

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # B-4

Urgent

Routine

AGENDA DATE March 2, 2010

CEO Concurs with Recommendation YES  NO

4/5 Vote Required YES  NO

(Information Attached)

SUBJECT:

Approval to Adopt a Resolution Initiating a Sixth Expansion of the Stanislaus Enterprise Zone by Approximately 101.65 acres in the Unincorporated Area and Authorization to submit a Zone Expansion Application Request to the State of California

STAFF RECOMMENDATIONS:

1. Approval to Adopt a Resolution initiating a Sixth Expansion of the Stanislaus Enterprise Zone by approximately 101.65 acres in Unincorporated Stanislaus County;
2. Authorize Staff to Prepare and Submit a Zone Expansion Application Request to the State of California - Housing and Community Development Agency (HCD).

FISCAL IMPACT:

The Stanislaus County Enterprise Zone (Zone 40) is the result of considerable time, attention, and resources provided by public and private sectors. The cities of Ceres, Modesto, Turlock and the County of Stanislaus worked directly with private business partners and the Workforce Alliance to develop all pre-application and application documents and analysis. This original effort included an environmental impact report (State requirement), which was funded jointly by public and private sectors and included an economic development bank grant for \$41,000 dollars matched by a \$30,000 private/business sector contribution. There is no fiscal impact associated with this nominal zone expansion request.

BOARD ACTION AS FOLLOWS:

No. 2010-103

On motion of Supervisor DeMartini, Seconded by Supervisor Monteith  
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval to Adopt a Resolution Initiating a Sixth Expansion of the Stanislaus Enterprise Zone by Approximately 101.65 acres in the Unincorporated Area and Authorization to submit a Zone Expansion Application Request to the State of California

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## **DISCUSSION:**

On December 6, 2005 the Board of Supervisors adopted and certified the program Environmental Impact Report (EIR) for the Stanislaus County/Highway 99 Corridor Enterprise Zone (Zone 40). In January 2006 Stanislaus County received its first Enterprise Zone designation with an official effective date retroactive to November 16, 2005. The initial approval included the communities of Ceres, Turlock, Modesto, and parts of unincorporated Stanislaus County. The Zone 40 core footprint totals 67,508.98 acres.

In accordance with State Enterprise Zone law, up to 15% of total (original) zone designation can be sought for zone expansion purposes. In the Zone 40 (Stanislaus) instance this equates to approximately 10,126.35 acres of potential expansion.

To prepare for future expansion processes the original Zone 40 workgroup (comprised of the initial applicant jurisdictions and the County) prepared an expansion criteria primer, which was approved by the Board of Supervisors on February 7, 2006.

## **EXPANSION HISTORY IN STANISLAUS COUNTY**

The Zone 40 work group has aggressively marketed the enterprise zone incentives since program inception. Five (5) successful expansions have been awarded since initial Zone approval. (See attached allocation history)

**Phase I:** In January 2007 the State of California approved significant components of a phase I Zone expansion (3,090 acres) retroactively to July 1, 2006. Several phase I expansion areas were not approved at initial application due to a non-contiguous alignment with the base zone. This issue was later resolved with assistance from new legislation (AB1550) approved in November 2006, which provided significant latitude regarding non-contiguous applications in instances where local strategic planning efforts identified significant need. Those areas in the proposed Modesto expansion were revisited by the State and approved with an effective date of October 1, 2006.

**Phase II:** On March 20, 2007 the community of Hughson submitted an expansion request for a total of 215 total acres. This expansion was approved by the State with an effective date of May 1, 2007.

**Phase III:** On May 15, 2007 Stanislaus County made application on behalf of Bronco Winery (unincorporated county) for 120 total expansion acres. The Bronco Winery application was approved by the State with an effective date of July 1, 2007.

Approval to Adopt a Resolution Initiating a Sixth Expansion of the Stanislaus Enterprise Zone by Approximately 101.65 acres in the Unincorporated Area and Authorization to submit a Zone Expansion Application Request to the State of California

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**Phase IV:** On February 12, 2008 the communities of Turlock and Patterson submitted an expansion request for a total of 809 acres. This application was approved by HCD with an effective date of June 12, 2008.

**Phase V:** The Cities of Hughson, Newman, Patterson and Waterford were the applicant beneficiaries of Zone expansion Phase V. Following the expansion criteria developed by the Zone 40 workgroup and approved by the Board of Supervisors – the expansion applications were received and reviewed by the Zone 40 workgroup and approved for formal HCD application by the Board of Supervisors in September 2008. The application was approved by HCD with an effective date of January 16, 2009.

**CURRENT EXPANSION REQUEST: Phase Six Application  
County of Stanislaus – Unincorporated Area:  
Expansion Acreage: 101.65 acres  
Duarte Nursery**

The current Phase VI request is located in the unincorporated area of Stanislaus County near the community of Hughson. The business applicant is Duarte Nursery (Duarte Trees and Vines a.k.a. California Winelands, LLC). Duarte Nursery is a family owned and operated nursery located near the center of Stanislaus County. Since its inception, Duarte Nursery has become the nation's largest perennial fruit crop nursery. The facility employs on average 170+ year round employees which grows to an average of 350 employees during peak seasons. Duarte Nursery sales are over \$30 million annually and expanding.

On February 8, 2010 the Duarte Nursery expansion application was reviewed by the Zone 40 working group (consisting of all nine city jurisdictions and Stanislaus County). It was the workgroup's unanimous determination that all phase six expansion requests meet the specified criteria which includes:

- Business interest
  - Business interest should include a discussion of the number of businesses interested, number of potential new jobs created, expansion and retention issues, and overall private sector commitment to the zone philosophy
- Community support/commitment
  - Community support and commitment should include a discussion of public sector (community/jurisdictional) administrative support, including local human resources and logistics, local promotional commitment and acceptance of the resolution requirements set forth by the State (Housing and Community Development) HCD.

Approval to Adopt a Resolution Initiating a Sixth Expansion of the Stanislaus Enterprise Zone by Approximately 101.65 acres in the Unincorporated Area and Authorization to submit a Zone Expansion Application Request to the State of California

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- Land Eligibility – Status of Development
  - Land eligibility should include detailed discussion regarding the development ready/capacity of zone expansion requests. This should (at minimum) discuss general plan and zoning designations, infrastructure status, extent of existing development (synergy), and speak directly to the “business readiness” of the location.

The phase six expansion includes agriculturally zoned properties which have the requisite County approved Commercial Use Permits (CUP). Commercial Use Permits create commercial/industrial zoning for Enterprise Zone purposes thus allowing zone expansion to occur in this instance. The zone expansion acreage is contiguous as a portion of the expansion acreage is directly adjacent to a pre-established and zone authorized right-of-way. All required infrastructure is in place to meet the needs of the business.

Expansion of the Zone 40 onto the Duarte Nursery location as requested will create a synergy of capital reinvestment within the company in continuous improvement and innovative product development that will ultimately ensure the viability and growth of the business in future years and help to keep Duarte Nursery at the forefront of its sector and the national economy. In turn, the growth enabled by the Enterprise Zone tax incentives will ultimately lead to the expansion of the job-generating hub at Duarte Nursery.

#### Business Interest

Duarte Nursery has provided letters of support from their business which is located in the proposed area and has identified existing business enterprise that they hope to expand related to their current operation.

#### Community Support

Through all prior expansion and subsequent activity, the County has demonstrated their commitment and support of the Zone 40 program. The County and all city partners (Zone 40 consortia) are fully committed to assist in marketing, community presentations and Zone 40 team activities. The County Chief Executive Office is the local program administrator for this proposed expansion.

#### Land Eligibility/Status of Development

The proposed acreage is zoned Agricultural and is in the unincorporated area of Stanislaus County. The properties are fully served by all utilities and include all necessary infrastructures.

Approval to Adopt a Resolution Initiating a Sixth Expansion of the Stanislaus Enterprise Zone by Approximately 101.65 acres in the Unincorporated Area and Authorization to submit a Zone Expansion Application Request to the State of California

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**ENTERPRISE ZONE REMAINDER: The Big Picture**

This sixth phase expansion of approximately 101.65 acres is 6.6% of the total expansion remainder (1,517.85). With approval of this expansion request, there will be a zone balance of 1,416.20 to be considered for future expansions.

The original zone application clearly defined our intention to include all interested jurisdictions in Stanislaus County. Through a very inclusive, successful zone expansion protocol that regional intent was realized with expansion number five. The Cities of Waterford and Newman joined the seven previously activated incorporated jurisdictions utilizing this powerful job creation and job retention incentive program.

The Enterprise Zone program can be a very powerful relocation or business expansion tool in the future. With several large development project areas on the horizon the greatest and best regional uses should continue to be a primary focus. The remaining 1,416.20 acres will require careful consideration into the future.

**POLICY ISSUES:**

The Board of Supervisors should consider the Enterprise Zone expansion request for unincorporated Stanislaus County and Duarte Nursery and determine whether this effort is consistent with stated board objectives of Strong Local Economy and developing Strong and Effective Partnerships.

**STAFFING IMPACTS:**

The Stanislaus Economic Development and Workforce Alliance has been identified as the Enterprise Zone Administrator however, there will be on-going County staff time required to assist the preparation and review of expansion recommendations and reports. The Chief Executive Office – Economic Development Unit, Planning and Community Development, and Public Works departments (GIS technical support) provide on-going assistance with this effort including the preparation of formal expansion applications to the State of California – Housing and Community Development Agency.

**Attachments:**

1. Expansion Allocation History
2. Site Map Expansion Location
3. E.Zone Application Summary: Duarte Trees and Vines aka California Winelands, LLC, Duarte Nursery

**CONTACT PERSON:**

Keith Boggs, Deputy Executive Officer. Telephone: (209) 652-1514

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
STATE OF CALIFORNIA

Date: March 2, 2010

No. 2010-103

On motion of Supervisor DeMartini Seconded by Supervisor Monteith  
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

THE FOLLOWING RESOLUTION WAS ADOPTED:

Item # B-4

**Approval to Adopt a Resolution Initiating a Sixth Expansion of the Stanislaus County Enterprise Zone 40 by Approximately 101.65 Acres and Authorization to Submit a Zone Expansion Application Request to the State of California**

WHEREAS, Stanislaus County has historically had high unemployment rates and significant job to housing imbalances; and

WHEREAS, Stanislaus County, the communities of Ceres, Modesto, Turlock, and the private business sector have successfully partnered to develop, apply and be awarded with one of the most recent State Enterprise Zone designations – Zone 40 in Stanislaus County which was established on November 16, 2005; and

WHEREAS, the current Stanislaus County Enterprise Zone consists of approximately 67,500 total acres; and

WHEREAS, existing law allows an enterprise zone to expand its geographic boundaries by up to a maximum of 15% of the original zone boundaries; and

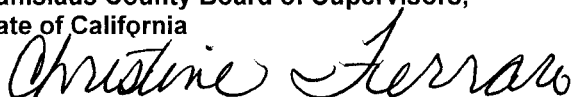
WHEREAS, the Stanislaus Enterprise Zone has the current expansion capacity of approximately 10,100 acres; and

WHEREAS, the Stanislaus County Board of Supervisors (on February 7, 2006) approved an expansion criteria protocol which includes all initial zone participants - designated as the zone 40 workgroup; and

WHEREAS, there have been five successful Zone expansions to date; and

WHEREAS, the Stanislaus Enterprise Zone expansions approved to date have totaled 8,582.15 acres leaving an expansion zone remainder of 1,517.85 acres as balance for future expansion activities.

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk  
Stanislaus County Board of Supervisors,  
State of California



**NOW, THEREFORE BE IT RESOLVED** that the Stanislaus County Board of Supervisors does hereby unanimously proclaim that the Phase Six Enterprise Zone expansion application for approximately 101.65 total acres is of significant importance to the continued vitality and development of our local economies. The Board further authorizes County staff to prepare and submit a formal expansion application to the State of California – Housing and Community Development Agency per authorized procedural guidelines.

**Total Possible Expansion**  
**10,126.35 acres**  
 Based on HCD Regulation 15% of Approved Zone Area

**Remaining Expansion Acres**

**1,416.20**

Pending Expansion  
 Six approval

**8,710.15 acres**

**Expansion One A + B**  
**6,686 total acres**

HCD Approval in a two tiered approach

October 2006

**Expansion One A**  
**3,090.30 acres approved**  
 July 2006

**Expansion Two**  
**215 acres approved**  
 City of Hughson  
 May 2007

**Expansion Three**  
**120 acres approved**  
 County Unincorporated  
 Bronco Winery  
 July 2007

**Expansion Four**  
**809 acres approved**  
 City of Turlock  
 City of Patterson  
 June 2008

**Expansion Five**  
**778.5 acres approved**  
 City of Hughson - City of Newman  
 City of Patterson - City of Waterford  
 September 2008

**Expansion Six**  
**101.65 acres pending**  
 County Unincorporated – Duarte Nursery  
 March 2010

**ZONE EXPANSION ACREAGE**

**ALLOCATION HISTORY**

**Remaining Available Acres**

January 2010  
 Through Phase V including Phase VI proposed



1,000 500 0 1,000 Feet

# DUARTE NURSERY EXPANSION - 40-08





CHIEF EXECUTIVE OFFICE

December 7, 2009

2009 DEC 10 P 12: 39

Stanislaus County Board of Supervisors  
Attn: Keith Boggs  
Deputy Executive Officer - Economic Development  
1010 10th Street Place Suite 6800  
Modesto, CA 95354

Dear Stanislaus Co. Board of Supervisors,

Duarte Nursery, Inc. is requesting an Enterprise Zone expansion to include the majority of its operations at Baldwin Road in Hughson, California. We very strongly support this expansion.

As you are well aware, agriculture is the major economic driver for our local communities. Duarte Nursery is an excellent example of why this is so. Duarte Nursery produces trees and grapevines for growers throughout the West coast. The company employs 350 people including 33 salaried positions and eight field representatives. We have an annual payroll of 8 million dollars.

Including Duarte Nursery in the county's enterprise zone will allow us to reinvest in our business here in Stanislaus county bringing further success and job opportunities to our residents.

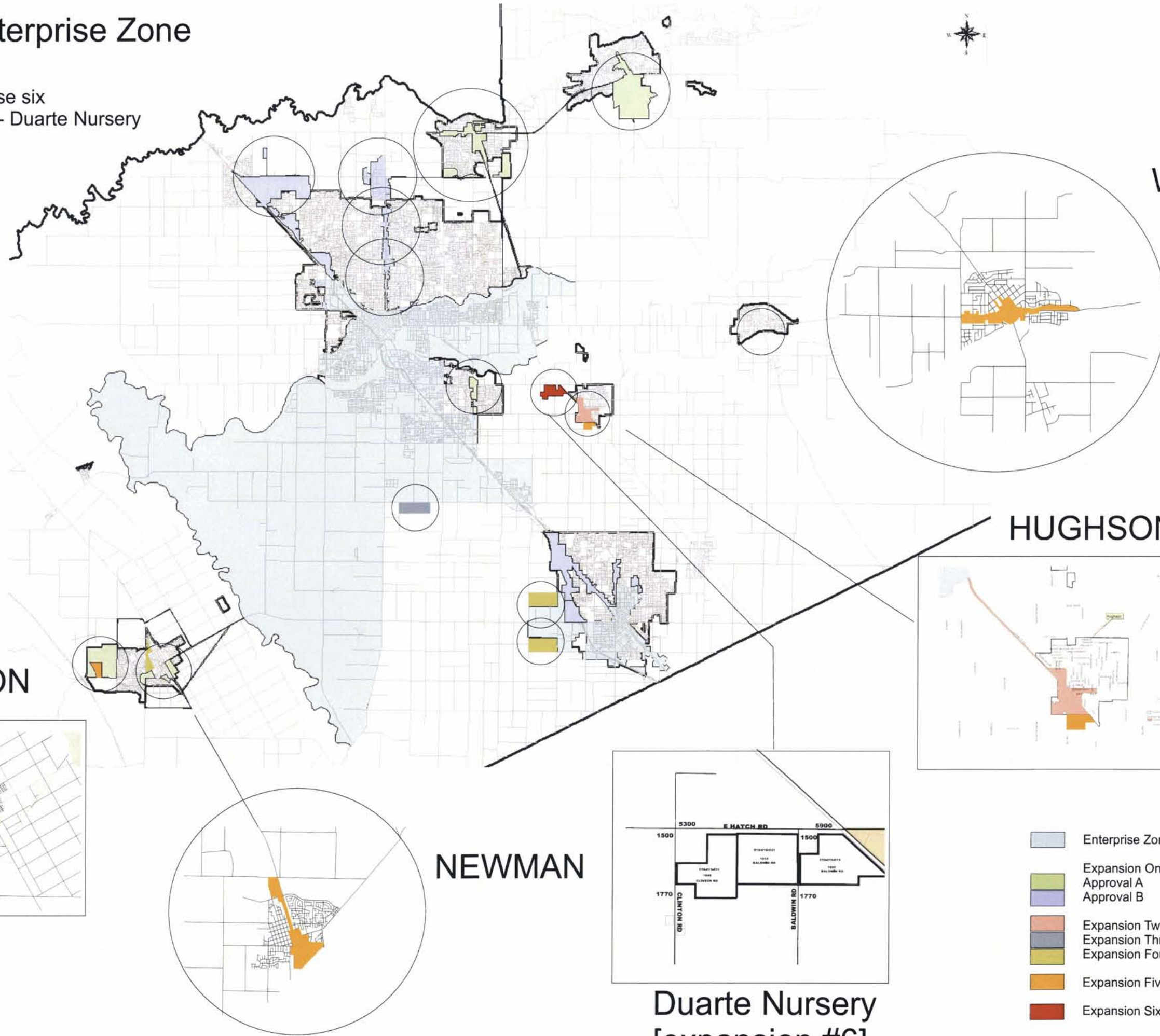
Sincerely,

A handwritten signature in black ink, appearing to read "John S. Duarte", is written over a background of various agricultural products including grapes, oranges, and apples.

