be established as the minimum width of sidewalks, which may be modified to reflect specific planned uses and urban form within the Town Center, provided that the intention for functional pedestrian sidewalks is achieved.

Response: An integrated system of bike trails and paths and sidewalks connect the Town Center to the remainder of the community, to UC Merced and to the UCP South area. Sidewalk widths vary in the Town Center between Virginia Smith Parkway and Meyers Gate Road, from

10 feet in the areas with on-street diagonal or parallel parking (primarily the C-MUR and C-MU areas), to 16 feet in the C-MU areas. A minimum of 15-foot sidewalk is not advisable or possible without compromising parking needs. A minimum 10-foot sidewalk exceeds the width standard for equivalent streets in the City of Merced. A 10' wide sidewalk is also consistent with the expected volume of pedestrians.

LU 5.20

Promote the use of high quality and distinctive architecture that avoids the use of clichéd styles and idioms, is reflective of adjoining campus buildings, and considers the region’s history, landscape, and materials.

Response: The Specific Plan specifies a “Contemporary Prairie” design vernacular for the Town Center buildings, retail commercial buildings, and public buildings. This vernacular blends the modern and contemporary elements of the UC Campus, newer downtown buildings, and the rich, natural material finishes and designs of buildings in Yosemite National Park. An example of the architectural style is illustrated below for the Town Center portion of the project:



Figure 3 Town Square Architecture

This design vernacular will be added to the architectural style to be included in the residential portions of the project as well as shown below:



Figure 4 Residential Contemporary Prairie Architecture

LU 5.21

Encourage the development of individual buildings that serve as landmarks for the Town Center that may be differentiated by their scale, architectural design, or use of special design elements.

Response: The Specific Plan specifies a “Contemporary Prairie” design vernacular for the Town Center buildings, retail commercial buildings, and public buildings. The objective of creating architectural and massing variety specified by this policy is achieved with the inclusion of different heights and street setbacks for buildings at the Town Square, but the development of multiple individual building styles is not encouraged or considered desirable. This policy should be modified to encourage consistency and continuity in architectural design with increased massing and setbacks in the Town Square area.

LU 5.22

Design structures that integrate housing with commercial, office, and other uses to protect residents from adverse impacts of the non-residential use such as noise, odors, vibration, and lighting. Parking and access to the different uses should be separated and secured. Housing units should be designed to maximize their daylighting and air circulation.

Response: The project will comply with the City and County standards for maximum interior noise levels and errant lighting. Nevertheless, the Town Center area of the project will be noisier, busier and will involve more traffic. There will need to be reserved parking for the residents at a rate of 1 space per unit, and the parking spaces are planned for the rear of the parking areas in the C-MUR zone.

6.0 To establish a business center that provides opportunities to attract and incubate new businesses that benefit from the presence of the intellectual capital and research of UC Merced, is integrated with the Community Town Center and Campus Core, and provides job opportunities for local residents.

LU 6.1

Accommodate the development of a University-related Business Center that contains research and development, light manufacturing, electronic/digital, and other uses that provide job opportunities that uniquely are induced by the presence of the UC Merced campus.

Response: Policy LU 6.1 describes a development concept of larger scale business parks in the midst of the campus. Since adoption of the UCP, the Bellevue Master Plan has been adopted and the City has seen a resurgence of office developments in the downtown area. The VST project does not include elements that compete with those projects. In fact, the growth in office space over the last 15 years has been relatively small, and office occupancies have only now recovered from their pre-Great Recession level of 2.6 million occupied square feet. It is therefore unrealistic to assume that large-scale office parks or a substantial amount of space will be needed. A review of office space adjacent to UC San Diego, UC Berkeley, Stanford, UC Davis, UCLA and several other universities in California confirm that large scale office developments do not occur around universities. The LRDP and the 2004 UCP accommodated the development of over 1,000,000 square feet for office uses. There does not appear to be any statistical backup for the LRDP projections that support the development of larger scale business parks

or R&D facilities, and actual development of offices over the past 15 years has proven to be much less ambitious. A more valid buildout assumption would be for 100,000 square feet of office space, and some allowance for the possibility of one or more hotels. This revised level of development is more consistent with UCP policies that limit commercial and office development to only that amount needed by and directly associated with the UC and UCP residents. The revised project description reserves an adequate amount of land adjacent to the Town Center to accommodate 275,000 square feet of office and/or hotel uses.

This policy should be modified to clarify the role of UCP as to not provide for larger scale business parks or R&D facilities that are better provided elsewhere, and to limit commercial and office space to that supportable by UC and UCP residents.

LU 6.2

Encourage the development of buildings and facilities that support the formation of business incubators capitalizing upon the University's faculty and research.

Response: Smaller scale structures in the C-MUS and C-MU areas are adequate for start-up businesses.

LU 6.3

Work with local business to train local residents to take advantage of new job opportunities that may be developed in the University Community (refer to Economic Development and Public Services—Education sections of this Plan).

Response: This policy should be deleted. The WIB and other County entities provide this service, but it is not relevant or implementable on a community plan level, or able to be implemented in the Specific Plan.

LU 6.4

Integrate a mix of uses into the Business Center that support its primary research, industrial, and manufacturing functions and products, such as limited retail, financial, personal service, dining, entertainment, recreation, and similar uses.

Response: This policy should be deleted. The referenced Business Center is to be located in the Bellevue Master Plan. Nevertheless, the C-MUS, C-MU and C-MUR zone districts accommodate the uses referenced in the policy as noted elsewhere.

LU 6.5

Allow for the development of new types of industries as they evolve in the marketplace, provided that they complement existing uses and the University of California Merced.

Response: This policy should be deleted. The Specific Plan and UCP do not have the regulatory ability to discourage or encourage "the development of new types of industries."

LU 6.6

Accommodate the development of Business Center uses at a minimum FAR of 0.35 and maximum FAR of 2.0 (one to four stories). Higher densities and building heights may be considered as they provide special opportunities to capitalize upon the University's presence, new job

opportunities for local residents, economic enhancement for the community, and are compatible in scale and character with adjoining uses and UC Merced.

Response: This policy should be deleted. The referenced Business Center is to be located in the Bellevue Master Plan. The Town Center and the core of UC are now separated by one-half mile and the extent of the development portion of the 2020 LRDP indicates that the UC and Town Center will be one-fourth mile apart, and sharing of parking facilities is not feasible or appropriate. The Town Center C-MU, C-MUR and C-R land use zones provide for business services and retail that are appropriate for the development. Development at the referenced scale and intensity is not feasible outside of the UC core or downtown Merced.

LU 6.7

Site and design Business Center development to achieve a cohesive and integrated district including the use of unifying streetscape and signage, location of buildings in proximity to street frontages, and incorporation of retail shops and restaurants in the ground floor of buildings, inclusion of architectural and landscape elements that unify sites, and comparable techniques.

Response: This policy should be deleted. The referenced Business Center is to be located in the Bellevue Master Plan. Nevertheless, the C-MUS, C-MU and C-MUR zone districts accommodate the uses referenced in the policy as noted elsewhere.

LU 6.8

Develop a network of streets, sidewalks, bicycle trails, infrastructure, and open spaces that connect with and continue the basic pattern established in abutting University campus, the Town Center, commercial districts, and Residential Villages.

Response: The VST project complies with this requirement.

LU 6.9

Promote the use of high quality and distinctive architecture that avoids the use of clichéd styles and idioms, is reflective of adjoining University Community Town Center and campus buildings, and considers the region's history, landscape, and materials.

Response: The Specific Plan specifies a "Contemporary Prairie" design vernacular for the Town Center buildings, retail commercial buildings, and significant public buildings. Residential buildings will be a mix of Contemporary Prairie, Craftsman, California Bungalow, Contemporary, and Mission styles.

7.0 To establish distinct neighborhoods that integrate parks, schools, services, and comparable uses that fully support the needs of a resident and are designed to achieve a high level of livability and quality.

LU 7.1

Integrate a mix of housing types within each Residential Village with supporting schools, parks, retail, and other uses that support local needs.

Response: The VST Specific Plan project is broken down into two primary residential villages, represented by Phase 1 and Phase 2 of the project. Each phase is broken down into subphases

of approximately 80-acre subphases, and within adjacent sub-phases (1A/1B, 2A/2B, etc.) there is balance of each housing type offered in the project. Residential Village (Phase 1) includes 884 single family units with lots sizes from 4,500 SF to 20,000, and 1,938 multifamily stacked flat, townhome and mixed use/live work unit ranging in density from 6.5 units per acre to 25 units per acre. Sixty percent of the 1,176 R4 stack flat units are earmarked for student rentals. Phase 2 includes 833 units ranging in lot size from 4,500 SF to 20,000 SF, and 476 R3 townhome and 336 R4 stacked flat units. Parks are provided in each housing tract at a rate of at least 1.25 acres/1000 population, and each dwelling unit is no farther than 650 feet from any park facility.

LU 7.2

Accommodate a resident population of a minimum of 5,000 and maximum of 6,750 persons (approximately, 2,000 to 2,500 housing units), or of sufficient size to support a K–5 school and local services, within each Residential Village.

Response: The projected population Residential Village 1 (Phase 1) is approximately 7,200, and the population in Residential Village 2 (Phase 2) is approximately 3,900. Using the student generation rates in the school district’s most recent school fee justification study (with no students assumed for the 894 R4 student rentals), one K-8 school is planned to accommodate the 975 K-8 students that are projected to occur at full buildout of the VST portion of the UCP. One school per residential village is not needed nor advisable based on optimum school size.

LU 7.3

Distribute the mix of single and multi-family units among the Residential Villages according to Table 2. Allow for modification of the mix of units to reflect resident needs, market conditions, innovation, and creativity provided that the character and quality of the village is maintained and basic requirements for the development of a mix of units to meet the needs of a spectrum of resident income demographics are met.

Response: Table 2 of the UCP should be amended to conform with the product mix and land uses shown in the table below.

Table 2 Commercial Space Demand

Land Use	---			-----			-----		
	Net Acres	Commercial (SF)	Housing Units	Net Acres	Commercial (SF)	Housing Units	Net Acres	Commercial (SF)	Housing Units
Local Commercial	19.1	273,650		15.0	250,000		34.1	523,650	
Office/Hotel	10.6	275,000		9.0	140,000		19.6	415,000	
Mixed Use Commercial	15.3	307,500		-		-	15.3	307,500	
Business Park	-		-	-		-	-		-
Parks/Open Space/Canal	99.7		-	148.0		-	247.7		-
School	14.5		-	80.0		-	94.5		-
MF Residential	72.3		2,100	75.0		1,794	147.3		3,894
SF Residential	263.6		1,757	560.0		4,029	823.6		5,786
Major Roads	69.8			131.3			201.1		-
Minor Roads	89.2			168.8			257.9		-
Total	654.0	856,150	3,857	1,187.0	390,000	5,823	1,841.0	1,246,150	9,680

LU 7.4

Encourage the development of various forms and densities of housing units including single family detached on “traditional” or “small” lots, zero lot line; attached or common wall units, apartments, townhomes, condominiums, co-housing, duplexes, triplexes, quadplexes, and so on.

Response: The project includes the following types and densities of housing that meets the in-

Table 3 Project Residential Types

	Unit Size	Density/Gross Acre	Density/Net Acre
Residential (Units)			
R-1 Low (12,500)	3,250	2.50	3.48
R-1 Low-Medium (7000)	2,750	4.25	6.22
R-1 Medium (5000)	2,000	6.00	8.71
R-1 Medium (5000, Cluster/Alley)	1,900	6.25	8.71
R-2 (Cluster)	1,600	8.75	9.17
R-3 For Sale	1,400	16.50	18.00
R-3 For Rent	1,050	16.50	18.00
R-4 Student (60%)	850	28.00	30.00
R-4 Market (40%)	975	28.00	30.00
Town Center Mixed Use	775	35.00	35.00

tent of this policy:

LU 7.5

Encourage the development of “granny flats,” or “companion units,” as a portion of a Village’s residential capacity in concert with single-family detached housing.

Response: Accessory Dwelling Units (nee’ “granny flats”) are now permitted by right under California housing law. These units would be in addition to the units specified in the development plan.

LU 7.6

Prioritize the development of off-campus student housing within walking or bicycling distance of the UC Merced campus.

Response: Student housing is provided in Phases 1A, 1C, two of the earliest phases in the development. They are located along Meyers Gate Road, the closest to UC Merced.

LU 7.7

Allow for the development of innovative housing forms and building materials that may emerge during the buildout of the Community Plan, contingent on their compatibility with adjacent uses and achievement of other Land Use objectives and policies. Consider modifications of building and subdivision codes, where appropriate, that would facilitate the development of affordable units, while maintaining the public health and safety. Work closely with the University and potential developers to develop new housing prototypes that increase affordability.

Response: Several new housing types are proposed for the project that are not traditional in the community including single family detached “cluster” housing on 4,500 SF and 5,000 SF lots, townhomes, large-lot single family for move up units (other than the 1-acre lots that are common in the vicinity), and mixed use/live-work units in the Town Center.

LU 7.8

Provide opportunities for the development of housing types to meet the special needs of students and others attracted to a “University environment” (e.g., co-housing, higher density units, sustainable building materials, group quarters, etc.). This may include areas set aside for the development of experimental or housing prototypes provided that they are compatible with adjoining uses.

Response: No areas are set aside for “experimental” housing. The project includes an adequate range of housing types to serve the needs of the university community.

LU 7.9

Accommodate local-serving commercial, services, small restaurants/cafes, public/civic meeting facilities, libraries, cultural facilities, parks, schools, religious facilities, public plazas, and comparable uses as the physical, functional, and symbolic focal point of neighborhood identity and activity and supportable by the market.

Response: The commercial and office building areas in the VST Specific Plan have been based on the projected capture of expenditures for retail goods and services from current and future on-campus UC staff and students, residents of the VST Specific Plan area, and the northern portion of the Hunt/UCP South area. The summary of the derived market demand for the various types of retail and office is as follows, along with a comparison of the total derived demand and what is provided in the VST project:

Table 4 Commercial Space Demand

Square Fee for Store Type	UCP North/VST	UC Merced (existing)	UC Merced (Future Growth)	Subtotal VST+UCM	UCP South (50%)	Total	Provided Per Land Plan-Phase 1	Provided Per Land Plan-Phase 2	Total Provided
Food Store	31,324	8,400	4,200	43,924	25,282	69,206			
General Retail:	133,809	36,540	18,270	188,619	122,682	311,302			
Restaurants:	37,964	23,966	16,074	78,004	27,986	105,990			
Personal	20,029	19,200	9,600	48,829	17,399	66,228			
Total Retail/Commercial	223,127	318,178	318,178	318,178	318,178	552,726	532,500	54,500	587,000
General Office @ 15 SF/Capita	165,353				152,825	318,178	275,000	-	275,000
Total Medical	25,317	-	-		26,127	51,444		-	-
Total	413,797	318,178	318,178	318,178	497,130	922,348	807,500	54,500	862,000

Commercial facilities are provided at streets nodes and focal points, including along Virginia Smith Parkway/Main Street, and Virginia Smith Parkway/Campus Parkway, and Main Street/Cardella. Schools and major park facilities are located along Virginia Smith Parkway, and adjacent to the one mile long linear park along the south side of Virginia Smith Parkway.

LU 7.10

Allow for the development of mixed-use structures that integrate housing with retail, offices, community, and other uses.

Response: The Town Center Commercial area (C-MUR) allows residential units on a second, possibly third, floor. One floor of residential is assumed with the roof for storm drainage (green roof) and patio area. There are 108 C-MUR vertical mixed-use units in the commercial part of the Town Center.

LU 7.11

Accommodate a mix of residential densities, with single-family units at an average of 4.7 units per gross acre and multi-family units at an average of 24 units per gross acre throughout the University Community. Densities may be varied within and transferred among the Residential Villages, provided that the cumulative number of permitted units in the Community is not exceeded and any reduction does not jeopardize the financing and implementation of infrastructure, services, and environmental mitigation or otherwise frustrate the goals and policies of the UCP.

Response: Average density of the single-family (R-1 and R-2) units across the entire project is calculated to be 6.15 units per acre. Average density of the multifamily units (R-3, R-4 and C-MUR) is 25.6 units per acre. Overall density in the project is 18.7 units per net residential acre and 16.9 units per gross residential acre.

LU 7.12

Establish minimum and maximum lot size limits for each Residential Village. In general, lots larger than 7,500 square feet should be, located in areas that serve as transitions among Residential Villages and neighborhoods and to serve as a buffer with adjoining agriculture and open spaces.

Response: The Fairfield Canal and the associated sports park and trails adjacent to the Fairfield Canal provides the transition between residential villages. The lots larger than 7,500 SF are used for transitions to the 1-acre Rural Residential units to the west and the agriculture zoned property to the east and northeast.

LU 7.13

Accommodate commercial and/or office uses in the Village Center typically at a FARs of 0.2 to 0.35, with one Residential Village developed at higher densities to accommodate a second grocery store within the University Community.

Response: The population in the VST portion of the UCP, and the existing enrollment and staff at UC can support a 30,000-40,000 full line grocery store. This is provided at the Community Commercial center at Main and Cardella. Smaller scale convenience/neighborhood stores are also planned. The UCP South area includes a 15-acre commercial center and a 7-acre commercial center to accommodate groceries and services to meet the needs to the residents of that portion of the UCP.

LU 7.14

Accommodate mixed use structures that integrate housing and retail/office uses in the Village Center at a maximum FAR of 1.5, with a minimum FAR of 0.2 and maximum FAR of 0.5 for non-residential uses, and a maximum height of three stories.

Response: Each residential village includes a mix of housing and commercial uses. The FAR in the commercial areas outside of the Town Center is approximately 0.30 to 0.35, and maximum feasible FAR outside the Town Center with adequate surface parking 0.45. Multistory construction in the Village Center and Community Commercial center is not anticipated nor planned.

LU 7.15

Integrate housing, parks, schools, commercial, public, and other uses into a cohesive urban pattern that provides the sense of a complete and identifiable neighborhood, in accordance with other policies in this section of the Plan. Establish an urban form that ties together individual parcels and uses into a cohesive whole, addressing the location and massing of buildings, architecture, landscape, connective pedestrian paths and walkways, use of key landmarks, and similar elements (as illustrated in Figure 12).

Response: The project adheres to many of principles in Policy LU 7.15, although it does not implement the arrangement in Figure 12. Figure 12 assumes a radial and diagonal street pattern which is not feasible for the project. The commercial component of Figure 12 is also infeasible. These commercial areas need to front onto arterials or major collectors.

LU 7.16

Require the development of neighborhoods that integrate a diversity of housing types and densities.

Response: The project is broken down into two primary residential villages, represented by Phase 1 and Phase 2 of the project. Each phase is broken down into subphases of approximately 80-acre subphases, and within adjacent sub-phases (1A/1B, 2A/2B, etc.) there is balance of each housing type offered in the project. Residential Village (Phase 1) includes 884 single family units with lots sizes from 4,500 SF to 20,000, and 1,938 multifamily stacked flat, townhome and mixed use/live work unit ranging in density from 6.5 units per acre to 25 units per acre. Sixty percent of 1,176 R4 stack flat units are earmarked for student rentals. Phase 2 includes 833 units ranging in lot size from 4,500 SF to 20,000 SF, and 476 R3 townhome and R4 stacked flat units. The zoning plan specifies a minimum and maximum density for each zoning district to ensure that the planned housing types are provided.

LU 7.17

Prohibit the over-concentration of multi-family units by limiting the maximum number of such units to 350 in any area that is not separated by lower density development, except within and abutting the Town Center and the Village Centers.

Response: The maximum size of any individual multifamily development is 325 units. Individual multifamily project sites are separated by collector streets, Cottonwood Creek, the Fairfield canal, other public roads, by other physical features, or are on a separate legal parcel. There

are provisions for shared parking and shared park/recreation facilities. Lower density development is not proposed to be used as a buffer between multifamily development since this would eliminate the potential to cluster the multifamily around the Town Center, or physically adjacent to the university. This policy should be amended to specify a maximum size of any individual multifamily project to 350 units.

LU 7.18

Site and design development to enhance neighborhood quality of life by:

- Establishing a pattern of blocks that promotes access and neighborhood activity.

Response: This will be accomplished by a regular grid pattern of development, block length no greater than 500 feet, access from cul de sacs to adjoining streets for ped, bike and transit (but not vehicle access), and commercial properties that have “side-on” local streets that provide direct access to the shopping areas from the surrounding neighborhoods (to eliminate the necessity to get access by driving to a collector or arterial road).

- Minimizing the width of streets to slow traffic and promote intimacy, while maintaining acceptable fire protection and traffic flows.

Response: Local residential street rights of way will be sized at 56’ and 60’ which will allow for onstreet parking, two 10’-11’ travel lanes, landscaped parkways and sidewalks. Bulbouts and speed tables will be used to provide traffic calming on straight streets at no less than 250-foot intervals. Collectors and arterials are also sized for the projected traffic, meaning that Campus Parkway north of Virginia Smith Parkway and all collectors will provide one through lane in each direction; Cardella west of Main and Campus Parkway south of University will have two through lanes in each direction per the traffic projections.

- Integration of a diversity of housing types within a neighborhood and on individual blocks, ensuring their compatibility with adjoining units

Response: Yes.

- Use of variable setbacks and parcel sizes to accommodate diverse housing types.

Response: See the response to Policy LU 7.4 regarding diversity of parcel sizes and unit sizes. The project includes the following types and densities of housing that meets the intent of this policy.

- Physically and visually relating the unit to the street frontage

Response: Businesses and houses will be oriented to the street. R-2 cluster units will be used along collectors and principal roads to provide a residential streetscape along collector and arterial roadways. Block walls will only be to achieve compliance with noise abatement that cannot be achieved by building construction techniques. Builders will be required to integrate live-work or home-office uses along the street frontage if necessary. The following graphics illustrate a typical collector road street frontage (in this case, Virginia Smith Parkway):



The following street frontage vignette represents a single-family neighborhood park interface with Campus Parkway:



And, the following represents a street frontage for R-2 cluster units.



- Locating and designing garages to minimize their visual dominance from the street.

Response: The Specific Plan design guidelines include a maximum permitted percentage of frontage that can be committed to driveways fronting onto public streets. Where possible, R-2 and R-1-5 cluster units will be used to combine driveways to a

share public street access drives for four to six units, reducing the need for up to six driveway cuts to one driveway curb cut.

- Incorporating sidewalks and parkways to foster pedestrian activity

Response: All public streets will have sidewalks. Parkways will be provided on all local streets of with 60 feet of ROW or greater.

- Promoting architectural diversity

Response: The Specific Plan specifies a “Contemporary Prairie” design style for the Town Center buildings, retail commercial buildings, and significant public buildings. Residential buildings will be a mix of Contemporary Prairie, Craftsman, California Bungalow, Contemporary, and Mission styles. Project design guidelines will require the use of at least one different building style for each 15 units in a proposed development, with at least three different elevations per style. The design guidelines will also specify the minimum frequency of repeating each style/elevation.

- Other appropriate techniques.

Response: Yes.

LU 7.19

Design the Village Center as the focal point of neighborhood identity and activity locating buildings along the street frontage and public spaces, designing structures to enhance pedestrian activity (e.g., visual transparency and façade modulation/fenestration), integrating community meeting facilities and plazas for public gatherings, constructing streetscape improvements, and locating higher density housing, such as townhomes, on adjacent parcels.

Response: The commercial components and parks will be the principal design focus of the project. In contrast to Policy LU 7.19, Virginia Smith Parkway will be used as the principal organizing element for the project, connecting the two residential villages, and the Town Center area. The one-half mile by two-mile dimension of the VST property is best organized around a linear element such as Virginia Smith Parkway, rather than around a radial/diagonal street system. Campus Parkway and the extension of City arterials (Cardella) and the collector system (Foothill/Meyers Gate Road) further define the onsite street system as linear. Public gatherings are accommodated in the mini-parks and the community recreation center along Virginia Smith Parkway.

LU 7.20

Locate Village Centers within walking distance of all homes within the village/neighborhood, connected by a network of trails and pedestrian paths.

Response: The service radius for the Village Center indicated by Figure 12 of the UCP is approximately 1,750 feet. That is, the farthest residential unit is to be no more than 1,750 feet away from the Village Center. The VST project’s equivalent radius is 1,250 feet, indicating greater walkability and accessibility. Parks and miniparks and onsite trails are located no farther than 650 feet from any residential unit.

LU 7.21

Support the development of public uses that offer the opportunity for the sharing of facilities such as the integration of school play fields and athletic facilities with public parks, multipurpose auditoriums that serve multiple schools and libraries and multi-purpose facilities that serve both schools and the general public.

Response: Play fields at the elementary school will be shared with the residences as a recreation resource when not used by the school district, per district and City policy.

LU 7.22

Promote the use of high quality and distinctive architecture that avoids the use of clichéd and repetitive styles and idioms and considers the region’s history, landscape, and materials. In particular, the Village Centers should be designed to convey distinctive architectural qualities that distinguish them from typical suburban commercial centers. Architectural elements and landscape should be used as landmarks that provide identity and a sense of location and orientation.

Response: The Specific Plan specifies a “Contemporary Prairie” design style for the Town Center buildings, retail commercial buildings, and significant public buildings. Residential buildings will be a mix of Contemporary Prairie, Craftsman, California Bungalow, Contemporary, and Mission styles. Project design guidelines will require the use of at least one different building style for each 15 units in a proposed development, with at least three different elevations per style. The design guidelines will also specify the minimum frequency of repeating each style/elevation.

LU 7.23

Design structures that integrate housing with commercial, office, and other uses to protect residents from adverse impacts of the non-residential use such as noise, odors, vibration, and lighting. Parking and access to the different uses should be separated and secured. Housing units should be designed to maximize their daylighting and air circulation.

Response: Yes.

LU 7.24

Establish landscaped buffers and berms adjacent to major transportation corridors to protect adjoining residential neighborhoods from vehicular noise and traffic. Housing may be set back from the buffer with vehicular access from rear alleys or streets or located to face the interior of a neighborhood with their backyards located along the corridor and buffer. The use of walls along the transportation corridor should be discouraged, unless there is no feasible alternative that effectively protects the housing.

Response: Where possible, R-2 and R-1-5 cluster units will be used to combine driveways into a shared access drive for four to six units, reducing the need for up to six driveway cuts to one driveway curb cut. Business and houses will be oriented to the street. R-2 cluster units will be used along collectors and principal roads to provide a residential streetscape from along an interior local street, and the collector roadway. Block walls will only be used to achieve compliance with noise standards that cannot be achieved by building construction techniques. See the graphics included in the response to Policy LU 7.18.

8.0 To integrate public uses into the development fabric of the Community.

LU 8.1

Integrate schools, libraries, cultural facilities, parks, civic, and similar public uses into the Town Center and Residential Village Neighborhood Centers to maximize their accessibility by local residents and recognize their contribution to community and neighborhood identity.

Response: The Town Center is located in the approximate horizontal center (midline) of the UCP area, with a connection to UC. The elementary school is located in the horizontal and vertical center of the VST project, and at a point where the cumulative enrollment from buildout will justify construction of a new school.

LU 8.2

Cluster elementary, middle, and/or high schools for the purposes of sharing capital-intensive facilities such as auditoriums, libraries, athletic fields, multipurpose meeting rooms, and similar uses (refer to Public Services—Schools).

Response: There are no high schools on the VST property and clustering a high school near an elementary school is no longer considered appropriate. The school on the VST portion of the UCP is a K-8 school.

LU 8.3

Locate schools and parks adjacent to one another to facilitate the sharing of play and athletic fields.

Response: The elementary school is located in the horizontal and vertical center of the VST project, and at a point where the cumulative enrollment from buildout will justify construction of a new school. School playfields are directly accessible to the public.

LU 8.4

Integrate public libraries and community multipurpose facilities with schools, where feasible.

Response: It is unknown whether or not the schools will include community multipurpose facilities. That decision will be made by the school district in conformance with funding and guidelines from the State Office of Public School Construction.

9.0 To develop an open space system that sustains natural resources, protects the community from natural hazards, offers opportunities for recreation, and serves as an amenity that heightens the quality and livability of the University Community.

LU 9.1

Design open spaces as amenities that contribute to the quality of life, image, and economic value of the University Community.

Response: The principal open spaces are natural features such as Cottonwood Creek and the Fairfield Canal, and man-made features such as linear parks and trails. These features will be

used to support an integrated system of trails, parks and open space. Community trails are considered on the of the most important features in a master plan community such as VST.

LU 9.2

Develop open spaces for the purposes of active and passive recreation, habitat preservation, education and research, flood control/public safety, agricultural production, and similar functions.

Response: Habitat preservation and ag production will not occur onsite. The project site supports the other functions.

LU 9.3

Use natural drainages, trails, recreation areas, and similar techniques to link the University Community's land use districts and open space elements, the UC Merced campus, Lake Yosemite Regional Park, and surrounding open spaces.

Response: The VST trail and open space system connects to the UC Merced trail system identified in Figure 3.2 of the 2020 LRDP.

LU 9.4

Develop a continuous greenbelt corridor/park system as the centerpiece of the University Community ("Village Green/Central Park"), which will be linked with each Village Center and Community open spaces by a network of connecting trails. Accommodate parklands and open spaces within the greenbelt system that provide residents with a diversity of open space experiences, ranging from active urban spaces to passive open lands. This may encompass landscaped urban squares, neighborhood and community-serving parks, mini-parks, linear greenways, landscaped hiking and bikeway trails, and similar elements (as illustrated on Figure 13). At a minimum, the greenbelts and parks developed for active recreational use shall encompass 150 acres, based on standard of 5 acres per 1,000 residents. However, to create the amenity and economic and social values that are essential to uniquely define and differentiate the University Community, developers shall be encouraged to exceed this minimum for habitat and native grassland preserves, open space buffers, and other purposes.

Response: The Fairfield Canal will serve as the principal north-south open space corridor, similar to that illustrated on Figure 13 of UCP. Within the VST Specific Plan area, Virginia Smith Parkway will include an open space corridor/linear park ranging in width from 50 feet to 75 feet. This linear park will continue for 1.75 miles from Campus Parkway/Virginia Smith Parkway to the eastern property line. Attached to this open space will be a community recreation center, elementary school, Town Center, community sports park, two neighborhood retail shopping centers, and several minor community parks. Parks will be provided at a rate of six acres per 1,000 population (including all park areas, the playfield fraction of the schools, linear parks, trails, private parks in multi-family developments, and other areas for active recreation). Total park are on the VST property is projected to be 80 acres, a rate of 7.25 acres per thousand population. The Hunt/UCP South project site has 84.5 park acres, a rate of 5.1 acres per 1,000 population, resulting in a combined rate of 6 acres per 1,000 population in the UCP area. Open space, conservation and preservation areas are not included in total park area

calculations. Policy LU 9.4 should be amended to provide for a minimum amount of park area of 5 acres per 1,000 population in any single component specific plan area, with a UCP average of six acres per 1,000. Clarify that the “park” areas are to be provided in designated active recreation areas, or active recreation areas of other uses such as schools, linear parks and swales, waterway corridors, etc.

LU 9.5

Design the “Village Green” as an organizational element for the siting and design of development, such as the orientation and linkage of multi-family housing and commercial uses to the park (e.g., restaurants “opening” onto the park).

Response: The Fairfield Canal will serve as the principal north-south open space corridor, similar to that illustrated on Figure 13 of 2004 UCP. Within the VST Specific Plan area, Virginia Smith Parkway will include an open space corridor/linear park ranging in width from 50 feet to 75 feet. This linear park will continue for 1.75 miles from Campus Parkway/Virginia Smith Parkway to the eastern property line. Attached to this open space will be a community recreation center, elementary school, Town Center, community sports park, two neighborhood retail shopping centers, and several minor community parks. Restaurants and other commercial uses in the Town Center will have access to outdoor seating and activity areas in the Town Square, but will not be sited in or adjacent to a park.

LU 9.6

Require that the acquisition and development of the “Village Green” be funded equitably by all development within the University Community.

Response: The project Specific Plan has developed a park and recreation impact fee that will equalize the burden of providing community park facilities (but not mini parks provided to the neighborhood which will be the responsibility of each subdivision/housing developer). A Mello-Roos district will be formed to fund the maintenance of the park facilities; provided, however, that the cost of operating the Community Recreation Center improvements will be funded with a Master Homeowner’s Association pursuant to Davis-Sterling Common Interest Development Act.

LU 9.7

Integrate the Le Grand and Fairfield canals into the University Community’s open space network, preserving and protecting their primary function as a conduit of agricultural water, consistent with the requirements and to the satisfaction of the Merced Irrigation District (MID).

Response: The Le Grand Canal does not cross the UCP site. The Fairfield Canal is used a central feature on the VST specific plan, and an edge feature on the UCP South/Hunt portion of the UCP. Parks and open spaces are located adjacent to the Fairfield Canal.

LU 9.8

Design any uses, landscape, trails, and improvements located in proximity to MID canals to protect the physical integrity of the canals, levees, and related water conveyance systems.

Response: MID has a subscriptive use easement within a specified area around the Fairfield Canal varying from 50 feet to 100 feet. The facilities located next to the canal will comply with these easements, and with the setback requirements identified in the response to Policy S 2.2. See also setbacks and use areas for Cottonwood Creek and Fairfield Canal per Figures 20 and 21 of the UCP.

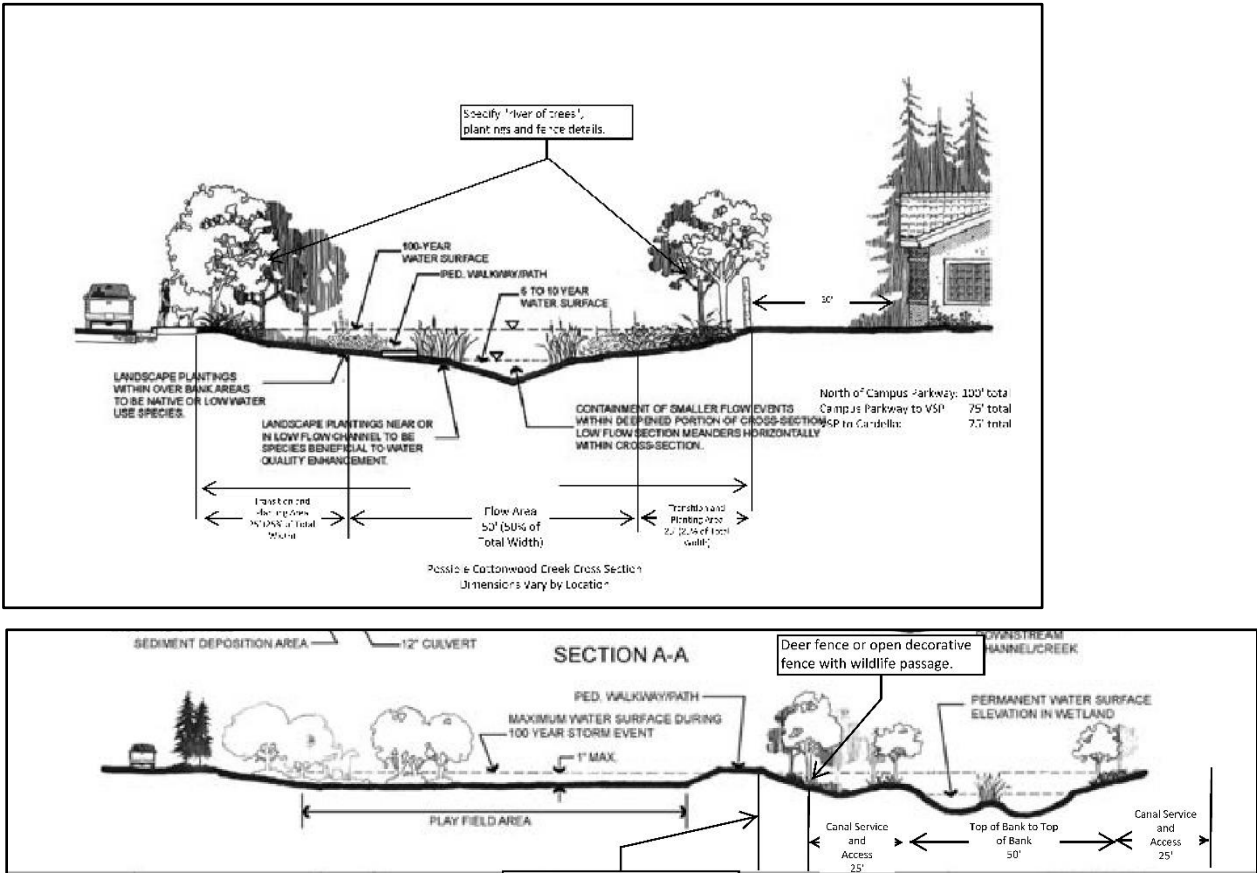


Figure 5 Creek and Canal Details per UCP

LU 9.9

Incorporate barriers, such as fencing, and other elements to ensure public safety and prevent public access to the canal, to the satisfaction of MID. Collaborate with the MID in the use of landscape, fencing, and other elements that assure a high level of public safety and visual quality that complements the open space system.

Response: Fencing will be provided to eliminate public access to the Fairfield Canal easement area, except as may be specifically permitted by MID. Such fences shall be to the satisfaction of MID, but are intended to be open “non-climbable” fences or “deer fences” that will permit the migration of wildlife and drainage across the easement area.

LU 9.10

Allow for the use of existing prime agricultural land as open space that would be integrated into the final design of the University Community, where possible. Open space uses could include parks, community gardens, and educational/research activities.

Response: This policy should be deleted. Integrating permanent production agriculture in an urban community such as the UCP is not compatible with other UCP policies and the intensity of development required by the UCP and the County GP. Prime agricultural land has been preserved elsewhere to compensate for project impacts. Agriculture will be allowed to continue as an interim economic use of the project's lands until such time as urban development is phased in and necessary.

10.0 To develop buildings, sites, and public places whose design contributes to the sense of community identity, quality, and livability and reflects the history, landscapes, and character of the Merced region.

LU 10.1

Establish a program of streetscape improvements that distinguish and uniquely identify the Town Center, Business Center, and Residential Village centers and neighborhoods. This may be accomplished through entry identification, signage, landscape, street furniture, public art, lighting, banners, and other design elements.

Response: The Specific Plan calls out specific street tree and planting themes for specific districts and roadways in the VST Specific Plan. The Specific Plan also calls for a unified architectural theme for major commercial, institutional and public buildings. Specific design elements for each property will be determined at the time of development with required design reviews.

LU 10.2

Develop a pattern of landscape that differentiates public places and streetscapes and private development throughout the Community's business districts, and residential neighborhoods. Require the use of landscape materials that reflect the region, are drought-tolerant, and native species, to the extent feasible.

Response: The Specific Plan calls out specific street tree and planting themes for specific districts and roadways in the VST Specific Plan. Refer to design requirements in Chapter 4 of the Specific Plan.

LU 10.3

Encourage the planting of trees along sidewalks and in parks, civic facilities, public plazas, and parking lots that provide an extensive canopy and shade in the summer, and are deciduous to facilitate solar access in the winter, as feasible and appropriate.

Response: The Specific Plan calls out specific street tree and planting themes for specific districts and roadways in the VST Specific Plan. Refer to design requirements in Chapter 4 of the Specific Plan, and Chapter ____ for the Circulation Plan and road specifications.

LU 10.4

Promote architectural diversity and interest creating consistency through building location, massing, scale, height, materials, fenestration, modulation, signage, lighting, and comparable elements, rather than a specific design idiom or style.

Response: The Specific Plan specifies a “Contemporary Prairie” design style for the Town Center buildings, retail commercial buildings, and significant public buildings. Residential buildings will be a mix of Contemporary Prairie, Craftsman, California Bungalow, Contemporary, and Mission styles. Project design guidelines will require the use of at least one different building style for each 15 units in a proposed development, with at least three different elevations per style. The design guidelines will also specify the minimum frequency of repeating each style/elevation.

LU 10.5

Discourage the use of clichéd architectural design styles emblematic of other regions (e.g., Cape Cod, Southwest, and Spanish Mediterranean), encouraging the development of an architectural character that is reflective of the history, landscape, and materials of Merced, the Central Valley, and Sierra foothills.

