



Merced Housing Element Update and Rezone

General Plan EIR Addendum
State Clearinghouse Number 2008071069

prepared by

City of Merced

Development Services

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Abbreviations and Acronyms

AB	Assembly Bill
ADU	Accessory Dwelling Unit
AMI	Area Median Income
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
DOF	California Department of Finance
EIR	Environmental Impact Report
HCD	California Department of Housing and Community Development
LOS	Level of Service
MCAG	Merced County Association of Governments
NAHC	Native America Heritage Commission
RHNA	Regional Housing Needs Assessment
SB	Senate Bill
SR	State Route
VMT	Vehicle Miles Traveled

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1 Introduction and Project Summary

1.1 Project Title

City of Merced 2024-2032 Housing Element Update and Rezone

1.2 Lead Agency Name and Address

City of Merced
Development Services
678 West 18th Street
Merced, California 95340

1.3 Contact Person and Phone Number

Leah Brown, Management Analyst
209-385-6928

1.4 Project Location

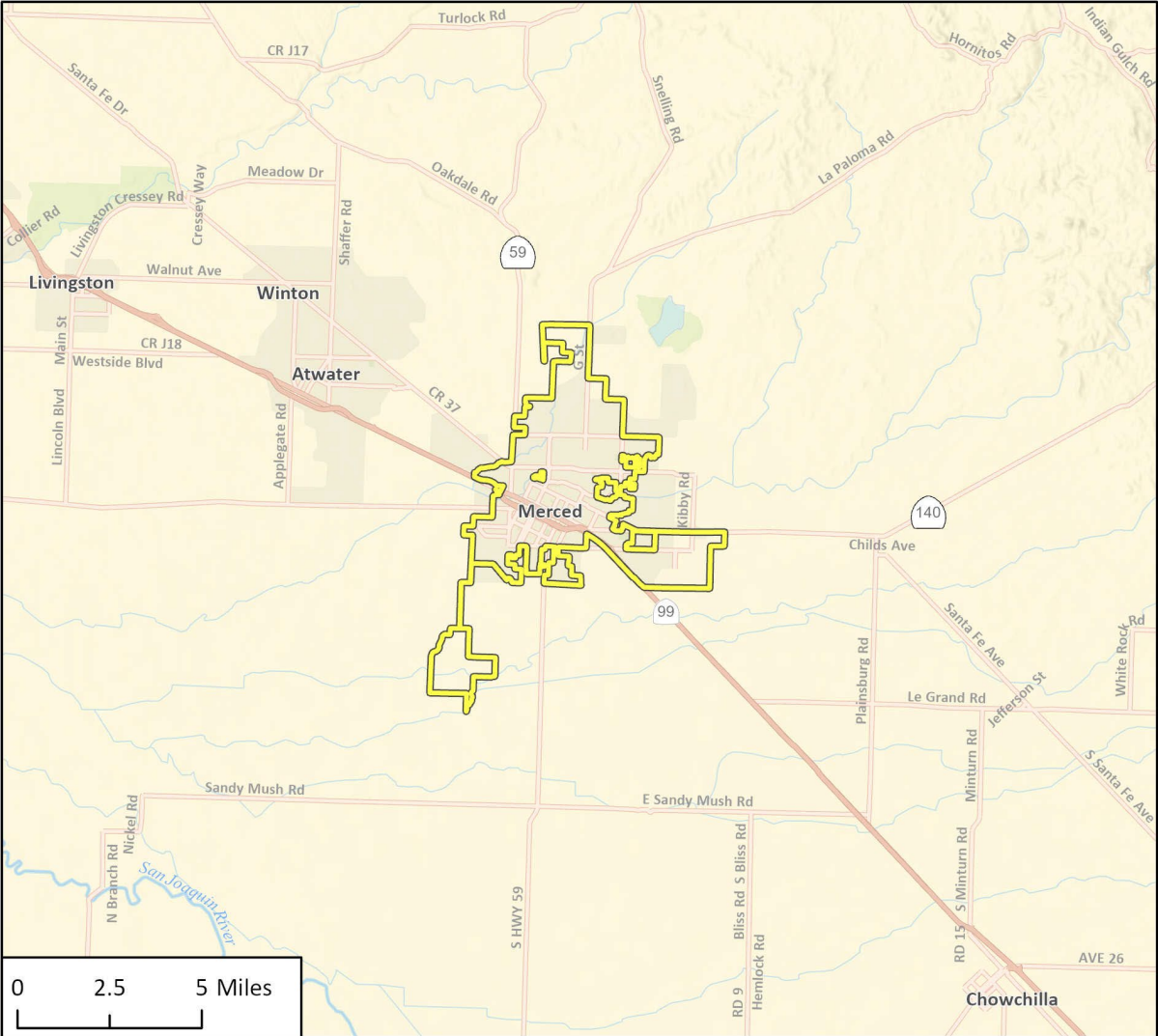
The City of Merced is located along State Route 99 (SR 99) in eastern Merced County. Figure 1 shows a regional map of the City's relationship to nearby cities, communities, and the regional transportation system, and Figure 2 shows the city's limits. SR 99, a major north-south interstate transportation artery, traverses the City along with the Southern Pacific Railroad. The Housing Element Update and Rezone applies to all lands within the City's limits.

1.5 Project Description

The project consists of a comprehensive update to the City of Merced Housing Element (herein referred to as "Housing Element Update and Rezone" or "project") of the 2012 General Plan ("General Plan"). The General Plan underwent environmental review in the form of an Environmental Impact Report (EIR), which was certified in January 2012 by the City Council (State Clearinghouse No. 2008071069). The EIR for the Merced General Plan is a comprehensive document and includes discussion of alternatives and growth inducing impacts associated with urban development in the city at the time it was developed.

State law requires that housing elements be updated every eight years (California Government Code Sections 65580 to 65589.8). The Housing Element Update identifies residential sites adequate to accommodate a variety of housing types for all income levels and needs of special population groups, defined under State law (California Government Code Section 65583). It analyzes governmental constraints to housing maintenance, improvement, and development; addresses conservation and improvement of the condition of existing affordable housing stock; and outlines policies that promote housing opportunities for all persons. The City of Merced Housing Element is

Figure 1 Regional Location



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 Project Location



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Fig 1 Regional Location - City of Merced

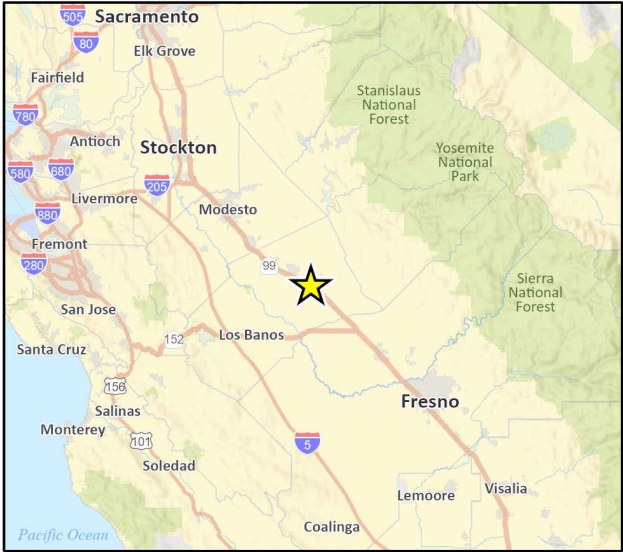
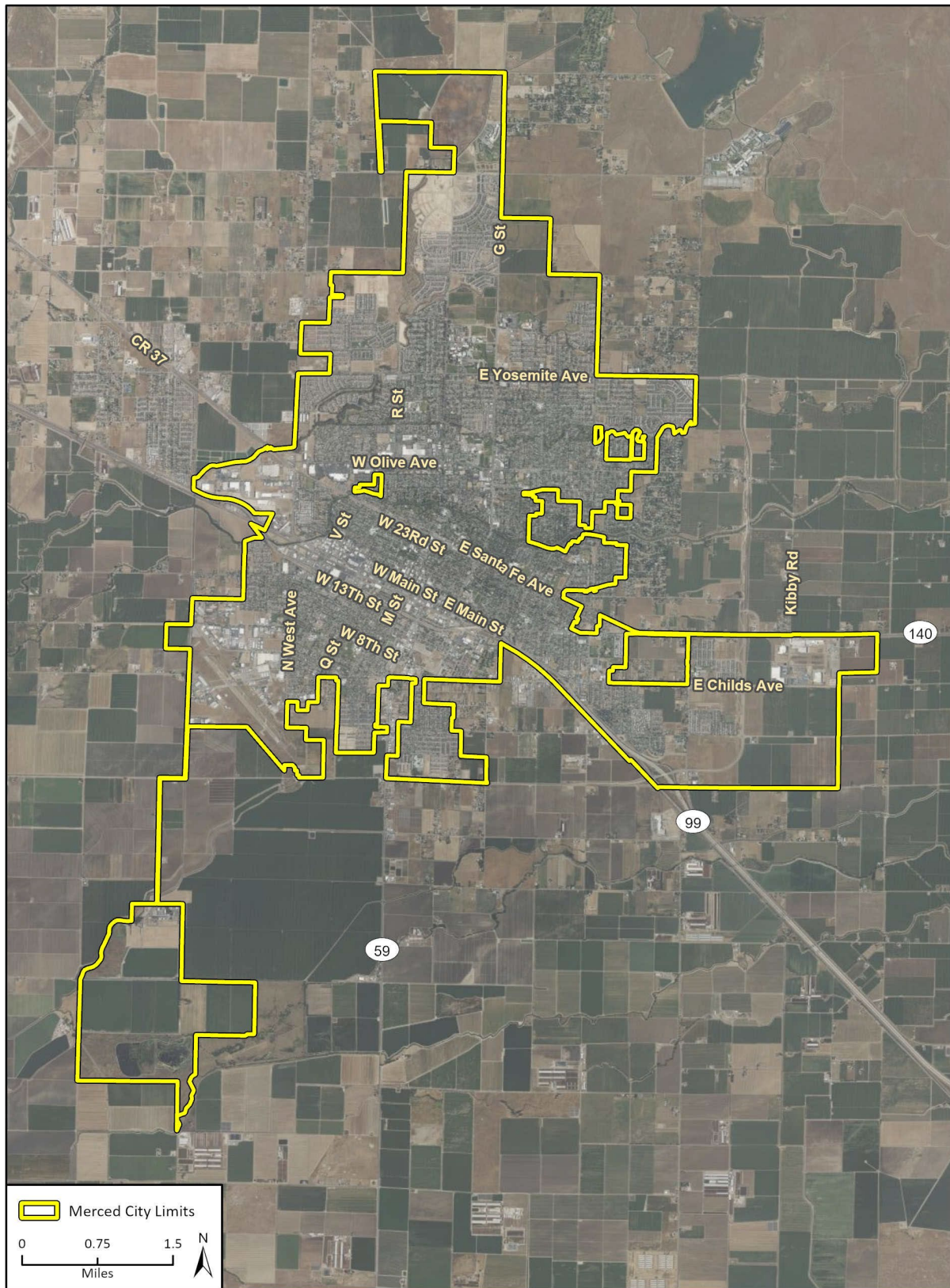


Figure 2 City Limits



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Fig 2 City Limits - Merced

being updated as part of the State's 6th Cycle Regional Housing Needs Assessment (RHNA) allocation. For the City of Merced, the planning period runs from January 2024 through January 2032.