John S. Duarte  
President  
Duarte Nursery, Inc.

# Stanislaus Enterprise Zone ZONE 40

Expansion pending phase six  
Unincorporated County - Duarte Nursery



WATERFORD

HUGHSON

PATTERSON

NEWMAN

Duarte Nursery  
[expansion #6]

- Enterprise Zone [original approval footprint]
- Expansion One Approval A
- Expansion One Approval B
- Expansion Two
- Expansion Three [Bronco Winery]
- Expansion Four
- Expansion Five
- Expansion Six [pending]

Cover Letter  
& Application

Resolution

Maps

Infrastructure

Street Ranges

Legal Boundary

Zoning Verification

Letter of Support

Stanislaus Enterprise

Zone 40

Duarte Trees & Vines

aka

California Winelands, LLC

2010

[www.stanalliance.com](http://www.stanalliance.com)



ALLIANCE

# Stanislaus County

## Stanislaus Enterprise Zone - Zone 40

### Extension Application & Supporting Documents

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Maps  
Infrastructure  
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Legal Boundary of EZ Extension Area (Digitized Maps)  
Zoning Verification  
Letter of Support for Expansion Request

#### Part I: Location Sponsor (public/private)

Stanislaus County

#### Part II: Contact Information (name, phone, address, and e-mail for public/private)

##### Public Sponsor

Stanislaus County  
Rick Robinson, CEO  
1010 10th Street  
Modesto, CA 95353

Keith Boggs, Deputy Executive Officer - Economic Development  
209.525.4307  
1010 10th Street, Suite 6800  
Modesto, CA 95354  
boggsk@stancounty.com

##### Private Sponsor

John Duarte, President  
Duarte Trees & Vines a.k.a California Winelands, LLC (Duarte Nursery)  
1555 Baldwin Road  
Hughson, CA 95326

2010

[www.stanalliance.com](http://www.stanalliance.com)



ALLIANCE

# Stanislaus Enterprise

ZONE 40

[www.stanalliance.com](http://www.stanalliance.com)

Cover Letter & Application →



January 5, 2010

John Nunn, Jr., Enterprise Zone Program Manager  
Department of Housing and Community Development  
Division of Financial Assistance  
1800 Third Street, Suite 390  
Sacramento, CA 94252-2054

Re: Duarte Trees & Vines a.k.a. California Winelands, LLC – Enterprise Zone Expansion  
Stanislaus Enterprise Zone – Zone 40

Dear Mr. Nunn:

Enclosed is a completed application requesting review and approval of the Zone 40 expansion to include Duarte Trees & Vines a.k.a. California Winelands, LLC properties. Included in this application are the required documentation, completed Expansion application, completed exhibits B – F, zoning verification of Commercial Use Permits tied to each expansion parcel being considered provided by Stanislaus County Department of Planning and Community Development, and letter of support provided by Duarte Trees & Vines a.k.a. California Winelands, LLC.

Prior to the expansion request, Stanislaus Enterprise Zone – Zone 40 had a balance of 1,517.85 acres available for future expansion. Duarte Trees & Vines a.k.a. California Winelands, LLC total request for expansion equates to 101.65 acres, leaving 1416.2 acres for any future Zone 40 expansion. The 101.65 acres proposed for inclusion in Zone 40 are zoned agriculture with attached Commercial Use Permits (CUP). CUP permits create commercial/industrial zoning for Enterprise Zone purposes thus allowing zone expansion to take place. The expansion acreage is contiguous as a portion of the expansion acreage is directly adjacent to a pre-established authorized right-of-way (ROW). All required infrastructure is in place to meet the needs of the business.

The Enterprise Zone expansion into this portion of the County of Stanislaus has been initiated through the interest of one specific employer, Duarte Trees & Vines a.k.a. California Winelands, LLC hereafter referred to as Duarte Nursery. Duarte Nursery is a family owned and operated nursery located near the center of Stanislaus County. Since its inception, Duarte Nursery has become the nations largest perennial fruit crop nursery. Enlarged from the original 40 dairy acres to 170 devoted to nursery now, the facility employs on average 170 year-round employees which grows to an average of 350 employees during peak seasons. Duarte Nursery sales are over \$30 million and expanding.

Expansion of Zone 40 onto Duarte Nursery premises as requested will create a synergy of capital reinvestment within the company in continuous improvement and innovative product development that will ultimately ensure the viability and growth of the business

in future years and keep it at the forefront of its sector and the national economy. In turn, the growth fueled by the Enterprise Zone tax incentives will ultimately lead to the expansion of the job-generating hub at Duarte Nursery.

The Alliance (as Zone 40 administrator) and Stanislaus County (as applicant), is now submitting this expansion request for consideration in accordance with regulations governing Enterprise Zone activity and expansion opportunities. Thank you for your time and consideration of this expansion request. Please feel free to contact me with questions or comments regarding this application.

Respectfully,

Rey Campanur, Enterprise Zone Manager  
Alliance

Encl.



## Stanislaus Enterprise Zone – Zone 40 Expansion 2010

Instructions: Applicant to complete Sections 1, 2, & 3. See *Expansion Application Submission Guidelines* for further instructions.

Section 1.		Contact Information	Expansion Acreage	
<b>Enterprise Zone:</b>	Stanislaus Enterprise Zone – Zone 40		Original Zone Acreage:	67508.98
<b>Jurisdictions:</b>	City of Ceres	City of Hughson	Basis* 15% <input checked="" type="checkbox"/> 20% <input type="checkbox"/>	
	City of Modesto	City of Newman	Current Expansion Capacity	
	City of Oakdale	City of Patterson	<b>1517.85 Acres</b>	
	City of Riverbank	City of Turlock	Expansion Acreage Requested	Acres
City of Waterford	Stanislaus County Uni.	101.65 Acres		
Keyes	Salida	Acres		
<b>Contact Name:</b>	Rey Campanur		<b>TOTAL 101.65 Acres</b>	
<b>Telephone Number:</b>	209.567.4940		New Cumulative Zone Acreage	76219.13 Acres
<b>Proposed Expansion Name:</b>	Duarte Trees & Vines a.k.a. California Winelands, LLC		Balance (Remaining Capacity)	1416.2 Acres
<b>Expansion Type:</b>	<b><i>Intra-jurisdictional Expansion:</i></b> <input checked="" type="checkbox"/> Contiguous <input type="checkbox"/> Non-Contiguous		<b><i>Inter-jurisdictional Expansion:</i></b> <input type="checkbox"/> Adding a contiguous jurisdiction <input type="checkbox"/> Using a right-of-way to establish contiguity.	

Section 2.			Required Documentation
Exhibit Name	Document	(Optional) Applicant Comments	
<b>Exhibit A</b>	<b>Cover Letter</b>		
<b>Exhibit B</b>	<b>Certified Resolution or Ordinance</b> (Jurisdiction Name) (Resolution #)		
<b>Exhibit C</b>	<b>Map</b>		
<b>Exhibit D</b>	<b>Infrastructure Assessment</b>		
<b>Exhibit E</b>	<b>Street Range Listing</b>		
<b>Exhibit F</b>	<b>Boundary Description</b>	<input checked="" type="checkbox"/> Digitized Map	
		<input type="checkbox"/> Description	
<b>Exhibit G</b> (if applicable)	<b><i>Intra-jurisdictional Non-Contiguous Justification</i></b>	<input type="checkbox"/> Exhibit G1	<b>Exhibit G not applicable</b>
	<b><i>Inter-jurisdictional Right-of-way Description</i></b>	<input type="checkbox"/> Exhibit G2	

\* Basis: If the original enterprise zone area is no greater than 13 square miles (8,320 acres), the zone may be expanded by 20%.

## Expansion Application (cont)

**Section 3 Instructions:** For each expansion identify the number of acres and the number of existing businesses within the proposed expansion area.

<b>Section 3. Expansion History</b>						
<b>Original Zone Acreage:</b> 67508.98			<b>Original Expansion Capacity (acres):</b> 10126.35			
Exp #	Expansion Name	Expansion Acreage Requested: 101.65			Effective Date	Balance (Remaining Acres)
		Number of Businesses				
		Industrial	Commercial	Total		
40-08	Duarte Trees & Vines a.k.a. California Winelands, LLC		1	1	2010	1416.2

I have approved the information contained in this expansion application. I understand that the effective date of the expansion will be the date the expansion approval letter is mailed by the Department.

Enterprise Zone Signatory

Date

# Stanislaus County

## ZONE 40 STANISLAUS ENTERPRISE ZONE EXTENSION APPLICATION & SUPPORTING DOCUMENTS

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EZ Extension Area Maps.....	
Legal Description of EZ Extension Area .....	

**Part I: LOCATION SPONSOR (public/private)**

STANISLAUS COUNTY

**Part II: CONTACT INFORMATION** (Name, phone, address, and e-mail for public/private)

**PUBLIC SPONSOR:**

STANISLAUS COUNTY  
**Rick Robinson, CEO**  
1010 10th Street  
Modesto, CA 95353

Keith Boggs, Deputy Executive Officer – Economic Development  
(209) 525-4307  
1010 10<sup>th</sup> Street, Suite 6800  
Modesto, CA 95354  
boggsk@stancounty.com

**PRIVATE SPONSOR:**

John Duarte, President  
Duarte Trees & Vines a.k.a. California Winelands, LLC (Duarte Nursery)  
1555 Baldwin Road  
Hughson, CA 95326

**Part III: EXPANSION LOCATION(S)** (Description of expansion area, major streets, acreage, and Right-of-Way to existing zone boundaries) Attach map of the proposed boundaries.



Over 67,500 acres of Stanislaus County (including unincorporated areas and portions of the cities of Modesto, Turlock and Ceres) are included in the Stanislaus Enterprise Zone. The Zone provides State tax credits and other incentives to new and existing businesses to encourage economic and community development. Up to 10,125 additional acres of land (15% of the initial land area) are eligible for inclusion in the Zone over its 15-year life.

Stanislaus County is applying for expansion of the Zone to include approximately 102-acres (see attached map and street ranges) that are zoned agriculture, but have commercial use permits (CUP) modifying the acreage zoning from agriculture to commercial/industrial thus allowing expansion of the Enterprise Zone in those respective areas.

The Deputy Executive Officer – Economic Development for Stanislaus County in conjunction with County GIS formed the working group that identified appropriate areas for Enterprise Zone inclusion based on the potential for positive economic impact, job creation, job retention, long-term business viability and growth.

**EXPANSION LOCATIONS**

As indicated on the attached map and legal description, the areas of Stanislaus County proposed for inclusion in the Enterprise Zone expansion are as follows:

- Parcel Number 018-016-019, 1618 Baldwin Rd., is 34.20 acres in size. The parcel is located off the E. Hatch corridor in the Hughson area. The parcel, zoned agriculture, operates under a Tier 1 use permit, under Use Permit number 97-33-Duarte Nursery, to establish a research facility for the development of plants and trees for the agricultural industry. The Use Permit, approved in 1998, proposed to be completed in phases, established a research laboratory, greenhouses, and office space.
- Parcel Number 018-016-031, 1519, 1531, & 1555 Baldwin Rd., is 35.78 acres in size. This parcel is located off the E. Hatch corridor in the Hughson area. The parcel, zoned agriculture, operates under a Tier 1 Use Permit approved on May 16, 1991. The application was a request to operate a wholesale nursery for the grafting and propagation of grape vines on an existing vineyard. The construction of 18 greenhouse bays (each 30' X 213' feet in size), and office space were also included in the Use Permit.
- Parcel Number 018-015-031, 1648 Clinton Rd., is 31.67 acres in size. This parcel is located off the E. Hatch corridor in the Hughson Area. Duarte Nursery expanded their wholesale nursery operation, approved first under Use Permit number 91-07 and then under Use Permit 92-43 to include additional greenhouse bays, storage buildings, and office space.

**Part IV: EXPANSION CRITERIA** (Please respond (in detail) to the following expansion criteria).

**Part IV-A:  
BUSINESS INTEREST (25 POINTS MAXIMUM)**

*(Please describe the business interest that currently exists. Please include number of business interests – current, potential new jobs, expansion and retention benefits, and private-sector commitment).*

On a continual basis, Stanislaus County receives request for expansion of the Enterprise Zone from businesses and developers alike. In this instance, the request for expansion of the Enterprise Zone in Stanislaus County has come from one specific employer, Duarte Trees & Vines a.k.a. California Winelands, LLC hereafter referred to as Duarte Nursery. Duarte Nursery is a family owned and operated nursery located in the Hughson area of Stanislaus County. Since its inception, Duarte Nursery has become the nation's largest perennial fruit crop nursery. Enlarged from the original 40 dairy acres to 170 devoted to nursery now, the facility employs on average 170 year-round employees which grows to an average of 350 employees during peak seasons. Duarte Nursery sales are over \$30 million and expanding. It's no surprise that Duarte Nursery has developed into an integral hub generating year round employment for Stanislaus County residents.

Expansion of the Enterprise Zone onto Duarte Nursery premises as requested will create a synergy of capital reinvestment within the company in continuous improvement and innovative product development that will ultimately ensure the viability and growth of the business in future years and keep it at the forefront of its sector and the national economy. In turn, the growth fueled by the Enterprise Zone tax incentives will ultimately lead to the expansion of the job-generating hub at Duarte Nursery. Keeping Stanislaus County residents employed and expanding the job market through the generation of living-wage jobs is the first step in returning our community to economic vitality locally, regionally, and nationally.

**Part IV-B:  
COMMUNITY SUPPORT / PUBLIC SECTOR COMMITMENT (25 POINTS MAXIMUM)**

*(Please describe public sector (jurisdictional) support that exists. Please include a discussion of the ability to perform administrative/outreach support, local promotion, and commitment – PLEASE INCLUDE FORMAL CITY COUNCIL RESOLUTION as attachment).*

- City Council Resolution No.
- Letter of Support attached

The County CEO is the program administrator for the proposed expansion of the Stanislaus County Enterprise Zone in parcel numbers 018-016-019 (34.20-Acres), 018-016-031 (35.78-Acres), 018-015-031 (31.67-Acres).

Stanislaus County will coordinate production and distribution of marketing and informational materials and provision of education and training to Duarte Nursery staff. Furthermore, Stanislaus County officials will work in conjunction with the Stanislaus County Zone administrator in specified sectors dealing with business assistance/development and workforce development (recruiting/hiring/training) as appropriate.

