

NOTICE OF PUBLIC HEARING AND INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

This is to advise that the City of Livingston has prepared an Initial Study and Mitigated Negative Declaration for the Project identified below that is scheduled to be considered by the City of Livingston.

PLEASE BE ADVISED that the Planning Commission will consider the Mitigated Negative Declaration (MND) at the Commission's meeting to be held on **March 14, 2023**. The meeting will be held at the City Council Chamber, 1416 C Street, Livingston, CA. The Planning Commission will adopt a Resolution recommending adoption of the MND to the City Council. City Council Consideration of the MND and the proposed project will be scheduled for a separate date upon action taken by the Planning Commission.

Project Name

Greenzone, LLC - Cannabis Business Park

Project Location

The Project site is located approximately 0.4 miles west of Main Street, just north of Bird Street as it turns north to the Police Department Shooting Range in the northern-most part of the City of Livingston, California, which is one of six incorporated cities in Merced County (Figures 2-1 and 2-2). State Route (SR) 99 is approximately one mile west of the site. The Project parcel is identified by the assessor's parcel number (APN) 047-090-004. The site is predominately surrounded by agricultural land. Presently, the site predominantly consists of fallow agricultural land. A canal trends southwest-northeast through the site.

Project Description

The applicant is proposing to subdivide an 18.8-acre parcel into 22 lots ranging from approximately 0.66 acres to 1.46 acres in size, and a dedicated stormwater detention basin (Lot A), see Figure 2-5. The Project would ultimately result in a secured, gated Cannabis Business Park with a future 25-foot-wide internal road being privately owned and maintained. The site is bisected by the Merced Irrigation District (MID) Stoddard Lateral that runs diagonally through the site, which will be undergrounded.

According to Section 5-3-15, Land Use Regulations (Zoning Matrix) from the City's Municipal Code, the following cannabis-related uses could be included within the proposed Cannabis Business Park with approval of a Conditional Use Permit:

- Commercial cannabis cultivation – indoor
- Commercial cannabis cultivation – mixed light (enclosed)
- Commercial cannabis distribution
- Commercial cannabis manufacturing (volatile/nonvolatile)

- Commercial cannabis – microbusiness (no retail; no outdoor cultivation)
- Commercial cannabis nursery – indoor or mixed light/greenhouse
- Commercial cannabis testing

The Project Applicant has filed a Master Conditional Use Permit (MCUP) requesting authorization to allow the above uses, as well as any future cannabis-related permitted use or conditionally permitted use, on the subject site. Although retail cannabis uses are not permitted anywhere within Livingston City Limits at this time, the Applicant is requesting all future permitted cannabis-related uses, including retail, be considered under this MCUP. Although the ultimate intent for the TSM is to construct a Cannabis Business Park, if cannabis-related uses are not forthcoming, then the 22 lots may result in the construction of other non-cannabis industrial uses as permitted in the Zoning Ordinance. Therefore, according to Municipal Code Title 5, Chapter 2, if cannabis-related uses are not established, the following uses could be either a permitted use or a conditionally permitted use within the Limited Industrial (M-1) zone:

- Auto body repair
- Auto storage
- Auto wrecking
- Body art establishment
- Finished goods assembly
- Heavy terminal
- Kennel
- Manufacturing, beverage/bottling plant
- Manufacturing, heavy general
- Manufacturing, light general
- Recycling facility
- Salvage yards
- Smoke shop and/or smoking lounge

The ultimate buildout of the 22 lots and basin lot (Lot A), whether it includes cannabis-related uses or not, would need to be consistent with City's General Plan, Zoning Ordinance, and would need to meet the intent of the M-1 zone district.

Site plan and design review approvals are required for all uses involving new construction, significant exterior alterations to existing structures, or significant site plan alterations in the M-1 zone. Also included with the application is a site plan, floor plan, and elevation depicting typical buildout of the proposed lots. It is the staff's intention to seek the City Council's approval of the sample site plan and to obtain Council's authorization for staff-level approval of future site plans deemed sufficiently consistent with the sample going forward.

