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CITY of CLOVIS

PLANNING & DEVELOPMENT

1033 FIFTH STREET • CLOVIS, CA 93612

FILED
NOV 22 2024 TIME 10:52am
FRESNO COUNTY CLERK
By Lyon Edmonston DEPUTY

NOTICE OF EXEMPTION

Conditional Use Permit 2024-011

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 15301 (Class 1, Existing Facilities).

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 2024-011

Project Location: 335 Woodworth Avenue, Clovis, CA 93612, Fresno County

Project Description: Adopting a Class 1 Categorical Exemption from further environmental review under CEQA and a request to approve a conditional use permit to allow the development of a restaurant with wine sales located at 335 Woodworth Avenue. Marlette Associates Architecture, applicant; Seth Hunt, owner.

Project Applicant: Marlette Associates Architecture

Exempt Status: Categorical Exemption, Class 1 (Section 15301), Existing Facilities

Reasons Why Project Is Exempt: The project listed is exempt pursuant to CEQA Guidelines, Section 15301 (Class 1) because the project adaptively reuse the existing residential structure with a minor expansion of approximately 819 square feet; therefore, the Project has been determined to have negligible differences from the existing use and qualifies for the Class 1 Categorical Exemption. None of the exceptions identified in CEQA Guidelines Section 15300.2 apply to the project

Lead Agency Contact Person: Liz Salazar, Assistant Planner

Telephone Number: (559) 324-2305

Signature: _____ **Date:** November 21, 2024

Liz Salazar
Assistant Planner

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CITY OF CLOVIS

Categorical Exemption
Conditional Use Permit 2024-011

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: Marlette Associates Architecture
2565 Alluvial Avenue Suite 142
Clovis, CA 93611

Project Location: 335 Woodworth Avenue, Clovis, CA 93612, Fresno County

Exemption: Section 15301 (Class 1, Existing Facilities)

Project Description:

Adopting a Class 1 Categorical Exemption from further environmental review under CEQA and a request to approve a conditional use permit to allow the development of a restaurant with wine sales located at 335 Woodworth Avenue. Marlette Associates Architecture, applicant; Seth Hunt, owner.

Determination:

The City has determined that this Project is exempt from CEQA, pursuant to CEQA Guideline Section 15301 (Class 1 – Existing Facilities) and the Project would not trigger any of the exceptions identified under CEQA Guidelines Section 15300.2.

The Class 1 categorical exemption exempts projects that consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. Here, the Project would adaptively reuse the existing residential structure with a minor expansion of approximately 819 square feet; therefore, the Project has been determined to have negligible differences from the existing use and qualifies for the Class 1 Categorical Exemption. (Cal. Code Regs., Tit. 14, § 15301, subd. (a).)

The exceptions identified in CEQA Guidelines Section 15300.2 identify further review of a categorical exemption by the project's potential to result in a cumulative impact, significant effect, or proximity to a scenic highway, location on or within the vicinity of a hazardous waste site, and/or the potential to negatively impact a historical resource. Based on staff's review, these exceptions would not be triggered by the proposed Project.

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 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 an adaptive reuse of an existing residential structure. The use is allowed under the Central Clovis Specific Plan (CCSP), thus, the use is not unusual within the established Planning Area 4 of the CCSP. 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.

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Date: November 21, 2024
Prepared By: Liz Salazar
Assistant Planner

Submitted By: _____

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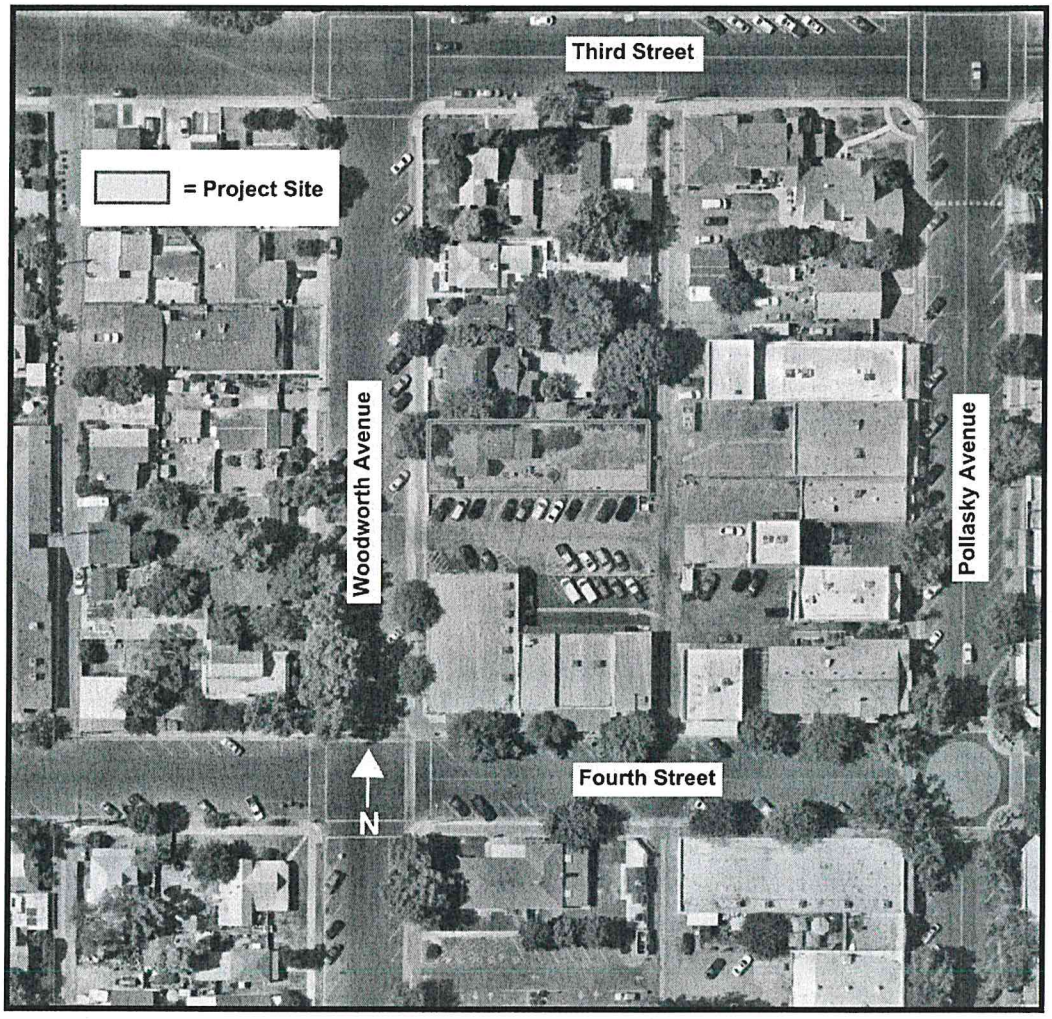
Project Location