Response: The Specific Plan specifies a “Contemporary Prairie” design style for the Town Center buildings, retail commercial buildings, and significant public buildings. Residential buildings will be a mix of Contemporary Prairie, Craftsman, California Bungalow, Contemporary, and Mission styles. All of these architectural styles and vernaculars native to the Central Valley, or connected to other major elements in the community, such as the modern/contemporary design for UC Merced, and the rustic art deco and contemporary designs in Yosemite.

LU 10.6

Consider the use of building and landscape materials that reflect the region’s history such as stone, aggregate, and wood.

Response: The Specific Plan specifies a “Contemporary Prairie” design vernacular for the Town Center buildings, retail commercial buildings, and public buildings. This vernacular blends the modern and contemporary elements of the UC Campus, newer downtown buildings, and the rich, natural material finishes and designs of buildings in Yosemite National Park.

LU 10.7

Promote architectural design of unique merit and quality, particularly in the Town Center, Business Center, and public buildings, while ensuring their compatibility with the overall quality and character of the Community.

Response: The Specific Plan specifies a “Contemporary Prairie” design vernacular for the Town Center buildings, retail commercial buildings, and public buildings. This vernacular blends the modern and contemporary elements of the UC Campus, newer downtown buildings, and the rich, natural material finishes and designs of buildings in Yosemite National Park. An example of this architectural style is illustrated in the response to Policy LU 5.7.

11.0 To develop sites and buildings in a manner that minimizes the depletion of non-renewable resources.

LU 11.1

Locate and design development in consideration of the University Community's climatic conditions. Examples of techniques that may be considered include:

- Orientation, configuration, and massing of buildings and public spaces to provide shelter from wind and temperature extremes and capitalize upon opportunities to use sustainable energy systems (solar, wind, other)
- Use of architectural elements to reduce the impacts of temperature extremes (overhangs, arcades, recessed windows, etc.)
- Use of building materials that promote energy efficiency by minimizing heat gain and loss
- Use of landscape to provide shelter and relief from heat in the summer and solar access in the winter (e.g., deciduous trees such as sycamores).

Response: Passive energy conservation features will be required of all buildings and will be enforced at the time of design review. Buildings will also be designed so that the principal axis of the structure runs east-west to provide adequate area for photovoltaic solar collectors. The 2019 Building Code and CalGreen codes will address other energy efficiency issues identified in LU Policy 11.1. See Chapter 4 of the Specific Plan for landscaping and design regulations.

- Incorporation of water amenities as a relief from heat, with emphasis on the use of treated gray water.

Response: It is not clear whether this policy refers to inclusion of water features, natural waterways, swimming pools, etc., or whether it deals with the use of treated gray water for the conservation of potable water. The project will also leave the Cottonwood Creek drainage corridor open as a drainage way, project feature, and localized cooling. The project does not include onsite wastewater treatment and treated gray water is not available. Gray water treatment for individual structures is not feasible. Delete the reference to treated gray water.

LU 11.2

Promote the use of recycled materials in building, streetscape, infrastructure, and other construction.

Response: This is now required under CalGreen Code. Delete?

LU 11.3

Promote the use of grading techniques and roof-drainage systems that capture rainwater on site and facilitate its use for landscape irrigation and water amenities.

Response: With the requirement for solar PV on residential units in the 2019 Building Code, roof drainage and green roofs are infeasible for most residential units. Green roofs will be

incorporated into the C-MUR portion of the Town Center. The project will also comply with County and City Low Impact Development (LID) storm drainage ordinances.

LU 11.4

Promote the re-use of treated wastewater on site (refer to Infrastructure-Water-Related Systems).

Response: Not possible with connection to the City wastewater system. Delete.

LU 11.5

Promote the use of native and drought-tolerant landscape and drip irrigation systems.

Response: Now required by City and State regulations. Delete.

LU 11.6

Promote the use of energy-efficient fixtures and building techniques (refer to Energy Infrastructure).

Response: Project will comply with CalGreen Codes and most recent version of building code, including 2019 code or later. This policy should be deleted as there is no longer any need for it.

Housing

1.0 To provide adequate sites for housing in the University Community.

H 1.1

Designate sufficient sites for housing development in the University Community's Residential Villages in Sub Area Specific Plans, in accordance with the development capacities specified by Land Use policies.

Response: The development capacities for the UCP and its subareas are to be amended in conformance with revisions noted in the response to Policy LU 7.3. The project complies.

H 1.2

Allow for flexibility in the mix of housing units to be accommodated to reflect market and affordability needs as those needs evolve during the buildout of the University Community.

Response: Flexibility is provided.

H 1.3

Work with UC Merced in developing opportunities to provide housing to meet the needs of students, faculty, staff, and guest facilities for University visitors on the campus and in the University Community.

Response: Specific consideration was given to the housing needs of the UC students and staff. The reported incomes for staff were reviewed and the product mix was modified to ensure an appropriate mix of executive, move up, entry level, ownership and rental housing. UC

representatives were also consulted. In addition, a professional real estate study was prepared to refine the product mix. The refined product mix is included in the Specific Plan.

H 1.4

Monitor the housing needs induced by the presence of UC Merced at least once every five years and ensure that the University Community contains sufficient capacity, through its Specific Plans, to provide adequate housing until the planned development capacity of each sub-area is exhausted. At that time, evaluate the need to develop additional housing capacity to support UC Merced and its induced uses and determine the appropriate location(s) in which this growth should be targeted.

Response: No vacant or reserve land is available in the UCP that is not already earmarked for development. The development capacity of the UCP is matched and consistent with the most recent UC LRDP. The Specific Plan will be reviewed by the developer occasionally and refined as needed to address changing market needs.

H 1.5

Expand infrastructure as needed to support anticipated residential development and ensure the proper integration of all services.

Response: Offsite and backbone infrastructure will be sized to accommodate the full buildout of VST Specific Plan area.

H 1.6

Maintain consistency among the sub area Specific Plans to provide the necessary services and infrastructure to support housing demands.

Response: Huh??

H 1.7

Ensure that the Community's housing capacity is sufficient to support the employment generated by UC Merced, businesses, and industries and correlate the mix of units to their income levels, offering a variety of rental and ownership opportunities.

Response: Specific consideration was given to the housing needs of the UC students and staff. The reported incomes for staff were reviewed and the product mix was modified to ensure an appropriate mix of executive, move up, entry level, ownership and rental housing. UC representatives were also consulted. In addition, a professional real estate study was prepared to refine the product mix. The refined product mix is included in the VST Specific Plan.

2.0 To provide a diversity of housing types to meet the needs of the University Community's residents.

H 2.1

Foster the development of a variety of housing types to serve the needs of residents in consideration of household size, age, incomes, special needs, cultures, and other relevant factors. These may encompass affordable, single-family detached and attached residences, multi-family rental and ownership units, condominium, co-housing, cooperatives, live/work, second units, senior, intergenerational housing, units integrated with nonresidential uses, student housing, and similar units. A range of housing units to support a diversity of household sizes and incomes shall be accommodated in each Residential Village (as specified by Land Use policies).

Response: Specific consideration was given to the housing needs of the UC students and staff. The reported incomes for staff were reviewed and the product mix was modified to ensure an appropriate mix of executive, move up, entry level, ownership and rental housing. UC representatives were also consulted. In addition, a professional real estate study was prepared to refine the product mix. The refined product mix is included in the Specific Plan.

H 2.2

Promote mixed-use developments that integrate a mix of housing types and housing with commercial (office or retail), institutional, and public uses. The latter may consist of sites on which more one use is located (horizontal integration) or buildings in which housing is located on floors above non-residential uses (vertical integration). The development of mixed-use buildings shall be emphasized in the Town Center and encouraged in the Residential Village Centers.

Response: The project is broken down into two primary residential villages, represented by Phase 1 and Phase 2 of the project. Each phase is broken down into subphases of approximately 80 acre each. Within adjacent sub-phases (1A/1B, 2A/2B, etc.) there is balance of each housing type offered in the project. Residential Village (Phase 1) includes 884 single family units with lots sizes from 4,500 SF to 20,000, and 1,938 multifamily stacked flat, townhome and mixed use/live work unit ranging in density from 6.5 units per acre to 25 units per acre. Sixty percent of 1,176 R4 stack flat units are earmarked for student rentals. Phase 2 includes 833 units ranging in lot size from 4,500 SF to 20,000 SF, and 476 R3 townhome and 336 R4 stacked flat units. The zoning plan specifies a minimum and maximum density for each zoning district to ensure that the planned housing types are provided.

H 2.3

Support the development of multi-family housing projects that contain a variety of unit sizes, including larger unit sizes for low /moderate income families.

Response: There are 1,938 multifamily stacks flat, townhome and mixed use/live work unit ranging in density from 6.5 units per acre to 25 units per acre. Sixty percent of 1,176 R4 stack flat units are earmarked for student rentals. Phase 2 includes 833 units ranging in lot size from 4,500 SF to 20,000 SF, and 476 R3 townhome and 336 R4 stacked flat units. The zoning plan specifies a minimum and maximum density for each zoning district to ensure that the planned housing types are provided.

H 2.4

Allow the development of live/work housing units to provide flexible workspace needs and meet changing consumer housing demands.

Response: Virtually all new residential products have been modified to accommodate home-office and live/work situations. Office space in the Town Center is also available for those needing to work outside the home. The C-MUR portion of the Town Center includes 108 vertically mixed-use units that can be used for Live-Work lifestyles.

H 2.5

Support the use of increased densities and a variety of unit sizes to allow for different family size and composition, to better address current trends in housing demand.

Response: Average density of the single-family (R-1 and R-2) units across the entire project is calculated to be 6.15 units per acre. Average density of the multifamily units (R-3, R-4 and C-MUR) is 25.6 units per acre. Overall density in the project is 18.7 units per net residential acre and 16.9 units per gross residential acre. These densities are higher than other neighborhoods in Merced.

H 2.6

Accommodate the development of new forms of housing that may emerge based on their compatibility with adjacent uses and achievement of land use objectives. In particular, encourage innovation in building types, configuration, and materials for student-related housing, provided that they meet public health and safety requirements and are compatible with adjoining land uses.

Response: The design direction from this policy is unclear. Delete.

3.0 To provide adequate housing to meet the special needs of the University Community's population.

H 3.1

Promote the development of housing for students and seniors near the Town Center, transportation access points, and Residential Village Centers. Prioritize the location of student housing in proximity to UC Merced.

Response: The higher density residential units are located on the northwestern one-quarter of the site, the area closest to the UC. The Town Center includes and is surrounded by R-3 and R-4 units, and includes 108 units in the Town Center area. Subareas 1C and 1D include the areas that are within 1,200 feet of the Town Center and which are adjacent to the Town Center. Within this area there are R-2 small lot cluster units (for sale and for rent), R-3 townhome units (for sale and for rent), R-4 apartments (with 40 percent of those units for student housing and 60 percent for family housing units), and single family detached units in 5,000 SF lots.

H 3.2

Require that housing be designed to accommodate the needs of the disabled and seniors, in accordance with state and federal legislation.

Response: Compliance with ADA regulations is mandatory and enforced at the building permit stage of development. This policy is un-necessary and should be deleted.

H 3.3

Work with local private and nonprofit developers (e.g., Merced College “Build-A-House” Project) to finance, design, and construct housing to meet special needs. Such projects might include, but are not limited to, senior housing, including congregate care facilities; housing for people with physical and mental disabilities; and housing for large families.

Response: The project includes a program to work with a self-help housing organization to construct housing in the project. Such a “sweat equity” project may involve development in several R-2 cluster courtyards or other localized areas, and to the design and standards in the Specific Plan, and be consistent with surrounding neighborhoods.

H 3.4

Assess the special housing needs of the University Community’s population as development occurs and, at least every five years, establish programs to ensure that these needs are being met.

Response: Other than development of the General Plan Housing Element, the county, homeowners and residents of the VST project, or UC in general, do not have the organizational, technical or regulatory capacity to monitor the special housing needs. The project will be developed in phases, with certain development requirements “vested”. Delete this policy.

4.0 To develop housing for higher income residents of the University Community.

H 4.1

Encourage development of high-quality housing by incorporating larger lot projects within the Residential Villages and “quality” townhomes in the Town Center, Residential Village Centers, and along park frontages.

Response: Specific consideration was given to the housing needs of the UC students and staff. The reported incomes for staff were reviewed and the product mix was modified to ensure an appropriate mix of executive, move up, entry level, ownership and rental housing. Conventional lot sizes in the Merced housing market are 5,000 SF to 6,000 SF. There is also a significant supply of 1-acre lots in the surrounding County Rural Residential developments. The VST project will complement the current residential inventory by providing 162 larger, “executive” and/or custom home sites on lots ranging in size from 12,500 SF to 20,000 SF, and 300 7,000 SF minimum “move-up” lots in the project. UC representatives were also consulted. In addition, a professional real estate study was prepared to refine the product mix. The refined product mix is included in the Specific Plan.

5.0 To develop housing that is affordable to moderate-, low-, and very low-income households in the University Community.

H 5.1

Develop a Housing Program for each Specific Plan area that commits to the development of adequate affordable housing, facilitates access by low-income households, and promotes its long-term affordability to meet Community needs. The Program shall be consistent with the provisions of the County of Merced Housing Element in consideration of housing affordability in the greater Merced market. It shall be a condition of approval for the sub-area Specific Plans and include actions that may be undertaken by a diversity of entities including the County of Merced, the Housing Authority, other agencies, and private developers. A variety of elements may be incorporated including land use development strategies, production of affordable units by developers and other entities, contribution of in-lieu fees to a separate housing development entity, regulatory and programmatic approaches, and financial assistance to buyers and renters. Possible components of the Housing Program are defined in Policies 5.1.1 through 5.1.18 (below).

H 5.1.1

The development of a mix of single-family and multi-family, owner-occupied and rental units in each Residential Village (in accordance with Land Use policies). Vary the unit size, including smaller single-family detached, apartment, and townhome units.

Response: The project contains a mix of housing types and densities that affordable by design according the County Housing Element, City Housing Element and HCD Guidelines. There are 1,938 multifamily stacked flats, townhome and mixed use/live work unit ranging in density from 6.5 units per acre to 25 units per acre. Sixty percent of the 1,176 R4 stacked flat units are earmarked for student rentals. Phase 2 includes 833 units ranging in lot size from 4,500 SF to 20,000 SF, and 476 R3 townhome and R4 stacked flat units. The zoning plan specifies a minimum and maximum density for each zoning district to ensure that the planned housing types are provided.

H 5.1.2

A variety of lot sizes to assure affordability. This may reduce minimum lots sizes from current County standards.

Response: There are several types of houses that are included to address greater density, affordability, and ongoing housing costs. There are 562 single-family detached "cluster" units with lot areas ranging in size from 4,500 SF to 5,500 SF. Such units provide for share maintenance of common drives, shared front yards and housing sizes from 1,400 SF to 2,200 SF. These units afford the occupants housing that is the small to medium size range but without the cost burden of a larger yard areas associated with a 6,000 SF lot. R3 for-sale townhome are also included the project.

H 5.1.3

The construction of second units as an option for affordable housing and to promote an integrated neighborhood. "Granny flats"/second units/accessory apartments allow elderly residents, students and low-income residents to live in moderate- and higher-income

neighborhoods. This provides housing diversity, encourages neighborhood stability, improves the local tax base, and improves local government control (fewer illegal housing units).

Response: Accessory Dwelling Units (nee’ “granny flats”) are now permitted by right under California housing law. These units would be in addition to the units specified in the development plan. It is unlikely that separate, detached ADU’s will be developed on the R-2 portion of the project, but lots in the 5,000+ SF range are suitable for these units. Any ADUs developed in the project will comply with the ADU requirements and regulations adopted by the City of Merced (Chapter 20.42 of the City Municipal Code).

H 5.1.4

The development of affordable innovative housing units (Policy H 2.6), live/work facilities (Policy H 2.4), and manufactured homes in residential neighborhoods provided that they are designed to complement adjoining housing and meet public health and safety requirements.

Response: No mobile home parks or mobile home subdivisions are planned for the VST portion of the UCP. Most single-family homes are now designed for integrated home-office or home-work environments. The 108 vertical mixed-use units in the C-MUR zone are also compatible with mixed use. Larger R-2 cluster units along collectors are also suitable for live-work, with the “office” or “work” component of the building along the collector frontage as a noise buffer and commercial liner use, such as that illustrated below:

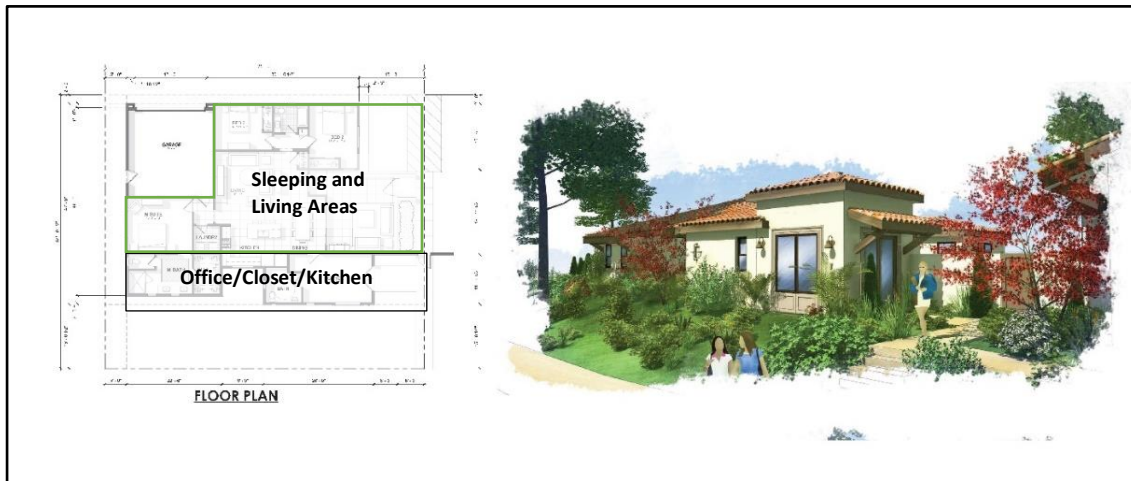


Figure 6 R-2 Live Work Layout

Builders in the R-2 zones that have units fronting on the collector streets will be required to provide design options to include office space as a liner use along the collector road frontage. There are approximately 115 such R-2 units in the VST project plan. Per the response to Policy N 1.1, the project’s roadways do not generate traffic noise that would exceed City or County standards. However, where there are noise impacts to residential units fronting roadways, these live-work, home/office units will be used to buffer the interior sleeping rooms from excessive noise.

H 5.1.5

The development of affordable housing by project developers through:

- The use of “inclusionary zoning,” wherein the developer is required to produce a stipulated percentage of the total housing units for low- and very low-income households (120 percent and 80 percent of the County median household income, respectively);

Response: Based on the criteria for affordability by design contained in the Merced County Housing Element and the Merced City Housing Element, units exceeding a density of 8 units per acre (R-2, R-3, R-4 and C-MUR) units are considered affordable for the lower income households. The project includes 2,609 of these units—two-thirds of the total VST housing stock. Units exceeding 15 units to the acre (R-3, R-4 and C-MUR) total 2,142 units, slightly over half of the total project. The City of Merced’s Housing Element recognizes that units in excess of 20 units per acre are considered affordable to lower income housing, and the project provides 1,620 of those units (R-4, C-MUR), 42 percent of the project total housing compared to the County’s 32.9% RHNA allocation for extremely low, very low and lower income units.

The County RHNA calculations indicate a need for one-third of the County’s future housing units to be affordable for household with lower, very low and extremely low incomes, with approximately 20 percent in the extremely low and very low-income categories. Based on HCD and County criteria, the project meets and significantly exceeds the requirements for the provision of lower income housing, with two-thirds of the planned housing stock being affordable by design. There is no need for an inclusionary housing provision to supply Lower Income housing units.

Although VST meets and exceeds its proportionate share of the County’s RHNA allocation, it has developed and adopted a Community Benefits Policy to provide added benefits to the community. It has committed to dedicate two 50-units R-4 apartment sites, one in each development phase, for use and development by a local non-profit affordable housing provider to address very low income housing near the Town Center; to provide a self-help housing provider with up 40 R-2 or R-1-5 cluster lots for development of very low and lower income home ownership units under a sweat equity development program; to develop and administer a “UC Workers First” program that would give UC Workers purchasing priority in housing developments, and a \$5,000 incentive package including reductions off base price, option allowances, free bikes for transportation, allowance for closing costs, allowance for upgrades, or similar incentives at the discretion of the builder. This incentive would apply to all UC staff regardless of income; a Workforce Housing Incentive Program (WHIP), that will provide that ten percent (77 total units) of all R-1-5 units shall be deed restricted units to families in the Workforce Housing category, defined as household incomes of 121% to 160% of Area Median Income (AMI). These units would have to be occupied by an income qualifying Workforce Housing household for a minimum of ten (10) years, with preference to UC staff if legally permitted; and, the establishment of an owner-occupancy restrictions in the R-1 portions of the project where builders will agree, with exceptions that are stipulated in the Development Agreement, to include restrictions in the purchase agreement and Covenants Conditions and Restrictions (CC&Rs) for the single family detached units (R-1) to restrict those units for owner-occupancy

only for the first five years after sale.

The provisions meet the require of the County Housing Element, City Housing Element, and the UCP.

- Provision of development density bonuses when specified minimums are exceeded; and/or

Response: Density bonuses are required where state conditions are met.

- Contribution of an in-lieu fee, based on the calculation of the value of the required affordable units, to the County or other entity (e.g., non- profit) for the construction of affordable units.

Response: This is not necessary. See the response to Housing Policy 5.1.5 above.

At a minimum, the developer shall be responsible for the *provision* of sufficient affordable units, as determined by the County, through construction or in-lieu fees.

Response: The VST Specific Plan meets and exceeds its proportionate share of County RHNA obligations as required by County Housing Element Policy 2.10. Additional obligations for housing are not necessary.

H 5.1.6

Supporting and encouraging innovative efforts for the construction of affordable housing units in the University Community by private and non-profit developers, such as the Merced County Housing Coalition. An example program is the City of Merced and Merced College Partnership’s “Habitat Build a House” program that provides funding and technical assistance for residential development in which college students are responsible for construction.

Response: The VST Specific Plan meets and exceeds its proportionate share of County RHNA obligations as required by County Housing Element Policy 2.10. Additional obligations for housing are not necessary. VST will meet this obligation under Housing Policy 5.1.6 through its self-help/sweat equity program described in the response to Policy H 5.1.5 above.

H 5.1.7

Supporting UC Merced as a potential affordable housing provider or partner within the community for students and faculty. This may involve joint public/private development of affordable rental and ownership housing.

Response: UC and VST will continue to work together to determine UC’s interest in owning and developing multifamily student housing in the project.

H 5.1.8

Incentives for the development of affordable housing units, which implement and, as appropriate, expand upon the County of Merced Housing Element’s programs. Examples of potential incentives to developers of projects that include below market rate units to be sold or rented to persons of low and moderate income include:

- *Density Bonuses.* To decrease the per-unit costs of the development, the County could provide a density bonus for eligible projects. The County might also allow increased lot coverage for affordable large-family developments. Alternately, a percentage bonus (e.g., 20 percent greater than that allowed under the designated zoning) could be offered. For example, a development site of 90,000 square feet could accommodate 15 units under R-1-6 zoning. With density bonus, the site would accommodate 18 units (at 5,000 square feet per unit).
- *Development Related Inducements.* Waivers may be granted to affordable housing projects for permit fees or selected impact fees, fee deferment, fast track processing (priority review and permitting), allowing second floor residential above ground floor retail.
- *Fee Deferment.* To reduce the “carrying costs” of a project, the County could provide a deferment for payment of permit and development fees through the duration of the project’s construction loan. Fees would be due at the point when long-term financing for the development is secured or the project is sold. A maximum deferment period could also be set (e.g., two years).
- *Low interests Financing/Equity Sharing.* Developments that are deemed eligible could be provided low interest financing or even equity participation by the County through a Joint Development Agreement. Such projects might be required to meet stricter eligibility requirements (e.g., a higher percentage of units affordable to low- and moderate-income household).
- *Low-Income Housing Tax Credits (LIHTC).* This is a primary vehicle for production of affordable rental housing. Credits are used for the development of affordable housing for low-income families and the elderly for minimum 30 years. Some units can be permanently dedicated for low income. Housing credit is allocated for renters with incomes below 60 percent of the area median income.
- *Infrastructure Financing Assistance.* To reduce the “up-front” infrastructure improvement and development costs, the County could aid in developing alternative, long-term infrastructure financing. Such financing might include formation of a Mello-Roos or special assessment district to support a low-term, low interest revenue bond to fund infrastructure improvements. Bond interest and principal would be paid over time by homeowners in the assessment district. (Imp 3.3, 3.5, 6.4, 4.11)

Response: VST will work with the County and the City to avail itself of the types of County assistance described above.

H 5.1.9

Establish an affordable housing trust fund to assist in the provision of affordable housing within the University Community. Housing Trust Funds: are dedicated sources of revenue administered by the County Housing Authority and used to build new housing, land acquisition, provide deferred loans for homebuyers, provide rental loan funds, provide low-interest financing for the construction of second units, and other assistance to very low– and low- income families.

Response: The VST Specific Plan meets and exceeds its proportionate share of County RHNA obligations as required by County Housing Element Policy 2.10. Additional obligations for

housing are not necessary. A housing trust fund is not necessary, and the policy should be deleted.

H 5.1.10

Actively seek state and federal Funds in coordination with other local agencies and jurisdictions, with private developers and/or with local lending institutions:

- Identify and apply for funding at the state and federal levels to finance the construction of new affordable housing in the University Community.
- Assist private and nonprofit individuals or organizations in applying for state and federal funds. Assistance may take the form the information referral, consultation regarding program applications, and/or lobbying by local officials on behalf of the applicant.
- Identify and apply for funding at the state and federal levels to help bridge the “affordability gap” between housing prices and household incomes in the County (e.g., assistance for first-time homebuyers).

Response: The VST project will work with the County to identify resources for builders. The housing program for the project as described in the response to Housing Policy 5.1.5 includes direct financial assistance to homebuyers, a workforce housing incentive program, and housing at sufficient density to meet the affordability obligations of the project.

H 5.1.11

Participation in programs that provide financial assistance for low- and moderate-income households to acquire adequate housing in the University Community, as defined by or in addition to those contained in the County General Plan Housing Element. Programs shall be directly correlated with the needs of the University Community and not adversely impact housing programs for other areas of the County. Examples of programs currently available include:

- *Down Payment and Loan Assistance.* Programs for first time homebuyers with low-interest loans for down payments and mortgages.
- *First-Time Homebuyer Mortgage and Counseling.* Programs specifically designed for low-and moderate-income homebuyers that include borrowing, budgeting, and housing maintenance training.
- *Mortgage Revenue Bonds.* Single-family and low- income rental housing bonds, also known as Mortgage Revenue Bonds, sold by state and local governments as tax-exempt bonds using the proceeds to finance discount mortgages. A typical MRB mortgage can save as much as \$100/month compared to a conventional mortgage. MRBs can also provide down payment and closing cost assistance.
- *Establish an Affordable Housing Community Fund.* Establish a County account under the title of “Affordable Housing Community Fund” to serve as the depository for monies designated for general use in affordable housing programs (project- specific monies excluded). The Fund shall be managed by the County’s Housing Program, with policy oversight and monitoring from the County’s Affordable Housing Task Force. Potential uses for funded monies shall include land acquisition for affordable housing, participation in affordable housing

development projects, contributions to loan and rental assistance programs, low-interest financing for the construction of second units, and support for down payment assistance for first-time homebuyers.

- *Sweat Equity and Self-Help Enterprises.* Emphasizes ownership in housing by requiring a homebuyer to participate in the development and construction of housing, providing that such units comply with applicable codes and regulations and are designed to be compatible with adjoining residences. Can be implemented by a group of participants who collectively provide “sweat equity” in each other’s homes, assisting one another in the construction of their homes. (Imp 4.11)

Response: The housing program for the project as described in the response to Housing Policy 5.1.5 includes direct financial assistance to homebuyers, a workforce housing incentive program, assistance to self-help housing providers, and housing at sufficient density to meet the affordability obligations of the project.

H 5.1.12

Work with the Housing Authority to continue to expand Section 8 programs for use in the University Community, as needed. These are federally funded certificates or vouchers that are used to pay up to 70 percent of the rental costs for tenants of existing housing who pay 30 percent or greater of their household income for rent. Cooperative activities may include, but are not limited to:

- Identification and/or development of housing units available for Section 8 occupancy
- Identification of households eligible for Section 8 assistance
- Assistance in lobbying the federal government for an increased allocation of Section 8 vouchers and certificates for Merced County’s population of very low- and low-income households

Response: This is a County and Housing Authority obligation and cannot be implemented at the Specific Plan level. Delete this policy.

H 5.1.13

Establish a revolving loan pool to provide qualifying low-interest loans to first-time low- and moderate-income homebuyers. The loan pool would be operated as a self-sustaining funding source distinct from other County programs, with established guidelines setting forth terms and conditions for down payment loans. Such guidelines might include a percentage-of-buying-price or total dollar limit on loans and conditions for interest and principal re-payment (e.g., due after 20 years or at time of resale). Guidelines would be developed based on the dual goals of making the loan pool self-sustaining and lowering the financial burden on first-time low- and moderate-income homebuyers.

Response: The County may, at its discretion, use CDBG or other housing funds to fund loans or down payment assistance programs that can be used in the VST project and the UCP in general. The housing program for the project as described in the response to Housing Policy 5.1.5

includes direct financial assistance to homebuyers, a workforce housing incentive program, and other programs that comply with Housing Policy 5.1.13.

H 5.1.14

Require that affordable for-sale housing units that are subsidized by federal, state, County, or other public funds and non-profit housing corporations be owner-occupied and carry subsidy recapture provisions for a minimum time period (e.g., 20 years) with the level of subsidy determined at the time of construction as a percentage of development costs. For example, if a subsidy of \$5,000 is provided towards a unit that costs \$50,000 to construct and that unit is sold in 25 years for a sum of \$500,000, the subsidizing entity shall receive \$50,000 from the sale to reinvest in new affordable housing development through an Affordable Housing Community Fund.

Response: The County may, at its discretion, use CDBG or other housing funds to fund loans or down payment assistance programs that can be used in the VST project and the UCP in general, and to set up equity sharing provisions in those program as described in Housing Policy 5.1.14.

H 5.1.15

Require that affordable for-sale housing units that are subsidized by the County or use of other public funds be re-sold at affordable rates, to be determined by the County based on cost of living increases and inflation. The County shall encourage a similar program for affordable units for faculty, students, and/or staff developed by or in partnership with UC Merced.

Response: The housing program for the project as described in the response to Housing Policy 5.1.5 includes direct financial assistance to UC staff and workers, priority for UC staff and workers, and a workforce housing incentive program (with a preference to UC staff and workers, if possible). These programs satisfy Housing Policy 5.1.15.

H 5.1.16

Provide financial assistance to low- and very low-income households for the rental and purchase of affordable units as specified by Policies H 6.1 through H 6.3.

Response: Adequate housing is being supplied at densities exceeding those considered by the state, City and County to be affordable to lower income households. No added financial assistance is necessary. The housing program for the project as described in the response to Housing Policy 5.1.5 includes direct financial assistance to UC staff and workers, priority for UC staff and workers, and a workforce housing incentive program (with a preference to UC staff and workers, if possible). These programs satisfy Housing Policy 5.1.16.

H 5.1.17

Establish and monitor housing affordability levels to ensure that housing options remain affordable over time. This may be accomplished by regular surveys and review of census figures and five-year updates of the County General Plan Housing Element.

Response: This an obligation of the County through its regular updates to the Housing Element. This policy should be deleted since it is satisfied by the County doing its required Housing Element updates.

H 5.1.18

Educate the public regarding affordable housing issues and programs.

Response: This an obligation of the County and is contained in its Housing Element. This policy should be deleted since it is satisfied by the County doing its required HE updates. This policy should be deleted.

6.0 To develop complete residential neighborhoods that contain the diversity of housing, school, parks, services, amenities, and other uses supporting the daily activities and needs of residents and are designed to enhance community socialization, as well as provide personal privacy.

H 6.1

Accommodate a mix of housing types within each Residential Village and establish an activity center that serves as the point of communal activity and identity that may include a school, park, multi-purpose facility, local commercial services, and similar uses in accordance with applicable Land Use policies.

Response: This policy repeats similar land use policies elsewhere, including H 2.2, LU 7.15 and LU 7.16. This policy should be deleted to avoid un-necessary repetition.

H 6.2

Design the residential neighborhoods to foster community activity by orienting housing units to the street (the neighborhood “living room”) and enhancing walkability, in accordance with applicable Land Use policies.

Response: This policy repeats similar land use policies elsewhere, including LU 7.23 and LU 7.24. This policy should be deleted to avoid un-necessary repetition.

H 6.3

Encourage development of housing units designed by recognized leaders in the architectural and design field. Promote diversity in the design of housing units, avoiding the monotonous repetition of a limited style palette.

Response: Delete this policy for a number of reasons: it does not identify who the recognized leaders are in the architectural design field. Andres Duany? Stefanos Polyzoides? Bruce Race? No thanks, I want something designed that can actually be built. The latter part of the policy is covered several times elsewhere.

7.0 To locate and design housing and it’s supporting infrastructure to minimize depletion of non-renewable natural resources, emphasizing energy and water conservation and the re-use of materials.

H 7.1

Promote the development of residential sites and buildings to conserve energy consumption through their location/orientation, building materials, architectural design, fixtures, landscape, and use of alternative sources (refer to Infrastructure—Energy and Land Use policies).

Response: The project must comply with CalGreen Code and 2019 Building Code and later. These require a high level of water and energy conservation. The regulations meet and exceed the intent of the Housing Policy 7.1.

H 7.2

Promote the conservation of water through the re-use of treated wastewater, capture and re-use of rainwater, efficient plumbing and fixtures, and use of native and drought-tolerant landscape materials (refer to Infrastructure—Integrated Water Systems and Land Use policies).

Response: The project must comply with CalGreen Code and 2019 Building Code and later. These require a high level of water and energy conservation. There will not be an onsite water treatment facility and recycled water will not be available for use on the project. The regulations meet and exceed the intent of the Housing Policy 7.2.

H 7.3

Encourage the development of “green” housing units. These are characterized by the use of energy efficient design and construction materials, siting and location of housing, use of innovative or non-mainstream techniques such as solar heating, organic insulation, day-lighting (capitalizing on natural lighting), on-site water storage and recycling, and other techniques that promote the concept of sustainability in construction. Green housing can often have higher front-end costs, which may necessitate targeting higher end consumers, but long-term cost savings are making green units increasingly more affordable. There is also a growing market of consumers who specifically seek green housing as a lifestyle choice.

Response: The project must comply with CalGreen Code and 2019 Building Code and later. These require a high level of water and energy conservation. There will not be an onsite water treatment facility and recycled water will not be available for use on the project. The regulations meet and exceed the intent of the Housing Policy 7.3, and the policy is probably unnecessary because it is rambling and argumentative. Delete the policy as un-necessary and superseded by regulations.

Economic Development

1.0 To manage regional growth.

ED 1.1

Establish a cooperative planning program with the City of Merced to assure that appropriate and coordinated land use controls are consistently applied within the north Merced area, both in the City and the County.

Response: The project will be developed to City of Merced development and improvement standards with the anticipation of annexation in the near term as feasible and depending on the annexation of UC Merced. The project has been modified to delete significant portions of the business park and office uses that are more appropriate for downtown Merced and/or the Bellevue Master Plan. The City and County have entered into a Memorandum of Understanding to provide the City of Merced with enhanced participation in the entitlement process.

ED 1.2

Maintain land uses surrounding the University Community in current General Plan designations and zoning, subject to further study regarding the appropriate type and pattern of uses that will complement the University Community.

Response: Land uses are not expected to change, with Rural Residential uses to the west, UC to the north and Agriculture to the south and east of the UCP area.

ED 1.3

Limit access on existing and new roads approaching the University Community and strictly control commercial land uses to maintain the visual quality and focus commercial development in the University Community, north Merced, or other existing commercial areas.

Response: Access roads to the UCP include Lake Road and Campus Parkway. Campus Parkway is a limited access expressway and access to and from it will be from major activity centers such as shopping centers, and to local and collector streets. No direct access to individual developments will be provided. Access to Lake Road from VST will be limited to VS Parkway, Meyers Gate Road and Cardella Road; and to Lake Road from UCP South/Hunt at Dunn Road, Yosemite, and Destiny Drive.

ED 1.4

Design development activity in the University Community to minimize conflicts with surrounding agriculture and thus help sustain the agricultural economy of the County (refer to Area Plan-Agriculture policies).

Response: The county has adopted MCZC Section 18.10.040 relating to minimum setbacks to agricultural production areas. These along the eastern property line, and the eastern 2,500 feet of the south property line. The project complies with those requirements, as shown below:

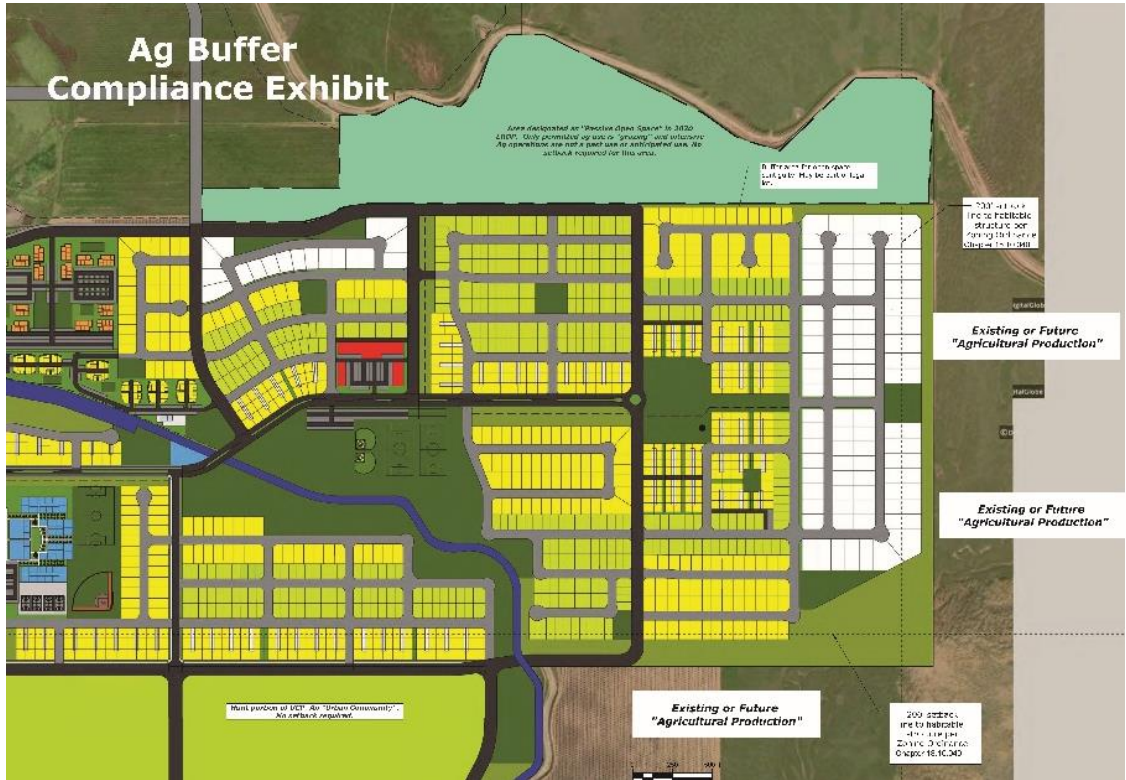


Figure 7 Ag Buffer and Setbacks

ED 1.5

Designate commercial land uses in the University Community in proportion to demand generated by UC Merced and the Community.