As noted above, some of these uses listed may require conditional use permits or other discretionary review, subject to the determination of compliance with the development, parking, landscaping, and other standards of the Zoning Ordinance. All future cannabis-related uses will be subject to the City's two-step cannabis permitting process. Due to the

size, complexity, unusual features or other concerns, any project subject to administrative or conditional approval, may be further reviewed under CEQA at the discretion of the Planning Director.

The document and documents referenced in the Initial Study/Mitigated Negative Declaration are available for review at Livingston City Hall located at 1416 C Street, Livingston, CA 95334 and at the Livingston Branch Library located at 1212 Main Street Livingston, CA 95334. In addition, digital versions of the Initial Study and related documents are available at the City's website at:

<https://www.cityoflivingston.org/commdev/page/planning-division>

As mandated by the California Environmental Quality Act (CEQA), the public review period for this document is 30 days (CEQA Section 15073[b]). **The public review period began on January 20, 2023 and ended on February 20, 2023.**

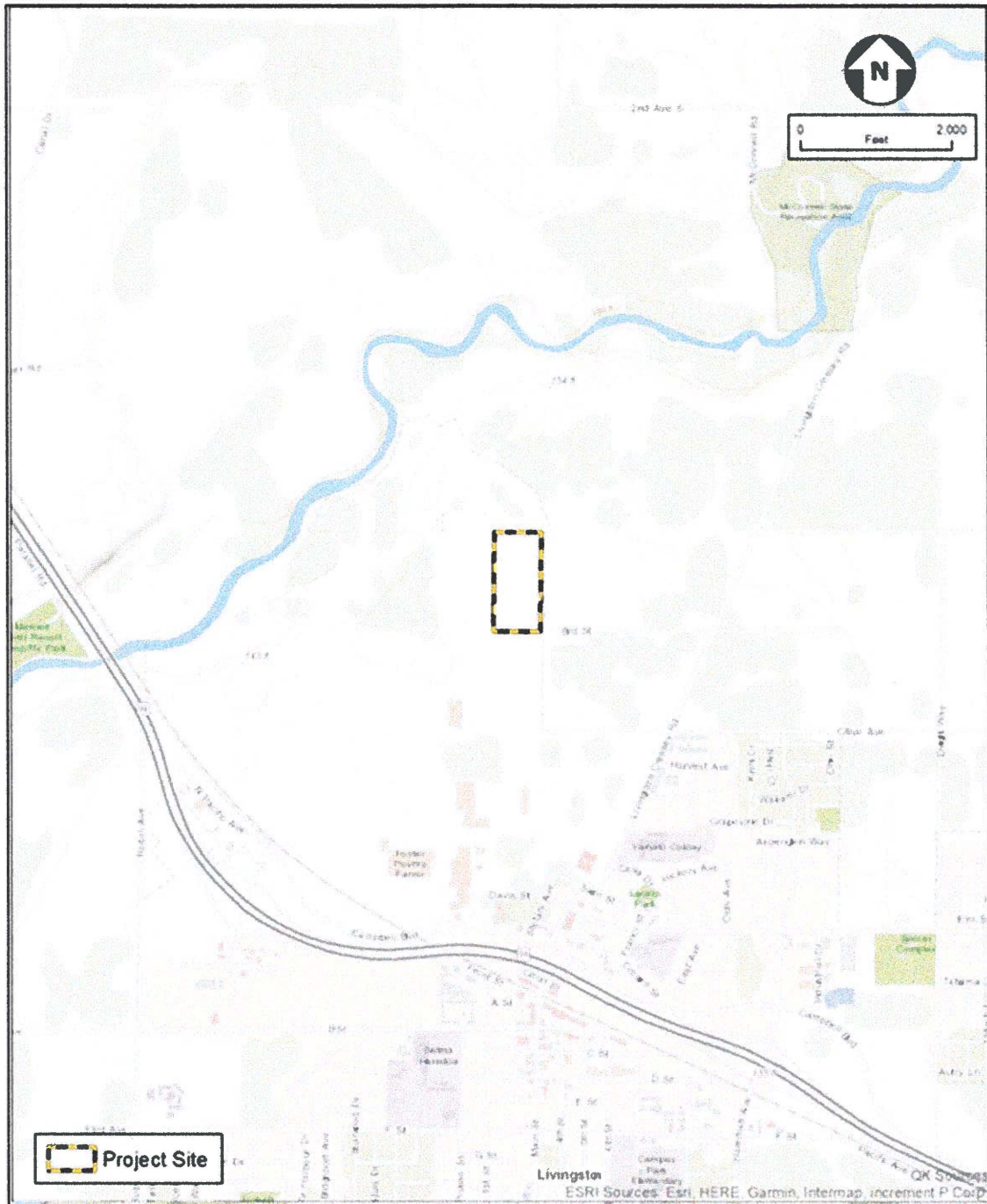
For further information, please contact the Contract City Planner at (209) 394-8041.

