



CITY *of* CLOVIS

PLANNING & DEVELOPMENT

1033 FIFTH STREET • CLOVIS, CA 93612

NOTICE OF EXEMPTION **Conditional Use Permit 2023-003**

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 15332 (Class 32, In-fill Development Projects).

Exemption Filed With: Fresno County Clerk, 2221 Kern Street, Fresno, CA
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 2023-003

Project Location: 250 W. Ashlan Avenue, Clovis, CA 93612, Fresno County

Project Description: CUP2023-003, A request to approve a conditional use permit to allow a drive-through restaurant including an outdoor patio in association with a proposed Starbucks located at 250 W. Ashlan Avenue. Clovis Development Partners, LLC, owner; Centerline Design, LLC, applicant.

Project Applicant: Bryan Pok, Centerline Design, LLC

Exempt Status: Categorical Exemption, Class 32 (Section 15332), In-fill Development Projects

Reasons Why Project Is Exempt: The project listed is exempt pursuant to CEQA Guidelines, Section 15332 (Class 32) because the Project would be consistent with applicable land use and zoning designations, occurs within city limits on no more than 5-acres, and does not have the potential for a significant impact on endangered or threatened species, traffic, noise, air, and water quality. Further, the site can be adequately served by all required utilities and public services.

Lead Agency Contact Person: Liz Salazar, Assistant Planner

Telephone Number: (559) 324-2305

Signature: _____

Liz Salazar
Assistant Planner

Date: July 27, 2023

CITY OF CLOVIS
Categorical Exemption
Conditional Use Permit 2023-003

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: Liz Salazar, Assistant Planner
(559) 324-2305
lizs@cityofclovis.com

Applicant: Bryan Pok, Centerline Design, LLC
1508 Tollhouse Road Suite C
Clovis, CA 93611

Project Location: 250 W. Ashlan Avenue, Clovis, CA 93612, Fresno County

Exemption: Section 15332 (Class 32, In-Fill Development Projects)

Project Description:

Consider Conditional Use Permit 2023-003, A request to allow a drive-through restaurant including an outdoor patio in association with a proposed Starbucks located at 250 W. Ashlan Avenue. Clovis Development Partners, LLC, owner; Centerline Design, LLC, applicant.

Determination:

Pursuant to Article 19 of the California Environmental Quality (CEQA) Guidelines, the project is categorically exempt under Section 15332 (Class 32, Infill Development Projects). None of the exceptions identified in CEQA Guidelines Section 15300.2 apply to the project, as described below.

Section 15332 (Class 32, Infill Development Projects) consists of projects characterized by infill development meeting the conditions as analyzed below.

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The proposed project is consistent with the Project site's General Plan Land Use designation and the C-2 Zone District. Additionally, there are several general plan policies encouraging in-fill development and development that provides job opportunities, which the proposed Project would provide for.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The project site is within City limits and would occupy approximately 0.43-acres of property. The project site is surrounded by existing commercial uses to the west, east, and south, and a ponding basin to the north of the Project; thus, is substantially surrounded by urban uses.

(c) The project site has no value as habitat for endangered, rare, or threatened species.

The Project is an urbanized area and surrounded by sites that have either been previously developed or heavily disturbed; therefore, the site is highly unlikely to support or provide value as habitat for endangered, rare, or threatened species.

(d) Approval of the project would not result in any significant effects related to traffic, noise, air quality, or water quality.

The project site is substantially surrounded by existing development and is considered an in-fill site. The proposed use is consistent with the land use and zoning designation, therefore, was previously analyzed during the 2014 General Plan Update EIR.

(e) The site can be adequately served by all required utilities and public services.

As an in-fill site surrounded by existing development to the north, east, south, and west, the site can adequately be served by all required utilities and public services.

As described above, the site is an infill opportunity for a project that is consistent with the plans and policies of the City of Clovis and would be able to be served by all necessary utilities. The project site is intended to provide commercial uses, and the project would not be of the type or intensity to result in significant effects to air, water, noise, or traffic.

