



## AB 130 STATUTORY EXEMPTION QUALIFICATION MEMORANDUM

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**Date** January 13, 2026

**To** Shila Bagley, Senior Planner

**From** Nick Towstopiat, Project Manager  
Kristy L. Weis, Principal Project Manager

**Subject** 1001 South Wolfe Road Residential Project – AB 130 Statutory Exemption Qualification

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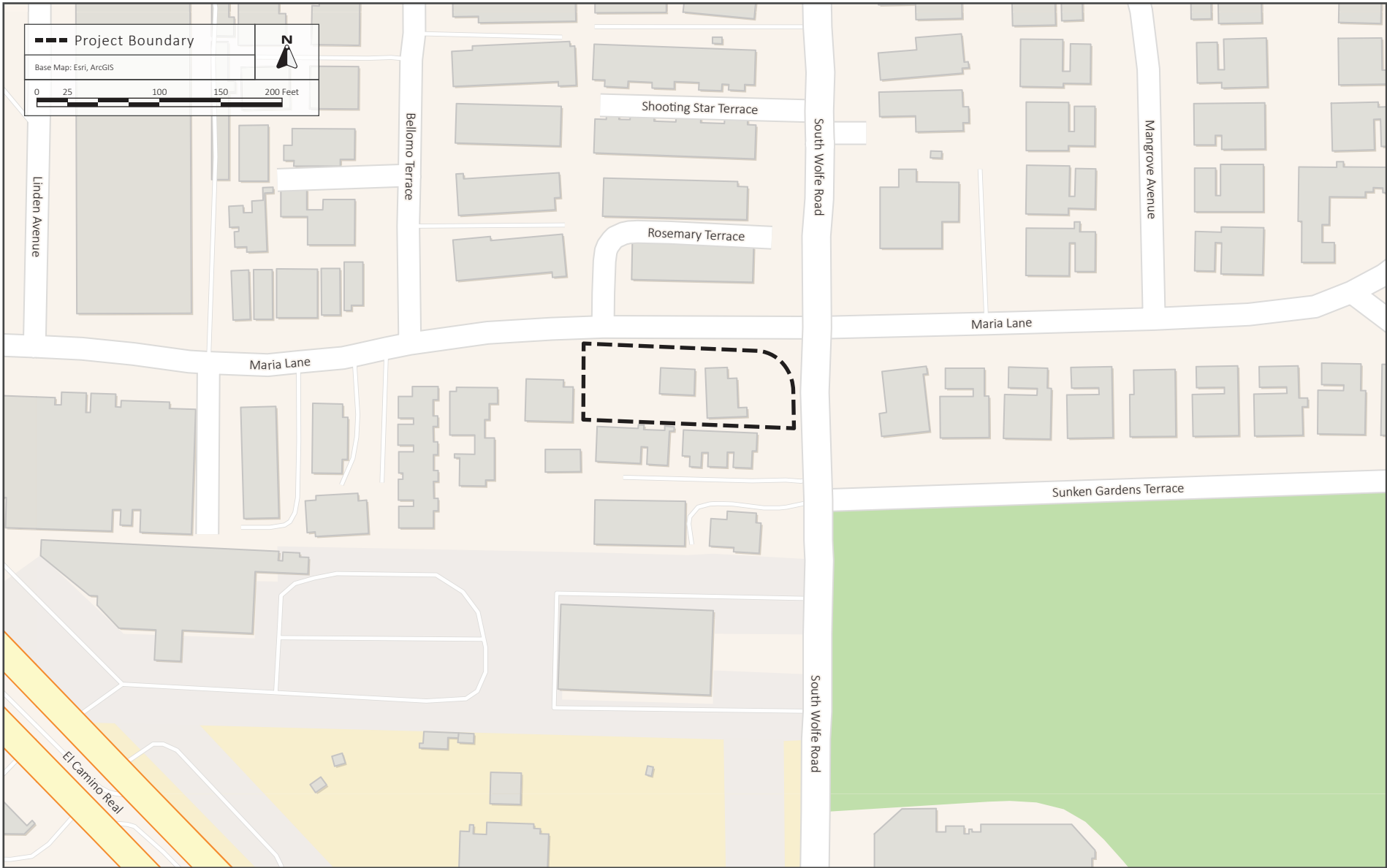
### I. Background and Purpose

Assembly Bill (AB) 130 exempts qualifying housing projects from the provisions of the California Environmental Quality Act (CEQA). AB 130 became effective on June 30, 2025 and is codified in Public Resources Code (PRC) Section 21080.66.

