

## NOTICE OF EXEMPTION

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

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

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

**Project Title:**           **Zoning Ordinance Amendment #23-01/Environmental Review #23-12**

**Project Applicant:**   City of Merced

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

**Project Location - City:**   Merced

**Project Location - County:** Merced

**Description of Nature, Purpose, and Beneficiaries of Project:** This application involves changes to the Merced Zoning Ordinance (Title 20 of the Merced Municipal Code) which would amend Merced Municipal Code Section 20.44.170 (Regulation of Commercial Cannabis Activities – Commercial Cannabis Business Permit Required). This amendment would increase the maximum number of retail cannabis dispensaries allowed within the City from five to ten, add a new section allowing Council consideration of alternative sites for retail cannabis business applications under appeal, include local ownership requirements for cannabis retail permits issued after November 3, 2021, and various other amendments.

**Name of Public Agency Approving Project:**       City of Merced

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

**Exempt Status:** (check one)

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

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

**Lead Agency:**           City of Merced

**Contact Person:**       Francisco Mendoza-Gonzalez

**Area Code/Telephone:**       (209) 385-6858

**Signature:**



**Date:** May 11, 2023   **Title:** Associate Planner

  X   Signed by Lead Agency

Date Received for Filing at OPR (If applicable): \_\_\_\_\_

Authority Cited: Sections 21083 and 21110. Public Resources Code; Reference: Sections 21108, 21152, and 21152.1. Public Resources Code