

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

CLASS 32 CATEGORICAL EXEMPTION ANALYSIS

CEQA Guidelines Section 15332, known as the “Class 32 Infill Exemption”, exempts projects from further CEQA review if the five criteria below are met. The following is staff’s analysis:

1. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The General Plan land use designation for the project site is Medium Density Residential (15 to 24 dwelling units per acre), and the zoning designation is R-3/PD – Medium Density Residential / Planned Development combining district. The General Plan contains goals and policies to allow for residential uses, and the development of townhomes, apartments, and condominiums in the Medium Density Residential land use designation.

The zoning designation allows multi-family developments with a Special Development Permit approval. The properties are also listed on the Sunnyvale Heritage Resources Inventory. The zoning regulations allow for construction, demolition, relocation, or material change to Heritage Resources with a Resource Alteration Permit. The project proposes constructing four three-story townhome buildings and retain one single-story, single-family house at 434 Crescent Avenue. There will be a total of 5 units for a density of 19 dwelling units per acre meeting 80% of the General Plan maximum density designation of 24 dwelling units per acre.

The overall building mass will be oriented north-south and have a generally rectangular footprint. It will measure approximately 96-feet long and 35-feet wide at its widest point and will be approximately 33-feet tall relative to the 18-foot height of the historic residence. The new building will have a 20-foot setback from the rear (south) property line and a 12-foot setback from the east property line. The north wall of the new construction will be separated from the south wall of the existing historic residence by 9’- 1” at the first and second floors and 14’-0” at the third floor.

Like-for-like improvements were completed on the historic house through the building permit process, in accordance with the Secretary of the Interior’s Standards. Minor exterior work included repairs to the siding, new windows and repainting of the structure. The new townhome building will feature a hipped roof with gabled and clipped-gable roof projections. Each unit will feature a two-car garage and recessed front door at the ground floor on the west façade, two upper residential floors, and small individually fenced backyards and second-floor balconies on the east side. The building will be clad with horizontal Hardie board cladding in an off-white color. Windows will be single-hung wood or aluminum-clad wood true divided lite units. The garage door panels will have a wood grain texture the roof will be clad with asphalt composite shingles in a dark grey color. Two guest parking spaces will be provided and two uncovered spaces for the historic home located between the home and the townhomes.

The project conforms with the prescribed development standards in the General Plan and Municipal Code. The proposed development is considered compatible with the surrounding multi-family residential neighborhood character.

2. The proposed development occurs within city limits on a project site of no more than acres substantially surrounded by urban uses. The 0.26-acre project site is located within City limits and surrounded by two two-story multi-family developments and a single-family home. The site is located mid-block on south side of Crescent Avenue between Manet Drive and Sunnyvale Saratoga Road, which is a six-lane Class I Arterial Street. The project site would be served by existing utilities.
3. The project site has no value as habitat for endangered, rare, or threatened species. The site is currently developed with one single-family home and site improvements. The surrounding areas have been heavily modified by urbanization and multi-family apartment and condominium developments, and do not provide suitable habitat for endangered, rare, or threatened species. The City of Sunnyvale is not located within the Santa Clara Valley Habitat Conservation (SCVHC) plan area. The project site is not adjacent to riparian corridors nor includes tall buildings that would increase risks to birds. As conditioned upon approval of the project, the applicant will incorporate standard construction best management practices and will prepare pre-construction nesting bird survey before any demolition and construction activities that will not happen between September 1st and January 31st.

An Arborist Report was prepared by Woodreeve on September 8, 2025. There are five protected trees onsite proposed for removal. Sunnyvale Municipal Code Chapter 19.94 defines a protected tree as having a trunk size of at least 38 inches in circumference, as measured 4.5 feet from the ground. Protected size trees are required to be replaced per the City's Tree Replacement Policy. Recommendations for tree protection during construction and replacement tree planting will be included as part of the standard conditions of approval. A Coast Live oak (protected tree) will be transplanted from the rear yard to the front of the existing historic home.

4. Approval of the project would not result in any significant effects related to traffic, noise, air quality, or water quality.