The purpose of this memorandum is to provide substantial evidence documenting whether the proposed 1001 South Wolfe Road Residential project (File No. PLNG-2024-0639) meets the conditions and requirements for a statutory exemption pursuant to AB 130/PRC Section 21080.66. The project application was deemed completed on September 26, 2025.

### II. Project Description

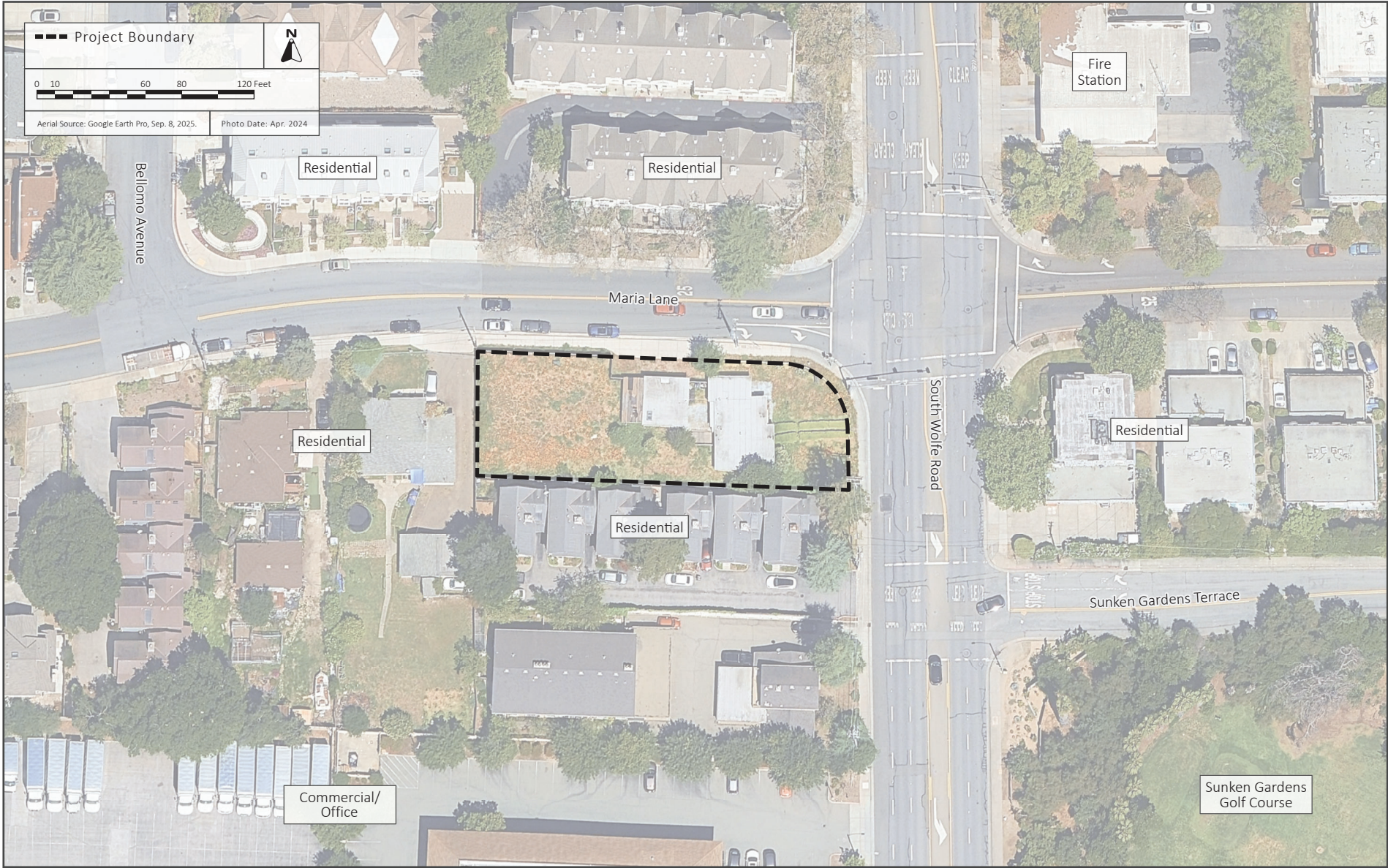
The 0.29-acre project site is located 1001 South Wolfe Road (Assessor's Parcel Number: 211-16-042) on the southwest corner of the Maria Lane and South Wolfe Road intersection in the City of Sunnyvale. The adjacent land uses include residential uses to the north, east, south, and west. There is also a fire station to the northeast, a golf course to the southeast, and commercial/office uses further to the south. A regional map and aerial photograph with surrounding land uses is shown on Figure 1 and Figure 2, respectively.