Response: The UCP and VST land uses have been amended to that the planned amount of commercial and office building areas is not greater than can be justified based on the capture of expenditures for retail goods and services from current and future on-campus UC staff and students, residents of the VST Specific Plan area, the northern portion of the Hunt/UCP South area. The summary of the derived market demand for various types of retail and office is as follows, along with a comparison of the total derived demand and what is provided in the VST project:

Table 5 Commercial Space Demand by Source

Square Fee for Store Type	UCP North/VST	UC Merced (existing)	UC Merced (Future Growth)	Subtotal VST+UCM	UCP South (50%)	Total	Provided Per Land Plan-Phase 1	Provided Per Land Plan-Phase 2	Total Provided
Food Store	31,324	8,400	4,200	43,924	25,282	69,206			
General Retail:	133,809	36,540	18,270	188,619	122,682	311,302			
Restaurants:	37,964	23,966	16,074	78,004	27,986	105,990			
Personal	20,029	19,200	9,600	48,829	17,399	66,228			
Total Retail/Commercial	223,127	318,178	318,178	318,178	318,178	552,726	532,500	54,500	587,000
General Office @ 15 SF/Capita	165,353				152,825	318,178	275,000	-	275,000
Total Medical	25,317	-	-		26,127	51,444		-	-
Total	413,797	318,178	318,178	318,178	497,130	922,348	807,500	54,500	862,000

2.0 To establish a vibrant town center.

ED 2.1

Establish flexible, mixed-use planned development requirements for the Town Center that reflects the use and density policies of the Land Use section of the UCP.

Response: The C-MUS, C-MU and C-MUR districts in the Town Center provide for a wide range of uses.

ED 2.2

Concentrate and mass development in the Town Center area through Specific Plan requirements and a joint marketing effort with the University to attract tenants and businesses that provide needed local services and complement the University’s functions.

Response: The Town Center represents two-thirds of the planned commercial space in VST portion of the UCP. Within 1,200 feet of Main Street (the centerline of the Town Center), there are 475 R-4 units developed at 28 units per net acre; 600 R-3 units developed at 16.5 units per net acre; 63 R-2 cluster unit developed at 8.75 units per net acre; and 108 C-MUR vertical mixed use units in the commercial part of the Town Center. This totals about 1,250 dwelling units—one-third of the total project—that are within walking distance of the Town Center commercial area. Since the UCP and campus are physically separate there is no need for joint marketing.

ED 2.3

Establish minimum density requirements and use land banking to secure sites for which market demand may not exist in early phases of development, as specified by Land Use policy.

Response: The use zones establish minimum densities to ensure that the sites are developed to the planned densities.

ED 2.4

Allow temporary interim uses of land banked sites to offset costs of holding the land for higher intensity uses.

Response: Land development will be phased in 80-acre increments as demand warrants, with the balance of the land kept in productive agriculture pending development. Key sites pending development such as the community shopping center, C-MUR area (pending establishment of commercial activity to support residences) may be used for food truck courts, additional parking, event parking, or other interim uses as may be permitted by City and/or County zoning.

ED 2.5

Seek public investments (from grants, etc.) in amenities and facilities in the Town Center that improve the area and lower costs to prospective builders and tenants.

Response: Like what? Should the Town Square facilities and open space be funded by open space and parks fees?

3.0 To blend campus and community uses.

ED 3.1

Establish joint development and use of facilities with UC Merced such as performing arts center, parks and recreation facilities, and housing.

Response: Since the UC and UCP are no longer intertwined, this policy is moot or inapplicable. Suggest deletion.

ED 3.2

Locate University-serving commercial uses in close proximity to the campus.

Response: Town Center uses are located adjacent to the common property line between UC and VST. The initial shopping center at VS Parkway and Campus Parkway is located along a planned commute route for campus students and employees.

ED 3.3

Create transparent roadway and pedestrian access to the UC Merced campus from the Town Center.

Response: I don't know what a "transparent" roadway is, but I assume it means a seamless street connection between the UC and VST properties. Since the UC and UCP are no longer intertwined, this policy is limited to ensuring a seamless physical transition for roads, bikeways and ped trails between UC and VST. UC and VST coordinated on the establishment of connection points for common roadway such as Campus Parkway, Golden Bobcat, University, Main Street, and Kibby Road. The development of Meyers Gate Road will also be according to the VST circulation plan.

4.0 To establish quality of life amenities for the University Community

ED 4.1

Require development to achieve a high level of design quality that contributes to the Community's vitality, livability, and identity. Pertinent design standards and development guidelines shall be incorporated into each Specific Plan (refer to Land Use policies).

Response: The project complies with this. See responses to other similar policies for details. Suggest deleting this because of repetition.

ED 4.2

Coordinate with the local school districts to provide timely and high-quality primary and secondary educational facilities. Linkages between the secondary schools and UC Merced should be promoted.

Response: The site is divided between Merced City Schools and the Weaver School Districts. VST is in the process of resolving jurisdiction issues and placing the entire site in the Weaver School District. A K-8 school is planned on 15 acres on Virginia Smith Parkway in Phase 1E. The VST site will be served by the El Capitan High School which has adequate capacity for the 400 additional high school students from the VST project site. A high school is planned in the UCP South portion of the UCP to accommodate the 1,300 additional high school students from the UCP area.

ED 4.3

Achieve a high standard for public landscaping throughout the University Community area and promote artwork in public areas and rights-of-way.

Response: Chapter 4 of the specific plan sets for the landscaping and streetscaping design standards. Public art is included in key areas, including a Founder's Memorial that commemorates the process and individuals involved in the development of the Virginia Smith and UC properties.

ED 4.4

Include community centers, libraries, and other cultural facilities in the Basic Improvement Program for the University Community.

Response: A Community Recreation Center is included in the project which includes indoor and outdoor meeting areas. Libraries are not planned.

ED 4.5

Ensure adequate provision and funding of public services, establish service-level standards for services such as public safety and recreation, and so on.

Response: The County or City (as may apply) is responsible for providing adequate public services. Funding for these services will be provided from locally derived tax revenues, including Mello Roos assessments for services, if necessary.

5.0 To encourage the development of local-serving commercial uses that focus on the needs and demand of University Community residents and the campus' population.

ED 5.1

Limit the commercial floorspace to the amount needed to serve neighborhood shopping demand of the residents, employees, and students of the Community and campus.

Response: This is repeat of ED Policy 1.5 and several other policies. Delete as un-necessary and repetitive.

ED 5.2

Limit large-scale, community-serving commercial uses to the Town Center and a Residential Village community commercial center in the southern portion of the site (south of Cardella Road).

Response: The project includes a Community Commercial retail center at the northwest corner of Main and Cardella. Another similar-sized center is located at Dunn/Campus Parkway in UCP South, based on statistical market demand. The Town Center includes two-thirds of the VST commercial area on the property. Amend this policy to specify that community commercial centers shall be located in the VST and in the UCP South portions of the UCP.

ED 5.3

Establish an outreach program to attract local retailers and service businesses to the Town Center.

Response: Of course. They are called real estate agents and brokers.

6.0 To exclude the development of large format regional retail commercial uses in the University Community, sustaining other regional centers in the City of Merced and County.

ED 6.1

Require application and approval of a special use permit for large (20,000 square feet and above), non-grocery, single tenant retail buildings. Such projects will be evaluated according to their potential impacts on regional commercial centers located in the City of Merced and other County areas.

Response: The Specific Plan, including the development plan which specifies building footprints and arrangement of the commercial centers provides the guidance for development of various commercial areas to sufficient detail to negate the necessity for separate special use permits for individual retailers. In particular, the 20,000 SF threshold is arbitrary. This is repeat of other policies including ED Policy 1.5 and several other policies that require commercial uses onsite be for UCP residents and UC staff and students. Delete as un-necessary and repetitive.

ED 6.2

Limit commercial designations to the Town Center and Residential Village Centers in the University Community; prohibit the development of commercial uses as continuous linear strips on shallow parcel depths along the major arterial roads within the University Community.

Response: No strip commercial uses are not planned. All commercial uses are planned for the Neighborhood Center, Town Center and Community Commercial Center; provided, however, that office spaces may be integrated to R-2 units along major local roadways if they meet the definition of “Live Work” under Section 419 of the Building Code (specifying that the office component shall not exceed 10 percent of the total building area).

7.0 To provide a diverse mix of convenient and accessible housing to meet the needs of students, faculty, staff, and others induced by the presence of UC Merced.

ED 7.1

Promote and accommodate the development of a mix of housing units to serve the needs of students, faculty, staff, and other residents of the University Community. A component of “high end” executive housing should be developed in each phase to meet campus and regional demand for such housing. The specific mix and types of units accommodated shall be considered at the time of the preparation of Specific Plans and considered in view of buyer preferences, technical innovations, and overall demand.

Response: A complete range of housing is provided in each Phase (Phase 1 being west of the Fairfield Canal and Phase 2 being east of the Fairfield Canal), ranging from R4 units at 28 units to the acre to larger lot executive homes on lots of 12,500 SF to 20,000 SF. Sixty (60) large lots are provided in Phase 1 and 102 larger lots are provided in Phase 2. Each phase also includes 7,000 SF lots for larger “move up” homes.

ED 7.2

Focus the development of multi-family housing near the campus, Town Center, and Residential Village Centers.

Response: The multifamily uses are located between Virginia Smith Parkway and Meyers Gate Road and west of Kibby Road, the area nearest the UC campus. The Town Center and the adjacent residential areas contain 1,250 of the project’s 1,894 multifamily residential units. Within 1,200 feet of Main Street (the centerline of the Town Center), there are 475 R-4 units developed at 28 units per net acre; 600 R-3 units developed at 16.5 units per net acre; 63 R-2 cluster unit developed at 8.75 units per net acre; and 108 C-MUR vertical mixed use units in the commercial part of the Town Center. This totals about 1,250 dwelling units—one-third of the total project—that are within walking distance of the Town Center commercial area.

ED 7.3

Permit flexible building standards that encourage mixed- use development combining retail, office, and residential uses, live/work facilities, second units in single-family areas, and other innovative housing types and construction methods.

Response: The project complies with this. See responses to other related policies for details.

ED 7.4

Develop a program for the provision of affordable housing, as specified by Policy LU 5.1, which may include the implementation of an affordable housing fee, charged to new commercial and residential development that will contribute to an affordable housing trust fund. Over time, as the University Community matures, this fee may increase or be replaced by an inclusionary housing requirement.

Response: A program for affordable housing is described in the Specific Plan and in the response to Housing Policy 5.1.5. A separate affordable housing fee or additional inclusionary housing requirements are not necessary. Delete this policy or integrate the policy with Housing Policy 5.1.5.

ED 7.5

Seek partnerships with the University, other public agencies, and non-profit housing developers to secure land and construct affordable housing in the University Community.

Response: A program for affordable housing is described in the Specific Plan and in the response to Housing Policy 5.1.5, including dedication or sale of land to self-help/sweat equity housing providers, and non-profit lower income housing developers.

8.0 To optimize real estate value of the University Community with public and private investment

ED 8.1

Provide appropriate flexibility, through the plan amendment process, with regard to development timing, product type, and design in order to respond to changing market conditions.

Response: Major and minor amendments to the Specific Plan are permitted per the administrative and implementation conditions.

ED 8.2

Secure sites and right-of-way for public improvements and amenities through planning designation, dedication, and acquisition early in the development process.

Response: The Specific Plan and associated tentative maps provide for the planned rights of way. Rights of way will be provided as individual final maps are filed and recorded. Rights of way needed to support development in a final map area that is outside of the individual map area will be identified and dedication made a condition of the completing the Final Map.

ED 8.3

Coordinate private development with development of the UC Merced campus.

Response: The Specific Plan development and approval process constitutes the required coordination. No additional consultations will be provided. UC Merced shall not have any explicit or implied approval rights or obligations for development in the Specific Plan or UCP areas.

9.0 To apply public financing mechanisms and sources for development in the University Community.

ED 9.1

Allocate a proportional share of infrastructure costs to benefiting entities, including UC Merced and other regional development.

Response: The fair share of improvement will be determined as part the Specific Plan and EIR process.

ED 9.2

Seek grant funding for University Community infrastructure and facilities from outside sources, including state and federal government.

Response: VST and other Specific Plan owners will work with the City and County to promote grant funding for UCP infrastructure.

ED 9.3

Establish cooperative financing agreements with property owners, UC Merced, and special districts, the City of Merced, and participating developer(s).

Response: The project will include financing and reimbursement agreements per Government Code Section, City of Merced Muni Code Section ____, and County Code _____. Such agreements will be formalized as part of the development process and included in the Development Agreement for the project. Elements subject to reimbursement are expected to be onsite water wells and facilities serving other properties, offsite utility extensions for water and sewer to the extent that they service other properties, offsite sewer trunk line improvements, roadway oversizing and costs for Campus Parkway, Cardella (shared with UCP South) and Meyers Gate Road (shared with UC Merced).

ED 9.4

Establish special development impact fee ordinance(s) for the Community Plan area that reflect and internalize the net proportional share of infrastructure costs (roads, parks, schools, utilities, etc.) to new development in the Area.

Response: The project will participate in the City of Merced's Public Facilities Impact Fee program for any improvements that are impacted by development of the Specific Plan. It is anticipated that this will not include park fees given the distance of the project to City park facilities, and the comprehensive parks and recreation facilities provided on site. The project will develop an internal park and recreation fee program to support Specific Plan facilities, and to lessen the burden on any individual developer to develop and construct park facilities in an individual phase of development. Supplemental roadway and intersection improvement impact fees will be developed for any facilities that are not financed through the City of Merced fee program. School Fees will be as adopted by the applicable school district(s); no separate fee for schools is anticipated.

ED 9.5

In cooperation with private developers, sponsor land secured financing districts and other development-based public financing mechanisms to fund basic infrastructure in the Community.

Response: The project will include a Mello Roos financing District and an Integrated Financing District. These programs are planned to fund_____.

10.0 To optimize the timing and incidence of development costs.

ED 10.1

Phase infrastructure investments to match demand and value created as each Specific Plan area (Residential Village and Town Center) develops.

Response: Infrastructure will be phased as needed. Amenities will be phased in as appropriate for the development and marketing program, consistent with the phasing described in the Specific Plan.

ED 10.2

Reserve land and development “pads” designated for uses that will be viable in later phases of development, such as a neighborhood commercial center or a business park or research and development (R&D) uses.

Response: The zoning plan for the project will ensure that adequate sites are reserved for the planned uses.

ED 10.3

Maximize the use of existing facilities in early years, such as schools and certain utilities, which defer major up-front expenditures.

Response: The facilities associated with this policy are Lake Road, El Capitan High School, existing city water and sewer facilities. Lake Road will need to continue to function as a major County Collector Road until such time as Campus Park is completed to Yosemite and to Bellevue Road by others. The onsite K-8 school is located in the development phase when it is expected that there will be an adequate number of students to startup and new campus.

11.0 To create an institutional framework for the efficient governance of the University Community.

ED 11.1

Establish agreements with and obtain necessary permits from applicable federal and state regulatory agencies regarding mitigation of habitat loss and impacts upon threatened and endangered species.

Response: This has been completed.

ED 11.2

Utilize the University Community Program Environmental Impact Report (EIR) to define and focus subsequent environmental review of Specific Plans and development applications.

Response: The environmental document for the VST Specific Plan project will tier off of the UCP program EIR (2001 original plus 2004 supplemental) certified in 2004, with additional data and analysis provided by updated technical studies, studies and analysis from subsequent environmental documents by others (UC LRDPs, City General Plan EIR, County General Plan EIR).

ED 11.3

Adopt a Specific Plan Ordinance defining the intent, contents, standards, and procedures for creating and administering site-specific planning and zoning within the Community Plan area. The Specific Plan Ordinance should specify that Specific Plans prepared and adopted pursuant to the Ordinance would be adopted as the zoning ordinance for the specified area.

Response: The UCP defines the scope and content of Specific Plan for the project, and the VST Specific Plan complies with those requirements and this is shown in the response to Policy Imp 2.5. Chapter 18.150 of the Merced County Unified Development Ordinance specifies the content and process for adoption of Specific Plans. As applicable, the VST Specific Plan will be adopted by ordinance to ensure compliance.

ED 11.4

Assemble standard development conditions applicable to subdivision maps and/or development agreements. These standard conditions will implement Community Plan policy and other regulatory requirements associated with development of the University Community.

Response: These will be included in the Specific Plan and are applicable to all projects.

ED 11.5

Form a Community Services District or similar entity, initially as a dependent district, to coordinate and manage infrastructure development and financing and the provision of municipal services within the University Community.

Response: Development of a separate CSD or services agency is considered to be a last resort, absent agreement and cooperation between the City and County on the provision of services and infrastructure. Streets, roads, sewer lines, public parks, public lands, water lines, fire and police facilities are all planned to be owned, operated and maintained by the City of Merced upon annexation to the City. Annexation is considered to be the preferred avenue for providing services and infrastructure. Absent annexation, or pending annexation, and subject to an irrevocable consent to annex, such services and maintenance can be provided by the City of Merced through an Out of Boundary Service Agreement (OBSA) in conformance with City Urban Expansion Policy 1.4b, and LAFCo policies. (See response to City Urban Expansion Policies in this Compliance analysis.)

ED 11.6

Seek an amendment to the City of Merced Sphere of Influence, if appropriate, to clarify service delivery, annexation, and fiscal relationships between the County and the City of Merced.

Response: The Merced Sphere of Influence (SOI) and Specific Urban Development Boundary (SUDP) have been amended by LAFCo and the City to include the UCP and the VST properties. (See Figure 2.3 of the Merced 2030 General Plan, illustrated on the following page.) LAFCo approved this SOI and SUDP on _____. A Municipal Service Review (MSR) was prepared for the City of Merced relating to servicing this amended SOI/SUDP area by the City of Merced and determined that the City has the capacity to serve the project, under certain financing and annexation assumptions.

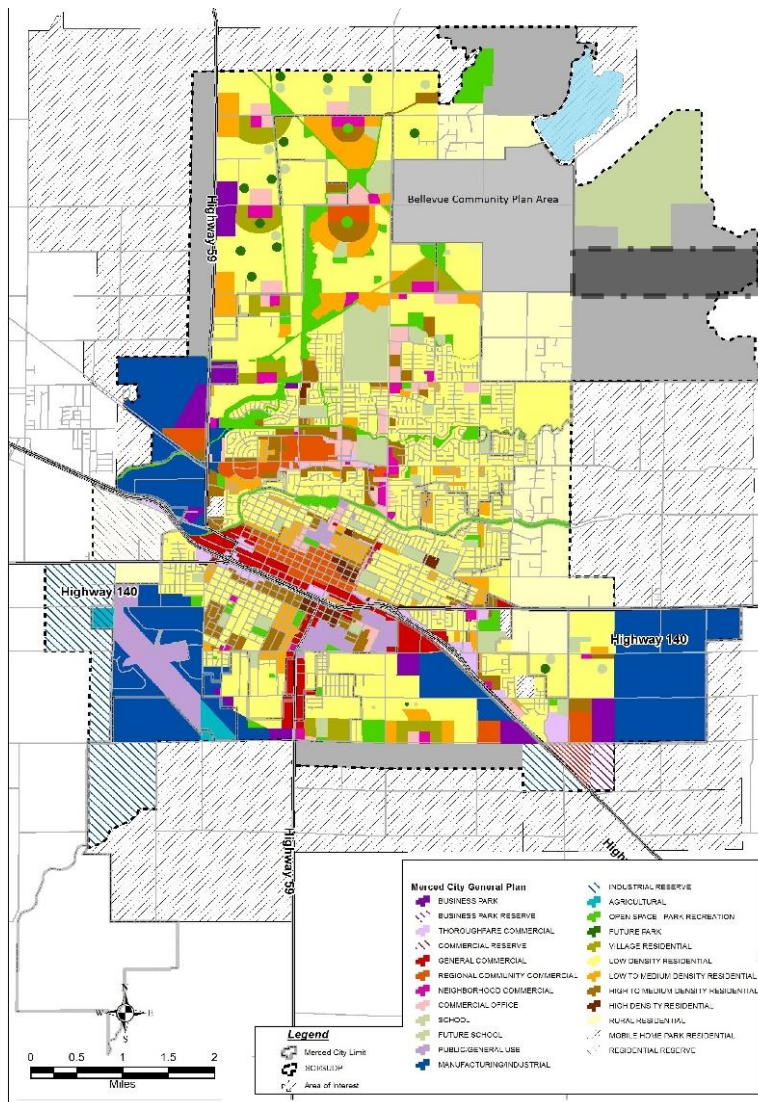


Figure 8 Project Site and SOI and SUDP

12.0 To foster an environment for business development in the University Community.

ED 12.1

Designate land zoned for a business center or research and development (R&D) that can be developed in later phases. Sites located close to UC Merced should be selected in order to promote synergistic momentum with UC Merced and to offer short commuting distances.

Response: This policy is no longer desirable, nor is it consistent with other UCP policies directing that only locally serving, non-regional commercial uses be included in the UCP, and the VST Specific Plan area in particular. Business parks should be directed to the Bellevue Master Plan, Castle Business Park, or to the Downtown Merced areas. The UCP development program and data have been amended to include only commercial and office space needed to support the UCP residents and UC Merced students and staff. Delete this policy.

ED 12.2

Designate and reserve land for hotels and conference centers that can be developed in later phases as demand arises.

Response: A conference center is better located in the downtown or on the UC campus. Hotels are permitted and encouraged in the C-MUS portion of the Town Center. Delete this policy.

ED 12.3

Institutionalize policies and mechanisms to promote the University Community to the national and regional business community, focusing on opportunities that capitalize on the academic specializations and strengths of UC Merced.

Response: The implementation of this policy is unclear and inconsistent with other UCP policies directing that only locally serving, non-regional commercial uses are to be included in the UCP, and the VST Specific Plan area in particular. Delete this policy.

Community Infrastructure and Services

Transportation

1.0 To ensure that the Community’s transportation infrastructure will adequately serve local and regional trips, provide appropriate connectivity, and minimize impacts to the transportation systems in the City of Merced and Merced County.

T 1.1

Designate a functionally classified system of principal transportation facilities that represents the major backbone circulation system needed to serve the Community Plan at acceptable levels of service. A sketch of the proposed backbone system is shown in Figure 16. Definitions of the street classifications are given in Table 3, and typical cross-sections are shown graphically in Figures 17 and 18. The precise alignment and standards for transportation facilities shall be defined by an Areawide Circulation Master Plan prepared prior to or concurrent with the preparation of the first sub-area Specific Plan. These may modify the elements shown on Figure 3 provided that the underlying goals, objectives, and policies of the UCP for urban form, community character, and mobility are achieved. These include the establishment of a system that:

- Supports the County Campus Parkway and underlying interconnected grid street system
- Provides access to and from UC Merced, that is interconnected with and prevents adverse impacts on the Community’s Town Center and Residential Villages
- Promotes the use of public transportation and alternative modes
- Interfaces with the surrounding street network and development

Response: The circulation system represented in Figure 16 is no longer valid because of changes in the land plan and separation of the UC and UCP. Figure ___ of the Specific Plan and Figure 1 herein provides the amended circulation plan for the VST property and the UCP in general. The circulation system is composed of Campus Parkway as a Limited Access Expressway (with two through lanes north of University, and 4 through lanes south of University); Cardella as a 4-lane Arterial from Lake Road to Main Street; Dunn Road as an Arterial from Lake Road to Campus Parkway; Kibby Road as an Arterial from Yosemite to Cardella; and, University, Virginia Smith Parkway, Main Street, Meyers Gate Road, and Kibby Road north of Cardella, and Cardella east of Main as two-lane Collectors with medians and turn lanes. Lake Road is designated as a two-lane Collector Road.

Points of connection within the UCP plan area are identified for continuity, and points of connection and rights of way connection to UC Merced are defined for the continuation of Campus Parkway, University, Main Street and Kibby Road that are consistent with the 2020 LRDP. Road sizes, features and the number of through lanes have been determined based on projected traffic volumes at full buildout of the City of Merced, UCP and UCM. Table ___ and Figures ___ through ___ show the roadway features for each roadway classification.

Alternative modes of transportation are accommodated and encouraged by the following: 1) location of commercial goods and services with one-quarter mile of residential neighborhoods; 2) inclusion of sidewalks on a streets; 3) inclusion of Class IV bikeways on all non-local

roadways, providing protection and safety for riders while also providing speed and convenience for bike commutes; 4) location of the densest residential portion of the development and the Town Center nearest to UCM; and, 5) bus stops throughout the project. Based on these features, it is estimated that 28 percent of VST trips will be internal to the project (30 percent of which will be non-auto trips), and that 45 percent of the trips will be oriented to UCM (with 35 percent of those trips by bike, transit and pedestrian modes).

T 1.2

Develop individual but coordinated master plans to guide design and implementation of the principal circulation infrastructure, including plans that address streets, bikeways, pedestrian ways, transit, and parking.

Response: The amended circulation plan for the UCP provides the basic backbone road designations. Each component Specific Plan area will provide appropriate intersection controls, turn lanes, and other features based on the particulars of each development. The VST Development Plan shows the planned and needed roadway configurations, intersection control, turn lanes, and rights of way dimensions.

T 1.3

Reserve adequate rights-of-way to implement the designated circulation systems and designate access management restrictions for adjoining properties.

Response: Access restrictions are described in Table ___ of the Specific Plan.

T 1.4

Promote the timely development of the principal circulation system, through phases coordinated with implementation of the land use element and with preparation of sub-area Specific Plans.

Response: The VST Specific Plan identifies the phasing of road improvements that is consistent with traffic needs determined by the traffic study.

T 1.5

Ensure that regional transportation improvement programs keep pace with future needs, through coordination with the County, City, MCAG, and other regional agencies. Work with MCAG to augment the regional travel demand model to reflect the proposed land uses and circulation system within the Community area. The model will be used as a tool for evaluating and monitoring impacts of the Community Plan and future Specific Plans on the regional transportation system.

Response: The Three-County Regional Traffic Model will be used to evaluate project needs and impacts. Upon completion and final entitlements, the County will work with MCAG to update the traffic model to reflect amended UCP land uses.

2.0 To create a network of secondary streets that provides for multiple routes between various origins and destinations to disperse rather than concentrate traffic, provide full bicycle accommodation, and access management strategies.

T 2.1

Design the Community's street system in a grid (or curvilinear grid) pattern, to disperse traffic throughout the community and provide multiple connections to most destinations. Figure 19 includes an illustrative representation of a grid street pattern, compared with a system based on cul-de-sacs.

Response: The overall design for the UCP is consistent with an integrated grid system. The local street system for UCP South/Hunt will be developed at the time of its Specific Plan. The roadway system for VST is consistent the principles associated with Figure 19, although it does not use the radial streets associated with the "Calthorpe" preferred model in Figure 19. The Specific Plan circulation system for VST achieves the same objectives. In many cases cul de sacs are necessary to restrict vehicle access to Arterials, Collectors and Limited Access Expressways; in such cases open-ended cul de sacs are provided for pedestrian and bike access.

T 2.2

Discourage cul-de-sacs and other non-connecting street types.

Response: The overall design for the UCP is consistent with an integrated grid system. In many cases cul de sacs are necessary to restrict vehicle access to Arterials, Collectors and Limited Access Expressways; in such cases open-ended cul de sacs are provided for pedestrian and bike access. Cul de sacs also provide for necessary traffic calming. This policy should be modified to specify that cul de sacs are often necessary and desirable to achieve circulation goals and objectives, and where they are used there should be allowances for pedestrian, transit and bicycle access to adjacent roadways.

3.0 To provide attractive streets compatible with adjoining land use activities and designed to serve a broad spectrum of travel modes as well as automobiles.

T 3.1

Define a set of street design standards that minimize paved area while ensuring safe and adequate access to the Community.

Response: The street sections, number of through lanes and overall design features are based on traffic projections, and are designed to be consistent with emergency access requirements.

T 3.2

Specify flexible design standards for arterial and primary collector streets to accommodate the mix of travel modes that may develop over time.

Response: It is difficult to include "flexibility" once major circulation facilities are constructed. Landscape setbacks are provided along Virginia Smith Parkway east of Campus Parkway and Campus Parkway north of University for project beautification and for potential additional travel lanes if ever warranted.

T 3.3

Design roadways that are compatible with adjacent land uses, through choice of street width, median and landscaping treatment, parking provision, pedestrian/ bicycle accommodation, and access management strategies. The following images illustrate the concept [which show a collector or local road with a Class II bike lane and a turn lane; a commercial town center or downtown with a travel lane in each direction and onstreet parking; and, a two-lane Collector street with landscaped median].

Response: The project designs are consistent with the UCP images referenced in Transportation Policy 3.3.

T 3.4

Accommodate a “transitional” roadway type in places where the Community borders rural areas to minimize conflicts between agricultural and urban users. The following image provides an illustration of this type of roadway [the referenced illustration shows a road fronting on to an open space area].

Response: This situation occurs on the east side of UCP South and this road type is used.

T 3.5

Protect the quality of residential areas by reducing or controlling traffic routing, volumes and speeds on local streets. Integrate traffic calming measures into street design, to enhance livability of neighborhoods. Examples of calming measures may include roundabouts, neckdowns, raised crosswalks, and narrow or curving streets; illustrations of these measures are shown in the following images.

Response: Roundabouts, corner bulbouts, speed tables, narrow travel lanes, and other features are used in the project.

T 3.6

In addition to the County’s traditional vehicle level of service (LOS) standard, define a “Person LOS” standard to measure the travel characteristics of all modes, and apply it in conjunction with the existing County standard. To maintain fundamental consistency with adopted County General Plan policies, in no case would a roadway be designed to operate below the existing County minimum vehicle LOS standard. However, in those cases where improvements to walk, bicycle, or transit modes could be made without causing the traffic LOS to deteriorate below the County standard, such improvements would increase the Person LOS measure and would be encouraged.

Response: The project complies with all adopted County and City multimodal LOS requirements.

4.0 To emphasize walking and the use of energy-efficient and low- and non-polluting forms of transportation, including bicycles.

T 4.1

Create a complete, interconnected bicycle and pedestrian circulation system that serves both commuter and recreational travel, and provides access to major destinations.

Response: *The project site is connected to the ____ Class I bike path on the east side of Lake Road that is used as bicycle commuter route. In addition, the project Class I two-bike paths on Campus Parkway and Cardella, and Class IV bike lanes on all other non-local roads. Alternative modes of transportation are also accommodated and encouraged by the following: 1) location of commercial goods and services with one-quarter mile of residential neighborhoods; 2) inclusion of sidewalks on a streets; 3) inclusion of Class IV bikeways on all non-local roadways, providing protection and safety for riders while also providing speed and convenience for bike commutes; 4) location of the densest residential portion of the development and the Town Center nearest to UCM; and, 5) bus stops throughout the project. Based on these features, it is estimated that 28 percent of VST trips will be internal to the project (30 percent of which will be non-auto trips), and that 45 percent of the trips will be oriented to UCM (with 35 percent of those trips by bike, transit and pedestrian modes). In total, approximately 24 percent of the VST project site trips will be by non-vehicular modes.*

T 4.2

Work with UC Merced to establish convenient pedestrian and bicycle access routes to and through Campus.

Response. *This is achieved by each respective entity implementing its adopted plans and making the connections as specified in the UCP.*

T 4.3

Install amenities to serve bicyclists and pedestrians, such as secure and convenient bicycle parking and shaded seating areas at public facilities.

Response: *These will be provided per state CalGreen and County code requirements.*

T 4.4

Establish bicycle parking standards for new development.

Response: *Bicycle parking standards are established in the CalGreen Code and the most recent (2019) version of the building, and the development codes adopted by the County and the County.*

T 4.5

Work with the transit provider to encourage transit- bicycle transfers by installing bike racks on buses.

Response: *Bicycle parking standards are established in the CalGreen Code and the most recent (2019) version of the building, and the development codes adopted by the County and the County.*

5.0 To encourage transit usage, with emphasis on energy- efficient, low-polluting forms of public transportation.

T 5.1

Promote and, where appropriate, participate in the development of high-frequency transit services that seamlessly connect major destinations, including the UC Merced campus. Encourage convenient transfers between transit and other modes of travel.

Response: Bus stops will be provided at key points in the project for City and UC transit buses, as shown on the Development Plan.

T 5.2

Work proactively with local and regional transit providers to coordinate transit service. Work with transit providers, the regional Air Pollution Control District, and public utility providers to encourage actions that reduce pollution from transit vehicles (such as purchasing vehicles that use alternative fuels, and providing fueling/ charging stations).

Response: The Air District and federal government provide grants to the City and other to convert gas and diesel busses to natural gas and electric. Property owners and developers may participate in the Air District's programs to provide funding and air pollution offsets through the Indirect Source Rule program. No additional actions are necessary from UCP property owners and developers.

T 5.3

Establish a transit hub at the interface between the town center and campus core for timed transfers between local campus/Community transit service and regional transit connections serving the City of Merced, the rest of Merced County, and major interregional destinations.

Response: The Town Center and the core of UC are now separated by one-half mile and the extent of the development portion of the 2020 LRDP indicates that the UC and Town Center will be one-fourth mile apart. A transit center has been established on the UC north of VST. Transit stops will be provided onsite.

T 5.4

Work with UC Merced to design a transit fare policy and transit pass system that provides maximum incentives for transit ridership for University students and employees.

Response: UC provides low-cost transit for students and staff. UC Merced supports several alternative transportation programs to provide affordable and convenient options to personal-vehicle use, including CatTracks, the bus transit line that provides service to and from campus to nearby neighborhoods and communities and downtown Merced. UC Merced's Commuter Club assists faculty and staff members with finding cost-efficient and environmentally-friendly alternatives to driving to campus. UCP developers will coordinate with UC's transit system to arrange for service the UCP areas.

T 5.5

Establish development standards, such as inclusion of handicap-accessible bus stops and shelters, to make transit attractive. Require development to fund its fair share of necessary transit facilities.

Response: Transit stop improvements will be included in the special UCP transportation impact fee program. Handicap accessibility is required by the Americans with Disabilities Act (ADA) requirements.

T 5.6

Establish a County/City/University transportation clearinghouse and website that provides information on local transit services and alternative travel options.

Response: These already exist and are linked through the website: <http://www.mercedthebus.com>. No further action is required.

6.0 To balance the need for parking with the desire to limit automobile travel, and minimize parking intrusion in residential neighborhoods.

T 6.1

Plan for parking reservoirs at gateways to the Town Center for use by multiple tenants and residents. Discourage development of fragmented parking facilities that serve single parcels.

Response: Due to the nature of development, parcels in the C-MUS will be dedicated to individual users. Parking will be provided in the C-R centers in common shopping center parking lots. Parking in the Town Center will be from on-street parking, and shared parking lots to the rear of the buildings in the C-MU and C-MUR areas. Per the Policy ___ there will be one reserved parking for residential units in the Town Center.

T 6.2

Encourage shared parking facilities at the interface between the Town Center and the UC Merced campus. UC Merced and the Community would jointly determine the appropriate parking supply, as well as the control and enforcement of use. Encourage development of parking structures in the Town Center when warranted by employment and residential densities.

Response: The Town Center and the core of UC are now separated by one-half mile and the extent of the development portion of the 2020 LRDP indicates that the UC and Town Center will be one-fourth mile apart. Shared parking is not feasible or desirable. This policy should be deleted.

T 6.3

Develop parking requirements that are consistent with the goals for increased use of alternative transportation modes, and that acknowledge shared parking opportunities.

Response: Due to the mixed use nature of the Town Center and the adjacent higher density residential uses, parking in the C-MUR and C-MU portions of the Town Center would be provided at a rate of 1 space per 500 square feet of building area in the Town Center (including on-street parking), plus one space per each residential unit. That commercial parking rate is 65% of the 1 space per 300 square feet that is specified for shopping centers and more vehicle oriented commercial formats. Parking in the C-R and C-MUS zones will be 1 space per 300 SF. Freestanding medical offices may be required to provide a greater parking ratio.

T 6.4

Encourage use of “intelligent parking systems” such as message signs indicating real-time parking availability by location.

Response: Intelligent Parking Systems are useful for structure parking or for larger common-use parking lots. This policy may have been appropriate when the UCP and UC were physically adjacent. The Town Center and the core of UC are now separated by one-half mile and the extent of the development portion of the 2020 LRDP indicates that the UC and Town Center will be one-fourth mile apart. Shared parking is not feasible or desirable. This policy should be deleted.

T 6.5

Provide priority parking for vanpools, carpools, and energy-efficient and low-pollution vehicles, including recharge stations for electric vehicles.

Response: Priority parking for van pools and carpools, and shared ride providers (Uber, Lyft) is provided. To encourage the use of electric vehicles, private residential garages shall be equipped with a dedicated 240-V circuit or outlet for electrical vehicle charging in conformance with the California Green Building Code and the National Electrical Code. Residences with common parking areas such as the R-3, R-4 and parking lots for commercial areas shall be equipped with electric vehicle charging stations at a rate equal to one charging position for each eight vehicles (12.5 percent of spaces) per the LEED ND requirements.

T 6.6

Designate residential permit parking areas as needed to protect neighborhoods from parking intrusion from adjacent land uses.

Response: This is not expected to be an issue. Delete this policy.

T 6.7

Enforce permit parking restrictions in residential areas near campus, and parking time limits in town center.

Response: The Town Center and the core of UC are now separated by one-half mile and the extent of the development portion of the 2020 LRDP indicates that the UC and Town Center will be one-fourth mile apart. Shared parking is not feasible or desirable. This policy should be deleted.

7.0 To encourage the use of transportation demand management (TDM) strategies to provide attractive, competitive alternatives to single-occupant auto travel and to assist in mitigating traffic impacts and maintaining a desired level of service on the circulation system.

T 7.1

Encourage non-residential developments to offer telecommute and flexible work-hour opportunities, and provide employee incentives for using transit, ridesharing, bicycling, and walking.

Response: With the deletion of significant portions of office and Business Park uses from the UCP, this policy is no longer relevant. Per UCP policies, commercial uses on site are to serve the needs of the UC staff and students and UCP residents. Delete this policy.

T 7.2

Locate parking at strategic intercept points to minimize driving into and through central areas of the Community and Campus. Serve remote parking with frequent transit shuttles.

Response: The Town Center and the core of UC are now separated by one-half mile and the extent of the development portion of the 2020 LRDP indicates that the UC and Town Center will be one-fourth mile apart. Shuttle and transit service will be provided by City and UC bus services. This policy is no longer relevant and should be deleted.

T 7.3

Promote ridesharing through public information and outreach.

Response: This is currently provided by the City and UC. No additional action necessary.

T 7.4

Encourage non-residential developments to provide amenities for bicyclists, including showers and changing facilities.

Response: CalGreen and current building codes require these facilities. The policy is no longer relevant and should be deleted.

8.0 To ensure adequate coordination with neighboring jurisdictions and regional agencies to manage traffic growth on a regional level, and coordinate transit, bicycle and pedestrian systems and services.

T 8.1

Require all Specific Plans to include traffic and circulation studies that:

- Assess internal circulation system needs and develop a traffic circulation plan for the Specific Plan area
- Demonstrate consistency with the circulation policies of this Community Plan
- Identify regional transportation infrastructure connectivity requirements
- Identify specific traffic impacts related to the Specific Plan and improvement measures to mitigate these impacts.

Response: A preliminary traffic study has been prepared by VRPA consultants and the internal road system has been designed according to the traffic levels projected in that report. Internal intersection controls have been recommended and are included in the development plan. The extension of Campus Parkway north and or south is not necessary to support the VST project, although VST will construct the portion of Campus Parkway through the VST project, and will participate in an impact fee program to pay its fair share of the Campus Parkway between Yosemite and Bellevue. Specific recommendations for internal and external streets is contained in Appendix A.

T 8.2

Circulate all relevant traffic and circulation studies to neighboring jurisdictions that may be affected by the proposed development.

Response: Yes.

T 8.3

Establish funding mechanisms to fairly distribute the costs of required new off-site infrastructure.

Response: Funding for traffic improvements will come from four principal sources: 1) UC has committed to the City and the County under separate agreements to fund most of the cost of Bellevue Road between G Street and Lake; to fund the intersection improvements at Bellevue and Lake; to fund intersection improvements at Lake and Yosemite; and, to advance funding for the portion of Campus Parkway north of Yosemite; 2) City impact fee programs that fund most of the offsite facilities; 3) developer contributions for improvements to Lake Road to provide access to UC and UCP; and, 4) a special UCP transportation impact fee that will fund major UCP improvements, and any offsite improvements that are not covered by other fee programs. UCP properties will participate in the City's fee program to mitigate its impacts to City facilities.

Water

1.0 To develop water-related infrastructure systems that are adequate to meet the needs of the University Community.

IW 1.1

Ensure the provision of potable water infrastructure (wells and storage) to provide water supply to meet community needs.

IW 1.2

Require that an adequate water supply be demonstrated before approving new development.

IW 1.3

Require that a water distribution system (line pressure, pump stations, pipes, valves, connections, storage facilities, etc.) be designed, constructed, and operated in accordance with applicable standards prior to occupancy.

