
I.0 MASTER DEVELOPMENT PROCESS

The University Community Plan area is currently held by property owners who it is assumed will sell or transfer their land to private real estate developers who will undertake the actual development process. The general outline of this process will need to be specified, to the degree possible, and coordinated with other aspects of the planning effort. The Master Development Process will be managed by the property owners, pursuant to County goals and policies expressed in the UCP. The County may have a coordinating role in the Process. The following key steps are likely to be required:

IMP 1.1 PUBLIC/PRIVATE FINANCING STRATEGY

Since the development of the University Community will rely on both public and private funds, the coordination and allocation of private and public sector responsibilities will be an essential part of the implementation program. In this regard, the Master Developer will need to play a key role in developing financing strategy, as discussed further below.

IMP 1.2 ECONOMIC DEVELOPMENT PROGRAM

The Master Developer(s) must be actively engaged in marketing and economic development activity, a role that will be specified in the Contract Terms and Conditions described above. This activity will include typical marketing and tenant attraction as well as coordination with the University and local government-sponsored economic development efforts. For example, the Master Developer(s) will likely assist in the development of an Economic Development Strategy that will include targeted outreach to business sectors that will enhance academic-professional linkages between the Community and UC Merced.

2.0 DEVELOPMENT MANAGEMENT SYSTEM

The Development Management System describes the role, relationship, and sequencing of key policy documents associated with the University Community Plan. The Development Management System is basically how Merced County will regulate development of the University Community over time. Because of the unique nature of this area a special set of programs must be established, rather than relying solely upon the County's normal procedures that apply throughout the rest of the unincorporated County. These include:

IMP 2.1 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.

IMP 2.2 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.

IMP 2.3 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 known 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; (5) 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.

IMP 2.4 COMMUNITY MASTER PLANS OR FACILITY 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.
3. Urban design and streetscape improvements that unify the entirety of the University Community.

IMP 2.5 PLANNING SUB-AREA 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 (see above).

CONSISTENCY WITH UNIVERSITY COMMUNITY PLAN

The Specific Plans shall implement and be consistent with the policies contained in the UCP. They are intended to achieve distinctly identifiable places that integrate a mix of uses into a cohesive district or neighborhood and are integrated with and support the functions and uses of UC Merced.

The mix and amount of uses to be accommodated in a Specific Plan area shall be consistent with Table 2, which prescribes development capacity limits for the Town Center and Residential Villages. The amount of development in any planning sub-area may be transferred to another, provided that the Plan's policies for urban form and community character are achieved and the cumulative development capacity for the Community is not exceeded, nor reduced to a level that jeopardizes the ability to adequate fund infrastructure, public services, and environmental mitigation. The prescribed mix of single and multi-family housing units may be varied to reflect market conditions prevailing at the time of the Specific Plans' preparation, provided that there is a commitment to provide sufficient units affordable to meet the needs of the Community's population (see below). Any variation of use and/or density shall be determined in consultation with the County and supported by market, fiscal impact, affordability needs, and other analyses that justify such a variation.

CONSULTATION WITH UC MERCED FOR TOWN CENTER/CAMPUS CORE EDGE

The Town Center Specific Plan shall be prepared in consultation with UC Merced to ensure the UCP's objectives for the interface and sharing of uses and continuity of streets, sidewalks/pedestrian paths, bikeways, infrastructure, open space amenities, and other elements are achieved.

RESPONSIBILITY FOR PREPARATION

Preparation of the Specific Plans may be prepared by one of the following methods:

1. On the initiation by and full funding by a property owner and/or developer, with preference given to one or more master developers, with County input, review, and approval
2. On initiation by the County upon the formation of an assessment district to fund the plan's preparation
3. On the initiation by the county using General Funds or other sources with reimbursement by subsequent developers; or

4. A collaborative partnership of the County and UC Merced for the Town Center and campus core edge

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, and so on
2. Archaeological, cultural artifact, and paleontological surveys
3. Hazardous materials surveys
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.
 - 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 Plan (refer to *Imp 4.1*).
 - 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 (refer to *Imp 4.0*).
 - 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 (refer to *Imp 4.0*).
 - 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:
 - 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
 - Environmental resource habitat mitigation program and/or Habitat Conservation Plan
 - 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
 - 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

These standards shall constitute the zoning for the Specific Plan sub-area and, where appropriate, be uniquely designed to reflect the intended uses within the Community such as mixed use and pedestrian-oriented buildings/uses in the Town Center and Residential Village Centers.
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 2.6 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. Such may include:

- Establishment of a new General Plan land use category, “Multiple Use Urban Development,” that accommodates the mix of uses specified by the UCP
- Establishment of a new land use category for the development of mixed-use structures that integrate housing with retail commercial, office, civic, institutional, public parking, or other uses
- Establishment of new residential categories to reflect the range of housing types and densities in the Community, as well as provide flexibility for the accommodation of innovative and new housing types that may be proposed

- Establishment of flexible commercial and office/ research and development land use categories that facilitate the Community to accommodate new uses that may evolve in the marketplace during its buildout
- Modification of noise standards to allow the development of housing units in areas exceeding a 65 dBA L_{dn} provided that interior noise levels do not exceed a standard of 45 dBA Ldn in the Town Center and other key activity centers
- Modification of building codes to permit the use of sustainable and energy conserving building materials that fully comply with structural design, wind, and seismic requirements such as Rastra, stamped bales, and other innovative materials
- Modification of building codes to permit the use of innovative design techniques that promote sustainability such as the recapture of rain water in cisterns and on site; gray water recycling plumbing; use of solar and wind generated elements; location of heating, ventilating, and air conditioning in the exposed, “conditioned” space; and incorporation of showers in offices and public buildings (for bicyclists)
- Modification of building codes to preclude the use of wood roofs and other combustible materials in Community areas exposed to high fire hazards

IMP 2.7 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.

Subdivision maps shall be prepared to implement an approved Specific Plan and Development Agreements in accordance with the *California Subdivision Map Act* (Division 2 of Title 7 of the Government Code). These will divide the planning sub-area into legal parcels of record to accommodate planned development, including those dedicated for transportation and infrastructure improvements and open spaces. Generally, the subdivision process involves the preparation of a Tentative Map that is submitted for County review and approval, for which conditions of development are normally applied. The Final Map incorporates the approved elements and conditions and provides the legal basis for land division and development.

The County's Subdivision Ordinance shall be revised by Merced County to reflect UCP policies and standards, where appropriate. These may address land use density/intensity and parcel size, grading to reflect the site's topography, and the use of best management (BMPs) and environmental sustainability practices.

IMP 2.8 ENGINEERING REVIEW AND MONITORING

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 so on; 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 2.9 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 2.10 ENVIRONMENTAL RESOURCE AND IMPACT MONITORING

The County shall maintain a map of the sensitive plant and animal resources within the University Community. The map will be updated to reflect current conditions within the University Community every two years. Any potential unauthorized activities will be reported to the appropriate regulatory agency. These activities include but are not limited to unauthorized fill or draining of jurisdictional waters, the take of threatened or endangered species or their habitats, and the destruction of active raptor nests.

Environmental impacts and the effectiveness of defined mitigation measures of the University Community shall be evaluated in accordance with a prescribed Environmental Monitoring Program, prepared in accordance with CEQA.