

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

**Application:** Site Plan Review #543      **Environmental Review** #24-05

**Location:** 1011 W. Olive Avenue

**-Assessor's Parcel Number:** APN: 236-220-047

**General Plan Designation:** Regional/Community Commercial (RC)

**Zoning:** Planned Development (P-D) #1

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 X No

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

***Comment/Finding:***

As indicated above, the General Plan designation for this site is Regional/Community Commercial (RC) which allows quick service restaurants (QSR) and retail pads. Site Plan Review approval is required for the QSR drive-through. The proposed retail and QSR pads are consistent with the General Plan.

The site is zoned Planned Development (P-D) #1 and has a commercial designation. The proposed development is consistent with the zoning classification for the site.

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 X

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 building pads (2) 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 development that would result in more severe impacts. This proposed development is consistent with the General Plan density and circulation element and the land use designation for Planned Development (P-D) #1. 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:**

- |                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/>            | 1. It is found that subsequent negative declaration will need to be prepared.  |
| <input type="checkbox"/>            | 2. It is found that an addendum Negative Declaration will need to be prepared. |
| <input type="checkbox"/>            | 3. That a subsequent EIR will need to be prepared.                             |
| <input checked="" type="checkbox"/> | 4. No further documentation is required.                                       |

Date: 3/20/2024

Prepared By:



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