IW 1.4

Ensure the provision of water systems that match appropriate water quality to water use requirements.

IW 1.5

Design potable water system to meet federal and state drinking water regulatory standards.

IW 1.6

Required that water supply wells be developed, constructed, and installed in accordance with the American Water Works Association (AWWA) Standards A-100 for Water Wells and the water well standards presented in applicable California Department of Water Resources Bulletins, or the most current standards at the time of development.

IW 1.7

Require that new water sources meet or exceed the DHS Title 22 regulation regarding water quality.

Response (1.1-1.7): The project will tie in to the City water system per Policy 1.4 of the City 2030 General Plan. The City is a licensed water supplier with an adopted and current Water Master Plan and Urban Water Management Plan. The project will install water facilities that are in conformance with the City's design and development standards and the Water Master Plan. The engineering analysis for the project indicates that the existing storage and production capacity are adequate to serve a portion of Phase 1 of the project, and that an onsite water well will be required so support the project (and as planned in the Water Master Plan). A site has been reserved for a water Well in the Community Recreation Center park.

IW 1.8

Require that adequate capacity exists to treat the wastewater flows generated by development and that sufficient capacity is available for the treatment and disposal of sludge before approving new development.

Response: Sewer flows from the project are expected to be 600,000 to 625,000 gallons per day. The City has adequate capacity to accommodate the project.

IW 1.9

Ensure the provision of adequate stormwater conveyance and storage infrastructure to accommodate planned development.

Response: The project complies with the City and County drainage ordinances.

IW 1.10

Encourage the provision of on-site wastewater treatment and disposal, where feasible.

Response: While onsite wastewater treatment and disposal may be feasible, it is not desirable, and this policy should be modified to state that. The City has a policy to discourage and/or prohibit onsite wastewater treatment and disposal.

IW 1.11

Establish as the highest priority the development of on-site storage for treated wastewater that reduces the need for connections to local community wastewater treatment systems and which maximizes the availability of recycled water for appropriate uses in the University Community, where feasible and timely in consideration of its technology, costs, funding, practicality, and permitting requirements and processes.

Response: While onsite wastewater treatment and disposal may be feasible, and does provide advantages for the onsite use of recycled wastewater, the City has a policy to discourage and/or prohibit onsite wastewater treatment and disposal. VST has committed, as part of its entitlements for the project, to implement special water conservation measures to reduce the usage of potable water by VST households to at least 25 percent below the five-year average of residential water use per capita per day (R-GPCD) reported by the California Department of Water Resources for the period 2014 to 2019 of 142 gallons per day per person, and to comply with EPA's Water Sense standards for water conservation and indoor water use and shall demonstrate that wastewater flows are no more than 50 gallons per day per person, or a lower wastewater flow rate as may be established communitywide as part of the Sewer Master Plan update.

IW 1.12

Require that wastewater flows be minimized through water conservation efforts.

Response: CalGreen and current building code requirements result in significantly less wastewater flows from new project like VST than from existing developments. According to the wastewater analysis that has been prepared for the project, current average communitywide residential wastewater flows are 40.5 gallons per capita per day. Sewer generation for the project is estimated to be 40-50 gallons per day per capita. VST has committed, as part of its entitlements for the project, to implement special water conservation measures to reduce the usage of potable water by VST households to at least 25 percent below the five-year average of residential water use per capita per day (R-GPCD) reported by the California Department of Water Resources for the period 2014 to 2019 of 142 gallons per day per person, and to comply with EPA's Water Sense standards for water conservation and indoor water use and shall demonstrate that wastewater flows are no more than 50 gallons per day per person, or a lower wastewater flow rate as may be established communitywide as part of the Sewer Master Plan update. These water conservation efforts would result in water use of approximately 105 GPCD. The project meets and exceeds the Merced Groundwater Basin Sustainability Plan (Project 7) and the State's goal of a 20 percent reduction in urban per-capita water use by 2020. This program will assist management of groundwater extractions through reducing overall water demand.

IW 1.13

Ensure the provision of stormwater conveyance and storage infrastructure to accommodate planned development.

Response: The specific plan includes a stormwater plan that complies with City and County regulations.

IW 1.14

Ensure that the stormwater conveyance and storage system is designed consistent with Merced County standards.

Response: The specific plan includes a stormwater plan that complies with City and County regulations. Verification of design calculations and facilities will occur as part of the construction drawing and final map approval process by the County, or the City, as applicable.

IW 1.15

Require the reservation of right-of-way and easements for designated water-related infrastructure facilities as a condition of project approval.

Response: The specific plan includes a stormwater plan that complies with City and County regulations. Verification of design calculations and facilities, and adequacy of rights of way will occur as part of the construction drawing and final map approval process by the County, or the City, as applicable.

2.0 To develop water-related infrastructure systems that are reliable.

IW 2.1

Ensure the provision of water-related infrastructure systems that allow operation under multiple demand scenarios and emergency conditions.

Response: As required by the California Water Code and the City of Merced the project will comply with all water supply performance metrics specified by the City in its Water Master Plan and improvement standards. These metrics include average daily demand, peak hour demand, maximum daily demand plus fire flow requirements, minimum fire flow requirements, and minimum operating pressure per Chapter 6 of the Water Master Plan and City Improvement Standards.

IW 2.2

Ensure the provision of reliable water supply sources to ensure availability during drought conditions.

Response: A Water Supply Assessment will be prepared as part of the project's entitlement to demonstrate water supply during extended drought conditions.

IW 2.3

Ensure the provision of water supply, storage, and adequately sized pipelines to provide fire flows at any point within the Community to meet recommendations of the Insurance Services Office (ISO) and/or the County Engineer, while maintaining minimum pressures in accordance with requirements outlined in the California DHS/Waterworks Standards.

Response: As required by the California Water Code and the City of Merced the project will comply with all water supply performance metrics specified by the City in its Water Master Plan and improvement standards. These metrics include average daily demand, peak hour demand, maximum daily

demand plus fire flow requirements, minimum fire flow requirements, and minimum operating pressure per Chapter 6 of the Water Master Plan and City Improvement Standards.

IW 2.4

Ensure the provision of reliable water and wastewater treatment processes, with appropriate backup systems.

Response: As required by the California Water Code and the City of Merced, the project will meet the water system design requirements including average daily demand, peak hour demand, maximum daily demand plus fire flow requirements, minimum fire flow requirements, and minimum operating pressure per Chapter 6 of the Water Master Plan and City Improvement Standards. The City's treatment plant has backup systems that are in compliance with federal and state standards.

IW 2.5

Ensure the provision of a reliable water supply system by requiring adequate water storage to meet the needs of the University Community as follows:

- Diurnal Operational Needs (for meeting peak flows)—25 percent of peak daily demand
- Fire Reserve—provide fire reserve as required by the ISO, California DHS/Waterworks Standards, and the standards of Merced County
- Emergency Storage—25 percent of average daily demand.

Response: As required by the California Water Code and the City of Merced, the project will meet the standards for average daily demand, peak hour demand, maximum daily demand plus fire flow requirements, minimum fire flow requirements, and minimum operating pressure per Chapter 6 of the Water Master Plan and City Improvement Standards. The City's treatment plant has backup system that are in compliance with federal and state standards. Since it is possible that this UCM policy does not apply to the City's waterworks and the City's Water Master Plan, it should be deleted. There should simply be a reference to comply with the City's Water Master Plan, Urban Water Master Plan and City Improvement Standards.

3.0 To develop water-related infrastructure systems that are affordable to future residents, homeowners, and businesses.

IW 3.1

Ensure the provision of water-related infrastructure systems that will enhance the affordability of homes and businesses in the University Community at the time of construction and over the long-term.

Response: I don't know what this means or how to apply it. The utility systems are what they are, and developers and builders will be reimbursed for infrastructure that is above their fair share per Government Code Section _____. Suggest that this policy be deleted or clarified.

IW 3.2

Ensure that water-related infrastructure systems will allow for flexible and phased implementation throughout the buildout of the University Community.

Response: I don't know what this means or how to apply it. The utility systems are what they are, and developers and builders will be reimbursed for infrastructure that is above their fair share, per Government Code Section _____. Suggest that this policy be deleted or clarified.

IW 4.1

Promote opportunities for habitat and community enhancement through the beneficial reuse of wastewater.

Response: While onsite wastewater treatment and disposal may be feasible, and does provide advantages for the onsite use of recycled wastewater, it is not desirable, and this policy should be modified to state that. The City has a policy to discourage and/or prohibit onsite wastewater treatment and disposal. Delete this policy.

4.0 Water-related infrastructure systems that are integrated in order to achieve efficiency and sustainability.

IW 4.2

Require multiple use stormwater detention basins, including uses such as stormwater detention, water quality enhancement, recreation, wetland habitat, and species conservation.

Response: The project will comply with City and County storm water management ordinance, which implement the Regional Water Board's "MS4" regulations. Project basins and sub-basins will be integrated into open spaces, parks and roadway landscaping. In contrast to other developments, the project will not include any large-scale basins. The runoff into these smaller basins and sub-basins is not compatible with the preservation of wetland habit or species conservation. However, discharge from these basins and subbasins is suitable for discharge to Cottonwood Creek and the Fairfield Canal.

IW 4.3

Require the creation of recharge basins for stormwater recharge to the aquifer system, where feasible.

Response: Recharge basins are planned as part of the Merced Regional Subbasin Groundwater Sustainability Plan that was adopted in 2019. Development of the project will have a beneficial impact on groundwater (assuming 100% of the potable water supplied is from groundwater) since the projected water usage for the VST at buildout is 1.2 million gallons a day (1,350 acre-feet per year) while the current water usage for current almond farming operations is approximately 1.6 million gallons per day (1,800 acre-feet) based on 3.25 feet of annual irrigation over 550 acres. The Merced Irrigation District and the City of Merced are also working on a project that would include the development of a new surface water treatment plant to provide up to 20,000 acre-feet (AF) of potable surface-sourced water to the City of Merced from Lake Yosemite. This project would provide supplemental treated surface water in anticipation of assumed future SGMA groundwater restrictions given the City is

currently dependent on groundwater. Water would be supplied by MID from Lake Yosemite and the through the existing distribution system downstream from Lake Yosemite.

VST has committed, as part of its entitlements for the project, to implement special water conservation measures to reduce the usage of potable water by VST households to at least 25 percent below the five-year average of residential water use per capita per day (R-GPCD) reported by the California Department of Water Resources for the period 2014 to 2019 of 142 gallons per day per person, and to comply with EPA's Water Sense standards for water conservation and indoor water use and shall demonstrate that wastewater flows are no more than 50 gallons per day per person, or a lower wastewater flow rate as may be established communitywide as part of the Sewer Master Plan update. This commitment would lower water use to approximately 105 gallons per capita per day. The project meets and exceeds the Merced Groundwater Basin Sustainability Plan (Project 7) and the State's goal of a 20 percent reduction in urban per-capita water use by 2020. The combined effect of these efforts will be a significant net reduction in groundwater extraction.

IW 4.4

Encourage the use of recycled water for wildlife habitat and for community enhancement through the creation of water features, including constructed wetlands, ponds, and fountains in the community.

Response: While onsite wastewater treatment and disposal may be feasible, and does provide advantages for the onsite use of recycled wastewater, it is not desirable, and this policy should be modified to state that. The City has a policy to discourage and/or prohibit onsite wastewater treatment and disposal. Delete this policy.

IW 4.5

Encourage the availability of recycled wastewater for agricultural users.

Response: While onsite wastewater treatment and disposal may be feasible, and does provide advantages for the onsite use of recycled wastewater for ornamental landscaping, use of recycled water for irrigation of food crops (like the nut crops in the UCP) it is not permitted by State regulations. Delete this policy.

IW 4.6

Require the inclusion of water reuse infrastructure within building systems and landscape irrigation systems, except where inclusion of such infrastructure is irrelevant or infeasible.

Response: This water re-use infrastructure is not feasible or desirable. Treatment of onsite grey water from residential uses can provide a source for irrigation of onsite landscaping, and for re-use in toilets. The reduction in water used for project homesites generally reduces the efficacy of these system since the irrigation water use is not adequate on a monthly basis. Domestic wastewater collection systems are also designed to accommodate and convey wastewater with a certain fraction of liquids and solids and removing greywater from the system has the effect of de-watering sewerage flows. Homebuilder KB Homes has used a system that has been licensed by the EPA and State with some mixed results, and at a cost of approximately \$10,000 per dwelling unit. This policy should be deleted to eliminate the

“requirement” for water re-use infrastructure in buildings because modern indoor water use and landscaping conservation measures are more effective.

IW 4.7

Ensure that where recreational uses are included in multiple use detention basins, they are designed to avoid inundation of playfields by more than one foot of water during the 10-year storm event, consistent with Merced County standards (as illustrated in Figures 20 and 21).

Response: There are no multiple use park-ponds in the project. Storm water management is achieved through small, multiple basins per the County and City storm drainage ordinance. Standards for the developments near or adjacent to Cottonwood Creek and the Fairfield Canal are shown below. The policy and UCP graphics should be amended to be consistent with the following.

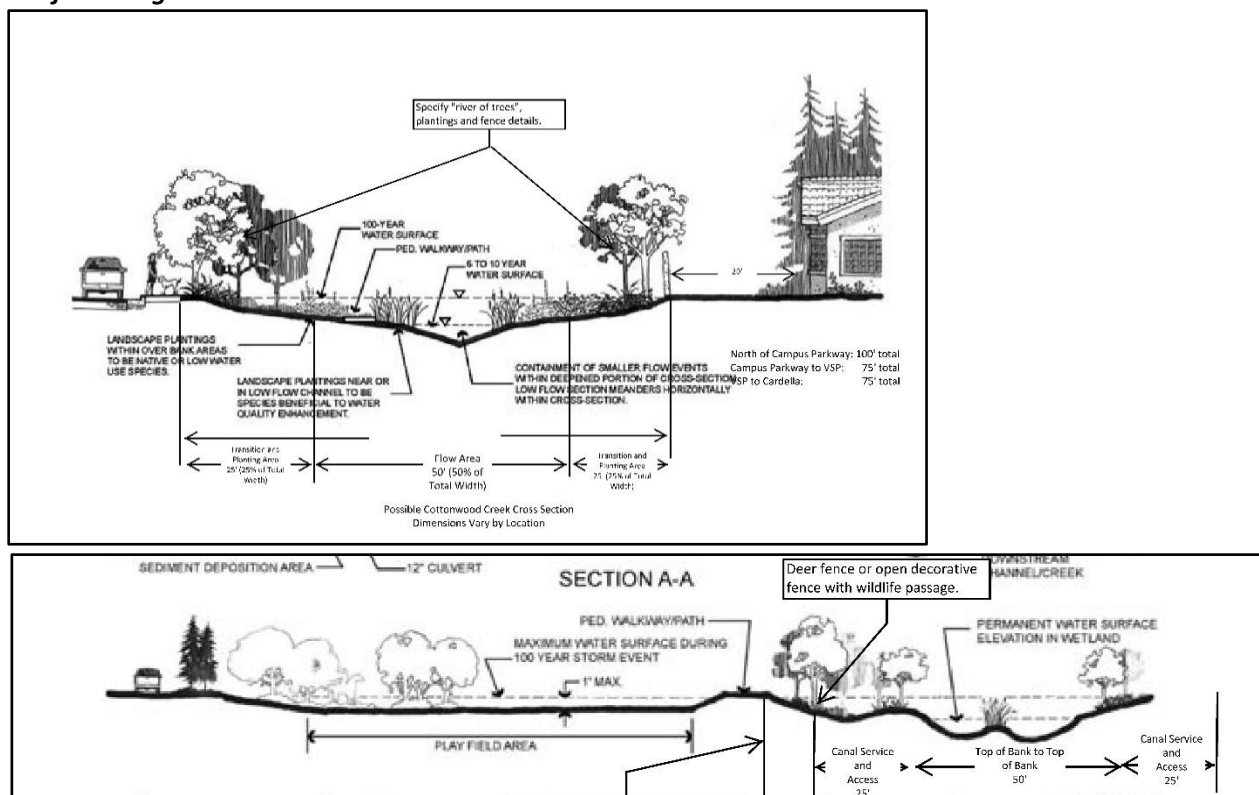


Figure 9 Creek and Canal Setbacks

IW 4.8

Ensure that the design of multiple use detention basins protects public safety by minimizing hazards.

Response: This policy does not provide any meaningful added information than those that precede it. Delete as duplicative and repetitious.

5.0 To develop water-related infrastructure systems that achieve high levels of water conservation.

IW 5.1

Implement an active water conservation program in the University Community to reduce future water demand to the extent allowed by law by establishing building requirements for new construction, providing educational information through local media sources, and establishing effective rate changes to encourage conservation.

Response: Requirements from the State CalGreen code and local building codes require a higher degree of conservation. VST has committed, as part of its entitlements for the project, to implement special water conservation measures to reduce the usage of potable water by VST households to at least 25 percent below the five-year average of residential water use per capita per day (R-GPCD) reported by the California Department of Water Resources for the period 2014 to 2019 of 142 gallons per day per person (to approximately 105 gallons per day per person), and to comply with EPA's Water Sense standards for water conservation and indoor water use to achieve an indoor wastewater generation rate of 50 gallons per day per person, or a lower wastewater flow rate as may be established communitywide as part of the Sewer Master Plan update. The project meets and exceeds the Merced Groundwater Basin Sustainability Plan (Project 7) and the State's goal of a 20 percent reduction in urban per-capita water use by 2020.

IW 5.2

Require the use of best available technologies (BAT) for water conservation, including, but not limited to water-conserving toilets, showerheads, faucets, and water-conserving irrigation systems.

Response: Requirements from the State CalGreen code and local building codes require a higher degree of conservation. VST has committed, as part of its entitlements for the project, to implement special water conservation measures to reduce the usage of potable water by VST households to at least 25 percent below the five-year average of residential water use per capita per day (R-GPCD) reported by the California Department of Water Resources for the period 2014 to 2019 of 142 gallons per day per person (to approximately 100 gallons per day per person), and to comply with EPA's Water Sense standards for water conservation and indoor water use to achieve an indoor wastewater generation rate of 50 gallons per day per person, or a lower wastewater flow rate as may be established communitywide as part of the Sewer Master Plan update. The project meets and exceeds the Merced Groundwater Basin Sustainability Plan (Project 7) and the State's goal of a 20 percent reduction in urban per-capita water use by 2020.

IW 5.3

Require meters for all water connections.

Response: Water meters are required by state and local ordinances. Delete as un-necessary.

IW 5.4

Encourage the use of recycled water by industrial, commercial, recreational, and agricultural users through the use of incentives (i.e., differential pricing, uninterrupted supply).

Response: The UCP will not include a separate wastewater treatment plant and recycled water will not be available. While recycled wastewater may be feasible for landscaping on project roadways, commercial projects and/or in public parks and opens spaces (but not for other uses) it will not be available. Delete this policy.

IW 5.5

Require the construction of a distribution system for recycled water use that makes recycled water accessible to each developed lot in the University Community.

Response: The UCP will not include a separate wastewater treatment plant and recycled water will not be available. While recycled wastewater may be feasible for landscaping on project roadways, commercial project landscaping and/or in public parks and opens spaces (but not for other uses) it will not be available. Providing recycled water to individual homes or homesites also requires separate meeting and systems that are not feasible or desirable for the water purveyor or the utility user. Delete this policy.

IW 5.6

Ensure the provision of recycled water at the appropriate quality required for a specific reuse opportunity.

Response: The UCP will not include a separate wastewater treatment plant and recycled water will not be available. Delete this policy.

IW 5.7

Ensure the construction of stormwater capture, storage and conveyance systems that allow for the productive use of runoff and that decrease demand for groundwater resources.

Response: A significant decrease in the demand for groundwater resources cannot be achieved with stormwater capture. However, recharge basins are planned as part of the Merced Regional Subbasin Groundwater Sustainability Plan that was adopted in 2019. Development of the project will have a beneficial impact on groundwater (assuming 100% of the potable water supplied is from groundwater) since the projected water usage for the VST at buildout is 1.2 million gallons a day (1,350 acre-feet per year) while the current water usage for current almond farming operations is approximately 1.6 million gallons per day (1,800 acre-feet) averaged over a year. The Merced Irrigation District and the City of Merced are also working on a project that would include the development of a new water treatment plant to provide up to 20,000 acre-feet (AF) of potable surface-sourced water to the City of Merced. This project would provide supplemental treated surface water in anticipation of assumed future SGMA groundwater restrictions given the City is currently dependent on groundwater. Water for treatment would be supplied by MID from Lake Yosemite and the through the existing distribution system downstream from Lake Yosemite.

VST has committed, as part of its entitlements for the project, to implement special water conservation measures to reduce the usage of potable water by VST households to at least 25 percent below

the five-year average of residential water use per capita per day (R-GPCD) reported by the California Department of Water Resources for the period 2014 to 2019 of 142 gallons per day per person, and to comply with EPA's Water Sense standards for water conservation and indoor water use and shall demonstrate that wastewater flows are no more than 50 gallons per day per person, or a lower wastewater flow rate as may be established communitywide as part of the Sewer Master Plan update. The project meets and exceeds the Merced Groundwater Basin Sustainability Plan (Project 7) and the State's goal of a 20 percent reduction in urban per-capita water use by 2020. The combined effect of these efforts will be a significant net reduction in groundwater extraction.

IW 5.8

Ensure the provision of captured stormwater runoff for irrigation of public facilities and/or recharge to aquifer on site to offset use of potable water.

Response: See response to Wastewater Policy 5.7 above. Implementation of the project would have a net beneficial impact on the extraction of groundwater. It is also not mathematically possible for the project to "offset the use of potable water" from stormwater runoff since total annual stormwater generation (without reduction for rainwater evaporation or plant evapotranspiration or other "losses) is limited to 10-12 inches per year (one acre-foot per acre), and water use is approximately 24 inches per year (2 acre feet per year per acre). Implementation of the County and/or City stormwater ordinance will provide groundwater recharge from stormwater to the maximum degree feasible. Delete this policy.

IW 5.9

Require that grading plans be designed to reduce runoff by capturing rain waters on site and that avoid "crowning" techniques that force rain waters into community drainage facilities.

Response: Onsite storm drainage systems will be designed in accordance with City and County requirements.

IW 5.10

Encourage the inclusion of rainwater "harvesting" (capture and storage) facilities in residential and non-residential development (including open space and recreational uses) through incentives that recognize the value of water conservation and associated reduced stormwater management costs.

Response: City and County stormwater management ordinances require the manner in which storm water is managed. Source management of stormwater is required, including use of stormwater quality basins, "raingardens" and others. The project also includes 86 acres (13 percent of the total project site) in open space, conservation and park areas. Pervious paving used in larger parking fields and driveways, and the C-MUR Town Center residential areas use "green roof" stormwater collection and management. The project therefore complies with Water Policy 5.10.

6.0 To develop water-related infrastructure systems that are highly efficient in the use of energy.

IW 6.1

Promote reuse at the point of generation (i.e., locate recycled water facilities as close as possible to reuse sites to minimize pumping distances).

Response: *The UCP will not include a separate wastewater treatment plant and recycled water will not be available. Delete this policy.*

IW 6.2

Ensure the provision of wastewater conveyance and treatment system(s) that minimize energy use.

Response: *Gravity systems will be used for local wastewater conveyance, from the project to the wastewater treatment plant through trunk lines in Bellevue (interim), Cardella Road, G Street, Rascal Creek road and West Street. A force main will be used to pump wastewater from the project site the Bellevue trunk line, as the initial principal point of connection as required by City Urban Expansion Policy 1.4.*

IW 6.3

Require the use of water supply and distribution and wastewater conveyance and treatment systems and equipment that, at a minimum, meets mandates for energy efficiency.

Response: *Onsite water and wastewater systems will be designed in accordance with the City Water Master Plan, Wastewater Collection Master Plan, and the City's Improvement Standards. The project has no independent discretion on the design of these facilities or their energy efficiency.*

IW 6.4

Support the use of gravity flow in lieu of pumping in the design of wastewater and stormwater conveyance systems, wherever appropriate (i.e., align wastewater collection system to follow natural contours on site).

Response: *All storm drain systems will be gravity operated and no pumping or lift stations are included in the project design. Gravity systems will be used for local wastewater conveyance, from the project to the wastewater treatment plant through trunk lines in Bellevue (interim), Cardella Road, G Street, Rascal Creek road and West Street. A force main will be used to pump wastewater from the project site the Bellevue trunk line, as the initial principal point of connection as required by City Urban Expansion Policy 1.4.*

IW 6.5

Support the use of natural systems and rates for treatment of wastewater and stormwater when practical, as opposed to mechanical systems.

Response: *Treatment of stormwater will be with passive surface ponds and bioswales. No mechanical treatment systems will be used. The City operates the wastewater treatment plant, and it is operated in compliance with federal and state regulations and permits. The*

project has no independent discretion on the design or operation of these facilities or their energy efficiency. Delete this policy as being outside the project or plan's jurisdiction.

7.0 To develop water-related infrastructure systems that are cost efficient over the long-term.

IW 7.1

Ensure that water-related infrastructure systems are designed to minimize life-cycle costs, including short-term and long-term costs.

IW 7.2

Conduct first cost and present worth analysis of technical options to identify initial and life cycle costs during infrastructure planning and design.

IW 7.3

Ensure that water-related infrastructure systems are designed to maximize the system's "output" for beneficial use (i.e., maximize use of recycled water, capture and use stormwater, etc.), and consider any such cost savings in calculations of life-cycle costs.

Response (7.1-7.3): Response: Onsite water, storm drainage and wastewater systems will be designed in accordance with the City Water Master Plan, Wastewater Collection Master Plan, and the City's Improvement Standards. The project has no independent discretion on the design of these facilities or their energy efficiency. Delete these policies.

IW 7.4

Provide feasible alternatives for seasonal discharge of treated effluent, including on-site water storage and/or connection to a local municipal wastewater treatment facility.

Response: The UCP will not include a separate wastewater treatment plant. Delete this policy, or restate that an onsite system is to be installed only if it is determined that connection to the City collection and treatment system is not feasible (as determined by the City's unwillingness or inability to connect the project in a timely manner).

8.0 To develop water-related infrastructure systems that protect the quality and quantity of surface and ground waters.

IW 8.1

Require that groundwater extraction does not result in localized groundwater drawdown that will substantially reduce the production rate of existing nearby wells to a level that would not support existing land uses beyond the reasonable life-cycle expectancy and long-term productivity of those wells in the absence of this project.

Response: The premise of the policy—that a drawdown of the groundwater level will occur from development is incorrect. Development of the project will have a beneficial impact on groundwater (assuming 100% of the potable water supplied is from groundwater) since the

projected water usage for the VST at buildout is 1.2 million gallons a day (1,350 acre-feet per year) while the current water usage for current almond farming operations is approximately 1.6 million gallons per day (1,800 acre-feet per year) averaged over a year. Implementation of the project will reduce local and regional groundwater extraction. Regionwide, there will be a 450 AF (146,250,000 gallons) annual reduction in groundwater use related to the project. Based on the engineering analysis for the water supply, the onsite irrigation wells that are drawing 1,800 AF per year for crop irrigation will be replaced with a domestic well that will supply 600 AF per year from the local aquifer, with the balance provided by other City wells. This will result in a local reduction of groundwater extracted.

The Merced Irrigation District and the City of Merced are also working on a project that would include the development of a new water treatment plant to provide up to 20,000 acre-feet (AF) of potable surface-sourced water to the City of Merced. This project would provide supplemental treated surface water in anticipation of assumed future SGMA groundwater restrictions given the City is currently dependent on groundwater. Water for treatment would be supplied by MID from Lake Yosemite and then through the existing distribution system downstream from Lake Yosemite.

Finally, VST has committed, as part of its entitlements for the project, to implement special water conservation measures to reduce the usage of potable water by VST households to at least 25 percent below the five-year average of residential water use per capita per day (R-GPCD) reported by the California Department of Water Resources for the period 2014 to 2019 of 142 gallons per day per person, and to comply with EPA's Water Sense standards for water conservation and indoor water use and shall demonstrate that wastewater flows are no more than 50 gallons per day per person, or a lower wastewater flow rate as may be established communitywide as part of the Sewer Master Plan update. The project meets and exceeds the Merced Groundwater Basin Sustainability Plan (Project 7) and the State's goal of a 20 percent reduction in urban per-capita water use by 2020. The combined effect of these efforts will be a significant net reduction in groundwater extraction.

IW 8.2

Prohibit direct discharge of treated wastewater to surface waters.

IW 8.3

Ensure that wastewater collection and treatment system(s) are designed and constructed to protect groundwater and surface water from contamination by wastewater. (Imp 2.8, 4.2)

IW 8.4

Ensure that wastewater treatment levels meet standards for intended reuse or discharge point.

Response (8.2-8.4): The UCP will not include a separate wastewater treatment plant. Delete these policies.

IW 8.5

Prohibit cross-connection of sanitary sewer and storm drain system.

Response: This is not permitted by City codes. Delete as un-necessary.

IW 8.6

Ensure that stormwater detention and groundwater recharge facilities are designed to avoid adverse impacts to groundwater.

IW 8.7

Ensure that stormwater conveyance and storage facilities are designed and constructed to ensure no net deterioration in stormwater quality.

Response: Stormwater systems will be designed to City and County codes. There are no recharge facilities on the project.

IW 8.8

Ensure that water-related infrastructure is designed to support Merced Irrigation District local and/or regional groundwater recharge program(s).

Response: See response to Water Policy 8.1.

IW 8.9

Require the application of Best Management Practices (BMPs) for stormwater quality.

Response: Stormwater systems will be designed to City and County codes. There are no recharge facilities on the project.

IW 8.10

Encourage sensitivity to water pollution through educational and outreach programs aimed at the residential landowner.

Response: This makes no sense. Delete.

9.0 To develop water-related infrastructure systems that enhance the natural environment.

IW 9.1

Encourage the design of stormwater conveyance and storage facilities to preserve, enhance, or create natural wetland habitats.

Response. Cottonwood Creek and Fairfield Canal are identified as the principal disposable points for treated storm water.

IW 9.2

Encourage the location of stormwater detention basins near existing or re-created stream corridors.

Response. Cottonwood Creek and Fairfield Canal are identified as the principal disposable point for treated storm water.

IW 9.3

Encourage the design of stormwater conveyance facilities that retain or re-construct portions of natural drainages to maintain stream velocities at or near pre-developed conditions.

Response. Cottonwood Creek and Fairfield Canal are identified as the principal disposable points for treated storm water. The stormwater management plan and Regional Board MS4 regulations contain limitations on post-construction peak flow discharges. The project plan complies with these requirements.

IW 9.4

Encourage the preservation of natural floodplains in the design of water-related infrastructure in order to reduce infrastructure construction costs and potential flood hazards to structures.

Response: There are no FEMA designated flood plains on the project site.

IW 9.5

Encourage the design of stormwater storage facilities that maximize opportunities for intermittent shallow water impoundment during the wet season.

Response: Stormwater systems will be designed to City and County codes.

IW 9.6

Ensure the design of stormwater storage facilities that promote the growth of native vegetation.

Response: Stormwater systems will be designed to City and County codes. There are no recharge facilities on the project. See figures in the response to Water Policy 4.7 for an illustration of landscaping around drainages, and the building setbacks to protect riparian vegetation.

IW 9.7

Prohibit development, grading or structural improvements within the 100-year floodplain, except as consistent with Merced County standards. Recreational activities may be permitted within the floodplain.

Response: There are no FEMA 100-year flood plains on the project site. See figures in the response to Water Policy 4.7 for an illustration of landscaping around drainages, and the building setbacks to protect riparian vegetation.

IW 9.8

Encourage the inclusion of pedestrian, bicycle and equestrian paths through floodplain corridors to enhance circulation and recreational opportunities.

Response: See figures in the response to Water Policy 4.7 for an illustration of landscaping, pedestrian and bicycle facilities around drainages. Also see Chapter ___ of the specific plan for the parks plan and proximity to the Fairfield Canal.

10.0 To develop water-related infrastructure that is flexible and incorporates innovative technology

IW 10.1

Ensure that long-term plans for the design and construction of water-related infrastructure include flexibility that allows for changes in technology, funding, and/or management.

IW 10.2

Ensure that water systems are designed to anticipate changes in the demand for water of different quality parameters.

Response (10.1, 10.2): All water-related infrastructure will be designed according to City, County, State and federal regulations. UCP property owners have no independent discretion this matter and Water Policies 10.1 and 10.2 are un-necessary. Delete these policies.

CITY OF MERCED

11.0 To develop water-related infrastructure systems that complement adjacent and nearby systems.

IW 11.1

Require that the University Community water supply infrastructure system be consistent with regional water supply plans, particularly the Merced Water Supply Plan.

IW 11.2

Require that groundwater wells be sited consistent with City of Merced operational strategy.

IW 11.3

Require that the University Community water supply strategy conforms to existing protocol for groundwater withdrawal and storage established by Merced Irrigation District and the City of Merced, and reflected in the Merced Water Supply Plan.

IW 11.4

Require that the groundwater well distribution conforms to the City of Merced well grid system.

IW 11.5

Ensure, if necessary, that the wastewater systems include a connection to a municipal wastewater treatment system for discharge of wastewater in excess of amounts recycled and used on site or for other beneficial uses.

IW 11.6

Ensure, if necessary, that the opportunity for on-site seasonal storage of treated effluent is provided and consistent with state and local guidelines.

IW 11.7

Ensure that water systems are designed to conform to local jurisdictional design standards, where such systems may be connected to the local jurisdiction.

Response (11.1-11.7): The project will be served by the City for water and wastewater. Onsite water, storm drainage and wastewater systems will be designed in accordance with the City Water Master Plan, Wastewater Collection Master Plan, City storm drain ordinance, and the City's Improvement Standards.

UNIVERSITY OF CALIFORNIA, MERCED

IW 11.8

Ensure the design and construction of facilities that are sized to jointly meet the needs of the University Community and the UC Merced campus where appropriate.

Response: The areas planned for development on UC and UCP are separated by approximately one-quarter mile. UC's will have no reliance or impact on UCP infrastructure. Delete the policy; provided, however, that UC and UCP should continue to work to appropriately locate and size common roadways, such as Campus Parkway, University, Main Street, Kibby Road and Meyers Gate Road.

IW 11.9

Encourage the design and construction of joint wastewater treatment and water recycling facilities in collaboration with UC Merced to promote on-site water reuse and cost efficiency.

Response: Neither the UC nor the UCP properties will have a separate wastewater treatment system or recycled water. Delete the policy.

MERCED IRRIGATION DISTRICT

IW 11.10

Ensure that the design of proposed stormwater conveyance and storage facilities is compatible with existing capacity restrictions of MID facilities.

IW 11.11

Ensure that stormwater systems that discharge to MID facilities are designed consistent with MID requirements and construction standards.

Response: Water Policies 11.10 and 11.11 essentially say the same thing. MID will need to issue a discretionary permit for any discharge into MID facilities (Dunn Lateral and Fairfield Canal) and the project will comply with the conditions of that permit, including construction and improvement standards.

12.0 To develop water-related infrastructure systems that complement neighboring uses.

IW 12.1

Require that the design and construction of facilities avoid any interruption of irrigation water delivery to downstream users.

IW 12.2

Require that the Fairfield 'A' Canal and associated laterals continue to function to supply users downstream as needed until such time as alternate facilities are provided.

IW 12.3

Require that facilities that detain stormwater runoff are designed and constructed so that no adverse flooding impacts are created downstream.

Response (12.1-12.3): *There are several proposed improvements that are addressed by these policies: 1) elimination or undergrounding of the Dunn Lateral; and, 2) "straightening" the Fairfield Canal to eliminate a "U"/horseshoe that exists east of Kibby Road and south of Virginia Smith Parkway. The figure below shows the planned modifications to the Fairfield Canal and the Dunn Lateral. The nature of the modification will permit construction of the new improvements during irrigation deliveries, and a controlled tie-in that can occur at a time*

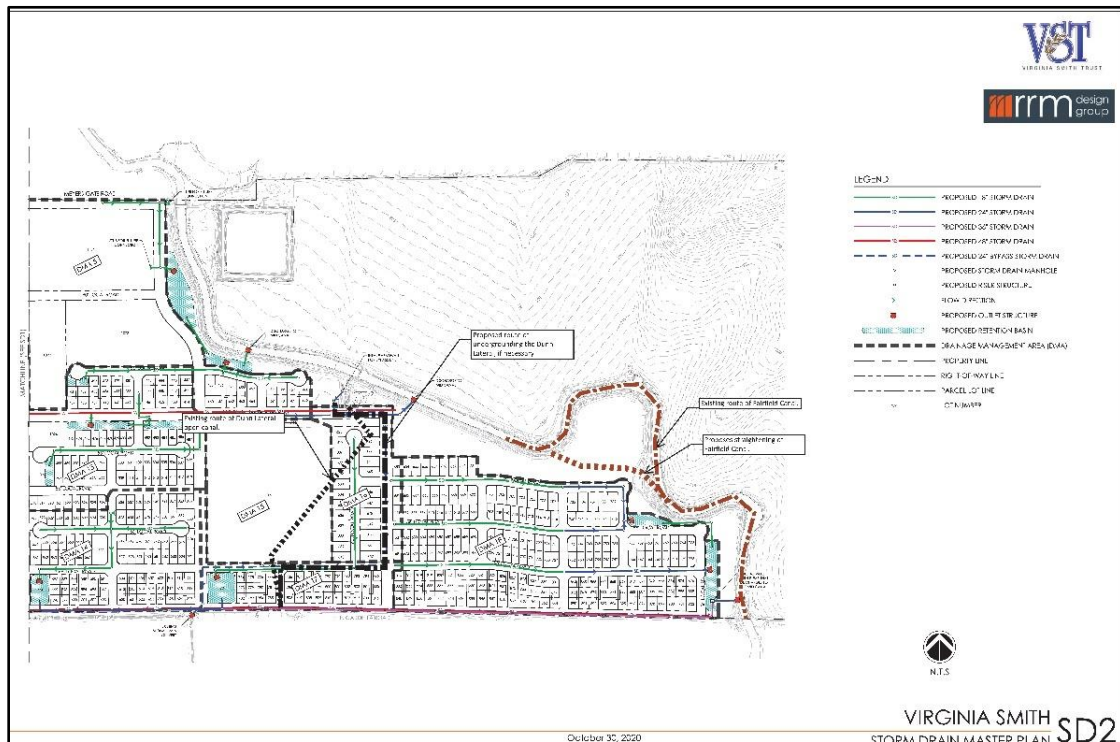


Figure 10 Canal and Dunn Lateral Realignment

that has the least impact of the functioning of the waterways. The graphic also shows discharge points, which will be constructed in accordance with MID specifications, state Department of Fish and Wildlife regulations and Regional Waterboard regulations.

IW 12.4

Ensure that new development provides stormwater detention sufficient to limit outflow to a level consistent with downstream limitations.

Response: The County and City drainage ordinances require specific volumetric and/or flow-based design criteria. The project complies with these requirements.

IW 12.9

Cluster above-ground infrastructure, as feasible, to minimize its visibility and impacts on adjoining land uses.

Response: No significant above ground infrastructure is anticipated.

IW 12.5

For discharges to the MID facilities, limit the peak stormwater discharge to the available capacity at the time of discharge.

Response: See response to Water Policy 11.11.

IW 12.6

Require that groundwater extraction does not result in localized groundwater drawdown that will substantially reduce the production rates of existing nearby wells to a level that would not support existing land uses beyond the reasonable life-cycle expectancy and long-term productivity of those wells in the absence of the project.

Response: This is a repeat of Water Policy 8.1 and could be eliminated. Development of the project will have a beneficial impact on groundwater (assuming 100% of the potable water supplied is from groundwater) since the projected water usage for the VST at buildout is 1.2 million gallons a day (1,350 acre-feet per year) while the current water usage for current almond farming operations is approximately 1.6 million gallons per day (1,800 acre-feet per year) averaged over a year. Implementation of the project will reduce local and regional groundwater extraction. Regionwide, there will be a 450 AF annual reduction in groundwater use related to the project. Based on the engineering analysis for the water supply, the onsite irrigation wells that are drawing 1,800 AF per year for crop irrigation will be replaced with a domestic well that will supply approximately half (625 AF per year) of the project's need, with the balance provided by other City wells.