VICINITY MAP

FIGURE 1





AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 2

The project proposes redevelopment of the site, which would include demolition of the existing single-family residence and detached garage on-site and construction of five, three-story, attached, townhouse-style condominium units. The project would result in a development density of 17.2 dwelling units per acre (du/ac).

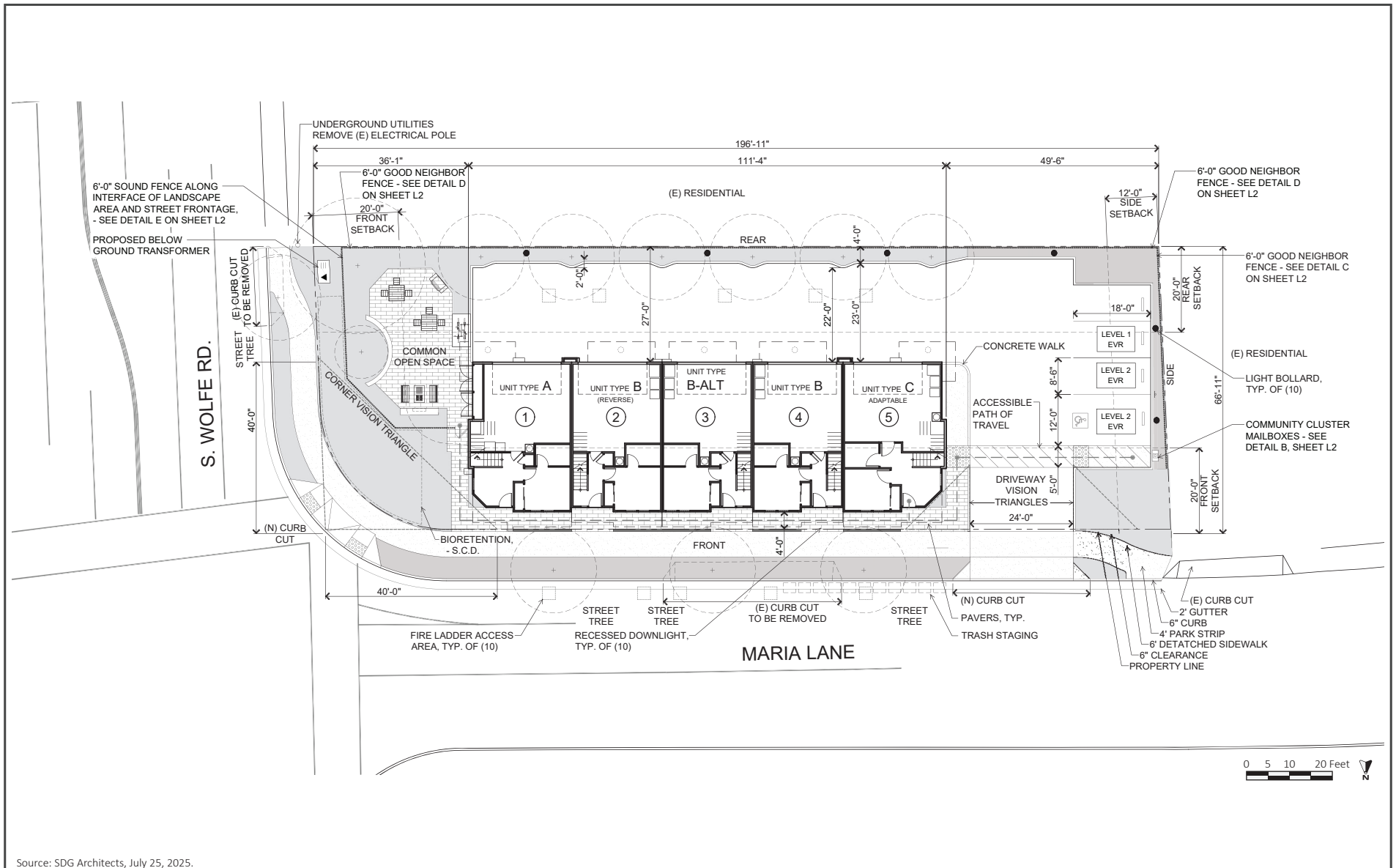
The condominium units would have a maximum building height of 38 feet. The project would provide a private common space area for residents on the eastern portion of the site which would include seating areas and landscaping. The project would remove the six existing trees on-site and plant 15 replacement trees. Additional landscaping, including native and drought-tolerant plants, would be included around the perimeter of the site.

