



State of California - Department of Fish and Wildlife
2023 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

RECEIPT NUMBER: E202310000075
STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF CLOVIS	LEAD AGENCY EMAIL	DATE 03/21/2023
COUNTY/STATE AGENCY OF FILING FRESNO COUNTY		DOCUMENT NUMBER E202310000075

PROJECT TITLE
CONDITIONAL USE PERMIT CUP2022-009

PROJECT APPLICANT NAME CITY OF CLOVIS	PROJECT APPLICANT EMAIL	PHONE NUMBER (559) 324-2338
PROJECT APPLICANT ADDRESS 1033 5TH STREET	CITY CLOVIS	STATE CA
		ZIP CODE 93612

PROJECT APPLICANT (Check appropriate box)

Local Public Agency School District Other Special District State Agency Private Entity


CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,839.25	\$	<u>0.00</u>
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,764.00	\$	<u>0.00</u>
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,305.25	\$	<u>0.00</u>
<input type="checkbox"/> Exempt from fee			
<input type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)			
<hr/>			
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	<u>0.00</u>
<input checked="" type="checkbox"/> County documentary handling fee	\$50.00	\$	<u>50.00</u>
<input checked="" type="checkbox"/> Other CATEGORICAL EXEMPTION		\$	<u>0.00</u>

PAYMENT METHOD:

Cash Credit Check Other

TOTAL RECEIVED \$ 50.00

SIGNATURE X 	AGENCY OF FILING PRINTED NAME AND TITLE Cierra Loera Deputy Clerk
---------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------

County of Fresno
Clerk's Office
James A. Kus

Elections Department
(559) 600-8683

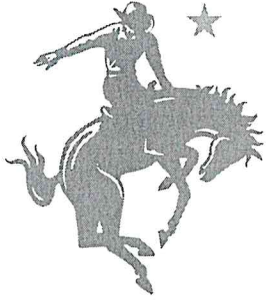
Clerk Services Department
(559) 600-2575

Finalization 2023005824
3/21/2023 10:58 AM
CCR572887 Cloera

Description	Fee
EIR Administrative Fee	
Time Recorded: 10:58 AM	
Recording Fee:	\$50.00
Total Amount Due	\$50.00
Total Paid	
Credit Card #219157285	\$50.00
Amount Due	\$0.00

E20231005824

THANK YOU
PLEASE KEEP FOR REFERENCE



E202310000075

CITY of CLOVIS

PLANNING & DEVELOPMENT
1033 FIFTH STREET • CLOVIS, CA 93612

FILED
MAR 21 2023
TIME 11:00am
By [Signature] FRESNO COUNTY CLERK
DEPUTY

NOTICE OF EXEMPTION Conditional Use Permit 2022-009

The City of Clovis has determined that the project described below will not have a significant effect on the environment and shall be exempt from the provisions of CEQA. The project listed is exempt pursuant to CEQA Guidelines, Section 15302 (Class 2, Replacement or Reconstruction).

Exemption Filed With: Fresno County Clerk, 2221 Kern Street, Fresno, California.
Office of Planning & Research, 1400 10th Street #100, Sacramento, CA

Lead Agency: City of Clovis, 1033 5th Street, Clovis, California.

Project Title: Conditional Use Permit CUP2022-009

Project Location: 288 W. Shaw Avenue, Clovis, CA 93612, Fresno County

Project Description: A request to approve a conditional use permit to replace the existing building at 288 W. Shaw Avenue with a new Panda Express Restaurant with drive-through service. Brown and Associates Clovis, LLC., owner; Panda Express, Inc., applicant; Lupe Sandoval, representative.

Project Applicant: Panda Express, Inc.

Exempt Status: Categorical Exemption, Class 2 (Section 15302), Replacement or Reconstruction

Reasons Why Project Is Exempt: The project listed is exempt pursuant to CEQA Guidelines, Section 15302 (Class 2) because the project consists of an existing facility which will be reconstructed. None of the exceptions identified in CEQA Guidelines Section 15300.2 apply to the project.

Lead Agency Contact Person: Marissa Jensen, Assistant Planner

Telephone Number: (559) 324-2338

Signature: _____
Marissa Jensen
Assistant Planner

Date: March 20, 2023

E202310000075

CITY OF CLOVIS
Categorical Exemption
Conditional Use Permit 2022-009

Pursuant to Article 19 of the State CEQA Guidelines, the City of Clovis has determined that the project described below will not have a significant effect on the environment and shall be categorically exempt from the provisions of CEQA.

Lead Agency: City of Clovis
Planning and Development Services

Lead Agency Contact: Marissa Jensen, Assistant Planner
(559) 324-2338
MarissaJ@cityofclovis.com

Applicant: Michael Cadell of Panda Express, Inc.
1683 Walnut Grove Avenue
Rosemead, CA 91770

Project Location: 288 W. Shaw Avenue, CA 93612, Fresno County

Exemption: Section 15302 (Class 2, Replacement or Reconstruction)

Project Description:

Consider Conditional Use Permit CUP2022-009, A request to approve a conditional use permit to replace the existing building at 288 W. Shaw Avenue with a new Panda Express Restaurant with drive-through service. Brown and Associates Clovis, LLC., owner; Panda Express, Inc., applicant; Lupe Sandoval, representative.

Determination:

Pursuant to Article 19 of the California Environmental Quality (CEQA) Guidelines, the Project is categorically exempt under Section 15302 (Class 2, Replacement or Reconstruction). None of the exceptions identified in CEQA Guidelines Section 15300.2 apply to the project, as described below.

