

**NOTICE OF EXEMPTION**

2026-EIR-055

**FILED**

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

May 11, 2026

MATT H. MAY

COUNTY CLERK

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

By Lea Z. Helgum  
Deputy Clerk

**Project Title:** Conditional Use Permit #26-0021 (Environmental Review #26-0051)

**Project Applicant:** Eliseo Zapien, applicant for Ortuno Ramiro, property owner

**Project Location (Specific):** 402 Mercy Ave APN: 231-200-002

**Project Location - City:** Merced **Project Location - County:** Merced

**Description of Nature, Purpose, and Beneficiaries of Project:** Food Truck Lot

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

**Name of Person or Agency Carrying Out Project:** Danaelle Rodriguez with Merced Hearts Associates, on behalf of V&S Real Estate Investments LLC, property owners

**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: 15332
- Statutory Exemptions. State Code Number: \_\_\_\_\_
- General Rule (Sec. 15061 (b)(3))

**Reasons why Project is Exempt:**

As defined under the above referenced Section, the proposed project is considered an in-fill project. The project location is within the City limits on a 1.04-acre subject site surrounded by urban uses. The site can be served by all required utilities and public services, and the project site has no value as habitat for endangered, rare or threatened species. No significant effects resulting from traffic, noise, air quality, or water quality will result from the construction of the building. The project is consistent with the City of Merced General Plan and Zoning regulations.

**Lead Agency:** City of Merced

**Contact Person:** Jessie Lee **Area Code/Telephone:** (209) 385-6858

**Signature:**  **Date:** 03/23/2026 **Title:** Development Services Technician II

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