The project would bring the City's Housing Element into compliance with State legislation passed since the publication of the previous (5th Cycle) Housing Element (adopted in 2016). The Housing Element Update includes a housing sites inventory (Section 3 of the Housing Element) that demonstrates how the City plans to meet its 6th Cycle RHNA allocation. However, no formal physical development is proposed at the time of adoption of the Housing Element.

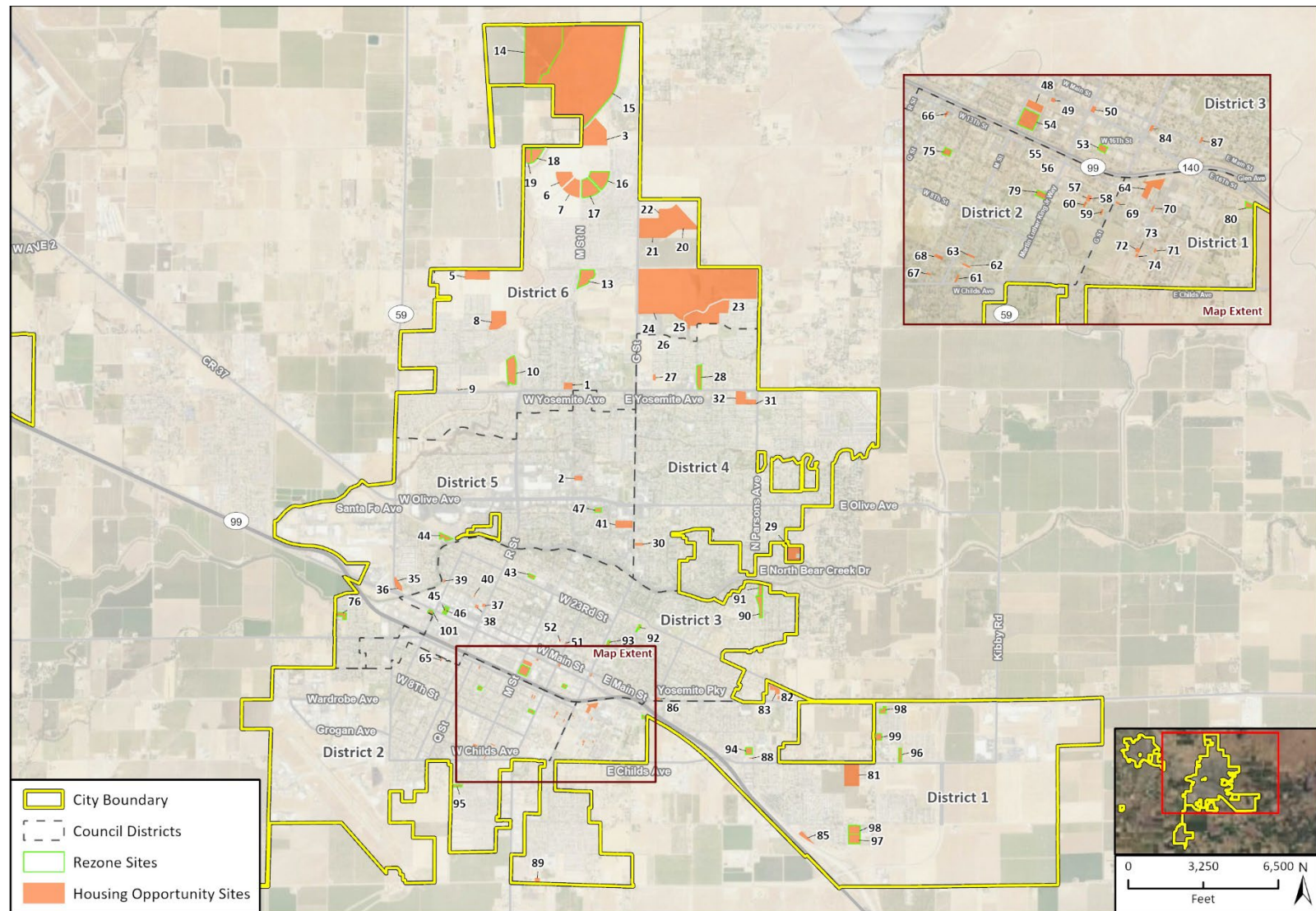
The Housing Element Update would not, in and of itself, result in environmental impacts, as it does not propose to develop any projects. Rather, it establishes objectives and policies designed to guide future development as the City works to achieve State-mandated housing goals. The City's implementation of these policies and programs includes the rezoning of sites in the inventory of potential sites for meeting the City's RHNA obligation. No formal physical development is proposed at this time, and future changes would require project-specific review as potential impacts are location-specific.

When a specific development proposal is considered for approval, that project would be subject to adopted development guidelines and standards and it must comply with the General Plan policies and actions listed in the certified 2012 General Plan EIR in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15168(c)(3). If a subsequent activity (in this case a specific development proposal) would have effects not identified in the EIR (including both the General Plan EIR and all subsequent Addendums), the lead agency must prepare additional CEQA documentation prior to project approval.

The Housing Element Update's Site Inventory includes 30 sites¹ that would be rezoned to facilitate additional residential development as shown in Figure 3. The sites would be rezoned from low density residential, general commercial, and planned development to high-density residential, central commercial, and planned development for higher density. These sites encompass 91.4 acres and can accommodate a total of 1,898 low-income units and 1,017 moderate-income units. This rezone would accommodate population growth, facilitate multi-family housing development, and ensure alignment with the State RHNA accommodation, which is being contemplated in the upcoming 6th Cycle Housing Element (anticipated to be completed in 2025). The growth associated with the redesignations on the 30 sites was not contemplated as part of the 2012 General Plan and thus would be a net increase in the number of housing units at those parcels compared to the analysis in the 2012 General Plan EIR.

This Addendum, therefore, analyzes the changes and potential impacts related to the adoption of the Housing Element Update and Rezone. This Addendum is intended to demonstrate the consistency of the project with the General Plan to comply with CEQA. This Addendum compares the buildout of the proposed project with the full-buildout scenario presented in the 2012 General Plan EIR. This Addendum assesses whether the project would result in impacts not addressed or previously analyzed in the General Plan EIR.

¹ City's Site Inventory lists three additional sites as rezone sites (APNs: 170-060-018-000, 224-300-007-000, 224-300-008-000). As of January 2025, rezoning of the three sites have already been completed, therefore it is not analyzed as part of this Addendum.

Figure 3 Housing Opportunity Sites and Rezone Sites

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Fig X Housing Opportunity Sites and Rezone Sites - Merced

1.6 Discretionary Action

Implementation of the Housing Element would require the following discretionary actions by the City of Merced Planning Commission/City Council:

- Approval of a General Plan Amendment to incorporate the 2024-2032 Housing Element Update
- Rezone of 30 sites as identified in the Housing Element Update
- Consideration of this Addendum

The California Department of Housing and Community Development (HCD) reviews and certifies that the proposed Housing Element complies with State law. Aside from HCD, no other approvals by outside public agencies are required.

1.7 Prior Environmental Document(s)

City of Merced, General Plan Environmental Impact Report (2012 General Plan EIR). State Clearinghouse Number 2008071069, certified January 2012.

1.8 Location of Prior Environmental Document(s)

City of Merced, 2012 General Plan EIR:

<https://www.cityofmerced.org/departments/development-services/planning-division/merced-vision-2030-general-plan-adoption/-folder-1177>

2 Project Context

The California Legislature has identified the attainment of a decent home and suitable living environment for every resident as the State’s major housing goal. Recognizing the important role of local planning programs in pursuing this goal, the legislature mandated that all cities and counties prepare a housing element as part of their comprehensive general plans. Government Code Sections 65580 to 65589.8 set forth the specific components to be contained in a community’s housing element.

2.1 Purpose of the Housing Element

The Housing Element is designed to provide the city with a coordinated and comprehensive strategy for promoting the production of safe, decent, and affordable housing within the community. A priority of both State and local governments, Government Code Section 65580 states that “the availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian family is a priority of the highest order.”

Pursuant to the State law, the Housing Element has two main purposes:

1. To provide an assessment of both current and future housing needs and constraints in meeting these needs; and
2. To provide a strategy that establishes housing goals, policies, and programs.

The Housing Element is one of the ten General Plan elements the State mandates in Government Code Section 65302. The Housing Element serves as an integrated part of the General Plan but is updated more frequently to ensure its relevancy and accuracy. The Housing Element identifies strategies and programs that focus on:

1. Conserving and improving existing affordable housing;
2. Maximizing housing opportunities throughout the community;
3. Assisting in the provision of affordable housing;
4. Removing governmental and other constraints to housing investment; and
5. Promoting fair and equal housing opportunities.

