



# Notice of Exemption

**Date:** May 6, 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: Kevin Lee, Planner II  
Phone: 510-494-4521

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

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**Project Title:** CHICK-FIL-A MOWRY DRIVE-THROUGH CUP AMENDMENT (PLN2025-00012)

**Project Applicant:** Andrew Farias, Kimley-Horn

**Project Location (include county):** 5245 Mowry Avenue, Fremont, Alameda County, 94538

**Project Description:** To consider a Conditional Use Permit Amendment and Discretionary Design Review to allow for the construction of a canopy and various site modifications to expand the drive-through facility at an existing Chick-fil-A restaurant located in the Centerville Community Plan Area.

**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: CEQA Guidelines Section 15301, Existing Facilities
- Statutory Exemptions. CEQA Guidelines section number:
- Special Situations: CEQA Guidelines Section 15183, Projects Consistent with a Community Plan, General Plan, or Zoning

**Reasons why project is exempt:** This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301, Existing Facilities, as the eating place and drive-through enterprise under consideration is an existing use. The proposed site modifications do not cause the existing use and building to fall out of compliance with applicable zoning and building standards.

Additionally, no further environmental review is required per CEQA Guidelines Section 15183, as the project is consistent with the land use envisioned for the site as established by the General Plan for which an Environmental Impact Report (SCH#2010082060) was previously prepared and certified. Each of the foregoing provides a separate and independent basis for CEQA compliance.

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?  Yes  No

Signature (Lead Agency): Kevin Lee Title: Planner II

Date Received for filing at OPR: \_\_\_\_\_

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