Stanislaus County has considerable need for job development as evidenced by its high double-digit unemployment rate, which stood at 15.3% in September 2009, according to the State of California Employment Development Department. Stanislaus County has experienced double-digit unemployment rates continuously since January 2008. When compared to the State of California, the string of double-digit unemployment rates did not occur for the state until January 2009. To compound the issue, the double-digit unemployment rate experienced continually in Stanislaus County is significantly higher than statewide unemployment rate averages experienced during the same period.

The high unemployment rate experienced in the region is not only a continual concern for our individual local jurisdictions but for Stanislaus County as a whole. High unemployment rates coupled with limited job opportunities countywide continue to expropriate local and regional wealth and prosperity. During these difficult economic times, the extension of the Stanislaus County Enterprise Zone to Duarte Nursery premises will promulgate the creation of local jobs and help reinvigorate the local economy.

**Part IV-C:  
LAND ELIGIBILITY – DEVELOPMENT STATUS (50 POINTS MAXIMUM)**

*(Please describe the development ready status of the land you are requesting for zone expansion consideration. Please include a description of existing zoning (industrial, commercial), infrastructure status, and the extent of existing development at the location).*

A total of 102-acres is proposed for the inclusion in the Stanislaus County Enterprise Zone, all within the auspices of Stanislaus County, zoned agriculture, but have commercial use permits (CUP) attached to the parcels allowing for commercial/industrial use. The Enterprise Zone expansion area consists primarily of one employer – Duarte Tree & Vines a.k.a. California Winelands, LLC.

There is existing infrastructure in place in the proposed Zone expansion area, including, but not limited to water, sewer, storm drainage, electricity, gas, and telephone.

Parcel numbers 018-016-031 and 018-015-031 were approved for 154,080 square feet of wholesale nursery expansions. The parcels contain office space, greenhouse bays, production facilities, a boiler/soil mixing room, storage facilities, enclosed workstations, a cold box and restrooms outfitted with showers.

Parcel number 018-016-019 was approved for a total of 451,080 square feet of office, lab and greenhouse space with an option to expand an additional 112,770 square feet provided the expansion meets minor legal guidelines.

# Stanislaus County

## ZONE 40 STANISLAUS ENTERPRISE ZONE EXTENSION APPLICATION & SUPPORTING DOCUMENTS

### Businesses Located in the Proposed Enterprise Zone Expansion

BUSINESS NAME	LOCATION ADDRESS	CITY	STATE	ZIP	BUS PH #	TYPE OF BUSINESS
Duarte Trees & Vines a.k.a. California Winelands, LLC	1555 Baldwin Rd.	Hughson	CA	95326	(209) 531- 0352	Wholesale Nursery

# Stanislaus County

## ZONE 40 STANISLAUS ENTERPRISE ZONE EXTENSION APPLICATION & SUPPORTING DOCUMENTS

**Street Ranges in the Proposed Enterprise Zone Expansion**

Street Name	From	To	Side
Clinton Road	1500	1770	Even
Baldwin Road	1500	1770	Odd
East Hatch Road	5300	5900	Even



Stanislaus Enterprise

ZONE 40

[www.stanalliance.com](http://www.stanalliance.com)



Resolution →

Stanislaus Enterprise  
ZONE 40  
www.stanalliance.com  
Resolution

BOARD AGENDA REQUEST FORM

DEPT: Chief Executive Office

BOARD AGENDA #

AGENDA DATE: March 2, 2010

SUBJECT:

Approval to Adopt a Resolution Initiating a Sixth Expansion of the Stanislaus Enterprise Zone by Approximately 101.65 acres in the Unincorporated Area and Authorization to submit a Zone Expansion Application Request to the State of California

CONSENT: [ ] NON-CONSENT: [X] SCHEDULED MATTER TIME

Presenter (for non-consent or Schd Mtr): Keith Boggs Est. Time: 10 min PowerPoint? Yes

Who to contact in your Dept. concerning this Item: Barbara Barker for Keith Boggs 5-7692 / 652-1514

COMPLETE APPROPRIATE ITEMS:

Table with 3 columns: Review Category, Review Status, and Date/Signature. Rows include: Reviewed with Counsel (Contracts/Agreements/Ordinances), Reviewed with H/R (New Positions/Fifth Step/Reclass), Reviewed with Auditor (Budgetary/Financial), Reviewed with CIO (Technology/Information Sharing), Reviewed with PFF Committee (Public Facility Fees).

- Department Head Signature on item (yellow sheet)?
Contracts/Agreements/Ordinances/Grant Applications attached?
Salary & Position Allocation Resolution amended (staffing changes)?
Budget Journal signed by Auditor & attached?
Appropriate number of copies for Chairperson to sign?

PUBLICATION:

Clerk to publish on (Date) (Per Code § ) Notice Attached & E-mailed to Clerk
Notice to be published (# of days) days prior to hearing (\*\*If a specific newspaper is required, enter name here)
Dept. published on (Date) (Per Code § ) Copy of Affidavit Attached

ATTACHMENTS: None Print with Item Available from Clerk Copies for Supervisors

NUMBER OF CERTIFIED COPIES TO BE RETURNED TO DEPARTMENT:

INSTRUCTIONS TO CLERK:

FOR DEPARTMENT USE:

FOR CEO USE:

Reviewed by:

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # \_\_\_\_\_

Urgent

Routine

AGENDA DATE March 2, 2010

CEO Concurs with Recommendation YES  NO

4/5 Vote Required YES  NO

(Information Attached)

SUBJECT:

Approval to Adopt a Resolution Initiating a Sixth Expansion of the Stanislaus Enterprise Zone by Approximately 101.65 acres in the Unincorporated Area and Authorization to submit a Zone Expansion Application Request to the State of California

STAFF RECOMMENDATIONS:

1. Approval to Adopt a Resolution initiating a Sixth Expansion of the Stanislaus Enterprise Zone by approximately 101.65 acres in Unincorporated Stanislaus County;
2. Authorize Staff to Prepare and Submit a Zone Expansion Application Request to the State of California - Housing and Community Development Agency (HCD).

FISCAL IMPACT:

The Stanislaus County Enterprise Zone (Zone 40) is the result of considerable time, attention, and resources provided by public and private sectors. The cities of Ceres, Modesto, Turlock and the County of Stanislaus worked directly with private business partners and the Workforce Alliance to develop all pre-application and application documents and analysis. This original effort included an environmental impact report (State requirement), which was funded jointly by public and private sectors and included an economic development bank grant for \$41,000 dollars matched by a \$30,000 private/business sector contribution. There is no fiscal impact associated with this nominal zone expansion request.

BOARD ACTION AS FOLLOWS:

Approval to Adopt a Resolution Initiating a Sixth Expansion of the Stanislaus Enterprise Zone by Approximately 101.65 acres in the Unincorporated Area and Authorization to submit a Zone Expansion Application Request to the State of California

Page 2

**DISCUSSION:**

On December 6, 2005 the Board of Supervisors adopted and certified the program Environmental Impact Report (EIR) for the Stanislaus County/Highway 99 Corridor Enterprise Zone (Zone 40). In January 2006 Stanislaus County received its first Enterprise Zone designation with an official effective date retroactive to November 16, 2005. The initial approval included the communities of Ceres, Turlock, Modesto, and parts of unincorporated Stanislaus County. The Zone 40 core footprint totals 67,508.98 acres.

In accordance with State Enterprise Zone law, up to 15% of total (original) zone designation can be sought for zone expansion purposes. In the Zone 40 (Stanislaus) instance this equates to approximately 10,126.35 acres of potential expansion.

To prepare for future expansion processes the original Zone 40 workgroup (comprised of the initial applicant jurisdictions and the County) prepared an expansion criteria primer, which was approved by the Board of Supervisors on February 7, 2006.

**EXPANSION HISTORY IN STANISLAUS COUNTY**

The Zone 40 work group has aggressively marketed the enterprise zone incentives since program inception. Five (5) successful expansions have been awarded since initial Zone approval. (See attached allocation history)

**Phase I:** In January 2007 the State of California approved significant components of a phase I Zone expansion (3,090 acres) retroactively to July 1, 2006. Several phase I expansion areas were not approved at initial application due to a non-contiguous alignment with the base zone. This issue was later resolved with assistance from new legislation (AB1550) approved in November 2006, which provided significant latitude regarding non-contiguous applications in instances where local strategic planning efforts identified significant need. Those areas in the proposed Modesto expansion were revisited by the State and approved with an effective date of October 1, 2006.

**Phase II:** On March 20, 2007 the community of Hughson submitted an expansion request for a total of 215 total acres. This expansion was approved by the State with an effective date of May 1, 2007.

**Phase III:** On May 15, 2007 Stanislaus County made application on behalf of Bronco Winery (unincorporated county) for 120 total expansion acres. The Bronco Winery application was approved by the State with an effective date of July 1, 2007.

Approval to Adopt a Resolution Initiating a Sixth Expansion of the Stanislaus Enterprise Zone by Approximately 101.65 acres in the Unincorporated Area and Authorization to submit a Zone Expansion Application Request to the State of California

Page 3

**Phase IV:** On February 12, 2008 the communities of Turlock and Patterson submitted an expansion request for a total of 809 acres. This application was approved by HCD with an effective date of June 12, 2008.

**Phase V:** The Cities of Hughson, Newman, Patterson and Waterford were the applicant beneficiaries of Zone expansion Phase V. Following the expansion criteria developed by the Zone 40 workgroup and approved by the Board of Supervisors – the expansion applications were received and reviewed by the Zone 40 workgroup and approved for formal HCD application by the Board of Supervisors in September 2008. The application was approved by HCD with an effective date of January 16, 2009.

**CURRENT EXPANSION REQUEST: Phase Six Application**  
**County of Stanislaus – Unincorporated Area:**  
**Expansion Acreage: 101.65 acres**  
**Duarte Nursery**

The current Phase VI request is located in the unincorporated area of Stanislaus County near the community of Hughson. The business applicant is Duarte Nursery (Duarte Trees and Vines a.k.a. California Winelands, LLC). Duarte Nursery is a family owned and operated nursery located near the center of Stanislaus County. Since its inception, Duarte Nursery has become the nation's largest perennial fruit crop nursery. The facility employs on average 170+ year round employees which grows to an average of 350 employees during peak seasons. Duarte Nursery sales are over \$30 million annually and expanding.

On February 8, 2010 the Duarte Nursery expansion application was reviewed by the Zone 40 working group (consisting of all nine city jurisdictions and Stanislaus County). It was the workgroup's unanimous determination that all phase six expansion requests meet the specified criteria which includes:

- Business interest
  - Business interest should include a discussion of the number of businesses interested, number of potential new jobs created, expansion and retention issues, and overall private sector commitment to the zone philosophy
- Community support/commitment
  - Community support and commitment should include a discussion of public sector (community/jurisdictional) administrative support, including local human resources and logistics, local promotional commitment and acceptance of the resolution requirements set forth by the State (Housing and Community Development) HCD.

Approval to Adopt a Resolution Initiating a Sixth Expansion of the Stanislaus Enterprise Zone by Approximately 101.65 acres in the Unincorporated Area and Authorization to submit a Zone Expansion Application Request to the State of California

Page 4

- Land Eligibility – Status of Development
  - Land eligibility should include detailed discussion regarding the development ready/capacity of zone expansion requests. This should (at minimum) discuss general plan and zoning designations, infrastructure status, extent of existing development (synergy), and speak directly to the “business readiness” of the location.

The phase six expansion includes agriculturally zoned properties which have the requisite County approved Commercial Use Permits (CUP). Commercial Use Permits create commercial/industrial zoning for Enterprise Zone purposes thus allowing zone expansion to occur in this instance. The zone expansion acreage is contiguous as a portion of the expansion acreage is directly adjacent to a pre-established and zone authorized right-of-way. All required infrastructure is in place to meet the needs of the business.

Expansion of the Zone 40 onto the Duarte Nursery location as requested will create a synergy of capital reinvestment within the company in continuous improvement and innovative product development that will ultimately ensure the viability and growth of the business in future years and help to keep Duarte Nursery at the forefront of its sector and the national economy. In turn, the growth enabled by the Enterprise Zone tax incentives will ultimately lead to the expansion of the job-generating hub at Duarte Nursery.

#### Business Interest

Duarte Nursery has provided letters of support from their business which is located in the proposed area and has identified existing business enterprise that they hope to expand related to their current operation.

#### Community Support

Through all prior expansion and subsequent activity, the County has demonstrated their commitment and support of the Zone 40 program. The County and all city partners (Zone 40 consortia) are fully committed to assist in marketing, community presentations and Zone 40 team activities. The County Chief Executive Office is the local program administrator for this proposed expansion.

#### Land Eligibility/Status of Development

The proposed acreage is zoned Agricultural and is in the unincorporated area of Stanislaus County. The properties are fully served by all utilities and include all necessary infrastructures.

Approval to Adopt a Resolution Initiating a Sixth Expansion of the Stanislaus Enterprise Zone by Approximately 101.65 acres in the Unincorporated Area and Authorization to submit a Zone Expansion Application Request to the State of California

Page 5

**ENTERPRISE ZONE REMAINDER: The Big Picture**

This sixth phase expansion of approximately 101.65 acres is 6.6% of the total expansion remainder (1,517.85). With approval of this expansion request, there will be a zone balance of 1,416.20 to be considered for future expansions.

The original zone application clearly defined our intention to include all interested jurisdictions in Stanislaus County. Through a very inclusive, successful zone expansion protocol that regional intent was realized with expansion number five. The Cities of Waterford and Newman joined the seven previously activated incorporated jurisdictions utilizing this powerful job creation and job retention incentive program.

The Enterprise Zone program can be a very powerful relocation or business expansion tool in the future. With several large development project areas on the horizon the greatest and best regional uses should continue to be a primary focus. The remaining 1,416.20 acres will require careful consideration into the future.

**POLICY ISSUES:**

The Board of Supervisors should consider the Enterprise Zone expansion request for unincorporated Stanislaus County and Duarte Nursery and determine whether this effort is consistent with stated board objectives of Strong Local Economy and developing Strong and Effective Partnerships.

**STAFFING IMPACTS:**

The Stanislaus Economic Development and Workforce Alliance has been identified as the Enterprise Zone Administrator however, there will be on-going County staff time required to assist the preparation and review of expansion recommendations and reports. The Chief Executive Office – Economic Development Unit, Planning and Community Development, and Public Works departments (GIS technical support) provide on-going assistance with this effort including the preparation of formal expansion applications to the State of California – Housing and Community Development Agency.

**Attachments:**

1. Expansion Allocation History
2. Site Map Expansion Location
3. E.Zone Application Summary: Duarte Trees and Vines aka California Winelands, LLC, Duarte Nursery

Approval to Adopt a Resolution Initiating a Sixth Expansion of the Stanislaus Enterprise Zone by Approximately 101.65 acres in the Unincorporated Area and Authorization to submit a Zone Expansion Application Request to the State of California

Page 5

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2. Site Map Expansion Location
3. E.Zone Application Summary: Duarte Trees and Vines aka California Winelands, LLC, Duarte Nursery

**CONTACT PERSON:**

Keith Boggs, Deputy Executive Officer. Telephone: (209) 652-1514



THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
STATE OF CALIFORNIA

Date: No.

Approval to Adopt a Resolution Initiating a Sixth Expansion of the Stanislaus County Enterprise Zone 40 by Approximately 101.65 Acres and Authorization to Submit a Zone Expansion Application Request to the State of California.