Vehicle access to the site would be provided by a 24-foot wide, two-way driveway on the northwest portion of the site accessible via Maria Lane. The western portion of the site would include four parking stalls for guests, and each condominium unit would include a ground-floor garage with covered parking. Vehicle access to each of the condominium units would be provided by the internal driveway that would run parallel to the southern site boundary. Pedestrian access to the units would be provided via the sidewalks on South Wolfe Road and Maria Lane.

The project would construct new lateral connections to existing water, fire water, and sanitary sewer utility lines in Maria Lane. The project would also construct a new underground electric transformer on the southeast corner of the site adjacent to South Wolfe Road.

See Figure 3 below for the conceptual site plan.





Source: SDG Architects, July 25, 2025.

CONCEPTUAL SITE PLAN

FIGURE 3

### III. AB 130 Qualification

AB 130 includes specific conditions and requirements that must be met for a project to be exempt from CEQA. The project's conformance with each of the eligibility conditions for housing projects under AB 130 are discussed in detail in Table 1 below. The project's conformance with each requirement under AB 130 are discussed in detail in Table 2 below.

**Table 1: Project Qualification with AB 130 Conditions**

Statutory Exemption Condition	Does the Project Meet this Condition?			Analysis
	Yes	No	N/A	
1. The project is within the appropriate maximum lot size. [PRC Section 21080.66 (a) (1)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As noted in Section II. Project Description, the project site is 0.29 acres in size, which is less than the 20-acre maximum lot size condition. Therefore, the project is consistent with this condition.
2. The project is located in an incorporated municipality or urban area. [PRC Section 21080.66 (a) (2)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The project site is located within the limits of the City of Sunnyvale. Therefore, the project is consistent with this section.
3. The project site meets the criteria for previous development on- and surrounding the site. [PRC Section 21080.66 (a) (3)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The project site is a rectangular-shaped corner parcel on the southwest corner of Maria Lane and South Wolfe Road and is currently developed with a single-family residence and detached garage. Maria Lane is directly north of the site and South Wolfe Road is directly east of the site. The parcels adjoining the site to the north, east, south, and west are currently developed with residential uses. For the reasons described above, the project meets this condition.
4. The project is consistent with the existing General Plan or Zoning for the site, and any applicable local coastal program. [PRC Section 21080.66 (a) (4)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site has a General Plan designation of Residential Medium Density, which allows townhomes, apartments, and condominiums. Per the General Plan, medium-density neighborhoods and developments are generally located along arterials and residential collector streets, and may also be located near industrial or commercial areas. The density/intensity allowed is 15-24 du/ac. <sup>1</sup> The site is zoned (R3) Medium-Density Residential, which is reserved for the construction, use, and occupancy of not more than 24 du/ac. <sup>2</sup>

<sup>1</sup> City of Sunnyvale. *Sunnyvale General Plan, Chapter 3 Land Use and Transportation*. Updated March 2024. Pages 3-84 and 3-85.