The residential nature of the city of Merced is largely characterized by a mix of single-family residences, multi-family units, and residential neighborhoods. The Housing Element is an official response to the need to provide housing for all economic segments of the population, establishing goals, policies, and programs that will guide City decision-making and set forth an action plan to implement these housing programs through the established planning period.

The Housing Element must identify residential sites adequate to accommodate a variety of housing types for all income levels and to meet the needs of special population groups as defined under State law (California Government Code Section 65583). The Housing Element analyzes market and governmental constraints to housing maintenance, improvement, and development; addresses conservation and improvement of the condition of existing affordable housing stock; and outlines policies that promote housing opportunities for all persons.

2.2 Regional Housing Needs Allocation (RHNA)

The RHNA reflects the California Department of Housing and Community Development’s determination of the projected housing needs in a region by household income level as a percent of the Area Median Income (AMI). The Merced County Association of Governments (MCAG) was tasked with allocating this regional housing need among the jurisdictions in the MCAG region, which includes the City of Merced. Table 1 shows the breakdown of the RHNA for Merced during the 2024-2032 planning period.

Table 1 2024-2032 Regional Housing Need Allocation

Income Group	City of Merced Unit Needs	Percentage of Merced Units	Regional Unit Needs (Merced County)	Percent of Regional Units
Extremely Low (<30% of AMI) and Very low (30 to 50% AMI)	2,543	24.1%	5,516	24.1%
Low (51 to 80% AMI)	1,742	16.6%	3,780	16.6%
Moderate (81 to 120% AMI)	1,838	17.5%	3,930	17.5%
Above Moderate (>120% AMI)	4,394	41.8%	9,394	41.8%
Total	10,517	100%	22,620	100%

AMI = Area Median Income (established annually by the Department of Housing and Urban Development)

Source: MCAG 2022

The City had 31,997 housing units as of June 2024 (California Department of Finance [DOF] 2024). As of 2024, 67.5 percent were single-family units, which included 20,523 single-family detached units and 1,070 single-family attached units; 30.3 percent were multi-family dwelling units; and the remaining 2.2 percent were mobile homes (DOF 2024).

2.3 Changes in State Law

The following items represent substantive changes to State housing law since the City’s last Housing Element was adopted and certified in 2016. The Housing Element Update has incorporated and addressed all pertinent housing law changes.

- Affordable Housing Streamlined Approval Process: Senate Bill (SB) 35 (2017)
- Additional Housing Element Sites Analysis Requirements: Assembly Bill (AB) 1397 (2017)
- Affirmatively Furthering Fair Housing: AB 686 (2017)
- No-Net-Loss Zoning: SB 166 (2017)
- By Right Transitional and Permanent Supportive Housing: AB 2162 (2018) and AB 101 (2019)
- Accessory Dwelling Units: AB 68 (2019), and AB 671 (2019)
- Housing Crisis Act of 2019: SB 330 (2019)

2.4 City of Merced General Plan

State law mandates that each city and county in California adopt "a comprehensive, long-term general plan," the purpose of which is to plan for important community issues such as new growth, housing needs, and environmental protection. Furthermore, the General Plan is used to project future demand for services such as sewer, water, roadways, parks, and emergency services.

The Merced General Plan, adopted in January 2012, is a long-term document with text and diagrams that express the goals, objectives, and policies necessary to guide the community toward achieving its vision over an 18-year period (2012 to 2030). The General Plan reflects the priorities and values of the community.

City decision-makers (e.g., City Council and Planning Commission), rely on the General Plan as the basis for making decisions on matters such as land use, and the provision of public facilities (e.g., roads, parks, fire stations). It is also a policy document that guides decisions related to protecting, enhancing, and providing open space, habitat conservation, arts and recreation programming, and community character.

State law requires that every General Plan, at a minimum, address certain subject categories (called "elements"), which include land use, circulation, housing, conservation of natural resources, environmental justice, open space, noise, and safety. A General Plan may also address other subjects that are of importance to the community's future, such as sustainability, community design, and public art. The 2012 General Plan includes the following elements (City of Merced 2012a):

- Urban Expansion
- Land Use
- Transportation and Circulation
- Public Services and Facilities
- Urban Design
- Open Space, Conservation, and Recreation
- Sustainable Development
- Housing
- Noise
- Safety

2.5 Merced General Plan Update EIR

The 2012 General Plan EIR addressed the potential environmental effects of the planned buildout of the City of Merced through 2030 and concluded that General Plan implementation would result in levels of environmental impacts as detailed in Table 2.

Table 2 Summary of Areas of Potential Impact under the 2012 General Plan EIR

Issue Area	Level of Significance After Mitigation	Mitigation Measures
Aesthetics and Visual Resources	Less than Significant	3.1-4 (related to lighting)
Agricultural Resources	Significant and Unavoidable	3.2-1 (related to Important Farmland)
Air Quality	Significant and Unavoidable	3.3-1a (related to construction emissions), 3.3-1b (related to construction emissions), 3.3-2 (related to criteria pollutants)
Biological Resources	Less than Significant	3.4-1a (Vernal Pools and Vernal Pool Associates), 3.4-1b (Special -Status Plants), 3.4-1c (Valley Elderberry Longhorn Beetle), 3.4-1d (Burrowing Owls), 3.4-1e (Special-Status Birds), 3.4-1f (Special-Status Amphibians), 3.4-1g (Special-Status Reptiles), 3.4-1h (Special-Status Fish), 3.4-1i (Special-Status Mammals), 3.4-2 (Streambed Alteration Agreement), 3.4-3a (Conduct a delineation of Waters of the U.S. and Wetlands [WOUS/Wetlands] and Obtain Permits), 3.4-3b (related to replacement or rehabilitation of jurisdictional water)
Cultural Resources	Less than Significant	None required
Geology and Soils	Less than Significant	None required
Hazards and Hazardous Materials	Less than Significant	None required
Hydrology and Water Quality	Significant and Unavoidable	None available
Land Use and Planning	Less than Significant	None required
Mineral Resources	No Impact	None required
Noise	Significant and Unavoidable	3.11-4 (related to vibration)
Population and Housing	Less than Significant	None required
Recreation	Less than Significant	None required
Public Services	Less than Significant	None required
Transportation	Significant and Unavoidable	3.15-1a (related to traffic congestion), 3.15-1b (related to traffic analyses)
Utilities/Services	Less than Significant	None
Greenhouse Gas Emissions	Significant and Unavoidable	None available
Cumulative Impacts	Significant, Cumulative Considerable, and Unavoidable	See above mitigation measures.

Source: City of Merced 2012a

2012 General Plan Buildout Assumptions

The 2012 General Plan has a planning horizon year of 2030, but it does not specify or anticipate exactly when buildout would occur, as long-range demographic and economic trends are difficult to predict. The designation of a site in the 2012 General Plan for a certain use does not necessarily mean that the site will be developed or redeveloped with that use during the planning period, as most development depends on property owner initiative.

As described in Chapter 2.4.3, *Assumptions and Considerations*, of the 2012 General Plan EIR, during the 18-year time frame, the General Plan is intended to accommodate a projected growth within the City of 155,000 residents by 2030 (City of Merced 2010).

2.6 Housing Element Update and Rezone

The 2024-2032 Housing Element Update has the following major components:

- A **Review of Past Accomplishments** to review the housing programs adopted in the 2012-2024 Housing Element (5th cycle) and evaluate the effectiveness of these programs in delivering housing services and assistance. (Chapter G1)
- Documentation of **Public Participation** efforts Merced made to engage the public and gather input to inform development of this Housing Element Update and Rezone. (Chapter G2)
- An individual **Assessment of Housing Needs** for the City of Merced, summarizing demographic, employment, and housing characteristics. (Chapter G3)
- A **Housing Constraints Analysis** analyzing constraints to the development of adequate and affordable housing including market, governmental, infrastructure, and environmental factors. (Chapter G4)
- An analysis of issues related to **Affirmatively Furthering Fair Housing (AFFH)** for the City of Merced. (Chapter G5)
- **Merced Housing Resources**, including documentation of methodology and results of the Site Inventory Analysis conducted to demonstrate the City of Merced's ability to meet its share of the 6th cycle RHNA. (Chapter G6)
- A **Housing Plan**, which is comprised of the Goals, Policies, and Programs that the City intends to implement over the next 8-year planning cycle. (Chapter G7)

Goals, Policies, and Programs

The primary objective of the Housing Element is to encourage the production of new housing units to meet the RHNA and housing for special needs populations. This is done by adopting a series of goals and policies that facilitate the development of all housing types, explore innovative housing solutions, address the needs of the City's residents, and affirmatively further fair housing. The 2024-2032 Housing Element Update goals, policies, and programs are summarized below and referenced throughout this Addendum as appropriate.