Traffic –The proposed five-unit residential project would generate a minimal amount of vehicle trips and would not create a significant transportation impact under CEQA. Due to the small size of the development, the project would not substantially increase Vehicle Miles Traveled (VMT) or cause a measurable change in traffic conditions in the surrounding area.

Noise – The project would not introduce any significant operational noise sources beyond typical residential activities. Temporary noise may occur during construction; however, construction activities would be required to comply with the City of Sunnyvale's construction hour regulations and standard conditions of approval, which limit construction noise and require the use of properly maintained equipment. With compliance with these standard requirements, noise impacts would be less than significant.

Air Quality – The project consists of five residential units and would generate minimal operational emissions associated with typical residential uses and limited vehicle trips. Due to the small scale of the project, emissions would be well below the significance thresholds established by the Bay Area Air Quality Management District (BAAQMD). Temporary construction emissions may occur but would be reduced through standard best management practices, such as dust control measures and proper maintenance of construction equipment. With these measures, air quality impacts would be less than significant.

Water Quality – Stormwater management is regulated under the Federal National Pollutant Discharge Elimination System (NPDES) program. The City of Sunnyvale complies with NPDES requirements through participation in the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP). The project would be required to comply with Sunnyvale Municipal Code Section 12.60 and applicable City stormwater requirements. Compliance with these existing regulations and standard conditions of approval would ensure that the project would not result in significant impacts on water quality. The project does not propose any uses that would create unusual or intensive sources of water contamination and would comply with all applicable local, state, and federal regulations and best management practices.

5. The site can be adequately served by all required utilities and public services.

The project site is in a developed area with adequate utilities and services, such as water, sewer and solid waste. Public services are also adequately provided, such as police and fire. All required utilities and public services will continue to be provided after the completion of the proposed project.

Further, none of the exceptions to use of this exemption applies (CEQA Guidelines Section 15300.2)

- a. Location: Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply to all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The project site is not located in an area of sensitive or critical concern.

- b. Cumulative Impact: All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. - There is no evidence of a potential significant cumulative impact because successive projects of the same type in the same place have not been approved and are not currently proposed.

- c. Significant Effect: A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

There is no evidence of unusual circumstances. The project is of the size and type contemplated by the General Plan. It is surrounded by developed uses and is developed itself. It is not located within a sensitive resource area.

- d. Scenic Highways: A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR. The project site is not within a highway designated as a state scenic highway.
- e. Hazardous Waste Sites: A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The project site is not located on a site which is included on any list compiled pursuant to Section 65962.4 of the Government Code.

<https://calepa.ca.gov/sitecleanup/corteselist/section-65962-5c/>

- f. Historical Resources: A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

A Historic Resource Evaluation prepared by Page & Turnbull, dated October 15, 2024, evaluated the historic significance of the existing residence at 434 Crescent Avenue. The property is a locally designated Heritage Resource and was first listed in the City of Sunnyvale Heritage Resources Inventory in 1979 and subsequently included in the updated inventories in 1987 and 2018. As noted in the 1987 inventory, the residence is one of the remaining buildings within the Easter Gables subdivision that retains its original appearance. Page & Turnbull reevaluated the property in July 2024 and concluded that the residence retains eligibility for designation on the City of Sunnyvale Historic Resources Inventory. The evaluation also assessed the compatibility of the proposed development with the historic resource and provided recommendations to ensure consistency with the Secretary of the Interior's Standards for Rehabilitation.

To improve compatibility with the historic residence, Page & Turnbull recommended several design modifications, including increasing the setback of the proposed townhouse building from the historic home, reducing the visual prominence of upper stories, and simplifying roof forms to minimize visual competition with the historic structure.

The proposed project incorporates these recommendations to the extent feasible. While a full 15-foot setback at all levels is not achievable due to site constraints, the design includes a graduated setback, with the third floor set back 15 feet from the historic residence. This design approach reduces the perceived massing and visibility of the new construction when viewed from the historic home. In addition, the roof form of the townhomes has been simplified and designed to be compatible with, yet subordinate to, the historic structure.

Based on the Historic Resource Evaluation and the incorporation of these design modifications, the project would not cause a substantial adverse change in the significance of a historical resource.