Section 15302 (Class 2, Replacement or Reconstruction) consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

Exceptions:

CEQA Guidelines Section 15300.2 set forth exceptions to categorical exemptions which must be assessed as part of the determination to use a Categorical Exemption. If any of the exceptions apply, a Categorical Exemption cannot be used.

(a) ***Location.*** Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located - a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of

E20231000075

hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

This exception does not apply to Class 1 exemptions. Therefore, this exception would not apply to the project.

- (b) **Cumulative Impact.** *All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

The proposed use is allowed in the land use designation and zone district with approval of the requested entitlement(s); therefore, the use and operation would be compatible with the area and would not result in cumulative impacts with the operation of the use. Thus, this exception would not apply to the Project.

- (c) **Significant Effect.** *A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

There are no unusual circumstances of the proposed Project as a restaurant with a drive-through. The use is allowed under the Clovis Development Code, thus, the use is not unusual within the C-2 Zone District. Therefore, this exception would not apply to the Project.

- (d) **Scenic Highways.** *A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.*

The Project site is not located near a scenic highway as it is located within an urban area. Therefore, this exception would not apply to the Project.

- (e) **Hazardous Waste Sites.** *A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.*

The Project site is not located on a site on any list compiled pursuant to Section 65962.5 of the Government Code. Therefore, this exception would not apply to the project.

- (f) **Historical Resources.** *A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

There are no historical resources on the Project site or within its immediate vicinity. Therefore, this exception would not apply to the project.

Date: March 20, 2023
Prepared By: Marissa Jensen
Assistant Planner

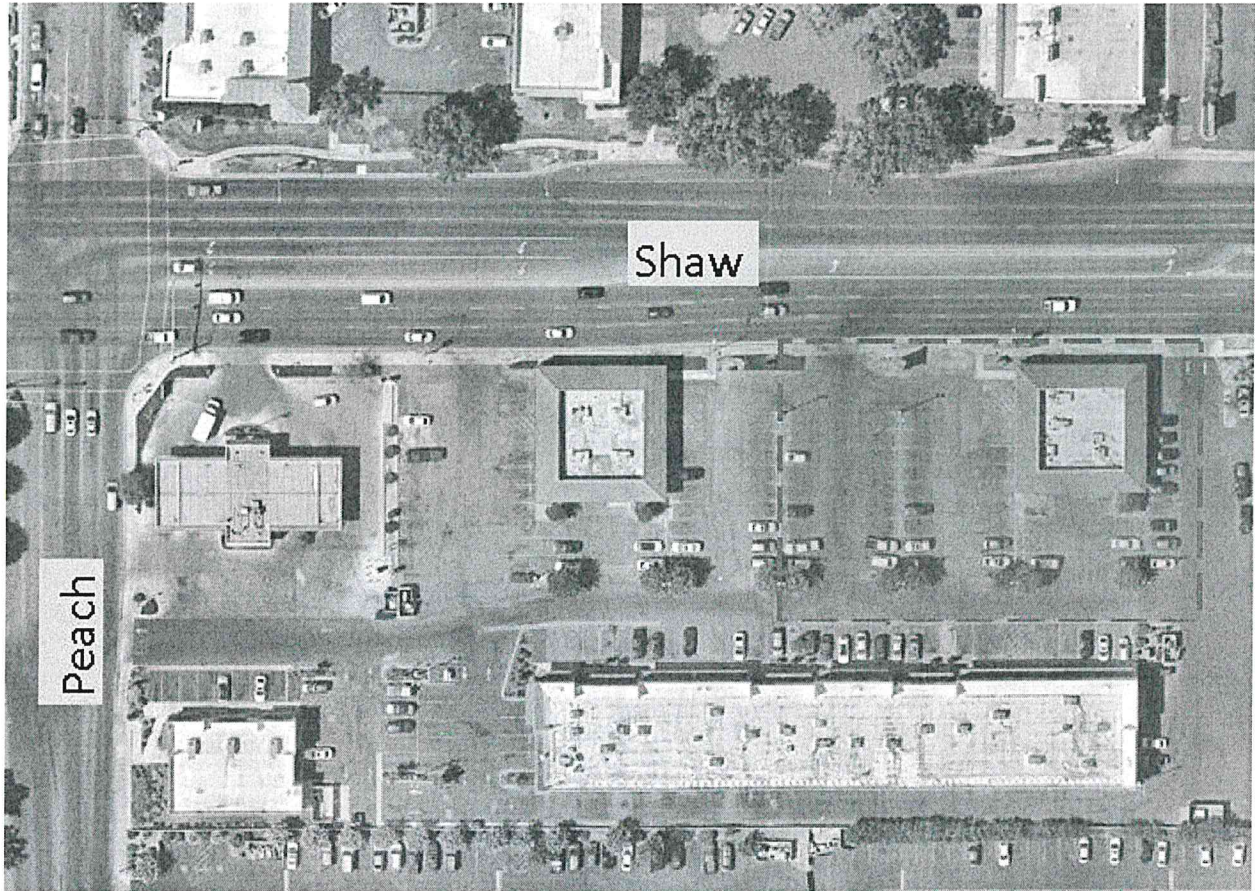


Submitted By: _____

E202310000075

Marissa Jensen
Assistant Planner
City of Clovis
Planning & Development Services
(559) 324-2338

Project Location



[] = Future Panda Express with Drive-Through