

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: _____

From: (Public Agency): _____

(Address)

Project Title: _____

Project Applicant: _____

Project Location - Specific:

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

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: 15183
- Statutory Exemptions. State code number: _____

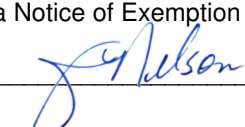
Reasons why project is exempt:

Lead Agency

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature:  Date: _____ Title: _____

Signed by Lead Agency Signed by Applicant

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

Date Received for filing at OPR: _____

**The California Environmental Quality Act
(CEQA) Section 15183 Findings:**

Application: Site Plan Review #518 **Environmental Review** #23-10

Location: South of Winder Avenue, 650 feet east of G Street

Assessor's Parcel Number: APN: 259-130-045

General Plan Designation: Village Residential (VR) **Zoning:** Planned Development P-D #58

State CEQA Guidelines Section 15183 (Public Resources Code §21083.3), provides that projects which are consistent with the development density established by a Community Plan, General Plan, or Zoning for which an environmental impact report (EIR) has been certified "shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site."

The *Merced Vision 2030 General Plan* and its associated EIR (SCH# 2008071069) were certified in January 2012. The document comprehensively examined the potential environmental impacts that may occur as a result of build-out of the 28,576-acre Merced SUDP/SOI. For those significant environmental impacts (Loss of Agricultural Soils and Air Quality) for which no mitigation measures were available, the City adopted a Statement of Overriding Considerations (City Council Resolution #2011-63). This document herein incorporates by reference the *Merced Vision 2030 General Plan*, the *General Plan Program EIR* (SCH# 2008071069), and Resolution #2011-63.

The following findings are made in compliance with CEQA Section 15183 – Project consistent with a Community Plan or Zoning.

In approving a project meeting the requirements of CEQA Section 15183, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

1. Is the project consistent with the General Plan and Zoning designations for the site (including density for residential developments)? Yes No

If yes, please explain below. If no, the project does not qualify for this exemption.

Comment/Finding:

The General Plan designation for this site is Village Residential (VR) which allows 7 to 30 dwelling units per acre, with an average of 10 units per acre. The proposed Site Plan Review which would modify VTSM #1319 adds one additional lot and would maintain the previous density of 11 units/acre which is consistent with the General Plan.

The site is zoned Planned Development (P-D) #58 and has a residential land use designation. The proposed Site Plan Review is consistent with the zoning and establishes the design standards for this development. The Site Plan Review would also review the architecture for the development.

2. Are there any impacts that weren't evaluated in the General Plan EIR that are peculiar to the project or the parcel on which the project would be located? Yes No

If yes, an initial study or detailed analysis is necessary to determine if specific impacts will need to be mitigated.

If no, continue with CEQA Section 15183 Exemption.

Comment/Finding:

All potential impacts from this development were evaluated with the General Plan EIR. The site is consistent with the General Plan and zoning and has no unique features that were not evaluated with the General Plan EIR.

- 3. Are there project specific impacts which the General Plan EIR failed to analyze as significant effects. Yes _____ No X

If yes, an initial study or other detailed analysis is necessary to determine if the impacts are considered to be significant and if mitigation is required.

If no, continue with CEQA Section 15183 Exemption.

Comment/Finding:

The proposed Site Plan Review would not result in any additional impacts that were not evaluated with the General Plan EIR.

- 4. Is there substantial new information which would result in more severe impacts than anticipated by the General Plan EIR? Yes _____ No X

If yes, an initial study or other detailed analysis is necessary to determine if the impacts are considered to be significant and if mitigation is required.

If no, continue with CEQA Section 15183 Exemption.

Comment/Finding:


There is no new information as a result of the proposed Site Plan Review that would result in more severe impacts. The proposed changes to the tentative map and design standards are consistent with the General Plan density and circulation element and the land use designation for Planned Development (P-D) #58. All potential impacts were evaluated with the General Plan EIR.

On the basis of this evaluation, in accordance with the requirements of Section 15183 of the CEQA Guidelines:

- 1. It is found that subsequent negative declaration will need to be prepared.
- 2. It is found that an addendum Negative Declaration will need to be prepared.
- 3. That a subsequent EIR will need to be prepared.
- 4. No further documentation is required.

Date: 4/3/23

Prepared By:



 Julie Nelson,
 Senior Planner

Prepare a notice of exemption using CEQA section 15183 based on this analysis.