Figures

- 2-1. Regional Location Map
- 2-2. Vicinity Map
- 2-5. Proposed Tentative Subdivision Map



Figure-2-1
Regional Location Map



**Figure-2-2
Vicinity-Map**

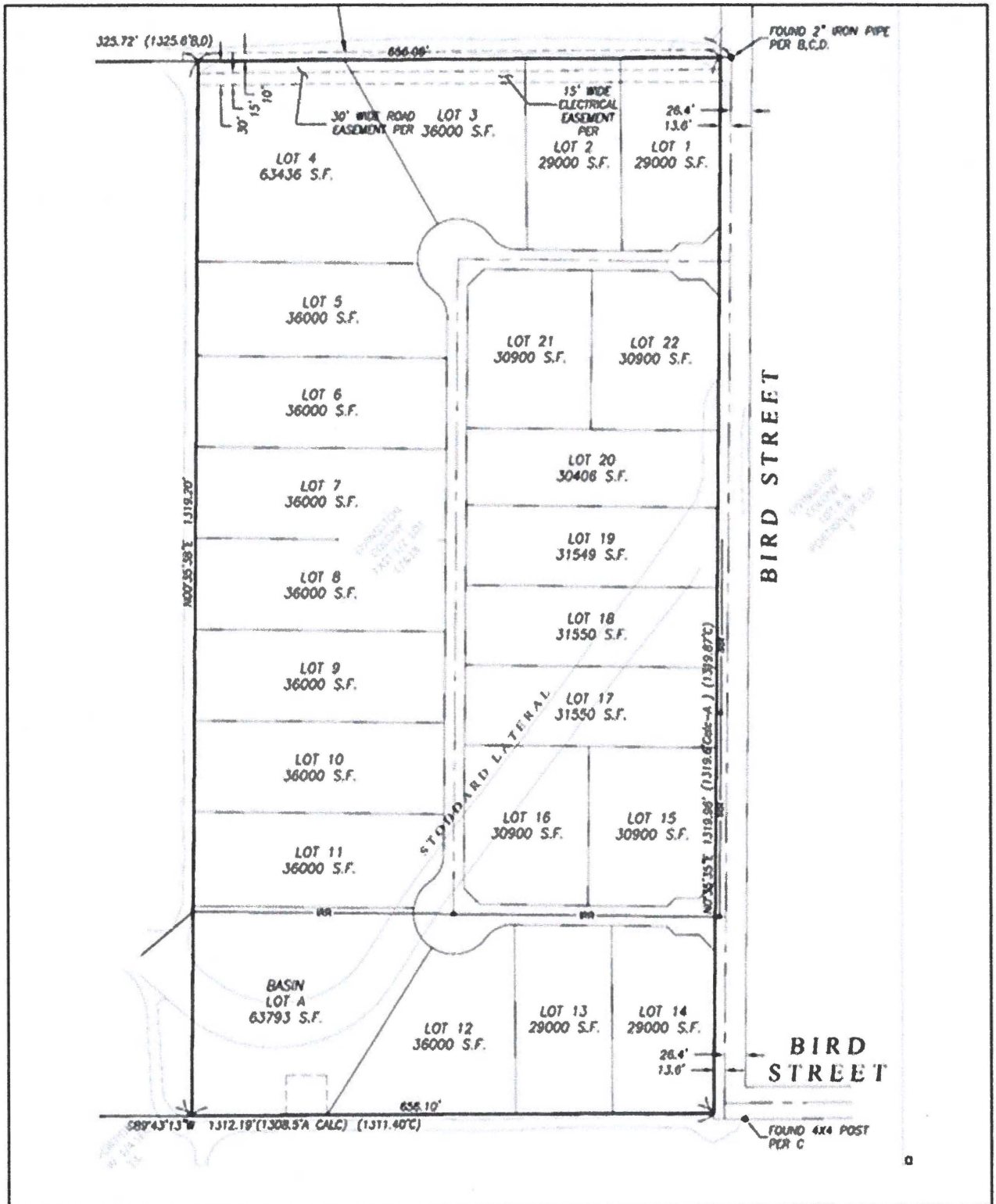


Figure-2-5+
Proposed Tentative Subdivision Map

NOTE:

- NO ADDRESS OBSERVED DURING FIELD SURVEY NOR PROVIDED TO SURVEYOR.
- FLOOD ZONE CLASSIFICATION PER FEDERAL EMERGENCY MANAGEMENT AGENCY'S (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NUMBER 06039C0850E & 06039C0875E FOR COMMUNITY 060450, EFFECTIVE FIRM PANEL 168820303106, CITY OF LIVINGSTON, MERCED COUNTY, CALIFORNIA, DATED SEPTEMBER 26, 2008 LIES WITHIN ZONE X
- WATER IS LOCATED APPROXIMATELY 1,300' AWAY AT THE WEST END OF OLIVE AVENUE AND LIVINGSTON CRESSLEY ROAD.
- ALL PROPOSED INNER STREETS WILL BE PRIVATE ROADS AND CONC. MEET CITY STANDARDS PER "CITY OF LIVINGSTON DEPT. OF PUBLIC WORKS, "ST-9" AND EXISTING "BIRD STREET" IS AN INDUSTRIAL STREET AS PER "CITY OF LIVINGSTON DEPT. OF PUBLIC WORKS, DWG NO.: ST-10".

LEGEND:

- 264.11 ALL MEASUREMENTS ARE IN FEET AND DECIMAL FRACTIONS THEREOF.
- M. C. R. MERCED COUNTY RECORDS