The Merced Irrigation District and the City of Merced are also working on a project that would include the development of a new water treatment plant to provide up to 20,000 acre-feet (AF) of potable surface-sourced water to the City of Merced. This project would provide supplemental treated surface water in anticipation of assumed future SGMA groundwater restrictions given the City is currently dependent on groundwater. Water for treatment would be supplied by MID from Lake Yosemite and the through the existing distribution system downstream from Lake Yosemite.

Finally, VST has committed, as part of its entitlements for the project, to implement special water conservation measures to reduce the usage of potable water by VST households to at least 25 percent

below the five-year average of residential water use per capita per day (R-GPCD) reported by the California Department of Water Resources for the period 2014 to 2019 of 142 gallons per day per person, and to comply with EPA's Water Sense standards for water conservation and indoor water use and shall demonstrate that wastewater flows are no more than 50 gallons per day per person, or a lower wastewater flow rate as may be established communitywide as part of the Sewer Master Plan update. The project meets and exceeds the Merced Groundwater Basin Sustainability Plan (Project 7) and the State's goal of a 20 percent reduction in urban per-capita water use by 2020. The combined effect of these efforts will be a significant net reduction in groundwater extraction.

IW 12.7

Ensure that water-related infrastructure is designed to support local and/or regional groundwater recharge program(s).

Response: VST has committed, as part of its entitlements for the project, to implement special water conservation measures to reduce the usage of potable water by VST households to at least 25 percent below the five-year average of residential water use per capita per day (R-GPCD) reported by the California Department of Water Resources for the period 2014 to 2019 of 142 gallons per day per person. The project will comply with EPA's Water Sense standards for water conservation and indoor water use and wastewater flows are projected to be no more than 50 gallons per day per person, or a lower wastewater flow rate as may be established communitywide as part of the Sewer Master Plan update. The project meets and exceeds the Merced Groundwater Basin Sustainability Plan (Project 7) and the State's goal of a 20 percent reduction in urban per-capita water use by 2020. The combined effect of these efforts will be a significant net reduction in groundwater extraction. The project complies with the Urban Water Management Plan and the adopted Merced Groundwater Basin Sustainability Plan.

IW 12.8

Locate and design above-ground infrastructure to be compatible with adjoining land uses through the use of screening, landscape, and aesthetic architectural design.

Response: No significant above ground infrastructure is anticipated.

13.0 To develop water-related infrastructure systems that are well managed and operated.

IW 13.1

Establish as the highest priority the management and operation of the University Community water-related infrastructure (including all water, wastewater, and storm drainage systems) as a single interrelated system.

Response: Delete this policy. It is based on a potential "One Water", "Integrated" approach that is dependent on development and operation of a separate wastewater treatment system. In fact, with the City providing water and sewer services, and the onsite stormwater managed per drainage ordinances, all of the systems are functionally separate. The project will have systems that are designed in accordance with the City Water Master Plan,

Wastewater Collection Master Plan, City storm drain ordinance, and the City's Improvement Standards. There is no independent authority for the UCP to management and operation of City systems in a particular manner.

IW 13.2

Ensure the establishment of water-related infrastructure management institutions specifically for the oversight and operation of an integrated water infrastructure system.

Response: The project will have systems that are designed in accordance with the City Water Master Plan, Wastewater Collection Master Plan, City storm drain ordinance, and the City's Improvement Standards. There is no independent authority for the UCP to manage or direct the operation of City utility systems in a particular manner.

IW 13.3

Require the implementation of monitoring programs to ensure systems consistently comply with applicable potable water regulations.

Response: The City will be responsible for monitoring and management of the water and sewer systems. Pending annexation, if development proceeds under an Out of Boundary Service Agreement, the City, County and UCP developers will enter into cooperative agreements for the monitoring, management and maintenance of the utility systems. There is no independent authority for the UCP to manage or direct the operation of City systems in a particular manner.

IW 13.4

Maintain an adequate lead time, normally five years, in the planning of needed water-related infrastructure improvements and include identified improvements with the County's Capital Improvement Plan (CIP) and/or any other relevant jurisdictions. (Imp 5.4)

Response: The City will be responsible for monitoring and management of the water and sewer systems. Pending annexation, if development proceeds under an Out of Boundary Service Agreement, the City, County and UCP developers will enter into cooperative agreements for the monitoring, management and maintenance of the utility systems. There is no independent authority for the UCP to manage or otherwise direct the operation of City systems in a particular manner. Initial development of the infrastructure will be by developers and builders, and such construction will not be subject to a county CIP process.

IW 13.5

Require meters for all water connections.

Response: Required by the City and State. Delete.

IW 13.6

Require compliance with the National Pollution Discharge Elimination System Phase 2 program and monitoring of stormwater.

Response: County Ordinance 1982 and City Ordinance ____ are intended to comply with the Federal Clean Water Act (33 U.S.C. section 1251 et seq.), and the "National Pollutant Discharge Elimination System (NPDES) General Permit for Waste Discharge Requirements

(WDRs) for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4s)" adopted by the State Water Resources Control Board, California Regional Water Quality Control Board, Central Valley Region 5 regulations, and the Clean Water Act. These requirements meet and exceed "Phase 2" requirements.

IW 13.7

Evaluate groundwater recharge capabilities every five years and ensure adequate long-term protection of groundwater resources.

Response: Recharge programs are administered across multiple jurisdictions, in concert with the recently adopted Merced Regional Subbasin Groundwater Sustainability Plan. There is no independent authority within the UCP to do additional review and monitoring. Delete the policy.

Energy—Electricity and Gas

1.0 To establish a coordinated approach for the development of a reliable supply of energy, which is flexible to take advantage of future technological advances.

IE 1.1

Require that an Energy Services Plan for the entire University Community be developed as a component of the Infrastructure Master Plan and approved either before, or in conjunction with, approval of the first sub- area Specific Plan. This Plan shall consider the phasing of the construction of the University Community to ensure that the infrastructure and capacity of the energy systems is able to meet the energy needs. Require that the design of the energy systems for each Specific Plan comply with the provisions of the Energy Services Plan.

IE 1.2

Encourage the development of a diversified energy system that relies on electricity generated from nonrenewable resources and natural gas only when they are the best solution and instead uses renewable resources (e.g., solar and wind) and passive energy systems (e.g., natural light and ventilation) to the extent possible.

IE 1.3

Require that sufficient electricity and natural gas distribution facilities be designed, located, and constructed to meet energy demands prior to occupancy.

IE 1.4

Consider the use of portions of the UCP site and/or nearby properties for the development of alternative energy generation facilities (e.g., solar collectors or wind generators) that would reduce the dependency upon electricity generated from nonrenewable resources or natural gas supply.

IE 1.5

The Energy Services Plan shall be flexible and able to take advantage of future technology advances.

IE 1.6

Ensure the incorporation of environmental objectives and tradeoffs in decision making about the design and operation of energy supply systems by matching tasks with the appropriate type of energy source and then using that energy as efficiently and cost-effectively as possible.

Response (1.1 to 1.6): An Energy Services Plan is not necessary, and Energy Policies 1.1-1.6 should be deleted. The Energy Service Plan was developed as part of the UCP to encourage better energy efficiency, greater reliance on renewable sources of energy, and better building design. Since development of the UCP in 2001 there have been numerous changes in the local and state energy regulations, including Assembly bill 32, Senate Bill 375, various Executive Orders from the State, three successively more restrictive versions of the California Building Code in 2013, 2016 and 2019 (with the latter specifying a requirement for solar PV on all residential units), California Green Building and Development Codes, and other measures. The net effect has been to increase the fraction of energy production from renewable sources to 33 percent in 2020, and a commitment to provide at least 50 percent of energy by 2030 by requiring public energy utilities to acquire renewable energy contracts.

It is projected that the 2019 (California 2020 Net Zero Goals) building codes will provide for significantly greater energy conservation and for greater onsite renewable energy production than was ever contemplated by the 2004 UCP. The 2019 “Zero Net Energy” (“ZNE”) code is intended to promote higher building energy efficiency to lower building energy usage by 15 to 25 percent over the 2016 code. Onsite renewable energy generation will also be required.

Under the current building codes, building and structures must use high-performance Advance Framing (AF) and/or Structurally Insulated Panel (SIP) techniques, where structurally possible, to reduce the amount of framing lumber and the heating and cooling loss associated with frequent framing intervals. Advanced framing techniques qualify as Reduced Thermal Bridging under section 4.4.5 of the Energy Star Thermal Enclosure System Rater Checklist (ver. 3, rev. 5).

In developing the amended building codes the California Energy Commission and other state regulatory agencies are required to consider the building lifecycle energy savings and to compare those to the additional up-front costs of special energy conservation features and onsite energy production. This ensures that building requirements are feasible and that they don't burden homeowners and renters with additional overall costs, and that all feasible energy measures are implemented.

The Specific Plan also includes special energy conservation features, including a requirement to building roof systems to ensure adequate unobstructive solar access and gain, and to implement passive solar designs. At least 75 percent of the structures in a neighborhood should have the longer roof line axis within 15 degrees of east-west. Building roof overhangs are to be sufficient to block the high summer sun, but not the lower winter sun, from penetrating south facing windows (passive solar design). Roofing materials shall be used which

have a solar reflectance values meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs.

To encourage the use of electric vehicles private residential garages shall be equipped with a dedicated 240-V circuit or outlet for electrical vehicle charging in conformance with the California Green Building Code and the National Electrical Code. Residences with common parking areas such as the R-3, R-4 and Commercial areas shall be equipped with electric vehicle charging stations at a rate equal to one charging position for each eight vehicles (12.5 percent of spaces) per the LEED ND requirements.

An “Energy Services Plan” would simply recite and restate the energy regulations already in place. Additional policies are not necessary.

2.0 To employ a holistic approach in the development of an energy system that would capitalize upon opportunities for combining, some building energy systems; and thereby, reducing the amount of energy needed.

IE 2.1

Encourage the development of shared utility systems (e.g., centralized heating, air conditioning, and ventilation systems could be used to serve more than one building).

Response: Shared utility systems may be used where it is feasible to assess individual users through sub-metering or other equitable measures.

3.0 To provide affordable and sustainable energy options through the more efficient use of energy coupled with the use of cost-effective renewable sources, such as sun, wind, and biomass.

IE 3.1

Encourage buildings that are constructed in the University Community to strive to achieve a 15 percent reduction in energy use below state energy efficiency standards.

Response: State energy efficiency standards are stringent, and building regulations are already set at a level that results in a net lifecycle savings for building occupants. Increasing energy efficiency beyond established levels, while common in the past, is no longer feasible because energy regulations are already set at the “break-even” point for up-front costs and long-term savings. This policy is unnecessary and should be deleted. However, there are a number of features that can be added, as described in the Specific Plan and which are included in the response to Energy Policy 1.1 to 1.6 above.

IE 3.2

Encourage the use of distributed generation (DG) technology, which generates electricity close to the load it serves, either in the same building or complex. This objective requires innovation in the design and construction of buildings and implementation of the concept that buildings are “systems.” For example, construct solar panels on roofs and a fuel cell system when

constructing buildings. Lighting choices will influence the costs of cooling a building, and thereby influence the amount of power consumption. The siting, construction and operation of the buildings and residences within the University Community play a role in the amount of energy resources used. Through the use of an integrative design it is possible to achieve large efficiency gains more cost effectively than small ones.

Response: See response so Energy Policy 1.1 to 1.6. The features described in Energy Policy 3.2 are already required.

IE 3.3

Require that the design for each Specific Plan either:

(a) produce an energy budget or (b) comply with prescriptive standards developed as part of the Energy Supply Plan. Either of these measures should encourage a 15 percent reduction in total energy use over performance standards contained in California Code of Regulations Title 24, Part 6, and are to be implemented through a Best Practices program. Ensure that the energy system design identifies, and provides for, adequate energy supply for each phase.

Response: State CEQA requires that energy consumption be considered as part of the environmental review for the project and the any “wasteful” energy use be identified and mitigated. State energy efficiency standards are stringent, and building regulations are already set at a level that results in a net lifecycle savings for building occupants. Increasing energy efficiency beyond established Title 24 levels, while common in the past, is no longer feasible because energy regulations are already set at the “break-even” point for up-front building costs and long-term savings. This policy is un-necessary and should be deleted. However, there are a number of features that can be added, as described in the Specific Plan and which are included in the response to Energy Policy 1.1 to 1.6 above.

IE 3.4

Formulate the Best Practice program as an extension of the state standards, rather than a new format or compliance method to ease implementation. Structures would be assigned a base set of mandatory efficiency measures. The structures must be designed to consume no more energy than specified in the energy budget. The applicant would have the option as to which measures to install or use to meet the energy budget. The prescriptive approach would require that specific measures be installed in addition to the base set of measures. The specific measures can be those that the California Energy Commission has determined will result in the building meeting an energy budget.

IE 3.5

Require energy efficient appliances, fixtures, and systems (e.g., heating, solar or low emission water heaters, air conditioning, and ventilation) within buildings and residences with energy efficient envelopes (e.g. insulation, insulated windows).

IE 3.6

Encourage the use of energy sources that are not dependent upon electricity generated from nonrenewable resources or natural gas supplies for public utilities, whenever possible.

IE 3.7

Require that large-scale commercial and business development provide a comprehensive energy use evaluation that is used to determine energy saving measures to be included in the design of the development. Require developers, at a minimum, to include the energy savings measures if they have a payback period of seven years or less.

Response (3.4-3.7): Current state and local building regulations cover this issue. The policy is not necessary.

IE 3.8 (Deleted and combined with other energy policies)

IE 3.9 (Deleted and combined with other energy policies)

4.0 To optimize passive energy designs in buildings in order to reduce the amount of energy required for the University Community.

IE 4.1

Require all new subdivisions to maximize, to the extent feasible, proper orientation of lots with regard to solar utilization.

IE 4.2

Require the use of architectural design elements that support natural heating and cooling of buildings (e.g., overhangs, ventilation by open windows, and light-colored materials for roofs and walls).

IE 4.3

Design and mass buildings and architectural forms to provide protection from heat, cold, and wind and thereby reduce energy use.

IE 4.4

Integrate landscape and water elements with building design to provide relief from heat (e.g., plant trees that provide a broad canopy for shade and require that shade trees be planted on the eastern, western, and southern exposures of buildings to reduce energy needs for cooling).

IE 4.5

Require that the type, area, and/or placement of windows in buildings ensure maximum natural light without causing a significant heat gain. (*Imp 2.5, 2.6*)

Response (4.1-4.5): Chapter 4, Design Standards, in the Specific Plan require that passive solar strategies shall be used in all buildings to the greatest degree practicable. Among other requirements, at least 75 percent of the structures in a neighborhood are to have the longer roof line axis within 15 degrees of east-west. Buildings are to be designed to include roof overhangs that are sufficient to block the high summer sun, but not the lower winter sun, from penetrating south facing windows (passive solar design). Roofing materials shall be used which have a solar reflectance values meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs.

IE 4.6

Emphasize natural versus mechanical energy systems and those that depend upon, or facilitate the use of, non-fossil energy sources (e.g. solar, wind, geothermal wells, fuel cell technology, and cogeneration).

Response: Current energy codes require the use of solar PV or other methods to generate on-site renewable energy.

IE 4.7

Encourage the use of building materials that incorporate recycled and sustainably harvested or manufactured materials by requiring that construction use a certain percentage of such materials.

Response: The feasibility of this is unclear, and the policy is vague. Delete the policy.

5.0 To visually integrate the energy systems into the natural and built environment.

IE 5.1

Energy systems are required to be visually integrated into the natural and built environment to the extent possible.

IE 5.2

Preclude the use of above ground wiring unless there is no feasible alternative.

IE 5.3

Screen utility facilities, such as electrical substations, with dense vegetation or architectural features.

Response (5.1-5.3): Solar PV is visible from streets and other properties. Options exist for solar shingles that provide functional energy generation and an architectural appearance. These systems are several times more expensive than flat solar panels combined with conventional roof systems. When such systems become cost-competitive builders will provide them since they are favored by consumers. Major energy above ground infrastructure will be minimized; any above ground energy infrastructure will be screened or treated in a manner that is consistent with utility's design and construction regulations (e.g., PGE's "Green Book")

Telecommunications

1.0 To creatively integrate the telecommunication facilities into the natural and built environment and to minimize the number of telecommunication facilities.

IT 1.0

To creatively integrate the telecommunication facilities into the natural and built environment and to minimize the number of telecommunication facilities.

IT 1.1

Develop design guidelines for wireless communication systems to visually integrate the systems into the natural and built environment.

IT 1.2

Encourage the minimization of the number of facilities through the shared use of sites and antennas by multiple providers.

IT 1.3

Encourage telecommunication providers to locate facilities on structures within the University Community and design the facilities to be compatible with the structure's architectural character.

IT 1.4

Require that any freestanding towers or antenna used for telecommunications be designed at a high level of architectural quality that complements the Community's buildings and landscapes.

Response (1.1-1.4): The location and design of telecommunications facilities is regulated by the FCC and local design ordinances, including City Zoning Ordinance 20.58.040. This ordinance provides adequate design guidelines, within the limitations of the Federal Telecommunications Act, and will be used to determine the location and compatibility of any wireless communications improvements in the Specific Plan.

2.0 To ensure objective standards for the provision of telecommunication services and require that the plan be flexible and able to take advantage of future technological advances.

IT 2.1

Establish standards and guidelines for the accommodation of communication facilities that are flexible to account for the rapidly changing nature of the industry.

IT 2.2

Ensure the timely and proper removal of unused telecommunication facilities.

Response (1.1-1.2): The location and design of telecommunications facilities is regulated by the FCC and local design ordinances, including City Zoning Ordinance 20.58.040. This ordinance provides for an adequate process and guidelines, and for the removal of any derelict facilities. This ordinance provides adequate design guidelines, within the limitations of the Federal Telecommunications Act, and will be used to determine the location and compatibility of any wireless communications improvements in the Specific Plan.

3.0 To ensure that all Community neighborhoods and districts are connected by digital infrastructure.

IT 3.1

Install a telecommunications network that interconnects all residents with each other, the Internet, local schools, UC Merced, libraries, government, health facilities, and other institutions to provide opportunities for communication, education, cultural enrichment, recreation, information, and socialization.

IT 3.2

Require new homes and businesses to incorporate conduits using state-of-the-art technology to provide easy telecommunications access and adequate capacity to allow for efficient retrofitting.

Response: All commercial and non-commercial neighborhoods will include joint trench conduits and facilities to accommodate space for at least two voice and data communications providers, including a fiber optic communications provider. Basic internet connectivity will link publicly available school, university, government and health care sites. No additional connections (such as dedicated connections) are necessary or feasible.

4.0 Through the application of long-term planning and priorities to the communication and information systems, a coordinated approach can be developed for the supply of these services to the University Community and would lessen the impacts resulting from numerous providers trying to gain market share.

IT 4.1

Establish standards and guidelines for the accommodation of digital facilities that are flexible to account for the rapidly changing nature of the industry.

IT 4.2

Ensure the timely and proper removal of unused digital facilities.

Response (4.1-4.2): The UCP and the component specific plans cannot dictate separate standards and guidelines for the accommodation of digital facilities. Those are established by the City and utility providers, and reviewed and approved by State and federal regulatory agencies. The UCP and the County do not have any independent authority to establish competing standards. These policies are un-necessary and should be deleted.

Solid Waste

1.0 To provide an adequate and orderly system for the collection services and adequate pre-collection storage facilities and disposal of solid waste to meet the demands of the University Community.

ISW 1.1

Require that adequate solid waste collection be provided for commercial, industrial, and residential uses in accordance with state law.

Response: This policy is un-necessary because it repeats state law and the County universal solid waste requirement. Delete.

ISW 1.2

Provide for the installation and maintenance of trash and recycling receptacles along streets in commercial areas and along major arterials; design receptacles to be aesthetically compatible with the district in which they are located.

Response: Recycling facilities along public streets would be unsightly. Delete this policy. Adequate recycling is provided by the City and County per the Regional Waster Authority's requirements. Delete.

ISW 1.3

Investigate the feasibility of implementation of joint solid waste collection with UC Merced.

2.0 To sustain source reduction, waste minimization, recycling and composting programs that meet or exceed the state- mandated levels reduction established in the *California Integrated Waste Management Act of 1989 (AB 939)*.

ISW 2.1

Ensure that future developments are consistent with the requirements of the Merced County Integrated Waste Management Summary Plan.

Response: Recommending compliance with City and County laws is not necessary. Delete.

ISW 2.2

Encourage the development of recycling programs for solid wastes from non-residential uses in the University Community and ensure that they are recycled at an approved materials recycling facility.

Response: Recommending compliance with City and County laws is not necessary. Delete.

ISW 2.3

Maximize curbside recycling opportunities for yard wastes and other recyclables.

Response: The City and County provide curbside recycling to the maximum degree as deemed feasible by their respective legislative bodies. The UCP and its Specific Plans have not independent or enhanced authority. Delete.

ISW 2.4

Support programs that promote home composting.

Response: It is unclear what programs would support or not support home owner's individual preferences for home composting.

ISW 2.5

Collaborate with UC Merced in the implementation of recycling, composting, and source reduction.

Response: With the physical separation of UC and UCP, this is not feasible. Delete.

ISW 2.6

Promote community awareness of recycling and composting program activities and services in coordination with the County of Merced, City of Merced, Merced County Association of Governments (MCAG), and UC Merced.

ISW 2.7

Require that developers work with the Solid Waste Division of Merced County to implement recycling programs for construction materials to reduce the amount of waste disposed of at the landfill.

Response (2.6-2.7): The Merced County Regional Waste Authority provides information on recycling, composting, construction recycling, materials recovery and other related activities. The County, UCP, City and UCP component specific plans need not duplicate this. Delete.

Public Services

Education

PE 1.1

Designate sufficient lands for school sites within the University Community planning area to meet local population demands.

Response: School sites have been provided in the UCP based on student generation factors for grades K-8, 7-8 and 9-12 reported in the most School Fee Justification Reports. A K-8 school is provided on the VST site to support the 950 K-8 students in the VST project area. Additional schools are provided in the UCP South area based on full buildout of the UCP.

PE 1.2

Require that developers consult with applicable school districts during the formulation of a sub-area Specific Plan to mutually confirm the number of public school age children to be generated by the proposed development, school site and facility needs, and a program and responsibilities for site acquisition, facility development, and funding. The program shall be incorporated into the sub-area Specific Plans and Development Agreements, which shall be reviewed and approved by the County.

Response: VST has consulted with Merced City Schools, Weaver School District, and the Merced Unified High School District. The VST school site has been designated, and MCOE has agreed to purchase and reserve the school site.

PE 1.3

Cooperate and coordinate with the Merced area school districts in the County's administrative and legislative actions to ensure that elementary, middle and high school sites and facilities adequately serve the needs and requirements of the University Community residents consistent with the standards and requirements of the school districts and within the authorities and limits prescribed by state legislation.

Response: Local school boards and administrators are responsible for ensuring that the needs of students are met. There is no role for a specific plan or the UCP on this matter. Delete.

PE 1.4

Condition the approval of new development within the University Community upon the requirement that school impact fees shall be paid to the applicable school districts consistent with state law, or as may be voluntarily negotiated by project developers with the school districts.

Response: The City, County and school districts have cooperative agreements to administer and collect school fees. When building permit applications are made project information is submitted electronically to Merced County Department of Education to determine School Impact fees. Approval of development and building permits in the City and County are already conditioned on the payment of adopted impact fees.

PE 1.5

Encourage landowners and developers to enter into voluntary agreements with school districts where state- mandated fees may be insufficient to meet the full costs of school and facility development, to supplement funding or provide other support for the acquisition and construction of school facilities needed for the planned development.

Response: Delete this requirement. It is inconsistent with adopted State Law. School districts are authorized to adopt fees in “tiers” depending on school impacts. The payment of standard fees is considered to be full mitigation for increased enrollment from individual projects.

PE 1.6

Promote the use of creative financing methods to fund the construction of schools and associated community facilities where possible, such as access to federal grants, partnerships with corporate commercial developers and private foundations, and comparable techniques.

Response: Delete this requirement. It is inconsistent with adopted State Law. School districts are authorized to adopt fees in “tiers” depending on school impacts which, along with state funding programs are to be the exclusive form of financing new schools. The payment of standard fees is considered to be full mitigation for increased enrollment from individual projects. MCOE has acquired an interest in the project to ensure that a 15-acre site will be reserved for a K-8 school in the project.

PE 1.7

Promote the development of a magnet high school within the University Community to serve the local residents and the greater region.

Response: MCOE has acquired an interest in the VST property to ensure that it will have a 5-acre site in or near the Town Center to construct a Merced Scholars University Charter School.

PE 1.8

Phase development within the University Community concurrently with the funding and/or availability of school facilities required to serve the development needs and requirements of the residents within the Community, or as otherwise agreed upon by the County and school districts in an approved sub-area Specific Plan and implementing Development Agreements.

Response: School districts are authorized to adopt fees in “tiers” depending on school impacts which, along with state funding programs are to be the exclusive form of financing new schools. Specific Plan and UCP developments will pay their impact fees and will provide funding for needed schools. Development will not be conditioned on school construction since the phasing of the construction of schools is the purview of the associated school district. The payment of standard fees is considered to be full mitigation for increased enrollment from individual projects. MCOE has acquired an interest in the project to ensure that a 15-acre site will be reserved for a K-8 school in the project, and that school site is located in the community at a point when opening day enrollment would meet or exceed 425 students, the minimum enrollment level considered feasible to operate an additional school site.

2.0 To support the development of UC Merced.

PE 2.1

Support and, as appropriate, cooperate with UC Merced in administering community educational programs.

Response: It is unclear what role UCP properties could play in supporting and cooperating with UC Merced on community education programs. Delete.

PE 2.2

Encourage the development of a “university laboratory school” on the UC campus for University Community students.

Response: MCOE has acquired an interest in the property ensure that it will have a 5-acre site in or near the Town Center to construct a Merced Scholars University Charter School.

PE 2.3

Encourage local industry and businesses to donate services or funds towards programs and/or scholarships for local youth for UC Merced.

Response: This policy is not necessary. There a many community programs that support UC Merced and local scholarships, including the VST and CST endowments. Delete.

3.0 Establish schools as focal points of neighborhood identity.

PE 3.1

Work with the school districts to establish a process for coordination with developers in the planning for the location and design of schools to be integrated with and serve as the focal point of neighborhood activity and identity, consistent with UCP urban form objectives and policies. Schools should become a multi-purpose gathering place for local residents for education, events, and socialization. As generally depicted on the illustrative land use concepts (Figures 4 and 5), the schools should be integrated with uses that serve both students and neighborhood residents including public parks, multi-purpose facilities, libraries, auditoriums, gymnasiums/ athletic facilities, and similar uses. These may be physically sited on a common site, where facilities are shared, or in proximity to one another. The design, size, and configuration of schools shall be in accordance with the standards and requirements of the local school districts. Should these conflict with the urban design intentions for the Community, as specified in this Plan, the County shall work with the applicable school district to identify how these differences shall be resolved in accordance with procedures specified for the resolution of disputes and differences that shall be incorporated into each sub-area Specific Plan.

Response: The K-8 school site in the VST Specific Plan is located along Virginia Smith Parkway between Kibby Road and Main Street. The location of the school site and the orientation of the buildings, access points, play areas, and other facilities are shown conceptually to provide the integration of the school site with the community. The conceptual design of the VST K-8 school has been reviewed with the Weaver School District. Final design of the school

site is subject to school district regulations and projected enrollment at the time of construction, and upon State standards administered by the State Office of Public School Construction. Schools for the UCP are based on student generation factors currently used by the Weaver and Merced City public schools. The UCP is to be updated to reflect the need for a K-8 school (VST Specific Plan), and two K-6 schools and a high school (UCP South/Hunt property). Figure 4 of the 2001 UCP is un-intelligible and is inconsistent with other UCP graphics in a number of ways. The revised UCP land plan shown Figure 1 below will replace all land planning and circulation planning graphics relating to the location of school facilities.

PE 3.2

Locate preschool and day-care facilities in appropriate areas within neighborhood villages, possibly within or directly adjacent to local commercial facilities.

Response: The public schools (K-6, K-9, high school, and MCOE Scholars University Charter) are the only schools mapped or prescribed for the UCP. Pre-school and day care facilities are permitted or conditional uses in the project's residential and commercial districts, depending on size.

PE 3.3

Encourage the school districts to site buildings and design the campuses to promote continuity with the development fabric of the adjacent residential uses. Avoid the establishment of an isolated, "walled" school environment.

Response: The K-8 site in the Specific Plan is located along Virginia Smith Parkway between Kibby Road and Main Street. The location of the school site and the orientation of the buildings, access points, play areas, and other facilities are shown conceptually to provide the integration of the school site with the community. The conceptual design of the VST K-8 has been reviewed with the Weaver School District. Final design of the school site is subject to school district regulations and projected enrollment at the time of construction, and upon State standards administered by the State Office of Public School Construction

PE 3.4

Establish walkways, bicycle paths, greenways, and other elements that link school sites with surrounding uses.

Response: The K-8 site on the VST Specific Plan is located adjacent to an east-west linear park that connects the entire development.

4.0 To create a sustainable approach to new building construction and maintenance.

PE 4.1

Promote the establishment of energy-efficient standards for school facilities.

PE 4.2

Encourage the implementation of Bright Schools program for energy efficiency. The Bright Schools Program is sponsored by the California Energy Commission and offers specific services

for new schools' construction in designing cost-effective energy-efficient systems. Bright Schools can provide design consultation, identify energy saving measures, compare technologies, and other services (application process required).

PE 4.3

Promote the School Districts' use of mixed-use facilities on school campuses in the University Community such as buildings that serve as two or more of the following: cafeteria, auditorium, library, community, and multiple-use rooms.

PE 4.4

Encourage the School Districts to construct buildings that are reusable, recyclable, and adaptable over time.

Response (4.1-4.4): The location of the school site and the orientation of the buildings, access points, play areas, and other facilities are shown conceptually to provide the integration of the school site with the community. The conceptual design of the VST K-8 has been reviewed with the Weaver School District. Final design of the school site is subject to school district regulations and projected enrollment at the time of construction, and upon State standards administered by the State Office of Public School Construction. Schools are also subject to energy efficiency requirements contained in the California Code of Regulations.

5.0 To support life-long educational opportunities for the University Community's residents through UC Merced, Merced College, Cal State Stanislaus, and other institutions and private entities.

Libraries and Cultural Facilities

PLC 1.1

Establish standards for the development of Community libraries that recognize opportunities for joint use with UC Merced, other institutions, and opportunities imposed by digital communication.

PLC 1.2

Develop library facilities that serve the University Community, as identified in sub-area Specific Plans, which may include:

- One or more freestanding facilities for library services
- Shared library facilities with area schools
- Library facilities integrated with multi-purpose community/cultural facilities
- Shared library facilities with UC Merced
- Library facilities incorporated within commercial/ retail development

PLC 1.3

Encourage libraries to be consolidated with other public facilities in the Town Center and Residential Village Centers near transit facilities, bike paths, and pedestrian paths, to serve as a contributing use that fosters activity and identity.

PLC 2.1

Encourage the development of library facilities that can be jointly used by public schools and community residents.

Response (1.1-2.1): Since original adoption of the UCP, the administration of library services has changed dramatically. Library resources are now shared digitally, and residents have access to libraries throughout the Central Valley through the San Joaquin Library System. Operation of a “sticks and bricks” library in the UCP may or may not be appropriate, depending County preferences. Such facilities could be included in the Town Center, Community Recreation Center, or in conjunction with the K-8 school. The project also has facilities to host bookmobile deliveries. Final determination of the need for a physical library in the project or UCP is at the discretion of the County.

PLC 2.2

Work with UC library system to explore opportunities for the sharing/linkage of library resources including facilities, staffing, and circulation materials. Promote access to the UC library system by Merced’s residents.

Response: The UC library is accessible by members of the alumni associations and California educators, students, faculty and staff of the University of California, retirees and emeriti of the University of California, their immediate family, faculty and librarians from accredited institutions of higher learning in California, certificated employees of California public schools, and to “fee borrowers” who can pay an annual fee for access to the university’s collections.

PLC 3.1

Install new technology, such as a fiber optic network, for telecommunication services to connect University Community housing and other neighborhood facilities with local libraries and, as feasible, the UC library system.

PLC 3.2

Encourage the development of “information access” in public facilities and buildings (computer terminals or kiosks in public facilities).

PLC 3.3

Support innovative methods (as they emerge) of delivering library services at the neighborhood level to promote community education and provide a focus for community activity and cultural development.

Response (3.1-3.3): Both the UC and County library systems offer online access.

PLC 4.1

Promote local community groups to establish and support a regular calendar of events that bring local residents together such as book fairs, festivals, neighborhood celebrations, athletic competitions, picnics/food preparation, and so on.

PLC 4.2

Work with UC Merced in the scheduling of events and activities that serve both campus and Community.

Response: The UCP and component specific plans do not have any professional, organizational, or regulatory authority to accomplish these policies and they should be eliminated.

PLC 4.3

Encourage local artists to contribute artistically to the design of Community facilities and public art.

Response: Public art will be provided in parks, central meeting places and prominent locations.

PLC 5.1

Work closely with civic groups to identify opportunities for the development of cultural facilities within the University Community.

Response: It is unclear what this means. Delete.

PLC 5.2

Promote and support the development of “satellite” facilities of existing Merced cultural organizations, such as an arts or historical center, in the University Community.

Response: It is unclear what this means. Delete.

PLC 5.3

Promote the development of a museum or educational facility that documents the history, culture, and landscape of the Merced region, including the agricultural industry and critical plant and animal resources. This may be accomplished in collaboration with UC Merced.

Response: The VST project will include a series of heritage displays that will document the history of the landscape as a natural area, the use of the area by Cyril Smith for grazing and agriculture, and the process and individuals involved in converting the property to UC Merced and the UCP area.

PLC 5.4

Work closely with UC Merced to develop community relationships with on-campus cultural facilities in terms of community participation and facility/event programming.

Response: It is unclear what this means. Delete.

PLC 5.5

Promote the development of cultural facilities in the Town Center, as the first priority locations, with possible facilities in the Residential Village Centers.

Response: It is unclear what this means. Delete

Police and Fire

PS 1.1

Increase law enforcement personnel by approximately 40 personnel in order to accommodate the estimated 30,000 university community residents, based on the City of Merced Standard of 1.32 officers per 1,000 residents for urban services. This increase in personnel could differ if based on Merced County standards.

Response: While the City of Merced uses a service standard of 1.32 sworn officers per 1,000 population, this is intended to be used for planning future police facilities and long term staffing. It is not a General Plan policy or required service standard. Police services evolve over time and use increasing levels of technology and new law enforcement measures. Staffing for Police services, and other city services will be assured by the requirement that the project provide adequate funding for public services from tax revenues and special Mello Roos revenues. This policy should be amended to reference the adequacy of fiscal revenues to provide public services, and not stated as a service standard.

PS 1.2

Identify sites for police facility location(s) in subsequent Specific Plans for development in the University Community, based on need, phasing, and timing. The Town Center would be a priority candidate site.

Response: A police substation is proposed for Main Street south Virginia Smith Parkway. This location is adjacent to the proposed fire station and provides optimum access to the UCP, VST specific plan area, and the Town Center.

PS 1.3

Coordinate development of public safety programs and personnel to serve the University Community with the UC Merced police programs, finding shared opportunities, where appropriate such as mutual response programs.

Response: UC state police, City and County have mutual aid agreements. Each agency, however, has very limited enforcement authority in other's jurisdictions.

PS 1.4

Work with appropriate policing authorities to establish community and neighborhood safety and crime prevention programs (e.g. neighborhood watch).

Response: The city has a neighborhood watch program. No additional measures are necessary.

PS 1.5

Work closely with UC Merced towards crime prevention specific to student/community conflicts.

Response: *UC state police, City and County have mutual aid agreements. Each agency, however, has very limited enforcement authority in the other's jurisdictions.*

PS 2.1

Require that Specific Plans incorporate site designs that help ensure maximum visibility and security for entrances, pathways, streets and sidewalks, corridors, public and private open space, and for parking lots and parking structures.

Response: *All public use areas such as streets, sidewalks, parking lots, corridors, parks, and recreation facilities are required to have adequate illumination. Such areas shall have average illumination across the lighted area with minimum lighting levels of 1 lumen (foot-candles) between lighting sources, and a maximum lighting level of 10 lumens (foot-candles). Building access points are also to be visible from public streets or ways, or from other private areas. These standards and policies comply with City General Plan Public Service Policy 2.1h that requires that new developments include concepts such as "defensible space," security lighting, access, visibility, closed-circuit TV surveillance, etc., to provide passive forms of policing and to improve police effectiveness.*

PS 2.2

Require the incorporation of appropriate lighting that provides adequate exterior illumination around commercial, business center, public, parking, and multi-family structures.

Response: *All public use areas such as streets, sidewalks, parking lots, corridors, parks, and recreation facilities are required to have adequate illumination. Such areas shall have average illumination across the lighted area of 5 lumens (foot-candles), with minimum lighting levels of 2 lumens (foot-candles) between lighting sources, and a maximum lighting level of 10 lumens (foot-candles). Special allowances and lighting levels are provided uses that require higher lighting levels (ATMs, etc.)*

PS 3.1

Ensure that fire facilities and personnel are expanded to serve the needs of the estimated 30,000 residents of the University Community and to maintain a five minute response time.

PS 3.2

Include appropriate fire facility location(s) in subsequent Specific Plans for development in the University Community, based on need, phasing, and timing.

Response (3.1, 3.2): *A fire station site is proposed for Main Street south Virginia Smith Parkway, in conformance with the location illustrated in Figure 5.1 of the Merced General Plan. The nearest fire stations to the Project are City Station No. 55 at Parsons and Silverado, and County Fire Station No. 85 on McKee at El Portal, both of which are approximately 2.50 road-miles from the Lake Road entrance to the project, and within a 4.25-minute response time. Fire station No. 56 is currently being planned at Bellevue and G to serve the Bellevue Ranch*

development in northern Merced. When constructed, this station will also be within 2.5 road miles, within the 4- to 6-minute travel response time standard.

City Public Services Policy 2.1b establishes a 4- to 6-minute travel time response standard, and the initial sub-phases of the project will comply with that standard. The City 6-minute response time, and the UCP Public Safety Policy 3.1 5-minute threshold will likely be exceeded at the completion of project Phase 1D, and prior to Phase 1E. Calls for service may require staffing of the station prior that time. The plan calls for construction and staffing of the on-site fire station concurrent with and prior to the completion of Phase 1D.

The proposed location of the fire station is adjacent to the proposed police station and provides optimum access to the UCP, VST specific plan area, and the Town Center, and that location would provide an adequate response time for UCP community plan area and to the Bellevue Master Plan area.

City Public Services Policy 2.1d specifies the location criteria and attributes for new fire stations, and these include the following:

a) Fire stations should be located on streets close to and leading into major or secondary thoroughfares.

b) Fire stations should be located such that delays caused by incomplete street patterns are minimized, and developments required to minimize incomplete street segments or be required to complete those sections concurrent with the early phases of development.

c) A fire station should be near the center of its primary service area, measured in terms of driving time to the periphery of this area.

d) Fire stations should be convenient to high value areas of commercial or industrial districts, but not located in them unless such a location is necessary to maintain the required service radius and/or response time.

e) Fire stations should be located, as much as feasible, away from other uses which may be sensitive to the noise impacts of frequent alarms.

f) Fire stations and their sites should be designed to fit in with their surroundings, including consideration of open spaces, off-street parking, landscaping, and general appearances, especially when located in residential districts.

g) In residential service areas, fire stations should be located in or near those sections which have the highest density.

The timing and staffing of fire station will be at the discretion of the City, and the project will include adequate funding for all public services provided to the project from tax revenues and special Mello Roos revenues. This policy should be amended to reference construction of the fire station concurrent with the development of Phase 1D at the location in the plan.

PS 3.3

Provide an adequate level of water-related infrastructure in development for use in event of fire.

Response: The project's water system has been designed to comply with the reserve, storage, pressure and fire flow requirements established by the City, Water Master Plan and ISO.

PS 3.4

Coordinate development of fire personnel and facilities with the UC fire protection programs, finding shared opportunities when possible.

PS 3.5

Implement brush clearing and other fire suppressing programs in adjacent lands, thereby reducing the possibility for the encroachment of wildland fires onto inhabited areas (in consideration of maintenance programs for important plant and animal habitats).

