



E202310000272

CITY of CLOVIS

PLANNING & DEVELOPMENT

1033 FIFTH STREET • CLOVIS, CA 93612

NOTICE OF EXEMPTION

Conditional Use Permit 2023-002

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 15162 (Subsequent EIRs and Negative Declarations) and Section 15182 (Projects Pursuant to a Specific Plan).

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 2023-002

Project Location: 3741 Shaw Avenue, Clovis, CA 93619, Fresno County

Project Description: A request to approve a conditional use permit to approve a conditional use permit to allow a drive-through car wash facility at 3741 Shaw Avenue. Cloverleaf Capital, LLC, owner and applicant; Maricela Martinez, representative.

Project Applicant: Cloverleaf Capital, LLC

Exempt Status: CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) and Section 15182 (Projects Pursuant to a Specific Plan).

Reasons Why Project Is Exempt: This Project is in substantial conformance with the environmental analysis performed for Rezone Amendment 2008-07A2 and Site Plan Review 2017-14. There are no substantial changes in the circumstances surrounding the project, or new information that would require preparation of a subsequent environmental document, and the project is consistent with the Loma Vista Specific Plan.

Therefore, no major revisions to the currently adopted Mitigated Negative Declaration will be required to accommodate the proposed project and no further environmental review is required pursuant to CEQA Guidelines Sections 15162 and 15182.

Lead Agency Contact Person: Marissa Jensen, Assistant Planner

Telephone Number: (559) 324-2338

FILED
OCT 02 2023
TIME 9:56am
FRESNO COUNTY CLERK
By *Yam Edmister*
DEPUTY
Clerk

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Signature:

Marissa Jensen
Assistant Planner

Date: September 28, 2023

CITY OF CLOVIS
Categorical Exemption
Conditional Use Permit 2023-002

E202310000272

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: Samer Sabbah, Cloverleaf Capital, LLC
2348 Whitendale Suite D
Visalia, CA 93277

Project Location: 3741 Shaw Avenue, Clovis, CA 93619, Fresno County

Exemption: Section 15162 (Subsequent EIRs and Negative Declarations)
Section 15182 (Projects Pursuant to a Specific Plan)

Project Description:

Consider Conditional Use Permit 2023-002, a request to approve a conditional use permit to allow a drive-through car wash facility at 3741 Shaw Avenue. Cloverleaf Capital, LLC., owner and applicant; Maricela Martinez, representative.

Determination:

This Project is in substantial conformance with the environmental analysis performed for Rezone Amendment 2008-07A2 and Site Plan Review 2017-14. There are no substantial changes in the circumstances surrounding the project, or new information that would require preparation of a subsequent environmental document, and the project is consistent with the Loma Vista Specific Plan.

Therefore, no major revisions to the currently adopted Mitigated Negative Declaration will be required to accommodate the proposed project and no further environmental review is required pursuant to CEQA Guidelines Sections 15162 and 15182.

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*

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 P-C-C 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: September 28, 2023

Prepared By: Marissa Jensen
Assistant Planner

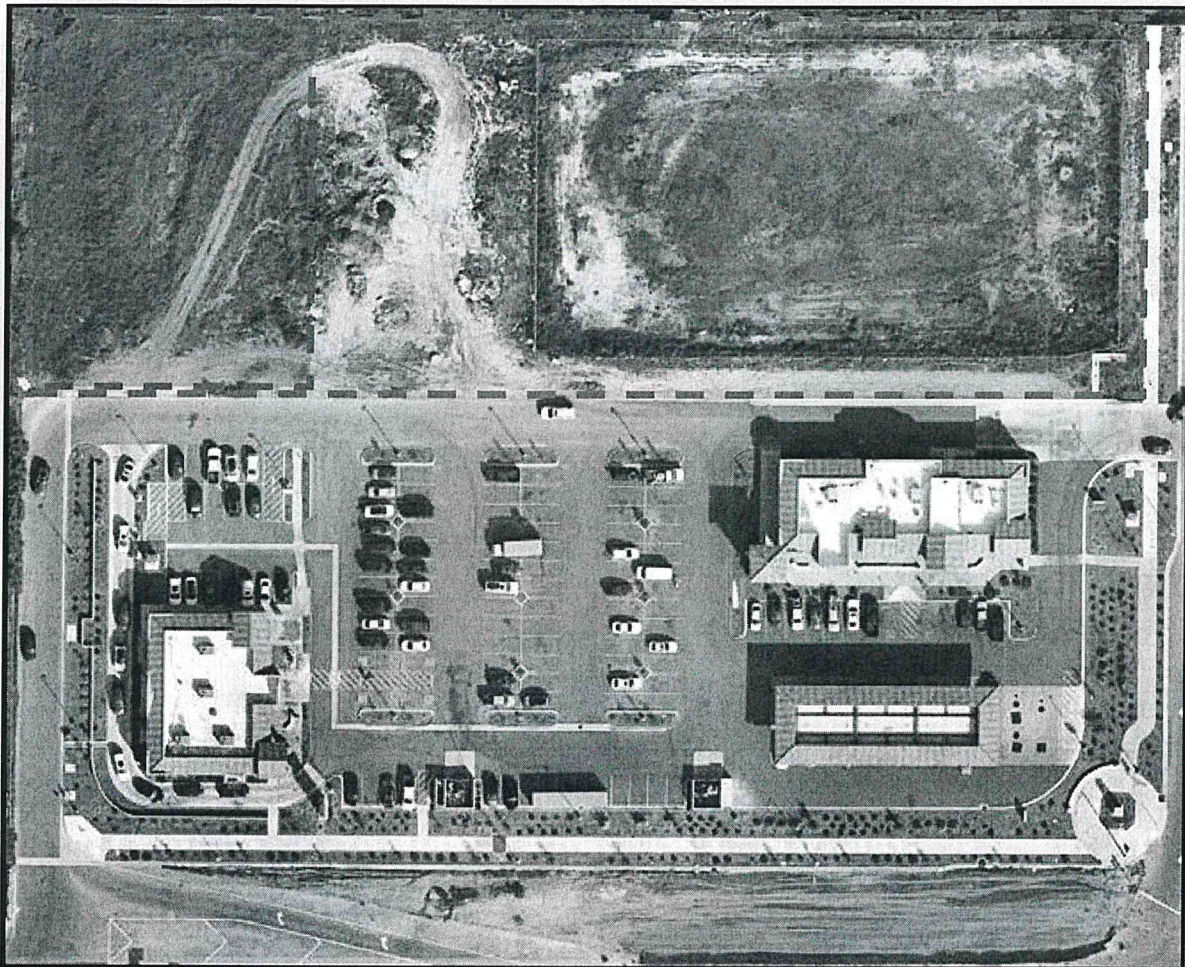


Submitted By:

Marissa Jensen
Assistant Planner
City of Clovis

Planning & Development Services
(559) 324-2338

Project Location



 = Subject Parcel
 = Project Site