



Notice of Completion and Environmental Document Transmittal
California Environmental Quality Act

SCH #

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. PLN2022-0124 - Bynate
Lead Agency: Stanislaus County Planning and Community Development Contact Person: Kristen Anaya, Associate Planner
Street Address: 1010 10th Street, Suite 3400 Phone: (209) 525-6330
City: Modesto, CA Zip: 95354 County: Stanislaus

Project Location: 21931 Hwy 33 City/Nearest Community: Crows Landing
Cross Streets: 4th and 5th Streets Zip Code: 95313
Longitude/Latitude (degrees, minutes and seconds): 0 00' 00" N / 0 00' 00" W Total Acres: 3,750sf; 0.08ac
Assessor's Parcel Number: 027-012-055 Section: 22 Twp.: 6 Range: 8 Base: MDB&M
Within 2 Miles: State Hwy #: 33 Waterways: C.C.I.D. Canal; Orestimba Creek
Airports: Crows Landing Naval Auxiliary Landing Field Railways: Union Pacific Schools: Bonita Elementary

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

Starting Date: January 31, 2023 Ending Date: February 15, 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 [] 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.: 625 Acres: 0.014 Employees: 3
[] 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: NA

Present Land Use/Zoning/General Plan/Community Plan Designation:

Commercial Cannabis retail business / General Commercial (C-2) / Commercial General Plan designation / Commercial Community Plan designation

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

This is a request to obtain a Use Permit to allow operation of an existing commercial cannabis retail business, within an existing 625 square-foot building on a 3,750 square-foot parcel 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. The site has been developed with six (6) graveled parking stalls located at the rear of the parcel, which is accessed via an alleyway connected to County-maintained West 5th Street. Although customer parking is restricted along State Route (SR) 33, the customer entrance is located along the SR 33 building frontage. Hours of operation are proposed to be Sunday through Thursday 9:00 a.m. to 8:00 p.m. and Friday and Saturday 9:00 a.m. to 9:00 p.m. The project proposes a maximum of three employees and is expected to generate approximately two truck/van delivery trip per week associated with the retail inventory for the facility. Bynate will serve approximately 40 customers per day. The property is served by the Crows Landing Community Service District (CSD) for water and by a private septic system for wastewater. No modification is proposed to the existing on-site septic facilities.

The project was originally approved by the Board of Supervisors on August 13, 2019, under Use Permit (UP) and Development Agreement (DA) application number PLN2018-0149 – Bynate. Conditions of Approval for UP and DA number PLN2018-0149 required issuance of a building permit for a change of occupancy of the existing structure, no later than February 13, 2020. The applicant did not complete these improvements by this deadline; thus, the 2018 Use Permit is now expired and a new Use Permit is required to be obtained to allow for the continued operation of the business. Existing underground utility infrastructure is located within the alley. After project approval, Turlock Irrigation District (TID) expressed concerns regarding paving over electrical infrastructure. Accordingly, as part of this current application, the applicant is requesting that the requirement to make alley improvements, including installing pavement as specified in Conditions of Approval numbers 16 and 17 of the 2018 Use Permit, not be applied to this project.

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"/> 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 type="checkbox"/> Central Valley Flood Protection Board | <input checked="" type="checkbox"/> 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 type="checkbox"/> 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"/> 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"/> Other: <u>San Joaquin Valley Air Pollution Control District</u> |
| <input type="checkbox"/> Integrated Waste Management Board | <input type="checkbox"/> 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: Kristen Anaya, Associate Planner
Phone: (209) 525-6330

Applicant: Bynate
Address: P.O. Box 424
City/State/Zip: Crows Landing, CA 95313
Contact: Jessica Tremble
Phone: 209-585-8166

Signature of Lead Agency Representative: Signature on File Date: January 31, 2023