Response: The west half of the site was identified as being in a "moderate" fire hazard zone, as determine in 2015 in the City of Merced's Local Hazard Mitigation Plan. That rating predated the planting of the current almond trees when the site was used for grazing.

Health Care and Social Programs

PHS 1.1

Work with local health providers to ensure that adequate health services are provided for University Community residents. This may involve the development of new facilities within the Community and/or expansion of existing facilities outside of the Community.

Response: Other than independent offices for health care providers that have been anticipated as part of the commercial/Town Center area, there are no major health care facilities planned. The UCP, the specific plans have no role to play in "working with local health care providers to ensure adequate health care. Delete this policy.

PHS 1.2

Locate any health care facilities that are developed in the Community in the Town Center and, secondarily, in the Residential Village Centers to maximize access by local residents and interface with other public uses.

Response: These uses are permitted in the neighborhood commercial, community commercial, C-MUS, C-MU, CMUR and C-R zones. They are not permitted in residential zones, unless Live-Work format.

PHS 1.3

Identify and commit the appropriate location(s) for health care facilities in subsequent sub-area Specific Plans, based on need, phasing, and timing.

PHS 1.4

Work with local health providers to ensure that information is provided to new residents of the University Community regarding available health services and programs.

Response (1.3-1.4): Other than independent offices for health care providers that have been anticipated as part of the commercial/Town Center area, there are no major health care facilities planned. The UCP, the specific plans have no role to play in “working with local health care providers” to ensure adequate health care.

PHS 2.1

Collaborate with local area social service providers to provide services to meet the needs of University Community residents.

Response: Other than independent offices for health care providers that have been anticipated as part of the commercial/Town Center area, there are no major health care facilities planned. The UCP, the specific plans have no role to play in “working with local health care providers to ensure adequate health care.

PHS 2.2

Locate social provider facilities in the Town Center and, secondarily, in the Residential Village Centers to maximize access by local residents and interface with other public facilities.

PHS 2.3

Work closely with the UC in order to develop community relationships with on-campus social service programs.

PHS 2.4

Promote the development of programs to enrich the lives of residents and promote social interaction, such as the establishment of community gardens. (*Imp 3.5, 5.10*)

Response (2.2-2.4): These uses are permitted in the neighborhood commercial, community commercial, C-MUS, C-MU, CMUR and C-R zones. They are not permitted in residential zones.

Youth and Senior Services

PYS 1.1

Work with youth and senior program providers to develop facilities within the University Community. These should be located in the Town Center and Residential Village Centers to maximize access by local residents and benefit from the presence of other public and community uses. Opportunities to consolidate or share facilities with other service providers, schools, parks, and other organizations should be pursued for efficiency and to minimize costs.

Response (2.2-2.4): These uses are permitted in the neighborhood commercial, community commercial, C-MUS, C-MU, CMUR and C-R zones. They are not permitted in residential zones, unless with Live-Work building code standards.

PYS 1.2

Consider the development of an intergenerational facility for youth and senior activities.

Response (2.2-2.4): These uses are permitted in the neighborhood commercial, community commercial, C-MUS, C-MU, CMUR and C-R zones. They are not permitted in residential zones, unless with Live-Work building code standards.

PYS 1.3

Encourage the development of special facilities to serve the needs of seniors in Community parks.

PYS 1.4

Design youth and senior facilities to be accessible to persons of all ages and abilities.

Response: This is required by ADA standards. No additional measures are necessary in the UCP or specific plans.

PYS 1.5

Encourage major employers in the University Community to provide day care facilities on site or in a location that is conveniently accessible by their employees.

PYS 1.6

Promote the development of day-care facilities in the Town Center and Residential Village Centers.

Response (1.3-1.6): These uses are permitted in the neighborhood commercial, community commercial, C-MUS, C-MU, CMUR and C-R zones. Day care facilities are permitted in residential zones, as a conditional use, depending on the number of children served.

PYS 2.1

Monitor the needs of the Community's youth population and work with local agencies, youth groups, teen centers, and other service entities to provide social, recreation, after school, summer, educational, cultural, and other programs to meet these needs.

PYS 2.2

Work with UC Merced to develop collaborative programs with Community service providers to implement programs that serve campus and Community youth and create youth/UCM student mentoring programs.

PYS 2.3

Encourage the development of programs to serve youth with developmental disabilities.

PYS 3.1

Monitor the needs of the Community's senior's population and work with local agencies and organizations to ensure that a full range of programs, and services are provided to meet their needs. This may include social, nutrition, recreational, therapeutic, financial, health, and similar programs.

PYS 3.2

Work with UC Merced to develop cultural, educational, recreational, health, and other programs and services for the University Community's seniors. Encourage the establishment of a program to use area seniors as volunteers, docents, or greeters for University events and/or programs. Seniors may also serve as in supporting staff roles. (*Imp 3.3, 3.5*)

Response (2.1-3.2): Other than ensuring that sufficient land is available for needed uses, the UCP and specific plans have no role to play in these activities. Delete.

Parks and Recreation

PP 1.1

Provide sufficient parkland to meet the recreational needs of the University Community's residents, based on a standard of five acres per thousand residents, in accordance with Policy LU 9.4. Of this, a minimum of three acres per thousand residents shall be developed as community and/or neighborhood parks that contain sports fields and facilities, picnic areas, swimming pools, multi-purpose gymnasiums/buildings, picnic areas, and similar improvements that meet the active recreational needs of the residents. The balance of acreage may be used for passive recreational activities such as hiking and nature observation.

Response: Parks will be provided at a rate of six acres per 1,000 population (including all park areas, the playfield fraction of the schools, linear parks, trails, private parks in multi-family developments, and other areas for active recreation). Total park are on the VST property is projected to be 80 acres, a rate of 7.25 acres per thousand population. The Hunt/UCP South project site has 84.5 park acres, a rate of 5.1 acres per 1,000 population, resulting in a combined rate of 6 acres per 1,000 population in the UCP area. There is 12 acres of open space on the VST property and 65 acres of open space in the UCP South, conservation and preservation areas on the UCP South/Hunt property that are not included in total park area calculations. Parks Policy 1.1 should be amended to provide for a minimum amount of park area of 5 acres per 1,000 population in any single component specific plan area, with a UCP average of six acres per 1,000.

PP 1.2

Require that a comprehensive parks and recreation component be defined in each sub-area Specific Plan that reflects concepts depicted on the Illustrative Open Space Concept (Land Use, Figure 9) and:

- Defines service standards, park types, design guidelines, landscape standards, and appropriate programming for park facilities based on user demand assessments and community input
- Identifies mini, neighborhood, and community park sites in accordance with service standards

- Integrates neighborhood parks with neighborhood centers and schools
- Links park facilities through an integrated trail network
- Defines programming needs for park sites consistent with demographic trends in the University Community.

Response: The VST Specific Plan includes park standards, a parks matrix of required elements in each park, and prototypical park designs for the various types of parks, including the mini-parks, Community Recreation Center and the community sports park.

PP 1.3

Require the dedication of neighborhood and community park sites in future phases of development, concurrent with the review and approval of Tentative Maps.

Response: Park parcels have and will continue to be identified as separate parcels on the Development Plan and the Tentative Map. Actual dedication will occur at the time of recordation of the Final Map for each phase as each map is recorded. Dedication will not occur concurrent with the approval of the Tentative Maps. Amend this policy.

PP 1.4

Require that planned sites for park facilities be developed as part of an interconnected open space system (refer to LU 9.4).

Response: Miniparks are developed as part of each neighborhood. These facilities are sited adjacent to open space assets such as Cottonwood Creek and the Fairfield Canal, when possible. The community recreation center is located adjacent to the Linear Park along Virginia Smith Parkway that connects all neighborhoods in the project, and the Community Sports Park is located along the Fairfield Canal open space corridor and adjacent to the Virginia Smith Parkway linear park.

PP 1.5

Require that neighborhood and community parks be sited, programmed, and developed in an environmentally sensitive fashion that is consistent with overarching principles of the University Community development. Park landscape should emphasize the use of native and drought-tolerant species. Treated wastewater and water captured and detained on site from rainfall should be used as primary sources of irrigation and on-site water amenity. Park structures should be constructed with recycled materials, to the extent practical.

Response: It is infeasible to use captured rainwater for irrigation. Rainfall provides natural irrigation. Park planting and landscaping will comply with the City's water use requirements contained in Chapters 20.36 and 17.60 of the City Municipal Code. No additional requirements are necessary. Suggest deleting this policy.

PP 1.6

Provide park facilities programmed with active recreational facilities, including athletic facilities, such as multi-purpose fields, ball fields, multi-purpose courts, and other facilities oriented

towards youth leagues and team sports in order that the existing highest recreational need in the Community is addressed.

Response: The VST Specific Plan includes park standards, a parks matrix of required elements in each park, and prototypical park designs for the various types of parks, including the mini-parks, community recreation center and the community sports park.

PP 2.1

Require that large-scale commercial developments, such as the proposed Town Centers and Business Centers, integrate common recreational or open space facilities on site.

Response: The Town Center is an urban scale land use. Integrating common recreational open space facilities is not feasible or appropriate. Public park facilities are located within 650 feet of the C-MUR Town Center residences, and the Town Square provides open space.

PP 2.2

Support the creation of community gardens as one of several elements of the University Community's open space system, provided that they are compatible with and do not adversely impact adjoining land uses.

Response: Community gardens are appropriate for R-2, R-3, R-4 and C-MUR residential uses that are on smaller parcels. The parks matrix identifies parcels where public community gardens are to be located.

PP 3.1

Create a continuous system of connected open space and recreation areas throughout the University Community. This will integrate active and passive parklands with preserved and restored natural habitats, detention basins, trails, and other open spaces. The precise location of this system shall be defined by each sub-area Specific Plan, in accordance with concepts on the Illustrative Land Use Diagram (refer to Land Use policies).

Develop open space corridors alongside watercourses and valued natural resource areas, as an integral element of the continuous community park system (as defined in Policy PP 3.1).

Response (3.1, 4.1): The Fairfield Canal will serve as the principal north-south open space corridor, similar to that illustrated on Figure 13 of UCP. Within the VST Specific Plan area, Virginia Smith Parkway will include an open space corridor/linear park ranging in width from 50 feet to 75 feet. This linear park will continue for 1.75 miles from Campus Parkway/Virginia Smith Parkway to the eastern property line. Attached to this open space will be a community recreation center, elementary school, Town Center, community sports park, two neighborhood retail shopping centers, and several minor community parks.

PP 4.2

Provide open space buffers in areas where urban development abuts sensitive natural resource areas (wetlands, vernal pools, and grasslands) and agricultural lands.

Response: There are wetlands, vernal pools and grasslands to the north and the east of the project site. The project has integrated a minimum 100-foot setback along open space areas,

and a 200-foot buffer per the County Zoning Ordinance to ag lands. See also response to Policy ED 1.4.

PP 5.1

Require the siting of park facilities in proximity to school facilities. Sites shall be defined by the sub-area Specific Plans.

Response: *The proposed school site is located adjacent to the parks along the Fairfield Canal corridor as shown in the Development Plan.*

PP 5.2

Require use agreements between school jurisdiction and park jurisdictions, addressing time and nature of use for recreation facilities, liabilities, and other issues.

Response: *There is a use agreement in place between the school districts and the City of Merced.*

PP 5.3

Design storm drainage basins to accommodate both passive and active recreational uses during the dry periods (refer to Water-Related Infrastructure policies).

Response: *There are no larger storm basin. However, storm drainage areas such as bios-wales, bioretention areas, rain gardens, etc. are located adjacent to open space corridors and park facilities as illustrated below:*

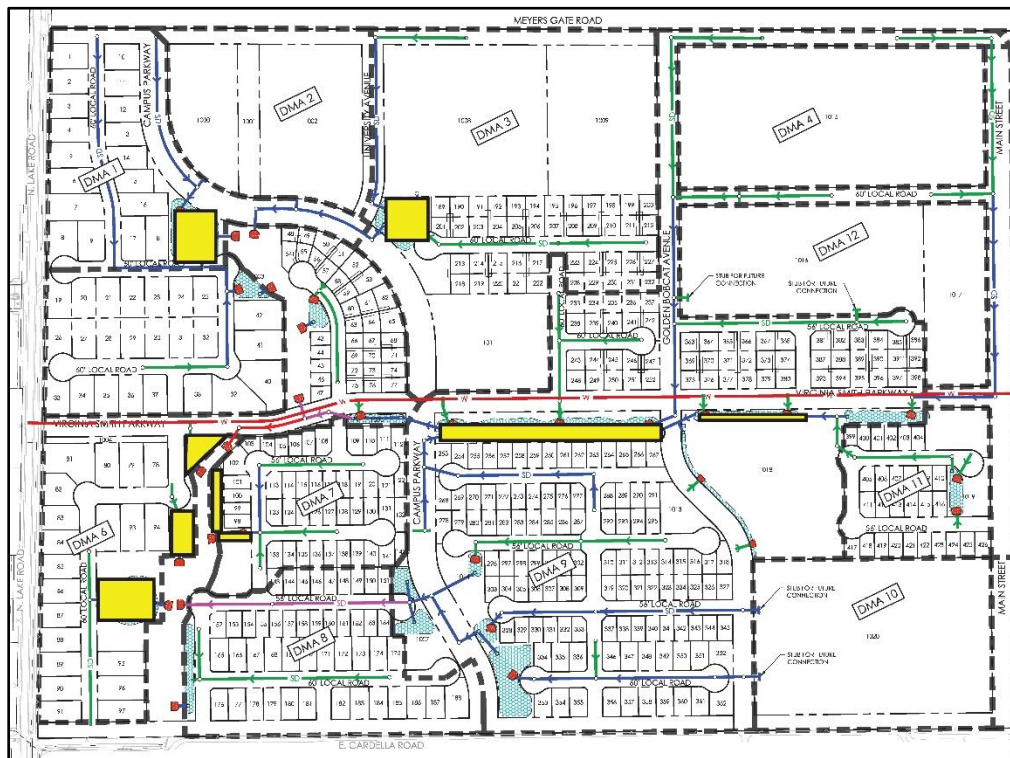


Figure 11 Drainage Basins and Open Space (1)

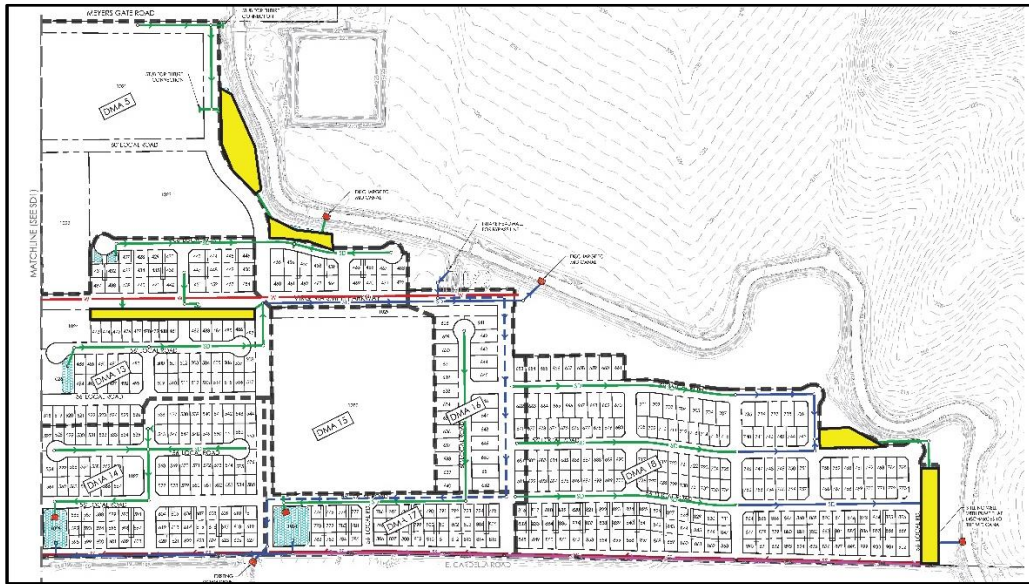


Figure 12 Drainage Basins and Open Space (2)

PP 5.4

Develop passive recreational facilities in natural resource conservation areas, e.g., nature interpretation, bird watching information, and similar amenities.

Response: *There are 12 acres of passive recreation areas in VST and 65 acres in UCP South/Hunt.*

PP 5.5

Integrate community facilities, such as community centers, auditoriums, day care centers, seniors’ facilities, and other uses into park facilities.

Response: *The Community Recreation Center contains a structure that has meeting rooms, dining, a kitchen, gym, outdoor and indoor game areas.*

PP 5.6

Encourage opportunities for the shared use of recreation facilities located on the UC Merced campus (Refer to Area-plan policy).

Response: *UCP and UC Merced are now separated, and it is infeasible to share the park facilities. Delete this policy.*

PP 6.1

Require that a comprehensive network of pedestrian paths be established linking each portion of the University Community, including the Town Center, UC Merced, Residential Village neighborhoods and centers, schools, and parks.

PP 6.2

Require each phase of new development in the University Community to connect with and expand upon existing trail facilities. Locations and improvements shall be defined in the sub-area Specific Plans.

PP 6.3

Encourage infrastructure rights-of-way or easements to be designed and developed to accommodate trails where feasible and where compatible with the intended primary use.

PP 6.4

Encourage the development of trail facilities in greenway or conservation corridor areas.

PP 6.5

Require new that new trail facilities provide connections with existing and planned regional trail facilities and those planned by the UC on the university campus.

Response (6.1-6.5): The UCP supports a comprehensive system of trails along the Lake Road frontage, Yosemite Road frontage, VST Parkway frontage, along both sides of the Fairfield Canal, and along the Main Street and Dunn Street corridors. The trails along the northern border of VST with UC Merced includes connections to the UC trail system that has been identified in the 2020 LRDP.

PP 7.1

Conduct a detailed recreation demand analysis in order to match park siting and program characteristics with the needs of Community residents.

PP 7.2

Create park facilities programmed with facilities for all age groups, including children and youth, teens, university students, and adults.

Response: The VST specific plan parks analysis satisfies this requirement. It provides for a range of recreation types based on the anticipated demographics of the project site.

PP 7.3

Consider training and using local residents as volunteers to maintain and administer park programs (sports director, event organizers, property clean-up, and other) to enhance their ownership of the park, where appropriate.

Response: It is expected that the City of Merced (for public parks) and the Master HOA (for private facilities like the community recreation center) will have paid staff to perform the necessary functions. Delete this policy.

Environmental Resources

Plant and Animal Resources

PA 1.1

Require that direct and indirect effects to wetland habitats be minimized through the promotion of environmentally sensitive project siting and design, to the maximum extent practicable.

PA 1.2

Obtain the appropriate regulatory approvals prior to the initiation of project construction.

PA 1.3

Ensure protection of on-site avoided, created, or restored permanent wetlands

PA 1.4

Ensure the protection of off-site adjacent wetland habitats, including those with hydrological connections to off-site wetland resources, through the implementation of measures that will protect the quality and quantity of source waters and will avoid disturbance of wetland habitats by human activity including domestic pets.

PA 1.5

Require monitoring, cleanup, and maintenance of preserved wetland habitats within and adjacent to the University Community, as necessary. *(Imp 2.10)*

PA 1.6

Require the development of a habitat mitigation plan for each sub-area Specific Plan, acceptable to the USACOE, USFWS, and CDFG, that achieves *no net loss of wetland function and values* by meeting established ratios for wetland enhancement/restoration and on- and off-site compensation for the loss of wetland functions and values.

PA 2.1

Encourage the retention of annual grasslands to the maximum extent feasible through the promotion of environmentally sensitive project siting and design.

Response: VST and UC Merced have already provided an analysis of onsite wetland and grassland resources and provided offsite mitigation for impacts through a State and federally approved Incidental Take Permit and conservation program. The ITP and conservation programs are complete and are in the monitoring phase. No added actions are necessary, and these policies should be deleted.

PA 2.2

Incorporate open space corridors into the Community Plan that allow the movement of wildlife through the Community Plan Area, to the extent feasible.

Response: The Fairfield Canal and the Cottonwood Creek corridors provide 100' +/- wide wildlife habitat migration corridors.

PA 2.3

Ensure the development of a habitat mitigation plan to provide off-site compensation for the loss of annual grassland functions within the University Community that is acceptable to the USFWS, CDFG and other relevant agencies.

Response: VST and UC Merced have already provided an analysis of onsite wetland and grassland resources and provided offsite mitigation for impacts through a State and federally approved Incidental Take Permit and conservation program. The ITP and conservation programs are complete and are in the monitoring phase. No added actions are necessary, and these policies should be deleted.

PA 3.1

Incorporate large interconnected open space corridors throughout the Community Plan area.

Response: The Fairfield Canal and the Cottonwood Creek corridors provide 100' +/- wide wildlife habitat migration corridors.

PA 3.2

Utilize native vegetation in local landscaping to the maximum extent feasible.

Response: The project complies with this requirement.

PA 3.3

Create open water park features, where feasible, to provide resting areas for migrating waterfowl and shorebirds.

Response: The Fairfield Canal and the Cottonwood Creek corridors provide 100' +/- wide wildlife habitat migration corridors.

PA 3.4

Ensure the protection of wildlife through establishment of programs to control feral pet populations.

PA 3.5

Provide public environmental educational programs to inform the public about the natural resources of the region, including information about cohabitation with wildlife populations that are common in urban areas.

PA 3.6

Conduct botanical surveys to establish baseline conditions for Specific Plan applications consistent with the prevailing *CNPS Botanical Survey Guidelines*.

Response: An updated biological baseline has been prepared and recommendations made for mitigation of impacts. This will update the study that was done in 2001 for the UCP EIR, and in 2009 for the 2009 LRDP EIR that covered the VST and UC Merced properties. VST and UC Merced have already provided an analysis of onsite wetland and grassland resources and provided offsite mitigation for impacts through a State and federally approved Incidental Take Permit and conservation program. The ITP and conservation programs are complete

and are in the monitoring phase. No added actions are necessary, and these policies should be deleted.

Agriculture

A 1.1

Encourage agricultural production to occur within the University Community planning area, for as long as possible, during development of the site.

A 1.2

Enforce the County of Merced's Right-to-Farm Ordinance for the University Community that requires nonagricultural residents be made aware of local agricultural operations, their practices, and the potential agriculturally related impacts. This may be accomplished through its inclusion in the distribution of annual property tax bills, escrow papers upon sale or lease execution, Title Reports issued at the time of close of any escrow, Department of Real Estate White Papers, or similar documents.

A 1.3

Provide materials such as brochures and pamphlets to all future residents of the University Community informing them about the effects of agricultural activities that states residents within the University Community may be subject to inconveniences or discomfort arising from the use of agricultural chemicals, such as fertilizers and pesticides; and from the pursuit of agricultural operations including but not limited to, plowing, spraying, and burning which occasionally may generate dust, smoke, noise and odor.

A 2.1

Participate in a program, if adopted, that may be established by the County of Merced and the City of Merced for the full mitigation of the loss of agricultural lands in the north Merced area. In the event that such a program is not adopted prior to approval of any sub-area specific plan, require implementation of such measures that would achieve the equivalent protection of comparable farmland at a ratio of 1:1 for Important Farmland converted with the subject specific plan area; examples of measures include acquisition of conservation easements, payment of in-lieu fees to the County (or an appropriate third party designated by the County) that would protect such lands through fee title, easement, or other measures.

A 2.2 (Revised and renumbered to Policy A 1.2)

A 2.3 (Revised and renumbered to Policy A 2.1 to establish a regional ag conservation easement program)

A 3.1

Establish an adequate open space buffer along the edges of the University Community planning area abutting agricultural lands. This buffer may accommodate passive uses such as open space, parks, certified organic farming, natural preserves, or treated wastewater storage.

Response (1.1-3.1): The project will result in the loss of 654 acres of prime agricultural land. The project has provided mitigation for this by preserving other lands through conservation

easements. This land totals ____, providing a __:1 mitigation ratio. This ratio exceeds the customary mitigation ratio (based on relative productivity of replacement lands), and exceeds the ratio specified in Agriculture Policy 2.1. the ratio. There are approximately 450 acres of almonds on the project site. In order to maintain the viability of this agriculture land for the longest feasible time, the portion of the project that his not planted will be developed first, and development will occur in successive 80-acre compact blocks. The project also has a higher than average density to minimize the consumption of ag land. The phasing of the project will also provide for the conversion of the irrigation pond on Meyers Gate Road east of the Fairfield Canal at the latest possible phase.

As part of recent zoning code amendments in 2019, the County has affirmed its right to farm ordinance. The EIR for the County General Plan update recommended continuation of the Right-to-Farm Ordinance to define and limit instances where agricultural operations may be considered a nuisance to surrounding rural residential, residential or urban development. As a result, the County’s Certificate of Public Acknowledgement of Farming Activities (Merced County Code, Title 17, Section 17.08.080 H) will continue to be implemented as part of the subdivision process for Final Maps (e.g., Major Subdivisions). The purpose of the certificate is to notify future buyers, lessees, or financiers that the property in question is in the vicinity of land utilized for agricultural purposes, and residents of the property may be subject to inconvenience or discomfort arising from the use of agricultural chemicals, including but not limited to, pesticides and fertilizers; and from the pursuit of agricultural operations including but not limited to, animal husbandry, plowing, spraying, and burning which may generate.

As part of the same MCZC Update, agricultural buffer requirements have been established that apply to new residential uses (and other habitable structures) in residential zones that are located adjacent to agriculturally designated lands; new residential uses (and other habitable structures) in Agricultural zones; and newly created parcels resulting from subdivision or adjustment in an Agricultural zone with an existing single family dwelling (or other habitable structure). The VST project is bordered on its entire east boundary, and the eastern 2,500 feet of its southern boundary by lands that qualify as “Agricultural Production” areas, and a special 200 setback from the property line the nearest habitable structure has been designated and lot configurations established to ensure adequate building areas. Along these areas there is an also an open space buffer ranging in width from 75 feet to 150 feet.

A 3.2 (Revised and renumbered to Policy LU 9.1)

A 3.3 (Revised and renumbered to Policy LU 9.1)

A 4.1 (Revised and renumbered to Policy A 3.1)

Cultural Resources

C 1.1

Require that an appropriate archaeological survey of the University Community planning area and locations to be developed for off-site infrastructure be conducted concurrent with the preparation of sub-area Specific Plans in accordance with CEQA Section 15064.5. (*Imp 2.5*).

C 1.2

Require that, prior to ground disturbance, developers shall notify contractors that they are required to watch for potential archaeological sites and artifacts and to notify the County of Merced immediately upon any find. Evidence of potential archaeological sites and artifacts includes, but is not limited to, aboriginal or historic skeletal remains, chipped stone, ground-stone, shell and bone artifacts, concentrations of fire cracked rock, shell, bone and historic features such as privies, trash pits or concentrations, and building foundations.

C 1.3

Require that, should a previously unidentified cultural resource be discovered during grading, trenching, or other on-site earthwork, construction activity be stopped within 100 feet of the identified materials until a professional archaeologist certified by the Registry of Professional Archaeologists RDA), and the County of Merced evaluates the significance of the find and suggest appropriate mitigation(s), as determined necessary.

C 2.1

Require that, prior to construction, construction personnel shall be informed of the potential for encountering significant paleontological resources. All construction personnel shall be informed of the need to stop work in the vicinity of a potential discovery until a qualified paleontologist has been provide the opportunity to assess the significance of the find and implement appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed of the requirement that unauthorized collection of fossil resources is prohibited.

Response (1.1-2.1): The most recent version of the cultural resources study confirmed that there are no expected cultural resources sites in the VST project. Construction plans will include these requirements as General Conditions and requirements in all construction and bid documents.

Topography

TO 1.1

Require that the development of the University Community site reflect the character of its underlying topography, retaining basic forms, contours, and elevations.

TO 1.2

Require that the University Community site be graded to ensure appropriate and continuous transitions with adjoining properties. Abrupt changes of topography and the use of retaining walls shall be discouraged.

TO 1.3

Require that development be located and designed to mimic the natural topography in areas characterized by topographic diversity and preclude the use of extensive flat pads and cut-and-fill slopes, providing that this does not result in extraordinary costs that impact financial feasibility.

TO 1.4

Retain natural drainages for storm drainage, detention, recreation, and open space, except where modifications may be necessary to accommodate cohesive transportation and utility infrastructure.

Response: The grading plan for the project site follows the general contours of the project. Large retaining walls are not considered necessary; however, step walls will be used to transition from lower to higher areas, especially between lots on a grade. Cottonwood Creek and the Fairfield Canal will be preserved as natural drainages.

Viewsheds

V 1.1

Locate and design principal transportation corridors to provide public views of the Sierra Nevada and, where appropriate, the UC Merced campus core.

Response: The referenced viewpoints are to the north and the east. Roads have been designed to provide unblocked vistas to the east and north. Parks and open spaces are also used as terminating points for transportation corridors.

V 1.2

Incorporate plazas and squares at the confluence and termination of streets and pedestrian paths, in the principal Community activity centers (Town Center and Residential Village Neighborhood Centers), and other public places and design them to provide views of the Sierra Nevada, surrounding grasslands, and, where appropriate, the UC Merced campus core.

Response: The Town Center includes a Town Square.

V 1.3

Locate and design sites and buildings to serve as visual landmarks within the University Community (e.g., siting of buildings and parks as visual termini of streets, neighborhood areas, etc.; use of towers and other architectural elements; and so on).

Response: The project uses a grid circulation system rather than a radial circulation system that is compatible with siting buildings as visual landmarks. Parks and open spaces are also used as terminating points for transportation corridors.

V 1.4

Design principal entry corridors to the University Community as landscaped amenities that provide view of the Town Center, UC Merced campus core, Sierra Nevada, and other visual assets.

Response: The principal roadways have landscape parkways, landscaped medians, linear parks along principal transportation corridors, and landscaped roundabouts. The referenced viewpoints are to the north and the east. Roads have been designed to provide unblocked vistas to the east and north. Parks and open spaces are also used as terminating points for transportation corridors.

V 2.1

Require that outdoor lighting fixtures be located and designed to minimize ambient levels of illumination and glare, while providing adequate illumination for public safety.

V 2.2

Require that outdoor lighting fixtures be located and designed to prevent spillover and impacts on adjoining properties (e.g., use of fixtures that cast their illumination downward and in a contained area).

V 2.3

Require that buildings in the University Community minimize the use of surface materials and glazing that are highly reflective of sunlight and nighttime outdoor lighting and/or place such materials in locations that will not impact adjoining uses. (*Imp 2.5, 2.8*)

V 2.4

Establish standards to minimize the levels of illumination of outdoor signs in the University Community.

Response (2.1-2.4): All public use areas such as streets, sidewalks, parking lots, corridors, parks, and recreation facilities are required to have adequate illumination, and to provide for limiting the spillover of illumination to adjacent properties, and to the night sky. Developed areas shall have average illumination across the lighted area of 5 lumens (foot-candles), with minimum lighting levels of 2 lumens (foot-candles) between lighting sources, and a maximum lighting level of 10 lumens (foot-candles). Illumination at the property line of a dissimilar, less-intense use shall be limited to 2 lumens (foot-candles). Lighting fixtures shall have lighting cutoff hoods, housings and lenses to confine illumination to the intended surface only. The City's sign ordinance (Chapter 17.36) established illumination and other standards for signs.

Air Quality

AQ 1.1

Determine air quality effects of projects using analysis methods and significance criteria recommended by the SJVUAPCD. This would help to ensure impacts identified during CEQA review are consistently and fairly mitigated with feasible, implementable, and cost-effective strategies.

Response: The air quality effects of the project were evaluated in the EIR for the UCP, the 2009 LRDP EIR, and in subsequent documents. An update to this analysis is part of the amendment of the UCP.

AQ 1.2

Work with the City of Merced and other jurisdictions and agencies to address cross-jurisdictional and regional transportation and air quality issues. Encourage staff planners to participate in activities of neighboring jurisdictions and regional agencies. The aim would be to examine congestion in other jurisdictions caused by University Community projects, effects of projects on viability of regional transit and pedestrian-oriented projects, progress of jurisdictions to construct segments of regional bikeway plans, proposed land use or circulation changes that would alter traffic flow or increase urban sprawl in jurisdictions.

Response: The county regularly coordinates with other jurisdictions. MCAG is the agency that is responsible for the Regional Transportation Plan and regularly updates the Regional Transportation Plan/Sustainable Communities Strategy to address the issues in Air Quality Policy 1.2. No added measures are necessary.

AQ 2.1

Integrate planning efforts by considering air quality when planning land use and transportation systems and considering air quality and mobility when reviewing any proposed change to the land use pattern.

Response: CEQA mandates that air quality be considered during the planning process.

AQ 2.2

Develop a congestion management plan to reduce motor vehicle trips, as defined by the UCP's transportation policies (T 7.1 to 7.4). These include policies for (a) the provision of grid streets and "flexible corridors" that provide travel-mode options and future capacity and (b) street design standards for bicyclists, pedestrians, and traffic calming.

Response: The VST project and the UCP comply with this policy. All of the streets in the VST development are "complete" streets and safely accommodate transit, pedestrian, bicycle and vehicle modes of transportation. The VST development provides a system of grid streets, with 90 percent of the blocks in the development less than 600 linear feet.

AQ 2.3

Establish land use pattern, densities, and pedestrian-enhanced infrastructure, in accordance with Land Use policies, to encourage the use of alternative transportation modes and reduce the length and number of motor vehicle trips. These encompass policies to manage the density and intensity of development; develop a planned "heart" of the community, parklands, pedestrian-oriented mixed use districts, neighborhood convenience commercial, neighborhood schools, and centralized large-scale commercial and office uses in village centers with appropriate transportation services; as well as compact and orderly outward expansion of contiguous development and infrastructure through "land use phasing" and urban limit lines.

Response: The VST project and the UCP comply with this policy. All of the streets in the VST development are "complete" streets and safely accommodate transit, pedestrian, bicycle and vehicle modes of transportation. The VST development provides a system of grid streets, with 90 percent of the blocks in the development less than 600 linear feet. A Town Center is planned that contains two-thirds of the commercial area of the VST development, and locations for smaller commercial centers are provided and distribute the maximize the potential for pedestrian and bicycle trips to satisfy shopping trip needs. Implementation of the project will also provide an opportunity for housing that is 1.5 miles closer to UC than most of the current student- and staff-occupied housing, resulting in the reduction of vehicle miles traveled.

AQ 2.4

Design streetscapes, housing, and village centers to improve access by pedestrians and bicyclists. Land Use policies provide a structure that maximizes pedestrian activity and transit use.

AQ 2.5

Implement a transportation infrastructure that provides opportunity for reduced trip lengths and minimized new trips while anticipating a multi-modal system in accordance with Transportation policies. This should include internal and regional public transit systems, supporting transit infrastructure and amenities (shelters, benches, bus turnouts, route signs, park and ride lots, and so on), multi-modal connections to regional transportation system (airports and passenger rail facilities), a comprehensive system of bikeways, required bicycle storage and parking at appropriate sites, and infrastructure for telecommunication facilities.

Response (2.4, 2.5): The VST project and the UCP comply with this policy. All of the streets in the VST development are “complete” streets and safely accommodate transit, pedestrian, bicycle and vehicle modes of transportation. The VST development provides a system of grid streets, with 90 percent of the blocks in the development less than 600 linear feet.

AQ 2.6

Require the installation of electrical outlets in residential, commercial, and industrial buildings to support the use of low emission landscape and property maintenance equipment.

Response: These are now required per the most recent version of the City and County building codes.

AQ 2.7

Comply with SJVUAPCD published guidelines and mitigation measures for analyzing and mitigating air quality impacts related to development of the University Community.

Response: The APCD and the California Air Pollution Control Officers Association (CAPCOA) provide guidance on effective mitigation measures and project features to reduce air quality impacts. The project features and mitigation measures to be included in the project are shown in Attachment ____.

AQ 3.1

Adequately separate or buffer sensitive uses from sources of odors and dust. Require new point sources of pollution, including sources of odors and dust, to be located an adequate distance from sensitive receptors.

Response: The most significant source of dust and odors will be farming on adjacent, undeveloped portions of the UCP. In order to reduce dust impacts, the project shall be phased from west to east so that the Lake Road frontage is developed first, and that all project phasing shall be along (and include) the perimeter roads on the subphase (1A, 1B, 1C, 1D etc.) so that there is at least a 100-foot separation between any occupied portion of a dwelling units and interim farming operations. Parks, canals and waterways shall also be used as phasing lines, where feasible.

AQ 4.1

Implement energy conservation policies defined in the Energy policy section of the University Community Plan.

Response: The requirements of the 2019 building code, CalGreen regulations, and project features to reduce VMT and increase non-vehicular modes satisfy this requirement.

AQ 5.1

Implement measures to reduce dust and particulates created during construction activities including limiting traffic on unpaved roads, installing erosion control measures to prevent silt runoff onto public roads, use of wheel washers for construction vehicles, installation of wind-breaks, suspension of excavation and grading during high winds, and similar techniques.

Response: The project is required to develop a Dust Control Plan as part of the construction permits from the Air District. This requirement satisfies that requirement.

AQ 5.2

Promote the use of alternative fuel construction equipment, where feasible, and the use of low emission on-site stationary equipment. (*Imp 2.7*)

Response: The project is required to develop a Dust Control Plan as part of the construction permits from the Air District. This requirement satisfies that requirement.

AQ 5.3

Limit the hours of operation of heavy-duty construction equipment and the amount of construction equipment in use at any time.

Response: The project is required to develop a Dust Control Plan as part of the construction permits from the Air District. This requirement satisfies that requirement.

AQ 5.4

Curtail construction activities during periods of high ambient air pollution concentration.

Response: The project is required to develop a Dust Control Plan as part of the construction permits from the Air District. This requirement satisfies that requirement.

AQ 6.1

Require the installation of low emitting, EPA-certified wood-burning appliances, natural gas fireplaces, or pellet stoves in residential developments when such heating units are incorporated in any development.

Response: Air District Rule 4901 prohibits residential wood burning is allowed, except where wood burning is the sole source of heat or no natural gas service exists.

AQ 7.1

Identify opportunities for and encourage the procurement and use of alternative fuel vehicle fleets by large employers in the University Community and UC Merced. Collaborate with UC

Merced on an alternative fuel vehicle shuttle system servicing the campus, the University Community, and the City of Merced.

Response: The UCP developers will coordinate with the UC on the provision of alternative fuel (natural gas and electric) for UC shuttles, ZipCars and other carpool vehicles. Car sharing with EV vehicles will be provided through the Master HOA, in coordination with the UC's Zipcar program. The Master HOA shall also coordinate with UC Merced's Zimride ridesharing program.

Surface Water and Groundwater Quality

W 1.1

Implement Integrated Water Infrastructure policies for the management of stormwater, urban, and agricultural runoff, manufacturing and other urban use pollutants, the re-use of treated wastewater, urban and agricultural pesticides, construction practices, and other functions of the University Community that do not substantially reduce the quantity or quality of surface waters or the groundwater supply and meet regional, state, and federal standards.

Response: The project will not have access to recycled water. See response to Water Policy 1.11.

Public Safety

Geology and Soils

S 1.1

Require that a site-specific soil and geotechnical investigation be performed prior to development for individual construction projects to determine the classification and engineering capabilities and constraints of the soil at each building site. The standards used during the site investigation shall be, at minimum, the California Building Standards Code, and any other applicable professional standards and Uniform Codes.

S 1.2

Require development applications to include a report detailing the types of soil and locations, erosion potential or soil engineering constraints/opportunities, and erosion control options. Mitigation plans must address methods to be used during all phases of site development, implementation, and operation.

S 1.3

Make site-specific soil and geotechnical information available to the public, developers, and consultants.

Response (1.1-1.3): An updated geotechnical study was prepared for the Specific Plan and yielded no special conditions of concern. City and County public works and building code regulation require the submittal of up-to-date geotechnical reports with improvement plan and building permit applications.

S 1.4 (Deleted. This policy required a separate University Community Grading and Geotechnical Standards Manual. The County already has adequate standards.)

S 2.1

Ensure that the structural integrity of the on-site irrigation canals is adequate to support projected water flows within the canals. If necessary, concrete liners can be installed in the canals, or the banks of the canal can be fortified or raised. A qualified engineer should perform structural stability investigations, and make recommendations regarding reinforcement options. This should be completed in concert with the stormwater drainage system design.