<sup>2</sup> Sunnyvale Municipal Code Section 19.18.020(e).

Statutory Exemption Condition	Does the Project Meet this Condition?			Analysis
	Yes	No	N/A	
				<p>The project would develop five townhouse-style condominium units on a site along an arterial and residential collector streets (i.e., South Wolfe Road and Maria Lane), resulting in a density of 17.2 du/ac. The project, therefore, is consistent with the existing General Plan land use and zoning designations for the site.</p> <p>The project would also comply with most of the R3 development standards and requests for deviations for front setback, garage size, usable open space and height requirements. These deviations can be considered through the Special Development Application and do not require Variance, or General Plan and Zoning amendments. In addition, the project would be consistent with General Plan Policy LT-5.3 (require new development, renovation, and redevelop to be compatible and well-integrated with existing residential neighborhoods) and Policy LT-6.1 (improve and preserve the character and cohesiveness of existing residential neighborhoods) by going through the City's standard design review process, which would ensure the final design and site layout for the project would comply with applicable design standards and be compatible with the character of the existing residential neighborhood.</p> <p>The project site is inland and not subject to a local coastal program.</p> <p>For the reasons discussed above, the project meets this condition.</p>
5. The project includes at least 15 dwelling units per acre. [PRC Section 21080.66 (a) (5)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As discussed in Section II. Project Description, the project would result in a density of 17.2 du/ac. Therefore, the project meets this condition.
6. The project is not located on a site that is any of the following: an area of the coastal zone; either prime farmland or farmland of statewide importance; wetlands; within a Very	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The project site is located at 1001 South Wolfe Road in Sunnyvale, approximately 21 miles from the Pacific Ocean and 4.4 miles from the San Francisco Bay. The proposed development would not be located in a coastal zone or subject to a certified local coastal program. The site is currently developed with a residential use and is not designated as Prime

Statutory Exemption Condition	Does the Project Meet this Condition?			Analysis
	Yes	No	N/A	
High Fire Hazard Severity Zone; a hazardous waste site included on the Cortese list; within a delineated earthquake fault zone; within a special flood hazard area; within a regulatory floodway; lands identified for conservation; habitat for protected species; or lands under a conservation easement. [PRC Section 21080.66 (a) (6)]				Farmland or Farmland of Statewide Importance. <sup>3</sup> There are no wetlands on-site. <sup>4</sup> The site is not: located within a Very High Fire Hazard Severity Zone; <sup>5</sup> identified as a hazardous site on the Cortese list; <sup>6, 7, 8, 9</sup> or located within an earthquake fault zone, <sup>10</sup> special flood hazard area, <sup>11</sup> or regulatory floodway. <sup>12</sup> The project site is not identified for conservation or under a conservation easement. The site is fully developed with urban uses and does not contain any sensitive habitat (such as wetlands) that would be habitat for protected species. Therefore, the project meets this condition.
7. If demolition is required, the project only involves demolition of structure(s) not placed on a national, state, or local historic register. [PRC Section 21080.66 (a) (7)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The project site, including the existing building on-site, are not listed in the National Register of Historic Places, <sup>13</sup> California Register of Historic Properties, <sup>14</sup> or City of Sunnyvale Heritage Resources Inventory. <sup>15</sup> Therefore, the project meets this condition.

<sup>3</sup> California Department of Conservation. *Santa Clara County Important Farmland 2020*. Accessed September 29, 2025.

<sup>4</sup> United States Fish and Wildlife Service. *National Wetland Inventory*. Accessed September 29, 2025.