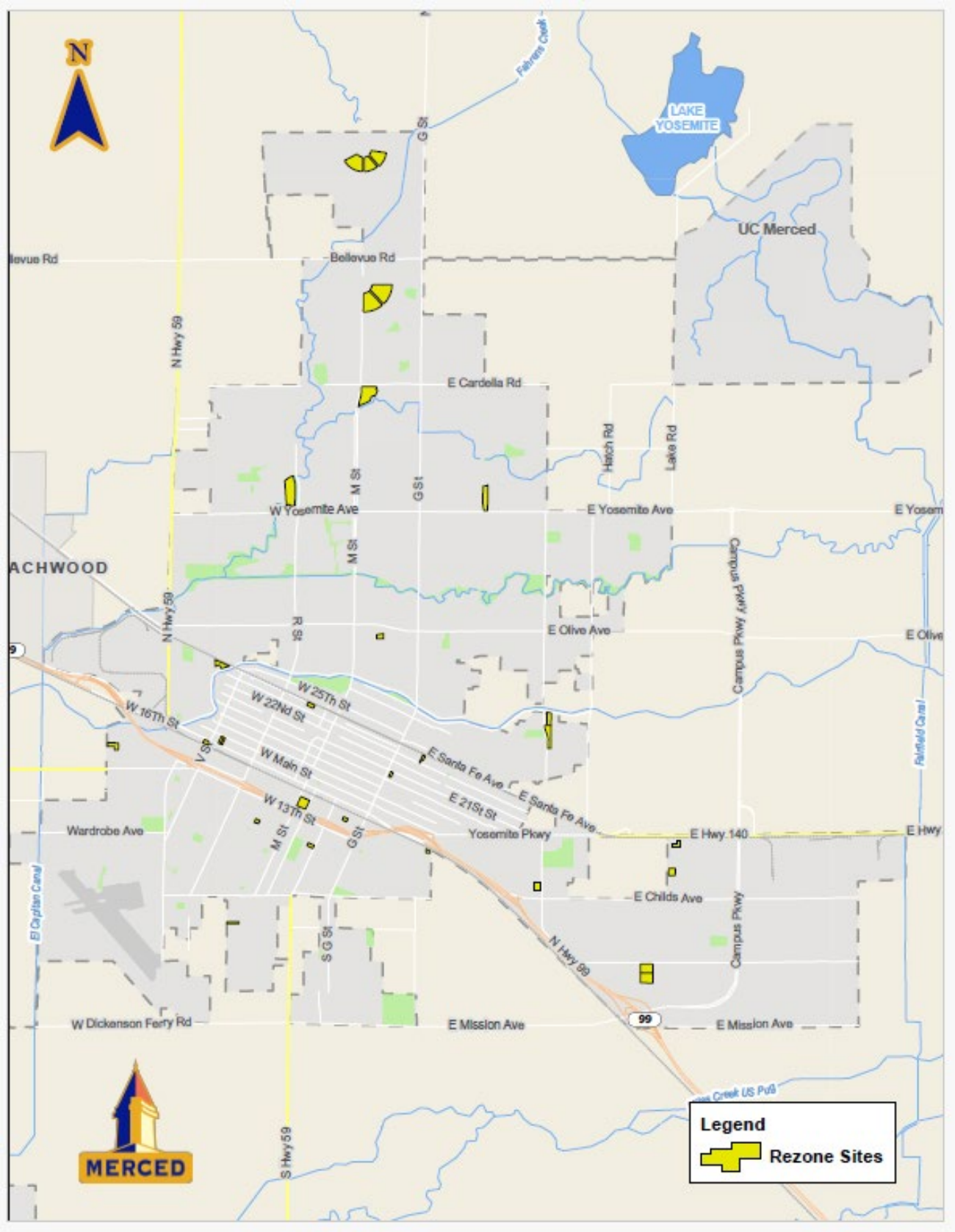
- **Regional Collaboration.** The 2024-2032 Housing Element Update includes policies and programs to foster collaboration with jurisdictions within Merced County to address housing issues.

- **Housing Development.** State law requires that the goals and policies of the housing element encourage and facilitate the production of a range in types of housing affordable to households of varied income levels. The 2024-2032 Housing Element Update includes policies and programs to provide an adequate supply and range of housing types to meet the diverse needs of residents.
- **Affordable Housing.** The 2024-2032 Housing Element Update includes policies and programs to facilitate the development of affordable housing and protect the existing supply of affordable housing to extremely low-, very low-, low- and moderate-income households.
- **Housing and Neighborhood Preservation.** The 2024-2032 Housing Element Update includes policies and programs to preserve and improve the City's existing housing stock.
- **Housing for Persons with Special Needs.** The 2024-2032 Housing Element Update includes policies and programs to support and provide housing and services for people with special needs in the community, including seniors, families with children, people with disabilities, single-parent families, farmworkers, and people who are experiencing homelessness or at risk of becoming homeless.
- **Resource Conservation and Sustainable Development.** The 2024-2032 Housing Element Update includes policies and programs to ensure development of energy efficient and sustainable new housing.
- **Affirmatively Furthering Fair Housing.** The 2024-2032 Housing Element Update includes policies and programs to promote housing opportunities and access for residents regardless of age, race, religion, sex, marital status, ancestry, national origin, color, disability, or economic level in compliance with local, State, and federal fair housing laws.

To accommodate this shortfall of capacity, the City is obligated to rezone land suitable to facilitate the development of the required housing units. The Site Inventory identifies 30 sites to be rezoned to facilitate additional residential development. The sites will be rezoned from low density residential, general commercial, and planned development to high-density residential and central commercial. These sites encompass 111.95 acres and can accommodate a total of 2,216 low-income units and 1,135 moderate-income units. Rezone sites are seen throughout the city with the most units in District 6, as shown in Figure 4. The rezone sites shall include the following components pursuant to Government Code Section 65583.2(i):

- Permit owner-occupied and rental multi-family uses by-right for developments in which 20 percent or more of the units are affordable to lower-income households. By-right means approval without discretionary review.
- Permit the development of at least 16 units per site.
- Establish a minimum density of 20 units per acre and a maximum density of at least 20 units per acre for all rezone sites to accommodate lower-income RHNA.
- Ensure that either: a) at least 50 percent of the shortfall of low- and very-low-income regional housing need can be accommodated on sites designated for exclusively residential uses; or b) if accommodating more than 50 percent of the low- and very-low-income regional housing need on sites designated for mixed uses, all sites designated for mixed uses must allow 100 percent residential use and require that residential uses occupy at least 50 percent of the floor area in a mixed-use project.

Figure 4 Merced Site Inventory (Proposed Zoning)



2.7 Buildout of Proposed Project and Comparison to the 2012 General Plan EIR

The proposed project is expected to result in a net increase of 3,351 units (see Table 3) compared to what is currently allowed under the 2012 General Plan land use designations. The Housing Element Update must address the City's obligation to meet its fair share of regional housing needs, as well as specific State-mandated requirements outlined in the RHNA. The RHNA sets the baseline for the minimum number of housing units that the City must plan for in its Housing Element. This involves providing sufficient sites through the General Plan and zoning. Therefore, the projected growth aligns with expectations outlined in the RHNA, and can be considered anticipated growth, as evidenced by the MCAG-assigned RHNA for the City of Merced. Consequently, the Housing Element Update and Rezone is not directly responsible for increasing the population but rather aims to prepare for the growth that is already anticipated within the region.

Table 3 shows the City's RHNA and housing unit yield per site category.

Table 3 Housing Unit Yield per Site Category

	Lower-Income	Moderate-Income	Above Moderate-Income	Total
City's Share of RHNA	4,285	1,838	4,394	10,517
Planned and Approved Units	938	60	5,624	6,622
ADUs Anticipated	0	0	16	16
Remaining RHNA	3,347	1,778	0	3,879
R-1-5	0	0	1,097	1,097
R-1-6	0	0	725	725
R-4	0	30	0	30
R-3-1.5	133	95	0	228
C-C	44	40	0	84
C-O	179	47	0	226
R-2	0	8	0	8
RP-D	155	40	0	195
P-D (CO)	471	285	0	756
P-D (HMD)	253	65	0	318
P-D (LMD)	0	90	0	90
P-D (VR)	0	2	0	2
Rezone Sites	2,216	1,135	0	3,351
Total Units on Opportunity and Rezone Sites	3,451	1,837	1,822	7,110
Total Unit Surplus	104	59	3,068	3,231
Percent Buffer over RHNA	2%	3%	70%	31%
Total Buildout (Planned and Approved Units plus ADUs Anticipated plus Total Units on Opportunity and Rezone Sites)	4,389	1,897	7,462	13,748

As shown in Table 3, the Site Inventory identifies 3,451 lower-income units, 1,837 moderate-income units, and 1,822 above moderate-income units on opportunity and rezone sites.

All 61 opportunity sites are vacant. All 30 rezone sites would be rezoned to allow for higher density residential, central commercial, or planned development at a higher density.

With rezoning, the Site Inventory, along with planned and approved units and anticipated ADUs, includes a surplus of 104 lower-income units, providing a 2 percent buffer above the RHNA requirement for this income category. Additionally, there is a surplus of 59 moderate-income units, providing a 3 percent buffer; and a surplus of 3,068 above moderate-income units, providing a 70 percent buffer. The total buildout for the Housing Element Update and Rezone would be 13,748 units, including planned and approved units, anticipated ADUs, all opportunity sites, and all rezone sites. Of these, approximately 10,397 units (planned and approved units, ADUs, and opportunity sites) would be consistent with the 2012 General Plan and existing zoning, and therefore within the scope of the 2012 General Plan EIR. Growth not anticipated in the General Plan would occur on the rezone sites (approximately 3,351 units); therefore, this Addendum analyzes the net new increase in units compared to the 2012 General Plan EIR, as discussed under Section 2.5.

The Housing Element Update and Rezone would be consistent with State requirements for the RHNA to plan adequately to meet existing and projected housing needs for all economic segments of the community. The Housing Element Update and Rezone would also be submitted to HCD for review and approval to ensure that it adequately addresses the housing needs and demands of the City.

As mentioned in the, 2012 General Plan EIR and as shown in Table 4, Merced had a population of 80,985 in 2010 (City of Merced 2012b). As of 2024, Merced has a population of 91,837 (DOF 2024). Therefore, the actual population growth since the 2012 Housing Element is 10,852 residents. The additional net residential units allowed by the proposed project would increase the population by up to 21,401 residents, based on a residential unit increase of 7,110 multiplied by 3.01 persons per household (DOF 2024). Therefore, the proposed project could increase the City's population to 113,238 residents. As shown in Table 4, the proposed project would not exceed the projected growth anticipated in the 2012 General Plan (116,800 total residents). In addition, as shown in Table 4, although the proposed project (opportunity sites plus rezoning sites) would include 7,110 net new units and 21,401 residents above what was analyzed under the 2012 General Plan EIR, this increase would still be within the remaining projected buildout under the 2012 General Plan EIR of 24,963 new residents. Growth within the City has occurred at a slower rate than was anticipated in the 2012 General Plan EIR. As such, the Housing Element Update and Rezone would not exceed the buildout projections considered in the 2012 General Plan EIR. Because the project would not exceed 2012 General Plan buildout projections, and because the 2012 General Plan EIR analyzed impacts associated with full General Plan buildout, the project would not be expected to result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. A full analysis of the potential for new or substantially more severe environmental effects is provided in Section 6 of this addendum.