**THE FOLLOWING RESOLUTION WAS ADOPTED:**

**WHEREAS**, Stanislaus County has historically had high unemployment rates and significant job to housing imbalances; and

**WHEREAS**, Stanislaus County, the communities of Ceres, Modesto, Turlock, and the private business sector have successfully partnered to develop, apply and be awarded with one of the most recent State Enterprise Zone designations – Zone 40 in Stanislaus County which was established on November 16, 2005; and

**WHEREAS**, the current Stanislaus County Enterprise Zone consists of approximately 67,500 total acres; and

**WHEREAS**, existing law allows an enterprise zone to expand its geographic boundaries by up to a maximum of 15% of the original zone boundaries; and

**WHEREAS**, the Stanislaus Enterprise Zone has the current expansion capacity of approximately 10,100 acres; and

**WHEREAS**, the Stanislaus County Board of Supervisors (on February 7, 2006) approved an expansion criteria protocol which includes all initial zone participants - designated as the zone 40 workgroup; and

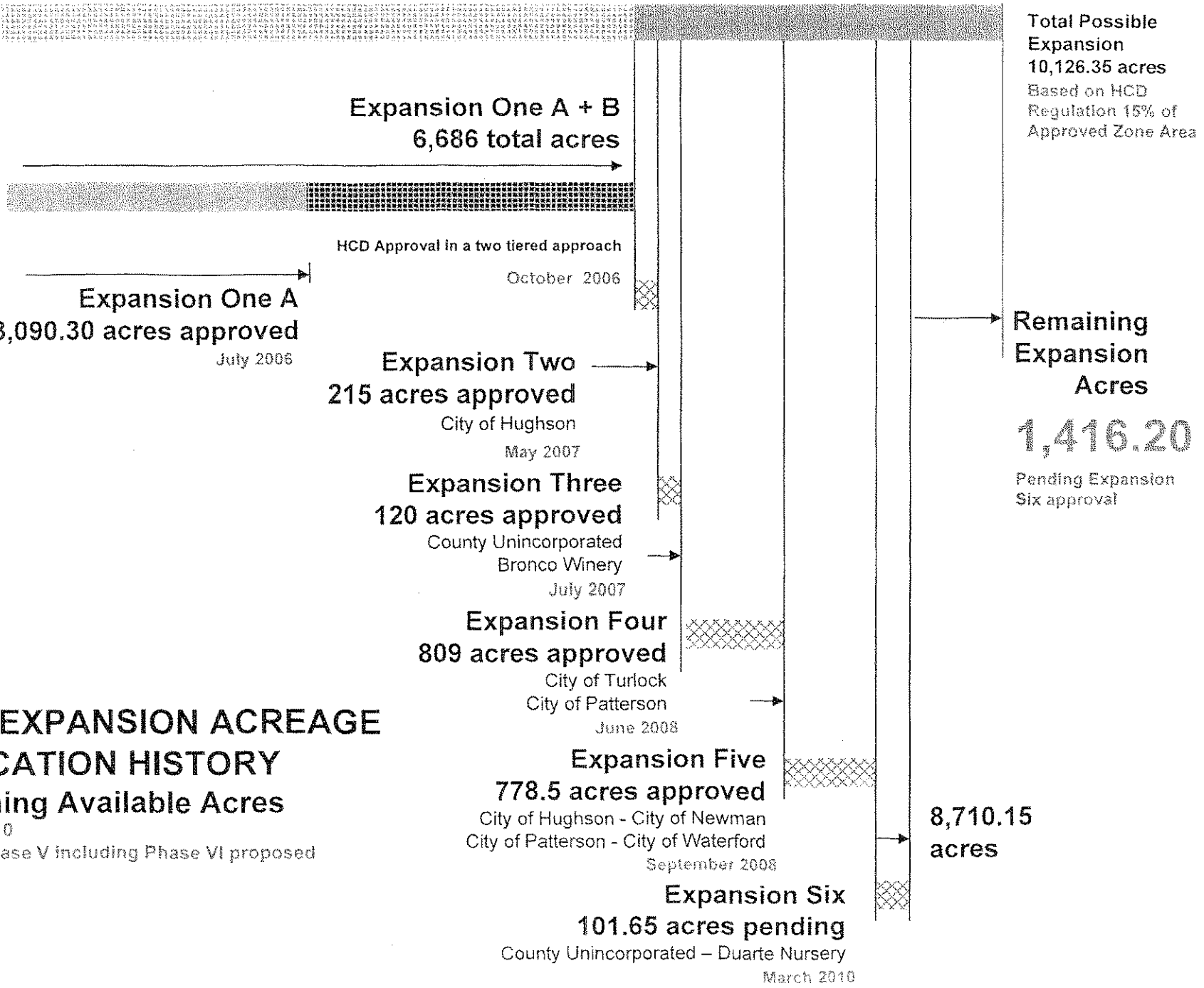
**WHEREAS**, there have been five successful Zone expansions to date; and

**WHEREAS**, the Stanislaus Enterprise Zone expansions approved to date have totaled 8,582.15 acres leaving an expansion zone remainder of 1,517.85 acres as balance for future expansion activities.

**NOW, THEREFORE BE IT RESOLVED** that the Stanislaus County Board of Supervisors does hereby unanimously proclaim that the Phase Six Enterprise Zone expansion application for approximately 101.65 total acres is of significant importance to the continued vitality and development of our local economies. The Board further authorizes County staff to prepare and submit a formal expansion application to the State of California – Housing and Community Development Agency per authorized procedural guidelines.

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk Stanislaus County Board of Supervisors,  
State of California

File No.



**ZONE EXPANSION ACREAGE ALLOCATION HISTORY**

**Remaining Available Acres**  
January 2010  
Through Phase V including Phase VI proposed

1,000 500 0 1,000 Feet

# DUARTE NURSERY EXPANSION - 40-08

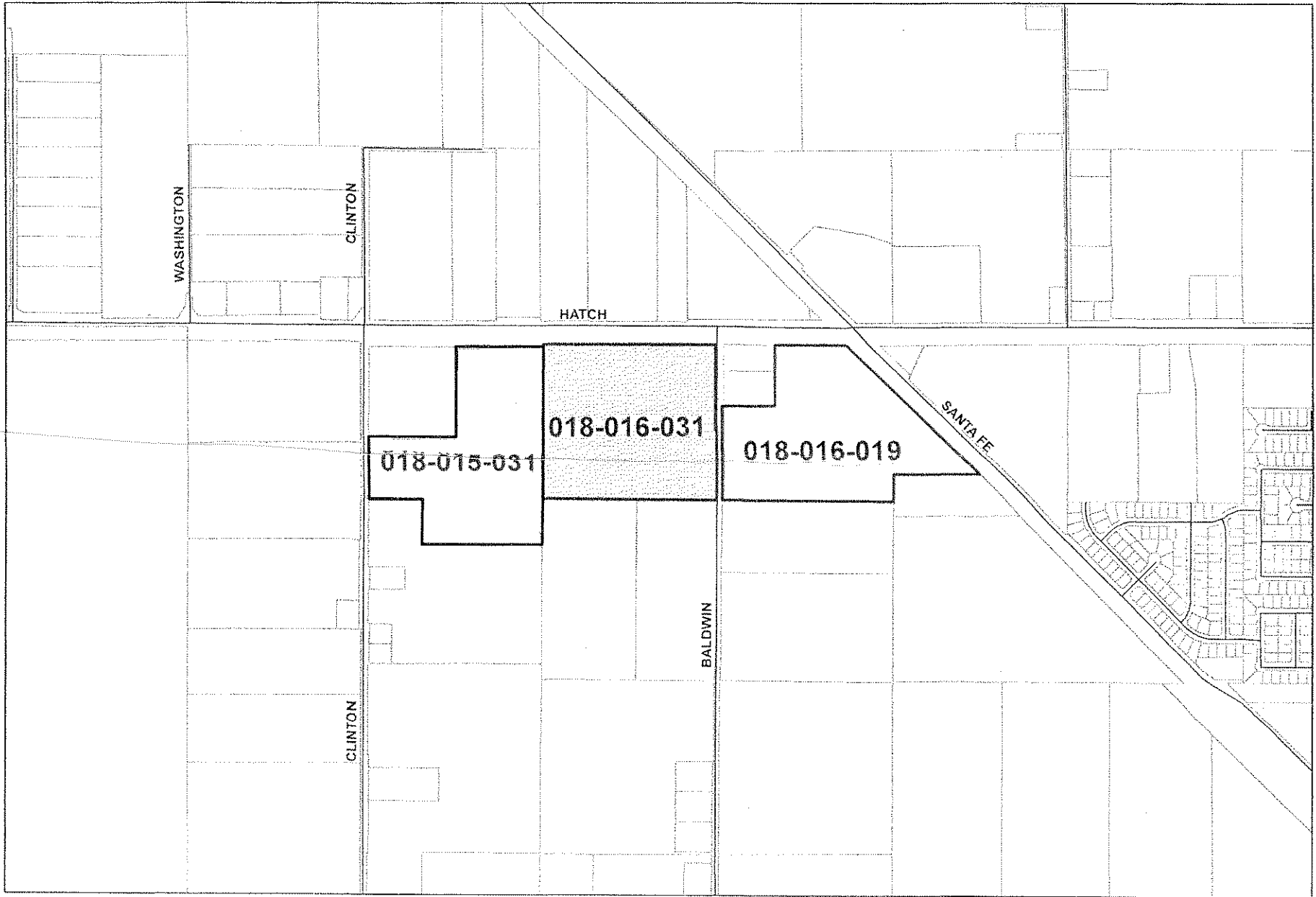


Exhibit F, Stanislaus Enterprise Zone, Duarte Trees & Vines a.k.a. California Winlands, I.I.c., 1/2010

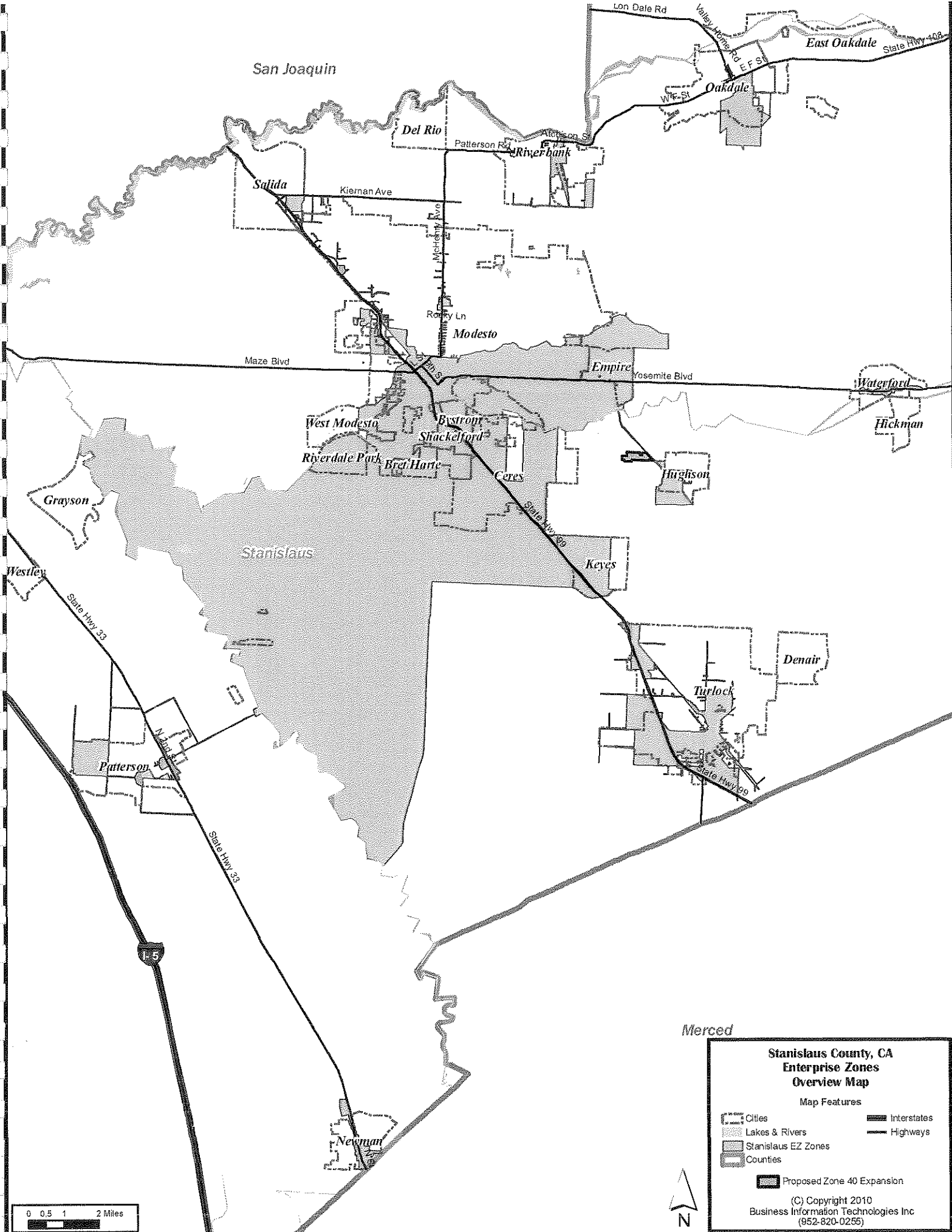
# Stanislaus Enterprise

ZONE 40

[www.stanalliance.com](http://www.stanalliance.com)

Maps →





San Joaquin

Lon Dale Rd

Valley Home Rd

East Oakdale State Hwy 108

Oakdale

Del Rio

Riverbank

Salida

Kiernan Ave

McCreary Ave

Rocky Ln

Modesto

Maze Blvd

Empire

Rosemitte Blvd

Waterford

West Modesto

Bystrom

Shackelford

Riverdale Park

Bret Harte

Ceres

Hughson

Hickman

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Westley

State Hwy 33

State Hwy 99

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Turlock

Patterson

State Hwy 33

State Hwy 99

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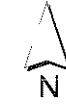
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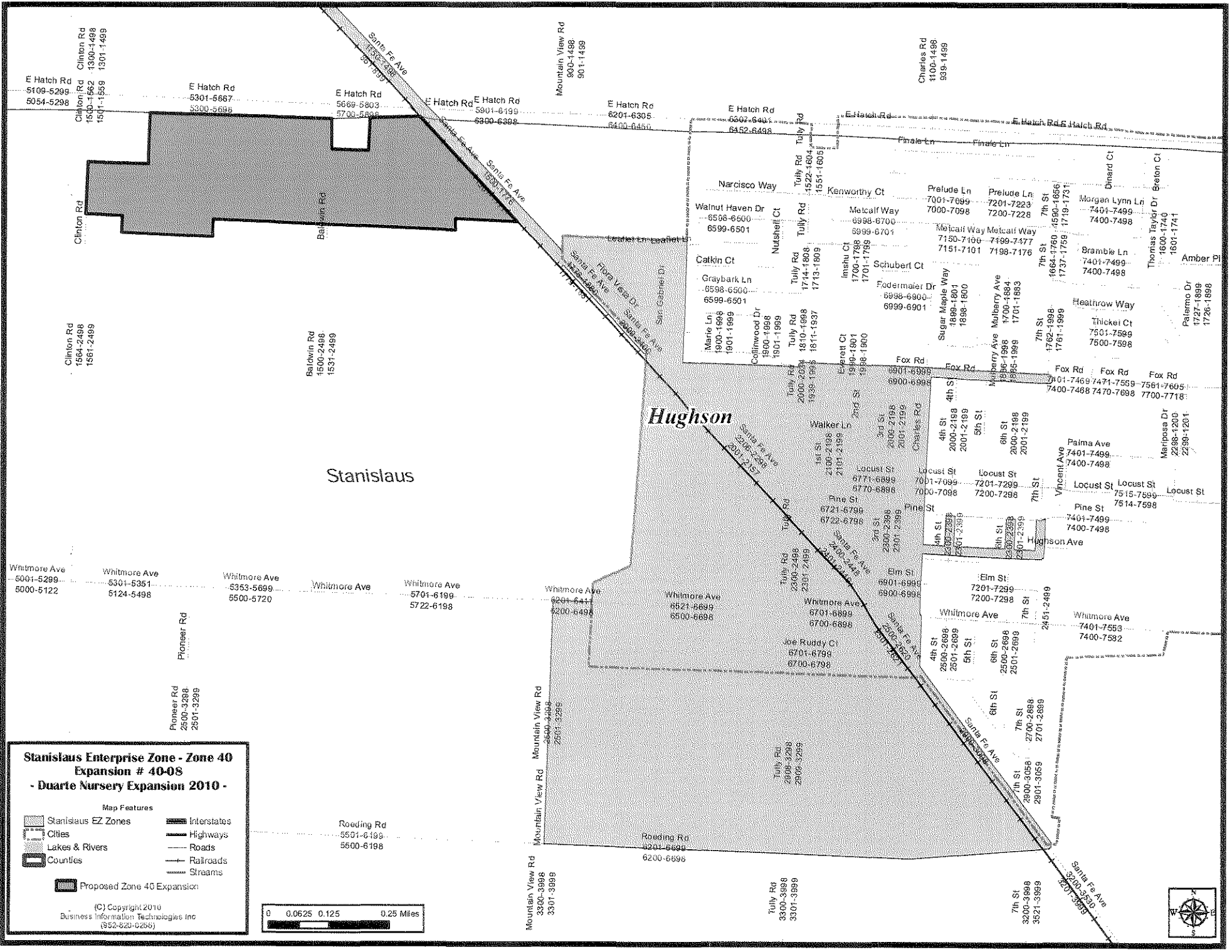
**Stanislaus County, CA  
Enterprise Zones  
Overview Map**