- O.R. OFFICIAL RECORDS
- (A) REFERENCE DATA EXCEPTIONS
- CONCRETE
- FIRE HYDRANT
- GUY ANCHOR
- ORIGINAL GROUND
- POWER POLE
- SANITARY SEWER MANHOLE
- SIGN
- STORM DRAIN MANHOLE
- WATER VALVE
- STAND PIPE
- GR GUARD RAIL
- (138.0) EXISTING CONTOUR AND ELEVATION
- BOL BOLLARD
- BOUNDARY LINE
- OVERHEAD ELECTRICAL
- IRRIGATION LINE
- CHAINLINK FENCE
- EXISTING DRAINAGE DIRECTION
- 40' MID CANAL
- GUARD RAIL



REFERENCES:

- MAP OF "LIVINGSTON COLONY ADDITION 1", VOLUME 3 OF OFFICIAL PLATS AT PAGE 17C, M.C.R.
- MAP FOR "WARREN MCCONNELL", VOLUME 2 OF RECORD OF SURVEYS AT PAGE 9, M.C.R.
- MAP FOR "MERCED IRRIGATION DISTRICT", BCA-0723, M.C.R.
- MAP FOR "JOSEPH SCARGIOLLA", VOLUME 1 OF PARCEL MAPS AT PAGE 11, M.C.R.

LEGAL DESCRIPTION:

THE EAST 1/2 OF LOT 17 AND 18 AS SHOWN ON THE MAP ENTITLED LIVINGSTON COLONY ADDITION 1, 3-0P-17C, M.C.R.

BASIS OF BEARINGS:

THE BEARING OF N.0°35'30"E ALONG THE EAST LINE OF SECTION 23 AS SHOWN ON (C), IS THE BASIS FOR ALL BEARINGS SHOWN ON THIS MAP.
 CALIFORNIA STATE PLANE COORDINATE SYSTEM, NAD 83, ZONE 3, (2010.00), GROUND, DERIVED FROM GPS OBSERVATIONS PROCESSED THROUGH GPS.