Table 4 Total Development Evaluated in the 2012 General Plan EIR Compared to the Housing Element Update and Rezone

	2010 Actual Population and Housing (a) ¹	2024 Actual Population and Housing (b) ²	Actual Growth from 2010 to 2024 (c=b-a)	Buildout Assumed under 2012 General Plan EIR (d) ³	Buildout Remaining under 2012 General Plan EIR (e=d-b)	Buildout under Proposed Housing Element Update and Rezone (f)
Housing Units	28,106	31,997	+3,891	- ⁴	- ⁴	7,110
Population	80,985	91,837	+10,852	116,800	24,963	21,401 ⁵

¹ Source: City of Merced 2012b.
² Source: DOF 2024.
³ Source: City of Merced 2012a.
⁴ The General Plan EIR does not provide a projection for housing units at buildout.
⁵ Based on Merced persons per household of 3.01 (DOF 2024).

3 Overview of CEQA Guidelines Sections 15162 and 15164

CEQA Guidelines Sections 15162 and 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when a project has a previously certified EIR.

CEQA Guidelines Section 15164 states that a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. *CEQA Guidelines* Section 15162(a) states that no Subsequent or Supplemental EIR shall be prepared for a project with a certified EIR unless the lead agency determines, based on substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 - A. The project will have one or more significant effects not discussed in the previous EIR.
 - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR.
 - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.
 - D. Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The analysis pursuant to Section 15162 demonstrates whether the lead agency can approve the activity as being within the scope of the existing certified EIR, that an addendum to the existing EIR would be appropriate, and no new environmental document, such as a new EIR, would be required. The addendum need not be circulated for public review but can be included in or attached to the final EIR, and the decision-making body shall consider the addendum with the final EIR prior to deciding on the project.

According to *CEQA Guidelines* Section 15164, an addendum to a previously certified EIR is the appropriate environmental document in instances when “only minor technical changes or additions are necessary” and when the new information does not involve new significant environmental

effects or a substantial increase in the severity of a significant effect beyond those identified in the previous EIR. *CEQA Guidelines* Section 15164 states that:

- a. The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- b. An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR have occurred.
- c. An addendum need not be circulated for public review but can be included in or attached to the final EIR.
- d. The decision-making body shall consider the addendum with the final EIR prior to making a decision on the project.
- e. A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record.

The City has prepared this Addendum, pursuant to *CEQA Guidelines* Sections 15162 and 15164, to evaluate whether the project's environmental impacts are covered by and within the scope of the 2012 General Plan EIR (January 2012, State Clearinghouse No. 2008071069). This Addendum details any changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that may trigger the need for a Subsequent or Supplemental EIR pursuant to *CEQA Guidelines* sections 15162(a).

The analysis herein substantiates and supports the City's determination that development facilitated by the project is within the scope of the 2012 General Plan EIR, does not require subsequent review under *CEQA Guidelines* Section 15162 and, in conjunction with the EIR, this Addendum adequately analyzes potential environmental impacts.

4 Environmental Effects and Determination

4.1 Environmental Areas Determined to Have New or Substantially More Severe Significant Effects Compared to Those Identified in the Previous EIR

The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances, or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

■ None

- | | | |
|--|---|---|
| ☐ Aesthetics | ☐ Agriculture and Forestry Resources | ☐ Air Quality |
| ☐ Biological Resources | ☐ Cultural Resources | ☐ Energy |
| ☐ Geology and Soils | ☐ Greenhouse Gas Emissions | ☐ Hazards and Hazardous Materials |
| ☐ Hydrology and Water Quality | ☐ Land Use and Planning | ☐ Mineral Resources |
| ☐ Noise | ☐ Population and Housing | ☐ Public Services |
| ☐ Recreation | ☐ Transportation | ☐ Tribal Cultural Resources |
| ☐ Utilities and Service Systems | ☐ Wildfire | ☐ Mandatory Findings of Significance |

4.2 Determination

Based on this analysis:

- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in *CEQA Guidelines* Section 15162(a)(3). Therefore, a SUBSEQUENT or SUPPLEMENTAL EIR is required.
- No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects.

Merced Housing Element Update and Rezone

Also, there is no "new information of substantial importance" as that term is used in *CEQA Guidelines* Section 15162(a)(3). Therefore, the previously certified EIR is adequate and this evaluation serves as an ADDENDUM to the City of Merced, General Plan Environmental Impact Report (General Plan EIR). State Clearinghouse Number 2008071069 certified January 2012.

Signature

Date

Printed Name

Title

5 Addendum Evaluation Methodology

5.1 General Plan Consistency

The Housing Element is a component of the 2012 General Plan and is periodically updated pursuant to state law. Therefore, the Housing Element Update and Rezone is consistent with the vision of the General Plan and is supported by goals and policies of the other General Plan Elements. The General Plan Elements and policies that correspond with the goals and policies of the Housing Element are summarized below:

- The **Urban Expansion Element (Chapter 2)** includes goals, objectives, policies, and standards for ensuring orderly urban growth while preserving resource lands, protecting open space, and encouraging energy conservation.
- The **Land Use Element (Chapter 3)** includes goals, objectives, policies, and standards for residential, commercial, industrial, public, and institutional development within Merced.
- The **Transportation and Circulation Element (Chapter 4)** includes goals, objectives, policies, and standards for establishing a safe and efficient transportation system that provides adequate access throughout the city.
- The **Public Services and Facilities Element (Chapter 5)** includes goals, objectives, policies, and standards for improving public facilities and providing high quality government facilities and services to the public.
- The **Urban Design Element (Chapter 6)** includes goals, objectives, policies, and standards for building a sustainable city that is designed, constructed, and operated to efficiently use land and other natural resources, minimize waste, and manage and conserve resources for the use of present and future generations.
- The **Open Space, Conservation, and Recreation Element (Chapter 7)** includes goals, objectives, policies, and standards for preserving agricultural land, protecting natural resources, and providing recreational opportunities for the community.
- The **Sustainable Development Element (Chapter 8)** includes goals, objectives, policies, and standards for facilitating sustainable growth within the City.
- The **Housing Element (Chapter 9)** includes goals, objectives, policies, and standards for facilitating housing within the city and ensuring the city satisfies its RHNA numbers.
- The **Noise Element (Chapter 10)** includes goals, objectives, policies, and standards for protecting residents from exposure to excessive noise. It also includes tables showing acceptable exterior noise exposure levels and maximum noise levels not to be exceeded for transportation sources and stationary sources.
- The **Safety Element (Chapter 11)** includes goals, objectives, policies, and standards for protecting residents against natural and manmade hazards and ensuring fire and police services are sufficient and effective.

Adoption of the Housing Element Update and Rezone would require the City to amend Chapter 9 of the General Plan, which contains the current 2016 Housing Element.

Accommodation of the RHNA

Merced's RHNA for the current planning period is 10,517 units, consisting of 2,543 very low income housing units, 1,742 low-income housing units, 1,838 moderate-income housing units, and 4,394 above moderate-income housing units. The City must demonstrate the availability of sites with appropriate zoning and development standards that can facilitate and encourage the development of such units. The Housing Element Update and Rezone includes a housing plan that accommodates the RHNA plus a buffer of additional housing units as recommended by the HCD. The City has identified enough units through RHNA Credits (including planned and approved projects and Accessory Dwelling Units [ADU]) to meet some of the 6th Cycle RHNA requirements.

5.2 Preliminary Environmental Constraints

State housing law requires the city to review both governmental and non-governmental constraints to the maintenance and production of housing for all income levels. Since local governmental actions can restrict the development and increase the cost of housing, State law requires the Housing Element to "address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing" (Government Code Section 65583[c][3]). Several factors can constrain residential development. These include market constraints, such as development costs and interest rates, and governmental constraints, which include land use controls, fees, processing times, and development standards, among others. In addition, environmental and infrastructure constraints can also impede residential development. For purposes of the Addendum, only the potential environmental constraints, as they relate to CEQA, were evaluated.

Environmental constraints to residential development typically relate to the presence of sensitive habitat, flooding, topography, and other natural and physical characteristics that can limit the amount of development in an area or increase the cost of development. The Housing Element Update and Rezone, in and of itself, does not propose specific development projects, but rather puts forth goals, policies, and programs that support housing efforts in Merced. Future housing development projects would be subject to developmental review to determine potential impacts specific to that project site.

6 Addendum Evaluation

6.1 Introduction

As discussed in Section 2.7, above, the total buildout for the Housing Element Update and Rezone would be 13,748 units. Of these, approximately 10,397 units (planned and approved projects, anticipated ADUs, and opportunity sites) would be consistent with the 2012 General Plan and existing zoning, and therefore would be within the scope of the 2012 General Plan EIR. Growth not anticipated in the General Plan would occur on the rezone sites (approximately 3,351 units); therefore, this Addendum analyzes the net increase compared to the 2012 General Plan EIR. Even with the net increase of buildout on the rezone sites included in the proposed project, the number of units proposed under the Housing Element Update and Rezone would still be within the total remaining buildout of the 2012 General Plan EIR as shown in Section 2.7, Table 4, since growth within the City has occurred at a slower rate than was anticipated by the 2012 General Plan. Therefore, growth anticipated and evaluated under the 2012 General Plan is applicable to the proposed project. General Plan EIR findings and analysis of the proposed project's impacts are included for each *CEQA Guidelines* Appendix G section below.

6.2 Aesthetics

General Plan EIR Findings

Aesthetics is discussed in Chapter 3.1 of the General Plan EIR. The General Plan EIR determined that impacts related to scenic vistas and visual character would be less than significant and found no impact to scenic resources. Impacts related to the generation of light and glare were determined to be less than significant with the implementation of Mitigation Measure 3.1-4, which requires outdoor lighting to be directed downward and away from adjacent properties.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. This would result in a net increase of 3,351 units above what was previously analyzed in the General Plan EIR.