Map Features

- Cities
- Lakes & Rivers
- Stanislaus EZ Zones
- Counties
- Proposed Zone 40 Expansion
- Interstates
- Highways

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Business Information Technologies Inc  
(952-820-0255)

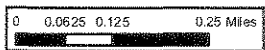


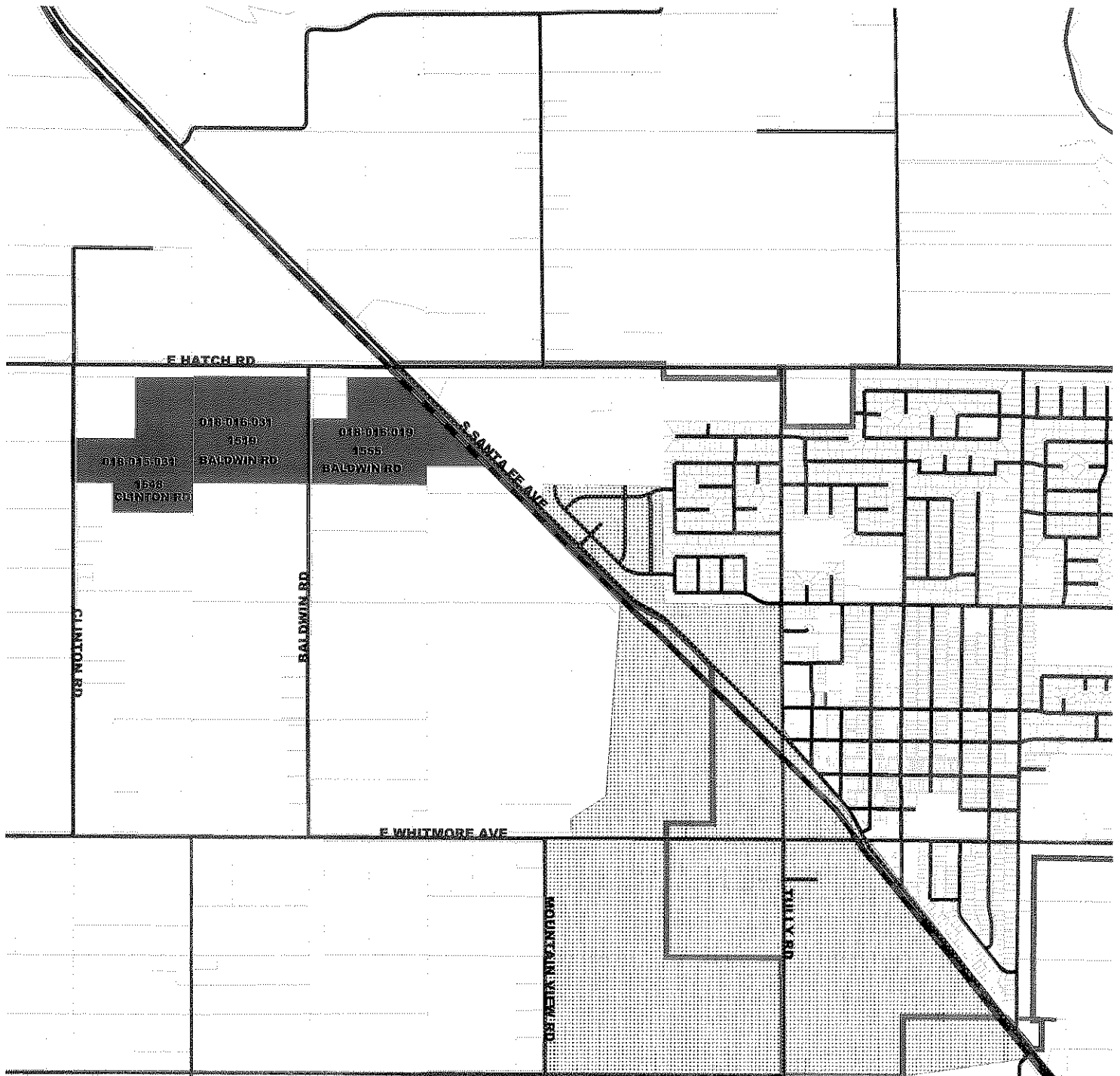


**Stanislaus Enterprise Zone - Zone 40  
Expansion # 40-08  
- Duarte Nursery Expansion 2010 -**






- Map Features**
- Stanislaus EZ Zones
  - Cities
  - Lakes & Rivers
  - Counties
  - Interstates
  - Highways
  - Roads
  - Railroads
  - Streams
  - Proposed Zone 40 Expansion

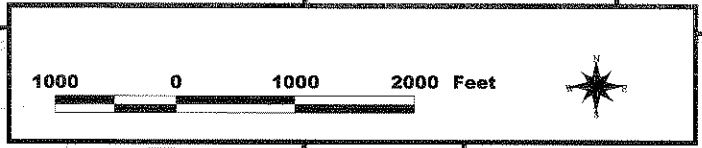
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(852-820-0256)





**Stanislaus Enterprise Zone - Zone 40  
Duarte Nursery Expansion - 40-08  
2010**

-  Proposed Expansion Area
-  Existing Enterprise Zone
-  Assessors Parcels
-  Railroad
-  HUGHSON CITY LIMITS



# Stanislaus Enterprise

ZONE 40

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Infrastructure →

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**EXHIBIT D  
EXPANSION AREA INFRASTRUCTURE**

Element	Currently in Place		If "NO", please explain.	If "YES", describe plans to expand or improve infrastructure.
	YES	NO		
Water Supply	X			All land to be included in the proposed expansion has the required infrastructure in place to serve existing and future business operations of Duarte Nursery. There are no current plans to expand or improve the water supply infrastructure currently in place.
Storm Drainage	X			All land to be included in the proposed expansion has the required infrastructure in place to serve existing and future business operations of Duarte Nursery. There are no current plans to expand or improve the storm drainage infrastructure currently in place.
Sewer & Water Treatment Plants	X			All land to be included in the proposed expansion has the required infrastructure in place to serve existing and future business operations of Duarte Nursery. There are no current plans to expand or improve the sewer or water treatment infrastructure currently in place.
Natural Gas and Electric	X			All land to be included in the proposed expansion has the required infrastructure in place to serve existing and future business operations of Duarte Nursery. There are no current plans to expand or improve the natural gas or electric infrastructure currently in place.
Streets		X	The infrastructure in place serves the specific needs of Duarte Nursery exclusively, not for public.	



# Stanislaus Enterprise

ZONE 40

[www.stanalliance.com](http://www.stanalliance.com)

Street Ranges →

### EXHIBIT E - Expansion Application STREET RANGES BY DIRECTIONAL LISTING

Direction*	Street Name	From	To	Location**	Zip Code	Side	Effective Date***
South	Clinton Road	1500	1770	Stanislaus County	95326	Even	2010
South	Baldwin Road	1500	1770	Stanislaus County	95326	Odd	2010
East	East Hatch Road	5300	5900	Stanislaus County	95326	Even	2010

Date: 1/2010  
Submitted By: Rey Campanur  
Title: Enterprise Zone Manager

\*Provide the direction (north, south, east or west) if it is part of the address.  
\*\*Provide the name of the city. List the county if the street is not located in an incorporated city.  
\*\*\*The effective date is the date street was first included in the enterprise zone or the designation date.  
**Exhibit E, Stanislaus Enterprise Zone - Zone 40, Duarte Trees & Vines a.k.a. California Winelands, LLC, 2010**



# Stanislaus Enterprise

ZONE 40

[www.stanalliance.com](http://www.stanalliance.com)

Legal Boundary →

**EXHIBIT F**  
**Legal Boundary Description—Digitized Map Option**

Conditions for Digitized Map Submission:

Because the Department is studying how a digitized map can meet the intentions of the legal boundary description, it has not fully determined which elements will best meet these intentions. Therefore, the Department will only accept a digitized map under the following conditions:

1. The applicant must submit Geographic Information Systems (GIS) maps that illustrate the proposed boundaries of the enterprise zone by sub-area. The applicant should map the sub-areas in a manner and scale that allows the user to easily identify the parcels included within the boundaries.
2. Each sub-area map should be accompanied by a spreadsheet that includes the Assessor Parcel Number, property address, and acreage of each parcel included within the sub-area. Each parcel on the maps should be identified by a number or letter that corresponds to the specific information listed on the spreadsheet.
3. The applicant must submit GIS shape files of the maps.
4. If the applicant obtains an enterprise zone, the applicant agrees to provide a legal boundary description for any areas of the proposed enterprise zone the Department determines the GIS maps do not adequately describe or identify.

Instructions

To submit digitized maps, list the maps below and include them as part of the application. Attach letter-size<sup>1</sup> copies of the maps to this exhibit and submit full-size versions (i.e., 24" x 36") and the GIS shape file under separate cover.

Map Title	Reference Number
Duarte Nursery Expansion	40-08

Use the Reference Number column to identify the map that contains the map specified. The Department expects applicants to number each document, including maps, so that departmental staff may distinguish between them.

**Exhibit F/ Stanislaus Enterprise Zone – Zone 40/ Duarte Trees & Vines a.k.a. California Winelands, LLC/ 2010**

<sup>1</sup> An 11" x 17" map is also acceptable.

**Stanislaus Enterprise Zone – Zone 40  
Duarte Nursery Expansion – 40-08  
Addendum – Exhibit F**

<b>Parcel Number</b>	<b>Assessor Parcel Number</b>	<b>Property Address</b>	<b>Acreage</b>
018-016-019	018-016-019	1555 Baldwin Rd., Hughson, CA	34.20
018-016-031	018-016-031	1519 Baldwin Rd., Hughson, CA	35.78
018-015-031	018-015-031	1648 Clinton Rd., Hughson, CA	31.67

1,000 500 0 1,000 Feet

# DUARTE NURSERY EXPANSION - 40-08





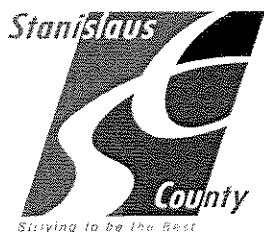
# Stanislaus Enterprise

ZONE 40

[www.stanalliance.com](http://www.stanalliance.com)

Zoning Verification →

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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
1010 10<sup>TH</sup> Street, Suite 3400  
Modesto, CA 95354  
Phone: 209.525.6330  
Fax: 209.525.5911

Tuesday, November 3, 2009

Rey Campanur  
Stanislaus Alliance  
Enterprise Zone Manager  
1010 10<sup>th</sup> St. Suite 1400  
Modesto, CA. 95354  
campanre@stanalliance.com

**ZONING VERIFICATION:** Duarte Nursery a.k.a. California Winelands LLC, in the  
Hughson area  
(APN: 018-015-031, 018-016-019, 018-016-031)

To Whom it May Concern,

Planning has researched your request for a verification of the uses currently permitted on Assessor Parcel Numbers 018-016-031, 018-015-031 and 018-016-019. Below is a chronological history and summary of the approved uses on each parcel based off of zoning, building permit and assessor records:

**Background:** Zoning for the properties became A-2-10 (General Agriculture) on October 14, 1971 and was changed to A-2-40 (General Agriculture) on May 11, 1983, which remains the current zoning for all three parcels. Prior to 1971 the parcels had a zoning designation of A-1.

The three properties currently operate as Duarte Nursery and as California Winelands LLC, which is a subsidiary of Duarte Nursery. Duarte Nursery is a wholesale nursery operation which mainly operates out of Assessor Parcel Numbers 018-015-031 and 018-016-031. Assessor Parcel Number 018-016-019 contains California Winelands LLC, which operates as an agricultural research laboratory that develops and raises plants and trees for the agricultural industry. Both uses are classified under Section 21.20.030 – General Agricultural District as Tier 1 uses, which are permitted in the A-2 districts subject to first securing a use permit.

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#### **APN 018-016-031**

Assessor Parcel Number 018-016-031 is 35.78 acres in size and contains the addresses 1531 and 1519 Baldwin Rd. The address 1555 is also noted on many documents associated with this parcel but the address was never officially issued. This property was enrolled in the Williamson Act in 1985 under contract number 85-3980. The contract enrollment was protested by the City of Hughson which was ultimately denied by

LAFCO. This means that this Williamson Act contract could not be automatically canceled if annexed by the City of Hughson.

On May 16, 1991 Duarte Nursery received approval to convert this parcel from a vineyard to a wholesale nursery operation under Use Permit Number 91-07 - Duarte Nursery. Below is a summary of the zoning and building permit history of this parcel:

***UP 91-07 - Duarte Nursery***

This Use Permit, approved on May 16, 1991, was classified as a Tier 1 use within the General Agricultural (A-2) district. The application was a request to operate a wholesale nursery for the grafting and propagation of grape vines on an existing vineyard. The construction of 18 greenhouse bays, each 30' x 213' feet in size, a modular office and restroom were also included in the Use Permit. The permit was limited to 75 employees and prohibited the site from functioning as a retail nursery operation. A condition of approval was placed on the project which required the project to pave staff parking areas. This condition was appealed by the applicant to the Board of Supervisors where the removal of the condition was approved.

Although the operation received land use permission to operate a wholesale nursery, construction on many structures was initiated without building permits. These structures were red tagged and given a Stop Work Order (SWO) by Building Permits Division staff. Subsequently, Duarte Nursery applied for and obtained the required permits as listed below:

1991	B9103003	Commercial Coach Office 684 sf <b>SWO</b>
1991	B9103004	Greenhouse Bld 1, Bays 1-12 & 2 roof only bays (6,390 sf per bay) <b>SWO</b>
1991	B9103005	Above ground diesel fuel tank <b>SWO</b>
1991	B9103006	200 sf Enclosed work station <b>SWO</b>
1991	B9103007	200 sf Cold Box <b>SWO</b>
1991	B9103008	768 sf Restroom w/ Showers (built with the proper permits)
1992	C9202073	Greenhouse Bld 1, Bays 13-18 (6,390 sf per bay) <b>SWO</b>

The approved use permit allows for minor changes to operations that do not change the nature of, or add new uses to, the legally established use and which do not expand the area of the building or use by more than 25% with the obtainment of a Staff Approval permit. The following are Staff Approval permits that were issued to Duarte Nursery as modifications to UP 91-07:

***SAA 92-09 - Duarte Nursery, Inc.***

This Staff Approval permitted the replacement the existing commercial coach office and allowed an additional commercial coach office with a shop/storage area and ramp to be constructed under the Building Permit listed below:

1992	C9220421	Commercial Coach Office Replacement, 3,000 sf Commercial Coach Office addition w/ connecting ramp, Bathroom roof extension, 750 sf garage
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**SAA 92-51 - Duarte Nursery, Inc.**

This Staff Approval permitted the expansion of the operation by constructing additional greenhouses. Although the operation received land use permission to construct the greenhouses, the actual construction began without building permits. The greenhouses were then red tagged and given a Stop Work Order (SWO) by the Building Permits Division staff. Duarte Nursery then applied for and obtained the required permit as listed below:

1992 C9202299 Greenhouse Bld 1, Bays 19-28 (6,390 sf per bay) **SWO**

**UP 92-43 – Duarte Nursery**

Because it was over the maximum 25% expansion allowed under a Staff Approval permit, a new Use Permit was required to allow the existing Duarte wholesale nursery operation, totaling 179,000 square feet, to expand to by 154,080 square feet. The expansion included twelve 30' x 213' greenhouses (which had already been built without permits) and 10 future greenhouses, for a total of 140,580 sf of additional greenhouses. The greenhouses were to be used in conjunction with the wholesale nursery which grafts wine grape varieties onto pest resistant rootstock. The expansion also included a 50' x 60' office with a parking canopy (3,000 sf) and a 70' x 150' storage building (10,500 sf). A condition of approval was placed on the project which required the project to pave staff parking areas. This condition was appealed by the applicant to the Board of Supervisors where the condition was upheld. The following building permits were obtained in conjunction with this Use Permit:

1993 D9300290 Greenhouse Bld 1, Bays 29-30 (6,390 sf per bay) **SWO**  
1993 D9300291 Greenhouse Bld 2, Bays 31-40 (6,390 sf per bay) **SWO**  
1994 E9402234 10,500 sf Storage Canopy  
1994 E9401510 Greenhouse Bld 2, Bays 41-50 (6,390 sf per bay) and parking area

Again, the operation was allowed to expand by a maximum of 25% with Planning Staff's approval. The following are Staff Approval permits that were issued to Duarte Nursery as modifications to UP 92-43:

**SAA 93-41 - Duarte Nursery**

This Staff Approval permitted the construction of a 60' x 60' steel shed for a boiler and soil mixing room. The building permit listed below was obtained in conjunction with this land use permit:

1993 D9302394 3,600 sf Boiler and Soil Mixing Room

**SAA 95-32 - Duarte Nursery**

This Staff Approval permitted the construction of a parking lot and greenhouse expansion. The Staff Approval was requested after the building permits, listed below, were submitted for review:

1995	F9502232	Greenhouse Bld 3, Bays 51-60 (6,390 sf per bay) and Parking Lot
1995	F9502440	Greenhouse Bld 3, Bays 61-70 (6,390 sf per bay)

**SAA 96-01 – Duarte Nursery**

This Staff Approval permitted the replacement of the existing office with a 7 unit modular office and a restroom addition on APN 018-016-031 and 19 greenhouses on APN 018-015-031. The building permits listed below were obtained on the subject parcel in conjunction with this Staff Approval:

1996	G9600200	7 unit commercial coach office (replacement)
1996	G9600084	700 sf Restroom Addition

**SAA 96-35 – Duarte Nursery**

This Staff Approval permitted an expansion of the operations with the construction of 70' x 50' storage building addition, diesel fuel tank, two 42,900 square foot production buildings and 3 greenhouse buildings. The following building permits were obtained for APN 018-016-031 in conjunction with this Staff Approval:

1996	G9602488	10,000 gallon diesel fuel tank
1996	G9602889	3500 sf Storage Canopy
1996	G9603184	42,900 sf Production Bld (Callusing & Extraction)
1996	G9603186	42,900 sf Production Bld (Seasoning & Grafting)

**SAA 98-27 – Duarte Nursery**

This Staff Approval permitted the replacement of the existing modular offices with a 20,000 square foot office. The following building permit was applied for and subsequently canceled on the subject parcel as a part of this Staff Approval permit:

1998	I9803351	20,000 square foot office (canceled)
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The following are a list of building permits that were obtained on the parcel that were not in conjunction with any land use permit:

1993	E9400658	Two 1,000 Gallon tank replacements
1993	E9401973	1,150 Gallon propane tank replacement
1995	F9501757	Electric upgrade for Ag pump
1995	J9900953	Electric service for greenhouses
1997	H9702271	Gas line and Heaters
1997	H9703260	Restroom septic
1999	J9901318	Electric upgrade for Ag pump
1999	J9901483	New gas line distribution
2006	BLD20006-03037	Attached canopy only add 60'x30' calluses Bld

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**APN 018-015-031**

Assessor Parcel Number 018-015-031, 1648 Clinton Rd., was originally 14.79 acres in size. The parcel grew to 21.59 acres in 1996 by Lot Line Adjustment and then to 31.67 by Lot Line Adjustment in 1998. This property was enrolled in the Williamson Act in 1999 under contract number 99-4413. Duarte Nursery expanded their wholesale nursery operation, approved first under Use Permit Number 91-07 - Duarte Nursery and then under Use Permit 92-43, to this westerly parcel with multiple Staff Approval and Building Permits, listed below:

***SAA 96-01 – Duarte Nursery & LLA 96-28 – Duarte Nursery***

As previously noted, this Staff Approval permitted the construction of a 7 unit modular office and a restroom addition on APN 018-016-031 and 28 greenhouses on APN 018-015-031. Lot Line Adjustment 96-28 – Duarte Nursery adjusted the southern boundary of this parcel by 330 feet. The following building permits, specific to the subject parcel, were obtained in conjunction with this land use approval:

1996	G9600085	Greenhouse Bld 4, Bays 71-90 (6,390 sf per bay)
1996	G9600597	Greenhouse Bld 5, Bays 91-98 (6,390 sf per bay)

***SAA 96-35 – Duarte Nursery***

As previously noted, this Staff Approval permitted an expansion of the operations with the construction of 70' x 50' storage building addition, diesel fuel tank, two 42,900 square foot production buildings and 3 greenhouse buildings. The following building permits were obtained for APN 018-015-031 in conjunction with this Staff Approval:

1996	G9602629	Greenhouse Bld 5, Bays 99-109 (6,390 sf per bay)
1996	G9602630	Greenhouse Bld 6, Bays 110-127 (6,390 sf per bay)
1996	G9600216	Electric Service
1996	G9603229	Greenhouse Bld 7, Bays 128-147 (6,390 sf per bay)

***LLA 98-02 – Duarte Nursery***

This Lot Line Adjustment added 10 acres to the parcel to the north to allow for additional benches for the wholesale nursery operation.

***SAA 2008-39 – Duarte Nursery***

This Staff Approval permitted the construction of 18 additional greenhouse bays (Greenhouse No. 8, Bays 148-165). The following building permit was pulled in conjunction with this Staff approval permit (the permit is still active and is yet to be finalized):

2008	BLD2008-01745	Greenhouse Bld 8, Bays 148-165 (6,390 sf per bay)
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**APN 018-016-019**

Assessor Parcel Number 018-016-019, 1618 Baldwin Rd., is 34.20 acres in size. This property was enrolled in the Williamson Act in 1974 under contract number 74-1623. Duarte Nursery applied for a Tier 1 use permit, under Use Permit 97-33 – Duarte Nursery, to establish a research facility for the development of plants and trees for the agricultural industry. The parcel was owned by Stanley M. Alcorn while the Use Permit was in process. In 1998, after Use Permit approval, the property transferred from Mr. Alcorn to Duarte Nursery. In 1999 the property transferred from Duarte Nursery to California Winelands, which is a subsidiary of Duarte Nursery. The following is an overview of the land use and building permits obtained on this property:

***UP 97-33 – Duarte Nursery***

This was a request to establish a research laboratory, office and greenhouses to develop and raise plants and trees for the agricultural industry. The Use Permit proposed to be completed in phases and to include greenhouses, office, restrooms and parking for a maximum of 20 employees. The following building permits were obtained in conjunction with this Use Permit:

1997	H9703423	Office Bld approx. 8,000 sf
1998	I9802003	2,928 sf Greenhouse
1998	I9803053	8,640 sf Greenhouse Bld 10
1999	J99-00929	740 sf Employee Restroom unconditioned
1999	J9900464	71,400 sf Greenhouse Bld 13 (5,100 sf per bay)
1999	J9900465	96,900 sf Greenhouse Bld 14 (5,100 sf per bay)
1999	J9901020	Electric for Greenhouses
1999	J9901484	Gas line
2004	BLD2004-03706	Greenhouse Bld 15 - Expired
2005	BLD2005-02396	131,040 sf Greenhouse Bld 15 (5,100 sf per bay)
2005	BLD2005-03572	131,040 sf Greenhouse Bld 16 (5,100 sf per bay)
2007	BLD2007-01020	392 sf patio enclosure to office space

***SAA 2005-59 – Duarte Nursery***

This Staff Approval was a request to construct additional greenhouses under the building permits listed below. The permit fee was returned and a letter was sent to the property owner explaining that the expansion was already covered under UP 97-33 – Duarte Nursery and did not count toward their 25% expansion:

2004	BLD2004-03706	Greenhouse Bld 15 - Expired
2005	BLD2005-02396	Greenhouse Bld 15
2005	BLD2005-03572	Greenhouse Bld 16

**SAA 2007-52 – Duarte Nursery**

Again, the operation was allowed to expand by a maximum of 25% with Planning Staff's approval. This Staff Approval permitted the construction of additional greenhouse space (Building 12). The building permit that was obtained in conjunction with this Staff Approval is listed below:

2007 BLD2007-03132 30,900 sf Greenhouse Bld 12

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**Zoning Verification:**

**APN 018-016-031** and **APN 018-015-031** were approved for 154,080 square feet of wholesale nursery expansion under Use Permit 92-43 – Duarte Nursery. These two parcels have been allowed to expand well beyond the 25% Staff Approval threshold. Therefore any future expansion of the Duarte Nursery facility on these two subject properties, with the exception of mandated health and safety upgrades, would be required to first obtain a Use Permit, in accordance with the provisions of 21.20.030 – General Agricultural District and 21.96.070 – Use Permits of the Stanislaus County Zoning Ordinance.

**APN 018-016-019** was approved under Use Permit 97-33 – Duarte Nursery for a total of 451,080 square feet of office, lab and greenhouse space. The operation may expand up to 112,770 square feet, provided the expansion involves minor changes in legal uses which, in the opinion of the director of planning and community development, do not change the nature of, or add new uses to, the legally established use, with a Staff Approval permit. 30,900 sf of expansion was permitted in 2007 under Staff Approval 2007-52. Therefore the operation has the potential to expand by 81,870 sf, provided it falls under the provisions of 21.20.030 – General Agricultural District and 21.96.070 – Use Permits of the Stanislaus County Zoning Ordinance.

*You have 10 days within the receipt of this letter to appeal this decision. Appeals must be made in writing, accompanied with a \$540 filing fee, and turned in to the Stanislaus County Planning & Community Development Department located at 1010 10<sup>th</sup> St. Suite 3400 in Modesto. Appeals of staff decisions are presented to the Planning Commission for decision. Should you have any questions, you can contact our department at (209) 525-6330.*

Sincerely,




Kristin Doud  
Assistant Planner



# Stanislaus Enterprise

## ZONE 40

[www.stanalliance.com](http://www.stanalliance.com)



Letter of Support →

Stanislaus Enterprise Zone 40 Letter of Support form



December 7, 2009

Stanislaus County Board of Supervisors  
Attn: Keith Boggs  
Deputy Executive Officer - Economic Development  
1010 10th Street Place Suite 6800  
Modesto, CA 95354

Dear Stanislaus Co. Board of Supervisors,

Duarte Nursery, Inc. is requesting an Enterprise Zone expansion to include the majority of its operations at Baldwin Road in Hughson, California. We very strongly support this expansion.

As you are well aware, agriculture is the major economic driver for our local communities. Duarte Nursery is an excellent example of why this is so. Duarte Nursery produces trees and grapevines for growers throughout the West coast. The company employs 350 people including 33 salaried positions and eight field representatives. We have an annual payroll of 8 million dollars.

Including Duarte Nursery in the county's enterprise zone will allow us to reinvest in our business here in Stanislaus county bringing further success and job opportunities to our residents.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Duarte", is written over a faint, circular stamp or watermark.

John S. Duarte  
President  
Duarte Nursery, Inc.

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF FINANCIAL ASSISTANCE  
FEDERAL PROGRAMS BRANCH**

900 Third Street, Suite 390  
Sacramento, CA 95811  
(916) 322-1554  
FAX (916) 327-6660



June 1, 2010

Mr. Reynaldo Campanur, Enterprise Zone Manager  
Economic Development and Zone 40 Administrator  
Office of the Alliance  
10<sup>th</sup> Street Place  
Modesto, CA 95353

**Re: Expansion Application for the Stanislaus Enterprise Zone – Phase 6**

Dear Mr. Campanur:

The Department of Housing and Community Development approves the expansion for the Stanislaus Enterprise Zone. The expansion area is located in the City of Hughson and includes the following additions.

Original Zone acreage: 67,508.98  
Original Expansion Capacity: 10,126.35 acres (15%)  
Current Expansion Capacity 1,517.85 acres

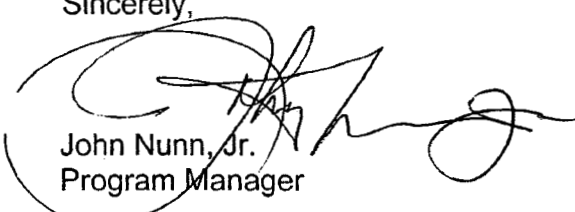
Phase 6	Effective Date	Area	Acreage
	6/1/2010	Duarte Nursery – County Unincorporated	101.65
<b>Total Expansion Acreage :</b>			<b>101.65</b>

With this expansion, the total expansion acreage remaining for the Stanislaus Enterprise Zone is 1,416.2 acres.

The approval of the expansion request extends the final geographic boundaries of the Stanislaus Enterprise Zone to include the stated expansion area. With this approval, the expansion area shall be accorded all of the enterprise zone program tax benefits. The effective date of the expansion shall be June 1, 2010.

If you have questions, please contact Diana Prado at (916) 327-5704 or myself at (916) 322-7555.

Sincerely,

  
John Nunn, Jr.  
Program Manager



IN THE CITY COUNCIL  
OF THE CITY OF OAKDALE  
STATE OF CALIFORNIA  
CITY COUNCIL RESOLUTION 2010-28

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKDALE  
SUPPORTING AND ACKNOWLEDGING THE EXPANSION REQUEST  
OF STANISLAUS COUNTY DUARTE TREES & VINES TO  
THE STANISLAUS COUNTY ENTERPRISE ZONE**

**THE CITY COUNCIL OF THE CITY OF OAKDALE DOES HEREBY RESOLVE THAT:**

**WHEREAS**, the County of Stanislaus currently has an enterprise zone that was established on November 16, 2005 and has jurisdiction over the existing zone, as well as the proposed expansion area; and,

**WHEREAS**, existing law allows an enterprise zone to expand its geographic boundaries by up to a maximum of 15-percent of the original zone boundaries; and,

**WHEREAS**, the Stanislaus Enterprise Zone is currently comprised of approximately 76,117.48 acres and requests to expand by 101.65 commercial acres and,

**WHEREAS**, the County of Stanislaus authorizes and supports job development, job creation, and economic development; and will provide the same or equivalent local incentives as provided by other jurisdictions in Stanislaus County

**WHEREAS**, land included within the proposed expansion areas is zoned for industrial or commercial use and basic infrastructure is available to the areas that would be included in the proposed expansion area; and,

**WHEREAS**, the County of Stanislaus agrees to complete all actions stated within the Stanislaus Enterprise Zone Application for Designation, MOU, and MOU Supplement, that apply to its jurisdiction; and

**WHEREAS**, the County of Stanislaus will submit a written request as required to the California Department of Housing and Community Development (HCD) to have its enterprise zone boundaries expanded

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF OAKDALE** supports and acknowledges the expansion request and recommends the Stanislaus Economic Development submit the proposed application to the California Department of Housing and Community Development for the expansion of the Stanislaus Enterprise Zone – Zone 40, Duarte Trees & Vines Expansion (Hughson, CA), as shown on the attached map.



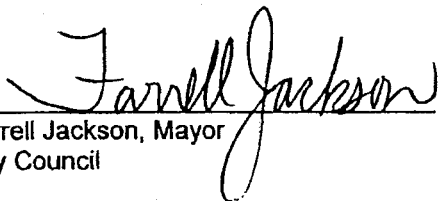
CITY OF OAKDALE  
City Council Resolution 2010-28

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THE FOREGOING RESOLUTION IS HEREBY ADOPTED THIS 1st DAY OF MARCH,  
2010.