<https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>

<sup>5</sup> CAL FIRE. Santa Clara County State Responsibility Area Fire Hazard Severity Zones. February 24, 2025.

<sup>6</sup> California Department of Toxic Substances Control. "EnviroStor Database." Accessed September 29, 2025.

<https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=1001+south+wolfe+road>

<sup>7</sup> State Water Board. "Geotracker." Accessed September 29, 2025.

<https://geotracker.waterboards.ca.gov/map/?myaddress=California&from=header&cqid=7253385245>

<sup>8</sup> State Water Board. "List of solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit." Accessed September 29, 2025.

<https://calepa.ca.gov/wp-content/uploads/2016/10/SiteCleanup-CorteseList-CurrentList.pdf>

<sup>9</sup> State Water Board. *List of "active" CDO and CAO from Waterboard*. Accessed September 29, 2025.

<https://calepa.ca.gov/wp-content/uploads/2016/10/SiteCleanup-CorteseList-CDOCAOList.xlsx>

<sup>10</sup> California Department of Conservation. "Earthquake Zones of Required Investigation." Accessed September 29, 2025. <https://maps.conservation.ca.gov/cgs/informationwarehouse/eqzapp/>

<sup>11</sup> Federal Emergency Management Agency. Flood Insurance Rate Map: Number 06085C0207H. May 18, 2009.

<sup>12</sup> Ibid.

<sup>13</sup> National Parks Service. *National Register of Historic Places*. Accessed September 29, 2025.

<sup>14</sup> California Department of Parks and Recreation. *California Historical Resources*. Accessed September 29, 2025.

<sup>15</sup> City of Sunnyvale. *Heritage Resources Inventory*. September 2024. Accessed September 29, 2025.

<https://www.sunnyvale.ca.gov/home/showpublisheddocument/1556/638628640712300000>



Statutory Exemption Condition	Does the Project Meet this Condition?			Analysis
	Yes	No	N/A	
8. The project excludes Transient Lodging. [PRC Section 21080.66 (a) (8)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As noted in Section II. Project Description, the proposed project is the demolition of the existing single-family residence and detached garage on-site and the construction of five, three-story, attached, townhouse-style condominium units. No hotel, motel, bed and breakfast inn, or other transient lodging such as a residential hotel or short-term lodging is proposed on the project site. For these reasons, the project meets this condition.

**Table 2: Project Conformance with AB 130 Requirements**

Statutory Exemption Requirement	Does the Project Meet this Condition?			Analysis
	Yes	No	N/A	
1. Tribal Consultation has been completed. [PRC Section 21080.66 (b) (1)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>As noted in Section II. Project Description, the proposed project was deemed complete on September 26, 2025.</p> <p>In accordance with Public Resources Code Section 21080.66(b)(1), the City of Sunnyvale notified 25 tribal contacts traditionally or culturally affiliated with the project area on September 26, 2025 about the proposed project via certified mail and/or email. The last date for tribes to respond to the consultation request was November 25, 2025. The Muwekma Ohlone Tribe was the only tribe to respond prior to the end of the consultation deadline, and they requested an extension to conclude consultation by December 27, 2025.</p> <p>Through the consultation process, the Muwekma Ohlone Tribe recommended that tribal monitoring occur during all ground-disturbing activities and that the applicant comply with all legal requirements regarding avoidance and protection of tribal cultural resources, should any unknown tribal cultural resources be uncovered during construction activities on-site and/or in the adjacent public right-of-way. Per PRC Section 21080.66 (b) (4) and as documented in the</p>

