



**MINUTES
FREMONT ZONING ADMINISTRATOR
EMERGENCY MEETING OF MARCH 24, 2020**

CALL TO ORDER: Zoning Administrator Clifford Nguyen called the meeting to order at 3:00 p.m.

PRESENT: Clifford Nguyen, Zoning Administrator
Marc Cleveland, Planner

CONSENT CALENDAR None

EMERGENCY MEETING ITEMS

Item 1. **BioGenex Coronavirus (COVID-19) Test Kit Component Manufacturing – BLD2020-04234** - To consider an Emergency Zoning Administrator Permit in accordance with the City’s Local Emergency declaration, to allow a Hazardous Materials “Small User Site” associated with the production of materials critical to the manufacturing of testing kits for COVID-19 in an existing facility located at 48810 Kato Road in the Bayside Industrial Community Plan Area; and to consider a categorical exemption from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301, Existing Facilities, and Section 15269(c), Emergency Projects.

In response to the COVID-19 pandemic, the City of Fremont Director of Emergency Services/City Manager proclaimed a local emergency on March 13, 2020, and the City Council ratified the proclamation of the local emergency on March 17, 2020. The Director of Emergency Services is empowered to take emergency actions when a Local Emergency or a State of Emergency has been declared, pursuant to FMC Section 2.20.110. Accordingly, under that authority delegated by the Director of Emergency Services, the Zoning Administrator waived the public hearing and noticing requirements and took the following action on Item 1:

FOUND THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER CEQA GUIDELINES SECTION 15301, EXISTING FACILITIES, BECAUSE ONLY MINOR MODIFICATIONS OF AN EXISTING FACILITY ARE NECESSARY IN ORDER TO ACCOMMODATE THE PROPOSED USE AND SECTION 15269(C), EMERGENCY PROJECTS BECAUSE THE PROJECT IS NECESSARY TO FACILITATE THE APPLICANT’S PRODUCTION OF MATERIALS CRITICAL

TO THE MANUFACTURING OF TEST KITS FOR COVID-19 AND NECESSARY TO MITIGATE AN EMERGENCY;

AND

FOUND THAT EMERGENCY ZONING ADMINISTRATOR PERMIT BLD2020-04234, IS CONSISTENT WITH THE CITY'S EXISTING GENERAL PLAN, THAT THE STATE OF CALIFORNIA HAS DECLARED A STATE OF EMERGENCY, THE CITY COUNCIL HAS DECLARED A LOCAL EMERGENCY, THE PROPOSED USE IS CONSISTENT WITH THE GOALS OF THE EMERGENCY ORGANIZATION AND FMC SECTION 2.20.110, PROPOSED SITE IS PHYSICALLY SUITABLE FOR THE TYPE, DENSITY, AND INTENSITY OF THE PROPOSED USE, WOULD BE COMPATIBLE WITH DEVELOPMENT IN THE VICINITY, AND THAT THE PROPOSED USE WOULD NOT BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, OR WELFARE OF PERSONS OR PROPERTY IN THE VICINITY AS ENUMERATED WITHIN THE STAFF REPORT;

AND

APPROVED BLD2020-04234, AS SHOWN IN EXHIBIT "A", SUBJECT TO THE FINDINGS AND CONDITIONS IN EXHIBIT "B."

Item 1 was approved based on finding and subject to conditions.

APPROVED BY:



Clifford Nguyen
Zoning Administrator