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 Exception. 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 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 32 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 day care facility. The use is allowed with a Conditional Use Permit under the Clovis Development Code, thus, the use is not unusual in 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.*

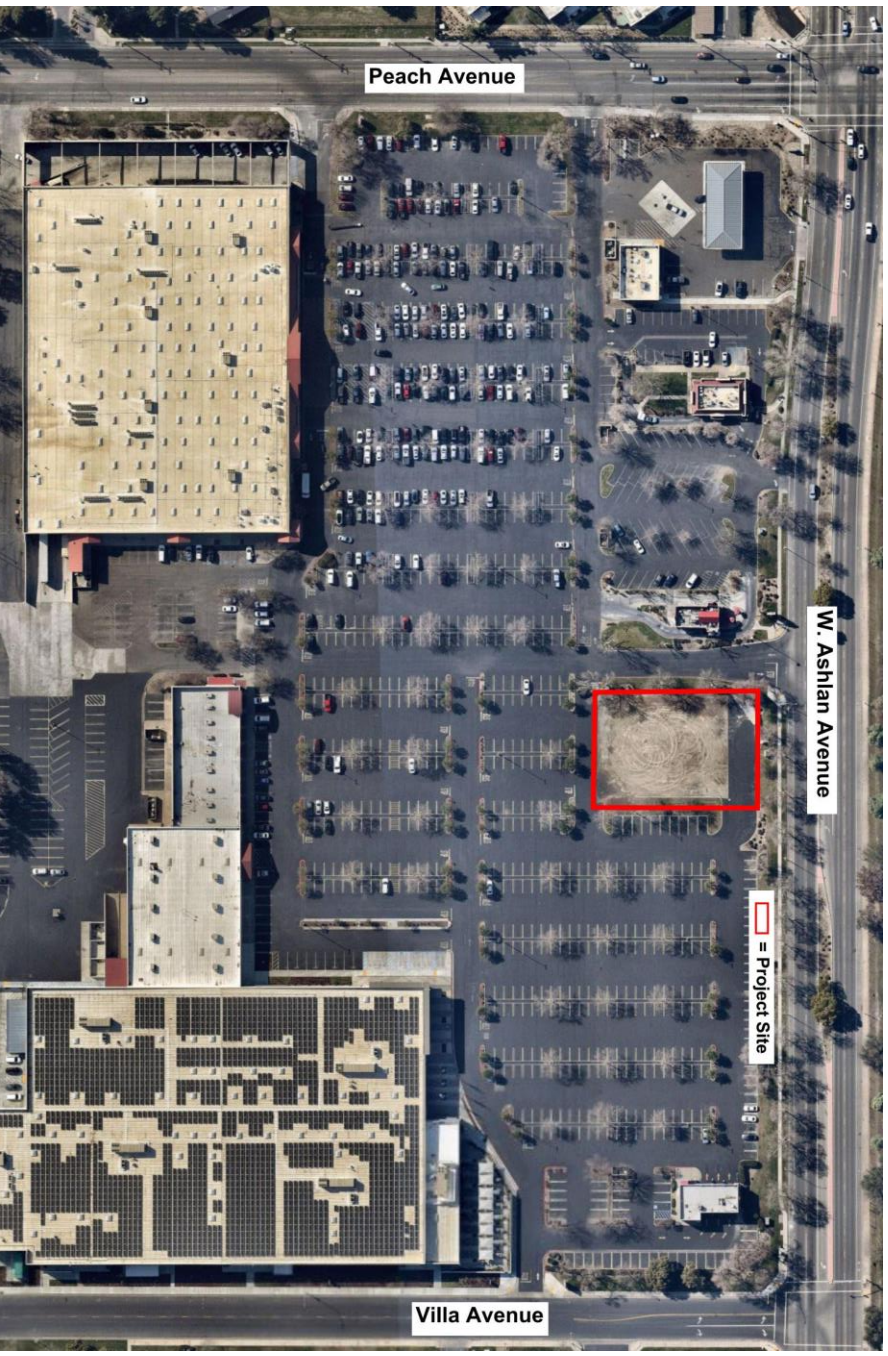
There are no historical resources on the Project site or within its immediate vicinity. Therefore, this exception would not apply to the project.

Date: July 27, 2023
Prepared By: Liz Salazar - Assistant Planner

Submitted By: 

Liz Salazar
Assistant Planner
City of Clovis
Planning & Development Services
(559) 324-2305

Project Location



City Manager 559.324.2060 • Community Services 559.324.2095 • Engineering 559.324.2350

Finance 559.324.2130 • Fire 559.324.2200 • General Services 559.324.2060 • Personnel/Risk Management 559.324.2725

Planning & Development Services 559.324.2340 • Police 559.324.2400 • Public Utilities 559.324.2600 • TTY--711

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