

NOTICE OF EXEMPTION

To: _____ Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

From: (Public Agency)
City of Merced
678 West 18th St.
Merced, CA 95340

X County Clerk
County of Merced
2222 M Street
Merced, CA 95340

Project Title: Zoning Ordinance Amendment #21-01/Environmental Review #21-03

Project Applicant: City of Merced

Project Location (Specific): City of Merced (City wide)

Project Location - City: Merced **Project Location - County:** Merced

Description of Nature, Purpose, and Beneficiaries of Project: This application involves changes to the Merced Zoning Ordinance (Title 20 of the Merced Municipal Code) which would amend Merced Municipal Code Sections 20.74 (Appeals), 20.44.170 (Commercial Cannabis Businesses), 20.64 (Administrative Responsibility), 20.68 (Permit Requirements), and 20.70 (Public Notice and Hearings). This amendment would clarify that appeals of actions by the Planning Commission, Site Plan Review Committee, and the Director of Development Services would be scheduled for a public hearing by the appropriate review authority and heard within 90 days unless otherwise mutually agreed to by the applicant and appellant; and modify the appeal procedures for Commercial Cannabis Business Permits to match the same language (the current requirement is 30 days). This amendment would also clarify that any action of the Planning Commission requires a vote of at least four members of the Planning Commission for all actions listed in Table 20.64-1 (Review and Decision-Making Authority), including Conditional Use Permits and other permits, approvals, and recommendations.

Name of Public Agency Approving Project: City of Merced

Name of Person or Agency Carrying Out Project: City of Merced

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State Type and Section Number: _____
- Statutory Exemptions. State Code Number: _____
- General Rule (Sec. 15061 (b)(3))

Reasons why Project is Exempt: The proposed Ordinance has been reviewed by City staff in accordance with the Environmental Checklist Form (Appendix G of the CEQA Guidelines) to determine if there would be any possibility that the proposed ordinance would create any significant environmental impacts, and City staff has determined that the clarifications to the timing of appeals and clarifications to the Planning Commission voting requirements do not meet any of the thresholds contained in the Checklist that would trigger a significant environmental impact, and thus according to the "general rule exemption" (Section 15061(b)(3) of the CEQA Guidelines), projects which have no potential for causing a significant effect on the environment are not subject to CEQA, no further environmental analysis is required.

Lead Agency: City of Merced

Contact Person: Kim Espinosa **Area Code/Telephone:** (209) 385-6858

Signature:  **Date:** February 25, 2021 **Title:** Planning Manager

X Signed by Lead Agency Date Received for Filing at OPR (If applicable): n/a

Authority Cited: Sections 21083 and 21110. Public Resources Code; Reference: Sections 21108, 21152, and 21152.I. Public Resources Code