Rezoning of 30 parcels would result in the construction of denser and taller development which could potentially result in impacts to aesthetics. However, future development facilitated by the proposed project would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations, including standards that govern visual quality and community design, including Mitigation Measure 3.1-4, as included in the General Plan EIR, which would reduce light and glare impacts.

Because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. On the rezone sites, there will be increased density and different types of developments. However, The Housing Element Update, in and of itself, does not propose specific projects but puts forth goals and policies that regulate various aspects of new housing development in Merced. Future developments

resulting from the Housing Element Update would be consistent with the buildout anticipated by the General Plan. Because it is a policy document, the Housing Element Update would not, in and of itself, result in impacts to scenic vistas, scenic resources, or visual character, and would not create new sources of substantial light or glare which could adversely affects views.

Conclusion

The project would not result in aesthetic impacts beyond those addressed or analyzed in the General Plan EIR, nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of aesthetics is required.

6.3 Agriculture and Forestry Services

General Plan EIR Findings

Agricultural and forest resources are discussed in Chapter 3.2 of the General Plan EIR. The General Plan EIR determined that impacts related to Important Farmland would be significant and unavoidable despite the implementation of Mitigation Measure 3.2-1, which encourages continued agricultural production until urban conversion occurs, requires collaboration with land trusts to preserve agricultural land, and prioritizes infill and contiguous development. The General Plan EIR also found significant and unavoidable impacts to existing zoning for agricultural use and Williamson Act contracts with no identified mitigation. The General Plan EIR also found no impacts to existing zoning for forest land, timberland, or timberland production; loss or conversion of forest land; and other conversions of farmland or forest land to non-agricultural uses.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. As discussed in Section 2.7, *Buildout of Proposed Project and Comparison to the 2012 General Plan EIR*, buildout of the proposed project is within the buildout projections analyzed in the General Plan EIR.

While the General Plan EIR identified potentially significant agricultural and forestry impacts, the proposed project would not rezone any lands currently designated as farmland, forest land, or timberland within the city. Additionally, the project would be consistent with goals and policies included in the General Plan intended to reduce impacts to agricultural lands such as Policies OS-2.1 and OS-2.2 included in the Open Space, Conservation, and Recreation Element, which call for the City to protect agricultural resources outside of the Specific Urban Development Plan/Sphere of Influence. The Housing Element Update and Rezone would increase residential densities on 30 parcels within the city thereby reducing the need for conversion of agricultural land to accommodate additional housing units.

Future development facilitated by the proposed project would undergo project-specific developmental review, including design review; would be subject to adopted development regulations, including Mitigation Measure 3.2-1, as included in the General Plan EIR; and would be required to comply with existing general plan policies and land use designations. Because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a

substantial increase in the severity of previously identified significant effects. The Housing Element Update, in and of itself, does not propose specific projects but puts forth goals and policies that regulate various aspects of new housing development in Merced. Because it is a policy document, the Housing Element Update would not, in and of itself, result in impacts to the conversion of Important Farmland, forest land, or timber land to non-agricultural uses.

Conclusion

The proposed project would not result in agricultural and forestry impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of agriculture and forestry is required.

6.4 Air Quality

General Plan EIR Findings

Air quality is discussed in Chapter 3.3 of the General Plan EIR. The General Plan EIR determined that future development under the General Plan would result in construction emissions that exceed the threshold of significance for the generation of fugitive dust. However, implementation of Mitigation Measures 3.3-1a and 3.3-1b, which require dust control measures, erosion prevention, speed limits, and wind breaks for construction disturbing over 22 acres on any one day; and require adoption of an ordinance that minimizes idling times and operational hours, using alternative fuels, employing properly maintained equipment to reduce emissions, and other emission-reducing construction equipment practices, respectively, were found to reduce construction exhaust emissions to a less than significant level. The General Plan EIR found significant and unavoidable impacts on criteria air pollutants in a non-attainment area, despite Mitigation Measure 3.3-2, which requires the implementation of Best Available Control Technology measures for discretionary permits. The General Plan EIR found impacts to exposing sensitive receptors to pollutant concentration and odor to be less than significant.

Addendum Analysis

Because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Furthermore, as stated in Section 2.7, *Buildout of Proposed Project and Comparison to the 2012 General Plan EIR*, the number of units proposed under the Housing Element Update and Rezone would still be within the total remaining buildout of the 2012 General Plan EIR. In addition, future development facilitated by the proposed project would undergo project-specific developmental review and would be required to comply with existing policies and regulations, including Mitigations Measures 3.3-1a, 3.3-1b, and 3.3-2. Because the proposed project is a policy document consistent with the General Plan and in and of itself does not propose specific projects but puts forth goals and policies that regulate various aspects of new housing development, it would have no impact to air quality.

Conclusion

The project would not result in air quality impacts beyond those addressed or analyzed in the General Plan EIR, nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of air quality is required.

6.5 Biological Resources

General Plan EIR Findings

Biological resources are discussed in Chapter 3.4 and Chapter 2.9 of the General Plan EIR. The General Plan EIR determined that future development facilitated by the General Plan would result in less than significant impacts to special-status species and their habitats with the implementation of Mitigation Measures 3.4-1a through 3.4-1i, which require surveys and avoidance measures for vernal pools, plants, elderberry bushes, Valley elderberry longhorn beetle, burrowing owls, birds, amphibians, reptiles, fish, and mammals. The General Plan EIR also found less than significant impacts to riparian habitats and sensitive natural communities with the implementation of Mitigation Measure 3.4-2, which requires avoidance or no-net-loss to riparian habitat and other sensitive natural communities. Implementation of Mitigation Measures 3.4-3a and 3.4-3b, which require the delineation, agency permitting, and the no-net-loss replacement or rehabilitation of any jurisdictional waters, were found to reduce impacts to wetlands to a less than significant level in the General Plan EIR. The General Plan EIR determined impacts to wildlife corridors would be less than significant with Mitigation Measure 3.4-1e. The General Plan EIR found no impact to local policies or ordinances protecting biological resources, and habitat conservation plans or natural community preservation plans.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. The proposed rezoning would not conflict with any local policies or ordinances protecting biological resources as the rezone sites are currently zoned for urban development. Furthermore, by increasing density on infill sites within the city, the proposed project would reduce potential impacts to biological resources by limiting urbanization of natural and undeveloped areas. Future development proposed as a result of the Housing Element Update and Rezone would be subject to project-specific environmental review and would be required to adhere to policies in the General Plan. Furthermore, future development would be required to comply with adopted federal, state, and local regulations protecting biological resources, including Mitigation Measures 3.4-1a through 3.4-1i, 3.4-2, 3.4-3a, and 3.4-3b.

Because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Conclusion

The project would not result in biological resource impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant

than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the project and no additional environmental assessment of biological resources is required.

6.6 Cultural Resources

General Plan EIR Findings

Cultural resources are discussed in Chapter 3.5 of the General Plan EIR. The General Plan EIR determined that future development facilitated by the General Plan would not have a significant impact on historical or archaeological resources, or human remains.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. The proposed rezoning would not increase potential impacts to cultural resources as the rezone sites are currently zoned for urban development, and could be developed under existing zoning. The increase in density on these sites would not result in an increase in the potential development footprint, thereby expanding potential cultural resource impacts into new areas. Future development facilitated by the Housing Element Update and Rezone would undergo project-specific developmental review and be required to adhere to all state and federal regulations to reduce impacts to cultural resources. Furthermore, because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Conclusion

The project would not result in cultural resource impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of cultural resources is required.

6.7 Energy

General Plan EIR Findings

The General Plan EIR does not include a separate section regarding energy since it was not required under the *CEQA Guidelines* Appendix G checklist at the time the report was prepared; however, energy is discussed in Section 5.2, *Significant Irreversible Environmental Changes*, of the General Plan EIR. The General Plan EIR found that General Plan policies prioritize energy conservation. A discussion of energy impacts is provided herein to supplement the General Plan EIR.

Addendum Analysis

The Housing Element Update and Rezone proposes rezoning 32 parcels within the city to higher-density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. Future development facilitated by the Housing Element Update and Rezone would involve the consumption of non-renewable energy resources such as electricity, natural gas, propane, gasoline, and diesel. However, future projects would be required to adhere to

applicable regulations and General Plan policies and actions related to energy resources and energy consumption with new residential construction, including California Code of Regulations (CCR) Title 20, Division 2, Chapter 4, Energy Conservation; CCR Title 24, Part 6, *California Energy Code*; and CCR Title 24, Part 11, *California Green Building Standards Code*, Tier 1. These regulations include requirements for the use of more energy-efficient design and technologies as well as the incorporation of more renewable energy resources into building design than were in place during the General Plan EIR analysis.

Because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The Housing Element Update, in and of itself, does not propose specific projects but puts forth goals and policies that regulate various aspects of new housing development in Merced. Because it is a policy document, the Housing Element Update would not, in and of itself, result in impacts to energy resources. With compliance with existing regulations, impacts related to wasteful, inefficient, or unnecessary consumption of energy resources would be less than significant.

Conclusion

The proposed project would not result in energy impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of energy is required.

6.8 Geology and Soils

General Plan EIR Findings

Geology and soils are discussed in Chapter 3.6 and paleontological resources are discussed in Chapter 3.5 of the General Plan EIR. The General Plan EIR determined that impacts from seismic hazards, erosion, unstable geologic units, landslide, lateral spreading, subsidence, liquefaction, collapse, expansive soils, and soils unsuitable for septic tanks or alternative wastewater systems were less than significant. The General Plan EIR found less than significant impacts to paleontological resources.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. The proposed rezoning would not increase potential impacts related to geology and soils as the rezone sites are currently zoned for urban development and could be developed under existing zoning. The increase in density on these sites would not result in an increase in the potential development footprint, thereby expanding potential geology and soils impacts into new areas. Individual projects under the Housing Element Update and Rezone would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations such as the California Building Code and International Building Code's regulations and standards regarding seismic safety of buildings and structures. Because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Conclusion

The project would not result in geology and soils impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of geology and soils is required.