Members of the City Council: Brennan, Dunlop, Hanson, Jackson, Morgan

AYES: COUNCIL MEMBERS: Brennan, Dunlop, Hanson, Jackson, Morgan  
NOES: COUNCIL MEMBERS: None  
ABSENT: COUNCIL MEMBERS: None  
ABSTAIN: COUNCIL MEMBERS: None

  
Farrell Jackson, Mayor  
City Council

Attest:

  
Nancy Lilly, City Clerk  
City Council

**WATERFORD CITY COUNCIL  
RESOLUTION 2010-19**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATERFORD  
INITIATING A SIXTH EXPANSION OF THE STANISLAUS COUNTY  
ENTERPRISE ZONE 40 BY APPROXIMATELY 101.65 ACRES AND  
AUTHORIZATION TO SUBMIT A ZONE EXPANSION APPLICATION  
REQUEST TO THE STATE OF CALIFORNIA**

**WHEREAS**, Stanislaus County has historically had high unemployment rates and significant job to housing imbalances; and,

**WHEREAS**, Stanislaus County, the communities of Ceres, Modesto, Turlock, and the private business sector have successfully partnered to develop, apply and be awarded with one of the most recent State Enterprise Zone designations – Zone 40 in Stanislaus County which was established on November 16, 2005; and,

**WHEREAS**, the current Stanislaus County Enterprise Zone consists of approximately 67,500 total acres; and,

**WHEREAS**, existing law allows an enterprise zone to expand its geographic boundaries by up to a maximum of 15% of the original zone boundaries; and,

**WHEREAS**, the Stanislaus Enterprise Zone has the current expansion capacity of approximately 10,100 acres, and,

**WHEREAS**, the Stanislaus County Board of Supervisors approved an expansion criteria protocol which includes all initial zone participants – designated as the zone 40 workgroup; and,

**WHEREAS**, there have been five successful Zone expansions to date; and,

**WHEREAS**, the Stanislaus Enterprise Zone expansions approved to date have totaled 8,582.15 acres leaving an expansion zone remainder of 1,517.85 acres as balance for future expansion activities; and,

**WHEREAS**, Stanislaus County will submit a written request as required to the State of California Housing and Community Development Agency for expansion of the Enterprise Zone boundaries.

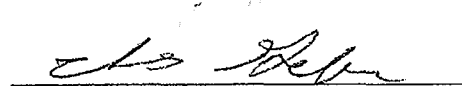
**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Waterford

1. that the County of Stanislaus desires to expand the geographic boundaries of its enterprise zone as set forth in the attached map.
2. supports and approves the Enterprise Zone Expansion into the areas identified on the attached map.
3. supports and authorizes the Stanislaus Economic Development and Workforce Alliance as the Stanislaus Enterprise Zone Administrator to submit an Enterprise Zone Expansion Application Request to the State of California Housing and Community Development Agency (HCD).

The foregoing Resolution was passed and adopted by the City Council of the City of Waterford, County of Stanislaus, State of California, at a regular meeting thereof held on the 18<sup>th</sup> day of February 2010, by the following vote:

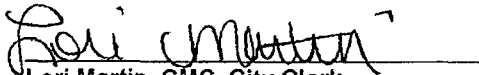
AYES: 4 Goeken, VanWinkle, Krause, Day  
NOES: 0  
ABSTAIN: 0  
ABSENT: 1 Aldaco

City of Waterford,

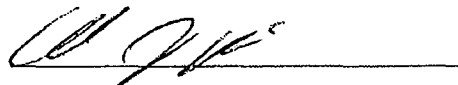


Charlie Goeken, Mayor

ATTEST:

  
Lori Martin, CMC, City Clerk

APPROVED AS TO FORM:

  
Corbett J. Browning, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 2010-098

A RESOLUTION APPROVING THE REQUEST BY STANISLAUS COUNTY TO EXPAND THE GEOGRAPHIC BOUNDARIES OF THE ENTERPRISE ZONE BY 101.65 ACRES AND DIRECT THE STANISLAUS ECONOMIC DEVELOPMENT AND WORKFORCE ALLIANCE, AS THE STANISLAUS ENTERPRISE ZONE ADMINISTRATOR, TO SUBMIT A WRITTEN REQUEST TO EXPAND THE STANISLAUS ENTERPRISE ZONE – ZONE 40 BOUNDARIES TO THE CALIFORNIA DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT

WHEREAS, the County of Stanislaus currently has an Enterprise Zone that was established on November 16, 2005, and has jurisdiction over the existing zone, as well as the proposed expansion area, and

WHEREAS, existing law allows an Enterprise Zone to expand its geographic boundaries up to a maximum of 15% of the original zone boundaries, and

WHEREAS, the Stanislaus Enterprise Zone is comprised of 67,508 acres and has an expansion capacity of approximately 10,126 acres, and

WHEREAS, Stanislaus County wishes to expand the boundaries of its Enterprise Zone by approximately 101.65 acres in the unincorporated area to include Duarte Trees and Vines, a.k.a. California Winelands, LLC, and

WHEREAS, land included within the proposed expansion area is zoned for commercial use, and

WHEREAS, basic infrastructure is available to the area that would be included in the proposed expansion area, and

WHEREAS, Stanislaus County will provide the same or equivalent local incentives in the expansion area as provided to the existing Enterprise Zone, and

WHEREAS, Stanislaus County will submit a written request as required to the



California Department of Housing & Community Development to have its enterprise zone boundaries expanded.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the request from Stanislaus County to expand the geographical boundary of the Stanislaus County Enterprise Zone to include Duarte Trees & Vines, a.k.a. California Winelands, LLC.

BE IT FURTHER RESOLVED that the Stanislaus Economic Development and Workforce Alliance, as the Stanislaus EZ Administrator, is hereby directed to submit the written request and required accompanying documentation to expand the Enterprise Zone boundaries to the California Department of Housing & Community Development.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Modesto held on the 23<sup>rd</sup> day of March, 2010, by Councilmember Hawn, who moved its adoption, which motion being duly seconded by Councilmember Marsh, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Geer, Hawn, Lopez, Marsh, Muratore, Olsen, Mayor Ridenour

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Stephanie Lopez  
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: Susana Alcala Wood  
SUSANA ALCALA WOOD, City Attorney

**RESOLUTION NO. 2010-13**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWMAN APPROVING THE EXPANSION OF THE STANISLAUS COUNTY ENTERPRISE ZONE BOUNDARIES**

WHEREAS, the County of Stanislaus currently has an enterprise zone that was established on November 16, 2005 and has jurisdiction over the existing zone, as well as the proposed expansion area;

WHEREAS, existing law allows an enterprise zone to expand its geographic boundaries by up to a maximum of 15% of the original zone boundaries; and

WHEREAS, the Stanislaus Enterprise Zone (Zone 40) has the current expansion capacity of approximately 10,100 acres; and

WHEREAS, the Stanislaus County Board of Supervisors (on February 7, 2006) approved an expansion criteria protocol which includes all initial zone participants - designated as the zone 40 workgroup; and

WHEREAS, there have been five successful Zone expansions to date; and

WHEREAS, the Stanislaus Enterprise Zone expansions approved to date have totaled 8,582.15 acres leaving an expansion zone remainder of 1,517.85 acres as balance for future expansion activities; and

WHEREAS, Stanislaus County desires to initiate the Phase Six Enterprise Zone expansion application for approximately 101.65 total acres.

NOW, THEREFORE, BE IT RESOLVED that the City of Newman approves of this expansion request and directs the Stanislaus Economic Development and Workforce Alliance, as the Stanislaus EZ Administrator, to submit the written request and required accompanying documentation to expand the enterprise zone by 101.65 acres.


The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 9th day of March 2010 by Council Member Candea, who moved its adoption which motion was duly seconded and the resolution adopted by the following vote:

AYES: Davis, Candea, Martina and Mayor Katen  
NOES: None  
ABSENT: Kelly

APPROVED:

  
Mayor of the City of Newman

ATTEST:

  
Deputy City Clerk of the City of Newman

CITY OF RIVERBANK

RESOLUTION NO. 2010-017

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK APPROVING AN ENTERPRISE ZONE EXPANSION REQUEST FOR DUARTE TREES & VINES A.K.A. CALIFORNIA WINELANDS, LLC**

**WHEREAS**, The County of Stanislaus currently has an enterprise zone that was established on November 16, 2005, and has jurisdiction over the existing zone, as well as the proposed expansion area; and,

**WHEREAS**, Existing law allows an Enterprise Zone to expand its geographic boundaries by up to a maximum of 15% of the original zone boundaries; and,

**WHEREAS**, The County of Stanislaus wish to expand the boundaries of its enterprise zone to include the geographic area set forth in the attached boundary map; and,

**WHEREAS**, Land included within the proposed expansion areas is zoned for industrial or commercial use; and,

**WHEREAS**, Basic infrastructure is available to the areas that would be included in the proposed expansion area; and,


**WHEREAS**, The County of Stanislaus will submit a written request as required to the California Department of Housing & Community Development to have their respective enterprise zone boundaries expanded.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Riverbank hereby supports and approves Duarte Trees & Vines a.k.a. California Winelands, LLC expansion in the area of unincorporated Stanislaus County as shown on the attached map.

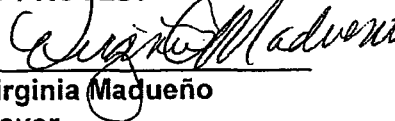
**PASSED AND ADOPTED** by the City Council of the City of Riverbank at a regular meeting held on the 22<sup>nd</sup> day of February, 2010, by the following vote of 3-0:

**AYES:** Councilmembers: Fielder, J. J. White, and D. White  
**NAYS:** None  
**ABSENT:** Councilmembers: Vice Mayor Benitez, and Mayor Madueño  
**ABSTAIN:** None

**ATTEST:**

  
Linda Abid-Cummings, MMC  
City Clerk

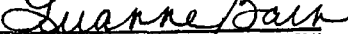
**APPROVED:**

  
Virginia Madueño  
Mayor

Attachment: Boundary Map

**CERTIFICATION**

I hereby certify the foregoing is a true and correct copy of the original document on file in the office of the City Clerk of the City of Riverbank.

  
Luanne Bair  
DEPUTY CITY CLERK

DATED 02-25-2010

Resolution No. 2010-16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CERES  
APPROVING THE EXPANSION OF THE STANISLAUS ENTERPRISE ZONE –  
ZONE 40 BOUNDARIES.**

**THE CITY COUNCIL**  
City of Ceres, California

**WHEREAS**, Stanislaus Enterprise Zone – Zone 40 of Stanislaus County currently has an enterprise zone that was established on November 16, 2005 and has jurisdiction over the existing zone, as well as the proposed expansion area; and

**WHEREAS**, the City of Ceres is a member of the Stanislaus Enterprise Zone – Zone 40 of Stanislaus County; and

**WHEREAS**, the Stanislaus Enterprise Zone – Zone 40 of Stanislaus County wishes to expand the boundaries of its enterprise zone to include the geographic area set forth in the attached boundary map; and

**WHEREAS**, land included with the proposed expansion area is zoned for industrial or commercial use; and

**WHEREAS**, basic infrastructure is available to the area that would be included in the proposed expansion area; and

**WHEREAS**, the Stanislaus Enterprise Zone – Zone 40 of Stanislaus County will submit a written request as required to the California Department of Housing and Community Development to have its enterprise zone boundaries expanded.


**THEREFORE, BE IT RESOLVED** that the City of Ceres City Council does hereby support and approve the Stanislaus Enterprise Zone – Zone 40 expansion into the areas of the Hughson, California as shown on the attached map.

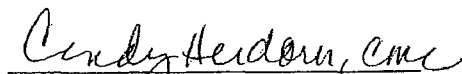
**PASSED AND ADOPTED** by the City Council of the City of Ceres at a regular meeting thereof on the 22 day of February, 2010 by the following vote:

**AYES:** Councilmembers Durossette, Lane, Ochoa, Vierra, Mayor Cannella

**NOES:** None

**ABSENT:** None

  
\_\_\_\_\_  
Anthony Cannella, Mayor

  
\_\_\_\_\_  
Cindy Heidorn, CMC - City Clerk

RESOLUTION NO. 2010-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON  
APPROVING THE EXPANSION OF THE STANISLAUS COUNTY ENTERPRISE  
ZONE BOUNDARIES

WHEREAS, the County of Stanislaus currently has an enterprise zone that was established on November 16, 2005 and has jurisdiction over the existing zone, as well as the proposed expansion area;

WHEREAS, existing law allows an enterprise zone to expand its geographic boundaries by up to a maximum of 15% of the original zone boundaries; and

WHEREAS, the Stanislaus Enterprise Zone has the current expansion capacity of approximately 10,100 acres; and

WHEREAS, the Stanislaus County Board of Supervisors (on February 7, 2006) approved an expansion criteria protocol which includes all initial zone participants - designated as the zone 40 workgroup; and

WHEREAS, there have been five successful Zone expansions to date; and

WHEREAS, the Stanislaus Enterprise Zone expansions approved to date have totaled 8,582.15 acres leaving an expansion zone remainder of 1,517.85 acres as balance for future expansion activities; and

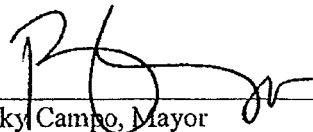
WHEREAS, Stanislaus County desires to initiate the Phase Six Enterprise Zone expansion application for approximately 101.65 total acres.

NOW, THEREFORE, BE IT RESOLVED that the City of Patterson approves of this expansion request and directs the Stanislaus Economic Development and Workforce Alliance, as the Stanislaus EZ Administrator, to submit the written request and required accompanying documentation to expand the enterprise zone by 101.65 acres.

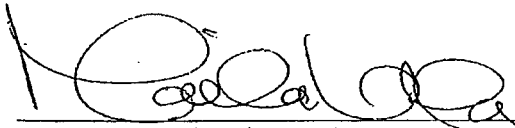
The foregoing resolution of the City Council of the City of Patterson was passed by the City Council at a regular meeting held on the 16<sup>th</sup> day of February 2010, by Councilmember Farinha, who moved its adoption, which motion was duly seconded by Councilmember Cuellar, and the resolution adopted by the following vote:

AYES: Councilmembers Smith, Farinha, Cuellar, Shelton and Mayor Campo  
NOES: None  
EXCUSED: None

APPROVED:

  
\_\_\_\_\_  
Becky Campo, Mayor  
City of Patterson

ATTEST:

  
\_\_\_\_\_  
Maricela L. Vela, City Clerk  
City of Patterson

I hereby certify that the foregoing is a full, correct and true copy of a resolution passed by the City Council of the City of Patterson, a Municipal Corporation of the County of Stanislaus, State of California, at a regular meeting held on the 16th day of February 2010, and I further certify that said resolution is in full force and effect and has never been rescinded or modified.

DATED:

\_\_\_\_\_  
City Clerk of the City of Patterson

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF APPROVING }  
AND SUPPORTING THE REQUEST OF THE }  
COUNTY OF STANISLAUS TO EXPAND }  
THE STANISLAUS ENTERPRISE ZONE }  
\_\_\_\_\_ }

RESOLUTION NO. 2010-074

**WHEREAS**, the County of Stanislaus currently has an enterprise zone that was established on November 16, 2005 and has jurisdiction over the existing zone, as well as the proposed expansion area; and

**WHEREAS**, existing law allows an enterprise zone to expand its geographic boundaries by up to a maximum of 15% of the original zone boundaries; and

**WHEREAS**, the Stanislaus Enterprise Zone is comprised of roughly 67,000 acres; and

**WHEREAS**, Stanislaus County wishes to expand the boundaries of their enterprise zone by 101.65 acres; and

**WHEREAS**, land included within the proposed expansion area is zoned for industrial or commercial use; and

**WHEREAS**, basic infrastructure is available to the areas that would be included in the proposed expansion area; and

**WHEREAS**, the County of Stanislaus will provide the same or equivalent local incentives in the expansion areas as provided to the existing enterprise zone; and

**WHEREAS**, the County of Stanislaus will submit a written request as required to the California Department of Housing & Community Development to have their respective enterprise zone boundaries expanded.

