



**CITY OF LIVINGSTON
PROJECT & ENVIRONMENTAL REVIEW – PROJECT REFERRAL**

**CEQA Notice of Intent to Adopt an Initial Study/
Mitigated Negative Declaration**

DATE: January 18, 2023

TO:

State Agencies

- | | |
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| (X) Caltrans Dist. 10, Tom Dumas & Hilda Sousa | (X) SJVAPCD |
| (X) California Fish & Game Region 5, Craig Bailey | (X) State Clearinghouse (5) |
| (X) Regional Water Quality Control Board, Region 5 | (X) Other: US Fish and Wildlife |

Local Agencies

- | | |
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| (X) Charter Communication, Abel Davila | (X) Frontier Communications, Kirby Bernard |
| (X) PG & E, Plan Review Team | (X) Livingston Unified School District, Nick Jones |
| (X) Merced Union High School District, Melissa Miller | (X) U.S. Post Office, Sucha S. Attwal |
| (X) Merced Irrigation District, Ann-Marie Felsing | (X) Gilton Solid Waste, Ted Gilton |
| (X) Merced Irrigation District, Mike Morris | (X) Merced County Planning, Mark Hendrickson |
| (X) MID, Waterplanning@mercedid.org | (X) Merced County Public Works Dana Hertfelder |
| (X) MID, Electricplanning@mercedid.org | (X) Merced County Environ Health, Vicki Jones |
| (X) Merced Irrigation District, Kevin L. Malone | (X) Livingston Library, Angelica Gomes |
| (X) MCAG, Stacie Guzman | (X) Merced County Sheriff |

City Staff

- | | |
|--|---|
| (X) Acting City Manager, Jennifer Riedeman | () Merced County Fire, Rich Bohn – Fire Marshal |
| (X) City Engineer, Mario Gouveia | (X) Merced County Fire, Brian White – Battalion Chief |
| (X) Gouveia Engineering, Noe Martinez | (X) Livingston Fire Department – Fire Chief |
| (X) Building Inspector, Nick Gonzales | (X) City Attorney, Josh Varinsky |
| (X) Recreation Superintendent, Jacque Benoit | (X) Police Chief, Chuck Hale |
| (X) City Council (5) | (X) Public Works Superintendent, Tony Avina |
| (X) City Hall Counter | () Planning Commission (7) |

Other Responsible Agencies:

- | | |
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| (X) Tribal Contacts | (X) Merced County Farm Bureau, Breanne Ramos |
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FROM: Miguel Galvez, Contract City Planner
City of Livingston, 1416 C Street, Livingston, CA 95334

TYPE OF APPLICATION & PROJECT TITLE:

General Plan Amendment Application No. GPA 2020-01, Master Conditional Use Permit Application No. MCUP 2020-01, and Tentative Subdivision Map Application No. TSM 2020-01 – Greenzone Business Park. The applicant is Greenzone Enterprises LLC.

The Project site is located within the Livingston City Limits and generally located west of the North Main Street/Livingston-Cressey Road and Bird Street intersection. It is more specifically located on the west side of Bird Street, where it turns north. The subject parcel is undeveloped and identified as APN 047-090-004.

The property is zoned as M-1, Limited Industrial and light industrial uses are permitted. Non-retail cannabis uses require approval of a Conditional Use Permit (CUP). If a master CUP is approved, the development of each proposed parcel will be subject to approval of an individual Site Plan and Design Review Application.

The applicant is proposing to establish a cannabis business park by requesting redesignation of the project site from a General Plan Land Use classification of IR, Industrial Reserve, to LI, Limited Industrial. The applicant also proposes a Master Conditional Use Permit for the establishment of cannabis business establishments on up to 19 of the 20 proposed lots. Actual development on the lots will occur over four phases. The proposed Tentative Subdivision Map proposes to subdivide an 18.8 acre property into 20 lots, ranging in size from 29,000 square feet to 66,214 square feet, with one lot dedicated for a storm water basin, an agricultural well and a City well. The proposed subdivision is proposed to be developed in one phase.

A Draft Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared to evaluate potential environmental impact of the proposed cannabis-related businesses on the project site. The IS/MND does not evaluate the development of permitted by-right industrial uses. A separate initial study will be prepared to each subsequent non-cannabis land use that may be proposed, which will also require approval of a Site Plan and Design Review Application.

The project involves the development of a private interior roadway system, the development of a perimeter wall, undergrounding of an existing irrigation canal that traverses the project site. The applicant proposes an agricultural well and a separate City well to connect to the City's water system. The property is presently fallow and fronts on partially developed Bird Street.

Surrounding present land uses, zoning and general plan designations consists of:

To the West: irrigated farmland in the City of Livingston, zoned M-1, Limited Industrial with a General Plan Land Use Designation of IR, Industrial Reserve.

To the South: irrigated farmland in the City of Livingston, zone M-2, General Industrial with a General Plan Land Use Designation of GI, General Industrial.

To the East: Orchard with a home site in the unincorporated area of Merced County, County zoned A-1.

To the North: a drainage basin in the City of Livingston, zoned PF, Public Quasi /Public Facilities with a General Plan Land Use Classification of PF, Public Facility.

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION:

The City has prepared a CEQA Initial Study to determine the proposed Project's potential impact on the environment. The City has determined that the proposed Project may have a significant effect on the environment, but by implementing identified mitigation measures, the proposed Project's impacts could be reduced to less than significant. Accordingly, the City intends to adopt a Mitigated Negative Declaration (MND). The Planning Commission at their regular meeting scheduled for March 14, 2023, at 7:00 p.m. will consider a recommendation of adoption of the MND to the City Council. The public review and comment period will begin on January 20, 2023, and end on February 20, 2023.

ATTACHED REFERENCE MATERIALS:

1. Project Application with Project Description, Phasing Map, Conceptual Plan and Tentative Map,
2. Project Location Map, Zoning Map, General Plan Map.
3. Notice of Public Hearing and Intent to Adopt a Mitigated Negative Declaration.
4. The draft Initial Study/Mitigated Negative Declaration with Attachments is available for review at the City's web site at: <https://www.cityoflivingston.org/commdev/page/active-planning-application>

Please review the attached application materials and **submit your comments to me no later than February 20, 2023**, regarding required information, permits and/or approvals in consideration of this project. Your comments should include any foreseeable problems which might be created by the project and any conditions you feel are necessary to the granting of approval. You may return a response by either completing the comment section below or writing a detailed letter and sending it to the Livingston Planning Department via fax: (209) 394-4190, email: mgalvez@livingstoncity.com, or regular mail: City of Livingston Planning Department, 1416 C Street, Livingston, CA 95334. **The response form is requested for our files; if you have no comments, please indicate that on this response form and return to the Livingston Planning Department.**

RESPONSE REQUESTED BY: Miguel Galvez, Contract City Planner, City of Livingston, (209) 394-5510.

*******PLEASE COMPLETE THE FOLLOWING OR SUBMIT A SEPARATE COMMENT LETTER*******

General Plan Amendment Application No. GPA 2020-01, Master Conditional Use Permit Application No. MCUP 2020-01, and Tentative Subdivision Map Application No. TSM 2020-01 – Greenzone Business Park. The applicant is Greenzone Enterprises LLC.

COMMENT(S): _____

PERSON REVIEWING PROJECT: _____

NAME OF AGENCY RESPONDING: _____

PHONE NUMBER: _____

E-MAIL ADDRESS: _____