



Notice of Completion and Environmental Document Transmittal

SCH # _____

California Environmental Quality Act

TO: State Clearinghouse
P.O. Box 3044
Sacramento, CA 95812-3044
(916) 445-0613

FROM: Stanislaus County Planning & Community Development
1010 10th Street, Suite 3400, Modesto, CA 95354
Planning Phone: (209) 525-6330 Fax: (209) 525-5911
Building Phone: (209) 525-6557 Fax: (209) 525-7759

Project Title: Use Permit Application No. PLN2022-0122 - Empire Health and Wellness
Lead Agency: Stanislaus County Planning and Community Development Contact Person: Jeremy Ballard, Senior Planner
Street Address: 1010 10th Street, Suite 3400 Phone: (209) 525-6330
City: Modesto, CA Zip: 95354 County: Stanislaus

Project Location: 4725 Yosemite Blvd City/Nearest Community: Empire
Cross Streets: A Street Zip Code: 95357
Longitude/Latitude (degrees, minutes and seconds): 0 00 00 N / 0 00 00 W Total Acres: 0.3 acres
Assessor's Parcel Number: 133-012-005 Section: 30 Twp.: 3 Range: 10 Base: MDB&M
Within 2 Miles: State Hwy #: 132 Waterways: N/A
Airports: N/A Railways: Modesto & Empire Traction Schools: Glick Middle School & Empire Elementary

Local Public Review Period: (to be filled in by lead agency)

Starting Date: January 13, 2023 Ending Date: January 30, 2023

Document Type:

- CEQA: [] NOP [] Draft EIR [] Supplement/Subsequent EIR [] Neg Dec (Prior SCH No.) [] Mit Neg Dec [] Other:
NEPA: [] NOI [] EA [] Draft EIS [] FONSI
OTHER: [] Joint Document [] Final Document [] Other:

Local Action Type:

- [] General Plan Update [] Specific Plan [] Rezone [] Annexation
[] General Plan Amendment [] Master Plan [] Prezone [] Redevelopment
[] General Plan Element [] Planned Unit Development [x] Use Permit [] Coastal Permit
[] Community Plan [] Site Plan [] Land Division (Subdivision, etc.) [] Other

Development Type:

- [] Residential Units: Acres:
[] Office Sq.ft.: Acres: Employees:
[x] Commercial Sq.ft.: 3,720 Acres: 0.3 Employees: 14
[] Industrial Sq.ft.: Acres: Employees:
[] Educational
[] Recreational
[] OCS Related
[] Water Facilities Type: MGD
[] Transportation Type:
[] Mining Mineral:
[] Power Type: MW
[] Waste Facilities Type: MGD
[] Hazardous Waste Type:
[] Other

Project Issues Discussed in Document:

- [] Aesthetic/Visual [] Fiscal [] Recreation/Parks [] Vegetation
[] Agricultural Land [] Flood Plain/Flooding [] Schools/Universities [] Water Quality
[] Air Quality [] Forest Land/Fire Hazard [] Septic Systems [] Water Supply/Groundwater
[] Archeological/Historical [] Geological/Seismic [] Sewer Capacity [] Wetland/Riparian
[] Biological Resources [] Minerals [] Soil Erosion/Compaction/Grading [] Growth Inducement
[] Coastal Zone [] Noise [] Solid Waste [] Land Use
[] Drainage/Absorption [] Population/Housing Balance [] Toxic/Hazardous [] Cumulative Effects
[] Economic/Jobs [] Public Services/Facilities [] Traffic/Circulation [x] Other: N/A

Present Land Use/Zoning/General Plan Designation:

Commercial Cannabis retail facility/General Commercial (C-2)/General Commercial

Project Description: (please use a separate page if necessary)

This is a request to obtain a Use Permit to allow operation of an existing retail commercial cannabis business with delivery services, within an existing 3,720 square-foot building, in the General Commercial (C-2) zoning district. In accordance with County Code Section 6.78.120(A)(6)(c)(i), the applicant is also requesting a waiver to the required 200-foot setback from adjacent residences.

Hours of operation are proposed to be seven days a week, from 8:00 a.m. to 8:00 p.m. The business will include a maximum of seven employees per shift, with up to two shifts. The applicant anticipates a total of two supply deliveries to the site per day and up to 150 sales deliveries to customers per day. Additionally, the applicant proposes site improvements such as: removal of five existing parking stalls within the SR 132 right-of-way, reconfiguration of the existing parking lot by repaving and restriping to develop a total of 19 parking stalls, construction of sidewalk along the A Street and SR 132 frontage, construction of an 8-foot-tall masonry wall along the northern property line, development of a valley gutter stormwater capture system within the parking lot, and installation of landscaping along both street frontages. The project site is served by the City of Modesto with public water and sewer services and is located within Local Agency Formation Commission (LAFCO) adopted Sphere of Influence (SOI) of the City of Modesto.

The project was originally approved by the Board of Supervisors on October 19, 2019, under Use Permit (UP) and Development Agreement (DA) Application No. PLN2018-0115 – Empire Health and Wellness. Conditions of Approval for UP and DA No. PLN2018-0115 required completion of site and building improvements no later than December 31, 2020. The applicant did not complete these improvements by this deadline; thus, the Use Permit is now expired and a new use permit is required to be obtained to allow for the continued operation of the business.

Reviewing Agencies Checklist:

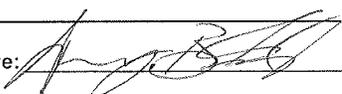
Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X". If you have already sent your document to the agency, please denote that agency with an "S".

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| <input type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Emergency Services |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> California Emergency Management Agency | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Parks & Recreation, Department of |
| <input checked="" type="checkbox"/> S Caltrans District # <u>10</u> | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Reclamation Board |
| <input checked="" type="checkbox"/> S Central Valley Flood Protection Board | <input checked="" type="checkbox"/> S Regional WQCB # <u>5</u> |
| <input type="checkbox"/> Coachella Valley Mountains Conservancy | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Colorado River Board Commission | <input type="checkbox"/> S.F. Bay Conservation & Development Commission |
| <input checked="" type="checkbox"/> S Conservation, Department of | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mountains Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> Santa Monica Mountains Conservancy |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input checked="" type="checkbox"/> S Fish & Game Region # <u>4</u> | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> SWRCB: Water Rights |
| <input type="checkbox"/> Forestry & Fire Protection, Department of | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> Housing & Community Development | <input checked="" type="checkbox"/> S Other: <u>San Joaquin Valley Air Pollution Control District</u> |
| <input type="checkbox"/> Integrated Waste Management Board | Other: _____ |
| <input type="checkbox"/> Native American Heritage Commission | |

Lead Agency (Complete if applicable):

Consulting Firm: Stanislaus County
 Address: 1010 10th Street, Suite 3400
 City/State/Zip: Modesto, CA 95354
 Contact: Jeremy Ballard, Senior Planner
 Phone: (209) 525-6330

Applicant: Darron Silva
 Address: 4725 Yosemite Boulevard
 City/State/Zip: Empire, CA 95357
 Contact: Darron Silva
 Phone: (209) 216-8966

Signature of Lead Agency Representative: 

Date: 1/11/23