Statutory Exemption Requirement	Does the Project Meet this Condition?			Analysis
	Yes	No	N/A	
				Conditions of Approval, the project shall implement measures to avoid potentially significant impacts to tribal cultural resources. For these reasons, the project meets this condition.
2. A Phase I Environmental Assessment has been prepared for the project or required as a condition of approval. [PRC Section 21080.66 (c) (1)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A Phase I Environmental Site Assessment (Phase I ESA)<sup>16</sup> and Soil Sampling Report<sup>17</sup> were completed for the proposed project on June 11, 2024 and March 25, 2025, respectively. The Phase I ESA did not identify any Recognized Environmental Conditions (RECs), Historical Recognized Environmental Conditions (HRECs) or Controlled Recognized Environmental Conditions (CRECs). However, it did identify a Potential Environmental Concern (PEC), which was the site's historic use for agricultural activities which could have resulted in the use of organochlorine pesticides (OCPs) on-site. The Soil Sampling Report prepared for the project confirmed that on-site soil contained arsenic concentrations that were typical of background concentrations in the region, lead at concentrations below the residential and construction worker direct exposure Environmental Screening Levels (ESLs), and one sample of Dieldrin with a concentration of 0.26 mg/kg, which exceeds the residential ESL (0.037 mg/kg) but is well below the construction worker direct exposure ESL (1.1 mg/kg).</p> <p>A peer review of the Phase I ESA was completed on September 12, 2025<sup>18</sup> and a peer review of the Soil Sampling Report was completed on September 15, 2025<sup>19</sup>. The peer review confirmed the applied methodologies in the reports were appropriate and the following measures shall be Conditions of Approval to address potential residual contamination from historic agricultural uses on-site:</p>

<sup>16</sup> Silicon Valley Environmental. *Phase I Environmental Site Assessment, 1001 South Wolfe Road, Sunnyvale, CA 94086*. June 11, 2024.

<sup>17</sup> Silicon Valley Environmental. *Soil Sampling Report, 1001 South Wolfe Road, Sunnyvale, CA 94086*. March 21, 2025.

<sup>18</sup> AEI Consultants. *Peer Review, 1001 South Wolfe Road Sunnyvale, California 94086*. September 12, 2025.

<sup>19</sup> AEI Consultants. *Peer Review, 1001 South Wolfe Road Sunnyvale, California 94086*. September 15, 2025.

Statutory Exemption Requirement	Does the Project Meet this Condition?			Analysis
	Yes	No	N/A	
				<p>1) After the existing structures on-site are demolished, the project proponent shall conduct an additional subsurface investigation, where 10 to 20 soil sampling locations are evenly spaced across the project site in a grid pattern, to the extent possible. Shallow soil samples shall be collected using hand tools from depths of one and two feet below ground surface;</p> <p>2) These soil samples shall be analyzed for concentration of dieldrin; and should the one-foot samples identify dieldrin above the residential direct exposure ESL, the deeper corresponding soil sample shall be analyzed to determine the lateral extent on contamination at that location. Step-out soil sampling may also be required in order to determine the lateral extent of impacted soil; and</p> <p>3) A Soil Management Plan shall be prepared for the project site to protect the environment and construction workers of potentially impacted soil during construction activities.</p> <p>The project would be required to implement the above measures prior to issuance of a building permit for the project. This would ensure that any contaminants of concern in the soil on-site are handled appropriately and risks to construction workers and future residents on-site are reduced to a less than significant level. For these reasons, the project meets this condition.</p>
3. The project site is located more than 500 feet from a freeway or, if the project is located within 500 feet of a freeway, the project includes the required design measures. [PRC Section 21080.66 (c) (2)]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The nearest freeway to the project site is Interstate 280, which is located approximately 1.53 miles (or over 8,000 feet) south of the project site. Therefore, this requirement is not applicable to the project.
4. The project does not contain 100 percent affordable units or, if the project contains 100	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	As noted in Section II. Project Description, the proposed project would include five residential, market-rate units with a maximum height of 38

Statutory Exemption Requirement	Does the Project Meet this Condition?			Analysis
	Yes	No	N/A	
percent affordable units or is over 85 feet in height above grade, the project will comply with prevailing wage requirements. [PRC Section 21080.66 (d) (1)]				feet. Therefore, the requirements of this section do not apply.

## IV. Conclusion

As documented in Section III. AB 130 Conformance, with the identified conditions of approval, the project qualifies for a statutorily exemption pursuant to AB 130.