

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF MERCED, STATE OF CALIFORNIA

In the Matter of)	
)	
ADOPTION OF FINDINGS OF FACT)	RESOLUTION NO.
AND STATEMENT OF OVERRIDING)	
CONSIDERATIONS AND THE GENERAL)	
PLAN CONSISTENCY FINDINGS OF)	
FACT FOR APPROVAL OF THE)	
UNIVERSITY COMMUNITY PLAN)	
GENERAL PLAN AMENDMENT)	

WHEREAS, the Merced County Board of Supervisors initiated an amendment to the Merced County General Plan to plan for the growth that will occur as a result of the development of the University of California, Merced Campus, called the University Community Plan General Plan Amendment (The Project); and,

WHEREAS, the University Community Plan General Plan Amendment consists of the University Community Plan, a modification of the University Community Specific Urban Development Plan (SUDP) boundary, a change in the land use designation within the modified University Community SUDP Boundary from “Agricultural/University Community Urban Reserve” to “UC Merced” and “Multiple Use Urban Development”, and various technical changes throughout the text of the General Plan to reflect this General Plan Amendment; and,

WHEREAS, in 1997, the Board of Supervisors amended the General Plan to establish a “University Community Specific Urban Development Plan (SUDP)” boundary of about 10,300 acres encompassing the UC Merced location selected by the Regents of the University of California; and,

WHEREAS, an initial draft of the University Community Plan was completed in August, 2001, and was reviewed and discussed in public hearings held before the Planning Commission on September 12, 2001, September 19, 2001, and before the Board of Supervisors on October 30, 2001, November 6, 2001, and November 20, 2001; and,

WHEREAS, following the public hearings on the initial draft University Community Plan, the Board of Supervisors, in consideration of the Planning Commission’s recommendation, directed staff to revise the draft plan with regards to development phasing, water related infrastructure, public schools and agricultural resources. In addition, staff identified numerous non-policy related technical changes and clarifications to the initial draft Plan; and,

WHEREAS, a revised draft University Community Plan was published in July, 2004, reflecting the changes directed by the Board of Supervisors and non-policy related corrections and clarifications identified by staff; and,

WHEREAS, the Board of Supervisors in 1997 amended the General Plan to establish an overlay land use designation of “University Community Urban Reserve” within the 10,300 acre University Community SUDP reflecting the Board’s desire for a comprehensive University Community Planning process prior to any urban development; and,

WHEREAS, the University Community Plan General Plan Amendment revises and reconfigures the 10,300 acre University Community SUDP into approximately a 3,043 acre SUDP encompassing the 910-acre UC Merced Campus area described in the Long Range Development Plan for UC Merced and the Community Plan boundary described in the July, 2004, draft University Community Plan; and,

WHEREAS, the University Community General Plan Amendment removes the “University Community Urban Reserve” overlay designation from the original 10,300 acre University Community SUDP and revises the land use designation within the 3,043 acre revised University Community SUDP from “Agricultural” to “UC Merced” and “Multiple Use Urban Development”; and,

WHEREAS, the University Community Plan Amendment includes various technical changes throughout the text of the General Plan as necessary to accurately reflect the approval of the University Community Plan; and,

WHEREAS, the University Community General Plan Amendment is consistent with and advances the implementation of the Goals, Objectives, and Policies of the Merced County General Plan as described in the Findings of Fact, attached hereto; and,

WHEREAS, the Board of Supervisors has certified the Environmental Impact Report prepared for the University Community Plan General Plan Amendment; and,

WHEREAS, the Board of Supervisors has approved the Mitigation Monitoring Plan prepared for the University Community Plan General Plan Amendment; and,

WHEREAS, the Merced County Planning Commission, following its public hearing of November 10, and December 1, 2004, unanimously recommended with one Commissioner absent, to the Board of Supervisors, approval of the University Community Plan General Plan Amendment; and,

WHEREAS, a legally noticed and advertised public hearing was held by the Board of Supervisors on the University Community Plan General Plan Amendment on December 7, 2004, and December 14, 2004; and,

WHEREAS, the Board of Supervisors has evaluated all testimony, written and oral, received from persons who reviewed the University Community Plan General Plan Amendment; and,

WHEREAS, the Board of Supervisors has independently reviewed and considered the Statement of Facts of Findings for the University Community Plan General Plan Amendment.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of the County of Merced resolves as follows:

1. Adopts the foregoing recitals as true and correct.
2. Finds and declares that the University Community Plan General Plan Amendment was presented to the Board of Supervisors and that the Board has independently reviewed and considered this General Plan Amendment.
3. The Board of Supervisors adopts the Statement of Facts and Findings for the University Community Plan General Plan Amendment as set forth in Attachment "A".
4. The Board of Supervisors adopts and incorporates into the project all of the mitigation measures within the responsibility and jurisdiction of the County that are identified in the Findings of Fact.
5. The Board of Supervisors adopts the General Plan Consistency Findings of Fact as set forth in Exhibit "B".
6. The Board of Supervisors that it adopts the Mitigation Monitoring Plan as set forth in Exhibit "C".
7. The Board of Supervisors approves the University Community Plan General Plan Amendment.
8. Directs that the record of these proceedings be contained in the Board of Supervisors Office located at 2222 "M" Street, Merced, CA 95340, and that the custodian of the record be the Clerk of the Board of Supervisors.

I, DEMITRIOS O. TATUM, Clerk of the Board of Supervisors of the County of Merced, do hereby certify that the foregoing Resolution was regularly introduced, passed, and adopted by said Board at a regular meeting thereof held on _____ day of _____, 2004 by the following vote:

SUPERVISORS:

AYES:

NOES:

ABSENT:

WITNESS my hand and the Seal of this Board this _____ day of _____, 2004.

DEMITRIOS O. TATUM, CLERK

By: _____
Deputy