Response: The project will involve development of three discharge storm drainage outfall points from Phase 1 of the project to the Fairfield Canal, and likely a similar number of outfall structures from Phase 2 to the Fairfield Canal. The project will also include realignment of a portion of the Fairfield Canal as shown in the response to Water Policy 12.3. These improvements will be designed and constructed according to plans and specification to preserve the structural integrity of the canal banks. MID has a subscripive use easement within a specified area around the Fairfield Canal varying from 50 feet to 100 feet. The facilities located next to the canal will comply with these easements, and project improvements will be set back according to Policy S 2.2 below. See also setbacks and use areas for Cottonwood Creek and Fairfield Canal per Figures 20 and 21 of the UCP.

S 2.2

Development at the University Community should not occur within an agreed-upon distance (County and Merced Irrigation District to decide) from the toe of the canal's levee in order to protect the structural integrity of the canal system. MID currently maintains a 150-foot- wide easement along the Le Grand Canal, a 100-foot- wide easement along the Fairfield Canal, and a 60-foot- wide easement along the Fairfield Lateral "A" and the Dunn Lateral.

Response: Response: The Specific Plan includes a setback that is adequate to ensure that there is no additional lateral or vertical structural force on the banks of the Fairfield Canal. This setback is presumed to be equal to a 35 degree upward angle emanating from the nearest canal bottom edge to the existing ground surface. This will produce a no-build distance equal to 1.5 times the depth of the canal, measured from the nearest bottom portion of the canal. For example, if a portion of the canal measures 30 feet deep (measured from the top of bank to the canal bottom) this would require a setback of 45 feet to the nearest load-bearing structures (substantial added fill; buildings) from the nearest portion of the canal bottom. Improvements without significant load-bearing properties such as sidewalks, bike paths, and cuts and fills less than 5' feet in depth may be allowed within this special setback, but outside of the easement. This setback may be greater or lesser as determined by a structural engineer or geologist based on an assessment of soils and special measures to control lateral and vertical pressure (such as deepened footings and retaining walls). Figure 13 above illustrates the required setback:

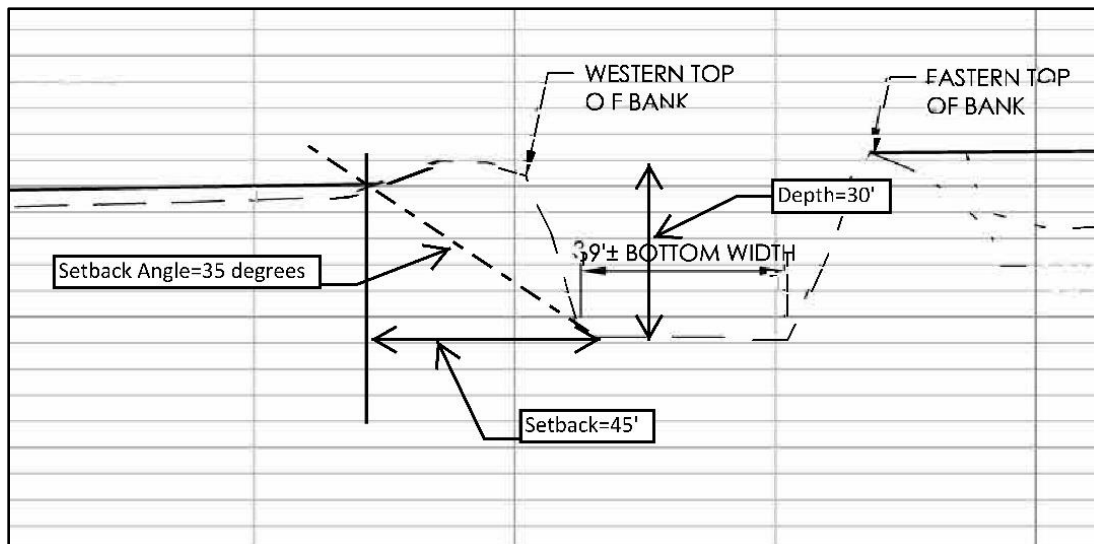


Figure 13 Canal Setback for Structural Safety

S 2.3

Work with MID to identify appropriate landscape and development plans for MID canal corridors through the University Community, in order to ensure the long- term operational viability of the canals as irrigation water conveyance facilities. In particular, ensure that trees and other

landscaping do not diminish the structural integrity of the canal levees and do not interfere with regular operation and maintenance.

Response: MID has an easement of 100 feet through the VST plan areas. The width of the canal bottom ranges from 35 feet to 50 feet, with at least 25 feet on either side of the canal for top of bank, access roads, and maintenance structures.

S 3.1

Conduct a preliminary site investigation in accordance with ASTM Standard Practice E 1527-00 (or the most current site assessment standard) by an environmental professional to determine the potential for on- and off- site hazardous materials contamination, prior to site preparation and construction activities.

S 3.2

If, during the preliminary site investigation, or during construction activities following completion of the site investigation, evidence of hazardous materials contamination is observed or suspected through either obvious or implied measures (i.e., stained or odorous soil, or oily or discolored water), construction activities shall cease in the affected area and an environmental professional shall assess the situation. If necessary, the environmental professional shall prepare a sampling plan to collect soil and/or groundwater samples to determine whether or not the site has been adversely affected by past activities. The samples shall be analyzed for the contaminants determined to be a potential health concern by the environmental professional. Depending on the nature of the contamination (if any), the Merced County Division of Environmental Health and appropriate federal and state agencies shall be notified.

Response: A Phase 1 environmental site assessment was prepared for the Specific Plan which did not identify any areas of concern. Individual development projects will conduct similar surveys at the time of construction and will follow the necessary ASTM standards and remediation protocols.

S 4.1

Prepare a "Hazardous Materials Management Plan" to provide residential, commercial, and industrial properties with necessary information regarding the use, transportation, storage, and disposal of hazardous materials and hazardous wastes within the University Community and Merced County.

S 4.2

Require that all projects within the University Community comply with the Hazardous Materials Management Plan and the programs established by the Merced County Division of Environmental Health.

Response (4.1-4.2): The primary sources of information for hazardous materials is Merced County and the State. The UCP developers and specific plans have no role in providing professional, accurate information on this matter. These policies should be deleted.

S 5.1

Implement brush clearing and other fire suppression programs in adjacent lands, thereby reducing the possibility for the encroachment of wildland fires onto inhabited areas (consistent with maintenance programs for important plant and animal habitats).

Response: The setbacks in the project are consistent with the requirements and mitigations of the Safety Element of the Merced General Plan and the city's Local Hazard Mitigation Plan.

S 5.2

Encourage the use of non-combustible roofing materials within 200 feet from an area designated a very high hazard severity zone.

S 5.3

Prohibit the planting of "highly combustible" landscape materials, such as pines or eucalyptus trees, along the University Community's border within a very high severity zone for brush fires.

Response (5.2, 5.3: No areas of the project are designated Very High Hazard Severity Zone according to the Merced Local Hazard Mitigation Plan.

Noise

N 1.1

Design and construct new noise-generating land uses in a manner that does not cause excessive noise on any location of nearby residential properties. The noise standard of 65 dBA Ldn shall not be exceeded by stationary noise generating land uses at any existing or planned residential land use. Noise reduction features shall be included in the design of any land use that has noise sources affecting residential land uses.

Response: There are two important metrics to determine noise compatibility and consistency: 1) interior noise standards; and, 2) exterior noise standards. The City has an interior noise standard of 45 dBA Ldn for any sleeping or living portion of a residential structure. This includes areas such as bedrooms, living rooms, dining rooms, but not closets, kitchens, garages, or qualified Live-Work areas. For residential and office portions of the Specific Plan area, exterior noise from arterials, collectors and local streets is not to exceed 60 dB Ldn/CNEL.

Noise levels are directly correlated with the volume of traffic on project roadways. According to the traffic analysis prepared by VRPA, traffic on project collectors will range from 5,000 to 15,000 ADT, with arterials (Cardella) having traffic level of 10,000 to 12,500 ADT, and Campus Parkway (prior to completion) will have traffic levels of 5,000-7,500 ADT, and 12,500 to 15,000 ADT after completion and connection. Project collectors will have traffic volumes of 5,000 to 7,500 ADT.

Traffic volumes on Specific Plan streets, when combined with appropriate site planning, and special structural design do not pose interior or exterior noise issues. Traffic volumes on

Campus Parkway at 25 feet from the edge of the roadway (nearest point of a multifamily unit is estimated to be 58 dBA Ldn. Exterior noise levels at the nearest R-1-12.5 unit lot lines is projected to be 57 dBA Ldn, and the noise levels at the nearest R-2 unit is projected to be 58 dBA Ldn. Traffic volumes on collectors in the project will result in exterior noise levels of 58-60 dBA Ldn.

Dwellings constructive under current building codes have the ability to reduce exterior noise levels by 20 to 25 decibels. Exterior noise levels projected for the specific plan indicate that interior noise levels will be below the 45 dBA Ldn threshold in the Noise Element. Where necessary, however, the layout and siting structures should be used as the primary source of mitigation (including lining the street side of the structure fronting on to the street with home offices, live-work spaces, closets, kitchens, and other non-sleeping and living areas). Block walls should be used as a last resort for noise mitigation.

N 1.2

Minimize transportation noise by the development of a grid street pattern with “flexible corridors” that disperses local traffic and minimizes the need for major corridors carrying high volumes of traffic at high speeds and by integrating traffic calming measures into neighborhood street design.

Response: The project complies with this requirement and the resultant traffic volumes are distributed and relatively low.

N 2.1

Use the Land Use Compatibility Guidelines of the County of Merced General Plan Noise Chapter (Figure IV-2) to characterize the acceptability of a noise environment for proposed residential uses and specify the level of analysis and design features necessary to provide appropriate noise insulation.

Response: The project’s analysis is consistent with this methodology, and with that specified by the City of Merced.

N 2.2

Require that residential uses located in noise environments above 65 dBA Ldn mitigate the interior noise level to a 45 dBA Ldn through adequate noise mitigation techniques (insulation, double pane window, and so on).

N 2.3

Reduce noise exposure 65 dBA Ldn for large outdoor recreational spaces that are a part of housing developments as feasible through insulation, landscape, berms, and other techniques.

N 2.4

Provide noise protection for residences in mixed use projects that integrate housing with retail, office, or other non-residential use, including the use of construction techniques that prevent adverse noise transmission between differing uses or tenants located in the same structure or site.

Response (2.2-2.4): See response to Noise policy 1.1.

N 2.5

Identify a County agency or department for the coordination of noise control efforts.

Response: County or City code enforcement is the enforcing entity for noise complaints from fixed noise sources.

N 2.6

Manage noise from construction activities by:

- Limiting the hours of construction activities that generate noise, when adjacent to housing and other “sensitive” uses. Typically, construction is limited to the hours of 7:00 a.m. to 10:00 p.m., weekdays and Saturday, and prohibited on Sundays and holidays.
- Requiring that all construction vehicles or equipment, fixed or stationary, be equipped with properly operating and maintained mufflers
- Requiring that construction vehicle staging areas be located as far as practical from existing residential uses
- Requiring that construction vehicle trips be routed as far as practical from existing residential uses

Response: All construction will comply with these standards.

N 2.7

Evaluate the noise impacts of the adjacent airstrip on the University Community’s land uses during the formulation of each Specific Plan and mitigate potential impacts through the siting and design of buildings, use of insulation, and/or working with the airstrip owner to control hours of operation and/or modify flight patterns, as feasible.

Response: The airstrip is no longer in active use. It is not covered by the County ALUP as a public use airstrip. Delete this policy.

N 3.1

Locate and design new noise-sensitive land uses to minimize impacts by recreational activities at Lake Yosemite.

Response: The project is more than a mile from Lake Yosemite. There are no noise impacts associated with that facility.

N 3.2

Require that educational, recreational, commercial, and industrial land uses (including educational campuses, parks, stadiums, and public event facilities) be designed in such a manner that:

- Vehicle access points are located away from noise sensitive uses
- Loading and shipping facilities and noise generating equipment are concealed or located away from noise sensitive uses

- Parking areas and structures are located away from noise sensitive uses
- Structural building materials are incorporated to mitigate sound transmission
- Use of outside speakers and amplifiers is minimized
- Interior spaces are configured to minimize sound amplification and transmission.

Response: The project complies with those requirements.

N 3.3

Require that facilities used for active recreation in the University Community that are likely to draw cheering crowds, elicit loud play, or have amplified game announcements be located in parks or at locations away from noise-sensitive uses.

Response: Facilities in the community sports park will be separate from residential uses by approximately 300 feet. However, its noise impacts may occur (people like to have a good time), and buyers within audible distance of these facilities will be provided with disclosures. These facilities also will not be operated after 9pm to limit nighttime noise impacts.

N 3.4

Locate uses in the vicinity of the UC Merced campus that are consistent with the noise levels generated by campus recreational, central plant, or other noise-generating uses.

Response: The developed portions of the UCP and UC properties are currently separated by ½ mile and the maximum extent of development of development under the 2020 LRDP will have development occur within ¼ mile of the UCP. Noise impacts will not occur due to this separation.

Aviation Safety

AS 1.1

Require that development in the University Community maintains airspace safety and distance ratio requirements established by the Federal Aviation Administration and the Caltrans Division of Aeronautics as long as the airstrip adjacent to the University Community remains operational.

Response: The airstrip is no longer in active use. It is not covered by the County ALUP as a public use airstrip. Delete this policy.

Area Plan

Agriculture

AA 1.1

Encourage the development of agricultural retail businesses by promoting local agricultural events and other direct marketing programs by advertising for them through regional media.

AA 1.2

Facilitate a farmers' market in the University Community, in coordination with the Merced County Agricultural Commissioner's Office, by providing a suitable low-cost site in a central location and other resources to develop and promote it.

Response (1.1-1.2): The Community Recreation Center will include a structure and space for a local farmers market.

AA 1.3

Encourage the use of local agricultural goods for use in local restaurants, schools, and grocery stores, when possible.

Response: It is not clear how the UCP and the specific plans are supposed to influence buying decision for restaurants, schools and grocery stores. Delete this policy.

AA 2.1

Establish the University Community boundary as an urban limit line, outside of which no urban uses will be permitted in agricultural areas.

Response: The SUDP and SOI are urban limit lines. UC and VST have purchased property and placed it into conservation easements. No further actions are necessary.

AA 2.2

Design and develop infrastructure to serve development within the University Community boundary, except where necessary for joint use by the Community and UC Merced and to provide connections to regional systems.

Response: Infrastructure is being developed according to the various master plans and infrastructure master plans. No further actions are necessary.

AA 2.3 (Revised to include regional ag conservation easement in Policy A 2.1)

AA 2.4 (Revised and renumbered to Policy AA 2.2)

Lake Yosemite

ALY 1.1

Work with UC Merced for the shared use of its on-campus recreational, parking and sports facilities with the Merced community, especially with regards to campus parking in areas bordering Lake Yosemite Regional Park. Such cooperative programming may diminish impacts on the existing Park by providing additional recreational opportunities and shared parking for Park users.

ALY 1.2

Encourage UC Merced to provide students, staff, and faculty with active recreational and sports facilities and programs on campus that meet or exceed any recommended standards for the anticipated campus population, concurrent with increases in campus population.

ALY 1.3

Cooperate with UC Merced, to the maximum extent possible, to initiate and maintain a cooperative campus- run, water-related program on Lake Yosemite that combines academic programs with student and public recreational water sports activities year-round.

ALY 2.1

Require that, prior to the transfer of title for any land that is currently or planned to be a part of Lake Yosemite Regional Park, UC Merced develop mechanisms for the acquisition of additional property to replace any parkland lost or impacted by the conversion for campus uses consistent with state and federal grant requirements. Eligible lands include, but are not limited to, lands contiguous with the existing developed Park and property on the Lake itself, subject to approval of the Board of Supervisors.

ALY 2.2

Developers of the University Community and UC Merced shall participate in the development of additional parkland adjacent to Lake Yosemite to be included within the Lake Yosemite Regional Park in cooperation with UC Merced in order to meet the needs of the University Community and campus populations at a standard of 0.88 acres for each 1,000 residents, which may be satisfied by the payment of in-lieu fees.

ALY 2.3

Work with the City of Merced and UC Merced to expand Lake Yosemite Regional Park in response to impacts associated with buildout of the University Community and UC Merced.

ALY 2.4

Encourage UC Merced to designate the County-owned property currently designated for Park expansion as an appropriate buffer for Lake Yosemite Regional Park, including, but not limited to, such lower intensity on- campus uses as athletic fields.

ALY 2.5

Monitor the use of Lake Yosemite Regional Park associated with increased population and assess those impacts related to the build out of the University Community and UC Merced. The County, UC Merced, and developers shall work cooperatively with the University to assure that development adjacent to Lake Yosemite does not result in a net increase in costs to the County or decrease in service level.

ALY 2.6

Initiate, in coordination with UC Merced, the development and implementation of a Lake Yosemite Regional Park Master Plan to determine the potential uses, necessary facilities, design standards, and funding strategies for public parkland surrounding Lake Yosemite. The Master Plan shall address active and passive recreation including playing fields, recreational equipment design and placement, a pedestrian, bicycle, and equestrian recreational trail system around the Lake and connecting to existing or planned trails, parking and landscape planning and design.

ALY 3.1

Work with UC Merced to create a joint task force to meet regularly in a public setting to achieve cooperative goals for recreation and open space planning, parkland and resource acquisition, and the provision of adequate active and passive recreation, parks and open spaces to meet the needs of the population of eastern Merced County and UC Merced.

ALY 3.2

Work with the City of Merced to establish recreation fees to apply to all new development, including the University Community, to support the expansion of Lake Yosemite Regional Park.

Response (1.1-3.2): None of the above tasks have been initiated by the County or UC over the last 20 years, nor were they included in the Park and Recreation Element of the Merced General Plan. It is possible that a master plan or planning effort for Lake Yosemite is no longer necessary, desirable or possible. The General Plan does not specify a parkland dedication standard for regional parks, or a fee mechanism in lieu thereof. The project, however, will participate in a regional parks fee program as referenced in Lake Yosemite Policy 2.2 if such a policy is established for the region. The VST project and the UCP in general is providing parks and open space facilities as a rate above County and City standards.

ALY 3.3

Encourage development of a public golf course in the vicinity of the University Community, UC Merced, and Lake Yosemite, as warranted by demand for such a facility.

Response: This has been completed. Delete.

ALY 3.4 (Revised and Renumbered to Policy ALY 3.3)

Relationship to the City of Merced

ARM 1.1

Confer with the City of Merced in the joint planning of lands located between the University Community and City SUDP (location to be mutually determined by the County and City) that may designate land uses to be accommodated, development and design standards, transportation and infrastructure improvements, public services (schools, parklands, etc.), open spaces, resource management strategies, and governance. This would be accomplished through a Memorandum of Understanding, which builds upon the spirit of cooperation in the existing Revenue Sharing Agreement.

ARM 1.2

Assure that development in the area between the City and University Community SUDPs urban limit boundaries complements (in type, density/intensity, and design) and does not adversely impact use in these areas. In particular, control uses located at key entries and edges to ensure that their quality is reflective of the campus and Community.

ARM 1.3

Plan for the development of cohesive transportation (roadways, transit, bikeway, and pedestrian) and infrastructure (water, wastewater, storm drainage, telecommunications, and

energy) systems that link the University Community, campus, unincorporated Rural Residential Center, and City, where needed and appropriate.

Response (1.1-1.3): The SUDP and the SOI include the UCP properties and the intervening lands. The City has conducted a North Merced Annexation Study and evaluated the potential for urbanization within that area. The City has also adopted the Bellevue Master Plan to guide the development of properties between G/Bellevue and the UC Campus. These policies are probably moot and should be deleted.

ARM 1.4

As part of the joint planning of lands located between the University Community and the City of Merced SUDP, the County and the City should evaluate the long-term viability of rural water and wastewater infrastructure, and should consider the potential for provision of urban water and wastewater infrastructure to this area.

Response: UC is currently served by City water and wastewater. The UCP is planned to be served by City water and wastewater, with private or separate onsite water and wastewater to only be provided as a last resort. The City's water and wastewater master plans include all areas of the SUDP and SOI, including the UCP.

ARM 2.1

Collaborate with the City of Merced in establishing a strategy for the long-term growth and management/ protection of agricultural lands on properties east of the City, extending to and beyond the proposed Campus Parkway.

ARM 2.2

Collaborate with the City of Merced in implementing agricultural protection policies defined in the Area Plan—Agriculture (preceding section).

Response (2.1-2.2): The SUDP and the SOI include the UCP properties and the intervening lands. UC and VST have placed ___ acres in conservation easements east and north of the UCP and UC campus. These policies are probably moot and should be deleted.

ARM 3.1

Identify community recreational needs and potential funding sources for the Lake Yosemite Regional Park in cooperation with the City of Merced and other jurisdictions that benefit from the Park's use. While the Park is under the authority of the County, the City and all jurisdictions whose constituencies use that Park should seek to identify how they can contribute to the Park's maintenance, enhancement, and programs (refer to policy ALY 3.2).

Response (1.1-3.2): None of the above tasks have been initiated by the County or UC over the last 20 years. It is possible that a master plan or planning effort for Lake Yosemite is no longer necessary or possible. The project will participate in a regional parks fee program as referenced in Policy ALY 2.2 if such a policy is established for the region. The VST project and the UCP in general is providing parks and open space facilities as a rate above County and City standards.

ARM 4.1

Enter into agreements with the City of Merced to provide interim police, fire, library, and other services to the University Community during the initial stages of development and sufficient resource capacities are created to support local services. (*Imp 3.3*)

Response: The project complies with this requirement. The City-County revenue sharing agreement provides for adequate resources for services, plus any amount of “fiscal mitigation” that is necessary from Mello Roos special taxes.

ARM 5.1

Work with the City of Merced to develop a well-designed street signage and monuments/landmarks program that will be commonly used throughout the University Community, City of Merced, and adjoining areas that provides clear information regarding major destinations and travel routes (“wayfinding”).

Response: The project will use some special street naming to recognize the project’s association with the university, and to honor significant players. Otherwise, the project will use City standard street numbering.

ARM 5.2

Work with the City of Merced in establishing a unified transit system that connects the University Community with key destinations in the City.

Response: There is already coordination between the City’s transit system (“The Bus”), UC’s transit system, and the bus system operated by the Merced County Regional Transit Authority.

Relationship to Vicinity Land Uses

AV 1.1

Evaluate the appropriate long-term use of the lands east of the University Community including consideration of, but not limited to, development, agriculture, habitat preservation, or habitat restoration.

AV 1.2

Evaluations of the lands east of the University Community shall consider the site’s soils, agricultural uses, and productivity; the existing presence of wetlands and significant plant and animal species, as well as habitat enhancement or restoration opportunities; relationship and ability to fit with the University Community’s land uses and infrastructure and UC Merced; and relationships to adjoining agriculture and open spaces.

Response (1.1-1.2): The SUDP and the SOI include the UCP properties and the intervening lands. UC and VST have placed ___ acres in conservation easements east and north of the UCP and UC campus. These policies are probably moot and should be deleted.

Relationship to UC Merced

ARUC 1.1

The County shall, consistent with state statutes, make available drafts of specific plans for public review and comment, which shall include the opportunity for UC Merced to comment regarding their compatibility with the campus LRDP.

Response: UC is a Responsible Agency under CEQA and will participate in the review of the planning and environmental documents.

ARUC 1.2

Amendments to the UCP shall not frustrate the goals, objectives, policies, and programs of the campus LRDP.

Response: ...and, vice versa.

ARUC 1.3

The County shall review proposed amendments to the LRDP, prior to consideration by the Board of Regents, to ensure their compatibility with the University Community Plan goals, objectives, policies, and programs.

ARUC 1.4

The County shall secure the cooperation of UC Merced to assure that any amendments to the UC Merced LRDP not frustrate the goals, objectives, policies, and programs of the University Community Plan.

Response (1.3, 1.4): Yes.

ARUC 1.5

In recognition of possible significant changes in UC Merced's academic and research programs, the County shall periodically review the UCP in response to changes to the UC Merced LRDP.

Response: Yes. The UCP amendment is in response to substantial changes in UC's LRDP.

Implementation

Merced County General Plan

The University Community Plan shall be adopted as an integral chapter of the County of Merced General Plan, consistent with the California Government Code §65300 *et seq.* The UCP's policies are intended to supplement and be consistent with countywide General Plan goals, objectives, policies, and programs that are applicable to the University Community. Adoption of the UCP will modify the County General Plan Land Use Diagram by applying a "Multiple Use—Urban Development" to the University Community planning area, as depicted on Figure 3. Existing land use zoning shall be retained in these areas until such time that Specific Plans, Development Agreements, and, where needed, County General Plan amendments are approved by the County Board of Supervisors in accordance with State Planning Law and the *California Environmental Quality Act*.

Implementation of the Area Plan goals, objectives, and policies may involve the reconsideration of the County General Plan's land use policies and designations and resource conservation strategies for lands adjoining the University Community. Should changes be proposed by the County, they shall be considered as amendments to the County General Plan, subject to *California Environmental Quality Act* review and public hearings by the Planning Commission and Board of Supervisors.

Any future amendments to the Merced County General Plan shall be evaluated for their applicability to the University Community to ensure that the unique role of the University Community is recognized and not in conflict with the amendment. Updates of the County General Plan Housing Element's Five-Year Action Plan shall consider the appropriate contribution of the University Community in meeting Countywide fair share housing obligations for that time period. These shall reflect provisions for affordable housing made in any Specific Plan and/or Development Agreement approved for the University Community.

Response: The County General Plan was amended in 2013 to change the land use designations of the UCP property to "Multiple Use—Urban Development". The County General Plan has designed Phase 1 of the VST project (a portion of the original UCP North project) for such development, but the General Plan's graphics shall be updated to reflect the boundary changes covered in the 2009 LRDP for contraction of the urban land uses on the UC campus and expansion of the developed area on the VST property.

University Community Plan

All land development, infrastructure improvements, public services, capital budgeting, and resource conservation programs in the University Community shall be consistent with the UCP. Specific land use entitlements and actions shall be defined in Specific Plans to be prepared for the Community's planning sub-areas (see below), which must be found to be consistent with the UCP.

In accordance with §65400 of the Government Code, the Board of Supervisors shall provide, as a part of its mandatory review of the County General Plan, an annual report to the State of California Office of Planning and Research and the Department of Housing and Community Development on the status of the Community Plan (and implementing Specific Plans) and progress in meeting the County's share of regional housing needs.

The County Board of Supervisors may amend the UCP a maximum of four times during any calendar year in accordance with Government Code §65358. This limitation does not apply to amendments for a single development of residential units for which at least 25 percent of the total units will be occupied by or available to persons and families of low or moderate income.

At a minimum, the County shall undertake a comprehensive review of the UCP at least once each 10 years to ensure that it accounts for prevailing physical, market and fiscal economic, and social conditions and issues, the needs and visions of community residents, legislation and court decisions, and state-of-the-art planning, design, and community development processes. This review should assess the effectiveness, feasibility, and continued relevance of the Plan's existing goals, objectives, policies, and implementation programs. Those that remain valid should be retained and supplemented where necessary. The UCP should also be comprehensively reviewed concurrent with any substantive revisions of the UC Merced UCP.

Any UCP amendments would be subject to public input and environmental review.

Response: The UCP is being amended to comply with this requirement.

California Environmental Quality Act (CEQA)

A Program Environmental Impact Report (EIR) has been prepared and will be certified for the University Community Plan in accordance with the procedural and substantive requirements of the *California Environmental Quality Act* (CEQA). This document describes (1) the proposed project (the UCP); the University Community's existing environmental setting; (2) the environmental impacts that would occur on implementation of the UCP, including cumulative impacts resulting from other know future projects including development of UC Merced; (3) measures that must be implemented to reduce these impacts below a level of significance; (4) impacts that cannot be reduced below a level of significance; alternatives to the proposed project; and (6) the environmentally superior alternative. A companion document, the Mitigation Monitoring Program, defines the process for the monitoring of the implementation of prescribed mitigation measures and evaluation of their effectiveness in reducing impacts. Most of the measures that have been identified to mitigate the impacts of the development of the University Community are incorporated as policies of the UCP.

The Program EIR is written to the level of specificity of the UCP's goals, objectives, policies, and programs. It shall be used as the basis for the preparation of CEQA- required environmental documents for subsequent sub- area Specific Plans, in which the analyses would be tiered from those defined in the Program EIR. Following the certification of an environmental document for a Specific Plan, any residential development project in the University Community that is consistent with the adopted Specific Plan shall be exempt from further CEQA review, as specified in California Government Code §65457.

Response: The Program EIR for the UCP is being updated with current information and analysis, as appropriate, to reflect the current land uses buildout projections for UC a UCP.

Community Master Plans and Infrastructure Plans

Prior to or concurrent with the formulation of sub-area Specific Plans, it will be necessary to establish the precise locations, development standards, and implementation procedures (governance, funding, etc.) for the backbone elements of UCP infrastructure and public services that will serve all planning sub-areas and to which the land uses and improvements of the sub-areas must connect. This may be accomplished through the preparation and adoption of Community-wide master plans that would include: 1) Areawide public improvements plans—roadways, bicycle paths, transit corridors, and other transportation elements, integrated water systems (sanitary sewers, water distribution and storage, and storm drainage), energy, and telecommunications (refer to Imp 4.0); 2) Areawide open space network including parks, trails, and passive open spaces; and, 3) Urban design and streetscape improvements that unify the entirety of the University Community.

Response: In anticipation of annexation, the project will comply with the City infrastructure master plans, development standards (unless exceeded by specific plan standards), and public improvement standards. Special urban design features are identified in Chapter 4 of the Specific Plan.

Planning Subarea Specific Plans

Separate Specific Plans shall be prepared for the University Community Town Center and Residential Villages as generally depicted on Figure 6, in accordance with California Government Code §65450 *et seq.* These boundaries may be modified to reflect site conditions and land use development market projections at the time of the preparation of the Specific Plan, provided that the UCP's intentions for urban form and development character are achieved. The number of Residential Villages shown on Figure 6 is correlated with the number of K–6 schools that are estimated to be required to support the Community's population. Should this be modified, the number of Villages may be adjusted accordingly. Specific Plan boundaries shall be confirmed by the County in consideration of objectives for the development of cohesive and integrated neighborhoods and districts. Specific Plan land use designations and development guidelines and standards shall serve as the zoning regulation of the area within the Specific Plan boundary.

UCP Specific Plans will be prepared by the landowners and/or Master Developer(s) in cooperation and pursuant to County of Merced adopted policy and procedures. Accordingly, the County shall adopt a University District Specific Plan Ordinance that specifies the content and procedures whereby Specific Plans within the UCP shall be adopted by the County of Merced, consistent with the description provided in this section. The public shall be provided the opportunity to have input during the preparation of the Specific Plans, as well as during formal hearings to be conducted by the Planning Commission and Board of Supervisors, in accordance with state statutory requirements (California Government Code Sections 65453 and 65351). Environmental documents shall be prepared for the Specific Plans in accordance with CEQA.

Response: The project will comply with the content of the specific plan as identified in the UCP, as amended, and as identified in Chapter 18.150 of the County's Unified Development Ordinance.

Specific Plan Studies and Content

Additional background data pertaining to the planning sub-area's conditions and constraints shall be compiled to supplement the UCP's database and as necessary to support the preparation of the Specific Plan. This may include, but not be limited to 1) Soils and geotechnical analyses—type, stability, expansiveness, permeability; 2) Archaeological, cultural artifact, and paleontological surveys; 3) Hazardous materials surveys; and, 4) Plant and animal surveys.

Sub-area Specific Plans shall contain, at a minimum, the following components. It should be noted that this list is only intended as an overview of key elements that must be incorporated in the Specific Plans, as defined by UCP policies. It is not intended to serve as a comprehensive listing of all topics that must be addressed or studies to be undertaken. Authors of the Specific Plans must carefully review all UCP policies to ensure compliance with their requirements, and to consult with appropriate federal and state agencies.

1. Physical development plans including:
 - a. Land use plan that depicts the uses to be accommodated by type, density, and/or other descriptive characteristics, consistent the allowable uses stipulated in Table 2 or as modified as described above.

A revised land use plan, development standards and buildout projects are included in the amended UCP and the VST Specific Plan, as shown in Specific Plan Chapter ____.

- b. Land division and parcelization plan.

A phasing plan and draft Tentative Subdivision map in included in Chapter ____.

- c. Urban design and streetscape plan (landscape, sidewalk and crosswalk paving, street furniture, lighting, signage, public art, and other elements).

Public street, landscaping and street improvement standards are included in Chapter __, __ and __, respectively.

- d. Transportation Improvement Plan (TIP) that defines local streets, and highways, transit facilities, truck routes, bikeways, pedestrian paths, and hiking trails, parking management, demand management, and other elements that are consistent with the community-wide Public Improvements.

Chapter 5 includes the Circulation and Transportation improvements for the VST Specific Plan

- e. Parking plan that identifies the location and types of facilities such as on site for each use and/or shared facilities.

Chapter 5 includes the Circulation and Transportation improvements for the VST Specific Plan.

- f. Infrastructure services plan that defines the network of local integrated water (IWIMP), energy and telecommunications, and solid waste infrastructure systems that connect with backbone systems and any other local improvements and funding and governance methods.

Chapter ___ includes the infrastructure master plans for VST Specific Plan.

- g. Design and engineering plan for the protection of the MID canals, as appropriate.

The setback standards identified in Water Policy 2.2 are included Chapter 4 of the Specific Plan.

- h. Public services plan that prescribes the location and facilities for schools, police, fire, library, and civic uses and funding methods (refer to Imp 4.0).

The location of these facilities is shown on the Development Plan in the Specific Plan.

- i. Parks and recreation plan that prescribes park locations, improvements, and acquisition and funding methods (refer to Imp 4.0).

Parks and recreation facilities are identified in Chapter ___ of the Specific Plan.

- j. Open space and habitat mitigation plan (refer to Imp 4.10). This may include park lands, trails, habitats to be preserved, restored, or newly developed on site. Specific Plans prepared for Residential Villages adjoining agricultural lands shall incorporate a landscaped buffer of adequate size to protect these lands.

A 10-acre portion of the 654-acre property is identified for wetland preservation. UC and VST have placed _____ acres in permanent conservation easements to compensate for onsite wetland impacts.

- 2. Housing Program that stipulates the total number of units that shall be developed and affordable to very low, low, and moderate income households, the methods by which they shall be provided (fee waiver, inclusionary, in-lieu fee, bonus density, state or federal funding, etc.), the timing of their development, County or other agency purchase or rental financial assistance programs, and commitments for preserving the affordability of the units for a 10- to 20-year time period. The Housing Program shall be developed in collaboration with and approved by the County prior to the submittal of the final draft Specific Plan.

A housing program has been developed and is summarized in the responses to the housing policies above. Chapter ___ of the Specific Plan contains the Housing Program.

- 3. Impact mitigation plan that identifies the amount of productive agricultural lands, wetlands, or other habitats (as defined by UCP policy) that will be lost or otherwise affected by development and the method(s) by which these impacts shall be mitigated (e.g., replacement of lost habitat, or other strategy as defined in Imp 4.10). The mitigation program shall be developed in collaboration with and approved by the County prior to the submittal of the final draft Specific Plan. These requirements are not intended to supplant federal and state Clean Water Act or Endangered Species Act requirements.

Ag mitigation and wetland mitigation has been completed.

4. Commitment for participation in:

- a. The County Right-to-Farm Ordinance, that requires purchasers of property in the University Community to acknowledge the presence of continued agricultural activity in proximity to the University Community.

The county adopted a right to farm ordinance as part of its 2019 zoning code amendments.

- b. Environmental resource habitat mitigation program and/or Habitat Conservation Plan.

This has been completed.

- c. Mitigation program for the loss of agricultural lands in the north Merced area that may be established and adopted by the County of Merced and City of Merced. In the event that programs have not been adopted by the County and City prior to approval of any sub-area specific plan, the specific plan shall commit to the implementation of such measures that would achieve the equivalent protection of comparable farmland at a ratio of 1:1 for Important Farmland converted with the subject specific plan area. Examples of measures include acquisition of conservation easements, payment of in-lieu fees to the County (or an appropriate third party designated by the County) that would protect such lands through fee title, easement, or other measures.

This has been completed.

5. Development regulations pertaining to each use to be developed in the Specific Plan sub-area that shall address permitted uses, Residential density (units per acre) and commercial and industrial intensity (floor area ratio), Building height, Lot coverage and property setbacks, Landscape, including standards for the use of sustainable plant materials (natives, drought tolerant, drip irrigation systems, and so on), Lighting, Signage, and parking and parking management including on-site showers for bicyclists (in activity centers). Sustainable development practices for site planning, building design, architecture, landscape, building fixtures, infrastructure improvements and other relevant elements, which shall include the establishment of energy and water conservation budgets and recycling goals.

Chapter 4 of the Specific Plan identifies the development requirements for the VST project.

6. Design guidelines for site layout, architecture, landscape, and grading and public streetscape improvements (paving materials, street furniture, trees and plantings, signage, lighting, public art, and other). These shall reflect the UCP's intentions, as expressed by policy, for the development of a "walkable" and "livable" community (e.g., siting of buildings, concentration and intermixing of development, pedestrian-oriented design, and so on) and the use of sustainable development practices (e.g., recapture of storm runoff on site, orientation and design of structures to reflect climatic conditions and minimize energy consumption, incorporation of solar and wind energy systems, use of native and drought-tolerant landscape, and so on).

Chapter 4 of the Specific Plan identifies the development requirements for the VST project.

7. Capital improvements plan that defines the costs and sources of funding for public infrastructure and services, consistent with the Public Improvement Plan (Imp 4.0).

Chapter ___ of the Specific Plan identifies the costs of improvements, planned sources of financing, fiscal impacts and mitigation of fiscal short falls, specific impact fee programs, and other measures, all correlated to the phasing and development of the project.

8. Phasing plan that depicts the sequence of land use development, circulation, infrastructure, and public service improvements. Documentation shall be included that demonstrates that the phasing program results in cohesive neighborhoods and districts, is of a scale sufficient to assure economic viability, is financially feasible, is appropriately related to the development of UC Merced and peripheral land uses, and does not impact the integrity of agricultural and natural resource lands not designated for development.

Chapter ___ is a phasing plan for the project. The phasing plan will be market based.

9. Fiscal impact analysis that defines the full public costs associated with development and anticipated revenues.

Chapter ___ of the Specific Plan identifies the costs of improvements, planned sources of financing, fiscal impacts and mitigation of fiscal short falls, specific impact fee programs, and other measures, all correlated to the phasing and development of the project.

10. Implementation programs that define the range of actions to carry out the Specific Plan that may include Development Agreements, development fees, County development review and approval processes, governance, and other appropriate programs.

Chapter ___, project description, identifies the entitlements for the project.

11. Financing plan for public infrastructure and services, identifying costs, financing mechanisms, and projected revenue.

Chapter ___ of the Specific Plan identifies the costs of improvements, planned sources of financing, fiscal impacts and mitigation of fiscal short falls, specific impact fee programs, and other measures, all correlated to the phasing and development of the project.

12. Findings that levels of development to be accommodated in the sub-area reflect the scale of planned and anticipated student enrollment, faculty, and programs of UC Merced, pertinent interagency agreements have been approved, pertinent environmental permits have been committed or approved, in accordance with prescribed procedures criteria specified for Policy LU -4.5 have been achieved.

Zoning Regulations and Building Codes

While the Specific Plans shall serve as the zoning ordinances for the Community, it may be necessary to revise the County Ordinance, as well as the Building Code, to ensure that the more precise standards for the Community can be found to be consistent with these. In some cases, the revisions may be only applicable to the University Community, while in others that may have potential utility throughout the County.

Response: The Specific Plan will build on and supplement the City of Merced's development regulations, in anticipation of annexation to the City.

Development Agreements and Subdivision Maps

Development Agreements shall be prepared as contractual agreements between the County and developers of the University Community sub-areas to provide assurances to each party regarding the uses to be entitled and rules of development. Development Agreements shall be adopted by the Board of Supervisors, in consideration of public comments, and be effective for a specified time period. Since the University Community will be developed over an extended time period, such agreements reduce the uncertainty of changing policies, rules and regulations, and conditions of approval that are likely to occur and which can impact development feasibility and quality. In accordance with Government Code §65865.2, the Agreements shall specify the permitted uses of the property, density and intensity of use, maximum height and size of proposed buildings, and provisions for the reservation or dedication of land for public purposes (schools, parks, and so on), consistent with the adopted UCP and related Specific Plans.

