



Notice of Exemption

Date: February 5, 2025

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: James Willis, Senior Planner
Phone: (510)-494-4449

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

Project Title: 2024 Code Update – Housing Element Implementation (PLN2025-00074)

Project Applicant: City of Fremont

Project Location (include county): City of Fremont, Alameda County

Project Description: To consider adoption of a resolution for objective design standards for historic homes associated with state law compliance and an ordinance for associated text amendments to the Historic Resources Chapter (FMC Chapter 18.175); and to consider exemptions for the proposed amendments from the requirements of the California Environmental Quality Act (CEQA), each on a separate and independent basis, pursuant to CEQA Guidelines §15061 (Review for Exemption), §15183 (Projects Consistent with a Community Plan, General Plan, or Zoning), §15262 (Feasibility and Planning Studies), and §15378 (Project).

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:
- Special Situations. State CEQA Guidelines section numbers: 15061, 15183, 15378
- Statutory Exemptions. State CEQA Guidelines section number: 15262

Reasons why project is exempt:

The proposed text amendment and Objective Standards are exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to, without limitation, each on a separate and independent basis, CEQA Guidelines:

- 1) In that it can be seen with certainty that there is no possibility that the proposed text amendment and Objective Standards would have the potential for causing a significant effect on the

environment, and because the proposed amendments would only modify certain zoning procedures to implement the City's 2023-2031 Housing Element and would not approve any development. §15061(b)(3) Review for Exemption.

- 2) In that the proposed text amendment and Objective Standards are consistent with the development densities and policies in Fremont's General Plan, for which an Environmental Impact Report (EIR) [SCH #2010082060] was previously prepared and certified, and none of the circumstances necessitating further environmental review are present. The proposed amendment and Objective Standards do not involve peculiar impacts that were not previously analyzed or discussed as significant effects in prior EIR(s) on the general plan and zoning with which the project is consistent, there are no previously identified significant effects which are substantially more severe than analyzed in the prior EIR(s) or cannot be substantially mitigated by the imposition of uniformly applied development policies or standards applied on a citywide basis, and the proposed amendment and Objective Standards are necessary to conform with state law. Any conceivable impact of the proposed amendments would be too speculative for reasoned analysis in the absence of specific development proposals. §15183, Projects Consistent with a Community Plan, General Plan, or Zoning and/or §15162 Subsequent EIRs and Negative Declarations.
- 3) In that the proposed amendment and Objective Standards may lead to possible future actions, but the City has not yet approved, adopted, or funded those possible future actions. §15262 Feasibility and Planning Studies.
- 4) In that the proposed amendment and Objective Standards are an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. §15378 Project.

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.