**NOW, THEREFORE, BE IT RESOLVED** that the County of Stanislaus desires to expand the geographic boundaries of their enterprise zone by a total of 101.65 acres and that the City Council of the City of Turlock does hereby approve this expansion request and directs the Stanislaus Economic Development and Workforce Alliance, as the Stanislaus EZ Administrator, to submit the written request and required accompanying documentation to expand the enterprise zone for the County of Stanislaus.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Turlock this 27<sup>th</sup> day of April, 2010, by the following vote:

AYES:     Councilmembers Bublak, Howze, Jackson, Spycher and Mayor Lazar  
NOES:     None  
ABSTAIN:   None  
NOT PARTICIPATING:   None  
ABSENT:    None

ATTEST:

Rhonda Greenleg  
Rhonda Greenleg, MMC  
City Clerk, City of Turlock, County  
of Stanislaus, State of California

CITY OF HUGHSON

RESOLUTION NO. 2010-08

**A RESOLUTION OF THE CITY OF HUGHSON, OF THE COUNTY OF STANISLAUS, APPROVING THE EXPANSION OF THE STANISLAUS ENTERPRISE ZONE – ZONE 40 BOUNDARIES**

**WHEREAS**, the County of Stanislaus currently has an enterprise zone that was established on November 16, 2005 and has jurisdiction over the existing zone, as well as any proposed expansion area;

**WHEREAS**, the County of Stanislaus wishes to expand the boundaries of its enterprise zone to include the geographic area set forth in the attached boundary map; and

**WHEREAS**, land included with the proposed expansion area is zoned for industrial or commercial use; and;

**WHEREAS**, basic infrastructure is available to the areas that would be included in the proposed expansion area;

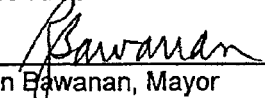
**WHEREAS**, the County of Stanislaus will submit a written request as required to the California Department of Housing and Community Development to have its enterprise zone boundaries expanded.

**THEREFORE, BE IT RESOLVED** that the City Council of the City of Hughson does hereby support and approve the Duarte Trees & Vines a.k.a. California Winelands, LLC, expansion into the areas of the Stanislaus County Enterprise Zone – Zone 40 as shown on the attached map.

**PASSED AND ADOPTED** by the City Council of the City of Hughson at a meeting held on the 22<sup>nd</sup> day of February, 2010 by the following vote:

**AYES:** Councilmembers: Beekman, Crowder, Humphreys, Manley, and Mayor Bawanan  
**NAYES:** None  
**ABSTAIN:** None  
**ABSENT:** None

APPROVED:

  
\_\_\_\_\_  
Ramon Bawanan, Mayor


ATTEST:

  
\_\_\_\_\_  
Annabelle Aguilar, Interim City Clerk

Attachment: Stanislaus Enterprise Zone – Zone 40  
Duarte Nursery Expansion – 40-08

**CERTIFICATION**

I hereby certify the foregoing is a true and correct copy of the original document on file in the office of the City Clerk of the City of Hughson.

  
\_\_\_\_\_  
City Clerk

Dated: 02-26-10



PowerPoint



2010

## Enterprise Zone

Stanislaus County

PHASE SIX ZONE EXPANSION  
RECOMMENDATION  
Duarte Nursery

March 2, 2010

# **E.Zone Expansion Recommendations**

**2010**



- 1. Adopt resolution initiating expansion phase VI of Zone 40**
- 2. Total expansion request approximately 102 acres**
- 3. Duarte Nursery  
(Duarte Trees and Vines)**
- 4. Authorize staff to submit zone expansion application to State of California**

# E.Zone Expansion History

thru 2.2010

2010

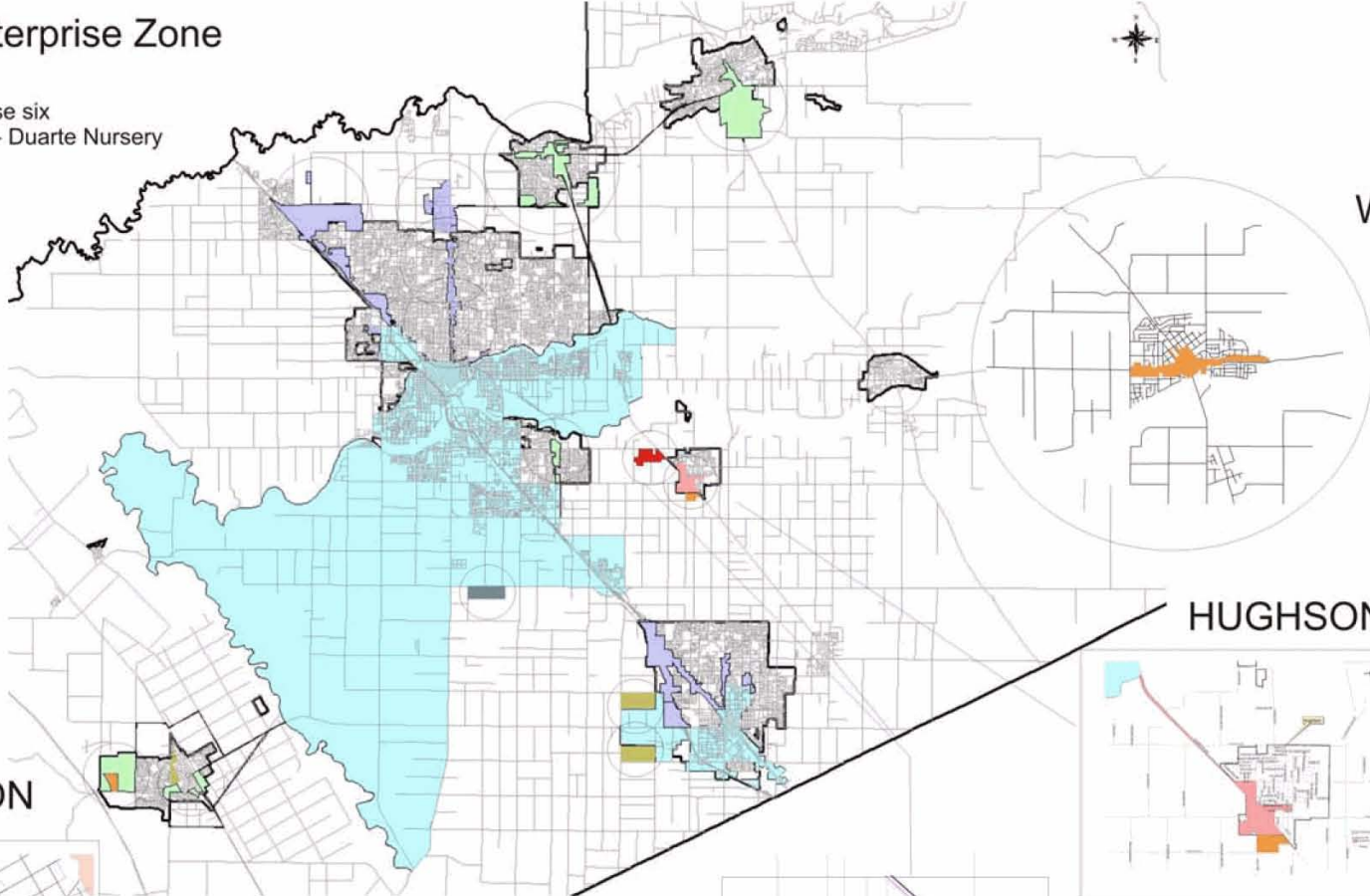


## EXPANSION PHASES

1. January 2007 – Modesto/Riverbank/Oakdale
2. March 2007 – Hughson
3. May 2007 – County Unincorporated (Bronco Winery)
4. February 2008 – Turlock/Patterson
5. September 2008 – Hughson/Newman/Waterford/Patterson
6. March 2010 – County Unincorporated (Duarte Nursery)

# Stanislaus Enterprise Zone ZONE 40

Expansion pending phase six  
Unincorporated County - Duarte Nursery

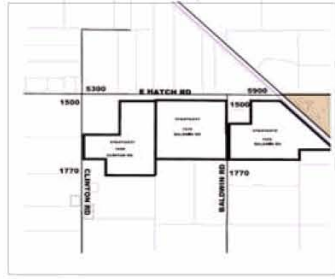


WATERFORD

HUGHSON

PATTERSON

NEWMAN

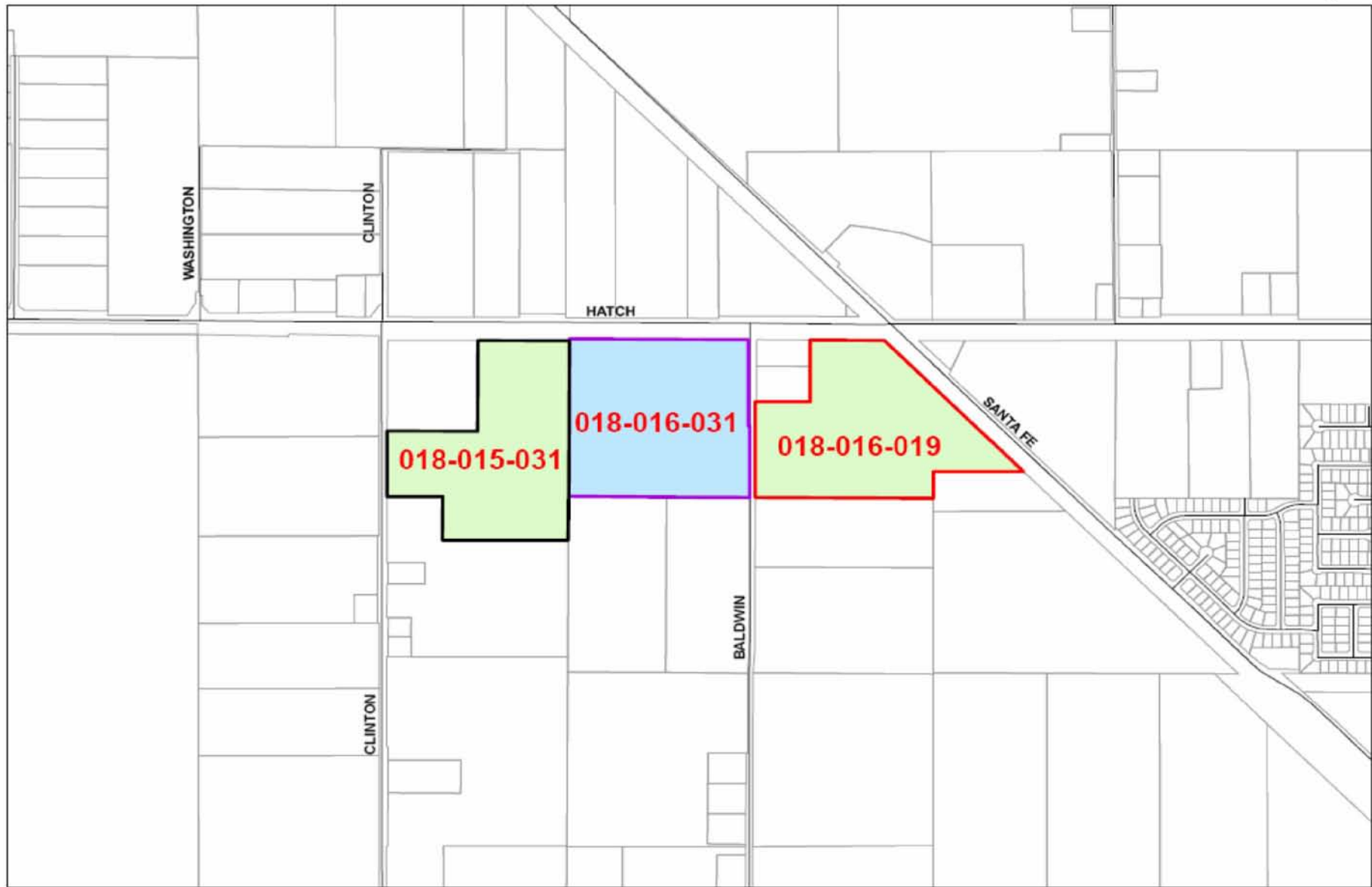


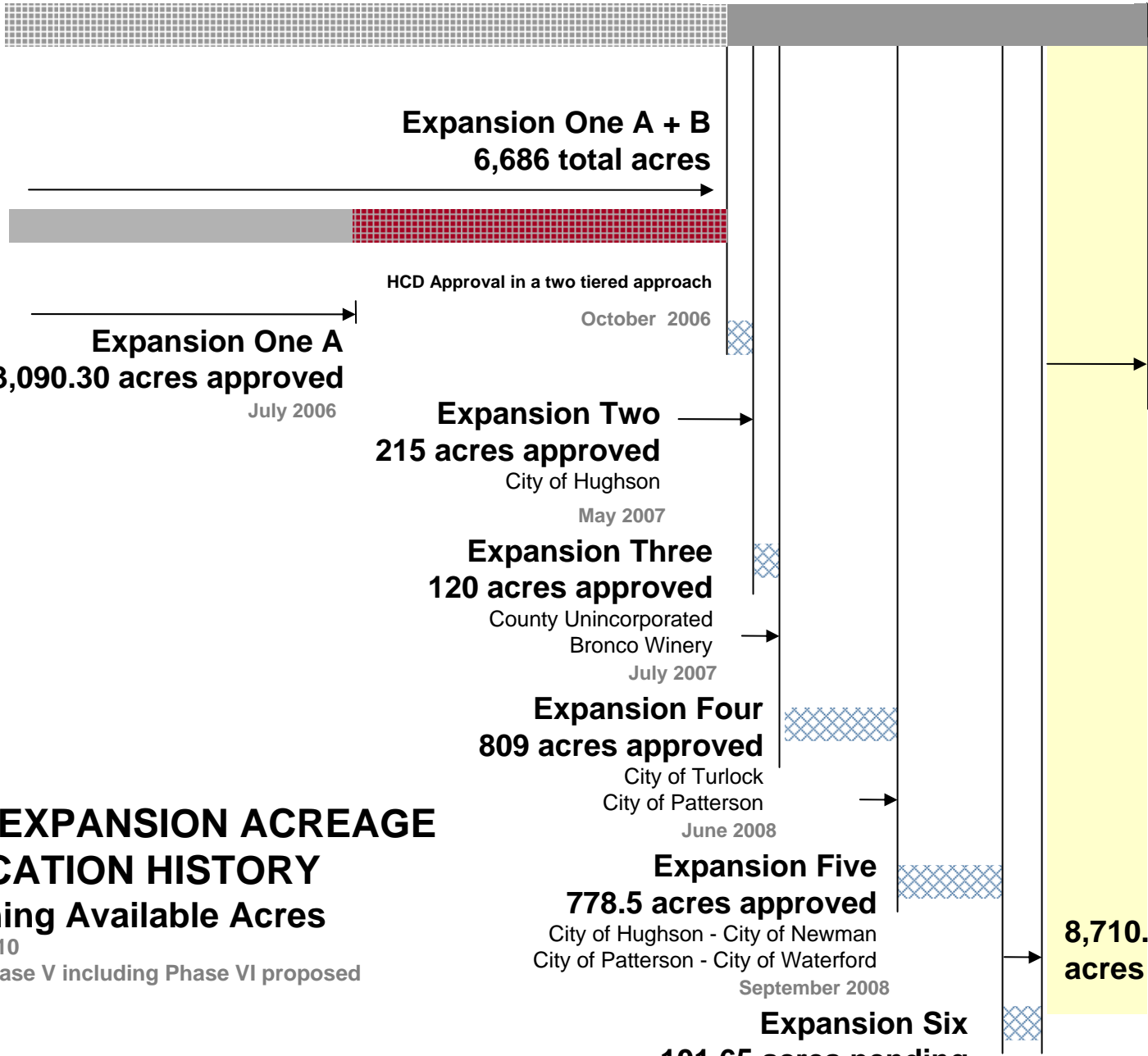
Duarte Nursery  
[expansion #6]

- Enterprise Zone [original approval footprint]
- Expansion One
- Approval A
- Approval B
- Expansion Two
- Expansion Three [Bronco Winery]
- Expansion Four
- Expansion Five
- Expansion Six [pending]

1,000 500 0 1,000 Feet

# DUARTE NURSERY EXPANSION - 40-08





**Total Possible Expansion**  
**10,126.35 acres**  
 Based on HCD Regulation 15% of Approved Zone Area

**Remaining Expansion Acres**  
**1,416.20**  
 Pending Expansion Six approval

**8,710.15 acres**

**ZONE EXPANSION ACREAGE ALLOCATION HISTORY**  
**Remaining Available Acres**  
 March 2, 2010  
 Through Phase V including Phase VI proposed

# **E.Zone Expansion Recommendations**

**2010**



- 1. Adopt resolution initiating expansion phase VI of Zone 40 totaling approximately 102 acres**
- 2. Authorize staff to submit zone expansion application to State of California**





2010

## Enterprise Zone

Stanislaus County

PHASE SIX ZONE EXPANSION  
RECOMMENDATION  
Duarte Nursery

March 2, 2010