Chapter ____, project description, identifies the entitlements for the project. Development Agreements will be used to codify and implement the special impact fee programs, infrastructure reimbursement agreements, special housing programs, compliance with City improvement standards, and other features that may be above and beyond standards County zoning provisions.

Engineering Review

Proposed development projects shall be reviewed for their compliance with applicable building code, subdivision, and other County engineering requirements and standards. At a minimum, this will encompass review of (1) infrastructure improvements consistent with the Public Facilities Plans (*Imp 4.0*), including transportation, potable water, wastewater, storm drainage, electricity, natural gas, and telecommunications; (2) site grading and soils/geological stabilization; (3) building and foundation design for structural stability, fire codes, soils and geologic characteristics; and, 4) compliance with energy and water conservation budgets and environmental sustainability standards. Project applicants will be required to submit studies and analyses that are necessary for an adequate engineering review such as traffic impact studies, soils tests, and percolation test.

Where development or public improvements abut or otherwise impact the Merced Irrigation District (MID) canals and tributary facilities in the University Community, proposed grading and development plans shall be reviewed with MID to ensure that the structural integrity, functionality, and safety of the systems are maintained.

Response: The City and County, and MID where appropriate will review and approve engineering plans prior to construction. The Specific Plan will include a process for concurrent

City and County review of infrastructure designs if improvements are made prior to annexation.

Design Review

Proposed development projects shall be reviewed for their consistency with the UCP and Specific Plan design and development standards and guidelines and applicable codes and regulations. Plans and designs may be reviewed and approved by the County Planning Director, the Planning Commission, or an appointed University Community Design Review Board. If the latter, its membership should consist of design professionals (architecture, landscape, urban design, and/or visual arts) and Community residents and businesspersons that would report their recommendations to the Planning Director and/or Planning Commission. Appeals would be submitted to the Board of Supervisors.

Response: Chapter 4 of the Specific Plan include design and approval requirements for different types of development projects, depending on their scale, complexity, potential for impacts, and other factors.

Interim Governance Structure

Initially, the County will serve as the governing body and may continue to play an important role in decision-making and public service provision over time. However, the County will need to establish an entity (i.e. a special district) that is responsible for overseeing and coordinating University Community-related infrastructure development and public services delivery.

Response: The City and County are working cooperatively to facilitate the annexation of the VST property at the earliest feasible date. All parties expect that long term governance will be provided by the City. During any interim period, an interim County Service Area and Community Facilities District will be established and governed by the County Board of Supervisors.

Options and Mechanisms for Transition

Given that the form and structure of the governmental entities with jurisdiction over the University Community is likely to evolve over time, a transition plan will need to be developed. The Transition Plan will define the process through which new governing structures are adopted and developed. Options include continued operation as an unincorporated area of the County served by a special district, annexation to the City of Merced, and incorporation of an entirely new City.

Response: The City and County are working cooperatively to facilitate the annexation of the VST property at the earliest feasible date. All parties expect that long term governance will be provided by the City. During any interim period, an interim County Service Area and Community Facilities District will be established and governed by the County Board of Supervisors.

Inter-Agency Coordination and Agreements

Success of the University Community depends in some measure upon the successful cooperation between the County of Merced and UC Merced. The proximity to the City of Merced and the need for coordination with other regulating agencies also create the need for a range of special agreements.

Response: MOU and Cooperation agreements have been developed. The City and County are working cooperatively to facilitate the annexation of the VST property at the earliest feasible date. All parties expect that long term governance will be provided by the City. During any interim period, an interim County Service Area and Community Facilities District will be established and governed by the County Board of Supervisors.

County and University of California Merced

Development of the University Community is directly linked to the development of UC Merced and its population of faculty, staff, and students. There are numerous issues of common concern that need to be jointly addressed by the County and UC Merced through collaborative planning processes, formal agreements, and informal coordination.

Response: There are regular meetings between the County, VST and UC to coordinate issues of mutual interest.

CITY OF MERCED

The County of Merced and City of Merced maintain a number of cooperative relationships regarding land use development and infrastructure and public services. The County and City may enter into an agreement that reiterates the commitment of both jurisdictions for the preservation of agricultural lands east of the City of Merced, and establishes appropriate oversight, information exchange, and approval processes by the Board of Supervisors and the City Council for changes of zoning to urban uses within the areas south of the University Community boundary and immediately east of the City of Merced.

Response: MOU and Cooperation agreements have been developed. The City and County are working cooperatively to facilitate the annexation of the VST property at the earliest feasible date. All parties expect that long term governance will be provided by the City. During any interim period, an interim County Service Area and Community Facilities District will be established and governed by the County Board of Supervisors.

SCHOOL DISTRICTS

As part of the implementation process, applicable developers shall formalize plans with the school districts that address the implementation of school facilities and support facilities that are needed and required to serve the University Community.

Response: The needs for schools has been determined. VST, the Merced Office of Education, Merced City School and Weave School District will amend the attendance are so that the UCP area is in the Weaver School District.

Transportation Infrastructure

The UCP area is largely undeveloped, with limited transportation infrastructure in place. New transportation corridors, roadways, and improvements to existing roads, will be necessary and will be consistent with the Regional Transportation Plan (developed by MCAG) and by guidelines articulated in the UCP. Certain roadway improvements, such as the Campus Parkway, will need to be developed in the early years of Community development in order to link the Campus and Community to Highway 99. Other roadways and improvements will be tied to the construction of various land uses and will be guided by subsequent Specific Plans. Construction of roadway improvements will require cooperation and funding from a variety of entities including County, state, and federal agencies, MCAG, and private developers.

Elements of the Transportation Improvement Plan (TIP) shall be formulated for the entirety of the University Community and relevant components contained and elaborated in the sub-area Specific Plans.

Response: Chapter __ of the Specific Plan is the Transportation Improvement Plan

Integrated Water Systems

Prior to the preparation of the first Specific Plan, an Integrated Water Infrastructure Master Plan (IWIMP) shall be developed for the UCP area. The IWIMP shall be prepared through the direction of the County of Merced and reviewed by the UC, MID, City of Merced and City of Atwater (if necessary). The IWIMP shall include a Potable Water System Master Plan, a Recycled Water System Master Plan, a Wastewater Treatment and Disposal System Master Plan, a Storm Drainage Master Plan (SDMP), and a Capital Improvement Plan (CIP) to construct the IWIMP elements.

Concurrent with the preparation of each Specific Plan, a design-level MID facilities master plan shall be developed for areas within the UCP. The plan shall demonstrate the ability of the MID system to continue to deliver irrigation to downstream users despite modification to the existing system. At a minimum, the MID Facilities Master Plan shall incorporate elements of the Storm Drainage Master Plan that identify specific improvement to MID facilities. The MID Facilities Master Plan shall be reviewed and approved by MID and the County of Merced prior to or concurrent with the Specific Plan.

Response: Many of the policies of the UCP relate to the development of an integrated water system plan. This was based on the assumption that the project would have its own wastewater treatment plant, and that recycled water would be available. This would provide the UCP with a relatively “closed” system that would have to be coordinated and integrated. The project is now being designed to connect to the City water and sewer systems. Sewer

and Water systems will be designed in concert with the City’s adopted master plans, and in accordance with the drainage ordinance.

Energy and Telecommunications

Energy services will be developed in accordance with an Energy Services Plan that shall be approved either before or in conjunction with the first sub-area Specific Plan. This plan will establish a service agreement with a power distributor and will identify opportunities to purchase power generated from sustainable sources such as solar wind, and fuel cells, including the possible development of these facilities in proximity to the University Community site.

Telecommunications infrastructure will be developed by the phone, cable, and wireless communication providers that will serve the University Community and connect it to UC Merced and other appropriate off-site areas. The UCP will guide the siting of telecommunication facilities so that they may efficiently serve the community while complementing buildings and landscapes.

Response: The many policies on energy and telecommunications pre-date current ordinances for permitting telecommunications (some of which limit local control), and significant updates to the state’s energy conservation and renewable energy mandates. Separate policies and mitigation measures are no longer necessary in these areas.

Police Sub-Station

Police protection will be provided by the Merced County Sheriff’s Department. The Department has expressed interest in siting a substation in the UCP area and therefore one facility has been planned. The County may elect to contract with the City of Merced to provide urban level services to the Community during the initial years of development.

Response: A police substation is shown on Main Street south of Virginia Smith Parkway. Funding will be provided from special Mello Roos District “fiscal mitigation” taxes, and from revenues from the City/County revenue sharing agreement.

Fire Station and Fire Fighting Equipment

The Merced County Fire Department provides fire, rescue, and emergency medical services to the University Community and all unincorporated areas in the County. County McKee Station #85, and City Station 55 at Parson are the closest facility to the University Community area. Development in the University Community will likely require the County to construct a new station in order to assure response times and maintain current levels of service.

Response: A police substation is shown on Main Street south of Virginia Smith Parkway. Funding will be provided from special Mello Roos District “fiscal mitigation” taxes, and from revenues from the City/County revenue sharing agreement. City station 55 and County station 85 can adequately serve the project within a travel response time that meets City guidelines. A

new fire station is shown on Main Street south of Virginia Smith Parkway. Funding will be provided from special Mello Roos District “fiscal mitigation” taxes, and from revenues from the City/County revenue sharing agreement.

Library

The Merced County Library system currently serves Merced’s residents; however, reduced funding has resulted in the reduction of programs, hours, and staff. The UCP provides for the development of one or more library facilities to serve the community. This may include partnerships with UC Merced and local schools to provide shared facilities, as well as wired/wireless connections between residences and library resources. The County will need to use a creative finance approach to funding capital costs for site acquisition, construction, furnishings, fixtures, and equipment.

Response: It is unlikely that a separate “brick and mortar” library is needed. The UC library is accessible by members of the alumni associations and California educators, students, faculty and staff of the University of California, retirees and emeriti of the University of California, their immediate family, faculty and librarians from accredited institutions of higher learning in California, certificated employees of California public schools, and to “fee borrowers” who can pay an annual fee for access to the university’s collections.

Schools

As housing development proceeds, elementary, middle, and high schools will be developed within or outside the University Community to serve the University Community. The number of necessary schools shall be based on the planning of the University Community in conjunction with the implementation programs of the applicable school districts. The actual number of schools to be developed will depend on the actual rate of students generated by housing in the University Community, the school sizes based on enrollment levels, and the standards and requirements of the local school districts. There is a statewide trend to the development of somewhat larger schools on smaller parcels that share facilities with adjoining parks or other schools for efficiency and to reduce costs. Additionally, it can be expected that the student generation rates for the Community may be less than traditionally experienced in Merced due to the expected high occupancy by unmarried UC Merced students without children.

Response: K-8 students from the VST property will be accommodated on a 15-acre site within the VST Specific Plan that is capable of handling 950 students that is being reserved by MCOE for that purpose. It is anticipated that this school will need to be developed concurrent with the development of Phase 1E of the project, assuming a minimum feasible opening day enrollment for a school of 425-450 students. Student generation rates from the most recent version of the school district’s development impact fee justification reports were used for student generation estimates. Additional schools are shown elsewhere in the UCP to support the building of the UCP.

Parks and Community Facilities

Parks and other community amenities will be important assets to the University Community. A comprehensive network of parks and open space has been planned for the Community. The County will be largely responsible for developing parks and other facilities, although there will also be opportunities for sharing facilities with UC Merced. To facilitate management and funding, Community Facilities Districts (CFDs) may be created.

Response: All public parks and open spaces will be publicly owned, and maintenance will be financed by a Mello Roos Community Facilities District. Portions of the Community Recreation Center will be financed with Master HOA fees, and may be available to the general public through guest passes or subscriptions.

Public Vehicle Fleet and Public Transit

The County shall purchase, and public transit providers shall be encouraged to purchase a fleet of vehicles to serve the University Community that are non-polluting and energy efficient.

Response: The City, County and UC operate transit facilities, all of which are coordinated through the Merced County Transit Authority and each agency's transit plans. The project will also include car sharing (like ZipCar) and ride sharing through a program like Zimride. These mode sharing facilities will be EV vehicles.

Open Space and Habitat Conservation/Mitigation

The eastern Merced County region is part of the largest block of relatively undisturbed, high-density vernal pool grasslands remaining in California. As such, habitat protection is a critical aspect to the UCP, which focuses on preserving and sustaining the vitality and diversity of the relatively undisturbed areas of the UCP district.

Consultation with relevant federal and state permitting agencies will guide the approach and define the constraints for providing habitat conservation and mitigation. Responsibility will fall initially to the County to adopt a land use plan and zoning designations that are acceptable to the regulating agencies. Subsequent development will be responsible for mitigating habitat off-site when necessary.

Response: UC and VST have fully mitigated for the loss of wetlands and wetland habitat.

Affordable Housing

The ability to maintain housing affordability over the long term will be an important challenge for the University Community. Affordable housing goals articulated in the UCP can be achieved through cooperation between the City, County, University, the business community, non-profits, and residents at large. Effective mechanisms for providing affordable housing include land use controls that require inclusionary units, in-lieu fees paid by residential and commercial development, leveraging of state and federal funds, tax credits, and volunteerism (e.g., Habitat for Humanity). A Housing Affordability Plan shall be required to be incorporated into

each Specific Plan. This shall quantify the anticipated housing needs for the planning area, goals for the production of housing for very low-, low-, and moderate-income households, and a specific program of actions for their achievement. The Community's affordable housing goals shall be integrated into the mandated five-year updates of the County General Plan Housing Element.

A housing program has been developed and is summarized in the responses to the housing policies above. Chapter ___ of the Specific Plan contains the Housing Program.

Offsite Infrastructure Development

At each phase of development, off-site improvements to infrastructure (roads, sewer, etc.) may be required. These improvements, as well as funding mechanisms, will need to be identified throughout the development process. Guidelines set forth in the UCP will determine appropriate service levels for off-site improvements.

Infrastructure Phasing

Infrastructure phasing will be determined by cooperative agreements between the City, County, and University as well as by market factors that drive the pace of development. Certain "backbone" improvements such as arterial roadways, sewer and water trunk lines, energy transmission lines, and possibly a fire station may need to be constructed before or concurrently with the first phase of residential and commercial development. Other items such as in-tract roads, schools, library, and recreation facilities can be phased to match the pace of development and to respond to the growing needs of the community as they arise.

Response 4.12, 4.13): Chapters ___ and ___, respectively, identify the phasing of infrastructure for circulation and infrastructure improvements. The project description in the Specific Plan also identifies infrastructure to be constructed at each phase.

Planning and Development Administration

Initially, planning and development management will be provided by the County and informed by Memoranda of Understanding (MOUs) between the County and City of Merced. These MOUs will reflect the goals, objectives, and policies of each jurisdiction.

Response: The specific plan and development agreement will formalize these requirements.

Police Protection

Initially, the Merced County Sheriff will provide police protection to the University Community at the level of service that is currently enjoyed elsewhere in the unincorporated County. In future years, the level of service may be modified as determined by the appropriate governing body.

Response: A new police/sheriff station is located in the project.

Fire Protection

Initially, fire protection will be provided by the Merced County Fire Department. The County and University will need to come to agreement about service responsibilities as well as the possibility of providing reciprocal protection.

Response: The County and City have a mutual aid agreement. The County Fire Station 85 is located 2.25 miles from the project, within a 4.5-minute travel response time. City Fire Station 55 is located within a 4.5-minute travel response time and will serve as backup. When annexation occurs, or by prior mutual agreement, the roles will be reversed. A new fire station is proposed for the VST Specific Plan project site that would serve the entire UCP.

Integrated Water Utilities

The provision of integrated water service may require cooperation between the City, County, University, and regional utility districts to determine participation, service delivery responsibilities, and fee levels. For example, the County may provide its own water and sewer service or may contract with another agency for service.

Response: Many of the policies of the UCP relate to the development of an integrated water system plan. This was based on the assumption that the project would have its own wastewater treatment plant, and that recycled water would be available. This would provide the UCP with a relatively “closed” system that would have to be coordinated and integrated. The project is now being designed to connect to the City water and sewer systems. Sewer and Water systems will be designed in concert with the City’s adopted master plans, and in accordance with the drainage ordinance.

Drainage, Landscape and Habitat Maintenance

For maintenance of drainage, landscape, and habitat areas, the County will need to determine whether existing County departments will be responsible or whether the County will need to create a new department. Levels of service will be guided by standards set forth in the UCP.

Response: Such maintenance may be provided by the County, City or by private contractors under contract with the entity with jurisdiction.

Parks and Recreation

The County will be largely responsible for maintaining parks and other facilities and sponsoring recreation programs. However, there will be opportunities for sharing facilities and programs with UC Merced and the City.

Response: All public parks and open spaces will be publicly owned, and maintenance will be financed by a Mello Roos Community Facilities District. Portions of the Community Recreation

Center will be financed with Master HOA fees, and may be available to the general public through guest passes or subscriptions.

Library

The County will bear the primary responsibility for staffing and maintaining library facilities in the UCP. The County may also participate in reciprocal borrowing and other programs with UC Merced.

Response: No new libraries are anticipated for the UCP based on the digital distribution trend in library services, and the availability of the UC Merced library to UC staff, students and fee borrowers.

Schools

The County will have to come to determine whether the schools in the UCP area will be integrated in the Merced area school districts or if they will form their own district. In any event, operations and maintenance will be provided by the governing district using a combination of property tax and state funds, which are distributed on a per student basis.

The Merced City School District, the Weaver School District, and the Merced Union High School District currently are responsible for providing the K–12 educational programs, operations, and facilities for the future residents residing within the Community Plan.

Response: VST high school students will be accommodated at El Capitan High School until such time as a new high school is developed in the UCP South/Hunt portion of the UCP. K-8 students from the VST property will be accommodated on a 15-acre site within the VST Specific Plan that is capable of handling 950 students that is being reserved by MCOE for that purpose. It is anticipated that this school will need to be developed concurrent with the development of Phase 1E of the project, assuming a minimum feasible opening day enrollment for a school of 425-450 students. Student generation rates from the most recent version of the school district's development impact fee justification reports were used for student generation estimates. Additional schools are shown elsewhere in the UCP to support the building of the UCP.

Fiscal Analysis

A key component of the Public Services Plan will be an analysis of the public costs and revenues associated with providing the services described above. In this regard, a Fiscal Analysis will be conducted as a part of the record during preparation and consideration of individual Specific Plans to ensure that adequate revenues will be available to fund these public services.

Chapter ___ of the Specific Plan identifies the costs of improvements, planned sources of financing, fiscal impacts and mitigation of fiscal short falls, specific impact fee programs, and other measures, all correlated to the phasing and development of the project.

City Urban Expansion Policies

UE-1.4 Continue joint planning efforts on the UC Merced and University Community plans.

Response: The collaborative process for transition from County jurisdiction to the City will achieve this.

1.1.a Direct development away from significant concentrations of “Prime” agricultural soils and give priority to the conversion of non-prime agricultural land if reasonable alternatives exist.

Urban expansion should be directed away from significant concentrations of “prime” soils and where agricultural use can still be realistically and economically sustained. Development within the City’s SUDP/SOI should be developed in such a manner as to minimize impacts on “prime” soils along the City’s urban fringe. It is recognized that it is not possible to avoid all “prime” soils. The UC Merced Campus and University Community are located on prime farmland to avoid sensitive wetlands habitat. Some areas that contain prime soils are adjacent to important circulation and employment corridors and will need to be developed for urban use in order to achieve critical City economic development and circulation goals. Accommodating growth in a compact form within the City’s growth area will decrease the pressure to develop outside urban areas where more prime soils and intensive agricultural operations now exist.

Response: UC and UCP are recognized as important exceptions to the recommendation to avoid prime ag land, even at the expense of “compact” growth. The bio impacts and the ag impacts of the projects have and will continue to be mitigated by setting aside other lands for permanent conservation, habitat and farming operations. The UCP areas contain the Campus Parkway which is an essential element of the City and County circulation system. Without the development VST, UC and the Hunt properties, Campus Parkway will not be constructed. Development of the VST property adjacent to the UC will also substantially reduce the traffic impacts of the UC by locating development closer to it, and will reduce the number of annual passenger vehicle miles traveled by 7,500,000 to 10,000,000. This would have corresponding beneficial air quality and traffic effects.

1.2.c Continue to limit the expansion of City utilities to only those areas within the established urban boundary.

Proposals for urban development within the City’s SUDP/SOI shall be considered only after annexation has taken place. To be eligible for annexation, a property must be contiguous to the City Limits and be located within the SUDP/SOI. City utilities should not be extended outside of the City limits except in cases where public health and safety are threatened, or a significant public interest (such as the UC campus) is served. If it is necessary for technical/economic reasons to allow utilities to cross unincorporated territory (i.e. water/sewer main extensions), actual access to such utility services will be restricted to those inside the

City limits until such time as annexation occurs. Annexation agreements would be utilized in these cases to address relevant issues and service costs.

Response: The possible extension of City utilities to the VST site would ideally happen after annexation. AB 3312 provides an opportunity to do that. However, it may be necessary to provide services to the VST site during some interim term prior to annexation. Eventual annexation of the VST would be assured through a Pre-Annexation Agreement and a recorded Consent to Annex on all affected properties. As noted in Policy 1.2.c, services may be extended outside of City limits, as they have been done for UC, "...where public health and safety are threatened or a significant public interest (such as the UC campus) is served. If it is necessary for technical/economic reasons to allow utilities to cross unincorporated territory (i.e. water/sewer main extensions), actual access to such utility services will be restricted to those inside the City limits until such time as annexation occurs. Annexation agreements would be utilized in these cases to address relevant issues and service costs."

The development of the UCP properties has been considered an integral part of the successful development of UC Merced, both physically and economically. There is a "significant public interest" in the development of the VST property as follows: 1) its successful development will result in the establishment of a \$100 million endowment for local college scholarships, generating \$5 million per year for local college scholarships; 2) development of the VST site would reduce the number of vehicle miles traveled in the community 7.5 million to 10 million miles, and would reduce the impacts of UC on the local circulation system; 3) UC and UCP properties have been planned as an integrated unit for the past 25 years, and they cannot be successfully developed without the other; 4) development of Campus Parkway will need to occur in the near future to accommodate UC traffic, and to reduce impacts of UC traffic on city and county roadways. Development of VST would enable this to happen; 5) development of the VST properties would have beneficial air quality impacts because of the significant reduction the number of vehicle miles traveled; 6) the VST property would primarily "serve" the UC Campus; and 7) despite significant planning efforts by the City, it is unlikely or unknown when, if or how development could become contiguous to the city so that a "contiguous" annexation the VST property could occur. There are Rural Residential properties West of Lake Road who will not consent to annexation, and annexation along the Bellevue Corridor is dependent on those property owners successfully completing environmental documents and significant mitigations associated with their development. There are also Rural Residential properties along Bellevue that may prevent the eventual annexation of the VST property. Waiting for a contiguous corridor annexation would defer indefinitely the community economic and physical benefits associated with the development of the VST property listed above.

1.3.a The City should continue to require that all new urban development and annexations be contiguous to existing urban areas and have reasonable access to public services and facilities.

“Leap-frog development” tends to be cost-prohibitive in these times due to the high up-front costs of extending utility lines, streets, etc., across undeveloped properties to outlying areas. Such development should be discouraged in most cases because of the service inefficiencies it creates. Exceptions can be made for industrial areas which for business recruitment reasons often need to provide infrastructure and services prior to development. Other exceptions may be made, with strong justification on a case-by-case basis, for other areas which may serve the public interest through early development.

Response: The development of the UCP properties has always been considered in the context of serving the UC. The requirements for a contiguous annexation assumes that services may need to be extended. In this case, the City is already providing sewer and water service to UC, and the VST property can economically connect by extending service lines to Bellevue/Lake. UC is also considered an “urbanized” area and contains 10,000 residents (students) and a support population of 1,600. A City fire station exists within a 4-minute travel time (according to the Fire Master Plan) from City Fire Station 55.

1.4.a Incorporate the UC Merced campus area as part of the City’s SUDP/Sphere of Influence and begin planning for the eventual annexation of the Campus.

This designation within the SUDP/SOI would facilitate the eventual incorporation of the Campus into the City. The City should begin the process of planning for the eventual annexation of the Campus to the City, including evaluating various corridors for possible annexation in order to bridge the gap between the current City limits and the Campus boundary. Planning of the land uses along those corridors should also begin as well, including possible locations for research and development parks.

Response: The city has spent significant time and resources trying to identify a “path to annexation” for UC. AB 3312 provides that path. The corridor annexation along Bellevue appears to be infeasible and unwieldy. The City has completed a Bellevue Corridor concept plan, and is undertaking an annexation study. It is possible that incremental annexations may take place in the future as properties annex from G Street east to Lake Road, but that would be depend the completion of future environmental studies, property owner willingness to develop, and other factors.

1.4.b Working in cooperation with the County, implement the following policy statement from City Council Resolution #2006-89 regarding the University Community Plan Area.

Long-term Land Use and Governance

The University Community should be incorporated into the City of Merced, and should not be part of the unincorporated County, or a separate City.

- It is in the public interest that the University Community's development not result in the creation of a new city or other jurisdiction.

Response: All parties agree that UCP should be annexed ASAP.

- Multiplication of jurisdictions can lead to conflicts, which should be avoided. A separate City on Merced's border is inherently undesirable.

Response: All parties agree that UCP should annexed ASAP.

- The University Community is expected to develop at an urban density. Merced County does not currently provide urban services. The City is already serving the University of California campus, and it is logical for the City to serve the adjacent area as well.

Response: All parties agree that UCP should annexed ASAP.

- No separate wastewater treatment plant should be allowed or constructed in the area, given the risks to the City's groundwater supply that could result, and competition for qualified licensed operators. This statement does not, however, preclude consideration of innovative methods of wastewater treatment for the area which are reasonably viable from an economic perspective.

Response: All parties agree that UCP should annexed ASAP. However, the concern over groundwater contamination is a red herring since a separate wastewater plant would be regulated by the same agency that regulates the City wastewater plan. There are no City potable water wells that are down gradient from a potential treatment plant, and the "competition for qualified licensed" treatment plan operators seems inappropriate. The project's preference is to connect to the City's wastewater system, if possible, but will explore other feasible options. The project will include on-site measures to reduce wastewater flows such as use of the EPA's "Water Sense" water conservation measures.

- The University Community should be developed with the use of annexation agreements and phased annexations, not through the creation of a County services district, either as an interim or permanent measure.

Response: Agreed. However, the project will phase its development through a phasing mechanism established in the specific plan is preferred by LAFCo, not through "phased annexations". The City has suggested that formation of interim or temporary County services district may be necessary for the city to provide services to the site through an Out of Boundary Service Agreement (OBSA). Therefore, a County services district may be required in the interim.

The City of Merced is willing to provide interim sewer and water services from existing sewer and water lines along Bellevue Road that serve the University campus, provided that certain conditions are met:

- Interim services to the University Community require compliance with environmental law and permitting, including the California Environmental Quality Act (CEQA) and approval by the Local Agency Formation Commission (LAFCo).

Response: As noted in the policy, "...interim services to the University Community" are permitted, subject to compliance with CEQA and LAFCo. Past and recent discussion with LAFCo

indicate its willingness to approve an OBSA for the project, and to provide that as a preferred alternative a Bellevue Corridor annexation strategy. The 2004 UCP EIR covered the impacts of the development of the project, and that document will be updated as part of the entitlement process. The EIR will also cover the impacts associated with utility extensions to serve the project site.

- Prior to providing interim services, the City must receive an acceptable plan for long term service provision, enforceable commitment for annexation, and financial planning and commitments necessary to fund long term services.

Response: Agreed. It is assumed that these commitments will be covered in the Pre-Annexation Development Agreement.

The City should encourage annexation along the Bellevue Corridor to provide contiguity between the University Community and the City of Merced.

Response: We agree that the City should encourage annexation of the Bellevue Corridor property as the earliest possible time so that the City, UC and UCP areas will be contiguous. However, contiguity should not be a pre-condition for servicing the project.

- The Bellevue corridor is expected to become a major regional transportation arterial. Bellevue Road also contains sewer and water lines which have been extended from the City to the University of California campus. The western half of the Corridor, from G Street to Golf Road, is already within Merced's SUDP, and annexation proposals are pending. East of Golf Road, the area along Bellevue Road is held in large tracts by a few land owners, and is mostly undeveloped. It is realistic to expect development proposals in this area in the near term.
- Phasing of the University Community's development should provide for logical extension of urban services.
- The Merced County "Rural Residential Center" bounded by Lake Road, Cardella Road, Yosemite Avenue, and Golf Road (extended) should be annexed into the City of Merced as well. However, this area, which is already developed to a large extent, should be allowed to retain its rural character, with a special plan Designation to be worked out through the General Plan update process.

Planning Processes

The City accepts the University Community Plan adopted by Merced County on December 21, 2004 as a general conceptual framework for the planning of the University Community.

- That existing plan can be used as foundational work for further planning for the area, with the City as lead agency in the planning process.
- If a special planning process or framework is used for the development of the University Community, then the costs of that planning process shall be borne by applicants and developers, not by Merced residents.

The City should revise all of its various planning documents to accommodate the incorporation of the University Community into the City of Merced. These include not only the General Plan,

but also plans for wastewater treatment, water, storm drainage, parks, fire protection, and other services.

1.5.b Review relevant City improvement and development policies to remove unnecessary obstacles to annexation.

The formation of Community Facilities Districts or other equivalent funding mechanisms to pay for needed infrastructure improvements and City services should be utilized. City policies relative to mandatory connection to the City's sewer and water system should be reviewed. Consideration might be given to establishment of policies which would allow residents, presently served by private sewer and water systems, to remain on these systems unless they pose a problem to public health and safety.

City General Plan Public Facilities Policies

1.1.c Include in Community Plans, Specific Plans and master plans, a phasing plan for providing access, sewer, water, drainage, flood control, schools, parks and other appropriate governmental facilities and services.

A phasing plan helps ensure that adequate service facilities can be accommodated in the planning area and that new facilities and services will be provided in a manner that keeps pace with population growth. It is understood, however, that facilities and infrastructure not provided by the City is the planning and funding responsibility of other governmental, quasi-public, or private entities.

1.3.c All new development shall contribute its fair share of the cost of on-site and off-site public infrastructure and municipal services as appropriate.

This could include installation of public facilities, payment of impact fees, and annexation to the City Communities Facilities District for annual operating costs of City services. New development shall provide adequate financing, as necessary, to meet all identified costs associated with new development, including, but not limited to, public facilities and municipal services where nexus can be shown. It is understood, however, that facilities and infrastructure not provided by the City is the planning and funding responsibility of other governmental, quasi-public, or private entities.

1.3.d The City may require developments to install off-site facilities which also benefit other properties.

The City may establish funding mechanisms to reimburse developers for infrastructure capacity in excess of the fair share costs resulting from a specific development's impacts if these excess facilities are deemed necessary to efficient and orderly development.

1.3.e Master Plans, Community Plans, General Plan amendments, pre-zoning, and annexation proposals, through the Development Agreement process, shall ensure that infrastructure development and public facilities and municipal services are consistent with overall local public agency plans, and that the local public agencies can reasonably provide and/or extend services within the proposed development time frame of implementation.

Master Plans, Community Plans, General Plan amendments, pre-zoning, and annexation proposals prepared for areas subject to annexation to the City shall include an evaluation (prepared by the applicants with input from the City, School Districts, and other service providers) of all infrastructure, public facilities, and services under the jurisdiction of all local public agencies. These Plans for Service should include an evaluation of existing infrastructure and services, future public facilities and services required to serve the development, and the timing and funding of such public facilities and municipal services. The determination of the ability to

reasonably provide or extend services for purposes of this implementing action rests with the City Council when considering the master plan, community plan, or annexation as a whole.

2.1.b Determine that new development is adequately served by fire and police protection services.

Fire stations should be located so that no development in the City is outside the primary response areas (4 to 6 minutes, at least 90 percent of the time) of at least one fire station within the resource constraints of the City. Development plans should be reviewed with respect to existing and planned future fire station sites and police resources. Consider the use of closed circuit TV systems to enhance security in new developments.

3.1.a Pursue innovative programs to reduce the demand for potable (“drinkable”) water.

The City should explore programs for utilizing untreated water since many urban water uses do not require treated, “drinkable” water. Non-treated water can be used for landscape irrigation, industrial processing, and other uses. Possible sources of non-treated water might include: (1) MID surface water supplies; (2) storm water; or (3) reclaimed water.

3.1.g The City shall not extend water service outside its incorporated limits, except under limited circumstances.

City policy requires that an area be annexed to the City before City water can be provided. Exceptions to this policy include emergencies where public health and safety are threatened or a significant public interest is served, such as the UC campus or as otherwise determined by the City Council. (Refer to the Urban Expansion Chapter for other policies which relate to the UC.)

4.1.c Coordinate wastewater planning activities with the County.

The City and County should develop a joint strategy for accommodation of development in the Rural Residential areas to minimize ground water contamination from septic tank systems. Additionally, development proposed within the City’s SUDP/SOI and not yet annexed to the City or proposed within an area that will likely be annexed in the future should be reviewed by both the City and County to assure its future compatibility with the City’s wastewater collection, treatment and disposal plans. Plans for servicing the UC Merced campus and University Community should also be coordinated.

4.1.d Prohibit the extension of wastewater service outside of City limits, except in unique circumstances.

“Unique circumstances” is defined as a “substantial public use,” such as the UC campus, “health and safety” emergencies, or as otherwise determined by the City Council. In recent years, there has been some discussions regarding the desirability from an environmental and

financial aspect of providing wastewater treatment on a “regional basis.” The City of Merced may want to consider initiating an analysis of possible costs and benefits of providing wastewater treatment to areas outside the City’s SUDP/SOI on a limited basis. Such an analysis, which should be financed by those entities wishing to utilize the City’s wastewater system, should consider the land use and governance implications (i.e. desire for City wastewater treatment is a significant incentive for annexation), as well as the engineering, environmental, and fiscal impacts of such an endeavor.

7.1.d. In general, schools should be located within residential neighborhoods near parks, bikeways, and other open space amenities.

Schools should not be located within industrial areas. In urban village areas, schools should be located adjacent to Village Core Residential (higher density) areas. Schools should be sited near open space areas such as parks and bikeways in order to promote joint use of facilities and good bicycle and pedestrian access. In urban villages, schools should be located adjacent to the “Village Core Residential” areas where densities are higher.

7.1.h. Elementary school sites should be encouraged to locate on collector streets near but not directly on arterials.

New elementary school sites should not result in the creation of hazards for City residents or students. The City will assist by providing data as required by the school districts so the districts can ensure that safe, adequate access is provided to school sites. This will best be served by locating schools on collector streets where access is good but lower traffic speeds lead to a safer environment for students walking to school. At the same time, schools should be located near arterials but not on them, so that bus transportation to the school will not unnecessarily disrupt residential neighborhoods. Off-street passenger loading and unloading areas should be encouraged. Good pedestrian and bicycle access is also an important factor to be considered. Future school sites should have as many sides fronting on streets as possible.

7.2.c Work with the County and UC Merced planning staff in the preparation of necessary plans and studies for the expansion of the UC Merced campus site and grounds.

Land use on the UC Merced campus site is under the jurisdiction of the Regents of the University of California with only limited review available to the City or the County. There is a need, however, to assure that infrastructure planning (sewer, water, drainage systems) and circulation system planning be well integrated with existing and planned City and County systems. The City will continue to work with UC staff, and the County of Merced, to provide assistance in matching campus needs with City resources. The City anticipates and expects these institutions to pay their fair share of facility costs and to mitigate their impacts on the community.

County of Merced General Plan

Policy LU-7.9: Annexation Proposals

Encourage cities to include in their annexation proposals only properties that are proposed for immediate development or when a phased development is adopted through a specific plan or development agreement.

Policy LU-7.10: Annexation Boundaries

Oppose any annexation proposal that creates unincorporated islands, peninsulas, corridors, or irregular boundaries.

Policy LU-7.11: City Consultation

Do not approve any discretionary permit for new urban development within a city sphere of influence unless the development proposal has first been referred to the city for consideration of possible annexation pursuant to the policies of this section and provisions of any applicable city/county memorandum of understanding.

Merced LAFCo City and Urban District Annexation Policies

OBJECTIVE III. A: City annexations reflect a planned, logical and orderly progression of urban expansion and promote efficient delivery of urban services.

Policy 1: Annexation boundaries should form a logical and efficient urban development pattern.

Implementation: Utilize the following criteria in the review of annexation requests:

- a. The proposed annexation boundary is appropriate in relation to existing city boundaries.
- b. Avoid the creation of islands, corridors, peninsulas or other undesirable boundary characteristics that lead to service inefficiencies and potential land use conflicts.
- c. Proximity of the annexation to existing developed or developing areas within the City. Annexations shall be contiguous with existing city boundaries unless it can be demonstrated to be orderly, logical or appropriate under special circumstances.
- d. Evaluate any alternatives to the annexation which would be more consistent with orderly growth, open space protection and public service efficiency goals of LAFCO.
- e. The existence of any social or economic communities of interest within the proposed annexation territory including the relationship between any adjacent or nearby cities or special districts which provide urban services that may affect the territory.
- f. The use of natural or physical features (such as canals or roads) as annexation boundaries is encouraged over use of property lines. All annexation requests that do not conform to existing lines of assessment or property lines, shall be justified by the proponent.

Policy 2: Annexation proposals should be consistent with and implement City General Plan and Sphere of Influence policies:

Implementation: Utilize the following criteria in the review of annexation requests:

- a. Consistency of the proposal with City General Plan policy including planned land use designation, densities and other land use and development policy.
- b. Consistency with planned phasing of growth and improvements as defined in the City's General Plan and/or Sphere of Influence Report.
- c. Consistency with adopted open space and conservation policies of the City.

Policy 3: All territory proposed for annexation shall be rezoned by the City, and no changes in General Plan designations or rezoning are permitted within two years following annexation, consistent with the Cortese-Knox-Hertzberg Act of 2000.

Policy 4: Public services shall be available to all annexed land in an efficient and orderly manner.

Implementation: Utilize the following criteria in the review of annexation requests:

- a. Adequacy of governmental services for both existing and proposed land uses within the annexation territory.
- b. The ability to provide needed public services and facilities as demonstrated in the "plan for services," including the sufficiency of revenue sources for those services.
- c. Timely availability of water supplies adequate for projected needs as specified in Section 56668(k) of the Cortese-Knox-Hertzberg Act of 2000.
- d. Demonstration that public services will not be provided to annexing territory to the detriment of territory already within the City.

Policy 5: Promote a balance of housing for persons and families of all income levels.

Implementation: Utilize the following criteria in the review of annexation requests:

- a. The extent to which the proposal will assist the receiving entity in achieving its fair share of the regional housing needs as determined by the Merced County Association of Governments.

Policy 6: Analysis of agricultural or open space impacts from an annexation will be minimized when the Commission can make a finding that these resources were fully addressed during establishment of the City's Sphere of Influence and the annexation is consistent with any related sphere policy to protect these resources.

Policy 7: Utilize considerations consistent with the Cortese-Knox-Hertzberg Act of 2000 when evaluating agricultural and open space impacts on an individual annexation level.

Implementation: Utilize the following criteria in the review of annexation requests:

- a. Consider the amount of existing vacant land within the City that is available for similar types of development to the proposed annexation. Make a comparison of existing vacant and available land to the amount of land needed to accommodate growth needs over a ten year period as established in the City's General Plan or other official projection such as that adopted by the Merced County Association of Governments. The City must provide evidence why the consideration of existing vacant land is not appropriate based on such factors as location, limitations to infrastructure, development constraints, agricultural viability, economic market conditions, or unique characteristics of the annexation project.
- b. If the annexation involves the conversion of prime agricultural land or identified valuable open space land, consider alternatives to the annexation that avoid or reduce the impacts.
- c. If annexation will result in urban development adjacent to existing agricultural lands, consider measures to minimize potential conflicts such as land use transitions or buffers and "right to farm" notification to future residents.

Policy 8: In the case of large comprehensive development proposals, annexation should be phased whenever feasible. The Commission may approve annexation of all the subject territory if it finds the territory is likely to be developed within a reasonable period of time and if

the City has adopted a phasing plan for the territory and policies for ensuring adequate facilities will be available once development occurs. Adoption of a specific plan for the territory by the City would be the most desirable means to ensure LAFCO policies are satisfied.

