

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 #17-01/Environmental Review #17-10**

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 replace Merced Municipal Code Section 20.44.170 ("Medical Marijuana and Cultivation") with a new Section 20.44.170 ("Regulation of Commercial Cannabis Activities – Commercial Cannabis Business Permit Required"); amend Section 20.10.020 and Table 20.10-1 ("Commercial Zoning Districts"); amend Section 20.12.020 and Table 20.12-1 ("Industrial Zoning Districts"); and add Land Use Table 20.44-1 to regulate all commercial cannabis activities and cultivation for personal use in the City of Merced.

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 establishment of regulations for commercial cannabis businesses do not meet any of the thresholds contained in the Checklist that would trigger a significant environmental impact, and thus according to the "general rule exemption" (Section 15061(b)(3) of the CEQA Guidelines), projects which have no potential for causing a significant effect on the environment are not subject to CEQA, no further environmental analysis is required.

Lead Agency: City of Merced

Contact Person: Kim Espinosa

Area Code/Telephone: (209) 385-6858

Signature:  **Date:** September 28, 2017 **Title:** Planning Manager

 X Signed by Lead Agency

Date Received for Filing at OPR: n/a
(If applicable)

Authority Cited: Sections 21083 and 21110. Public Resources Code
Resources Code

Reference: Sections 21108, 21152, and 21152.1. Public

ATTACHMENT 11