



Notice of Exemption

Date: August 29, 2024

To:

- Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044
- Alameda County Clerk-Recorder's Office
1106 Madison Street
Oakland, CA 94607

From:

City of Fremont, Planning Division
39550 Liberty Street
Fremont, CA 94537
Contact: Mark Hungerford
Phone: (510)-494-4541

Subject: Filing of a Notice of Exemption Pursuant to CEQA Guidelines Section 15062

Project Title: Osgood Family Housing (PLN2024-00083)

Project Applicant: Victoria Wong (MidPen Housing)

Project Location (include county): 41965-42035 Osgood Road, Fremont, Alameda County

Project Description: Discretionary Design Review Permit, Vesting Tentative Parcel Map, and density bonus and development concessions requests in conjunction with the phased development of a six-story, 229-unit affordable housing project on a 2.68-acre site in the Irvington Community Plan Area; and consideration of an exemption from the requirements of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15332, Infill Development Projects, and a finding that no further environmental review is required pursuant to CEQA Guidelines Section 15183, as the project is consistent with the density established by the General Plan for which an Environmental Impact Report (EIR) (SCH#2010082060) was previously prepared and certified, and CEQA Guidelines Section 15183.3, as the infill project satisfies the performance standards of CEQA Guidelines Appendix M and would not cause any new specific effects or more significant effects not previously analyzed in the General Plan EIR. Each of the foregoing provides a separate and independent basis for CEQA compliance.

The project was approved by the City of Fremont Zoning Administrator at a publicly-noticed Zoning Administrator hearing on August 27, 2024.

Name of Public Agency Approving Project: City of Fremont

Exempt Status (check one):

- Ministerial (Public Resources Code Section 21080(b)(1); CEQA Guidelines Section 15268)
- Declared Emergency (Public Resources Code Section 21080(b)(3); CEQA Guidelines Section 15269(a))
- Emergency Project (Public Resources Code Section 21080(b)(4); CEQA Guidelines Section 15269(b)(c))
- Categorical Exemption. State type and CEQA Guidelines section number: 15332, Infill Exemption.
- Special Situations. State CEQA Guidelines section number: 15183, Projects Consistent with the General Plan, as an EIR (SCH# 2010082060) was previously prepared and certified; and

15183.3, Streamlining for Infill Projects, as the project satisfies the performance standards of CEQA Guidelines Appendix M and other stated criteria.

Statutory Exemptions. State CEQA Guidelines section number:


Reasons why project is exempt:

The project is categorically exempt from the requirements of CEQA pursuant to a Class 32 Infill Exemption, as the project is consistent with the General Plan and Zoning Ordinance; would occur within the city limits on a site no greater than five acres substantially surrounded by urban uses; would occur on a site that has no habitat value for endangered, rare or threatened species; would not result in significant effects relating to traffic, noise, air quality and water quality; and is on a site adequately served by utilities and public services.

On a separate and independent basis, the project is exempt from further environmental review pursuant to CEQA Guidelines Section 15183, Projects Consistent with a Community Plan, General Plan, or Zoning. The project is consistent with the development densities established for the site, and furthermore carries out various land use, housing, and other policies of the General Plan, for which an Environmental Impact Report (Fremont General Plan Update EIR; SCH No. 2010082060) was prepared and certified by the Fremont City Council in December 2011 in accordance with the requirements of CEQA. There are no new significant effects peculiar to the project or the project site than previously identified in the General Plan Update EIR. The programmatic mitigation measures from the General Plan Update EIR and/or the standard development requirements contained within Fremont Municipal Code Chapter 18.218 adequately address the potential environmental effects of the project. The project is thus within the scope of the General Plan Update EIR and no further CEQA documentation is required.

Additionally, and also on a separate and independent basis, the project qualifies for CEQA Guidelines Section 15183.3, Streamlining for Infill Projects, in that it's located on a site adjacent to urban uses, meets all Appendix M performance standards applicable to multi-family residential projects, and is consistent with Plan Bay Area, the region's Sustainable Communities Strategy.

Signature (Lead Agency):



Title: Senior Planner

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.