THE COORDINATES AND DISTANCES PRESENTED HEREIN ARE GROUND DATA. TO CONVERT GROUND DISTANCES TO GRID DISTANCES, MULTIPLY GROUND DISTANCES BY THE PROJECT SPECIFIC COMBINATION FACTOR OF 0.999998883.



SCALE: 1" = 100'

TENTATIVE PACEL MAP NO. GREENZONE SUBDIVISION

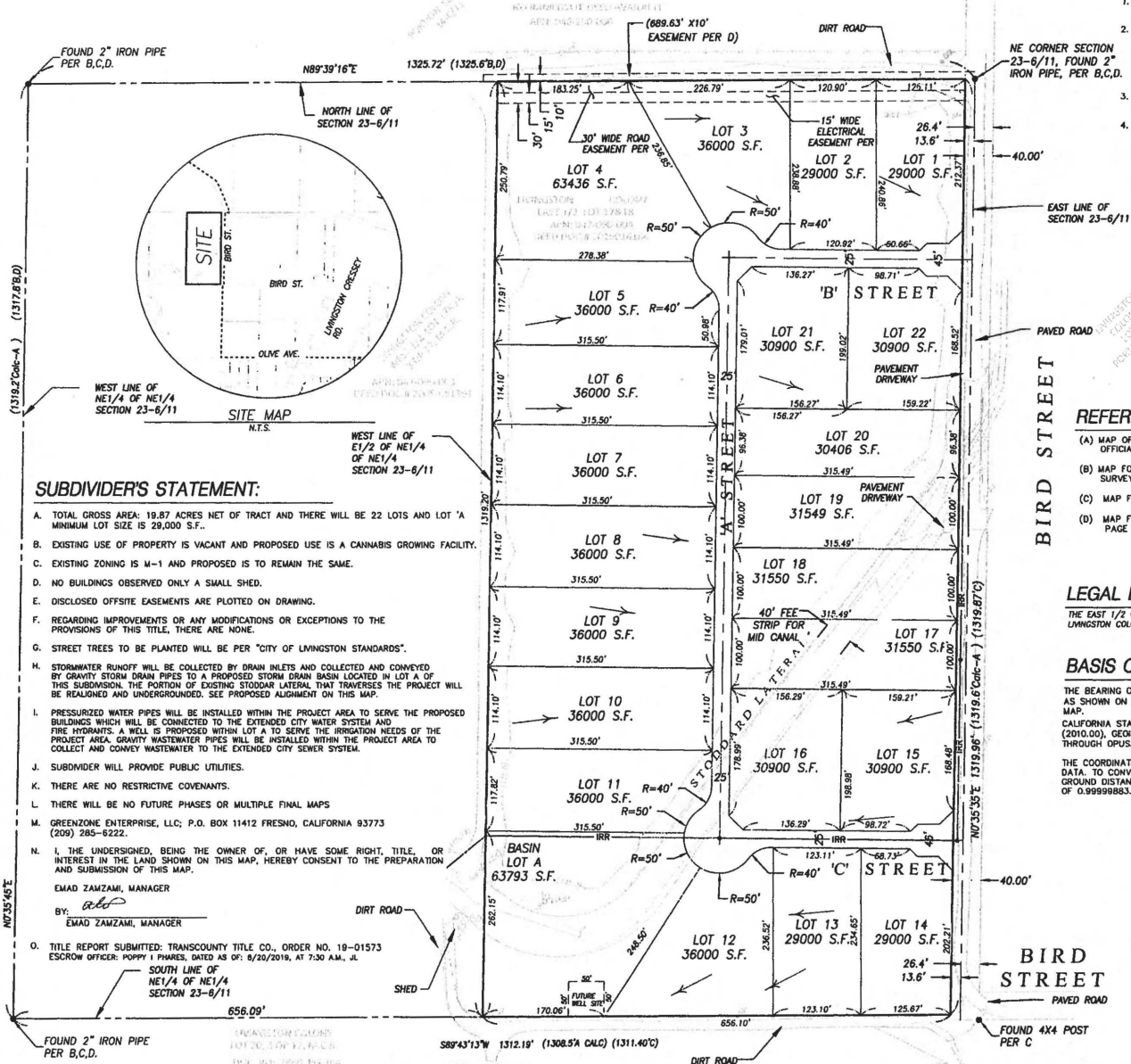
THE EAST 1/2 OF LOT 17 AND 18 AS SHOWN ON THE MAP ENTITLED LIVINGSTON COLONY ADDITION 1, 3-0P-17, M.C.R., SECTION 23, T.6S., R.11E., MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF LIVINGSTON, COUNTY OF MERCED, STATE OF CALIFORNIA.

