

**Notice of Exemption****Form D**

**To** Office of Planning and Research  
P.O. Box 3044, Room 212  
Sacramento, CA 95812-3044

**From:** *(Public Agency)* City of Los Banos  
520 J Street  
Los Banos, CA 93635

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

**Project Title** First Baptist Church 809 D Street, Site Plan Review #2017-03

**Project Location - Specific** 809 D Street, APN 025-092-001,002,003, and 004.

**Project Location - City** Los Banos **Project Location - County** Merced

**Description of Nature, Purpose, and Beneficiaries of Project** Site Plan Review #2017-03 for the placement of  
One (1) 2,208 square foot modular structure along with site improvements at an existing church site.

**Name of Public Agency Approving Project** City of Los Banos

**Name of Person or Agency Carrying Out Project** First Baptist Church

**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 – Sec. 15311 Accessory Structures
- ☐ Statutory Exemption – State code number:

**Reasons why project is exempt** CEQA provides several “categorical exemptions” which are applicable categories of  
projects and activities that the Lead Agency has determined generally do not pose a risk of significant impacts on the  
Environment. The project consists of the placement of one (1) 2,208 square foot modular structure along with  
associated site improvements within the Low Density Residential Zoning District of the City of Los Banos. The project is  
exempt under Section 15311 of the State CEQA Guidelines (Class 11-Accessory Structures). The project meets  
the conditions for Accessory Structures categorical exemption described in Section 15311 of the State CEQA Guidelines  
as explained below.

The proposed placement of the modular structure will be an accessory structure as the function of the modular structure  
will be an accessory for First Baptist Church in the form of a Community Hall. The property has been used by First Baptist  
Church as a civic use continuously since 1977. The Community Hall will be used for events or gatherings related to First  
Baptist Church and its congregants. For the reasons stated the project is consistent with the Section 15311 Accessory  
Structures categorical exemption.

The City has further considered whether the project is subject to any of the exceptions to the use of a categorical  
exemption found at CEQA Guidelines Section 15300.2. This section prohibits the use of categorical exemptions under the  
following circumstances:

- (a) for certain classes of projects (Classes 3,4,5,6 and 11) due to location where the project may impact an environmental resource or hazardous or critical concern;
- (b) when the cumulative impact of successive projects of the same type in the same place, over time, is significant;
- (c) where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances;
- (d) where the project may result in damage to scenic resources, including but not limited to, trees, historic buildings rock croppings , or similar resources within a highway officially designated as a state scenic highway;
- (e) where the project is located on a state designated hazardous waste site; and
- (f) where the project may cause a substantial adverse change in the significance of a historical resource.

In consistency with Section 15300.2(a), the project site is not located in an area of sensitive or critical concern.

With regard to Section 15300.2(b), there is no evidence of a potential significant cumulative impact because successive projects of the same type in the same place have not been approved and are not currently proposed. Cumulative impacts related to development accommodated by the City's General Plan were found to be less than significant in the 2030 General Plan EIR. The project will not result in significant cumulative impacts with regards to the project and potential General Plan buildout.

Regarding Section 15300.2(c), the project would not result in any significant effects on the environment due to unusual circumstances. The project would not result in any significant effects on the environment due to unusual circumstances. The project site is surrounded by urban development and is not located within a sensitive resource area. The project site is located and mapped in a non-hazardous area, as is all of the surrounding area.

Section 15300.2(d) does not apply to the project site as the site is not located adjacent to or visible from a designated scenic highway.

Section 15300.2(e) does not apply because the site is not a state-designated hazardous waste site. The project site is located in a mapped non-hazardous area as is all of the surrounding area.

Section 15300.2(f) does not apply because there are no historic resources or structures located within or around the project site.

For the reasons cited above, the project will not result in a significant environmental impact and qualifies for a Categorical Exemption pursuant to Section 15311, Accessory Structures, of the California Environmental Quality Act (CEQA) Guidelines.

**Lead Agency Contact Person** Rudy Luquin,  
Associate Planner **Area Code/Telephone/Extension** (209) 827-2432

**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

Governor's Office of Planning & Research

Date received for filing at OPR: NOV 01 2019

STATE CLEARINGHOUSE