6.9 Greenhouse Gas Emissions

General Plan EIR Findings

Greenhouse gas emissions are discussed in Chapter 3.17 of the General Plan EIR. The General Plan EIR determined that impacts related to incremental contribution to climate change would be significant and unavoidable, despite the implementation of General Plan policies that would reduce emissions. The General Plan EIR found that impacts related to plans, policies, or regulations intended to reduce greenhouse gas emissions would be less than significant.

Addendum Analysis

The Housing Element Update and Rezone is a policy document consistent with the General Plan. Because it is a policy document, the Housing Element Update and Rezone would not, in and of itself, result in impacts to greenhouse gas emissions or adopted plans for the purpose of reducing greenhouse gases. Future development consistent with the Housing Element Update and Rezone would be required to adhere to applicable climate and greenhouse gas emissions policies and regulations including consistency with targets established by SB 32, AB 32, SB 97, and SB 375. Furthermore, the proposed project would increase density within the city to accommodate planned growth which would reduce vehicle miles travelled (VMT) and therefore reduce greenhouse gas emissions by promoting the creation of housing in areas near transit and other necessary services. With compliance with existing regulations, impacts related to greenhouse gas emissions would be less than significant. Future development facilitated by the project would undergo project-specific developmental review and would be required to adhere to State and City building standards and policies designed to reduce greenhouse gas emissions with new residential construction, such as CCR Title 20, Division 2, *State Energy Resources Conservation and Development Commission*; and CCR Title 24, Part 11, *California Green Building Standards Code*, Tier 1.

Conclusion

The project would not result in greenhouse gas emission impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of greenhouse gas emissions is required.

6.10 Hazards and Hazardous Materials

General Plan EIR Findings

Hazards and hazardous materials are discussed in Chapter 3.7 of the General Plan EIR. The General Plan EIR determined that impacts related to routine transport, use, or disposal of hazardous materials; upset and accident conditions resulting in the release of hazardous materials; emission of

hazardous materials near schools; Government code 65962.5 hazardous material sites; airports; emergency response or evacuation plans; and wildland fires would be less than significant.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. The proposed rezoning would not increase potential impacts related to hazard and hazardous materials as the rezone sites are currently zoned for urban development and could be developed under existing zoning. The increase in density on these sites would not result in an increase in the potential development footprint on sites with identified hazardous materials concerns. Individual projects under the Housing Element Update and Rezone would undergo project-specific developmental review, including design review, and would be subject to adopted federal, state, and local regulations. Furthermore, because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Conclusion

The project would not result in hazards and hazardous materials impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of hazards and hazardous materials is required.

6.11 Hydrology and Water Quality

General Plan EIR Findings

Hydrology and water quality is discussed in Chapter 3.8 of the General Plan EIR. The General Plan EIR determined that impacts related to water quality, groundwater supplies and recharge, drainage patterns, erosion or siltation, surface runoff, and flood hazards would be less than significant.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. The proposed rezoning would not increase potential impacts related to hydrology and water quality as the rezone sites are currently zoned for urban development and could be developed under existing zoning. The increase in density on these sites would not result in an increase in the potential development footprint, thereby expanding potential hydrology and water quality impacts into new areas. Individual projects under the Housing Element Update and Rezone would undergo project-specific developmental review, including design review, and would be subject to adopted regulations including Section 15.50.120 of the Merced Municipal Code which sets requirements for construction and development in order to minimize water pollution from stormwater. Future developments that result from the implementation of the proposed project would be subject to existing General Plan policies as well, such as Policies P-4.1 and 4.2, which encourage adequate wastewater collection, treatment, and disposal in the City. The Housing Element Update and Rezone would also be subject to requirements of applicable permits such as

the NPDES and MS4 permits. The proposed project would not result in new hydrology and water quality impacts from new development as evaluated in the certified EIR.

Conclusion

The project would not result in hydrology and water quality impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of hydrology and water quality is required.

6.12 Land Use and Planning

General Plan EIR Findings

Land use and planning is discussed in Chapter 3.9 of the General Plan EIR. The General Plan EIR concluded that implementation of the General Plan would have less than significant impacts with regards to the division of an established community or related to conflicts with applicable land use plans.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. Future development facilitated by the Housing Element Update and Rezone would undergo project-specific developmental review, including design review, and would be subject to adopted development standards and policies including those in the Land Use Element of the General Plan. The rezone sites would not result in inconsistencies with current land use plans or divide communities because the rezone sites are located in infill development areas, and would be rezoned from low density residential, general commercial, and planned development to high-density residential and central commercial.

Adherence to the goals and policies included in the Land Use Element of the General Plan would ensure that the future development would not conflict with a land use plan or policy. Additionally, because the project would facilitate the development of housing primarily on infill sites within the city, development facilitated by the proposed project would not divide an established community.

Conclusion

The project would not result in land use and planning impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of land use and planning is required.

6.13 Mineral Resources

General Plan EIR Findings

Mineral resources are discussed in Chapter 3.10 of the General Plan EIR. The General Plan EIR determined that there would be no impact to mineral resources.

Addendum Analysis

As discussed in the General Plan EIR, there are no known significant mineral resources or mining operations in the city. Because the project would result in infill development and rezone of sites within the city, the project would have no impact on mineral resources, similar to the General Plan EIR.

Conclusion

The project would not result in mineral resource impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of mineral resources is required.

6.14 Noise

General Plan EIR Findings

Noise is discussed in Chapter 3.11 of the General Plan EIR. The General Plan EIR determined that implementation of the General Plan would result in a significant and unavoidable impacts from operational traffic noise with no mitigation feasible of reducing this impact available. The General Plan EIR determined that impacts from construction noise would be less than significant. The General Plan EIR found that construction vibration impacts could be reduced to a less than significant level through the implementation of Mitigation Measure 3.11-4, which requires additional analysis of vibration when construction would use pile drivers or large vibratory compactors. Additionally, the General Plan EIR determined that the General Plan would result in less than significant impacts from stationary noise sources.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. Future development facilitated by the project would undergo project-specific developmental review, including design review, and would be subject to adopted development standards and policies including those in the Noise Element of the general plan and Mitigation Measure 3.11-4. The rezone sites would allow for higher density development on certain sites but would not result in overall greater total development than was envisioned by the General Plan. Because the project would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Conclusion

The project would not result in noise impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of noise is required.

6.15 Population and Housing

General Plan EIR Findings

Population and housing are discussed in Chapter 3.12 of the General Plan EIR. The General Plan EIR determined that impacts from unplanned population growth and displacement of people or existing housing would be less than significant.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. As discussed in Section 2.7 of this document, the proposed project would promote the development of housing to meet the city's RHNA requirement and ensure that the Housing Element is in compliance with state law to accommodate anticipated population growth within the city. Future development facilitated by the Housing Element Update and Rezone would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations. Furthermore, because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Conclusion

The project would not result in population and housing impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of population and housing is required.

6.16 Public Services

General Plan EIR Findings

Public Services is discussed in Chapter 3.14 of the General Plan EIR. The General Plan EIR determined that development facilitated by the General Plan would have a less than significant impact on police protection services, fire protection services, school services, libraries, and government and health services.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. As discussed in Section 2.7 of this document, the proposed increase in growth can be considered as anticipated growth as evident by accommodating the City's State RHNA goal. The Housing Element Update and Rezone would not result in an increase in buildout above the buildout assumed in the General Plan EIR. The proposed project would update the zoning map as a result of the proposed rezoning of the rezone sites. Additionally, the fundamental regulations and requirements of the General Plan and Zoning Code, such as meeting design standards, would still apply to all projects in the City, including the proposed project. Goals and

policies in the Safety Element of the General Plan would enhance public services such as police and fire protection and ensure effective emergency access. These goals, policies, and measures would continue to be required with implementation of the proposed project.

Future development facilitated by the Housing Element Update and Rezone would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations, including General Plan policies and community public facilities fees established in the City's Municipal Code. Furthermore, Because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Conclusion

The project would not result in public services impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of public services is required.

6.17 Recreation

General Plan EIR Findings

Recreation is discussed in Chapter 3.13 of the General Plan EIR. The General Plan EIR determined that impacts related to increased use of parks and recreational facilities would be less than significant.

Addendum Analysis

The Housing Element Update and Rezone would rezone 30 parcels within the city to higher density residential or central commercial to accommodate anticipated population growth associated with the City's RHNA allocation. As discussed in Section 2.7, the Housing Element Update and Rezone would not result in an increase in buildout above the buildout assumed in the General Plan EIR, thereby resulting in no increase in recreation impacts as compared to the General Plan. Additionally, goals and policies in the Land Use Element of the General Plan, such as Policy OS-3.1, which requires the City to provide high quality park and open space facilities to serve the needs of a growing population, would continue to apply to future development.

Future development facilitated by the Housing Element Update and Rezone would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations, including General Plan policies and community park and recreation fees established in the City's Municipal Code. Furthermore, because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Conclusion

The project would not result in recreation impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than

those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of recreation is required.

6.18 Transportation

General Plan EIR Findings

Transportation is discussed in Chapter 3.15 of the General Plan EIR. The General Plan EIR analyzed Level of Service (LOS) as the methodology to assess significance and found that traffic impacts would be significant and unavoidable, despite implementation of Mitigation Measures 3.15-1a and 3.15-1b, which require roadway improvements and traffic studies to be conducted. The General Plan EIR found that impacts associated with air traffic patterns, roadway hazards and incompatible uses, and emergency access were less than significant; and no impact would occur related to conflicts with policies supporting alternative transportation.

Since certification of the EIR and pursuant to SB 743, transportation impacts are evaluated using VMT instead of LOS.