NOVEMBER 2022

FOR: GREENZONE ENTERPRISE, LLC
 P.O. BOX 11412 FRESNO, CALIFORNIA 93773
 NOVEMBER 2022



2818 PARK AVENUE
 MERCED, CA 95348
 TEL: (209) 723-3064
 WWW.QKAC.COM



SUBDIVIDER'S STATEMENT:

- TOTAL GROSS AREA: 19.87 ACRES NET OF TRACT AND THERE WILL BE 22 LOTS AND LOT 'A' MINIMUM LOT SIZE IS 29,000 S.F..
- EXISTING USE OF PROPERTY IS VACANT AND PROPOSED USE IS A CANNABIS GROWING FACILITY.
- EXISTING ZONING IS M-1 AND PROPOSED IS TO REMAIN THE SAME.
- NO BUILDINGS OBSERVED ONLY A SMALL SHED.
- DISCLOSED OFFSITE EASEMENTS ARE PLOTTED ON DRAWING.
- REGARDING IMPROVEMENTS OR ANY MODIFICATIONS OR EXCEPTIONS TO THE PROVISIONS OF THIS TITLE, THERE ARE NONE.
- STREET TREES TO BE PLANTED WILL BE PER "CITY OF LIVINGSTON STANDARDS".
- STORMWATER RUNOFF WILL BE COLLECTED BY DRAIN INLETS AND COLLECTED AND CONVEYED BY GRAVITY STORM DRAIN PIPES TO A PROPOSED STORM DRAIN BASIN LOCATED IN LOT A OF THIS SUBDIVISION. THE PORTION OF EXISTING STORMWATER LATERAL THAT TRANVERSES THE PROJECT WILL BE REALIGNED AND UNDERGROUND. SEE PROPOSED ALIGNMENT ON THIS MAP.
- PRESSURIZED WATER PIPES WILL BE INSTALLED WITHIN THE PROJECT AREA TO SERVE THE PROPOSED BUILDINGS WHICH WILL BE CONNECTED TO THE EXTENDED CITY WATER SYSTEM AND FIRE HYDRANTS. A WELL IS PROPOSED WITHIN LOT A TO SERVE THE IRRIGATION NEEDS OF THE PROJECT AREA. GRAVITY WASTEWATER PIPES WILL BE INSTALLED WITHIN THE PROJECT AREA TO COLLECT AND CONVEY WASTEWATER TO THE EXTENDED CITY SEWER SYSTEM.
- SUBDIVIDER WILL PROVIDE PUBLIC UTILITIES.
- THERE ARE NO RESTRICTIVE COVENANTS.
- THERE WILL BE NO FUTURE PHASES OR MULTIPLE FINAL MAPS
- GREENZONE ENTERPRISE, LLC, P.O. BOX 11412 FRESNO, CALIFORNIA 93773 (209) 285-6222.
- I, THE UNDERSIGNED, BEING THE OWNER OF, OR HAVE SOME RIGHT, TITLE, OR INTEREST IN THE LAND SHOWN ON THIS MAP, HEREBY CONSENT TO THE PREPARATION AND SUBMISSION OF THIS MAP.
 EMAD ZAMZAMI, MANAGER
 BY: *EMAD*
 EMAD ZAMZAMI, MANAGER

O. TITLE REPORT SUBMITTED: TRANSCOUNTY TITLE CO., ORDER NO. 18-01573
 ESCROW OFFICER: POPPY PHARES, DATED AS OF: 8/20/2019, AT 7:30 A.M., J.
 SOUTH LINE OF NE1/4 OF NE1/4 SECTION 23-6/11