Addendum Analysis

No specific developments are being approved as part of the project; therefore, the project would not directly or indirectly result in transportation impacts. The rezone sites would allow for higher density development on certain sites but would not result in overall greater total development than was envisioned by the General Plan. Furthermore, the proposed project would increase density within the city to accommodate planned growth which would reduce VMT by promoting the creation of housing in areas near transit and other necessary services within the city. Future development facilitated by the project would undergo project-specific developmental review and would be subject to adopted policies and programs identified in the General Plan EIR, including Mitigation Measures 3.15-1a and 3.15-1b.

Because the Housing Element and Rezone would not facilitate development beyond what was considered in the General Plan EIR, the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Conclusion

The project would not result in transportation impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of transportation is required.

6.19 Tribal Cultural Resources

General Plan EIR Findings

Tribal Cultural Resources was added to the 2016 *CEQA Guidelines* as a separate environmental issue area. Thus, the General Plan EIR (certified January 2012) does not include a chapter or section dedicated to analysis of impacts to tribal cultural resources. However, it does analyze general impacts to historical and cultural resources (including archeological resources that may originate from Native American tribes) in Chapter 3.5. As the Notice of Preparation for the General Plan EIR

was published before July 1, 2015, tribal consultation pursuant to Assembly Bill (AB) 52 was not required.

Addendum Analysis

In accordance with the requirements of SB 18, the City requested a tribal contact list from the California Native America Heritage Commission (NAHC) on July 24, 2024. NAHC responded to the City's request on July 29, 2024, providing a list of twelve contacts from Native American tribal organizations that should be invited to consult with the City. The contact list included the following tribal organizations: the Amah Mutsun Tribal Band, the North Fork Rancheria of Mono Indian, Northern Valley Yokut/Ohlone Tribe, Picayune Rancheria of the Chukchansi Indians, Southern Sierra Miwuk Nation, Tule River Indian Tribe, and the Wuksachi Indian Tribe/Eshorn Valley Band.

On August 30, 2024, the City sent letters inviting the tribes listed about to consult with the City under the provisions SB 18. The invitations advised the tribes that if consultation was desired, then they must formally accept the invitation in writing within 90 days of receipt of the City's letter pursuant to SB 18. The City received zero responses and no requests for consultation.

The proposed project, in and of itself, would not propose or authorize specific development. Because the project is a policy document, the proposed project would not, in and of itself, result in impacts to tribal cultural resources such as causing a substantial adverse change in the significance of a tribal cultural resource. The proposed rezoning would not increase potential impacts to tribal cultural resources as the rezone sites are currently zoned for urban development and could be developed under existing zoning. The increase in density on these sites would not result in an increase in the potential development footprint, thereby expanding potential tribal cultural resource impacts into new areas. Future development facilitated by the project would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations and possibly subject to AB 52 compliance. Therefore, impacts would be less than significant.

Conclusion

The project would not result in tribal cultural resource impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of tribal cultural resources is required.

6.20 Utilities and Service Systems

General Plan EIR Findings

Utilities and service systems are addressed in Chapter 3.16 of the General Plan EIR. The General Plan EIR determined that impacts related to wastewater treatment requirements, expansion of water or wastewater infrastructure, stormwater drainage facilities, water supply entitlements, solid waste services, and compliance with regulations related to solid waste would be less than significant. Impacts to electricity and gas were addressed in the General Plan EIR's Cumulative Impacts Analysis in Section 5.7. Impacts related to electricity and gas were determined to be cumulatively significant and unavoidable. Telecommunications resources are mentioned briefly in the General Plan EIR in

Impact 3.14-4. However, the impact level on this service is unclear, thus it is discussed further below.

Addendum Analysis

As described above, the proposed project would result in a net increase of 3,351 units compared to the General Plan EIR, however, this net increase of units and population would not exceed the buildout projections considered as part of the 2012 General Plan EIR. Because the proposed project would not exceed the buildout identified in the General Plan EIR, it would not result in an increase in demand for water supply, wastewater, or solid waste services. Future development facilitated by the project would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations. The proposed project would not result in new utilities impacts not discussed in the General Plan EIR or an increase in the severity of utilities impacts.

The proposed project, in and of itself, would not propose or authorize specific development. Because the project is a regulatory update, the proposed project would not, in and of itself, result in impacts to electricity and telecommunications utilities. Future development facilitated by the project would undergo project-specific developmental review, including design review, and would be required to comply with General Plan goals and policies related to utilities and service systems. Therefore, impacts would be less than significant.

Conclusion

The project would not result in utilities and service systems impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of utilities and service systems is required.

6.21 Wildfire

General Plan EIR Findings

Wildland fires are discussed in Section 3.7 of the General Plan EIR. Impacts regarding potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands were determined to be less than significant.

Addendum Analysis

The City of Merced is in an area where the wildland fire risk is considered minimal. There are no State Responsibility Areas or Very High Fire Hazard Severity Zones within the city of Merced (California Department of Forestry and Fire Protection 2024). The nearest Very High Fire Hazard Severity Zone is approximately 3 miles northeast of the city. Additionally, the Safety Element contains policies to support and facilitate fire protection while the Open Space Element contains policies addressing weed abatement. These policies from the General Plan would minimize loss of life and property from wildland fires. Because it is a policy document, the Housing Element Update and Rezone would not, in and of itself, result in impacts to wildfire. Future development facilitated by the project would undergo project-specific review and would be subject to adopted development

standards including Chapter 17.32 of the Merced Municipal Code which includes fire prevention measures, General Plan Policies S-4.1 and S-4.2 which would reduce impacts associated with wildfire hazards, and the California Fire Code. With implementation of these standards, impacts would be less than significant.

Conclusion

The project would not result in wildfire impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the proposed project and no additional environmental assessment of wildfire is required.

7 Cumulative Impacts

In addition to the specific impacts of individual projects, CEQA requires consideration of potential cumulative impacts of the proposed project. CEQA defines “cumulative impacts” as two or more individual impacts that, when considered together, are substantial or will compound other environmental impacts. Cumulative impacts are the combined changes in the environment that result from the incremental impact of development of the proposed project and other past, present, and probable future projects producing related or cumulative impacts. For example, noise impacts of two nearby projects may be less than significant when analyzed separately but could have a significant impact when analyzed together. The cumulative impact analysis provides a reasonable forecast of future environmental conditions and can more accurately gauge the effects of a series of projects.

CEQA Guidelines Section 15130 requires cumulative impact analysis in EIRs to consider either a list of planned and pending projects that may contribute to cumulative effects or a summary of projections contained in an adopted planning document such as a general plan.

7.1 General Plan EIR Findings

Section 5.5 of the General Plan EIR discusses cumulative impacts. The cumulative setting for the analysis in the General Plan EIR is explained in Section 5.6, *Cumulative Setting*. As stated in that section, cumulative impacts of the General Plan were considered based on regional boundaries, projected regional or area-wide conditions, or based on development anticipated within the vicinity of the city. The cumulative analysis considered development allowed by existing general plan documents for adjacent jurisdictions.

The General Plan EIR determined that cumulative impacts related to aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, land use and planning, mineral resources, noise, population and housing, recreation, and utilities and service systems would be considered less than significant or there would be no cumulative impact. Impacts related to agriculture and forestry resources, hydrology and water quality, and transportation were determined to be cumulatively considerable. Impacts related to air quality, public services, and greenhouse gas emissions were determined to be significant and unavoidable cumulative impacts.

7.2 Addendum Analysis

Since certification of the 2012 General Plan EIR, there has been no new development proposed within the City that was not considered as part of the 2012 General Plan EIR. There are no new substantial cumulative projects in the City or adjacent jurisdictions that were not previously considered in the 2012 General Plan EIR cumulative impact analysis. The cumulative conditions in the 2012 General Plan EIR have not substantially changed; therefore, the cumulative setting in the 2012 General Plan EIR remains the same for the purposes of this analysis.

The proposed project would not result in new impacts compared to the previous 2012 General Plan EIR as analyzed in this Addendum. While the project would result in the potential future development of a greater number of housing units in the City than analyzed in the 2012 General Plan EIR, the physical development area of the City would not be modified. Therefore, no new or

additional cumulatively considerable contributions to a significant cumulative impact would occur as a result of the project.

7.3 Conclusion

The proposed project would not result in new or more severe cumulatively considerable impacts than were identified in the 2012 General Plan EIR. No new or substantially more severe significant effects would occur to cumulative impacts, and no new mitigation measures are required. No substantial changes have occurred that require major revisions to the 2012 General Plan EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to cumulative impacts than were identified in the 2012 General Plan EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR have been met.

8 Conclusion

The City of Merced, acting as the lead agency, determined that an addendum is the appropriate environmental document under CEQA because the proposed project would not require revisions to the certified General Plan EIR due to the involvement of new significant environmental effects or substantial increases in the severity of significant effects previously identified in the General Plan EIR.

There are no changed circumstances or new information that meets the standard for requiring further environmental review under *CEQA Guidelines* Section 15162. Thus, these circumstances and information would not result in new or more severe impacts beyond what were addressed in the General Plan EIR and would not meet any other standards under *CEQA Guidelines* Section 15162(a)(3). No additional analysis is required based on the discussions throughout this addendum. The proposed Housing Element Update and Rezone would not involve development in areas not assumed for development in the General Plan EIR, nor would it result in population growth and density beyond what was analyzed in the General Plan EIR. The project would not result in significant or substantially more severe impacts that were not discussed in the General Plan EIR. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, would be substantially more severe than discussed in the General Plan EIR. Accordingly, no additional CEQA review is required.

CEQA Guidelines Section 15164 states that “[t]he lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in *CEQA Guidelines* Section 15162 calling for preparation of a subsequent EIR have occurred.” An addendum is therefore appropriate because, as explained above, none of the conditions calling for preparation of a subsequent EIR have occurred.

9 References

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9.2 List of Preparers

Rincon Consultants, Inc. prepared this EIR Addendum under contract to the City of Merced. Persons involved in data gathering analysis, project management, and quality control are listed below.

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